

AMENDMENT REFERENCE 1

ACTIONS BY THE UNITED STATES GOVERNMENTS

Download from <http://www.initiativesamendment.org/>. Formats available: [Internet HTML](#), [Adobe PDF](#) and [Word DOC](#)

Preface

The constitutional Amendment requires that the U.S. Government and the State Governments expeditiously and cooperatively take Government Actions to implement the intentions of the constitutional Amendment.

The Amendment does not incorporate Government Actions, as they are a guide and outline. The documents may have expansion and clarification to meet future conditions without amending the Constitution.

Congressional legislation punishing violation of gag orders, tampering with the Assembly, abuse of proposing initiatives, and [unexcused failure](#) to serve on the Assembly may seem relatively severe by today's "white-collar crime" standards. However, jail time is the only real deterrent to wealthy persons and organizations—they can easily afford fines and often have insurance coverage. Without serious deterrents, they would make a mockery of the process.

Government Actions Text

Comments

1. The President, Using the President's Executive Power, Shall Arrange To:

1.1. Convene the initial United States Citizens' Initiatives Assembly within one year of this Amendment's ratification.

The primary responsibility must fall on the executive branch, which has the resources and the ability to take prompt actions.

1.2. Hire a suitable company to conduct the random selection of Assembly Members necessary for the initial Assembly convocation and subsequent monthly replacements.

There are many private polling and statistical analysis companies with this capability.

1.3. Provide Assembly facilities for the first year after convocation.

The basic requirements are defined in the Assembly rules.

1.4. Hire a suitable management company to provide overall direction for the Assembly convocation and for the following three months with options for the Assembly to continue the service.

There are many private convention companies with this capability. Their contract should be turned over to the Assembly to ensure continuity and assist it to become fully established.

1.5. Hire organizations to provide a short course on the deliberative process and the operations of an Assembly to the Members preparatory to the first Assembly meeting.

There are several business and university organizations with experience in deliberative assembly training.

1.6. Provide continuing security. Protection shall be of quality superior to that provided to a Federal Grand Jury and U.S. institutional symbols.

It should be assumed that the Assembly could become a terrorist target as is Congress, and it should be guarded accordingly.

1.7. Establish a Citizens' Assembly bank account and ensure deposit of the Citizens' Assembly annual budgets at least one month in advance of its initial Assembly convocation and its anniversaries.

The government must have no financial influence over the Assembly.

1.8. Ensure that law enforcement Agencies detect and

Layered protection against tampering will make

Actions by the United States Governments

gather evidence of violations of the gag order and of attempts to tamper with the Citizens' Initiatives Assembly, Assembly Members or their families. Exploit all legal means including periodic [sting](#) traps.

even an attempt unlikely.

2. The Congress Shall Enact Legislation:

2.1 The employer of a Citizens' Assembly Member shall provide time away from their work in order to attend Citizens' Assembly Sessions (or care for children under six years old or disabled while the spouse who normally performs this function must attend the Assembly). The employer (or an employer of the spouse of a Member if they have children under six years old and not in primary school, or disabled) shall continue their employment benefits during their term on the Assembly. In computing benefits, time spent on Assembly business shall be regular working time. The employee must return to work for any reasonable time the Assembly releases them. Employers shall take no adverse employment action against employees due to service as an Assembly Member. If their job function changes by mutual consent to accommodate Assembly duty, the Employer shall reinstate the original job function and remuneration at the end of their term as an Assembly Member.

The objective is to minimize a Member's personal disruption caused Assembly attendance.

2.2 Fund the Citizens' Assembly as an entitlement of the People. Appropriate the annual budget for the Citizens' Initiatives Assembly. The budget for the first year is \$90 million, for the second year it is \$75 million including startup costs, and for subsequent years \$60 million (unless the Citizens' Initiatives Assembly gets approval for a different [annual budget](#) by Direct Initiatives.)

The U.S. Government can be given no economic control over the Assembly; otherwise, it could leverage the economic control into political control. The threat is real since it is used extensively between Congress and the President.

2.3 Punishment:

The punishments are substantial. The objective is to discourage violators before they start. For comparison, refer to the laws on DVD copyright infringement, where the crime is a federal felony investigated by the FBI. Citizens face a maximum \$250,000 fine plus five years in federal penitentiary.

2.3.1 The laws shall punish violations of the Citizens' Assembly gag orders or tampering with the Citizens' Assembly or Assembly Members or their families. A violation shall be a felony under the jurisdiction of the Federal Courts. Officers and directors of any organization shall be personally and corporately liable for failure to safeguard against violations by reasonable due diligence. The minimum penalty for each offence is ten days and the maximum is ten years in federal penitentiary plus a maximum fine of ten percent of net individual and/or organization assets.

