

**AMENDMENT # \_\_\_\_\_**

**MONETARY CONSTRAINTS POLICY**

**SECTION 1.** During the first five years following the date of ratification of this amendment and at three (3) year intervals thereafter, the Congress shall peruse each department, agency, program, subsidy and entitlement payment (i.e. any entity of the federal government that spends or collects revenue) to determine the usefulness and economic benefit of each to the people. A seventy-five (75) percent majority vote in both the House of Representatives and the Senate (hereinafter referred to in this Amendment as the Congress) will be required to continue funding each said entity or part thereof. Failure to obtain the seventy-five (75) percent majority approval of the Congress will permanently terminate the entity's funding and all activities of that entity will cease within thirty (30) days of the negative vote. In the event that the Congress fails to peruse and vote on any of the aforementioned entities during the initial five (5) year period or any subsequent three (3) year periods thereafter, those entities will automatically cease functioning and no future funding will be allowed unless the required review is performed and the entity function is reauthorized by the Congress.

**SECTION 2.** The Congress will balance the Federal Budget annually and no deficit spending will be allowed after the ratification of this Amendment. All expenditures of the Federal Government are to be included in the Federal Budget and no "off-budget" items are to be allowed. At least seventy-five (75%) percent of all annual budget surplus's shall be applied first to paying off the Social Security Trust Fund, then to any other trust funds and finally toward the national debt.

**SECTION 3.** The Congress will deal with the national debt in the following manner. Effective with the first full fiscal year after the ratification of this Amendment, the full national debt will be determined excluding the debt owed to the Social Security Trust Fund. This debt will be treated as a mortgage and will be amortized over a thirty (30) year period beginning with the first full fiscal year after ratification of the Amendment. Payments will be made bi-weekly on the debt and adjusted quarterly to allow for interest rate changes. No negative amortization is to be allowed. No partial amortization is to be allowed. Beginning the second fiscal year after ratification and continuing each year until the debt is paid, the payments will increase each year by at least one (1) percent but not by more than three (3) percent each year as in a growing equity mortgage. If the payments change during the year, the average of the payments will be used to determine the increase for the following year. The Congress will

determine the percentage increase to be used and the total increase will be applied to the principle amount owed to the Social Security Trust Fund first, secondly to any other trust funds

and after paying off all trust funds to the principle on the national debt. When the national debt reaches zero, taxes will be proportionately reduced across the board to reflect the decrease in expenditures from the principle and interest payments on said debt.

**SECTION 4.** In order to ensure compliance with SECTION 1., SECTION 2. and SECTION 3. above, the Congress will contract the services of a nationally recognized, private and independent accounting firm or firms to work in conjunction with the General Accounting Office. The firm or firms selected will use Generally Accepted Accounting Principles (GAAP) and will be charged with auditing each entity of the federal government ( including the agencies responsible for national security and tax collection). The purpose of the audits will be to determine the usefulness of the entity versus the economic costs to the people and to make recommendations on where costs and programs can be reduced or eliminated. In addition to the audit conducted once every three years on each governmental entity, the yearly Federal Budget and all appropriation bills before the Congress will receive a minimum sixty (60) day auditing period wherein an audit will be performed and a thirty (30) day review period before the Congress will be allowed to vote on the bill. The source and/or sponsor of each item in the Federal Budget or any appropriation bill is to be clearly identified. The only exception to the sixty (60) and thirty (30) day periods will be in the event the President declares a national crisis or disaster where time is of the essence. The results of each audit will be forwarded to each of the Governors of the Several States and their recommendations will be considered by the Congress during the entity review procedure outlined in Section 1 of this amendment. The results of each audit will be submitted to the Congress for consideration during the entity review procedure outlined in Section 1 of this amendment. The auditing procedure outlined in Section 4 will remain in effect permanently. At the discretion of the Congress, the accounting firm or firms may be replaced or reassigned, but this action is not to affect any of the time constraints outlined in this amendment. No conflict of interest shall be assumed by the accounting firm or firms as long as an "arms length transaction" is maintained within the firm(s) between duties assigned under this Section and other government contracts.

- (1) During the auditing and review process for any National Defense appropriations, the Chairman of the Joint Chiefs of Staff will issue a report to the Congress detailing any budget item or items which the military does not want, does not need or can not afford.

