

Amendment XXVIII - The American Amendment

***** Version 9 *****

Be it reaffirmed that this Constitution for the United States, including the Bill of Rights, shall be the ruling law of the land, and no federal legislation shall be enacted in contradistinction to the Founder's intent of this Constitution.

With the passage of this 28th amendment to the Constitution, all existing amendments from Amendment 11 through Amendment 27 are hereby repealed and rescinded.

Section 1. (Sovereignty and Inalienable Rights)

The People and the States are forever sovereign over the federal government; all individual God given rights and freedoms of the People are fundamental and inalienable to the People; these individual rights and freedoms shall be defended and protected by this federal government; and these rights and freedoms shall never be infringed, abrogated, or regulated through executive orders, federal agency ruling, congressional action, judicial ruling, or any other federal action.

The federal government was formed by the States, and shall be viewed as providing services to the State governments, and of being subservient to the control of the States. Thus, the sovereign States have the responsibility and the right to control, disband, re-organize, or nullify the federal government as conditions warrant such action. The federal government shall never initiate the use of force and violence against the states or against the people.

Political speech of the People for all written, spoken, or visual means of discussion shall be protected by this government and shall be free of all regulation, control, or denial by the federal government, no matter which media of expression is used.

All items declared as secret by the federal government shall be made available to the People after a period no greater than twenty-five years after classification, and no technology, trade secrets, or patents shall be withheld by the government from the people unless specifically approved by a two third majority vote of both houses of the congress and then for a limited period of time of ten years or less.

No action, law, or treaty proposed or implemented by this federal government which rescinds, diminishes, or negates sovereignty of the individual States, or of the republic of the United States, shall be approved or enacted by the Congress, nor entered into and/or executed by the Executive Branch. The Congress shall not have power to enforce control over the States by any federal legislation or judicial finding except as found in this constitution or agreed to by a two third majority vote of the Congress. There shall be no secret treaties, agreements, or alliances between the federal government and any foreign entity.

The right of the individual States to nullify federal legislation, and the right of the individual States to secede from the union, shall not be discouraged, infringed, or abrogated by the federal government. In cases where the federal government is shown not to conform within the limitations imposed by this Constitution, the States shall have the exclusive responsibility and the right to assert control over the federal government until the federal government can be brought to operate within the limitations imposed by the Constitution.

Section 2. (Citizenship and Eligibility to hold office)

All persons, not subject to any foreign power, who are born or naturalized in the United States, and who may be subject to the jurisdiction thereof, may become citizens of the State wherein they reside and of the United States, upon their oath or affirmation on, or after, their twenty first birthday. Citizenship shall be considered voluntary, and not mandatory.

All elected federal officials, all federal employees, all State representatives, and all temporary or contract workers for the federal government shall have personal security background checks performed by the federal government prior to employment, and persons with foreign allegiances, questionable, or criminal backgrounds shall not be allowed employment or representative offices except by approval of a two third majority vote of the congress.

All elected federal officials, all federal employees, all State representatives, and all temporary or contract workers for the federal government, who are in the line of succession to the office of President of the United States, shall be Natural Born Citizens, defined herein as a person born on U.S. soil to two (2) U.S. citizen parents, and who is not subject to the jurisdiction of any foreign power. There shall be no exceptions to this rule, or exemptions from this rule.

Any person serving in the line of succession, or already in the office of the President, found not to be a Natural Born Citizen as defined herein shall be considered a usurper, shall be immediately dismissed from office, arrested for prosecution of criminal fraud, and every action performed by this usurper while in office shall be immediately rescinded and repealed. Criminal actions against a willful usurper may be brought by any one or more of the States, or any private individual citizen.

If any citizen of the United States shall accept, claim, receive, or retain any title of nobility or honor, or shall without the consent of Congress, accept and retain any present, pension, office, or emolument of any kind whatever, from any emperor, king, prince, or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them.

No person may retain the office of president for a period of time greater than two four-year election periods.

