

1 Amendment; and

2 WHEREAS, one of our nation's Founders and author of the
3 Declaration of Independence, Thomas Jefferson, emphasized that the
4 states are not "subordinate" to the national government, but rather
5 the two are "coordinate departments of one simple and integral
6 whole."; and

7 WHEREAS, one of the authors of the Federalist Papers,
8 Alexander Hamilton, expressed his hope that "the people will always
9 take care to preserve the constitutional equilibrium between the
10 general and the state governments." And, that, "this balance
11 between the national and state governments forms a double security
12 to the people."; and

13 WHEREAS, A number of proposals from previous administrations
14 and some now pending from the present administration and from
15 Congress threaten to disturb this delicate balance between the
16 federal government and the state governments; and

17 WHEREAS, Such encroachments by the federal government may
18 result in a commandeering of the states' legislative, executive,
19 and regulatory processes; and

20 WHEREAS, These acts undermine the spirit of the federalist
21 system created by our Founders and are in violation of the Tenth
22 Amendment to the Constitution of the United States; now, therefore,
23 be it

24 RESOLVED, That the 81st Legislature of the State of Texas
25 hereby claims sovereignty under the Tenth Amendment to the
26 Constitution of the United States over all powers not otherwise
27 enumerated and granted to the federal government by the

1 Constitution of the United States; and, be it further

2 RESOLVED, That this serve as notice and demand to the federal
3 government to cease and desist, effective immediately, mandates
4 that are beyond the scope of these constitutionally delegated
5 powers; and, be it further

6 RESOLVED, That the power over the freedom of the right to keep
7 and bear arms was reserved to the states and therefore, all acts of
8 Congress to abridge that right are not law and are void; and, be it
9 further

10 RESOLVED, That all compulsory federal legislation that
11 directs states to comply under threat of civil or criminal
12 penalties or sanctions or that requires states to pass legislation
13 or lose federal funding be prohibited or repealed; and, be it
14 further

15 RESOLVED, That the Texas Secretary of State forward official
16 copies of this resolution to the President of the United States, to
17 the Speaker of the House of Representatives and the President of the
18 Senate of the United States Congress, and to all the members of the
19 Texas delegation to the Congress with the request that this
20 resolution be officially entered in the Congressional Record as a
21 memorial to the Congress of the United States of America.