**SECTION 5.** Within sixty (60) days of the end of each fiscal year of the United States Government, the private accounting firm (as outlined in Section 4.) in conjunction with the General Accounting Office, will issue a report to each of the Governors of the Several States

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and to the Congress detailing the Congressional compliance with Section 1., Section 2. and Section 3. of this amendment.

- (1) In the event the report indicates non-compliance of any detail or part of Sections 1 through 3 by the Congress, the operating budget for each seat in the Congress and for the President will be reduced by fifty (50) percent. This reduction will be immediate and extend sixty (60) days into the next fiscal year. This reduction will include, but is not limited to, salaries, staff salaries, franking expenses, travel expenses, medical care and perks of the office held. The first full fiscal year after the ratification of this amendment will serve as the base year for this section and in future years the fifty (50) percent reduction base year will be the last previous year where Congressional compliance with Sections 1 through 3 was maintained. If Congressional compliance is restored for the year following a operating budget reduction year, then, the full operating budget will be restored to the budget used in the last base year. If Congressional compliance is not restored for the year following a operating budget reduction year, then the fifty (50) percent reduced budget from the previous year will remain in effect.
- (2) In the event the report indicates Congressional non-compliance for two (2) consecutive years, not only will Section 5.(1) apply, but the retirement benefits for all of the current members of Congress and for the President will be permanently reduced by fifty (50) percent as of the year they retire.
- (3) In the event the report indicates Congressional non-compliance for three (3) consecutive years, not only will Section 5.(1) and Section 5.(2) apply, but no Senator currently serving will be allowed to run for re-election for any seat in Congress for a period of ten (10) years and no House of Representatives member currently serving who has held a seat more than three (3) terms or six (6) years will be allowed to run for re-election for any seat in Congress for a period of ten (10) years.
- (4) Any disputes arising from this Section will be referred by the Speaker of the House of Representatives to the Governors of the Several States and their ruling by a simple majority vote will be final. In the event of a tie, the deciding vote will be cast by the Mayor of the largest city by population in the United States of America.
- (5) This Section will remain in effect permanently. The only exception to this Section will be the compensation received by the President for his services as set forth in ARTICLE II, Section 1.(7) of the Constitution.

**SECTION 6.** The operating budget, including salaries, of the members of Congress and the President will not increase by over one-half (1/2) percent biennially while there is a national debt or a deficit in any trust funds such as Social Security.

**SECTION 7.** Any tax increases, revenue increases or raising of the national debt ceiling must be approved either by a ninety (90) percent majority vote in both Houses of Congress, or by a simple majority vote of the People in a national election. Revenue increases include, but are not limited to, permits, fees, licenses and user fees issued or assessed by any federal governmental entity. Any increase in the national debt ceiling will be incorporated into the national debt and repaid as outlined in Section 3 of this amendment. The Congress shall not pass any tax or revenue bill, statute or law which is designed to collect taxes retroactively.

**SECTION 8.** The Congress or any other federal government entity shall not refer any mandates to the States unless accompanied by sufficient funding from the federal government to ensure compliance by the States.

After the ratification of this Amendment to the Constitution, all laws, statutes, rules and regulations generated by any entity of the federal government shall contain a "Sunset" provision whereby that item's authority will expire as of a certain date. That certain date will not exceed a period of more than ten years from the effective date of the item. The Congress alone shall have the authority to reaffirm each item before it's expiration date and extend that item for up to another ten years before it "Sunsets" again with a two-thirds majority vote of both houses of the Congress. All items not reaffirmed by the Congress shall be deemed invalid ten years from their effective date. New items, those with effective dates after the ratification of this amendment, shall include the economic costs affecting individual taxpayers or taxpaying entities; these new costs will be defrayed to the individual taxpayer or taxpaying entity by allowing a one-hundred percent tax-credit for the first three years and as a tax-deduction thereafter.