All citizens, and all State governments, shall have full legal standing, within their State territory and within the District of Columbia, to legally challenge in the State and/or the federal court system, the eligibility of, or actions of, any federal elected official or hireling.

Section 3. (Federal voting and election requirements)

State Citizens voting for any person or action effecting the federal government must be verified and recorded by the State as being a voluntary resident Citizen of the State and of the United States, must be a minimum of 35 years of age, must be a full time legal inhabitant within the State, and must be pre-qualified by the State as to their basic knowledge of the English language, U.S. history, and Constitutional law.

The only exception to this rule are members of the active military who may vote at the minimum age of 21 after meeting the other federal voting requirements. All military votes, whether domestic or deployed, shall be counted and included within the federal election results before a state's election results are tallied, published, and included within the election total counts.

All federal voting shall be made with voter signed auditable paper ballots and the ballots shall be securely retained by the States for a period of no less than ten years for each election held. All federal elections shall be open for monitoring and audit by the People of the State only. Federal election tampering and/or fraud, and voter intimidation, tampering, and/or fraud, by individuals, political parties, or government employees, shall be considered a criminal offense, and upon jury conviction, shall result in no less than five years in prison per count. Political parties found to be engaging in voter or election fraud shall immediately be disbanded and prevented from future political activity.

American federal elections are limited to participation by American citizens only. Foreign governments, foreign businesses, foreign individuals, and all non-U.S. entities are prohibited from participating at any level, or in any financial manner, in either State or federal elections or processes. Candidates or any political party found to be supporting or accepting any such foreign influence shall be immediately disqualified from their candidacy or removed from their office if already elected.

Registered State individual citizen voters of the individual States are the only persons allowed to contribute financially to the election of federal representatives or officers. Unions and businesses are prohibited from providing operational or financial aid or support to candidates running for any federal office. There shall be no forced contributions to any political campaign.

Section 4. (Federal funding and fiscal matters)

The operations of the federal government shall be funded exclusively by the States, or by federal operation user fees, and no direct federal tax burden shall ever be levied directly on the People in any manner, nor for any reason. While serving in office, no federal public servant may accept any money or other remuneration from any individual or organization, domestic or foreign, under penalty of immediate dismissal from office and denial of all federal benefits.

Whereas the States may create and maintain their own State banking and financial operations, and are encouraged to do so, no federal monetary or financial operation shall be controlled by a non-federal organization or by any private or public central bank. Money of account of the United States and all federal financial transactions, must be maintained by and operated by the U.S. Treasury, and reported to, and controlled by, the Congress.

All the funds forecasted for, and spent by the federal government, and paid for by the States shall be accountable to the States, and the gross funds required to support the federal operations shall be apportioned among the States and according to the population of the States.

All State representatives and employees assigned to the service of the federal government shall be paid by, and funded by the States exclusively, and there shall be no provided, or allowed, remuneration or benefits for State representative's services, by the federal government.

The States shall be solely responsible for all direct and indirect taxes levied on individual citizens and on state controlled businesses, and the Congress shall impose neither tax collection nor tax exemption on any individual or on any business. Note that user fees are not considered taxes.

The proposed and mandatory federal budget for the following fiscal year shall be made publicly available for review ninety days prior to consideration by the Congress.

The federal government shall operate on a mandatory annual balanced and funded budget, and shall not withhold funds reimbursement to the States or to the people for any reason. Amendments to the annual budget may be made by the Congress in case of exigent circumstances warranting such action, but only with agreement of two thirds of both houses of Congress. Anytime there is a fiscal deficit of more than 3% of GDP, all sitting State representatives of the Congress shall be immediately removed from office, and shall thereafter be ineligible for re-election to, or employment by, any branch of the federal government.

Aside from private property, including land, owned by the People, the States are owners of and caretakers of all public property and lands within their own State borders. The federal government shall have no permanent claim against any such State property or lands, nor shall it ever dispose of such property or lands without the approval of the People of the State. Except in criminal actions and upon legal conviction of the defendant, federal departments and agencies shall reimburse states, individuals, and businesses for the devaluation or seizure of their property due to federal use, regulations, or controls.

