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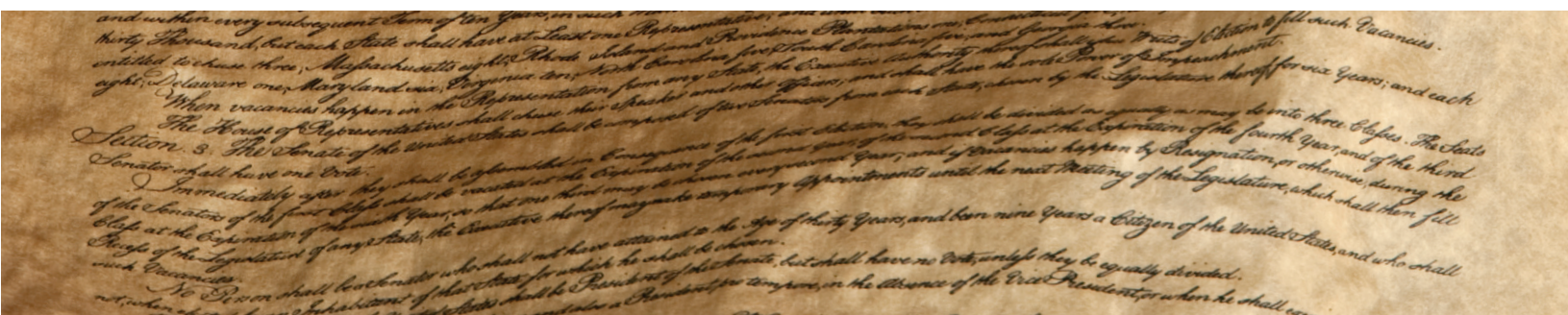
Stanford Constitutional Law Center

A Big Fix: Should We Amend Our Constitution?

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Proposed Amendments

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Constitutional Law Center



A Big Fix: Should We Amend Our Constitution?

PROPOSED AMENDMENTS

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FIXING EQUALITY

MARY ANNE CASE

RESOLUTION

Proposing an amendment to the Constitution of the United States to insert the EQUAL RIGHTS AMENDMENT.

ARTICLE

SECTION 1. Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.

SECTION 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

JANE SCHACTER

RESOLUTION

Proposing an amendment to the Constitution of the United States to establish the fundamental right to vote.

ARTICLE

SECTION 1. The fundamental right of every citizen of legal age to vote shall not be denied, abridged or impaired by the United States or by any state unless there is no less restrictive way to achieve a compelling governmental objective. This right shall extend to those with a criminal conviction who are not incarcerated at the time of voting.

SECTION 2. In furtherance of this fundamental right, each state shall have an affirmative duty to facilitate voting by all citizens seeking to vote. “Voting” as used in this article shall include all action necessary to make a vote effective in any primary, special, or general election, including, without limitation, registration or other action required by law prerequisite to voting, casting a ballot, and having such ballot counted properly and included in the appropriate totals of votes cast with respect to candidates for public or party office and propositions for which votes are received in an election. This duty shall specifically include, without limitation, the requirement that states offer meaningful alternatives to in-person election day voting, such as extended early voting, voting by mail, absentee voting, and other appropriate means. This duty shall also require, without limitation, that states create a system for automatic registration of every citizen residing in the state who reaches the legal age to vote.

SECTION 3. The Congress shall have power to enforce this article by appropriate legislation.

GEORGE THOMAS

RESOLUTION

Proposing an amendment to the Constitution of the United States to establish Directive Principles of Public Policy.

ARTICLE

1. The Congress shall promote the welfare of the whole people by acting to secure equal economic opportunity for all.
2. Congress shall act to secure equal educational opportunity for all, including equal civic education, recognizing that education is essential to both the preservation of the republic and the promotion of individual opportunity.
3. It shall be the duty of the Congress to act on behalf of these fundamental constitutional commitments, though these provisions shall not be enforceable by any court.

AMY WAX

RESOLUTION

Proposing an amendment to the Constitution of the United States to read as follows.

ARTICLE

No otherwise valid law, administrative policy, or order shall impose liability, or mandate, proscribe or penalize, conduct based on a disparate outcome for, or effect on, a group, unless designed to correct intentional discrimination against that group or its members based on race, color, national origin, sex, or religion.

