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FE002

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

JR

☐ O - OUTGOING☐ H - INTERNAL☐ I - INCOMINGDate Correspondence
Received (YY/MM/DD) 1 / 1

Name of Correspondent: J. Steven Rhodes

☐ MI Mail Report

User Codes: (A) (B) (C)

Subject: letter received by the Vice President from
Eugene J. McMahon re: Constitutional
Convention

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
CUHOLL	ORIGINATOR	83/12/22			C84/01/11
CUATIB	Referral Note: D	83/12/24			C84/01/11
WFIEL	Referral Note: S	84/01/11			C84/01/11
	Referral Note: Jan 184 FF memo to C. Boyden Gray, J. Steven Rhodes + Theodore B. Olson w/draft response				
	Referral Note:				
	Referral Note:				

ACTION CODES:

A - Appropriate Action
C - Comment/Recommendation
D - Draft Response
F - Furnish Fact Sheet
to be used as Enclosure

I - Info Copy Only/No Action Necessary
R - Direct Reply w/Copy
S - For Signature
X - Interim Reply

DISPOSITION CODES:

A - Answered
B - Non-Special Referral
C - Completed
S - Suspended

FOR OUTGOING CORRESPONDENCE:

Type of Response = Initials of Signer
Code = "A"
Completion Date = Date of Outgoing

Comments: FF prepared draft letter for Boyden Gray's
Signature to be sent to McMahon

Keep this worksheet attached to the original incoming letter.
Send all routing updates to Central Reference (Room 75, OEOB).
Always return completed correspondence record to Central Files.
Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

RECORDS MANAGEMENT ONLY

CLASSIFICATION SECTION

No. of Additional Correspondents: _____ Media: 0 Individual Codes: 1110 _____

Prime Subject Code: PC 002 Secondary Subject Codes: WE 003
PC 038 _____

PRESIDENTIAL REPLY

Code	Date	Comment	Form
C	_____	Time: _____	P- _____
DSP	_____	Time: _____	Media: _____

SIGNATURE CODES:

CPn - Presidential Correspondence

- n - 0 - Unknown
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- n - 3 - Ron
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- n - 5 - Ron Reagan
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- X - Miscellaneous
- Y - Study

THE WHITE HOUSE

WASHINGTON

January 11, 1984

MEMORANDUM FOR C. BOYDEN GRAY
J. STEVEN RHODES
THEODORE B. OLSON

FROM: FRED F. FIELDING *Orig. signed by FFF*
COUNSEL TO THE PRESIDENT

SUBJECT: Letter to Vice President on
Constitutional Convention

Steve Rhodes asked for our views on the attached letter to the Vice President from Eugene J. McMahon. Mr. McMahon argued that Congress was under a present obligation to call a constitutional convention pursuant to Article V, since two-thirds of the states have applied for such a convention (albeit on different topics). He asked if the Vice President would (1) agree to be a plaintiff in a mandamus action against Congress and (2) introduce a resolution calling for an Article V convention in the Senate.

A 1979 opinion prepared by the Justice Department Office of Legal Counsel concludes that Mr. McMahon's theory is unsound and that Congress need only count similar applications in determining if two-thirds of the States have requested an Article V convention. 3 Ops. O.L.C. 390, 406-407. I do not, however, think it wise for the Executive Branch to opine gratuitously on controversies, such as disputes over the meaning and scope of Article V, that are essentially between the states and the Congress. The attached proposed reply thus declines Mr. McMahon's request not because his legal theory is unsound on the merits (as I agree it is) but because (1) the Executive has no formal legal role in the Article V process and (2) the introduction of a resolution in the Senate goes beyond the enumerated and historic prerogatives of the Vice President as President of the Senate.

I believe the reply would most suitably be sent over Boyden Gray's signature. Any comments would be appreciated.

Attachment

FFF:JGR:aea 1/11/84
cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

January 11, 1984

Dear Mr. McMahon:

Thank you for your letter of December 4, 1983 to the Vice President. In that letter you advanced the theory that Congress was presently required to call a convention under Article V to propose amendments to the Constitution, since applications for such a convention on the subject of a balanced budget and on the subject of abortion, when coupled, are from thirty-four different states. You asked whether the Vice President would participate as a plaintiff in a mandamus action to compel Congress to call a convention pursuant to Article V, and also requested that the Vice President, as President of the Senate, introduce an official call for such a convention.

This Administration is clearly on record as favoring both a balanced budget amendment and an amendment to protect the unborn. The convention method of proposing amendments established by Article V has never been tried, however, and accordingly is rife with legal uncertainties. One thing that does seem clear is that the Executive branch has no formal legal role to play in the process, just as the Executive branch has no formal legal role in the other, more traditional method of proposing amendments to the Constitution. See Hollingsworth v. Virginia, 3 Dall. 378 (1798). Nor would the introduction of a call for an Article V convention fall within the enumerated or traditional prerogatives of the Vice President as President of the Senate. For these reasons it seems inappropriate for the Vice President to attempt to introduce such a call, or to participate in litigation over whether Congress must at this time call a convention for the purpose of proposing amendments pursuant to Article V.

We do, however, appreciate having the benefit of your considered views on this subject. Our inability to accede to your request that the Vice President introduce an official call for a convention in the Senate or participate

as a plaintiff in a private legal action on this question should in no way be taken as evidence of a diminution in our desire to see amendments providing for a balanced budget and protection for the unborn added to the Constitution.

Sincerely,

C. Boyden Gray
Counsel to the Vice President

Mr. Eugene J. McMahon
Long Island Coalition for Life
Post Office Box 600
North Bellmore, NY 11710

CBG:JGR:aea 1/11/84
bcc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE
WASHINGTON

January 11, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Letter to Vice President on
Constitutional Convention

Eugene J. McMahon of the Long Island Coalition for Life has written the Vice President, arguing that the prerequisites for a Constitutional Convention under Article V of the Constitution have been satisfied. Article V provides in its entirety:

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or on the Application of the legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate (emphasis supplied).

Thirty-two of the required thirty-four states have filed an application requesting an Article V convention to propose a balanced budget amendment. Twenty states have filed applications for such a convention to propose an abortion amendment. When the applications on these two subjects are combined, they are from thirty-four different states. McMahon argues that thirty-four states have accordingly called for an Article V convention, and one must be held. He asks the Vice President to introduce an official call for such a convention in the Senate, and inquires if the Vice President would be a plaintiff in a mandamus action to compel Congress to call an Article V convention. McMahon reasons that this would help resolve potential "standing" difficulties.

There are no clear answers to questions concerning Article V, since that route for amending the Constitution has never been taken. A published 1979 Opinion for the Attorney General by the Office of Legal Counsel, however, concluded that Congress should only count similar applications in determining if an Article V convention should be called. 3 Ops. O.L.C. 390, 406-407. This view seems to be supported by the history surrounding the adoption of Article V, and by the vast majority of commentators. The other conclusion of the OLC opinion -- that an Article V convention once called would be limited, and could only consider amendments on the subject of the call -- is less supported and less widely shared, particularly by those who remember the history of the original Constitutional Convention, which was called "for the sole and express purpose of revising the Articles of Confederation." Once convened the Framers, of course, went far beyond this limited mandate.