All laws, statutes, rules and regulations predating the effective date of this proposed amendment shall be reviewed and reaffirmed by the Congress under the following rules; the first full year following the ratification of this proposed amendment all items with effective dates in the previous five (5) years will be reviewed and those requiring continuation will be reaffirmed by the Congress or will become invalid. The second full year following ratification, the previous years six through ten (6-10) will be reviewed and reaffirmed; the third year, years eleven through fifteen (11-15), and so on until all items "on the books" have been reviewed and reaffirmed or invalidated. Each "existing item" with effective dates prior to the ratification of this proposed amendment which is reaffirmed by the two-thirds vote in the Congress shall also have the "Sunset" and the "economic cost" provisions contained in said items as discussed earlier. The economic costs to the taxpayer or taxpaying entity on existing items which are reaffirmed shall be deferred with a seventy-five percent (75%) tax-credit and twenty

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–five (25%) percent tax-deduction for the first two years and thereafter a one-hundred (100%) tax-deduction. Economic cost shall include all administrative and record keeping expenses as well as the basic cost associated with each item.

The purpose of this Section 8 is to reduce or eliminate items that are no longer needed, have been superceded or which give legal standing to circumstances which have become outdated. It shall have no effect on Supreme Court rulings, legal precedence regarding material case history (even where that item is not reaffirmed) and items where the failure of the Congress to reaffirm would pose a national security threat or create a national crisis.

(Lt. Colonel W. A. Rosenow, USAF Ret.)

**SECTION 9.** This section is not intended to replace the Amendment 16 to the Constitution of the United States, but rather to narrow the scope of the Amendment 16 and define exemptions to it. The following sources of income will no longer be taxed in any manner and under the following conditions; Items (1) through (6) will be phased out over a three year period immediately following the ratification of this amendment with the timing left to the discretion of the Congress. Items (7) through (15) are to be phased out during the first full tax year following the ratification of this amendment. Item (17) is to be phased in during the first full tax year following the ratification of this amendment.

- (1) Tips and gratuities received for a service or favor.
- (2) Capital gains on the sale or exchange of real property.
- (3) Capital gains on the sale or exchange of real property that is rented or used in a business.
- (4) Capital gains on the sale or exchange of personal property.
- (5) Inheritances; estates
- (6) Any income source derived from the probate process.
- (7) Gifts, sweepstakes prizes, lottery winnings, prizes and drawings
- (8) Any insurance policy or beneficiary payments from an annuity
- (9) Unemployment insurance.
- (10) Worker's compensation insurance.
- (11) Disability income under Social Security.
- (12) Retirement benefits under Social Security.

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- (13) Medical expense benefits under Medicare and Medicaid.
- (14) Union strike benefits.

(15) Court ordered, child support payments paid by a spouse or legal guardian.  
Court ordered, child support payments received by a spouse or legal guardian.

(16) Business or Corporate Capital Gains taxes thirteen (13) years after ratification of this amendment.

(17) Individual Retirement Accounts (IRA's)

After the ratification of this amendment, yearly contributions to all types of new IRA's will be tax -deductible with limits set at ten percent (10%) of earned income or ten thousand (\$10,000.00) of earned income whichever is greater for each individual taxpayer and for each individual spouse. Any or all existing IRA's with higher tax-deductible limits will remain in effect. The Congress, by appropriate legislation, may increase these limits, but are forbidden to decrease them.

Contributions, including accrued interest and dividends, may be withdrawn for any reason, tax-free, after a two year period using the first in, first out (FIFO) accounting method; i.e., any contribution placed in an IRA and held in that IRA over two years may be totally withdrawn with accrued interest, dividends and capital gains tax free and with no early withdrawal penalty.

As of the date of the ratification of this amendment, existing IRA's, fixed annuities and variable annuities, in the contribution phase can be converted to the tax-deductible/tax-free IRA's discussed in this section by paying a ten (10%) percent conversion tax on any amount of moneys above the cost basis. After conversion, future contributions will be subject to the two year first in, first out (FIFO) accounting method the same as the new IRA's discussed in this section and will enjoy the tax-deductible/tax-free features of the new IRA's.

As of the date of the ratification of this amendment, existing IRA's, fixed annuities and variable annuities, in the distribution phase, can be converted to a tax-free earnings and payout basis by paying a five (5%) percent conversion tax on the total value of the IRA or annuity above the cost basis.

The conversion tax will be a separate tax and will not be used to compute a higher income and tax bracket for the taxpayer in the year it is taken.