FIXING FEDERALISM & LOCAL GOVERNMENT

RANDY BARNETT

RESOLUTION

Proposing an amendment to the Constitution of the United States to define the reach of the power to regulate commerce granted to Congress in Article I, Section 8.

ARTICLE

SECTION 1. The power of Congress to regulate commerce among the several states shall be limited to the regulation of the sale, shipment, transportation, or other movement of goods, articles or persons. Congress may not regulate activity solely because it affects commerce among the several states.

SECTION 2. The power of Congress to make all laws that are necessary and proper to regulate commerce among the several states, or with foreign nations, shall not be construed to include the power to regulate or prohibit any activity that is confined within a single state regardless of its effects outside the state, whether it employs instrumentalities therefrom, or whether its regulation or prohibition is part of a comprehensive regulatory scheme; but Congress shall have power to define and provide for punishment of offenses constituting acts of war or violent insurrection against the United States.

SECTION 3. The Legislatures of the States shall have standing to file any claim alleging violation of this article. Nothing in this article shall be construed to limit standing that may otherwise exist for a person.

SECTION 4. This article shall become effective five years from the date of its ratification.

RESOLUTION

Proposing an amendment to the Constitution of the United States to read as follows.

ARTICLE

SECTION 1. The Legislatures of the States shall have authority to abrogate any provision of federal law issued by the Congress, President, or Administrative Agencies of the United States, whether in the form of a statute, decree, order, regulation, rule, opinion, decision, or other form.

SECTION 2. Such abrogation shall be effective when the Legislatures of three-fifths of the States approve a resolution declaring the same provision or provisions of federal law to be abrogated. This abrogation authority may also be applied to provisions of federal law existing at the time this amendment is ratified.

SECTION 3. No government entity or official may take any action to enforce a provision of federal law after it is abrogated according to this Amendment. Any action to enforce a provision of abrogated federal law may be enjoined by a federal or state court of general jurisdiction in the state where the enforcement action occurs, and costs and attorney fees of such injunction shall be awarded against the entity or official attempting to enforce the abrogated provision.

SECTION 4. No provision of federal law abrogated pursuant to this amendment may be reenacted or reissued for six years from the date of the abrogation.

As introduced into the 114th Congress by Senator Mike Enzi and Representative Rob Bishop:

“Any provision of law or regulation of the United States may be repealed by the several states, and such repeal shall be effective when the legislatures of two-thirds of the several states approve resolutions for this purpose that particularly describe the same provision or provisions of law or regulation to be repealed.”

MICHAEL GREVE

RESOLUTION

Proposing an amendment to the Constitution of the United States to insert the BUCKLEY AMENDMENT.

ARTICLE

SECTION 1. Federal transfer payments to state and local governments, including private entities established or directed by such governments, shall not exceed three percent of the federal budget for any Fiscal Year.

SECTION 2. This amendment shall take effect five years after its adoption.

RESOLUTION

Proposing an amendment to the Constitution of the United States to insert the BUCHANAN AMENDMENT.

ARTICLE

SECTION 1. For any Fiscal Year for which the Congressional Budget Office expects federal outlays to exceed revenues, the Secretary of the Treasury shall impose an income tax surcharge in proportion to each individual taxpayer's Gross Adjusted Income during the closest calendar year, in such an amount and at such a rate as to cover the budget deficit for that Fiscal Year.

SECTION 2. The Congress shall have power suspend the operation of this Amendment for any Fiscal Year by a vote of two-thirds of the members of each House.

MICHAEL TOTH

RESOLUTION

A proposal to amend the Constitution of the United States as follows, to take effect ten years after the date of enactment.

ARTICLE

The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, **but not rules, interpretations, guidances, bulletins, circulars, or other administrative statement or action of any type or form.**

The judicial Power shall also extend to 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.

Proposing an amendment to the Constitution of the United States to replace language contained in Article VI.

ARTICLE

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof, **but not rules, interpretations, guidances, bulletins, circulars, or other administrative statement or action of any type or form,** shall be the supreme Law of the Land, as shall 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.

FIXING RIGHTS & JUDICIAL POWER

LAURA DONOHUE

RESOLUTION

Proposing an amendment to the Constitution of the United States to protect the right of the People to be secure in their personal information.