I do not, however, think we should respond to McMahon by rejecting his legal theory.

The Framers devised the Article V amendment route to provide the States a means of amending the Constitution in the face of an unwilling Congress. Most commentators and the American Bar Association agree that the President has no formal legal role in the convention amendment process, as he has no such role in the more traditional amendment process, see Special Constitutional Convention Study Committee, ABA, Amendment of the Constitution by the Convention Method Under Article V, 25-28 (1974). Accordingly, I consider it gratuitous and unwise for the Executive Branch to opine on what is properly characterized as a legal dispute between the States and the Legislative Branch, and recommend against telling McMahon that we do not agree with his legal theory.

We should, of course, decline McMahon's request for involvement by the Vice President, but not because we disagree with his legal theory. The introduction of a resolution is beyond the enumerated and historic powers of the Vice President as President of the Senate. Those powers include only the Constitutional power to break ties, Article I, section 3, and various other powers conferred by statute. The Vice President does not even participate in debate in the Senate, and only addresses the Senate by unanimous consent. See Senate Procedure, Precedents, and Practices 1120-1126 (1981). For these reasons, we should decline McMahon's request that the Vice President introduce a resolution calling for an Article V convention. For the same reasons, and because the Executive Branch has no formal

legal role in the amendment process, we should also decline the request that the Vice President participate as a plaintiff in McMahon's contemplated mandamus action.

The attached draft reply is for C. Boyden Gray's signature. The letter was addressed to the Vice President and raised legal issues and accordingly is appropriately answered by the Vice President's Counsel. This also helps maintain some distance from the President on this sensitive question. The attached proposed cover memorandum transmits the draft reply to Gray, Steve Rhodes, who sent the matter to us in the first place, and Ted Olson, whose views should be obtained before proceeding with the reply.

Attachment



OFFICE OF THE VICE PRESIDENT
WASHINGTON

December 21, 1983

MEMORANDUM FOR FRED FIELDING

FROM:

J. STEVEN RHODES

A handwritten signature in dark ink, appearing to read "J. Steven Rhodes", written over the printed name.

SUBJECT:

CONSTITUTIONAL CONVENTION

192834 *W*

Attached is a copy of a letter received by the Vice President.
I thought this subject was appropriate for your review.

I have spoken with Boyden Grey regarding the implications
of this letter. We would like to discuss this matter with
you before Christmas.

1983 DEC 21 PM 6: 37



LONG ISLAND COALITION FOR LIFE
P.O. BOX 600 • NORTH BELLMORE, NEW YORK • 11710
(516) 679-9111

December 4, 1983

Hon. George Bush
The Vice President
The White House
Washington, D.C.

Dear Mr. Vice President:

It is estimated that calls for a Constitutional Convention pursuant to the provisions of Article Five of the Constitution of the United States now total 416. A study shows the following breakdown:

1787-1899	13 Applications	(3.1 %)
1900-1909	76 Applications	(18.2 %)
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1960-1962	8 Applications	(1.9 %)
1963-1972	120 Applications	(28.8 %)
1973-1982	89 Applications	(21.3 %)
1983-	1 Applications	

.....
Total 416

It is interesting to note that between 1787 and 1899 only 13 States made an application pursuant to the provisions of Article Five of the Constitution of the United States for a Constitutional Convention. In the 175 years betwent 1787 and 1963 only 206 Applications were submitted by State legislatures.

The majority (50.1 %) of Applications (210) have been submitted to Congress during the past twenty (20) years. Applications for a Constitutional Convention to propose an amendment prohibiting abortions have been filed by twenty (20) States and the territory of Guam. The twenty States are - Alabama, Arkansas, Delaware, Georgia, Idaho, Indiana, Kentucky, Louisiana, Massachusetts, Mississippi, Missouri, Nebraska, Nevada, New Jersey, Oklahoma, Pennsylvania, Rhode Island, South Dakota, Tennessee and Utah.

On May 26, 1983, Missouri became the 32nd State to file an Application dealing with an amendment for a Balanced Budget. The national debt is now 1.389 trillion dollars. Interest on the accumulated debt is now \$128 billion annually. The recent increase of the debt cap to 1.49 trillion dollars does not cover the interest on our national debt.



LONG ISLAND COALITION FOR LIFE

P.O. BOX 600 • NORTH BELLMORE, NEW YORK • 11710

(516) 679-9111

The Treasury Department has reported that as of November 30, 1983, the national debt is \$1,386,573,000,000 (\$1.386 trillion)

During the period between January 1, 1976, and April 30, 1983, a total of 66 petitions were submitted to Congress by 34 different States. Article Five of the Constitution of the United States provides that Congress shall call a Constitutional Convention upon Application of Legislatures of two-thirds (34) of the States. The petitions for a Balanced Budget and to Prohibit Abortions, when coupled, are from 34 different States.

Since the requisite 34 States have made an Application to Congress according to the Library of Congress the resolution of the Applications for a Convention may have to await a determination by the Supreme Court of the United States in the event a mandamus proceeding is instituted against Congress for failure to call a Constitutional Convention after Applications have been made by State Legislatures in 34 States. Our Founding Fathers were aware of the possibility of an intransigent Congress.

In the event an action is instituted in a United States District Court, one of the first issues raised will be that of "standing". The question presented by this letter is: Will you agree and consent to be a plaintiff in an action seeking a Congressional Call for a Constitutional Convention? It is anticipated that the Secretary of the Senate and the Clerk of the House will be named as defendants in the proposed action. ✓

May I respectfully request the introduction by you, as President of the United States Senate, of an official call for a Constitutional Convention. Mr. David Huckabee of the Library of Congress should be able to provide you with a copy of each of the 416 Applications to date. ✓

Patrick Henry, in 1788, commenting on the Constitution produced by the Constitutional Convention of 1787 said: "I look upon that paper as the most fatal plan that could possibly be conceived to enslave a free people".

Thomas Jefferson was of the opinion that a Constitutional Convention should be held in every generation. In his wisdom a generation consisted of nineteen (19) years. President Jefferson said: "Laws and institutions must go hand in hand with the progress of the human mind. ..We might as well require a man to wear still the coat that fitted as a boy, as a civilized society to remain ever under the regimen of their barbarous ancestors."

Your early advices will be appreciated.

