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CAN THE UNITED STATES BE SAVED?
THE RIGHT OF THE PEOPLE TO RESIST TYRANNY

Whenever those, who are supposed to be the people's guardians, become their oppressors, the people are naturally forced into a position of justifiable resistance.

It was for this very purpose that the Second Amendment was conceived: resistance to tyranny and self-defense against unjust aggressors. Resistance of this kind is legitimate self-defense.

Whenever civil authority becomes abused, that is, deflected from the rightful end to which it is given; and private authority takes precedence against public authority, with personal gain and aggrandizement replacing the public good, tyranny is born.

Whenever government becomes so corrupt that it is no longer staying within the bounds of its constituted authority, but selfishly seeks its own private ends, and works toward the destruction of the system itself, resistance to that government is therefore, not an act of aggression involving defiance of law and order, nor disrespect for and rejection of authority, but an act of self-defense against tyranny and despotism.

The people of this republic have been forced into a position of resistance to tyranny. The right to resist tyranny is sustained by the 9th and 10th Amendments of the Bill of Rights.
Court says state officials can be sued over abuses

Associated Press

WASHINGTON — State officials who violate someone’s rights while performing governmental duties may be sued and forced to pay monetary damages, the Supreme Court ruled Tuesday.

The 8-0 decision in a Pennsylvania case could expose officials to costly lawsuits when they are accused of violating a Civil War-era federal law aimed at preventing abuses of power.

"Imposing personal liability on state officers may hamper their performance of public duties," Justice Sandra Day O'Connor wrote for the court.

But she said the law is clear: State officials are not immune from lawsuits "solely by virtue of the official nature of their acts."

In other developments, the court:

■ Heard arguments in an Illinois dispute over the use of hearsay evidence in sex-abuse cases involving children. At issue is whether juries may hear statements made by allegedly victimized children to others if the young accusers do not testify.

■ Heard arguments in a Texas case over the liability of cities when municipal workers are killed or injured on the job.

The court's decision in the Pennsylvania immunity case cleared the way for trial of a lawsuit against Barbara Hafer, the state's auditor general. Hafer, a Republican, was accused of firing 18 Democratic employees for political reasons.

The high court rejected Hafer's argument that she is immune from such a lawsuit because she acted in her official capacity.

The Constitution's 11th Amendment bars most lawsuits against state governments, and the court previously has given public officials some protection against civil rights suits.

The justices in 1989 ruled that state officials may not be sued in their official capacities for violating the same 120-year-old law at issue in Hafer's case. The practical effect was to bar those who sue from recovering monetary damages from the state through lawsuits that name state officials as defendants.

But the 1989 ruling left unclear whether officials could be forced to pay out of their own pockets.

The court on Tuesday said they could.
According to Section 256 of Volume Sixteen of American Jurisprudence, 2nd:

"The general rule is that an unconstitutional statute....though having the form and name of law, is in reality no law, but is wholly void, and ineffective for any purpose....An unconstitutional law, in legal contemplation, is as inoperative as if it had never been passed....Since an unconstitutional law is void, the general principles follow that it imposes no duties, confers no rights, creates no office, bestows no power or authority on anyone, affords no protection, and justifies no acts performed under it...No one is bound to obey an unconstitutional law and no courts are bound to enforce it.

The president has no power to legislate! He holds executive power only! He is elected to execute the laws of our own Magna Carta: the Constitution. Presidential Executive Orders have been used covertly to alter the form of our government, to eliminate its principles and safeguards, and to force in their place unconstitutional statutes. Our laws protect us against this type of fraud, and from accepting such pretended legislation.

Remember: there is no statutory limitation on fraud.
QUESTION: ARE THERE WAYS TO VOID UNCONSTITUTIONAL TREATIES THAT ARE SELLING US OUT?

ANSWER: YOU BET THERE IS!
ONE ANSWER IS:
REBUS SIC STANTIBUS.

Although it is not commonly known, there is a principle in International Law that the Congress can use to void treaties! What has to happen is that the people must first create a demand for public officials to initiate action to cause the United Nations Charter, the matrix of the problem, to be declared void. The United States membership in that organization will then cease to be obligatory; thus, the United States would no longer be a member of the United Nations.

This principle is known as Rebus Sic Stantibus* which is recognized as the highest reason in rank for a country to void a treaty, and it means that:

"the situation has changed!"

Rebus Sic Stantibus means that "there was more to the treaty than what met the eye".....more than the states and the citizens were aware of at the time of its ratification! This is the case with the United Nations Charter which was enacted as a "treaty"! Unfairly and unjustly sold as a "program for peace," the U.N. Charter was actually engineered to overthrow the American system of government and restructure the United States as a part of a global government. The series of purported treaties that followed are being passed as "laws" and are not at all what the general public has been led to believe that they are supposed to contain.

"An unconstitutional act is not law....as inoperative as though it had never been passed." -- Norton vs. Shelby County, 118 US 425 p. 442

Another route the states may choose to force the repeal of a treaty is by using the decision of the Supreme Court. Keep in mind that it takes only one state to force the Supreme Court to rule on an issue. If the ruling comes out unfavorable, the recourse for the state(s) is to override the Supreme Court and undertake a repeal action themselves. Such an action takes thirty-eight (38) states to successfully override the Supreme Court. Repealing "enabling legislation" alone (negating previous national action) does not complete the necessary procedure to
Rebus Sic Stantibus is the premier principle of international law and is held as the highest reason in rank for voiding a treaty!

rescind a treaty! Additionally, a repeal, rescinding, and revoking action should be effected against an aberrant previously passed treaty in order to negate previous international action. It is a well known fact that one of the checks in the Check and Balance System places the responsibility upon the states to keep the federal government from exceeding the limits of power they delegated to it. Chances are that your state governor or representatives are not versed in international law and do not realize that Rebus Sic Stantibus is a recognized principle of international law which exists between nations and that it allows for the revocation of disastrous treaties that destroy the structure, sovereignty, and liberty of a nation.

The facts regarding the objectives of the United Nations were not known by the general population at the time the U. N. Charter was enacted. Transferring U.S. armed forces to permanent control of communist commanders, allowing the avowed enemies of our country to supervise the closing of our defense plants and military bases, and to prohibit law-abiding Americans from owning firearms is in violation of the United States Constitution! These U.N. objectives do not meet the criteria to qualify the U.N. Charter as a treaty! Also, little known is the fact that a treaty is enforceable upon every individual!

