

Federal Spending is limited by the Enumerated Powers

By Publius Huldah

The federal Constitution lists the items Congress is permitted to spend money on. If you read through the federal Constitution and highlight the powers delegated to Congress and the President, you will have a complete list of the objects on which Congress is lawfully authorized to spend money. Here is the list:

- The Census (Art. I, §2, cl. 3)
- Publishing the Journals of the House and Senate (Art. I, §5, cl. 3)
- Salaries of Senators and Representatives (Art. I, § 6, cl. 1)
- Salaries of civil officers of the United States (Art. I, §6, cl. 2 & Art. II, §1, cl. 7)
- Pay the Debts (Art. I, §8, cl. 1 & Art. VI, cl.1)
- Pay tax collectors (Art. I, §8, cl.1)
- Regulate commerce with foreign Nations, among the several States, and with Indian Tribes (Art. I, §8, cl.3)
- Immigration office (Art. I, §8, cl.4)
- The mint (Art. I, §8, cl. 5)
- Attorney General to handle the small amount of authorized federal litigation involving the national government (e.g., Art. I, §8, cls. 6 & 10)
- Post offices & post roads (Art. I, §8, cl. 7)
- Patent & copyright office (Art. I, §8, cl. 8)
- Federal courts (Art. I, §8, cl. 9 & Art. III, §1)
- Military and Citizens' Militia (Art. I, §8, cls. 11-16)
- Since Congress has general legislative authority over the federal enclaves listed in Art. I, §8, next to last clause, Congress has broad spending authority over the tiny geographical areas listed in this clause.
- The President's entertainment expenses for foreign dignitaries (Art. II, §3); and
- Since Congress had general legislative authority over the Western Territory before it was broken up into States, Congress could appropriate funds for the US Marshalls, federal judges, and the like for that Territory (Art. IV, §3, cl. 2).

That's what Congress is authorized by our Constitution to spend money on. Did I leave anything out? I'm not infallible; so take 20 minutes and, armed with a highlighter, read carefully through the Constitution and see for yourself. Let me know.

On Face Book, I am "Publius Huldah Public Figure" with the Cheetah avatar. "Like" my page and post comments & questions. My website is publiushuldah.com. I have an Ask Questions Page.

For more info on this topic, see "States Need Budgets – but Enumerated Powers Limit Federal Spending" at my website and elsewhere on the internet.

For Extra Credit: How would a balanced budget amendment change the above? Let me know when you figure it out. Or ask me, if you can't figure it out – but I bet you can, if you think about it.