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ONE HUNDRED FOURTEENTH CONGRESS

# Congress of the United States

## House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-3951

<http://www.house.gov/judiciary>

August 29, 2016

The Honorable Karen Haas  
Clerk of the U.S. House of Representatives  
U.S. Capitol, Room H154  
Washington, D.C. 20515

Dear Madam Clerk,

Pursuant to section 3(c) of House Resolution 5 (114th Congress), I hereby designate the attached Memorial from the State of Oklahoma, received by the House of Representatives in the year 1976, as purporting to be an application of the State legislature calling for a convention for proposing amendments to the Constitution of the United States pursuant to Article V, and request that you make it publicly available.

Sincerely,



Bob Goodlatte  
Chairman

CERTIFICATION

STATE OF OKLAHOMA     )  
  )    ss  
COUNTY OF OKLAHOMA    )

I, Lee Slater, Secretary of the Senate of the State of Oklahoma, do hereby certify that the above and foregoing is a true and correct copy of Enrolled Senate Concurrent Resolution No. 50 as the same was adopted by the Senate and the House of Representatives of the 2nd Session of the 35th Legislature of the State of Oklahoma, the original hereof being on file in the office of the Secretary of State of the State of Oklahoma.

WITNESS my hand and the seal of my office at the State Capitol this 10<sup>th</sup> day of May, 1976.

Lee Slater  
Secretary of the Senate





# Resolution

ENROLLED SENATE  
CONCURRENT  
RESOLUTION NO. 50

BY: FUNSTON, MURPHY, TERRILL,  
TALIAFERRO, LAMBERT,  
WADLEY, INHOFE, McCUNE,  
LAMB, CAPPS, HAM,  
TINSLEY, BERRONG,  
BOATNER, FIELD, MARTIN  
and SHATWELL of the  
SENATE

and

CRAIGHEAD of the HOUSE

A CONCURRENT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR THE SOLE AND EXCLUSIVE PURPOSE OF PROPOSING AN AMENDMENT TO THE CONSTITUTION TO PROHIBIT THE FEDERAL GOVERNMENT FROM WITHHOLDING, WITHDRAWING OR THREATENING TO WITHHOLD OR WITHDRAW ANY FEDERAL FUNDS FROM ANY STATE AS A MEANS OF IMPOSING FEDERAL POLICIES WHICH THE FEDERAL GOVERNMENT IS NOT EMPOWERED UNDER THE UNITED STATES CONSTITUTION TO IMPOSE OR IMPLEMENT DIRECTLY; AND DIRECTING DISTRIBUTION.

WHEREAS, the powers delegated to the federal government by the United States Constitution are limited, and those powers not delegated to the federal government are reserved to the states; and

WHEREAS, it is becoming increasingly the practice of the federal government to require states to enact state laws to implement federal policies by threatening to withhold or withdraw federal funds for failure to do so; and

WHEREAS, the federal government has imposed upon the states many programs and obligations which require funding in excess of state means, thereby making the states subservient to and dependent upon the federal government for financial assistance; and

WHEREAS, through the coercive force of withdrawing or withholding federal funds, or the threat of withdrawing or withholding federal

Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

Correctly Enrolled:

John R. McClure



*John R. McClure*

funds, the federal government is indirectly imposing its will upon the states and requiring implementation of federal policies which neither Congress nor the President nor any administrative agency is empowered to impose or implement directly; and \_\_\_\_\_

WHEREAS, this coercive power of the purse is being used to extend the power of the federal government over the states far beyond the powers delegated to the federal government by the United States Constitution; and \_\_\_\_\_

WHEREAS, the power of the federal government should be exercised directly by the enactment, implementation and enforcement of federal laws governing only those areas in which the federal government is empowered to act by the United States Constitution, and the federal government should be prohibited from usurping the authority of the states and imposing its will indirectly in those areas in which it has no power to act directly; and \_\_\_\_\_

WHEREAS, the federal government has imposed upon the states many programs and obligations which require state administration and such programs or other programs may lose federal financing if certain conditions attached to the program are not met. \_\_\_\_\_

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 2ND SESSION OF THE 35TH OKLAHOMA LEGISLATURE, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN: \_\_\_\_\_


SECTION 1. Pursuant to Article V of the Constitution of the United States, the Legislature of the State of Oklahoma petitions the Congress of the United States to call a convention for the sole and exclusive purpose of proposing an amendment to the Constitution of the United States to prohibit the Congress, the President and any agent or agency of the federal government from withholding or withdrawing, or threatening to withhold or withdraw, any federal funds from any state as a means of requiring a state to implement federal policies which the Congress, the President or the agent or agency of the federal government has no power, expressed or implied, under the Constitution of the United States, to impose upon the



states or implement its own action, and to limit permissible conditions of federal financing by the Congress, the President or any agent or agency of the federal government designed to obtain state administration of federal programs at the risk of losing federal funds for other programs if any or all conditions of the program are not met.

SECTION 2. Copies of this resolution shall be distributed to both United States Senators from the State of Oklahoma, and to each member of the United States House of Representatives from the State of Oklahoma.

Adopted by the Senate the 9th day of March, 1976.

*acting*   
President of the Senate

Adopted by the House of Representatives the 5th day of May, 1976.