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On the date of conversion, the total amount of conversion tax will be determined for the investment vehicle in question and that tax can be paid in either a lump sum from those funds or from other sources; or, can be divided into four equal payments and paid over four (4) years at a rate of

ten (10%) interest on the unpaid balance of the amount owing on the conversion tax.

Any and all moneys from the conversion tax and interest received by the Federal Government under this part will be allocated as follows: thirty (30%) percent of the moneys received will be returned to the state

government in which the taxpayer resides. The remaining seventy (70%) percent of the moneys will be applied to the principle amount owed to the Social Security Trust Fund first, secondly to any other trust funds and after paying off all trust funds to the principle on the national debt.

No tax penalties will be assessed for any IRA or Annuity that either begins or does not start a withdrawal phase by a certain age of the owner. IRA or Annuity "Rollover's" are to be permitted at the discretion of the owner with no regard to any set time constraints per year.

**SECTION 10.** Upon ratification of this Amendment, and under the following guidelines, all taxpayers and taxpaying entities owing monies to the federal government in any form (taxes, penalties, interest, etc.) and with a filing due date of one year or more prior to the date of ratification (whether filed or not) shall receive tax amnesty on any and all monies owed to the federal government. The goal of this "fresh start" program is to allow all taxpayers and taxpaying entities the opportunity to become in compliance with federal tax laws and maintain that compliance. To receive the tax amnesty the taxpayer or taxpaying entity must (1) file all future returns and forms in a timely manner and (2) pay all taxes when they are due for a period of three years. After such time, all taxes owed will be forgiven by the federal government. In the event that compliance is not maintained during this three year period, all monies due the federal government will be reinstated with interest. Any disputes arising from this Section will be resolved using the format in Section 17.(3) of this amendment.

**SECTION 11.** The President of the United States of America will be given line-item veto power over all appropriations bills passed by Congress without regard to the number of citizens affected by the bill or any dollar amount involved. The Congress will retain the power to over-ride any Presidential veto as set forth by The Constitution.

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**SECTION 12.** The Governors of the Several States will have veto power over all or any part thereof of bills, laws or statutes passed by the Congress; of any Executive Order; or of any rules, regulations, directives or policies promulgated by any branch, agency, department or

entity of the Federal government which are now in place or are future items. No respect will be given to time. The veto power is to be implemented under the following procedure:

- (1) Upon petition by at least five (5) of the Governors of the Several States to the Speaker of the House of Representatives to veto a certain item or items, the Speaker shall call for a vote on that named certain item(s) by all of the Governors of the Several States within thirty (30) days. A simple majority vote of the Governors or a tie vote for the veto will veto that certain item(s).
- (2) The Congress shall have the power to over-ride a Governors veto with a seventy-five (75) percent majority vote in both houses of the Congress.

**SECTION 13.** During a state of war declared by the Congress, an income tax surcharge of up to ten (10) percent may be levied by a simple majority vote of the Congress to pay for the war effort. The income tax surcharge funds will only be used to pay for the war effort and this income tax surcharge will terminate when the war is paid for. Any disputes regarding the termination of the income tax surcharge will be resolved by using the Governors method described in SECTION 5.(4) of this Amendment. (H. Ross Perot)

**SECTION 14.** Social Security and Medicare taxes will not increase after the base fiscal year of nineteen hundred and ninety seven (1997). No trust fund taxes are to be used for any purpose other than what they were collected for. No trust fund taxes are to be used in the general fund for operation of the Federal Government. All trust fund taxes borrowed by the Federal Government are to be repaid, including an interest rate of not less than six (6) percent, back to the respective trust funds in the manner outlined in SECTION 3. of this Amendment. The accrued interest on each trust fund account is not to be used in the general fund for operation of the Federal Government. Once the Social Security Trust Fund reaches a positive balance of at least three trillion (3,000,000,000,000) dollars, social security taxes will be reduced equally between the employee and employer contributions to a level which maintains the three trillion (3,000,000,000,000) dollar balance on a yearly basis. When this trust fund reaches the "at least three trillion" dollar amount, it will considered to be "paid off" under Section 3 of this Amendment.