The people have been lied to about the "peace" program and the "safer world"! They were not told of the inverse purposes of the United Nations! Now the truth is being laid bare before the people! The situation has changed! The U. N. was plastered onto the U. S. by using laudable goals as a way of bringing in the U. N.'s hidden objectives! Plenty of grounds exist for putting pressure on representatives to void the U. N. Charter and related world government treaties.

A Word of Warning Regarding the Use of Rebus Sic Stantibus. There is a possibility, because of the deviousness of the courts, that the courts may insist that Rebus Sic Stantibus is a nullification procedure, the type of which they threw out when the Virginia and Kentucky Resolutions were defensively tried in more recent times. The courts need to understand that it is not the courts who have the "final say" on protection of the nation’s sovereignty! In a united action the states have superiority over all three branches of the federal system!

* Source: Black's Law Dictionary -- At this point of affairs; in these circumstances. A name given to a tacit condition, said to attach to all treaties, that they shall cease to be obligatory so soon as the state of facts and conditions upon which they were founded has substantially changed.
CRIMES COMMITTED
BY THE LEGISLATURE
AGAINST THE
SOVEREIGNTY
OF THE STATE

Misde Mean /mishdəm/.  The improper performance of some act which a person may lawfully do. "Nonfeasance" means the omission of an act which a person ought to do; "misfeasance" is the improper doing of an act which a person might lawfully do; and "malfeasance" is the doing of an act which a person ought not to do at all. Compare Malfeasance. Misfeasance. See Misfeasance.
their enemies, giving them aid and comfort within the United States where, is guilty of treason and shall not less than five years, or shall be imprisoned and fined and fined and fined and fined and fined and fined and fined

June 25, 1948

HISTORICAL NOTES


The language referring to collection of the fine was omitted as obsolete and repugnant to the more humane policy of modern law which does not impose criminal consequences on the innocent.

The words "every person so convicted of treason" were omitted as redundant.

Minor change was made in phraseology.

Canal Zone

Applicability of section to Canal Zone, see section 14 of this title.

FEDERAL RULES OF CRIMINAL PROCEDURE

Bail, see rule 46, Appendix to this title.

Indictment, see rule 7.

Stay of execution and relief pending review, see rule 38.

Trial jurors, peremptory challenges, see rule 24.

CROSS REFERENCES

Bail in capital cases, power to grant, see 28 U.S.C. 3141 of this title.

Counsel and assignments, 3005 of this title.

United States 539, 1003.

§ 2382. Misprison of treason

Whoever, owing allegiance to the United States and having knowledge of the commission of any treason against them, conceals and does not, as soon as may be, disclose and make known the same to the President or to some judge of the United States, or to the governor or to some judge or justice of a particular State, is guilty of misprision of treason and shall be fined not more than $1,000 or imprisoned not more than seven years, or both.


HISTORICAL AND REVISION NOTES


Mandatory punishment provision was rephrased in the alternative.

Canal Zone

Applicability of section to Canal Zone, see section 14 of this title.

CROSS REFERENCES

Federal retirement benefits, forfeiture upon conviction of offenses under this section, see section 8312 of Title 5, Government Organization and Employees.

Forfeiture of veterans' benefits upon conviction under this section, see section 3505 of Title 38, Veterans' Benefits.

Misprision of felony, see section 4 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 14 of this title: title 5 section 8312; title 38 section 3505; title 50 App. section 34.

§ 2383. Rebellion or insurrection

Whoever incites, sets on foot, assists, or engages in any rebellion or insurrection against the authority of the United States or the laws thereof, or gives aid or comfort thereto, shall be fined not more than $1,000 or imprisoned not more than ten years, or both; and shall be incapable of holding any office under the United States.


HISTORICAL AND REVISION NOTES


"Moreover" was deleted as surplusage and changes were made in phraseology.

Canal Zone

Applicability of section to Canal Zone, see section 14 of this title.

CROSS REFERENCES

Rebellion as officers or electors of persons engaged in insurrection or rebellion and reading the Constitution, see Const. Amend. 14, § 3.

Forfeiture benefits, forfeiture upon conviction of offenses under this section, see section 8312 of Title 5, Government Organization and Employees.

Forfeiture of veterans' benefits upon conviction under this section, see section 3505 of Title 38, Veterans' Benefits.

Officers aiding importation of books and articles containing matter advocating insurrection against the United States, see section 532 of this title.
CRIMES COMMITTED
BY THE LEGISLATURE
AGAINST THE
SOVEREIGNTY
OF THE
STATE

Perjury. In criminal law, the willful assertion as to a
matter of fact, opinion, belief, or knowledge, made by a
witness in a judicial or in any form allowed by law to be
substituted for an oath, whether such evidence is given
in open court, or in an affidavit, or otherwise, such
evidence is required by law to be sworn as to some
affiant material to the issue or point in question. Hen-
ty v. Doen, 310 N.C. 75, 310 S.E.2d 325, 335.

A person is guilty of perjury if in any official proceed-
ing he makes a false statement under oath or equival-
ent affirmation, or swears or affirms the truth of a state-
ment previously made, when the statement is material
and known to be false. A false statement is not to be
made in a proceeding in a court of competent jurisdic-
tion or concerning a matter within the same.

Misprision of felony. A word used to describe an offense which
does not possess a specific name. United States v.
Perstein, C.C.A.N.D., 126 F.2d 789, 793. But more par-
ticularly and properly the term denotes either: (1) a
contempt against the term, the courts, the properly
so-called, but also all forms of sedition or
disloyal conduct and zeal of the public, office, neglect or improper performance
of public duty, neglect or improper performance
of this duty, a citizen endeavoring to prevent the
commission, to fail to reveal it to the proper authorities.

Concealment of felony. See Misprision of felony.

Negative misprision. The concealment of something
which ought to be revealed, that is misprision in the
third of the specific meanings given above.

Positive misprision. The commission of something
which ought not to be done, that is misprision in the
first and second of the specific meanings given above.

No Man Is Above The Law

Misprision of treason. The bare knowledge and con-
scious conduct of an act of treason or treasonable plot by
without any attempt or participation therein, for if the
latter elements be present the party becomes a princi-

Misrepresentation. Any manifestation by words or oth-
er conduct by one person to another that, under the
circumstances, amounts to an assertion not in accord-
ance with the facts. An untrue statement of fact or an
incorrect or false representation. That which is accept-
ed and different from that which exists. Colloquially
it is understood to mean a statement made to deceive or
miscalculated.

