

Washington, D.C. – Today, Congressman Tom Rooney (R-Fla.) introduced a resolution in the House of Representatives reaffirming the commitment of the House to safeguard and uphold the Tenth Amendment to the Constitution of the United States. The Tenth Amendment states “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.” “I have introduced this resolution to encourage my colleagues in the House to recommit to upholding the Tenth Amendment of the Constitution,” said Rooney. “Over the past several months several different bills have been brought before the House that has caused great debate regarding the Tenth Amendment and its interpretation. It’s time that Congress demonstrates its commitment to upholding the Tenth Amendment as intended by the authors of the Constitution. I encourage all of my colleagues to join me in support of the 10

th

Amendment and pass this resolution.”

The text of the resolution is pasted below and attached:

### RESOLUTION

Reaffirming the commitment of the House of Representatives to safeguard and uphold the 10th Amendment to the Constitution of the United States.

Whereas the 10th Amendment to the Constitution of the United States, ratified on December 15, 1791, states, “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.”;

Whereas the 10th Amendment expressly limits the powers of the Federal Government to those delegated by the Constitution and reaffirms and protects the freedom of the States to exercise those that are not;

Whereas the 10th Amendment reflects the opposition of the Founding Fathers to a Federal Government with expansive powers; their intention for the powers of the States to act as a check on those of the Federal Government; and their concern that the Federal Government would attempt to usurp powers intended to remain with the States;

Whereas James Madison, in The Federalist No. 45, wrote, “The powers delegated by the proposed Constitution to the Federal Government are few and defined. Those which are to remain in the State governments are numerous and indefinite.”;

Whereas the Supreme Court, in *United States v. Sprague*, 282 U.S. 716 (1931), noted, “The Tenth Amendment was intended to confirm the understanding of the people at the time the Constitution was adopted, that powers not granted to the United States were reserved to the States or to the people.”;

Whereas the Supreme Court, in *Fry v. United States*, 421 U.S. 542 (1975), also noted, “The Amendment expressly declares the constitutional policy that Congress may not exercise power in a fashion that impairs the States’ integrity or their ability to function effectively in a federal system.”; and

Whereas it is the responsibility of Congress to safeguard the 10th Amendment and to recognize that it is as vital and valuable today as on the date of its ratification: Now, therefore, be it

Resolved, That the House of Representatives recognizes the value and importance of the 10th Amendment to the Constitution of the United States and reaffirms its commitment to safeguard and uphold the 10th Amendment.