

House Resolution 98

By: Representatives Thomas of the 21st, Carson of the 46th, Wade of the 9th, Crowe of the 110th, Cheokas of the 138th, and others

A RESOLUTION

1 Opposing the measures set out in H.R. 1 and S. 1 and urging the Congressional Delegation
2 to avoid any federal action that infringes on the constitutional power of states to manage,
3 control, and administer elections; and for other purposes.

4 WHEREAS, the Constitution of the United States vests power in the states to manage,
5 control, and administer each state's own election laws; and

6 WHEREAS, the power over elections was preserved explicitly for the states by the
7 Constitution; and

8 WHEREAS, rare exceptions in the Constitution, such as the Elections Clause, the Fifteenth
9 Amendment, the Nineteenth Amendment, the Twenty-fourth Amendment, and the
10 Twenty-sixth Amendment, do not extinguish the constitutional presumption that states have
11 the constitutional power to set the terms of administering the election, designating electors,
12 and establishing other laws and protocols related to elections; and

13 WHEREAS, the Elections Clause of the Constitution was intended to prevent the states from
14 suffocating the existence of the government of the United States, and no such contemplated
15 effort has occurred; and

16 WHEREAS, the Elections Clause was to be sparingly used to intrude on state power to
17 manage, control, and administer state elections; and

18 WHEREAS, House Resolution 1 (H.R. 1) and Senate Bill 1 (S. 1), a bill introduced in the
19 United States Congress, would obliterate the constitutional arrangement between the states
20 and the government of the United States by usurping the constitutional power of states to
21 manage, control, and administer state elections; prohibiting various practices; and mandating
22 others such as forcing states to conduct an election over an extended period of time,
23 prohibiting states from maintaining voter roles free from error and obsolete information, and
24 forcing states to accept an elector who does not register to vote in advance; and

25 WHEREAS, the measures would further include mandates related to mail voting,
26 prohibitions against regulating ballot harvesting, and scores of other intrusions into the power
27 of states to manage, control, and administer their elections; and

28 WHEREAS, H.R. 1 and S. 1 strike at the very heart of the arrangement that gave rise to this
29 nation, namely that states are sovereign and free from interference and the intrusion of power
30 from the government of the United States absent clear constitutional authorization.

31 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that
32 the members of this body oppose H.R. 1 and S. 1 and any subsequent enactment of the terms
33 of this proposal and implore the members of the United States House of Representatives and
34 the United States Senate to avoid any future federal action that infringes on the constitutional
35 power of states to manage, control, and administer elections.

36 BE IT FURTHER RESOLVED that the Clerk of the House of Representatives is authorized
37 and directed to make appropriate copies of this resolution available for distribution to the

38 President of the United States Senate, the Speaker of the United States House of
39 Representatives, each Member of Congress from the State of Georgia, and each Speaker of
40 the House of Representatives and President of the Senate of the other state legislatures.