Sincerely yours,

Eugene J. Mc Mahon
Eugene J. Mc Mahon

Research Committee

WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET

FE002

John

- ☐ O - OUTGOING
☐ H - INTERNAL
☐ I - INCOMING
 Date Correspondence Received (YY/MM/DD) 1 / 1

Name of Correspondent: Robert B. Shanks / J. Steven Rhodes

☐ MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: Response to Letter to Vice President
on Constitutional Convention

ROUTE TO:		ACTION		DISPOSITION	
Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response Code	Completion Date YY/MM/DD
<u>CWHOLL</u>		ORIGINATOR	<u>8410117 JV</u>		<u>C 8410124</u>
<u>CWAT 18</u>		Referral Note:	<u>follow up on 192834 CU corresp.</u>		
			<u>8410117 JV</u>		<u>C 8410124</u>
<u>CWFIEL</u>		Referral Note:	<u>S 8410124</u>	<u>FF</u>	<u>P 8410124</u>
		Referral Note:	<u>FF memo to Boyden Gray</u>		
			<u>1 / 1</u>		<u>1 / 1</u>
		Referral Note:			
			<u>1 / 1</u>		<u>1 / 1</u>
		Referral Note:			

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 Code = "A"
 Completion Date = Date of Outgoing

Comments: _____

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RECORDS MANAGEMENT ONLY

CLASSIFICATION SECTION

No. of Additional Correspondents: _____ Media: _____ Individual Codes: _____

Prime Subject Code: _____ Secondary Subject Codes: _____

PRESIDENTIAL REPLY

<u>Code</u>	<u>Date</u>	<u>Comment</u>	<u>Form</u>
C	_____	Time: _____	P- _____
DSP	_____	Time: _____	Media: _____

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- n - 4 - Dutch
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- n - 6 - Ronald
- n - 7 - Ronnie

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- Y - Study

THE WHITE HOUSE

WASHINGTON

January 24, 1984

MEMORANDUM FOR C. BOYDEN GRAY
COUNSEL TO THE VICE PRESIDENT

J. STEVEN RHODES
ASSISTANT TO THE VICE PRESIDENT
FOR DOMESTIC POLICY

FROM: FRED F. FIELDING *Orig. signed by FFF*
COUNSEL TO THE PRESIDENT

SUBJECT: Response to Letter to Vice President
on Constitutional Convention

You will recall that on January 11 I submitted a draft reply for Boyden's signature to the letter sent to the Vice President by Eugene J. McMahon of the Long Island Coalition for Life. The Department of Justice has advised me that it approves of the draft reply. If you also approve the reply may be sent.

FFF:JGR:aea 1/24/84
cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

January 24, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Response to Letter to Vice President
on Constitutional Convention

Attached is a draft memorandum to Boyden Gray and Steve Rhodes, advising them that the Department of Justice has approved our proposed reply (for Boyden's signature) to the letter to the Vice President from Eugene J. McMahon of the Long Island Coalition for Life.

Attachment



U.S. Department of Justice
Office of Legal Counsel

Office of the
Deputy Assistant Attorney General

Washington, D.C. 20530

JAN 16 1984

MEMORANDUM

TO: Fred F. Fielding
Counsel to the President

FROM: Robert B. Shanks *RBS*
Deputy Assistant Attorney General
Office of Legal Counsel

RE: Response to Letter to Vice President on
Constitutional Convention

Ted Olson asked me to review the attached response to a letter to the Vice President from Eugene J. McMahon. Mr. McMahon argues that Congress is presently obligated to call a constitutional convention pursuant to Article V of the Constitution. He asks whether the Vice President would (1) agree to be a plaintiff in a mandamus action against Congress, and (2) introduce a resolution in the Senate calling for an Article V convention.

We have reviewed our previous analyses of Article V, and we agree with the conclusions contained in the suggested response. The Executive branch has no formal legal role to play in the Article V process. Consequently, it seems inappropriate for the Vice President to attempt to introduce a call for an Article V convention, or to participate in litigation over whether Congress must call such a convention. We also agree generally with the approach taken in responding to Mr. McMahon's inquiry.

Please let us know if we can be of further assistance to you in this matter.

JAN 17 1984 1:53

JAN 1 8 1984

1984 JAN 17 PM 1:28

THE WHITE HOUSE

WASHINGTON

January 11, 1984

MEMORANDUM FOR C. BOYDEN GRAY
J. STEVEN RHODES
✓THEODORE B. OLSON

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Letter to Vice President on
Constitutional Convention

Steve Rhodes asked for our views on the attached letter to the Vice President from Eugene J. McMahon. Mr. McMahon argued that Congress was under a present obligation to call a constitutional convention pursuant to Article V, since two-thirds of the states have applied for such a convention (albeit on different topics). He asked if the Vice President would (1) agree to be a plaintiff in a mandamus action against Congress and (2) introduce a resolution calling for an Article V convention in the Senate.

A 1979 opinion prepared by the Justice Department Office of Legal Counsel concludes that Mr. McMahon's theory is unsound and that Congress need only count similar applications in determining if two-thirds of the States have requested an Article V convention. 3 Ops. O.L.C. 390, 406-407. I do not, however, think it wise for the Executive Branch to opine gratuitously on controversies, such as disputes over the meaning and scope of Article V, that are essentially between the states and the Congress. The attached proposed reply thus declines Mr. McMahon's request not because his legal theory is unsound on the merits (as I agree it is) but because (1) the Executive has no formal legal role in the Article V process and (2) the introduction of a resolution in the Senate goes beyond the enumerated and historic prerogatives of the Vice President as President of the Senate.

I believe the reply would most suitably be sent over Boyden Gray's signature. Any comments would be appreciated.

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OFFICE OF THE VICE PRESIDENT
WASHINGTON

December 21, 1983

MEMORANDUM FOR FRED FIELDING

FROM: J. STEVEN RHODES *Steve*
SUBJECT: CONSTITUTIONAL CONVENTION

192834 *ur*

Attached is a copy of a letter received by the Vice President.
I thought this subject was appropriate for your review.

I have spoken with Boyden Grey regarding the implications
of this letter. We would like to discuss this matter with
you before Christmas.

LONG ISLAND COALITION FOR LIFE
P.O. BOX 600 • NORTH BELLMORE, NEW YORK • 11710
(516) 679-5111

December 4, 1983

Hon. George Bush
The Vice President
The White House
Washington, D.C.

Dear Mr. Vice President:

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Since the requisite 34 States have made an Application to Congress according to the Library of Congress the resolution of the Applications for a Convention may have to await a determination by the Supreme Court of the United States in the event a mandamus proceeding is instituted against Congress for failure to call a Constitutional Convention after Applications have been made by State Legislatures in 34 States. Our Founding Fathers were aware of the possibility of an intransigent Congress.

~~In the event an action is instituted in a United States District Court, one of the first issues raised will be that of "standing". The question presented by this letter is: Will you agree and consent to be a plaintiff in an action seeking a Congressional Call for a Constitutional Convention?~~ It is anticipated that the Secretary of the Senate and the Clerk of the House will be named as defendants in the proposed action. ✓

~~May I respectfully request the introduction by you, as President of the United States Senate, of an official call for a Constitutional Convention. Mr. David Huckabee of the Library of Congress should be able to provide you with a copy of each of the 416 Applications to date.~~ ✓

Patrick Henry, in 1788, commenting on the Constitution produced by the Constitutional Convention of 1787 said: "I look upon that paper as the most fatal plan that could possibly be conceived to enslave a free people".

Thomas Jefferson was of the opinion that a Constitutional Convention should be held in every generation. In his wisdom a generation consisted of nineteen (19) years. President Jefferson said: "Laws and institutions must go hand in hand with the progress of the human mind. ..We might as well require a man to wear still the coat that fitted as a boy, as a civilized society to remain ever under the regimen of their barbarous ancestors."

Your early advices will be appreciated.

