

NFI REFERENCE CARD · 2026 SUMMIT OF STATES

FUNDAMENTAL PRINCIPLES

of Functional Federalism

All governing power emanates from the people. By constitutional design, they created two distinct governing partners — state and national — each entrusted with defined roles, each supreme within their respective spheres, and each bound by oath to uphold and defend the same constitutional structure of government to secure the rights of the people. Four constitutional provisions establish the indispensable architecture of functional federalism. Every state leader takes office by oath to preserve this structure over politics.

9th

AMENDMENT RETAINED RIGHTS

The People Are the Source of Authority

Listing certain rights and powers does not mean that all others belong to the federal government. The people delegated specific powers to government — and retained all other rights and responsibilities to themselves. Authority for government is the exception; individual liberty is the rule.

★ **Rights not listed remain with the People. Powers not delegated are reserved to the states.**

10th

AMENDMENT RESERVED POWERS

States Are Sovereign in Their Sphere

The federal government is limited to enumerated powers — which are few and defined. All else: health, education, public safety, land use, welfare, family law, etc. — is reserved to the states and the people. States are not subordinate administrators of federal policy. They are "separate and independent sovereigns," supreme in their sphere.

★ **Powers not delegated to Washington are reserved to the states — by design, not by permission.**

14th

AMENDMENT EQUAL PROTECTION

States as Constitutional Guardians

The 14th Amendment protects fundamental civil rights regardless of the state where one lives. Each state is the primary constitutional guardian of the individual rights of every person within its jurisdiction. Upholding equal protection and due process is an affirmative state power and duty. State and national governments exist as a double security to the rights of the people.

★ **State and national governments securing fundamental civil rights is the fulfillment of federalism.**

Art. VI

U.S. CONSTITUTION OATH & SUPREMACY

Supreme Only Within Delegated Powers

Federal law is supreme only when made in pursuance of the Constitution's delegated powers. Beyond that delegation, states are supreme in all matters reserved to them. Laws that exceed delegated authority are, in Hamilton's words, "merely acts of usurpation." The Article VI oath is an affirmative, ongoing obligation — not a mere formality — for all state leaders to preserve this structure.

★ **Federal supremacy ends where delegated powers end. State leaders are oath-bound to preserve this governing structure.**

*"In short, the government of each state is, and is to be, sovereign and supreme in all matters that relate to each state only. It is to be subordinate barely in those matters that relate to the whole; and **IT WILL BE THEIR OWN FAULTS**, if the several states suffer the federal sovereignty to interfere in the things of their respective jurisdictions."*

— John Dickinson (Fabius), Letter III, 1788

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