The Members must be vigorously protected from tampering and media interference. Special interests and other potential violators will often hide behind corporate shields, which must be penetrated for effective enforcement. Violators may be very wealthy and many organizations carry Officers and Directors insurance. Consequently, a fine based on simple fixed maximum amount is not a significant deterrent. Mandatory goal time, against which insurance cannot protect, and fines based on net worth are appropriate and efficacious.

2.3.2 Citizens or organizations who abuse their right to

If unconstrained, a malicious group of wealthy

Actions by the United States Governments

propose initiatives, especially where their abuse attempts to clog or confuse the system with publication of an excess of proposed initiatives or comments on proposed initiatives initiated by themselves or through their surrogates. The maximum penalty is one year in federal penitentiary plus a maximum fine of five percent of net individual and/or organization assets.

persons could arrange to propose many trivial or offensive initiatives. The punishment has to be sufficient to forestall this type of abuse.

2.3.3 The laws shall punish Citizens who the lottery has selected to serve in the Assembly and who a Federal Court has not excused, who fail to perform, who refuse or hide from their citizen's duty, or whom the Assembly dishonorably discharge. The penalty is a maximum of three months in federal penitentiary plus a maximum fine of five percent of net assets.

Service is a duty of citizenship in the same manner as conscription for military service— however, there is no injury or loss-of-life threat and service is only part time for one year. Failure to perform distorts the membership and makes a less perfect transcript of the whole society. They cannot be permitted to do so without sufficient penalty to make it a very rare event.

2.4 The laws shall ensure that no copyright of any proposed Initiative is enforceable against the Citizens' Assembly, Assembly Members, the United States Electorate or the United States Government once the Initiative authors publish the Initiative or cause it to come to the attention of the Citizens' Assembly.

This simply avoids potential claims of copyright.

3. The President, the Congress, the Supreme Court, and the States Shall:

3.1 Resolve any jurisdictional issues to implement a gag order and secrecy order to protect the confidentiality of the Assembly's deliberations, each Member's privacy, and their family's privacy. These orders shall extend to protect ex-Members while the Electorate has still to vote on the ex-Member's Initiative efforts for a minimum of two years and a maximum of five years. The orders shall not limit Assembly and Assembly Members' access to published materials. The orders shall exclude Materials published by the Assembly. Where applicable, the orders shall use the Federal Grand Jury system and Federal Rules of Criminal Procedure as minimum standards. Coordinate the penalties with those for tampering with the Assembly, Members or family.

Inter-governmental jurisdictional disputes might stall convocation or harm the formation of the Citizens' Assembly.

3.2 Enact such rules, laws and decisions necessary to implement the requisite duty of the Citizens' Initiatives Assembly and Assembly Members.

Once selected, a Citizen's duty to participate in the Assembly must not be undermined by federal, state or local government.

4.3 Excuse an Assembly Member from duty only in case of excessive hardship proven before an expedited hearing in a United States Federal Court nearest the citizen's residence. Failure to fulfill the duty shall be contempt of that court. The Courts shall consider excuse guidelines prepared by the Assembly.

Excessive hardship excuse should only be given in genuine cases. The current ease of avoiding jury duty cannot carry over to Assembly Members.

3.4 Provide the Assembly with prompt free equal access to their libraries, collections, information and data, both hard copy and electronic, unless for valid non-trivial reasons of secret classification.

Access to all necessary information is essential to the Assembly's function.

Actions by the United States Governments

3.5 Include all Initiatives on the election ballots and fund the costs from existing sources including the cost of printing a pamphlet describing the Initiatives and distributing the pamphlet with other voter information. Voters shall cast their votes and election official shall count the votes in a manner similar to those used for candidates for the United States House of Representatives.

Lest anyone try to subvert the nationwide Initiative process by omitting Initiatives from the ballot, the process must be defined to occur with other ballot processes.

3.6 Promptly inform the Citizens' Initiatives Assembly if they decide not to process a request for advice or opinion, otherwise the advice or opinion shall be in writing, freely given, and provided in a timely manner. The Senate, the House of Representatives, the President and the Supreme Court shall each send to the Assembly brief timely written opinion on Candidates Initiatives. The Assembly will include these opinions with each Candidate Initiative for the Electorate's guidance.

The Assembly should seek advice and opinion from government. If it will not be forthcoming, the Assembly must be informed so it can proceed without it.

3.7 Cooperate with one another and with the Assembly to avoid delay so that the people may vote on Initiatives at the earliest date.

Government agencies are responsible for cooperating with each other so that issues are not ignored and agencies do not pass the blame from one to another.