Federal entitlement programs and wealth redistribution programs in existence at the time of this amendment shall have five years from enactment date of this amendment to convert the programs to the States, to the private sector, to charitable organizations and churches, or be considered nullified.

The federal government shall never directly provide financial or administrative assistance to, or controls over, public, private, or religious education performed within the States, and every federally funded agency, department, or entity, shall be prevented from any involvement in, contribution to, or interference with, the public, private, or religious education systems and programs within the States.

Section 5. (Constitutional oath and terms of office)

All elected federal representatives, all hired federal employees, all judges and all members of the military, all State representatives to the federal government, and all temporary or contract workers for the federal government must swear before at least two witnesses the following oath of office. Violation of this oath, in any act performed by any such federal officeholder, shall result in immediate expulsion of the officeholder from the officeholder's position in government, and the immediate rescission of, and remedy of, the unconstitutional action.

I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State in which I reside, against all enemies, foreign and domestic, that I will bear true faith and allegiance to the same; that I will not cause or contribute to any unlawful physical or financial harm or loss to any American citizens; that I take this obligation freely, without any mental reservations or purpose of evasion; and that I will well and faithfully discharge the duties of the office upon which I am about to enter; So help me God.

The Senate of the United States shall be composed of two Natural Born Citizen Senators from each State, chosen by the State Legislature thereof for a period of three Years; and each Senator shall have one Vote. The Senators shall represent the interests of the state governments in all matters at the federal level.

Whenever there is a vacancy in the office of the Vice President, the President shall nominate an

eligible Natural Born Citizen for Vice President within ninety days of the vacancy, and this nominee shall take office upon confirmation by a majority vote of both Houses of Congress which shall not be unreasonably withheld.

In cases of fraud, treason, or other high crimes and misdemeanors, all persons found acting outside the limits of this Constitution shall be dismissed, and if intent, concealment, and/or repetitive and unlawful actions can be shown, will be prosecuted as necessary.

Persons serving in the federal government, including judges and those representing the States, shall not serve more than ten years in all capacities, except for members of the military who may serve a maximum of thirty years. None of these public servants may work for any private or international lobby groups at any time, either before, during, or after their employment by the government.

No judicial nominee who rejects the American jurisprudence of originalism, or who supports any non-American form of law shall be confirmed into office. All federal judicial nominees shall be Natural Born Citizens, and shall have practiced constitutional law in at least one of the States for a minimum period of ten years prior to nomination and appointment.

All public servants and persons representing the People's interest at the federal level shall be subject to immediate recall, for any reason including fraud and/or lack of confidence, by a majority vote of the citizens represented in that state, district, or region, in a special election which may be held at any time. This recall right includes recalling the president of the United States in elections held in a simple majority of the States.

Section 6. (Time of Congressional sessions)

Except in times of war or other publicly acknowledged exigent circumstances, the part time federal Congress, composed of ambassadors or representatives from the States, shall meet together for a maximum of two months a year at the Country's capital during the months of July and August, during which period the Congress shall conduct the new legislative business of the federal government. Other congressional federal duties shall be performed in the representative's home state throughout the year.

Section 7. (Congressional duties)

Be it known, the limited powers of the Congress of the federal government have been established as defined in Article 1, Section 8 of this Constitution, to support efforts of the individual sovereign States and of the People, and not to interfere, control, limit, or inhibit functions of State governments or of the People except as may be found in Article 1, Section 8, and as noted below in Section 11 of this amendment.

The Congress shall provide full public disclosure and open public debate of all new and pending legislation for ninety days prior to consideration and vote, and a two-thirds majority of each house shall be required before new legislation shall be considered having been passed by the Congress. Every law, or resolution having the force of law, shall relate to but one subject, and that shall be expressed in the title. There shall be no secret legislation passed or enacted by the Congress.

The People and the Congress shall have open and public review of judicial branch decisions, and review of all executive branch orders, and Congress shall have over-ride power of each other

branch as evidenced by a two-thirds majority approval from both houses of Congress.

