

Carmina Diaz
Mr. Hemker
Political Science 9
March 27, 2012
U.S v. Butler

CITATION

297 U.S 1.56 S. Ct. 312. 80 L. Ed. 477. (1936)

I. THE FACTS

A. Material

The act authorized the limit of production on crops and imposition of taxes of crops produced in excess.

Congress used its taxing and spending powers to regulate the local agricultural production.

B. Legal

Agricultural act of 1993 raised taxes.

C. LEGAL ISSUES

D. Specific

May congress use its taxing power and spending powers to regulate in the areas that are usually the concern of the states?

A. General

Does congress have an independent power to provide for the general welfare separate from the power to tax and spend?

II. THE HOLDING

Congress may not regulate in certain areas to provide for the general welfare. Congress can only tax and spend for the general welfare. It does not have the power to regulate in the area of local control. Agriculture is one of these areas.

III. LEGAL RATIONALE

Congress without a doubt has the power to impose taxes. They have access to public funds. There is not enough basis to make the Act unconstitutional.

IV. QUESTIONS

No further questions raised.