Sincerely yours,

Ernest J. McMahon
Ernest J. McMahon

THE WHITE HOUSE

WASHINGTON

January 11, 1984

Dear Mr. McMahon:

Thank you for your letter of December 4, 1983 to the Vice President. In that letter you advanced the theory that Congress was presently required to call a convention under Article V to propose amendments to the Constitution, since applications for such a convention on the subject of a balanced budget and on the subject of abortion, when coupled, are from thirty-four different states. You asked whether the Vice President would participate as a plaintiff in a mandamus action to compel Congress to call a convention pursuant to Article V, and also requested that the Vice President, as President of the Senate, introduce an official call for such a convention.

This Administration is clearly on record as favoring both a balanced budget amendment and an amendment to protect the unborn. The convention method of proposing amendments established by Article V has never been tried, however, and accordingly is rife with legal uncertainties. One thing that does seem clear is that the Executive branch has no formal legal role to play in the process, just as the Executive branch has no formal legal role in the other, more traditional method of proposing amendments to the Constitution. See Hollingsworth v. Virginia, 3 Dall. 378 (1798). Nor would the introduction of a call for an Article V convention fall within the enumerated or traditional prerogatives of the Vice President as President of the Senate. For these reasons it seems inappropriate for the Vice President to attempt to introduce such a call, or to participate in litigation over whether Congress must at this time call a convention for the purpose of proposing amendments pursuant to Article V.

We do, however, appreciate having the benefit of your considered views on this subject. Our inability to accede to your request that the Vice President introduce an official call for a convention in the Senate or participate

as a plaintiff in a private legal action on this question should in no way be taken as evidence of a diminution in our desire to see amendments providing for a balanced budget and protection for the unborn added to the Constitution.

Sincerely,

C. Boyden Gray
Counsel to the Vice President

Mr. Eugene J. McMahon
Long Island Coalition for Life
Post Office Box 600
North Bellmore, NY 11710

ID # 199429 CU

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

FE002
John

☐ O - OUTGOING☐ H - INTERNAL☐ I - INCOMINGDate Correspondence
Received (YY/MM/DD) 1/1/

Name of Correspondent: Paul M. Walters

☐ MI Mail Report

User Codes: (A) (B) (C)

Subject: Follow-up on his letter re: constitutionality
of Article I Section 10 of U.S. Constitution

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Completion Date YY/MM/DD
CVISOU	ORIGINATOR	84.01.17		C 84.01.25 JV
CVRT 18	Referral Note: D	84.01.17		C 84.01.25
CVFIEL	Referral Note: S	84.01.25	JV	C 84.01.25 JV
	Referral Note:	1/1		1/1
	Referral Note:	1/1		1/1

ACTION CODES:

A - Appropriate Action
C - Comment/Recommendation
D - Draft Response
F - Furnish Fact Sheet
to be used as Enclosure

I - Info Copy Only/No Action Necessary
R - Direct Reply w/Copy
S - For Signature
X - Interim Reply

DISPOSITION CODES:

A - Answered
B - Non-Special Referral
C - Completed
S - Suspended

FOR OUTGOING CORRESPONDENCE:

Type of Response = Initials of Signer
Code = "A"
Completion Date = Date of Outgoing

Comments:

See ID 163469 cu for previous

Keep this worksheet attached to the original incoming letter.

Send all routing updates to Central Reference (Room 75, OEOB).

Always return completed correspondence record to Central Files.

Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

RECORDS MANAGEMENT ONLY

CLASSIFICATION SECTION

No. of Additional Correspondents: _____ Media: L Individual Codes: 4000 _____

Prime Subject Code: F4002 _____ Secondary Subject Codes: _____

PRESIDENTIAL REPLY

Code	Date	Comment	Form
C		Time: _____	P- _____
DSP		Time: _____	Media: _____

SIGNATURE CODES:

CPn - Presidential Correspondence

- n - 0 - Unknown
- n - 1 - Ronald Wilson Reagan
- n - 2 - Ronald Reagan
- n - 3 - Ron
- n - 4 - Dutch
- n - 5 - Ron Reagan
- n - 6 - Ronald
- n - 7 - Ronnie

CLn - First Lady's Correspondence

- n - 0 - Unknown
- n - 1 - Nancy Reagan
- n - 2 - Nancy
- n - 3 - Mrs. Ronald Reagan

CBn - Presidential & First Lady's Correspondence

- n - 1 - Ronald Reagan - Nancy Reagan
- n - 2 - Ron - Nancy

MEDIA CODES:

- B - Box/package
- C - Copy
- D - Official document
- G - Message
- H - Handcarried
- L - Letter
- M - Mailgram
- O - Memo
- P - Photo
- R - Report
- S - Sealed
- T - Telegram
- V - Telephone
- X - Miscellaneous
- Y - Study

THE WHITE HOUSE
WASHINGTON

January 25, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*
SUBJECT: Further Correspondence from
Paul M. Walters

You may recall that Mr. Walters wrote you last August, inquiring whether Article I, § 10 of the Constitution, which provides that "[n]o state shall...make any thing but gold or silver coin a tender in payment of debts," was still binding on the states. Walters needed the information to assess the validity of a judgment expressed in "paper dollars." In our reply we noted that we could not give legal advice to private parties, although we did indicate that the provision was still binding on the states. We also suggested that Walters may be interested to know that Congress, not any state, had made Federal Reserve notes legal tender, and that the above-quoted provision did not apply to Congress.

Walters has now sent you and 99 other public officials a form letter, criticizing your response and reiterating his theory that use of paper dollars as currency is unconstitutional. He asks you to respond to his theory, warning that if you do not he will go "to the public about your lack of concern toward the people whom you represent, and who voted you into office."

We gave Walters a full answer in response to his first letter, and I see no need to respond further to this latest form letter.

Attachment

THE WHITE HOUSE

WASHINGTON

August 18, 1983

=

Dear Mr. Walters:

Thank you for your letter of August 7, 1983. In that letter you asked whether article 1, section 10 of the United States Constitution was still binding on the states. You indicated that you needed an answer in order to determine the validity of a judgment expressed in "paper dollars."

As an initial matter I must advise you that our office cannot provide legal advice to private parties with respect to particular personal claims or concerns. As a general matter, however, I can advise that article 1, section 10 is binding on the states, although as with any constitutional or statutory provision it must be interpreted in light of judicial precedent. With respect to your concern about the validity of a judgment expressed in "paper dollars," it is significant that Congress, as opposed to any state, has made federal currency legal tender. Courts have ruled that the "legal tender clause" of article 1, section 10 does not bar Congress from taking such action.

Sincerely,

Orig. signed by FFF

Fred F. Fielding
Counsel to the President

Mr. Paul M. Walters
1204 Crestwood Drive
Cleburne, Texas 76031

FFF:JGR:ph 8/18/83
cc: FFFfielding
JGRoberts
Subject ✓
Chron. ✓

1
Re: Joees

Paul M. Walters
1005 Hyde Park Blvd.
Cleburne, Texas 76031

January 1, 1984.

Fred F. Fielding
Counsel to the President

199429 *lw*

Dear Mr. Fielding:

The constitutionality of Article 1 Section 10 of the United States Constitution was the subject of my first letter to you and (99) ninety-nine other public servants.