During the first full year after the Social Security Trust Fund reaches the three trillion dollar level, the profits (interest, dividends and capital gains) less the expenses of the fund will be determined by the accounting firm(s) assigned under Section 4 of this amendment. Using the results of this audit, the Congress, for the following year and each year thereafter, will reduce the percentage of the Social Security taxes withheld and placed in the system for the payment of benefits. This reduced percentage amount will equal not less than 75% or more than 90% of the Trust Fund profits from the previous year. These profits from the Trust Fund will be

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placed in the Social Security system to pay benefits and offset the reduced Social Security tax rate authorized by the Congress. Each year's percentage reduction is to be based on the profits of the Fund for the preceding year and not on the funds total portfolio value. These



funds are not to be commingled into the General Fund. Any surplus from these funds is to be placed back into the Social Security Trust Fund.

The social security tax rate for the employer and the employee will remain at the same level (approximately 15+%) even in the years where the amount contributed to the social security trust fund is reduced. The dollar difference between the amount of the employer and employee combined contribution and the reduced amount placed into the social security trust fund shall be placed into a separate investment account for each individual employee under the following terms. The employer will select a mutual fund which offers at least five levels of risk options, is managed, provides diversification and is rebalanced on at least a quarterly basis. By the due date of the employers federal tax withholding payments to the I.R.S., the employer shall forward to the mutual fund's transfer agent the money due under this section along with a listing of the individual employees, social security numbers and gross wages paid to each. The mutual fund shall acknowledge receipt of funds to each employee on at least a quarterly basis. Subject to the above mutual fund criteria, individual employees shall enjoy the right to transfer their funds from one mutual fund to another of their choice with no approval needed from their employer. These Social Security Investment Accounts (SSIA's) are to be controlled solely by the employee, grow tax free and are not to affect any other investment vehicle available to the employee. It will be the responsibility of the employee to contact the transfer agents to place funds in another account or to make modifications upon changing employers. SSIA funds may be withdrawn from a plan for the following reasons without penalty : major medical expenses, medical insurance premiums, education, home purchases, business startup or continuation costs, and payment to the designated beneficiary upon the death of the SSIA owner. This part equally pertains to self-employed taxpayers.

All citizens, with no other retirement plans or no other means of support, are to be eligible for social security benefits regardless of the amount contributed to the fund. The minimum age requirements of 62 (for reduced benefits) or age 65 for full benefits will not be increased for at least thirteen (13) years after ratification of this amendment. Citizens receiving retirement benefits under Social Security are to be entitled to earn any other amount of income desired without having Social Security retirement benefits reduced.

As of the date of the ratification of this Amendment; and, other than normal cost of living adjustments authorized by the Congress, any INCREASE in the benefits provided to Social Security Beneficiaries shall be approved by a 75% majority vote in both houses of the Congress. Any proposed DECREASE in the benefits provided to Social Security Beneficiaries (including age increases) shall first be approved by a two-thirds majority vote of the people in a national election.

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Within one-hundred and eighty (180) days after the ratification of this amendment, a Social Security Trust Fund Board of Governors will be established to oversee and manage the Social Security Trust Fund. The President will appoint and the Congress will confirm all members. The Board of Governors will consist of at least nine (9), but not more than twenty-

one (21) members and shall have SOLE responsibility for the Trust Fund. A minimum of three (3) members will be from the securities industry, a minimum of three (3) members with securities knowledge will represent the Senior Citizens and a minimum of three (3) members with securities knowledge will represent the handicapped and disabled. The Board will adhere to Securities and Exchange Commission rules. Board members will receive as compensation the following; appropriate expenses incurred, one dollar (\$1.00) per year as a salary and a percentage of the Fund increase each year as determined by the Congress. Other than appropriate expenses, no compensation will be received by the individual members in any given year if the Trust Fund assets remained the same or declined. The goals and investment strategies of the Trust Fund will be set by the Board of Governors and reaffirmed by the Congress.

It shall be a felony offense for any elected official (federal, state, local) or for any employee (federal, state, local) to tamper with, direct, influence or bring political pressure to bear in any way upon the Social Security Trust Fund Board of Governors concerning any aspect of the fund's management or allocations of the portfolio. Upon conviction, a mandatory prison sentence of not less than ten years AND a fine of not less than \$50,000.00 per offense shall be imposed.

