

**Civics EOC Tutorials**  
**Federalism: Notes**

**Federalism**

A system of government in which power is divided between the federal (national) government and the states.

*Note: Local governments (county and city) are a division of state governments, and therefore come under the control of the states.*

**Basic Federal System in the United States**

	<b>Legislative Branch</b>	<b>Executive Branch</b>	<b>Judicial Branch</b>
<b>Federal</b>	U.S. Congress (U.S. House of Representatives and U.S. Senate)	U.S. President U.S. Vice-President	U.S. Supreme Court U.S. Circuit Courts of Appeal U.S. District Courts
<b>State</b>	Florida Legislature (Florida House of Representatives and Florida Senate)	Florida Governor Florida Lieutenant Governor	Florida Supreme Court Florida District Courts of Appeal Florida Circuit Trial Courts
<b>Local (County)</b>	Hillsborough County Commission	Hillsborough County Administrator	Hillsborough County Trial Court
<b>Local (City)</b>	Tamp City Council	Tampa City Mayor	<i>There are no courts at the city level</i>

**Types of Power in the Federal System of the United States**

*The U.S. Constitution delegates, or assigns, powers to the federal (national) government...*

Enumerated

Definition: Powers granted directly to the federal (national) government by the U.S. Constitution; another name for *expressed* powers

Example: The federal government can regulate trade between the United States and foreign countries, and between the states

Implied

Definition: Powers that are not listed in the Constitution, but that are “necessary and proper” for the federal government to do its job (based on the Constitution); this related to the *elastic* clause in the Constitution (Congress can *stretch* its power to do its job)

Example: Congress made kidnapping a person and transporting them across state lines a federal crime, even though there is nothing about kidnapping in the Constitution (the Constitution *does* state that Congress has the power to regulate interstate activity)

Inherent

Definition: Powers the federal government has simply because it is a government

Example: Creating laws concerning immigration (even though it’s not in the Constitution, the federal government has the right to say who can and who cannot enter the U.S.)

*Some powers are just for the states...*

Reserved

Definition: Powers that the Constitution does not give to the national government and that are kept by the states; comes from the 10<sup>th</sup> Amendment

Example: Building and funding schools

*Some powers are shared by the federal and state governments...*

Concurrent

Definition: Powers shared by the state and federal governments

Example: Law enforcement, collecting taxes

**The Supremacy Clause**

Article VI (6) states that the Constitution (and all federal laws that are constitutional) is the “supreme” law of the land. No state or local law is above federal law.