No amendment shall be made to the Constitution, nor any law or statute passed, which will authorize or grant to the federal government, the power to abolish or interfere, within any State, with the domestic institutions thereof, including that of persons held to labor or service by the laws of said State.

All federal agencies, of any branch, shall automatically expire after a period of twenty years unless affirmatively justified and re-established by a two third vote of Congress, or unless they have already been dissolved by the Congress.

Laws, statutes, and Executive Orders enacted by any branch of the federal government that effect the People or the States, shall equally bind and control members and employees of the federal government, and additionally, all federal employees and hirelings shall be bound by the laws of the state in which they are performing their assigned federal duties. There shall be no exceptions to this rule.

Congress shall create and maintain a special non-partisan group, whose purpose is to investigate and prosecute unconstitutional actions and other crimes performed by employees or contractors within the federal government. This group shall, at a minimum 1) provide good internal controls for all federal departments, 2) discourage unlawful collusion between federal employees and outsiders, 3) monitor federal employees and provide a whistle-blowing hotline for anonymous tips, 4) create an expectation of punishment for crimes and unconstitutional actions, and 5) conduct pro-active and ongoing auditing of all federal activities and operations.

Congress may grant to the principal officer in each of the Executive Departments a seat upon the floor of either House, for the purpose of discussing any measures appertaining to his department.

All existing and previous presidential Executive Orders shall expire immediately upon the change in president, and may be considered for renewal only upon a two third majority voted approval by the House of Representatives.

Section 8. (Constitutional consistency)

All federal legislation and executive actions proposed or enacted by the federal government shall be first verified as being consistent with the intent of the Constitution, and when enacted, shall expire after twenty-five years from the original date of enactment unless subsequently renewed by the Congress.

All Congressional actions or legislation found to be inconsistent with the intent of the authors of this Constitution by a majority of the States or Congress, shall be immediately considered null and void.

Each state shall create a term limited legal body of Natural Born Citizens from the State, not currently aligned or associated with any government or business entity, whose sole purpose shall be to monitor persons and agencies in the federal government for possible violations of constitutional law, and this body, responsible to the people of the state exclusively, shall prosecute all cases in which there is evidence of federal constitutional crimes. All cases where there is evidence of violations of federal constitutional law by public servants shall be considered felony crimes, and upon a jury conviction, shall impose a minimum of five years in a state prison.

Section 9. (Control of Business)

All for-profit and not-for-profit domestic and foreign individuals and businesses operating within the United States and among the various States, must have a physical nexus located within one of the States, and must agree to be regulated and controlled by the laws of that State.

Foreign individuals, foreign businesses, and multinational businesses conducting business of any type within the domain of the United States shall additionally register with the federal government as foreign nationals, and agree to be controlled by the laws of the United States as well as the laws of the individual state(s) in which they will be physically located.

No business, domestic or foreign may donate or contribute any monies or other benefits to any public servants, government departments, or agencies under the threat of closure as a business.

Section 10. (Other federal controls)

Employment and service to the federal government shall be at will, and union representation of federal government employees is prohibited.

English shall be the official language of the United States of America, and American jurisprudence shall be the only form of law and justice practiced in America. Multiculturalism, diversity, and bilingualism within the federal government shall be prohibited.

The borders of the United States shall be secured by the federal government or by the States to discourage and deny illegal alien access to American jurisdiction, and uniform immigration controls shall be developed to control immigration policies. Absent adequate control of the borders by the federal government, the states shall assume responsibility for border control and shall deduct monies due to the federal government to cover the cost of such border control.

Federal officials who violate or deny any constitutionally enumerated and protected rights or protections, to any lawful citizen, shall be vulnerable to civil lawsuit by the citizen. Federal or local public servants who are found guilty of crimes against the State or against the People shall be removed from office, shall serve a minimum of five years in a federal prison, and shall be denied financial rewards or remuneration by the government.

The Judiciary shall adjudicate and invalidate all acts of the Congress, and of the president, in cases where there is a contradiction to the intent of the Authors of the Constitution, or when constitutionally protected natural rights of the People shall be impaired, infringed, or violated.