As amounting to actual legal fraud consists of materi-
al representation of existing or past fact made
with knowledge of its falsity and with intention to
party to his detriment, resulting in reliance by that
v. Whale 60 N.J. 619, 432 A.2d 321, 324.

Misrepresentation. The false statement or guaranteeing of a matter of fact, made by one of the parties to
justify the representations in producing it. A "misrepresentation" includes a
false statement or guarantee of a substantive fact, or any conduct, belief or statement, unless otherwise.

Embezzlement

Embezzlement

Violations to the
Ralph M. Brown Act
No Man is above the Law

Fraudulent. Based on fraud, proceeding from or characterized by fraudulent intent or purpose.

Actual or constructive fraud. Fraud is either actual or constructive. Actual fraud consists in deceit, artifice, trick, design, or some deception, or in the intentional and successful performance of any act, which is contrary to good conscience and operates to the injury of another. Constructive fraud consists in any act or omission contrary to good conscience, and operates to the injury of another. As distinguished from negligence, it is always intentional. It is comprised of all omissions, and concealments involving a breach of a legal or equitable duty and resulting in damage to another. And includes anything calculated to deceive, whether it be a single act or combination of circumstances, whether the suppression of truth or the suggestion of what is false, whether it be by direct falsehood or by innuendo, by speech or by silence, by word of mouth, or by look or gesture. Fraud, as applied to contracts, is the cause of an error, being a material part of the contract, created or continued by artifice, with design to obtain some unjust advantage to the one party, or to cause an inconvenience or loss to the other.

Black's Law Dictionary"
2. Accessories.

§ 31. Principals
All persons concerned in the commission of a crime, whether it be felony or misdemeanor, and whether they directly commit the act constituting the offense, or aid and abet in its commission, or not being present, have advised and encouraged its commission, and all persons counseling, advising or encouraging children under the age of fourteen years, lunatics or idiots, to commit any crime, or who, by fraud, contrivance or force, occasion the drunkenness of another for the purpose of causing him to commit any crime, or who, by threats, menaces, command or coercion, compel another to commit any crime, are principals in any crime so committed.

§ 32. Accessories
Every person who, after a felony has been committed, harbors, conceals or aids a principal in such felony, with the intent that said principal may avoid or escape from arrest, trial, conviction or punishment, having knowledge that said principal has committed such felony or has been charged with such felony or convicted thereof, is an accessory to such felony.

§ 33. Punishment of Accessories
Except in cases where a different punishment is prescribed, an accessory is punishable by a fine not exceeding five thousand dollars ($5,000), or by imprisonment in the state prison, or in a county jail not exceeding one year, or by both such fine and imprisonment.

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**OFFENSES AGAINST STATE SOVEREIGNTY**

§ 37. Treason
(a) Treason against this state consists only in levying war against it, adhering to its enemies, or giving them aid and comfort, and can be committed only by persons owing allegiance to the state. The punishment of treason shall be death or life imprisonment without possibility of parole. The penalty shall be determined pursuant to Sections 190.3 and 190.4.

(b) Upon a trial for treason, the defendant cannot be convicted unless upon the testimony of two witnesses to the same overt act, or upon confession in open court; nor, except as provided in Sections 190.3 and 190.4, can evidence be admitted of an overt act not expressly charged in the indictment or information; nor can the defendant be convicted unless one or more overt acts be expressly alleged therein.

§ 38. Treason; Knowledge or Concealment
Misprision of treason is the knowledge and concealment of treason, without otherwise assenting to or participating in the crime. It is punishable by imprisonment in the state prison.

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**CRIMES BY OR AGAINST THE EXECUTIVE POWER**

§ 67. Bribery Executive Officer
Every person who gives or offers any bribe to any executive officer in this state, with intent to influence him in respect to any act, decision, vote, opinion, or other proceeding as such officer is punishable by imprisonment in the state prison for two, three or four years, and is disqualified from holding any office in this state.

§ 67.5. Bribery Ministerial Officer
(a) Every person who gives or offers as a bribe to any ministerial officer, employee, or appointee of the State of California, county or city therein, or political subdivision thereof, anything which he is the theft of which would be petty theft is guilty of a misdemeanor.

(b) If the theft of the thing given or offered would be grand theft the offense is a felony.
§ 2383. Rebellion or insurrection

Whoever incites, sets on foot, assists, or engages in any rebellion or insurrection against the authority of the United States or any of its laws thereof, or gives aid or comfort thereto, shall be fined not more than $10,000 or imprisoned not more than ten years, or both; and shall be incapable of holding any office under the United States.

(June 25, 1948, ch 645, § 1, 62 Stat. 808.)

§ 2384. Seditionary conspiracy

If two or more persons in any State or Territory, or in any place subject to the jurisdiction of the United States, conspire to overthrow, put down, or to destroy by force the Government of the United States, or to levy war against them, or to oppose by force the authority thereof, or by force to prevent, hinder, or delay the execution of any law of the United States, or by force to seize, take, or possess any property of the United States contrary to the authority thereof, they shall each be fined not more than $20,000 or imprisoned not more than twenty years, or both.

(25 June 1948, ch 645, § 1, 62 Stat. 808; July 24, 1956, ch 678, § 1, 70 Stat. 623.)
BIG BROTHER, WE WON’T TAKE IT ANYMORE

Senator Richard Mountjoy (R-Arcadia) has introduced legislation which will benefit the people of California and end federal meddling in issues which were constitutionally a matter reserved to the states by our forefathers.

According to Senator Mountjoy, the federal government is requiring the state to implement federal mandates by threatening to withhold federal dollars if California does not comply with their edicts.

"The federal government has blackmailed the state into implementing a multitude of federal mandates which the people of our state do not want. We do not like federally required Smog Check II, reformulated gas, or intrusions into our schools. We resent federal orders on how fast we can drive and federal rules which require Californians to pay to feed, house, clothe, and medically care for illegal aliens," Senator Mountjoy said.

