Handout A: Background Essay: The Constitutional
Powers of Congress Answer Key

1. The most notable weaknesses in the Confederation Congress were the lack of real powers to regulate interstate commerce, raise tax revenue, or raise armies.

2. The debate at the Constitutional Convention divided those who wanted merely to increase the powers of the Congress under the existing Articles of Confederation and those who wanted to increase the powers significantly in a new framework of government in order to strengthen the national government.

3. Article I, Section 8 enumerated, or listed, the powers of Congress, and Article I, Section 9 listed the powers that Congress was prohibited from exercising. The “supremacy clause” of Article VI stated that all laws Congress passed that were consistent with the Constitution, as well as all treaties approved by the Senate, were the law of the land.

4. The Federalists argued that the powers of the Congress were expanded but still limited by constitutional principles of bicameralism, federalism, separation of powers, and checks and balances. The Anti-Federalists argued that the national government would become a tyranny because of the consolidation of powers in the Congress.

Handout B: Articles of Confederation: Legislative Powers Answer Key

1. The Congress under the Articles of Confederation had to requisition tax revenue from the states and was therefore dependent upon the states. The sovereign states often ignored the requisitions of the Congress and left it with little revenue.

2. The Confederation Congress had the power to requisition taxes from the states, power to determine war and peace, coin money, fix standard weights and measures, establish post offices, regulate trade with the Native American tribes, and direct the operations of land and naval forces.

Handout C: Powers of Congress in the U.S. Constitution Answer Key

1. Among the several powers of Congress are the power to lay and collect taxes, borrow money, declare war, regulate interstate trade, coin money, establish post offices, and make all “necessary and proper” laws.

2. Among the powers that Congress was prohibited from exercising are banning the external slave trade until 1808, suspending the writ of habeas corpus except in times of war or rebellion, passing an ex post facto law, passing an income tax, and granting a title of nobility.
3. The “supremacy clause” asserted that all laws Congress made, as well as treaties approved by the Senate, that were consistent with the Constitution were the “supreme law of the land.”

Handout D: The Powers of the Articles of Confederation and the U.S. Constitution Venn Diagram Answer Key

The powers in the Venn Diagram that are held in common are the power to declare war, coin money, fix weights and measures, establish post offices, and regulate trade with the Native Americans. The powers held only by the Confederation Congress would be requisitioning taxes and directing the land and navy forces. The powers held only by the Constitution Congress would be regulating interstate trade, lay and collect taxes, and pass necessary and proper laws.

Handout F: Federalists and Anti-Federalists Debate Congressional Powers Answer Key

1. Card #1: Anti-Federalist (Brutus No. 5)
2. Card #2: Federalist (Federalist No. 40)
3. Card #3: Anti-Federalist (Brutus No. 1)
4. Card #4: Anti-Federalist (Cato, No. 5)
5. Card #5: Federalist (Federalist No.23)
6. Card #6: Federalist (Federalist No. 23)
7. Card #7: Anti-Federalist (Federal Farmer No. 2)
8. Card #8: Federalist (Federalist No. 34)