

117TH CONGRESS  
2D SESSION

# S. RES. 770

Commemorating September 17, 2022, as “Constitution Day” and celebrating the signing of the Constitution.

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 15, 2022

Mrs. BLACKBURN submitted the following resolution; which was referred to the Committee on the Judiciary

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## RESOLUTION

Commemorating September 17, 2022, as “Constitution Day” and celebrating the signing of the Constitution.

Whereas the Constitution of the United States (referred to in this preamble as the “Constitution”) is the supreme law of the United States;

Whereas the Constitution enshrines the freedom of the people of the United States;

Whereas the Constitution forms a more perfect Union;

Whereas the fundamental principles of the Constitution are limited government, separation of powers, individual liberty, and rule of law;

Whereas the Constitution establishes justice, ensures domestic tranquility, provides for the common defense, pro-

notes the general welfare, and secures the blessings of liberty, now and for future generations;

Whereas the Constitution guarantees that no one can be deprived of life, liberty, or property without due process of law, including unborn children;

Whereas the Constitution protects the rights of conscience against the enterprises of the civil authority;

Whereas the Constitution affirms that the Government of the United States exists to serve its citizens;

Whereas the Constitution grants power to a national, Federal Government while preserving fundamental, individual rights;

Whereas the Constitution separates the power of the Federal Government into 3 branches: executive, judicial, and legislative;

Whereas the powers of each branch of the Federal Government are delegated in the Constitution, with powers not assigned to the branches reserved to the States;

Whereas the Constitution grants the executive power to the President;

Whereas the Constitution does not allow the President to enact national policies in areas that are reserved solely to Congress under the Constitution;

Whereas the Constitution grants judicial power to the Supreme Court and inferior courts that Congress may ordain and establish;

Whereas justices and judges have constitutional limits on their power;

Whereas an activist judiciary that usurps powers reserved to the people through other branches of government is a threat to the United States;

Whereas the judiciary should interpret laws as written by Congress rather than allowing executive agencies to re-write those laws to suit a political agenda;

Whereas the Constitution grants all legislative powers to Congress, which consists of a Senate and a House of Representatives;

Whereas the Constitution assigns to Congress the responsibility for organizing the executive and judicial branches, raising revenue, declaring war, and making all laws necessary for executing these powers;

Whereas it is a breach of trust for Congress to delegate excessive legislative authority to executive departments, agencies, and commissions, thus empowering the administrative state instead of the elected representatives of the people of the United States;

Whereas the Constitution protects the democracy of the United States;

Whereas elections are a vital component of democracy;

Whereas the Constitution states that the times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature of that State;

Whereas article I, section 5 of the Constitution—

(1) provides that “Each House [of Congress] may determine the Rules of its Proceedings”; and

(2) authorizes the Senate to make procedural rules, including the length of debate;

Whereas no one may unilaterally rewrite or otherwise impugn the validity of the text of the Constitution;

Whereas the Constitution can only be changed by amendment;

Whereas an amendment to the Constitution may be proposed by a  $\frac{2}{3}$  vote of both Houses of Congress, or, if  $\frac{2}{3}$  of the States request an amendment, by a convention called for that purpose;

Whereas an amendment to the Constitution must be ratified by  $\frac{3}{4}$  of the State legislatures or  $\frac{3}{4}$  of conventions called in each State for ratification;

Whereas, according to the First Amendment to the Constitution—

(1) Congress shall make no law respecting an establishment of religion or prohibiting free exercise of religion; and

(2) Congress shall make no law abridging the freedom of speech or of the press;

Whereas, according to the Second Amendment to the Constitution, the right of the people to keep and bear arms shall not be infringed;

Whereas Congress may not pass laws that deny or abridge any constitutional rights;

Whereas it is unconstitutional for the Federal Government to wield its authority beyond the scope of power delegated to it or to use that authority as a political weapon against the rights of States to pass voter identification laws, oversee the health care of their citizens, draft curricula, and craft other laws and policies consistent with the Constitution;

Whereas constitutional rights are not negotiable;

Whereas all legislation, regulations, and official actions should conform to the original meaning of the Constitution as understood at the time the language was adopted;

Whereas the Constitution was written during the Philadelphia Convention, now known as the Constitutional Convention, which convened from May 25 to September 17, 1787; and

Whereas Constitution Day commemorates the formation and signing of the Constitution by 39 courageous men on September 17, 1787, in Philadelphia, Pennsylvania: Now, therefore, be it

1       *Resolved*, That the Senate—

2               (1) celebrates the signing of the Constitution of  
3       the United States by recognizing Constitution Day  
4       on September 17, 2022; and

5               (2) affirms that the Constitution of the United  
6       States is not a flexible document, but an enduring  
7       covenant.

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