**SECTION 15.** The Congress will ensure the financial viability of the Medicare System to provide reasonable , minimum health care equally to the senior citizens of the United States of America. Failure by the Congress to adequately deal with this section will result in the process outlined in SECTION 5.(1) through 5.(5) to be implemented. Any disputes arising from this section will be settled under Section (5) (4) of this amendment.

**SECTION 16.** Military retirement benefits will not be decreased for any United States Armed Forces military personnel who are currently on active duty or who have retired and are currently collecting benefits as of the date of the ratification of this Amendment. The promises made to military personnel and their dependents by the United States Government for free health care when they retire will be honored. Equally, funding for Veteran Affairs Programs will be kept at a level which ensures that all who served this Country will be adequately cared for. Failure by the Congress to adequately deal with this section will result in the process outlined in SECTION 5.(1) through 5.(5) to be implemented.

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**SECTION 17.** The federal tax collection entity, presently known as the Internal Revenue Service and hereinafter referred to as the IRS, is subject to the following procedures, actions and limitations and these expressly and specifically supersede the Administrative Procedures Act of 1946 and all laws, rules, statutes and codes derived after that Act.

- (1) Any taxpayer, individual or entity, will be presumed innocent of any wrongdoing unless proven guilty in a court of law.
- (2) The burden of proof for guilt or any amounts owing rests solely with the IRS.
- (3) Any disputes arising from this section which can not be resolved between the IRS and the taxpayer can be referred either by the IRS or the taxpayer to the Small Claims Court in the county in which the taxpayer (or tax paying entity) resides. In monetary issues, the ruling of the court will be final, unless the taxpayer elects to refer the case to a higher state court. The IRS shall not enjoy the right to defer to a higher court in monetary issues regardless of the amount claimed. The IRS will be represented by an IRS employee while the taxpayer may represent themselves or be represented by anyone they choose. In criminal cases, the IRS will proceed under current laws and within the appropriate court system.
- (4) No delinquent, late or disputed taxes or filings will result in a penalty greater than ten (10) percent of the amount owed by the taxpayer. The interest rate on unpaid balances will not exceed ten (10) percent or two points above the prime rate whichever is lower.
- (5) The assessment of taxes is to be fair, equal and proportionate with no taxpaying entity penalized because of age, sex, religion, ethnic background or familial status.
- (6) Any taxpayer who has made a good faith effort to pay their taxes during the year and still owes money due with the return will be given a ninety day grace period to pay the amount still owed with no penalties or interest as long as the return is filed in a timely manner; or, up to one-hundred and eighty days with interest accruing at a rate of ten(10) percent on the amount still owing from the date of filing.
- (7) Any repayment plan mutually agreed upon between the IRS and the taxpayer is subject to the Truth in Lending Act of 1969 implemented by Regulation Z of the Federal Reserve. All repayment plans must pay off the amount owed, including a reasonable interest rate, in the time specified in

the agreement. In the event the IRS errors in this section, the taxpayer may file in Small Claims Court to be released from the agreement. Consent of the court will not be unreasonably withheld and upon release from the

agreement, the taxpayer will not owe any of the moneys due on the agreement. The ruling of the Small Claims Court will be final.

- (8) It shall be unlawful for any IRS employee to lie to, to misinform, to misrepresent or not to disclose material information to a taxpayer when disseminating information to a taxpayer, determining a tax or collecting a tax from a taxpayer or taxpaying entity. Any taxpayer may file a non-monetary complaint against any IRS employee in Small Claims Court for any of the aforementioned acts. If the court determines through findings of fact that a violation occurred, the case will be referred to the appropriate authority for further action. If the IRS employee is convicted of any of these acts, they will be excluded from any further federal employment and will forfeit all benefits accrued.
- (9) It shall be unlawful for the IRS to place a lien on, or to seize any property, personal or real, of any taxpayer or citizen without first obtaining a judgment or court order in Small Claims Court or other court system as dictated by law. All federal taxes including priority taxes, non-priority taxes, tax liens, secured debt liens and trust fund taxes are to be discharged in Chapter 7 Bankruptcy with no regard to time.
- (10) It shall be unlawful for any elected federal, state or local official or for any federal, state or local government employee to entice, compel, demand, order or ask the IRS to take any action against a taxpayer, taxpaying entity or tax-exempt entity for the purpose of harassment, intimidation or collusion. It shall be equally unlawful for any IRS personnel to engage in these activities.
- (11) The IRS collection statute of limitations will expire four (4) years after the assessment date of any non-priority taxes. All other taxes (priority, liens and trust fund) will revert to non-priority taxes after two (2) years and then be subject to the four (4) year collection limitation. All correspondence from the IRS to the taxpayer (including tax statements, notices, etc.) is to include the IRS date of assessment, the date the statute of limitations will