The reply I received from you was either vague, irresponsible, or you merely passed the buck; hoping that would be the end of my inquiries into this matter. I'm back with a new line of questions for you; failure on your part to answer these questions will result in my going to the public about your lack of concern toward the people whom you represent, and who voted you into office. A good servant will always do what the sovereign citizen requests, as long as it is moral and lawful.

Most of the questions I'm going to ask you to answer have to deal with the Constitution of The United States. You are probably thinking "I'm not a lawyer or a judge, I don't know the law and I don't have to answer these questions;" please read this quote from the Amer. Jur. 2d #177; "The general rule is that an unconstitutional act by the legislature protects no one. It is said that all persons are presumed to know the law, meaning that ignorance of the law excuses no one; if any person acts under an unconstitutional statute, he does so at his own peril and must take the consequences." Your refusal to answer on the grounds that you will violate a statute is not acceptable; neither is your ignorance of the Constitution/Law a valid reason, this must be rectified immediately. Please find enclosed with this letter a copy of the Declaration of Independence and the United States Constitution for your education and enjoyment.

Repeating my first question; "is Article 1 section 10 of the U.S. Constitution still binding on the States?" I'll answer this one for you, YES it is still binding on all 50 States it has never been amended or repealed!

The next questions are, "what is the meaning of the term "money" as used in Article 1, Sections 8, 9, and 10 of the U.S. Constitution? What is the MONEY OF ACCOUNT OF THE UNITED STATES? What is the LAWFUL MONEY OF THE UNITED STATES? Can you define the term "dollar"?

Are you aware of the fact that when you accept paper money from a sovereign citizen both you and he are committing a federal crime? A crime that is in violation of the Constitution is still a federal crime. Do you encourage sovereign citizens to break the law with you by asking or demanding payment of taxes, fines, levies, licenses, etc. using irredeemable Federal Reserve Notes? Do you know that the U.S. Constitution DEMANDS that "NO STATE SHALL.... MAKE ANYTHING BUT GOLD AND SILVER COIN A TENDER IN PAYMENT OF DEBTS...." Art. 1 Sec. 10? You might want to ask any judge, government lawyer, or a private attorney, "is a sovereign citizen allowed to violate the Constitution without prosecution? If we are not allowed to violate the law how is it that you along with a multitude of other public servants are allowed this privilege?

Did you know that the paper currency we pass as "money" is owned and printed by a private corporation known as the Federal Reserve? Did you know that the Federal Reserve is not a branch of our government?

1984 JAN 16 PM 3:38

I've given you enough questions to last a month, if you would like to discuss any of the aforementioned questions feel free to call me any evening I'll be happy talk with you and share the information I have. I have many letters in my files which I must encourage you to read, your letter is in my file also. I'll make all this material available to you upon request; as mentioned earlier you are only (1) one of (100) one hundred public officials surveyed. I have received answers from all levels of government including federal, state, and county.

This letter is not meant to be harsh but sometimes a little mental push or shove is required to reawaken and reeducate our public servants. The education I speak of will have to be self motivated, the reason is the government you work for will not tell you, nor do they want you to know the truth about the corrupt government we have had forced upon us. This should be quite evident to you after you start making some inquiries and comparing them to the Constitution and your own conscience. The only possible way for you to get the same answers and treatment I received is to address these questions from the viewpoint of a citizen and not from your official capacity.

When you took your position, you swore to "To uphold and defend the Constitution of the United States". Do you realize what you swore to do? To uphold means "to give support to"; defend means "to keep safe; guard from attack or harm; protect", have you been doing this? How long has it been since you read the Constitution? How is it that you swore to uphold and defend something you have not read in years, and/or don't have a clear understanding of?

I realize some of these questions are hard and the answers will not come easy, but I'm asking you to do a little research and send me an honest reply. If all you have to say is "this is not my department"; or "refer to a lawyer of your choice"; or "I'm not allowed to give you a legal opinion"; then just reply and tell me so I can alert my friends and neighbors who are registered to vote. I believe that everyone in this government needs to wake up if they are planning to remain in public office. I must remind you that outside of your official capacity in the government you are still a sovereign citizen.

Sincerely Yours

Pam M. Walters



**THE DECLARATION OF
INDEPENDENCE
AND
THE CONSTITUTION
OF THE UNITED STATES
OF AMERICA**



No documents have had a greater influence on the citizens of our country than the Declaration of Independence and the Constitution. The Declaration of Independence marked the birth of our republic and set forth our "unalienable Rights" to life, liberty and the pursuit of happiness. Later, the Constitution outlined our style of government and defined the rights that are protected from intrusion by government.

These documents have been a beacon to all people who value freedom. They are just as meaningful now as when they were written. As the American statesman Henry Clay said, "The Constitution of the United States was not made merely for the generation that then existed, but for posterity — unlimited, undefined, endless, perpetual posterity."

Phillips Petroleum Company is pleased to present you with this booklet containing these immortal documents proclaiming our nation's freedom and establishing its government.

In CONGRESS, July 4, 1776.
A DECLARATION
By the REPRESENTATIVES of the
UNITED STATES OF AMERICA,
In GENERAL CONGRESS assembled.

WHEN in the Course of human Events, it becomes necessary for one People to dissolve the Political Bands which have connected them with another, and to assume among the Powers of the Earth, the separate and equal Station to which the Laws of Nature and of Nature's God entitle them, a decent Respect to the Opinions of Mankind requires that they should declare the causes which impel them to the Separation.

We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness — That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed, that whenever any Form of Government becomes destructive of these Ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its Foundation on such Principles, and organizing its Powers in such Form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient Causes; and accordingly all Experience hath shewn, that Mankind are more disposed to suffer, while Evils are sufferable, than to right themselves by abolishing the Forms to which they are accustomed. But when a long Train of Abuses and Usurpations, pursuing invariably the same Object, evinces a Design to reduce them under absolute Despotism, it is their Right, it is their Duty, to throw off such Government, and to provide new Guards for their future Security. Such has been the patient Sufferance of these Colonies; and such is now the Necessity which constrains them to alter their former Systems of Government. The History of the present King of Great-Britain is a History of repeated Injuries and Usurpations, all having in

direct Object the Establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid World.

He has refused his Assent to Laws, the most wholesome and necessary for the public Good.

He has forbidden his Governors to pass Laws of immediate and pressing Importance, unless suspended in their Operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other Laws for the Accommodation of large Districts of People, unless those People would relinquish the Right of Representation in the Legislature, a Right inestimable to them, and formidable to Tyrants only.

He has called together Legislative Bodies at Places unusual, uncomfortable, and distant from the Depository of their public Records, for the sole Purpose of fatiguing them into Compliance with his Measures.

He has dissolved Representative Houses repeatedly, for opposing with manly Firmness his Invasions on the Rights of the People.

He has refused for a long Time, after such Dissolutions, to cause others to be elected; whereby the Legislative Powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the Dangers of Invasion from without, and Convulsions within.

He has endeavoured to prevent the Population of these States; for that Purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their Migrations hither, and raising the Conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary Powers.

He has made Judges dependent on his Will alone, for the Tenure of their Offices, and the Amount and Payment of their Salaries.