Senate Bill 1178, the State Sovereignty and Federal Tax Funds Act, establishes an escrow account in the California State Treasury in which all federal tax moneys collected in California from both individuals and businesses will be deposited. On a quarterly basis that money will be transferred to the federal government; however, the Legislature, with a majority vote, will be able to withhold money from the federal government if they mandate programs which exceed federal constitutional authority.

"Under the provisions of the Tenth Amendment, the federal government does not have constitutional authority to compel states to enact or administer federal regulatory programs," Senator Mountjoy stated.

Senator Mountjoy pointed out that our forefathers were careful to reserve most of the governing powers to the states, and gave the federal government very limited powers.

In 1781, Thomas Jefferson said, "Can the liberties of a nation be thought secure when we have removed their only firm basis?"

"The rock and firm basis of our nation is our Constitution. Our liberties will only be secure if we are vigilant and assure that its provisions continue to be adhered to as our forefathers intended," Senator Mountjoy remarked.

"For years, the federal government has leveraged our state to implement their bureaucratic rules by threatening to take away our highway funds. The people of California pay more..."
millions of dollars in gasoline taxes at the pump to take care of our highways. This money belongs to Californians and it is appalling that we have let federal bureaucrats use the might of the federal government to bully us into complying with their onerous mandates,” Senator Mountjoy stated.

“The people of California are fed up with the federal government micro-managing the state. The federal government should be directing their efforts at sealing our borders from the illegal aliens, which is their job, instead of telling us how to run our state,” Senator Mountjoy said.

“We must as a state say, ‘Big Brother, we won’t take it anymore!’” Senator Mountjoy continued.

The escrow account established under SB 1178 would earn interest for the state. Similar legislation was unanimously approved by the Oklahoma House of Representatives in 1995, but stalled in their Senate. Oklahoma estimated that the interest earned from the short term escrow account would result in $100 million in additional revenue for their state. In California, with our larger tax base, the amount of interest would be far greater.

“California must do what is right for California. California must lead the nation in asserting our constitutional rights under the Tenth Amendment. In the process, we will make government more representative and responsive to the needs of the people and assure the longevity of our nation,” Senator Mountjoy concluded.

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The Constitution of the United States is a law for rulers and people, equally in war and peace and covers with the shield of its protection all classes of men, at all times, and under all circumstances. No doctrine, involving more pernicious consequences, was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of government. Such a doctrine leads directly to anarchy or despotism, but the theory of necessity upon which it is based is false, for the Government, within the Constitution, has all the powers granted to it, which are necessary to preserve its existence; as has been happily proved by the result of the great effort to throw off its just authority.

--David Davis (1815-1886)
U.S. Supreme Court Justice
Ex Parte Milligan, 4 Wallace 2 (1866).
SENATOR JOSEPH MCCARTHY'S
COMMUNIST CONTROL ACT OF 1954

Public Law 637 - 83d Congress
Chapter 886 - 2d Session
S. 3706

AN ACT

To outlaw the Communist Party, to prohibit members of Communist organiza-
tions from serving in certain representative capacities, and for other purposes.

Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled, That this Act may be
cited as the "Communist Control Act of 1954".

FINDINGS OF FACT

SEC. 2. The Congress hereby finds and declares that the Communist
Party of the United States, although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the Government of the United States. It constitutes an authoritarian dictatorship within a republic, demanding for itself the rights and privileges accorded to political parties, but denying to all others the liberties guaranteed by the Constitution. Unlike political parties, which evolve their policies and programs through public means, by the reconciliation of a wide variety of individual views, and submit those policies and programs to the electorate at large for approval or disapproval, the policies and programs of the Communist Party are secretly prescribed for it by the foreign leaders of the world Communist movement. Its members have no part in determining its goals, and are not permitted to voice dissent to party objectives. Unlike members of political parties, members of the Communist Party are recruited for indoctrination with respect to its objectives and methods, and are organized, instructed, and disciplined to carry into action slavishly the assignments given them by their hierarchical chieftains. Unlike political parties, the Communist Party recognizes no constitutional or statutory limitations upon its conduct or upon that of its members. The Communist Party is relatively small numerically, and gives scant indication of capacity ever to attain its ends by lawful political means. The peril inherent in its operation arises not from its numbers, but from its failure to acknowledge any limitation as to the nature of its activities, and its dedication to the proposition that the present constitutional Government of the United States ultimately must be brought to ruin by any available means, including resort to force and violence. Holding that doctrine, its role as the agency of a hostile foreign power renders its existence a clear present and continuing danger to the security of the United States. It is the means whereby individuals are seduced into the service of the world Communist movement, trained to do its bidding, and directed and controlled in the conspiratorial performance of their revolutionary services. Therefore, the Communist Party should be outlawed.

PROHIBITED ORGANIZATIONS

SEC. 3. The Communist Party of the United States, or any successors of such party regardless of the assumed name, whose object or purpose is to overthrow the Government of the United States, or the government of any State, Territory, District, or possession thereof, or the government of any political subdivision therein by force and violence, are not entitled to any of the rights, privileges, and immunities attendant upon legal bodies created under the jurisdiction of the laws of the United States or any political subdivision thereof; and whatever rights, privileges, and immunities which have heretofore been granted to said party or any subsidiary organization by reason of the laws of the United States or any political subdivision thereof, are hereby terminated: Provided, however, That nothing in this
section shall be construed as amending the Internal Security Act of 1950, as amended.

64 Stat. 987.
50 USC 781 note. Unlawful act.

(b) For the purposes of this section, the term "Communist Party" means the organization now known as the Communist Party of the United States of America, the Communist Party of any State or subdivision thereof, and any unit or subdivision of any such organization, whether or not any change is hereafter made in the name thereof.

Evidence for determination.

