Who Makes Policy?

Constitutional powers in a water-safety response

USG.C.7.1.A "Identify and explain powers that the Constitution of the United States of America grants to the President and Congress to develop and carry out domestic policy."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline the powers the Constitution gives Congress, and circle the powers it gives the President. Number one place where a power has a limit, so you can explain how the branches share responsibility.

A River Crosses State Lines

1. After a chemical spill reaches a river that crosses state lines, families want safer tap water. Congress can respond through powers the Constitution gives it. Under the Commerce Clause, Congress may regulate interstate commerce, a basis for laws addressing pollution that affects trade between states. Congress also may tax and spend for the general welfare. It could pass a law funding water tests and treatment systems, then appropriate money for that work. These choices create national rules and supply resources. A federal law does not appear because the President announces a goal. Members of Congress must pass a bill before it can become law.

2. The President can shape the response before a law exists. The Constitution lets the President recommend measures to Congress, so the President could ask lawmakers to fund tests and set pollution limits. Once Congress passes a bill, the President can sign it or veto it. A signature makes the bill law; a veto sends it back with objections. Congress can override a veto with a two-thirds vote in each house. The President's veto is powerful, but it cannot permanently block a bill that wins those votes. In this way, both branches influence which domestic policy becomes law.

3. After a water-safety law takes effect, the President has a different job. The Constitution requires the President to take care that federal laws are faithfully executed. The President can direct executive agencies to perform duties authorized by the law, such as testing water or enforcing pollution limits. The President also nominates agency leaders, with Senate approval required for many of those appointments. Yet the President cannot spend federal money unless Congress has appropriated it. If Congress funds testing but not new treatment plants, the President cannot simply order the government to pay for those plants. Carrying out policy means following the law, not replacing it.

2 ANSWER WITH EVIDENCE

Use the passage

1. How could Congress use its power over interstate commerce to address the spill?

2. Which congressional power could provide money for water tests, and what additional step must Congress take before that money can be spent?

3. How could the President shape a water-safety bill before and after Congress passes it?

4. How could the President carry out a water-safety law, and what limit applies if the President wants new treatment plants?

3 YOUR TURN

Your own words

In four sentences, propose a federal response to unsafe packaged food shipped across state lines. Explain one constitutional power Congress would use, one power the President would use to shape the law, and how the President would carry out the law within a constitutional limit.

ANSWER KEY

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HIGH SCHOOL · USG.C.7.1.A

PART 1 · READ AND MARK

Underline the powers the Constitution gives Congress, and circle the powers it gives the President. Number one place where a power has a limit, so you can explain how the branches share responsibility. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	How could Congress use its power over interstate commerce to address the spill?	**Congress could pass a law addressing pollution from the spill that affects trade between states.**
2	Which congressional power could provide money for water tests, and what additional step must Congress take before that money can be spent?	**Congress may tax and spend for the general welfare, and it must appropriate money for the tests.**
3	How could the President shape a water-safety bill before and after Congress passes it?	**The President could recommend water-safety measures to Congress, then sign or veto the bill Congress passes.**
4	How could the President carry out a water-safety law, and what limit applies if the President wants new treatment plants?	**The President could direct agencies to perform duties authorized by the law. The President could not spend federal money on new treatment plants unless Congress appropriated it.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

Congress could use its power to regulate interstate commerce to pass safety rules for packaged food shipped between states. It could also appropriate money for federal inspections. The President could recommend the plan to Congress and sign the bill if it passes. To carry out the law, the President could direct an executive agency to inspect food, but the agency must follow the law and use money Congress has appropriated.

Accept other accurate uses of congressional and presidential powers if the response explains how each applies to the food-safety proposal. The limit should make clear that executive action must follow the law or use funds appropriated by Congress.