He has erected a Multitude of new Offices, and sent hither Swarms of Officers to harrass our People, and eat out their Substance.

He has kept among us, in Times of Peace, Standing Armies, without the consent of our Legislatures.

He has affected to render the Military independent of and superior to the Civil Power.

He has combined with others to subject us to a Jurisdiction foreign to our Constitution, and unacknowledged by our Laws; giving his Assent to their Acts of pretended Legislation:

For quartering large Bodies of Armed Troops among us:

For protecting them, by a mock Trial, from Punishment for any

Murders which they should commit on the Inhabitants of these States:

For cutting off our Trade with all Parts of the World:

For imposing Taxes on us without our Consent:

For depriving us, in many Cases, of the Benefits of Trial by Jury:

For transporting us beyond Seas to be tried for pretended Offences:

For abolishing the free System of English Laws in a neighbouring Province, establishing therein an arbitrary Government, and enlarging its Boundaries, so as to render it at once an Example and fit Instrument for introducing the same absolute Rule into these Colonies:

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:

For suspending our own Legislatures, and declaring themselves invested with Power to legislate for us in all Cases whatsoever.

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our Seas, ravaged our Coasts, burnt our Towns, and destroyed the Lives of our People.

He is, at this Time, transporting large Armies of foreign Mercenaries to compleat the Works of Death, Desolation, and Tyranny, already begun with circumstances of Cruelty and Perfidy, scarcely paralleled in the most barbarous Ages, and totally unworthy the Head of a civilized Nation.

He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the Executioners of their Friends and Brethren, or to fall themselves by their Hands.

He has excited domestic Insurrections amongst us, and has endeavoured to bring on the Inhabitants of our Frontiers, the merciless Indian Savages, whose known Rule of Warfare, is an undistinguished Destruction, of all Ages, Sexes and Conditions.

In every stage of these Oppressions we have Petitioned for Redress in the most humble Terms: Our repeated Petitions have been answered only by repeated Injury. A Prince, whose Character is thus marked by every act which may define a Tyrant, is unfit to be the Ruler of a free People.

Nor have we been wanting in Attentions to our British Brethren. We have warned them from Time to Time of Attempts by their Legislature to extend an unwarrantable Jurisdiction over us. We have reminded them of the Circumstances of our Emigration and Settlement here. We have appealed to their native Justice and Magnanimity, and we have conjured them by the Ties of our common Kindred to disavow these Usurpations, which, would inevitably interrupt our Connections and

Correspondence. They too have been deaf to the Voice of Justice and of Consanguinity. We must, therefore, acquiesce in the Necessity, which denounces our Separation, and hold them, as we hold the rest of Mankind, Enemies in War, in Peace, Friends.

We, therefore, the Representatives of the UNITED STATES OF AMERICA, in General Congress, Assembled, appealing to the Supreme Judge of the World for the Rectitude of our Intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly Publish and Declare, That these United Colonies are, and of Right out to be, Free and Independent States; that they are absolved from all Allegiance to the British Crown, and that all political Connection between them and the State of Great-Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a firm Reliance on the Protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes, and our sacred Honor.

Signed by Order and in Behalf of the Congress,
JOHN HANCOCK, President.

Attest.
CHARLES THOMSON, Secretary.

SIGNERS OF THE DECLARATION OF INDEPENDENCE

According to the Authenticated List Printed by
Order of Congress of January 18, 1777

John Hancock.

New-Hampshire.	Josiah Bartlett, Wm. Whipple, Matthew Thornton.	Delaware.	Caesar Rodney, Geo. Read, (Tho M:Kean.)
Massachusetts- Bay.	Saml. Adams, John Adams, Robt. Treat Paine, Elbridge Gerry.	Maryland.	Samuel Chase, Wm. Paca, Thos. Stone, Charles Carroll, of Carrollton.
Rhode-Island and Providence, &c.	Step. Hopkins, William Ellery.		George Wythe, Richard Henry Lee, Ths. Jefferson,
Connecticut.	Roger Sherman, Saml. Huntington, Wm. Williams, Oliver Wolcott.	Virginia.	Benja. Harrison, Thos. Nelson, jr. Francis Lightfoot Lee, Carter Braxton.
New-York.	Wm. Floyd, Phil. Livingston, Frans. Lewis, Lewis Morris.	North-Carolina.	Wm. Hooper, Joseph Hewes, John Penn.
New-Jersey.	Richd. Stockton, Jno. Witherspoon, Fras. Hopkinson, John Hart, Abra. Clark.	South-Carolina.	Edward Rutledge, Thos. Heyward, junr. Thomas Lynch, junr. Arthur Middleton.
	Robt. Morris, Benjamin Rush, Benja. Franklin, John Morton, Geo. Clymer, Jas. Smith, Geo. Taylor, James Wilson, Geo. Ross.	Georgia.	Button Gwinnett, Lyman Hall, Geo. Walton.
Pennsylvania.			

THE CONSTITUTION OF THE UNITED STATES OF AMERICA

WE, the People of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

ARTICLE I.

Sect. 1. ALL legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Sect. 2. The House of Representatives shall be composed of members chosen every second 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.

No person shall be a representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state in which he shall be chosen.

Representatives and direct taxes shall be apportioned among the several states which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed one for every thirty thousand, but each state shall have at least one representative; and until such enumeration shall be made, the state of New-Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New-Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North-Carolina five, South-Carolina five, and Georgia three.

When vacancies happen in the representation from any state, the Executive authority thereof shall issue writs of election to fill such vacancies.

The House of Representatives shall chuse their Speaker and other officers; and shall have the sole power of impeachment.

Sect. 3. The Senate of the United States shall be composed of two senators from each state, chosen by the legislature thereof, for six years; and each senator shall have one vote.

Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year; and if vacancies happen by resignation, or otherwise, during the recess of the Legislature of any state, the Executive thereof may make temporary appointments until the next meeting of the Legislature, which shall then fill such vacancies.

No person shall be a senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state for which he shall be chosen.

The Vice-President of the United States shall be President of the senate, but shall have no vote, unless they be equally divided.

The Senate shall chuse their other officers, and also a President pro tempore, in the absence of the Vice-President, or when he shall exercise the office of President of the United States.

The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no person shall be convicted without the concurrence of two-thirds of the members present.

Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under the United States; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to law.

Sect. 4 The times, places and manner of holding elections for senators and representatives, shall be prescribed in each state by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of chusing Senators.

The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

Sect. 5. Each house shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties as each house may provide.

Each house may determine the rules of its proceedings, punish its members for disorderly behaviour, and, with the concurrence of two-thirds, expel a member.

Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either house on any question shall, at the desire of one-fifth of those present, be entered on the journal.

Neither house, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

Sect. 6. The senators and representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to and returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.

No senator or representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States, shall be a member of either house during his continuance in office.

Sect. 7. All bills for raising revenue shall originate in the house of representatives; but the senate may propose or concur with amendments as on other bills.

