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Driving the Conversation:

What question would you most like to ask Judge Sotomayor?

Thursday Noon: Live chat with Supreme Court nomination scholar Christopher Eisgruber

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David Boaz, Executive VP, Cato Institute:

A government of limited powers

In 1995 President Clinton's solicitor general, Drew Days, arguing in the case of United States v. Lopez before the Supreme Court, was unable to identify a single act of Congress, other than those expressly prohibited by the Constitution, that would be impermissible under the Clinton administration's expansive view of the Commerce Clause. Do you believe that the Constitution creates a federal government of delegated, enumerated, and thus limited powers? Can you identify existing laws that exceed Congress's powers as granted in Article I, Section 8, or some other section of the Constitution? And perhaps as a follow-up to that, do you believe that the Treasury Department has the constitutional authority to rewrite the terms of corporate lending to benefit favored parties in situations such as the bankruptcy proceedings of Chrysler and General Motors?

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