



**Republican
National
Committee**

Counsel's Office

**RESOLUTION SUPPORTING THE “KEEP NINE AMENDMENT”
TO THE UNITED STATES CONSTITUTION**

WHEREAS, The United States Constitution provides no specific instruction for the number of justices that constitute the Supreme Court of the United States;

WHEREAS, For over 150 years, the Supreme Court has consisted of nine justices;

WHEREAS, During the nation’s history, Congress has changed the number of justices, both increasing and decreasing, seven times prior to 1869 for the purpose of gaining political advantage for a then-current political position;

WHEREAS, The practice of “packing the Court” for political advantage greatly decreases confidence that the Supreme Court exists as an essential element of America’s system of checks and balances, which guarantees and protects a citizen’s constitutional rights;

WHEREAS, In order to prevent all attempts by the legislative and/or executive branches of government to change the number of Supreme Court justices, the “Keep Nine Amendment” to the United States Constitution has been proposed, which simply states: “The Supreme Court of the United States shall be composed of nine Justices”;

WHEREAS, The “Keep Nine Amendment” was introduced as Senate Joint Resolution 76 in the United States Senate on October 19, 2020, by Senator Ted Cruz (TX) and is now sponsored and/or supported by numerous United States Senators and Senators-elect, including Senators John Boozman (AR), Bill Cassidy (LA), Susan Collins (ME), Tom Cotton (AR), Steve Daines (MT), Joni Ernst (IA), Chuck Grassley (IA), Cindy Hyde-Smith (MS), Mike Lee (UT), Kelly Loeffler (GA), Cynthia Lummis (WY), David Perdue (GA), Rob Portman (OH), Thom Tillis (NC), Tommy Tuberville (AL), and Roger Wicker (MS);

WHEREAS, The “Keep Nine Amendment” was introduced as House Joint Resolution 95 in the House of Representatives on September 24, 2020, with bipartisan sponsorship by then-Representatives Collin Peterson (D-MN) and Denver Riggleman (R-VA), with co-sponsors Mo Brooks (R-AL5), Michael San Nicolas (D-GU-At Large), Doug LaMalfa (R-CA1), and Ken Buck (R-CO4);

WHEREAS, A number of former state attorneys general oppose “packing the court,” and recent polls have shown that voters support a “Keep Nine Amendment” by more than a three to one margin;

WHEREAS, Democrats have refused to remove packing of the Supreme Court from consideration; and

WHEREAS, If Democrats are ever successful in gaining control of all three branches of government, the introduction of the “Keep Nine Amendment”, and its popularity among Americans, should serve as a check to this self-serving chicanery; therefore, be it

RESOLVED, That the Republican National Committee (“RNC”) goes on the record in support of the pending “Keep Nine Amendment” as filed in the United States Senate and House of Representatives with wide Republican support; and

RESOLVED, That copies of this RNC resolution be sent to all Republican members of the United States Senate and House of Representatives, governors, state constitutional officers, state attorneys general, and state legislatures.