Sect. 5. In determining membership or participation in the Communist Party or any other organization defined in this Act, or knowledge of the purpose or objective of such party or organization, the jury, under instructions from the court, shall consider evidence, if presented, as to whether the accused person:

1. Has been listed to his knowledge as a member in any book or any of the lists, records, correspondence, or any other document of the organization;

2. Has made financial contribution to the organization in dues, assessments, loans, or in any other form;

3. Has made himself subject to the discipline of the organization in any form whatsoever;

4. Has executed orders, plans, or directives of any kind of the organization;

5. Has acted as an agent, courier, messenger, correspondent, organizer, or in any other capacity in behalf of the organization;

6. Has conferred with officers or other members of the organization in behalf of any plan or enterprise of the organization;

7. Has been accepted to his knowledge as an officer or member of the organization or as one to be called upon for services by other officers or members of the organization;

8. Has written, spoken or in any other way communicated by signal, semaphore, sign, or in any other form of communication orders, directives, or plans of the organization;

9. Has prepared documents, pamphlets, leaflets, books, or any other type of publication in behalf of the objectives and purposes of the organization;

10. Has mailed, shipped, circulated, distributed, delivered, or in any other way sent or delivered to others material or propaganda of any kind in behalf of the organization;

11. Has advised, counseled or in any other way imparted information, suggestions, recommendations to officers or members of the organization or to anyone else in behalf of the objectives of the organization;

12. Has indicated by word, action, conduct, writing or in any other way a willingness to carry out in any manner and to any degree the plans, designs, objectives, or purposes of the organization;

13. Has in any other way participated in the activities, planning, actions, objectives, or purposes of the organization;

14. The enumeration of the above subjects of evidence on membership or participation in the Communist Party or any other organization as above defined, shall not limit the inquiry into and
consideration of any other subject of evidence on membership and participation as herein stated.

SUBVERSIVE ACTIVITIES CONTROL ACT AMENDMENT

SEC. 6. Subsection 5 (a) (1) of the Subversive Activities Control Act of 1950 (50 U. S. C. 784) is amended by striking out the period at the end thereof and inserting in lieu thereof a semicolon and the following: "or

"(E) to hold office or employment with any labor organization, as that term is defined in section 2 (5) of the National Labor Relations Act, as amended (29 U. S. C. 152), or to represent any employer in any matter or proceeding arising or pending under that Act."

COMMUNIST-INFILTRATED ORGANIZATIONS

SEC. 7. (a) Section 3 of the Subversive Activities Control Act of 1950 (50 U. S. C. 782) is amended by inserting, immediately after paragraph (4) thereof, the following new paragraph:

"(4A) The term 'Communist-infiltrated organization' means any organization in the United States (other than a Communist-action organization or a Communist-front organization) which (A) is substantially directed, dominated, or controlled by an individual or individuals who are, or who within three years have been actively engaged in, giving aid or support to a Communist-action organization, a Communist foreign government, or the world Communist movement referred to in section 2 of this title, and (B) is serving, or within three years has served, as a means for (i) the giving of aid or support to any such organization, government, or movement, or (ii) the impairment of the military strength of the United States or its industrial capacity to furnish logistical or other material support required by its Armed Forces: Provided, however, That any labor organization which is an affiliate in good standing of a national federation or other labor organization whose policies and activities have been directed to opposing Communist organizations, any Communist foreign government, or the world Communist movement, shall be presumed prima facie not to be a 'Communist-infiltrated organization'."

(b) Paragraph (5) of such section is amended to read as follows:

"(5) The term 'Communist organization' means any Communist-action organization, Communist-front organization, or Communist-infiltrated organization."

(c) Subsections 3 (c) and 6 (c) of such Act are repealed.

Sec. 8. (a) Section 10 of such Act (50 U. S. C. 789) is amended by inserting, immediately after the words "final order of the Board requiring it to register under section 7", the words "or determining that it is a Communist-infiltrated organization."

(b) Subsections (a) and (b) of section 11 of such Act (50 U. S. C. 790) are amended by inserting immediately preceding the period at the end of each such subsection, the following: "or determining that it is a Communist-infiltrated organization."

Sec. 9. (a) Subsection 12 (e) of such Act (50 U. S. C. 791) is amended by—

(1) striking out the period at the end thereof and inserting in lieu thereof a semicolon and the word "and"; and

(2) inserting at the end thereof the following new paragraph:

"(3) upon any application made under subsection (a) or subsection (b) of section 13A of this title, to determine whether any organization is a Communist-infiltrated organization."
(b) The section caption to section 13 of such Act (50 U. S. C. 792) is amended to read as follows: "REGISTRATION PROCEEDINGS BEFORE THE BOARD".

Sec. 10. Such Act is amended by inserting, immediately after section 13 thereof, the following new section:

"PROCEEDINGS WITH RESPECT TO COMMUNIST-INFILTRATED ORGANIZATIONS"

"Sec. 13A. (a) Whenever the Attorney General has reason to believe that any organization is a Communist-infiltrated organization, he may file with the Board and serve upon such organization a petition for a determination that such organization is a Communist-infiltrated organization. In any proceeding so instituted, two or more affiliated organizations may be named as joint respondents. Whenever any such petition is accompanied by a certificate of the Attorney General to the effect that the proceeding so instituted is one of exceptional public importance, such proceeding shall be set for hearing at the earliest possible time and all proceedings therein before the Board or any court shall be expedited to the greatest practicable extent.

"(b) Any organization which has been determined under this section to be a Communist-infiltrated organization may, within six months after such determination, file with the Board and serve upon the Attorney General a petition for a determination that such organization no longer is a Communist-infiltrated organization.

"(c) Each such petition shall be verified under oath, and shall contain a statement of the facts relied upon in support thereof. Upon the filing of any such petition, the Board shall serve upon each party to such proceeding a notice specifying the time and place for hearing upon such petition. No such hearing shall be conducted within twenty days after the service of such notice.

"(d) The provisions of subsections (c) and (d) of section 13 shall apply to hearings conducted under this section, except that upon the failure of any organization named as a party in any petition filed by or duly served upon it pursuant to this section to appear at any hearing upon such petition, the Board may conduct such hearing in the absence of such organization and may enter such order under this section as the Board shall determine to be warranted by evidence presented at such hearing.

"(e) In determining whether any organization is a Communist-infiltrated organization, the Board shall consider—

"(1) to what extent, if any, the effective management of the affairs of such organization is conducted by one or more individuals who are, or within two years have been, (A) members, agents, or representatives of any Communist organization, and Communist foreign government, or the world Communist movement referred to in section 2 of this title, with knowledge of the nature and purpose thereof, or (B) engaged in giving aid or support to any such organization, government, or movement with knowledge of the nature and purpose thereof;

"(2) to what extent, if any, the policies of such organization are, or within three years have been, formulated and carried out pursuant to the direction or advice of any member, agent, or representative of any such organization, government, or movement;

"(3) to what extent, if any, the personnel and resources of such organization are, or within three years have been, used to further or promote the objectives of any such Communist organization, government, or movement;

Evidence for determination.

