

104TH CONGRESS
2^D SESSION

H. RES. 431

Expressing the sense of the House of Representatives concerning the constitutional duty of the Congress.

IN THE HOUSE OF REPRESENTATIVES

MAY 10, 1996

Mr. HAYWORTH (for himself, Mr. TAYLOR of North Carolina, Mr. HOSTETTLER, Mr. DORNAN, Mr. STUMP, Mr. BROWNBAC, Mr. HOKE, Mr. DOOLITTLE, Mr. POMBO, and Mr. BAKER of Louisiana) submitted the following resolution; which was referred to the Committee on the Judiciary

RESOLUTION

Expressing the sense of the House of Representatives concerning the constitutional duty of the Congress.

Whereas the United States Constitution remains the supreme law of the land;

Whereas the Constitution, despite the expansion of the Federal Government, establishes a Federal Government of delegated, enumerated, and, therefore, limited powers;

Whereas all other powers are reserved to the States or to the people; and

Whereas, accordingly, Congress may legitimately act in a given area only if it has authority to do so under the Constitution and, in so acting, must exercise its inde-

pendent duty to interpret the Constitution: Now, therefore, be it

1 *Resolved*, That the Congress—

2 (1) recognizes the principle that the United
3 States Constitution is the supreme law of the land;

4 (2) recognizes that the Constitution establishes
5 a Federal Government of delegated, enumerated,
6 and, therefore, limited powers;

7 (3) recognizes its duty to identify the constitu-
8 tional basis for its legislative acts and to exercise its
9 independent judgment as to constitutional meaning
10 in areas where it has the power to act; and

11 (4) recognizes the paramount importance of
12 identifying and deliberating its constitutional author-
13 ity as a condition precedent to the consideration of
14 bills and resolutions.

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