



January 2, 2017

Dear Republican Member of Congress:

I write to urge you to support an Amendment to the House Rules package proposed by Rep. Kevin Cramer and endorsed by House Rules Chair Pete Sessions that could help restore the Article I Legislative Power of Congress.

The proposed "10th Amendment Rule" would protect the Constitution by recognizing and enforcing the Constitutional and especially the 10th Amendment power of states to strictly limit the scope of any Constitutional Amendment process initiated by the states.

The Rule would protect the Constitution against the risk of a "runaway Convention" and empower Republicans in Congress, working with allies in 2/3 of the states to persuade Congress, without a Convention, to propose a specific Amendment to the U.S. Constitution, for example one that could permanently curb the authority of federal regulators and restore the Article I power of Congress.

Much as pressure from states helped persuade Congress to propose the Bill of Rights, pressure from states empowered by this Rule could help persuade Congress to propose an Amendment that would permanently require that major new federal regulations be approved by Congress.

The pressure to permanently end "regulation without representation" could come from the 33 states that now have Republican majorities in both Houses of the state legislature.

It could also come from grassroots Democrats who want to distance themselves from the leaders of the new "undemocratic party" who want to once again rule-by-decree through edicts from un-elected bureaucrats in Washington.

House Republicans have laudibly supported the REINS Act to require that major new federal regulations be approved by Congress, but the REINS Act could be repealed by a future more liberal Congress.

A Constitutional Amendment with a similar requirement for Congressional approval of major new federal regulations, once proposed by Congress and ratified by the states, would protect the regulation reforms that will be achieved in the new Administration, and permanently restore the Article I power of Congress.

More than 900 state legislators, 6 governors including Mike Pence, a unanimous vote of the RNC, language in the Republican Platform, and Resolutions passed by 19 state legislative chambers have already urged Congress to propose such an Amendment and polls show 2-1 voter support for such an Amendment.

An alliance of Republicans in Congress and state leaders empowered by this House Rule would be uniquely positioned to break the deadlock in Washington and persuade Congress to propose such an Amendment.

This Rule would recognize and enforce the power of states, described by James Madison in the Federalist Papers, to strictly limit the scope of a Convention, if one were ever held. The

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limit could be to an up or down vote on the exact text of a specific Amendment agreed to in advance by 34 states and allies in Congress.

The Rule would protect the Constitution from the schemes of some on the left for a "runaway convention" and create a very strong incentive for a bipartisan majority in Congress to propose an Amendment backed by 2/3 of the states.

Here is the text of the proposed Rule:

12. It shall not be in order for the House of Representatives to consider a bill, joint resolution, amendment or conference report referring to the states for ratification under Article V of the U.S. Constitution, any Amendment to the U.S. Constitution proposed by a Convention called by Congress pursuant to Article V, that is not within the permitted scope of the Convention authorized by each and every one of the requisite number of Article V Application Resolutions passed by the legislatures of 2/3 of the states calling for the Convention. If the Resolution passed by Congress calling the Convention identifies the particular State Resolutions upon which Congress has relied as authority to call the Convention, any such Amendment must be within the permitted scope authorized by each of those State Resolutions.

James Madison wrote in Federalist Papers 43: "It (the Constitution) equally enables the general and the State governments to originate the amendment of errors, as they may be pointed out by the experience on one side or the other"

This Rule simply recognizes and enforces the power James Madison intended for states to have in the Amendment process. It puts the U.S. House of Representatives on record in support of the authority of states to protect the Constitution.

The Rule could be the key to unleashing the combined power of historic and record Republican majorities in the states and in Congress.

This Rule and the restoration of Congressional authority over federal regulators that it would make possible could be the greatest achievements of a Republican House Majority since the historic GOP victories of 1994.

What a legacy that would be for Republicans in the 115th Congress!

And your support of this "10th Amendment" Rule can help make that legacy possible.

I would be happy to discuss these ideas with you at a time of your choosing.

Please support the 10th Amendment Rule.

Onward,



Grover G. Norquist
President, Americans for Tax Reform