68 Stat. 776.
68 Stat. 779.
“(4) to what extent, if any, such organization within three
years has received from, or furnished to or for the use of, any
such Communist organization, government, or movement any
funds or other material assistance;
“(5) to what extent, if any, such organization is, or within three
years has been, affiliated in any way with any such Communist
organization, government, or movement;
“(6) to what extent, if any, the affiliation of such organization,
or of any individual or individuals who are members thereof or
who manage its affairs, with any such Communist organization,
government, or movement is concealed from or is not disclosed
to the membership of such organization; and
“(7) to what extent, if any, such organization or any of its mem-
bors or managers are, or within three years have been, knowingly
engaged—

(A) in any conduct punishable under section 4 or 15 of
this Act or under chapter 37, 105, or 115 of title 18 of the
United States Code; or

(B) with intent to impair the military strength of the
United States or its industrial capacity to furnish logistical
or other support required by its armed forces, in any activity
resulting in or contributing to any such impairment.

“(f) After hearing upon any petition filed under this section, the
Board shall (1) make a report in writing in which it shall state its
findings as to the facts and its conclusions with respect to the issues
presented by such petition; (2) enter its order granting or denying
the determination sought by such petition, and (3) serve upon each
party to the proceeding a copy of such order. Any order granting
any determination on the question whether any organization is a
Communist-infiltrated organization shall become final as provided
in section 14 (b) of this Act.

“(g) When any order has been entered by the Board under this sec-
tion with respect to any labor organization or employer (as these terms
are defined by section 2 of the National Labor Relations Act, as
amended, and which are organizations within the meaning of section 3
of the Subversive Activities Control Act of 1950), the Board shall
serve a true and correct copy of such order upon the National Labor
Relations Board and shall publish in the Federal Register a state-
ment of the substance of such order and its effective date.

“(h) When there is in effect a final order of the Board determin-
ing that any such labor organization is a Communist-action organi-
xation, a Communist-front organization, or a Communist-infiltrated organi-
zation, such labor organization shall be ineligible to—

(1) act as representative of any employee within the meaning
of the purposes of section 7 of the National Labor Relations
Act, as amended (29 U. S. C. 157);

(2) serve as an exclusive representative of employees of any
bargaining unit under section 9 of such Act, as amended (29
U. S. C. 159);

(3) make, or obtain any hearing upon, any charge under sec-
tion 10 of such Act (29 U. S. C. 160); or

(4) exercise any other right or privilege, or receive any other
benefit, substantive or procedural, provided by such Act for labor
organizations.

“(i) When an order of the Board determining that any such labor
organization is a Communist-infiltrated organization has become final,
such labor organization theretofore has been certified under the
National Labor Relations Act, as amended, as a representative of 29 USC 167.
employees in any bargaining unit—

62 Stat. 736, 797, 807.
“(1) a question of representation affecting commerce, within the meaning of section 9 (c) of such Act, shall be deemed to exist with respect to such bargaining unit; and
“(2) the National Labor Relations Board, upon petition of not less than 20 per centum of the employees in such bargaining unit or any person or persons acting in their behalf, shall under section 9 of such Act (notwithstanding any limitation of time contained therein) direct elections in such bargaining unit or any subdivision thereof (A) for the selection of a representative thereof for collective bargaining purposes, and (B) to determine whether the employees thereof desire to rescind any authority previously granted to such labor organization to enter into any agreement with their employer pursuant to section 8 (a) (3) (ii) of such Act.
“(j) When there is in effect a final order of the Board determining that any such employer is a Communist-infiltrated organization, such employer shall be ineligible to—
“(1) file any petition for an election under section 9 of the National Labor Relations Act, as amended (29 U. S. C. 157), or participate in any proceeding under such section; or
“(2) make or obtain any hearing upon any charge under section 10 of such Act (29 U. S. C. 160); or
“(3) exercise any other right or privilege or receive any other benefit, substantive or procedural, provided by such Act for employers.”

Sect. 11. Subsections (a) and (b) of section 14 of such Act (50 U. S. C. 793) are amended by inserting in each such subsection, immediately after the words “section 13”, a comma and the following: “or subsection (f) of section 13A,”.

Sect. 12. If any provision of this title or the application thereof to any person or circumstances is held invalid, the remainder of the title, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

Approved August 24, 1954, 9:40 a.m., M.S.T.
H.R. 3861

To terminate all participation by the United States in the United Nations, and to remove all privileges, exemptions, and immunities of the United Nations.

IN THE HOUSE OF REPRESENTATIVES

JUNE 9, 1981

Mr. MC DONALD introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To terminate all participation by the United States in the United Nations, and to remove all privileges, exemptions, and immunities of the United Nations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "United Nations Termination Act".

SEC. 2. (a) The President shall terminate all participation by the United States in the United Nations, and any organ, specialized agency, commission, or other formally affiliated body thereof.

(b) No funds may be appropriated for the United Nations, or any organ, specialized agency, commission, or other formally affiliated body thereof, except that funds may be appropriated to facilitate the immediate withdrawal of United States personnel and equipment from the United Nations, or any organ, specialized agency, commission, or other affiliated body thereof.

(c) After the date of enactment of this Act, the President shall make no payments to the United Nations, or any organ, specialized agency, commission, or other formally affiliated body thereof, out of any funds appropriated prior to such date or out of any other funds available for such purposes.

(d) The privileges, exemptions, and immunities provided for in the International Organizations Immunities Act (22 16 U.S.C. 288, 288a-f), or in any agreement or treaty to which the United States is a party, including the agreement entitled "Agreement Between the United Nations and the United States of America Regarding the Headquarters of the United Nations", signed July 26, 1947 (22 U.S.O. 287 note), and the Convention on Privileges and Immunities of the United Nations, entered into force with respect to the United States on April 29, 1970 (21 UST 1418; TIAS 6900; UNTS 16), shall not apply to the United Nations, or any organ, specialized agency, commission, or other formally affiliated body thereof, to the officers and employees of the United Nations, or any
organ, specialized agency, commission or other formally affiliated body thereof, or to the families, suites, or servants of such officers, or employees.


(b) The fifth paragraph of the first section of title I of the Act entitled "An Act making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1952, and for other purposes", approved October 22, 1951 (65 Stat. 576), relating to contributions to international organizations, is amended by striking out everything after "$30,297,861" and inserting in lieu thereof a period.

