



Article I, Sections 8, 9, 10 of the Constitution and the Tenth Amendment

Directions: Work with your group to complete the following.

1. How is power divided between the state and federal levels?
2. What reasoning do you think the Founders had for dividing power? Why were there certain powers given to the federal government but not others? Why were the powers not delegated reserved to the states and the people?
3. Identify and underline ways in which the people's rights are protected by limits on the powers of Congress. Be prepared to explain the importance of each.

Article I, Section 8 [Powers of Congress]

- Lay and collect taxes
- Pay debts
- Provide for the common defense and general welfare
- Borrow money
- Regulate commerce
- Establish rules for naturalization [foreign people becoming citizens]
- Establish rules for bankruptcies
- Establish standard weights and measures
- Coin money
- Punish counterfeiters
- Establish post offices and post roads
- Promote the progress of science and arts and protect the rights to their writings and discoveries
- Establish courts
- Punish piracies
- Declare war
- Raise and support armies
- Provide and maintain a navy
- Make rules for land and naval forces
- Call on the militia to execute laws, suppress insurrections, and repel invasions
- Organize, arm, and discipline the militia, but reserve training and appointment of officers of the militia to the states
- Exercise control of the District [capitol]
- Erect forts, magazines, and arsenals, dockyards, and other buildings
- Make all laws necessary and proper to carry out powers in the Constitution

Article I, Section 9 [Limits on the Powers of Congress]

- The migration or importation of people [slave trade] shall not be prohibited until 1808, but a \$10 tax can be charged on importing each person
- Habeas corpus [a person who is arrested needs to be brought before a judge to determine if there is enough evidence to hold the person] shall not be suspended unless there is a rebellion or an invasion
- No bill of attainder [declaring someone guilty without a jury trial] or ex post facto Law [a new law cannot change charges or punishments of a past crime] shall be passed
- No direct taxes shall be laid unless they are based on the census
- No taxes shall be laid on exports from states
- No preference shall be given to ports of one state over another
- Vessels [forms of transportation] bound from one state to another shall not pay taxes in another state
- No money can be drawn from the treasury without passage of laws by Congress, and a regular statement of money paid and spent shall be published
- No title of nobility shall be granted by the United States, and no one shall accept any present or title from another country without the permission of Congress.

Article I, Section 10 [Limits on the Powers of States]

- No state shall enter a treaty or alliance
- No state shall coin money
- No state shall pass any bill of attainder [declaring someone guilty without a jury trial] or ex post facto law [a new law cannot change charges or punishments of a past crime]
- No state shall pass a law that breaks contracts
- No state shall grant any title of nobility
- No state shall lay imposts or duties [fees or taxes] on imports or exports without the consent of Congress or to execute inspection laws, and the money made from these shall be used by the United States treasury
- No state shall keep troops or ships in times of peace without the consent of Congress
- No state shall enter into an agreement or compact with another state or foreign power
- No state shall engage in war unless actually invaded or in imminent danger
- Tenth Amendment [powers not listed in the Constitution]
- The powers not listed in the Constitution and delegated to a specific branch are reserved for the states or the people.