ARTICLE

The right of the People to be secure in their personal information against government access, duplication, examination, and analysis shall not be violated, absent a warrant supported by probable cause, verified by oath or affirmation, and particularly describing the information to be accessed, duplicated, examined, or analyzed.

Data accessed, duplicated, examined, or analyzed for foreign intelligence purposes shall not be used for unrelated criminal or civil matters.

The electoral college shall be abolished, with the election of the President determined based on the vote of a majority of adults in the United States age 18 and above.

JAMAL GREENE

RESOLUTION

Proposing an amendment to the Constitution of the United States to insert the LIMITATIONS CLAUSE.

ARTICLE

Amendment XXVIII. This Constitution guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

MICHAEL STOKES PAULSEN

RESOLUTION

Proposing an amendment to the Constitution of the United States to insert the JUDICIAL ACTIVISM ABOLITION AMENDMENT OF 2017.

ARTICLE

SECTION 1. In any case or controversy arising under the Constitution, statutes, or treaties of the United States, of which a court of the United States or of any State has jurisdiction, the rules of decision shall be supplied by the relevant texts of the Constitution, statutes, or treaties of the United States, taken in context and understood according to the original public meaning of the language used at the time of the adoption, enactment, or ratification of the provision(s) involved.

SECTION 2. If a court of the United States or of any State, in a case or controversy where the Constitution, statutes, or treaties of the United States supplies a rule of decision, determines that a prior judicial interpretation of a provision of the Constitution of the United States, or of a statute or treaty of the United States, is contrary to or at variance with said provision, the relevant provision of the Constitution, statute or treaty of the United States shall supply the rule of decision, not the prior judicial interpretation contrary to or at variance with such provision; [provided, however, that inferior federal courts and state courts shall [may] follow the interpretation of the Constitution, statutes, and treaties of the United States set forth by the Supreme Court of the United States.]

SECTION 3. Nothing in this Act shall be construed to repeal or alter any statute prescribing the jurisdiction of any court of the United States; to invalidate or reopen any final judgment or decree rendered in any case or controversy by any court; or to prescribe the result to be reached in any case or controversy in any court; [provided, however, that no judgment, decree, opinion, or order issued in violation of this Act shall be considered binding on the President of the United States or on the Congress of the United States in the exercise of their constitutional responsibilities.]

SECTION 4. The constitutionality and interpretation of this Act shall be governed by the interpretive principles set forth in this Act. If any part of this Act is held unconstitutional, the remaining parts of the Act shall be considered severable.

FIXING THE SEPARATION OF POWERS

ELIZABETH FOLEY

RESOLUTION

Proposing an amendment to the Constitution of the United States to insert the NON-DELEGATION AMENDMENT.

ARTICLE

SECTION 1. The Executive shall not promulgate a rule that imposes annual costs on the economy of more than \$100,000,000, indexed annually to the Consumer Price Index for Urban Consumers. This amendment shall apply prospectively, and rules finalized as of the date of ratification of this amendment shall not be affected.

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

SAI PRAKASH

RESOLUTION

Proposing an amendment to the Constitution of the United States to read as follows.

ARTICLE

SECTION 1. Congress shall ensure that total outlays for any fiscal year for the United States Government will not exceed total receipts for that fiscal year.

SECTION 2. Section 1 shall not apply during a fiscal year if Congress, during that fiscal year, declares that the United States is currently engaged in a significant war and that, therefore, compliance with Section 1 would be irresponsible.

SECTION 3. Section 1 shall not apply during a fiscal year if, during that fiscal year or the preceding fiscal year, the economy of the United States grew by less than an annualized rate of 0.0 percent in real gross domestic product during 2 or more consecutive quarters.

SECTION 4. Total receipts shall include all receipts of the United States Government other than those derived from borrowing and the sale of federal assets. Receipts include gifts, all income taxes and social insurance taxes, excise taxes, duties, court fines, compulsory licenses, payments for services, and deposits of earnings by the Federal Reserve System. Total outlays shall include all outlays of the United States Government other than those for repayment of debt principal.

SECTION 5. Congress shall enforce and implement this article by appropriate legislation. Each chamber of Congress shall adopt internal procedures designed to ensure compliance with this article.

SECTION 6. If total outlays exceed total receipts by \$100 billion for any fiscal year, incumbent members of Congress may not serve in the next Congress. Any declared candidate for congressional office may obtain a declaratory judgment from the Supreme Court regarding whether incumbents are ineligible for reelection due to surpassing the \$100 billion threshold. Such decision shall be rendered within one month of filing. The threshold shall be adjusted every year to account for inflation, deflation, and any currency reissuance.