(c) The Act entitled "An Act to promote the foreign policy of the United States by authorizing a loan to the United Nations and the appropriation of funds therefor", approved October 2, 1961 (22 U.S.C. 287g-287j), is amended by repealing existing section and inserting in lieu thereof the following new section 3:

"SEC. 3. Nothing in the United Nations Termination Act shall be construed to affect in any way the obligation of the United Nations to make payments to the United States on the loan made with the United Nations by the President under the first section of this Act."

(d) The joint resolution entitled "Joint Resolution providing for membership and participation by the United States in the United Nations Educational, Scientific, and Cultural Organization, and authorizing an appropriation therefor", approved July 30, 1946 (22 U.S.C. 287m-287n), is repealed.

(e) The joint resolution entitled "Joint Resolution providing for membership and participation by the United States in the World Health Organization and authorizing an appropriation therefor", approved July 14, 1948 (22 U.S.C. 290, 290a-e-1), is repealed.


(g)(l) Section 301 of the Foreign Assistance Act of 1961 (22 U.S.C. 2221) is amended—

(A) in subsection (a) by inserting "(except for the United Nations, or any organ, specialized agency, commission, or other formally affiliated body thereof)" immediately after "international organizations"; and

(B) by repealing subsections (b), (c), (e)(l), and (g), and redesignating subsections (d), (e)(2), and (e)(3) as subsections (b), (c)(l), and (c)(2), respectively.

(2) Section 305 of such Act (22 U.S.C. 2225) is amended—

(A) by striking out "the International Bank for Reconstruction and Development."; and

(B) by striking out "the International Monetary Fund, the United Nations,".

SEC. 4. Nothing in this Act shall be construed to affect the rights of employees under subchapter IV of chapter 35 of title 5, United States Code, relating to reemployment after service with an international organization.
American Sovereignty Restoration Act of 2005 (Introduced in House)

HR 1146 IH

109th CONGRESS
1st Session
H. R. 1146

To end membership of the United States in the United Nations.

IN THE HOUSE OF REPRESENTATIVES

March 8, 2005

Mr. PAUL introduced the following bill; which was referred to the Committee on International Relations

A BILL

To end membership of the United States in the United Nations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'American Sovereignty Restoration Act of 2005'.

SEC. 2. REPEAL OF UNITED NATIONS PARTICIPATION ACT.

(a) Repeal- The United Nations Participation Act of 1945 (Public Law 79-264; 22 U.S.C. 287 et seq.) is repealed.
(b) Termination of Participation in United Nations- The President shall terminate all participation by the United States in the United Nations, and any organ, specialized agency, commission, or other formally affiliated body of the United Nations.
(c) Closure of United States Mission to United Nations- The United States Mission to the United Nations is closed. Any remaining functions of such office shall not be carried out.

SEC. 3. REPEAL OF UNITED NATIONS HEADQUARTERS AGREEMENT ACT.

(a) Repeal- The United Nations Headquarters Agreement Act (Public Law 80-357) is repealed.
(b) Withdrawal- The United States withdraws from the agreement between the United States of America and the United Nations regarding the headquarters of the United Nations (signed at Lake Success, New York, on June 26, 1947, which was brought into effect by the United Nations Headquarters Agreement Act).

SEC. 4. UNITED STATES ASSESSED AND VOLUNTARY CONTRIBUTIONS TO THE UNITED NATIONS.
(a) Termination- No funds are authorized to be appropriated or otherwise made available for assessed or voluntary contributions of the United States to the United Nations or any organ, specialized agency, commission or other formally affiliated body thereof, except that funds may be appropriated to facilitate withdrawal of United States personnel and equipment. Upon termination of United States membership, no payments shall be made to the United Nations or any organ, specialized agency, commission or other formally affiliated body thereof, out of any funds appropriated prior to such termination or out of any other funds available for such purposes.

(b) Application- The provisions of this section shall apply to all agencies of the United Nations, including independent or voluntary agencies.

SEC. 5. UNITED NATIONS PEACEKEEPING OPERATIONS.

(a) Termination- No funds are authorized to be appropriated or otherwise made available for any United States contribution to any United Nations military operation.

(b) Terminations of United States Participation in United Nations Peacekeeping Operations- No funds may be obligated or expended to support the participation of any member of the Armed Forces of the United States as part of any United Nations military or peacekeeping operation or force. No member of the Armed Forces of the United States may serve under the command of the United Nations.

SEC. 6. WITHDRAWAL OF UNITED NATIONS PRESENCE IN FACILITIES OF THE GOVERNMENT OF THE UNITED STATES AND REPEAL OF DIPLOMATIC IMMUNITY.

(a) Withdrawal From United States Government Property- The United Nations (including any affiliated agency of the United Nations) shall not occupy or use any property or facility of the United States Government.

(b) Diplomatic Immunity- No officer or employee of the United Nations or any representative, officer, or employee of any mission to the United Nations of any foreign government shall be entitled to enjoy the privileges and immunities of the Vienna Convention on Diplomatic Relations of April 18, 1961, nor may any such privileges and immunities be extended to any such individual. The privileges, exemptions and immunities provided for in the International Organizations Immunities Act of December 29, 1945 (59 Stat. 669; 22 U.S.C. 288, 288a-f), or in any agreement or treaty to which the United States is a party, including the agreement entitled 'Agreement Between the United Nations and the United States of America Regarding the Headquarters of the United Nations', signed June 26, 1947 (22 U.S.C. 287), and the Convention on Privileges and Immunities of the United Nations, entered into force with respect to the United States on April 29, 1970 (21 UST 1418; TIAS 6900; UNTS 16), shall not apply to the United Nations or any organ, specialized agency, commission or other formally affiliated body thereof, to the officers and employees of the United Nations, or any organ, specialized agency, commission or other formally affiliated body thereof, or to the families, suits or servants of such officers or employees.

SEC. 7. REPEAL OF UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION ACT.


SEC. 9. REPEAL OF UNITED STATES PARTICIPATION IN THE WORLD HEALTH ORGANIZATION.

The joint resolution entitled "Joint Resolution providing for membership and participation by the United States in the World Health Organization and authorizing an appropriation therefor," approved June 14, 1948 (22 U.S.C. 290, 290a-e-1) is repealed.

