

Sixty-fourth
Legislative Assembly
of North Dakota

**ENGROSSED SENATE CONCURRENT
RESOLUTION NO. 4011**

Introduced by

Senators Cook, Poolman, Schaible

Representatives Meier, Nathe, Toman

1 A concurrent resolution urging Congress to take a ~~more~~ pro-education position, ~~recognize-~~
2 ~~states' rights in the role of~~ extricate the federal government from any role it has
3 unconstitutionally usurped with respect to the education of our children, and ~~encourage greater-~~
4 ~~flexibility and cooperation between~~ eliminate the United States Department of Education ~~and the-~~
5 ~~states.~~

6 **WHEREAS**, while Section VIII of Article I of the United States Constitution sets forth the
7 enumerated powers given to Congress, the power to control or direct the education of this
8 nation's children is not included therein; and

9 **WHEREAS**, the Tenth Amendment to the United States Constitution states that any powers
10 not delegated to the United States by the Constitution, nor prohibited by it to the states, are
11 reserved to the states respectively, or to the people; and

12 **WHEREAS**, neither the words "education" nor "school" nor any of their derivatives are
13 found in the United States Constitution; and

14 **WHEREAS**, having a department budget that has increased six-fold during the past four
15 decades has convinced many that the United States Department of Education is a costly,
16 inefficient, and ineffective federal bureaucracy; and

17 **WHEREAS**, education is indisputably a pillar of a free society, it is incumbent upon us to
18 call for a reversal of the educational trends that ~~interfere with~~ threaten our very future as a nation
19 and to return the control of education ~~by~~ to the states, in the manner envisioned by our founding
20 fathers;

21 **NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE**
22 **HOUSE OF REPRESENTATIVES CONCURRING THEREIN:**

23 That the Sixty-fourth Legislative Assembly urges the Congress of the United States to take
24 a ~~more~~ pro-education position, ~~recognize states' rights in the role of~~ extricate the federal
25 government from any role it has unconstitutionally usurped with respect to the education of our

1 children, and ~~encourage greater flexibility and cooperation between~~eliminate the United States
2 Department of Education ~~and the states~~; and

3 **BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution
4 to the President of the United States, the Secretary of the United States Department of
5 Education, and to each member of the North Dakota Congressional Delegation.