Every bill which shall have passed the house of representatives and the senate, shall, before it become a law, be presented to the president of the United States; if he approve he shall sign it, but if not he shall return it, with his objections to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be recon-

sidered, and if approved by two-thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or, being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

Sect. 8. The Congress shall have power

To lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

To borrow money on the credit of the United States;

To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;

To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States;

To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;

To provide for the punishment of counterfeiting the securities and current coin of the United States;

To establish post offices and post roads;

To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries;

To constitute tribunals inferior to the supreme court;

To define and punish piracies and felonies committed on the high seas, and offences against the law of nations;

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years;

To provide and maintain a navy;

To make rules for the government and regulation of the land and naval forces;

To provide for calling forth the militia to execute the laws of the union, suppress insurrections and repel invasions;

To provide for organizing, arming, and disciplining, the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress;

To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular States, and the acceptance of Congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings; — And

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or officer thereof.

Sect. 9. The migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

No bill of attainder or ex post facto law shall be passed.

No capitation, or other direct, tax shall be laid, unless in proportion to the census or enumeration herein before directed to be taken.

No tax or duty shall be laid on articles exported from any state. No preference shall be given by any regulation of commerce or revenue to the ports of one state over those of another: nor shall vessels bound to, or from, one state, be obliged to enter, clear, or pay duties in another.

No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

No title of nobility shall be granted by the United States: — And no

person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state.

Sect. 10. No state shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make any thing but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or grant any title of nobility.

No state shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by any state on imports or exports, shall be for the use of the Treasury of the United States; and all such laws shall be subject to the revision and controul of the Congress. No state shall, without the consent of Congress, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another state, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II.

Sect. 1. The executive power shall be vested in a president of the United States of America. He shall hold his office during the term of four years, and, together with the vice-president, chosen for the same term, be elected as follows.

Each state shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of senators and representatives to which the state may be entitled in the Congress: but no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

The electors shall meet in their respective states, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same state with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the president of the senate. The president of the senate shall, in the presence of the senate and house of representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the president, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the house of representatives shall im-

mediately chuse by ballot one of them for president; and if no person have a majority, then from the five highest on the list the said house shall in like manner chuse the president. But in chusing the president, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. In every case, after the choice of the president, the person having the greatest number of votes of the electors shall be the vice-president. But if there should remain two or more who have equal votes, the senate shall chuse from them by ballot the vice-president.

The Congress may determine the time of chusing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

No person except a natural born citizen, or a citizen of the United States, at the time of the adoption of this constitution, shall be eligible to the office of president; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States.

In case of the removal of the president from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the vice-president, and the Congress may by law provide for the case of removal, death, resignation or inability, both of the president and vice-president, declaring what officer shall then act as president, and such officer shall act accordingly, until the disability be removed, or a president shall be elected.

The president shall, at stated times, receive for his services, a compensation, which shall neither be encreased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

Before he enter on the execution of his office, he shall take the following oath or affirmation:

"I do solemnly swear (or affirm) that I will faithfully execute the office of president of the United States, and will to the best of my ability, preserve, protect and defend the constitution of the United States."

Sect. 2. 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; he may require the opinion, in writing, of the principal officer in each of the executive

departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment.

He shall have power, by and with the advice and consent of the senate, to make treaties, provided two-thirds of the senators present concur; and he shall nominate, and by and with the advice and consent of the senate, shall appoint ambassadors, other public ministers and consuls, judges of the supreme court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law. But the Congress may by law vest the appointment of such inferior officers, as they think proper, in the president alone, in the courts of law, or in the heads of departments.

The president shall have power to fill up all vacancies that may happen during the recess of the senate, by granting commissions which shall expire at the end of their next session.

Sect. 3. He shall from time to time give to the Congress information of the state of the union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

Sect. 4. The president, vice-president and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

ARTICLE III.

Sect. 1. The judicial power of the United States, shall be vested in one supreme court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behaviour, and shall, at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office.

Sect. 2. The judicial power shall extend to all cases, in law and equity, arising under this constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to

which the United States shall be a party; to controversies between two or more States, between a state and citizens of another state, between citizens of different States, between citizens of the same state claiming lands under grants of different States, and between a state, or the citizens thereof, and foreign States, citizens or subjects.

In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be party, the supreme court shall have original jurisdiction. In all the other cases before mentioned, the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.

Sect. 3. Treason against the United States, shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture except during the life of the person attainted.

ARTICLE IV.

Sect. 1. Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state. And the Congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

Sect. 2. The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

A person charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall, on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime.

No person held to service or labour in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labour, but shall be delivered up on claim of the party to whom such service or labour may be due.

Sect. 3. New states may be admitted by the Congress into this union; but no new state shall be formed or erected within the jurisdiction of any other state; nor any state be formed by the junction of two or more states, or parts of states, without the consent of the legislatures of the states concerned as well as of the Congress.

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.

Sect. 4. The United States shall guarantee to every state in this union a Republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature cannot be convened) against domestic violence.

ARTICLE V.

The Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this constitution, or, on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this constitution, when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; Provided, that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the senate.

ARTICLE VI.

All debts contracted and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the confederation.

This constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, any thing in the constitution or laws of any state to the contrary notwithstanding.

The senators and representatives beforementioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation, to support this constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII.

The ratification of the conventions of nine States, shall be sufficient for the establishment of this constitution between the States so ratifying the same.

Done in Convention, by the unanimous consent of the States present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty-seven, and of the Independence of the United States of America the twelfth. In witness whereof we have hereunto subscribed our Names.

GEORGE WASHINGTON, President, And Deputy from Virginia.

New-Hampshire.	<i>John Langdon, Nicholas Gilman.</i>	Delaware.	<i>George Read, Gunning Bedford, Junior, John Dickinson, Richard Bassett, Jacob Broom.</i>
Massachusetts.	<i>Nathaniel Gorham, Rufus King.</i>	Maryland.	<i>James M'Henry, Daniel of St. Tho. Jenifer, Daniel Carrol.</i>
Connecticut.	<i>William Samuel Johnson, Roger Sherman.</i>	Virginia.	<i>John Blair, James Madison, Junior.</i>
New-York.	<i>Alexander Hamilton.</i>	North-Carolina.	<i>William Blount, Richard Dobbs Spaight, Hugh Williamson.</i>
New-Jersey.	<i>William Livingston, David Brearley, William Paterson, Jonathan Dayton.</i>	South-Carolina.	<i>John Rutledge, Charles Cotesworth Pinckney, Charles Pinckney, Pierce Butler.</i>
Pennsylvania.	<i>Benjamin Franklin, Thomas Mifflin, Robert Morris, George Clymer, Thomas Fitzsimons, Jared Ingersoll, James Wilson, Gouverneur Morris.</i>	Georgia.	<i>William Few, Abraham Baldwin.</i>

Attest, William Jackson, SECRETARY.

AMENDMENTS TO THE CONSTITUTION

ARTICLES in addition to, and Amendment of the Constitution of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth Article of the original Constitution.

ARTICLE I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

ARTICLE II

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

ARTICLE III

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

ARTICLE IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ARTICLE V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness

against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

ARTICLE VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

ARTICLE VII

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

ARTICLE VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

ARTICLE IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

ARTICLE X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

ARTICLE XI

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

The Electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the persons voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate; — The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted; — The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice.