SECTION 7. After ratification, Congress shall create and periodically fund a rainy day endowment to be drawn down during significant wars and economic recessions.

SECTION 8. Sections 1-6 shall take effect beginning with the tenth fiscal year beginning after its ratification.

MICHAEL RAMSEY

RESOLUTION

Proposing an amendment to the Constitution of the United States to insert the EXECUTIVE OVERSIGHT AMENDMENT.

ARTICLE

SECTION 1. Congress may, by majority vote of each House, disapprove of any rule, policy or course of action adopted by any executive or administrative officer or agency of the United States, if such rule, policy or course of action purports to be done pursuant to delegated authority from Congress and affects the rights or duties of persons within the United States. Upon a vote of disapproval, the rule, policy or course of action shall be discontinued and cease to have effect.

SECTION 2. The disapproval provided in Section 1 shall not be presented to the President for signature or veto [and shall not be subject to any procedure in the Congress that has the effect of requiring a supermajority vote].

SECTION 3. The disapproval provided in Section 1 shall not extend to any matters of personnel nor to any rule, policy or course of action solely affecting the internal operations of the executive branch.

FIXING ELECTIONS

RUSS FEINGOLD

IN THE SENATE OF THE UNITED STATES

Mr. FEINGOLD (for himself, Mr. BEGICH, and Mr. MCCAIN) introduced the following joint resolution; which was read twice and referred to the Committee on the Judiciary:

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States relative to the election of Senators.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two- thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission by the Congress:

ARTICLE

SECTION 1. No person shall be a Senator from a State unless such person has been elected by the people thereof. 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.

SECTION 2. This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as a part of the Constitution.

IN THE SENATE OF THE UNITED STATES

November 15, 2016

Mrs. BOXER (for herself and Mrs. FEINSTEIN) introduced the following joint resolution; which was read twice and referred to the Committee on the Judiciary

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States to abolish the electoral college and to provide for the direct popular election of the President and Vice President of the United States.

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission by the Congress.

ARTICLE

SECTION 1. The President and Vice President shall be jointly elected by the direct vote of the qualified electors of the several States and territories and the District constituting the seat of Government of the United States. The electors in each State, territory, and the District constituting the seat of Government of the United States shall have the qualifications requisite for electors of the most numerous branch of the legislative body where they reside.

SECTION 2. Congress may determine the time, place, and manner of holding the election, the entitlement to inclusion on the ballot, and the manner in which the results of the election shall be ascertained and declared.

RICHARD PILDES

RESOLUTION

Proposing an amendment to the Constitution of the United States relating to the election of the President, replacing Article II, Section 1, Clauses 1-3.

ARTICLE

SECTION 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 by popular vote in a general election as follows:

To compete in a general election for President, candidates will be nominated exclusively in the following manner:

- (1) Members of Congress from a political party with more than 5% of the seats in the United States House of Representatives and, in addition, with more than 5% of the seats in the United States Senate, shall be entitled to nominate one candidate to run for President as that party's sole nominee on the ballot. The highest ranking member of each such party in the United States Senate shall certify to the Attorney General of the United States the name of the party's nominee.
- (2) Any political party that does not qualify under (1) may nominate a candidate for President, and any individual may be nominated for President, provided that the party or such individual obtain signatures from eligible voters in each of fifteen or more states, each State having at least two representatives in the United States House of Representatives, and the number of such signatures in each State amounting to at least 5% of the vote in its most recent gubernatorial election. But no person may be nominated under this provision who has served in the prior 1 year in the United States House of Representatives or Senate as a member of a political party that qualifies under (1) to nominate a candidate.

- (3) An incumbent President originally nominated by a political party shall be entitled to be the nominee of that party for a second term, unless 70% of that party's representatives in the United States House of Representatives and the United States Senate certify to the Attorney General that they do not support that person's re-nomination as a representative of their party.

Each nominee for President shall identify a Vice Presidential nominee who is certified through the selection processes established by the party affiliated with that candidate and who will run as part of a joint ticket with that nominee.