expire for that assessment, the name of the person writing the correspondence and the name of that person's supervisor. This part specifically repeals and supersedes the ten (10) year rule passed into law by the Omnibus Budget Reconciliation Act of 1990.

(12) The government's overriding need to quickly assess and collect taxes WILL NEVER outweigh a citizen's individual rights under the Constitution. (Dan Pilla 92).

(13) A citizen in a dispute over the amount of tax owed WILL NEVER be required to FIRST pay that tax BEFORE any court will determine whether indeed the citizen owes that tax. (Dan Pilla 92).

**SECTION 18.** (1) No Federal, State or Local government shall seize the property, either real or personal, of any citizen without due process of law.

(2) No Federal, State or Local government by propagation of rules or zoning ordinances or other action will restrict the use of private property unless just compensation is paid to the owner of that property. In the event of a dispute in this area, the affected property owner can appeal to a small claims court for compensation. All costs of such dispute resolution will be born by the government promulgating the rule or law or ordinance. (Hal & Sandy Reed)

(3) The sovereignty of The United States of America shall be upheld. Any attempt by the Federal Government to subjugate any interest in our lands, waterways or airspace to a foreign government or international organization shall result in the ownership and control of that item transferring to the state or territory in which it is located. Any disputes under this section will be settled under the governor's method in Section 5 (4) of this amendment.

**SECTION 19.** The Federal Government will be financially liable to the individual States for laws passed by the Congress or for Federal Court rulings which impose an economic or monetary cost to the State(s) concerning the health, education and well-being of non-citizens.

**SECTION 20.** ARTICLE 1, Section 2. (1) of the Constitution is hereby amended as follows:

"The House of Representatives shall be composed of members chosen every **FOURTH** year by the people of the several states, and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature."

After the ratification of this Amendment, the first state elections for members of The House of Representatives will consist of half of each states House Districts electing members for two years and the other half of each states House Districts electing members for four years. The state legislatures will determine which House Districts will be elected for two years and which will be elected for four year terms. States with odd numbers of House Districts will add one

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extra House District to the first four year term. The next state elections for members of The House of Representatives will follow in two years and those House Districts which elected members for two years will then elect members to a four year term. Thereafter, approximately half of The House of Representatives will be elected every two years and each members term will be for a period of four years.

**SECTION 21.** During the first full calendar year following the ratification of this Amendment, all members of the Congress will participate in a continuing education program on a yearly basis with the following requirements. All course work is to be approved by the Speaker of the House and testing is required on items 2. and 3.

1. Ethics: 5 clock hours per calendar year
2. Economic's 15 clock hours per calendar year (Ann Tearse)
3. Securities 15 clock hours per calendar year

In addition to the above, during the second full week of September each year, each member of Congress will participate as a Teacher in their home District or State. Each year will rotate from middle school to secondary school and back the next year. The Governor will assign each member to a school and the principle of that school will assign the member to a Teacher for the full week. With the aid of the Teacher, the member will assume all of that Teachers classroom duties, participate in the hot lunch program and assume afterschool responsibilities as well as grading papers, etc.

All items in this Section are to be completed by December 31th of each year. Failure by any member to fulfill any part of this Section shall result in no personal compensation paid until all requirements are met. The Speaker of the House is granted the authority to make individual wavers on the Teaching part of this Section.

**SECTION 22.** Upon the ratification of this Amendment, no current or future member of the Congress, upon leaving office, shall be employed as a consultant, lobbyist or any other position (paid or unpaid) in the private sector where their past associations and experience in the Congress would give even the slightest impression of a conflict of interest. This restriction is to last for ten (10) years from their date of departure.

**SECTION 23.** Upon ratification, this Amendment will repeal by implication any part of the Constitution that is inconsistent with this Amendment. Upon ratification, this Amendment will repeal by implication all laws or parts thereof that are inconsistent with this Amendment.

