

1 HJR196  
2 176079-1  
3 By Representatives Williams (JD), Poole, Ball, Carns, Drake,  
4 Holmes (M), Fincher, Brown, McMillan, Davis, Hammon, Greer,  
5 Chesteen, Clouse, Crawford, Martin, Lee, Shedd, Wadsworth,  
6 Beckman, Baker, Wood, Rowe, Polizos, Wingo, Gaston, Sessions,  
7 Nordgren, Collins, Johnson (K), Hanes, Wilcox, Williams (JW),  
8 Whorton (I), Mooney, Butler, Blackshear, Harbison, Sanderford,  
9 Ledbetter, Whorton (R), Tuggle, Millican, Patterson,  
10 Treadaway, South, Faulkner, Hill (J), Garrett, Hubbard,  
11 Weaver, Harper, Rich, Ingram, Sells, McCutcheon, Henry,  
12 Hill (M), Faust, Shiver and Fridy  
13 RFD: Rules  
14 First Read: 22-MAR-16

1 176079-1:n:03/22/2016:DSM/tj LRS2016-1244

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8 URGING CONGRESS TO ALLOW EXECUTIVE ORDERS ISSUED BY  
9 THE PRESIDENT TO BE CHALLENGED IN THE U.S. SUPREME COURT BY  
10 SIMPLE RESOLUTION PASSED IN EITHER HOUSE OF CONGRESS.

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12 WHEREAS, the President of the United States has the  
13 authority to issue an Executive Order; such orders are  
14 generally directed to and govern actions by government  
15 officials and agencies; and

16 WHEREAS, the President's power to issue an Executive  
17 Order is not absolute; and

18 WHEREAS, to avoid overuse and potential abuse of the  
19 power of the President of the United States to issue an  
20 Executive Order, either house of Congress should be allowed to  
21 challenge the order directly to the United States Supreme  
22 Court by a simple resolution; now therefore,

23 BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH  
24 HOUSES THEREOF CONCURRING, That we urge the Congress of the  
25 United States to enact legislation authorizing the challenge  
26 of an Executive Order by resolution passed in either house in

1 Congress and that challenge to be heard as an original case  
2 and ruled on by the U. S. Supreme Court.

3                   BE IT FURTHER RESOLVED, That copies of this  
4 resolution be transmitted to the President of the United  
5 States Senate, the Speaker of the United States House of  
6 Representatives, and the members of the Alabama Congressional  
7 Delegation as an expression of the sentiment of the Alabama  
8 Legislature.