Should no candidate receive more than 45% of the total popular votes cast for President, the two candidates who received the most popular votes in the general election and only those two candidates shall compete in a run-off election to be held three weeks after the general election. The candidate who receives the most popular votes in the general election, if more than 45% of the votes cast, or the candidate who receives the most votes in the run-off election, shall be the President. That person's Vice Presidential nominee shall be the Vice President.

No State may alter, modify, or in any way change these requirements regarding who may appear on the ballot as a nominee for President or Vice President.

Congress shall establish by law a uniform national ballot for election of the President and Vice President that shall be used in each State and a time by which nominees of president must be chosen in order to appear on the ballot.

ZEPHYR TEACHOUT

RESOLUTION

Proposing an amendment to the Constitution of the United States to limit the power of private monopolies.

ARTICLE

SECTION 1. The right to freedom from private monopolies, however created, shall not be abridged.

SECTION 2. All campaigns for elective office shall be adequately and fully publicly funded. Federal, State, and local government shall have the power to regulate, limit, or prohibit contributions and expenditures in connection with campaigns for office and referendum.

SECTION 3. Federal, state, and local governments shall have the power to enforce, by appropriate legislation, the provisions of this article.

FIXING EXECUTIVE POWER

ROMAN BUHLER

RESOLUTION

Proposing an amendment to the Constitution of the United States to insert the REGULATION FREEDOM AMENDMENT.

ARTICLE

Whenever one quarter of the Members of the U.S. House or the U.S. Senate transmit to the President their written declaration of opposition to a proposed federal regulation, it shall require a majority vote of the House and Senate to adopt that regulation.

WILL HOWELL

RESOLUTION

Proposing an amendment to the Constitution of the United States to augment the powers of the President.

ARTICLE

The president shall have the power to introduce proposals for consideration by Congress, whereupon members of Congress will have 90 days to vote on those proposals without amendment.

If the president proposes an appointment requiring confirmation, the nominee will be approved upon securing a simple majority in the Senate.

If the president proposes a treaty, the treaty will become law upon securing a two-thirds majority in the Senate.

All other presidential proposals will become law upon securing the support of a simple majority of votes in each chamber of Congress. Any presidential proposal that is not voted upon within 90 days will automatically pass, with the exception of those proposals introduced after October 1 in any calendar year, which, if not approved by Congress, will require re- introduction in the following congressional term, whereupon the 90-day clock will start anew.

Congress will retain its existing power to legislate on its own, subject to presidential veto.

RUTH WEDGWOOD

Kiobel Redux and the Law of Nations as Actionable Law -

The status of the “law of nations” as domestically actionable U.S. law has been in dispute ever since the Second Circuit’s desultory panel opinion in the *Kiobel* case in 2010, which rejected its application to corporate entities. The narrow victory of the positivists in *Kiobel v. Royal Dutch Petroleum* surprised many longtime observers, especially since 18th century American lawyers and jurists considered the law of nature and nations to be an ordinary and applicable category of law.

The U.S. Supreme Court’s recent grant of certiorari in *Jesner v. Arab Bank*, No. 16-499, may provide evidence that normative solipsism and disregard for the law of nations is not the wave of the future in American jurisprudence. The rather striking agreement of European states – through the Brussels I Regulation of December 22, 2001 – to recognize the law of nations (or “international law”) as an enforceable standard in any European corporate domicile has further opened the door to more serious application of the rules that protect otherwise helpless peoples against otherwise unreachable corporate entities.

This is, one might say, a constitutional change in the structure of international law.

FIXING THE FUTURE CONSTITUTION: STUDENT PANEL

MAX ALDERMAN

RESOLUTION

Proposing an amendment to the Constitution of the United States to govern lawful restrictions on constitutional rights.

ARTICLE

SECTION 1. Restrictions on individual rights guaranteed by the Constitution must be made pursuant to a law.

SECTION 2. Any law that on its face violates a constitutional right must specify the constitutional right that it restricts, the objective of the restriction, and why the restriction is necessary and proportionate to that objective. Such law must apply generally and not to a specific case.

SECTION 3. Any restriction on individual rights must be necessary in a democratic society for the protection of public order, national defense, public health, or the rights of others, or to remedy structural inequality or ensure equal representation. Restrictions must be proportionate to one or more of these objectives.

SECTION 4. No restriction shall compromise the essence of a constitutional right.

SECTION 5. This article applies equally to enforcement by states and the federal government.

