

By: Keough

H.C.R. No. 31

HOUSE CONCURRENT RESOLUTION

1           WHEREAS, the Tenth Amendment to the Constitution of the  
2 United States reads as follows: "The powers not delegated to the  
3 United States by the Constitution, nor prohibited by it to the  
4 States, are reserved to the States respectively, or to the people";  
5 and

6           WHEREAS, the Tenth Amendment defines the total scope of  
7 federal power as being that specifically granted by the  
8 Constitution of the United States and no more; and

9           WHEREAS, the scope of power defined by the Tenth Amendment  
10 means that the federal government was created by the states  
11 specifically to be an agent of the states; an

12           WHEREAS, today, in 2015, the states are conversely treated as  
13 agents of the federal government; and

14           WHEREAS, many federal laws are directly in violation of the  
15 Tenth Amendment to the Constitution of the United States; and

16           WHEREAS, the Tenth Amendment assures that we, the people of  
17 the United States of America and each sovereign state in the Union  
18 of States, now have, and have always had, rights the federal  
19 government may not usurp; and

20           WHEREAS, Article IV, section 4, United States Constitution,  
21 says in part, "The United States shall guarantee to every State in  
22 this Union a Republican Form of Government", and the Ninth  
23 Amendment states that "The enumeration in the Constitution, of  
24 certain rights, shall not be construed to deny or disparage others

1 retained by the people"; and

2           Whereas, Recent actions taken by the President of the United  
3 States and The United States Congress may further violate the  
4 Constitution of the United States; now, therefore, be it

5           RESOLVED, That the State of Texas hereby claims sovereignty  
6 under the Tenth Amendment to the Constitution of the United States  
7 over all powers not otherwise enumerated and granted to the federal  
8 government by the Constitution of the United States; and

9           RESOLVED, That this Resolution serves as notice and demand to  
10 the federal government, as our agent, to cease and desist,  
11 effective immediately, mandates that are beyond the scope of these  
12 Constitutionally delegated powers; and

13           RESOLVED, That all compulsory federal legislation or  
14 executive action that directs states to comply under threat of  
15 civil or criminal penalties or sanctions or requires states to pass  
16 legislation or lose federal funding be prohibited or repealed; and

17           RESOLVED, That the Secretary of State of the State of Texas  
18 transmit copies of this resolution to the President of the United  
19 States, the President of the United States Senate, the Speaker of  
20 the United States House of Representatives, the Speaker of the  
21 House and the President of the Senate of each state's legislature  
22 and each Member of Congress from the State of Texas.