**SECTION 24.** The Congress and the several states shall have concurrent power to enforce this article by appropriate legislation.

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**SECTION 25.** This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in three-fourths of the several states or ratified by the legislatures of three-fourths of the several states within seven years from the date of its submission hereof to the states by Constitutional Convention or, if appropriate, by the Congress.

**SECTION 26.** In consideration that no Constitutional Convention has ever been called by the Congress on the application of the legislatures of two-thirds of the several states for the purpose of proposing Constitutional Amendments; and, that no established rule of law dictates the manner in which this process would proceed under ARTICLE V of THE CONSTITUTION OF THE UNITED STATES; the following assertions will govern the Constitutional Convention procedure for the purpose of proposing Constitutional Amendments. Consent by each of the several states for the establishment of the protocol contained herein, shall be acknowledged by the forwarding of this application to the Congress for the purpose of convening a Constitutional Convention for proposing this Amendment. Without just cause, the consent by the Congress will not be unreasonably withheld.

- (1) The location of the Constitutional Convention, hereinafter referred to in this Section 22 as CC, will be held within the State of the first state legislature voting to refer this application to the Congress. That state legislature will determine the exact location of the CC and will act as the host of the Convention.
- (2) An executive committee will be formed, consisting of the Governors of the first thirteen (13) state legislatures voting to refer this application to the Congress, for the purpose of setting rules, procedures and committees. Any disputes in the CC will be settled by a simple majority vote of the executive committee and their decision will be final. This executive committee shall have legal standing before the courts with the powers to subpoena witnesses and documents as deemed necessary.
- (3) Each State will send the following delegates to the CC and will bear the expenses of each. Each delegate will have one equal vote in the CC.

The current Governor

The latest previous Governor

Two elected members from the State Legislature chosen by that legislature.

An elected member from the largest county by population in the state representing county government.

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An elected member from the second largest county by population in the state representing county government.

The Mayor of the State's largest city by population representing city government.

The Mayor of the State's second largest city by population representing city government.

The latest previous member representing the State in the United States House of Representatives.

The latest previous member representing the State in the United States Senate.

The following will represent the commonwealths or territories of American Samoa, Guam, Northern Mariana Is., Puerto Rico and the Virgin Islands.

The Governor of each along with 3 delegates each appointed by the Governor. Each delegate will have one equal vote in the CC.

The following will represent the Federal Government and their expenses will be paid by the Federal Government. It is assumed that their past experience and expertise will facilitate the operation of the CC.

All living past Presidents of the United States of America or, an appointed representative, with one CC delegate vote each.

The current nine (9) members of the United States Supreme Court. These members will not enjoy the privilege of voting in the CC.

- (4) Within thirty days of the receipt of the applications of two-thirds of the legislatures of the several states referring this amendment proposal contained herein, the Congress shall call for a Constitutional Convention proposing this amendment. Within ninety days from this Congressional calling, the executive committee of governors shall convene the Constitutional Convention.

- (5) A quorum of ninety percent (90%) of the convention delegates will be required to vote on any item. Any changes, deletions or additions to the wording of this proposed amendment will require a two-thirds majority vote of the voting delegates. A three-fourths majority vote of the voting delegates



will be required to refer the proposed amendment to the several states for ratification. The Congress may recommend to the CC the mode of ratification by the several states either by approval of three-fourths of the legislatures of the several states or by state conventions in three-fourths of the several states, but the ultimate decision for the mode of ratification will be made by the Constitutional Convention.

- (6) The term "CONVENTION" listed in ARTICLE V, AMENDING THE CONSTITUTION OF THE UNITED STATES; quoting..."when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one..."; is to be defined for the purpose of this proposed Amendment as "being a simple majority vote of the people in each state". Reference is hereby addressed to the AMENDMENT 10 of the CONSTITUTION concerning "...are reserved to the states respectively, or TO THE PEOPLE...".
- (7) Once convened, the Constitutional Convention will remain in session until a proposed Amendment is submitted to the several states for ratification.
- (8) With deference to SECTION 24 of this proposed amendment, the Constitutional Convention shall emphasize to the several states during the ratification process that "TIME IS OF THE ESSENCE".

