Who Holds Power?

Constitutional limits in a school water crisis

USG.C.3 "Analyze the fundamental principles of the American republic, as established in the Constitution of the United States of America. Evaluate the necessity of a written constitution..."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline two actions Congress could take to create and fund the grant, and circle the president's and the courts' checks on federal action. Write 1 beside a state responsibility and 2 beside a limit on federal power.

Who Fixes the Water?

1. Imagine that tests find unsafe lead levels in drinking water at several schools. Families ask who can act. A written Constitution gives federal officials defined powers rather than unlimited authority. Under Article I, Congress can raise and spend money for the general welfare. It could pass a law offering states grants to replace old school water pipes. Congress also controls whether money is appropriated for that plan. States, meanwhile, use their own laws and constitutions to protect public health. A state could require school water tests and direct its agencies to help districts replace pipes.

2. Suppose Congress passes the grant bill. Under Article II, the president can sign it or veto it. Congress can override a veto with a two-thirds vote in each chamber. If the bill becomes law, executive agencies carry it out according to its terms. Under Article III, federal courts can decide a real case challenging the law and may rule that part of it violates the Constitution. Courts do not write a new grant law or manage school repairs. Each branch has a role, and each has a way to limit or respond to another branch's action.

3. Federalism adds another safeguard. Congress may offer states money with lawful conditions related to the grant, but it cannot simply order state officials to administer a federal regulatory program. A state may choose whether to take the grant and follow its lawful terms. If it participates, state agencies and school districts can coordinate repairs while federal agencies oversee how federal funds are used. A state constitution governs the state's own officials, but it cannot override the U.S. Constitution or a valid federal law. The result is shared work without giving either level of government complete control.

2 ANSWER WITH EVIDENCE

Use the passage

1. How do Congress's roles in creating and funding the grant differ from the executive agencies' role after the bill becomes law?

2. If the president vetoes the grant bill, how can Congress check that decision?

3. Why could a federal court hear a challenge to the grant law but not take over the school repairs?

4. Suppose Congress orders state officials to run a federal water-testing program. How does that order differ from the grant described in the passage?

3 YOUR TURN

Your own words

A wildfire threatens homes across two states. In four or five sentences, propose a federal preparedness grant and give one role each to Congress, the executive branch, states, and federal courts. Explain one limit that would keep power from becoming concentrated.

Who Holds Power?

PART 1 · READ AND MARK

Underline two actions Congress could take to create and fund the grant, and circle the president's and the courts' checks on federal action. Write 1 beside a state responsibility and 2 beside a limit on federal power. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	How do Congress's roles in creating and funding the grant differ from the executive agencies' role after the bill becomes law?	**Congress passes the grant law and controls its funding. Executive agencies carry out the law according to its terms.**
2	If the president vetoes the grant bill, how can Congress check that decision?	**Congress can override the veto with a two-thirds vote in each chamber.**
3	Why could a federal court hear a challenge to the grant law but not take over the school repairs?	**A federal court can decide a real case about whether the law violates the Constitution. Managing repairs is not the court's role.**
4	Suppose Congress orders state officials to run a federal water-testing program. How does that order differ from the grant described in the passage?	**Congress cannot simply require state officials to administer a federal regulatory program. The grant offers states a choice to accept money and follow its lawful terms.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

Congress could pass and fund a grant to help states prepare evacuation routes. Executive agencies could distribute the money and oversee its use under the law. Each state could choose whether to accept the grant, then work with local governments on evacuation plans. If someone brought a real case challenging the law, a federal court could decide whether it followed the Constitution. Congress could not simply order state officials to administer a federal regulatory program, so the grant would leave states a choice.

Accept equivalent descriptions of the branches' roles and checks. For the open task, look for a proposed grant, distinct roles for all four actors, and an accurate constitutional limit.