And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

ARTICLE XIII

Sect. 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Sect. 2. Congress shall have power to enforce this article by appropriate legislation.

Sect. 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Sect. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Sect. 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof: But Congress may by a vote of two-thirds of each House, remove such disability.

Sect. 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

Sect. 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

ARTICLE XV

Sect. 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Sect. 2. The Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XVI

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

ARTICLE XVII

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

ARTICLE XVIII

Sect. 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

Sect. 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

Sect. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.]

ARTICLE XIX

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XX

Sect. 1. The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

Sect. 2. The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3d day of January, unless they shall by law appoint a different day.

Sect. 3. If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

Sect. 4. The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

Sect. 5. Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

Sect. 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.

ARTICLE XXI

Sect. 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

Sect. 2. The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

Sect. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

ARTICLE XXII

Sect. 1. No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.

Sect. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress.

ARTICLE XXIII

Sect. 1. The District constituting the seat of Government of the United States shall appoint in such manner as the Congress may direct:

A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

Sect. 2. The Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XXIV

Sect. 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors

for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

Sect. 2. The Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XXV

Sect. 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

Sect. 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

Sect. 3. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

Sect. 4. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice

President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.

ARTICLE XXVI

Sect. 1. The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

Sect. 2. The Congress shall have power to enforce this article by appropriate legislation.



President shall continue to discharge the duties of Acting President; otherwise, the President shall exercise the powers and duties of his office.

ARTICLE II

Sec. 1. The rights of citizens of the United States, who are eighteen years of age or older, shall not be denied or abridged by the United States or by any State on account of age.

Sec. 2. The Congress shall have power to enforce this article by appropriate legislation.



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WHITE HOUSE STAFFING MEMORANDUM

DATE: 5/21/84 ACTION/CONCURRENCE/COMMENT DUE BY: --

SUBJECT: BICENTENNIAL OF THE CONSTITUTION

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	McFARLANE	<input type="checkbox"/>	<input type="checkbox"/>
MEESE	<input type="checkbox"/>	<input type="checkbox"/>	McMANUS	<input type="checkbox"/>	<input type="checkbox"/>
BAKER	<input type="checkbox"/>	<input type="checkbox"/>	MURPHY	<input type="checkbox"/>	<input type="checkbox"/>
DEAVER	<input type="checkbox"/>	<input type="checkbox"/>	OGLESBY	<input type="checkbox"/>	<input type="checkbox"/>
STOCKMAN	<input type="checkbox"/>	<input type="checkbox"/>	ROGERS	<input type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input type="checkbox"/> P	<input type="checkbox"/> SS	SPEAKES	<input type="checkbox"/>	<input type="checkbox"/>
FELDSTEIN	<input type="checkbox"/>	<input type="checkbox"/>	SVAHN	<input type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input type="checkbox"/>	<input type="checkbox"/>	VERSTANDIG	<input type="checkbox"/>	<input type="checkbox"/>
FULLER	<input type="checkbox"/>	<input type="checkbox"/>	WHITTLESEY	<input type="checkbox"/>	<input type="checkbox"/>
HERRINGTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HICKEY	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

For your information.

RESPONSE:

Richard G. Darman
Assistant to the President
Ext. 2702

Receiv d S S
1984 MAY 21 AM 10:35



OFFICE OF THE VICE PRESIDENT
WASHINGTON

May 17, 1984

The Honorable Charles W. Bray, III
American Ambassador
Dakar

Dear Mr. Ambassador:

The Vice President asked that I bring your concern regarding the 200th anniversary of the Constitution of the United States to the attention of the White House senior staff.

For this reason, I am forwarding a copy of your letter to Mr. Dick Darman, Assistant to the President and Deputy to the Chief of Staff. Dick will see that the appropriate individuals throughout the Administration are aware of your concern.

If we can be of further assistance to you, please do not hesitate to call upon us.

Very truly yours,

A handwritten signature in dark ink, appearing to read "J. Steven Rhodes".

J. Steven Rhodes
Assistant to the Vice President
for Domestic Policy

cc: Richard Darman ✓

JSR:dmcm



EMBASSY OF THE
UNITED STATES OF AMERICA

Dakar, Senegal
April 5, 1984

Dear Mr. Vice President:

Last week I had one reason for writing; this week I appear to have two.

The first may or may not be wholly appropriate, but I thought it worth a try nonetheless.

Having knocked on a number of Washington doors in the last 18 months in an effort to get people to focus on the fact that 1987 will be the Bicentennial of our Constitution, I find it frustrating that so few in positions of authority seem able to understand the potential significance of the event or are willing to do anything about it.

The Bicentennial of our Declaration of Independence was a rather joyous international event which did much to erase the damages to our national image caused by events of the 1960's and early 1970's. The Bicentennial of our Constitution is potentially even more important, insofar as we ourselves take it seriously and prepare to celebrate it properly.

Our greatest legacy to the history of political thought and governance is "constitutionalism."

There are innumerable constitutions around the world which have been modeled more or less directly on our own, and even our adversaries have found it politic to describe themselves as "democracies." There is a very large international human rights community -- lawyers, judges, scholars, journalists, even practicing pols -- who would welcome an opportunity (for their own local reasons) to join in a celebration of constitutionalism and who both would and could use the occasion for constructive, local purposes. Our international reputation could only benefit by a proper bicentennial celebration.

The Vice President,
United States Senate.

President Reagan's London speech, the creation of the National Endowment for Democracy, make this Administration a natural sponsor of such a bicentennial. But nobody seems to be in charge or willing to take charge, and I worry that we risk missing a major domestic and international opportunity to remind people that we -- the United States -- are the "liberty party" in this world. Hence this letter to you.

As for the second reason for writing, you should know that the local political scene is atwitter with the rumor that you laid a heavy accusation on President Diouf in Conakry last week; Senegalese at all levels are consulting dictionaries and encyclopedias in an effort to discover what it means to be a Cupid. We, of course, are being utterly discreet in the matter, as we know you would want us to be.

With every good wish to you and Mrs. Bush.

Respectfully,

A handwritten signature in cursive script that reads "Charlie". The signature is written in dark ink and is positioned above the typed name.

Charles W. Bray III
Ambassador



S/S 8412352
United States Department of State

Washington, D.C. 20520

May 5, 1984

MEMORANDUM FOR MR. DONALD P. GREGG
THE WHITE HOUSE

SUBJECT: Ambassador Bray's Letter to the Vice President

Since receiving the attached letter, the Department has received some clarifications from U.S. Ambassador to Senegal Charles W. Bray concerning his purpose in writing to the Vice President. Ambassador Bray stated that he merely intended to bring a matter of concern to the attention of the Vice President and that the Ambassador does not seek a formal reply produced by the Department. The Ambassador would greatly appreciate any assistance in bringing his letter to the attention of the Vice President, since the White House leadership is the only entity, the Ambassador believes, which has the national perspective to focus on the issue of a celebration of the Bicentennial of the United States Constitution.

The last paragraph of the letter is personal and may be dealt with by the Vice President as he sees fit.

The Department is therefore returning the attached correspondence to the Office of the Vice President.

Charles Hill
Executive Secretary

Attachment:
Correspondence from Ambassador Bray

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