Federal corruption by any Executive, Legislative, and Judicial Branch members, in the form of election fraud, bribery, graft, extortion, robbery, patronage, nepotism, cronyism, conflict of interest, kickbacks, and accepting foreign, union, or business donations, shall be investigated, prosecuted, and punished to the full extent of the law by the responsible federal agencies. Absent the federal agencies performing this function, the States are individually responsible to perform this function forthwith upon suspicion of malfeasance by federal officials in their territory.

Section 11. (The Power to Declare War)

Article I, Section 8 – The current wording shall be stricken:

“The Congress shall have power to declare war,”

Article I, Section 8 – The following wording shall be added:

“The Congress shall maintain a bicameral war-powers committee that shall maintain the sole power to consider and recommend a declaration of war against foreign states when it is deemed necessary. This committee shall consist of a minimum of six members from the Senate and eighteen members from the House of Representatives. At least one third of the membership shall be replaced every two years. The senior members of the Senate and House shall act as co-chairmen of the committee and the committee’s finding shall be immediately presented to the full Congress. Declarations of war must be ratified by a two thirds majority from both Houses except in cases where American soil is under direct foreign military attack and time is of the essence. In those cases a temporary declaration of war may be effected with a two thirds concurrence from each of the Senate and House of Representative members of the committee.

“Declarations of war against a foreign state, whether temporary or otherwise, must as a minimum consist of the following elements:

- a. A statement of the grievances to include identification of the perpetrators and the victims;
- b. A statement of the goals to be pursued in the prosecution of this war;
- c. A statement as to why diplomacy was either tried and failed, or was not tried;
- d. A definition of the victory conditions to include post-victory goals should military success be achieved;
- e. A definition of the withdrawal conditions to include post withdrawal goals should military failure occur.

This committee shall be charged with maintaining its own national security intelligence gathering capability separate and apart from similar agencies of the Executive Branch.

Article II, Section 2 – The current wording shall be left intact:

The President shall be commander in chief of the Army and Navy of the United States, and of the militia of the several states, when called into the actual service of the United States;

Article II, Section 2 – The following wording shall be added:

The President is forbidden to declare states of emergency, establish foreign military bases, declare war, or prosecute American interests by military means, except when expressly ordered to do so by the Congress, or when American soil is under direct military or economic attack and time is of the essence. Present American military bases on foreign soil will be held under continual scrutiny for closure and will be removed within five years of passage of this amendment. Foreign or international military bases are prohibited from being established on American soil.

In the event that the President deems American soil to be under direct military attack, and unilaterally initiates defensive military measures, but the Congress’ bicameral war-powers committee either votes down or fails to vote in a temporary declaration of war, then the President shall withdraw all military forces that were committed to the endeavor. The Congress shall control the military adventures and wars of the United States.

If the President fails to comply in a timely and satisfactory manner to the dictates of the Congress, the President, Vice President, and Secretaries of State and Defense shall be immediately

suspended from office and, if necessary, incarcerated until such time as their individual criminal and/or neglectful behavior can be determined in a court of law. The Speaker of the House shall temporarily assume the duties of the President while this matter is being resolved.

If, in the case of the President and/or Vice President, the outcomes of trial are guilty, the Speaker and Majority Leader of the House of Representatives shall serve out the President's and Vice President's terms, respectively. At the end of said original terms a new general election shall be held.

No state, federal, or federally sanctioned private or foreign military forces shall use force and violence against the citizens of the United States at any time or for any reason. The Executive Branch agencies and the federal military forces shall not deny any state or any citizen the protected rights found in this Constitution for the United States, including the citizen's right to build or purchase any weapons, keep, maintain, open carry or concealed carry any weapons, or deny or infringe on the Citizen's right to defend himself when attacked by government forces, or criminal individuals or groups. The People shall always have the right to form, train, and arm a local militia, and these militias will never be disarmed by the state or federal government under any circumstances, even during periods of civil strife and/or war.

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