SECTION 6. Congress may enforce this article by appropriate legislation.

JARED CRUM

RESOLUTION

Proposing an amendment to the Constitution of the United States to create a national referendum.

ARTICLE

SECTION 1. All legislative powers granted in this Constitution shall be vested in the Congress of the United States, and in the People through national popular initiatives.

SECTION 2. The People, through initiative, shall have all lawmaking powers granted to Congress under this Constitution, except as this article otherwise provides. In force of law and in susceptibility to review, including invalidation, by the Judiciary, initiative enactments shall be accorded an equal status to Congressional enactments.

SECTION 3. No proposed initiative shall appear on a national ballot without certification by Congress, who shall specify the means for certification and for conducting a vote. Except as this article otherwise provides, no initiative shall be certified without its drafters or their representatives having gathered supporting signatures from electors exceeding in number 5% of the electorate from the most recent presidential election. But Congress may neither require signatures in excess of 10% of such national electorate nor condition certification upon geographic apportionment of signatories. Initiative drafters or their representatives shall make a public notice of a proposed initiative, and upon certification, a second public notice.

SECTION 4. If certified, initiatives shall be put to a vote in every second year, on the same day as members of Congress are chosen, and on ballots in every State or jurisdiction choosing said members. The People enact a initiative into law when the number of votes in the affirmative outnumbers the number of votes in the negative, these options being the only two afforded.

SECTION 5. Neither Constitutional amendments nor declarations of war shall be made by initiative. The President may submit a treaty for ratification by initiative, the certification signature requirements in this article notwithstanding, but for ratification, the number of votes in the affirmative must account for at least two-thirds of the total votes cast. Congress shall prescribe the manner by which the President submits treaties to initiative and by which such initiatives are certified.

SECTION 6. The right of citizens of the United States, who are eighteen years of age or older, to vote in national initiatives shall not be prohibited by the United States or by any State.

SECTION 7. Congress shall have power to enforce and to implement this article by appropriate legislation.

JAMES DAVIDSON

RESOLUTION

Proposing an amendment to the Constitution of the United States to read as follows.

ARTICLE

The Congress may restrict the amount of money independently spent, by an individual, group or corporate entity, in explicit support of or opposition to a federal candidate in the period leading up to an election in which he or she is a candidate. That period shall not exceed sixty days prior to a general election and thirty days prior to a primary or caucus in which the target of support or opposition is a candidate. No such limitation shall ever exceed a comparable limitation on direct campaign contributions.

FIXING THE AMENDMENT PROCESS

SANDY LEVINSON

RESOLUTION

Proposing an amendment to the Constitution of the United States to read as follows.

ARTICLE

If two thirds of the House and the Senate assembled together should join in expressing “no confidence” in the sitting President of the United States, the office shall become vacant upon the naming of a successor by two thirds of Congress assembled together. In lieu of a vote of no confidence by Congress, a President can also be shorn of office by a vote of 60% of the country in a national “recall” election that shall be triggered by the submission of petitions signed by 10% of the total voting electorate in the previous presidential election. Upon the declaration by the Director of the Census that the requisite number of signatures has been reached, the election shall be held no later than 30 days afterward. Should the requisite 60% vote be obtained, then the office shall immediately become vacant and subject to the succession rules established in the Constitution or by a Succession in Office Act passed by Congress.

RESOLUTION

Proposing an amendment to the Constitution of the United States regarding the amendment process as described in Article V.

ARTICLE

The Constitution can be amended in the following manner: First, if two thirds of both houses of Congress, assembled together, propose an amendment and it is thereafter ratified either by the state legislatures of a majority of the states containing a majority of the national population or by state conventions, if so designated by Congress, of a majority of the states containing a majority of the national population. Second, should two-thirds of the states containing a majority of the population agree on the text of a specific proposed amendment, it shall be submitted to the people at large for approval in a national referendum. Should 67% of those who vote or 50% of the eligible electorate (whichever is the higher number), approve of the proposed amendment, it shall be added to the Constitution. Finally, 10% of those eligible to vote throughout the nation shall be able to propose amendments upon signing identically-worded petitions. Such proposals shall be submitted to a national referendum. Should 67% of the eligible national electorate or 50%+1 of the actual voters, whichever number is higher, approve of the proposal, it shall be added to the Constitution immediately.