

111TH CONGRESS
2D SESSION

H. RES. 1587

Recognizing that the cause of liberty demands that government should be made accountable again to the consent of the governed, and calling for the real decentralization of power through the restoration of American federalism.

IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2010

Mr. BISHOP of Utah (for himself, Mrs. BLACKBURN, Mr. CULBERSON, Mr. LAMBORN, Mr. GARRETT of New Jersey, Mr. CHAFFETZ, Mr. MCCLINTOCK, Mrs. LUMMIS, Mr. NEUGEBAUER, Mr. CONAWAY, Mr. PENCE, Mr. PRICE of Georgia, Mr. HENSARLING, Mr. PITTS, Mr. LATTA, Mr. BARTLETT, Mr. COFFMAN of Colorado, Mr. TIAHRT, Mr. CASSIDY, Mr. GRAVES of Georgia, Mr. GINGREY of Georgia, and Mrs. McMORRIS RODGERS) submitted the following resolution; which was referred to the Committee on the Judiciary

RESOLUTION

Recognizing that the cause of liberty demands that government should be made accountable again to the consent of the governed, and calling for the real decentralization of power through the restoration of American federalism.

Whereas this is a Nation of States, and federalism is central to the structure of government and the very definition of American constitutionalism;

Whereas as James Madison famously noted in The Federalist, “The powers delegated by the proposed Constitution to the federal government are few and defined”, and

that “Those which are to remain in the State governments are numerous and indefinite.”;

Whereas throughout American history and the laws of the United States, most powers of government and as a result the decisions that affect citizens’ day-to-day lives were to be made at the State level;

Whereas the relationship between the Federal Government, the several States, and the sovereign people is summed up most succinctly in the Tenth Amendment, “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 structural division of powers and functions between the Federal Government and the several States provides a double security against abusive government by causing each level of government to check the other in the name of upholding the rights and protecting the liberties of the people of the United States;

Whereas in recognizing and protecting a sphere of State autonomy and local self-government, federalism has expanded liberty, accommodated a vast diversity of opinions, and fostered an extensive array of policy innovations in addressing and solving many of the Nation’s greatest challenges;

Whereas ever-increasing amounts of regulations and laws emanating from the Federal Government, occurring in stages over the whole course of the 20th century but gathering particular momentum with the expansion of regulatory government in the 1960s, have centralized and bureaucratized political rule in the United States, under-

mining the balance of federalism and threatening self-government;

Whereas under the current Administration, the ideology of big government has found a new voice and a new sponsor, and the results, from massive spending to the takeover of whole industries to new regulatory initiatives to the explosion of debt, have been especially threatening and destructive to the idea and structural integrity of federalism;

Whereas in an atmosphere where courts and the executive seem to be moving in the opposite direction, a new Congress must take upon itself the responsibility to limit the scope of Federal powers and extend the ability of the several States to assert their legitimate powers, and thereby provide for the dynamism, opportunities, and creativity needed to solve problems, foster prosperity, and get the United States moving in the right direction; and

Whereas there are many policy areas that have become Federal Government concerns but are better dealt with at the State and local levels of government, the devolution of which will provide the dynamism, opportunities, and creativity in solving problems and fostering prosperity in the United States: Now, therefore, be it

1 *Resolved*, That—

2 (1) the House of Representatives—

3 (A) recognizes that the cause of liberty de-
4 mands that government should be made ac-
5 countable again to the consent of the governed,
6 bringing it closer to the people and returning to
7 them control over their lives while making it

1 better able to solve their problems and serve
2 their common good; and

3 (B) recognizes the historic and continuing
4 importance of federalism and reaffirms its com-
5 mitment to safeguard and uphold constitutional
6 government as defined by the Tenth Amend-
7 ment to the United States Constitution; and

8 (2) it is the sense of the House of Representa-
9 tives that—

10 (A) this situation requires, and the very
11 future of freedom and limited government de-
12 pends on, a restoration of American federalism
13 and a real decentralization of government power
14 and vast areas of policymaking from the Fed-
15 eral Government to States, local communities,
16 neighborhoods, families, and individual citizens;
17 and

18 (B) while recognizing that the restoration
19 of federalism will require a widespread and ex-
20 tensive restructuring of Federal Government
21 operations and that not all or even most of the
22 solutions come from the national capital, the
23 best path toward achieving the goal of real
24 structural reform is through practical but sig-
25 nificant policy reforms that will allow the sev-

1 eral States to prove the virtues of federalism
2 and thereby build a new nationwide consensus
3 for decentralizing political power in the United
4 States.

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