SEC. 10. REPEAL OF INVOLVEMENT IN UNITED NATIONS CONVENTIONS AND AGREEMENTS.

As of the date of the enactment of this Act, the United States will end any and all participation in any and all conventions and agreements with the United Nations and any organ, specialized agency, commission, or other formally affiliated body of the United Nations. Any remaining functions of such conventions and agreements shall not be carried out.

SEC. 11. REEMPLOYMENT WITH UNITED STATES GOVERNMENT AFTER SERVICE WITH AN INTERNATIONAL ORGANIZATION.

Nothing in this Act shall be construed to affect the rights of employees under subchapter IV of chapter 35 of title 5, United States Code, relating to reemployment after service with an international organization.

SEC. 12. NOTIFICATION.

Effective on the date of the enactment of this Act, the Secretary of State shall notify the United Nations and any organ, specialized agency, commission, or other formally affiliated body of the United Nations of the provisions of this Act.

SEC. 13. EFFECTIVE DATE.

Except as otherwise provided, this Act and the amendments made by this Act shall take effect 2 years after the date of the enactment of this Act.
Over the years we have had the opportunity to interview Ron Paul many times and in light of the recent runaway success and resonance of his presidential campaign, we decided to compile the Texas Congressman's best quotes on subjects ranging from martial law to the plunging dollar to foreign policy.

RON PAUL ON THE POLICE STATE & MARTIAL LAW

"If we don't change our ways we will go the way of Rome and I see that as rather sad.....the worst things happen when you get the so-called Republican conservatives in charge from Nixon on down, big government flourishes under Republicans."

"I think they're concerned about the remnant, the remnant of those individuals who don't buy into stuff and think that they should take care of themselves on their own, that they should have their own guns and their own provisions and they don't want to depend on the government at all and I think that is a threat to those who want to hold power. They don't want any resistance to their authoritarian rule."

"They're putting their back up against the wall and saying, if need be we're going to have martial law."

"We've heard all these statements by the President, by the administration, why they need more militarism at the federal government to keep people in check so nobody knows how this will turn out but I do know that the only thing we can do about it is try to alert the American people to what's going on so they can be prepared."

"It's getting close to it, it's called usurpation of power and it's done in many ways with Congress just going along because they're sound asleep and this certainly is an attack on our Constitution and on our freedoms."

"We might have to hope that our Supreme Court helps us out a little. The Court has been better than the executive branch and a heck of a lot better than the Congress, because we've given the President everything he's asked for and the President has been begging for all this authority, so immediately we have to hope that the courts will save us on some of these things. But once again ultimately its only when the people wake up and say they don't like this... sometimes the people wake up to late. Right now we don't have concentration camps, but like you have pointed out, the authority has been given so that concentration camps can come without Habeas Corpus.

"We have turned our own country into isolationists, diplomatically we don't talk to anybody, we have more enemies than we've ever had before and fewer allies, and at the same time our ability to defend this country is being diminished on a daily basis. We worry about borders, all around he world, we worry about borders in Korea, about borders around Iraq, and what do we do with our own borders? Here we don't do anything."
AMERICAN DECLARATION II
RESOLVES FOR THE
RESTORATION OF THE REPUBLIC

No. 1 - Resolved: None of the taxes or other funds received, held, or appropriated by the United States government, or any branch of the United States government, its agencies, or any affiliate thereto, including funds received from any private person, group, or foundation; and none of the taxes or other funds received, held, or appropriated by the government of a State, or any of its subdivisions, agencies, or any affiliate thereto, including funds received from any private person, group, or foundation, shall be expended to fund any person, group, political or non-political organization, national or international, directly or indirectly, which in any way advocates, promotes or engages in the continued installation, principle or doctrine of world government.

No. 2 - Resolved: No citizen of the United States is obligated to pay tax on any income, or sales transaction, or to contribute to any excise or other form of levy or taxation which can be used to benefit, promote or advance, directly or indirectly, the current implementation of world government.

No. 3 - Resolved: No person may receive a salary, nor continue to hold public office, on either the state or federal level of government who has taken an oath to support and defend the Constitution of the United States who exercises that trust to initiate or support any action that contributes to the installation, maintenance, or continuance of the world government; or who is not in keeping with the principles and limitations set for public officials by the lawful government of the United States: the original Constitution of the United States of America.

No. 4 - Resolved: No person may continue to hold a public office on either the state or federal level of government who has taken the required Constitutional Oath to support and defend the Constitution of the United States who uses that delegated power and trust to initiate or support actions that contribute to the desecration of the rights of the people under the 1791 Constitutional Bill of Rights.
TO PROHIBIT THE USE OF FEDERAL FUNDS TO CARRY OUT THE HIGHWAY PROJECT KNOWN AS THE ‘TRANS-TEXAS CORRIDOR’

H.R. 5191

110th Congress · 2nd Session

IN THE HOUSE OF REPRESENTATIVES

January 29, 2008

Mr. PAUL introduced the following bill; which was referred to the Committee on Transportation and Infrastructure.

A BILL

To prohibit the use of Federal funds to carry out the highway project known as the ‘Trans-Texas Corridor’.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

— SECTION 1 —

PROHIBITION ON USE OF FEDERAL FUNDS FOR TRANS-TEXAS CORRIDOR PROJECT

No Federal funds appropriated or made available before, on, or after the date of enactment of this Act may be used by a unit of Federal, State, or local government to carry out the highway project known as the ‘Trans-Texas Corridor’.
SUGGESTED STATE LEGISLATION
RELATIVE TO THE FEDERAL REGIONAL SYSTEM

Digest

REGIONALISM OF GOVERNMENTS. This measure would request the President and Congress to rescind all executive orders concerning the establishment of or funding of regional sub-state and multi-state regional divisions, including economic regions, all of which have not been authorized by a vote of the people. The federal regional system is in violation of the Check and Balance System, the principle of the distribution of powers, and the 10th Amendment of the United States Constitution. This measure also restricts the tendency towards further inroads of international world government.

WHEREAS, the States, within the United States, have been divided into Ten Standard Federal Regions, forced into sub-state regional divisions, and forced to adopt federal mandated programs, encouraged by the promise of federal dollars, or the threat of withholding and withdrawal of federal dollars; and

WHEREAS, the governing board of each of the Ten Standard Federal Regions are composed of appointed officials, selected by the appointed heads of selected federal agencies; and

WHEREAS, the federal government mandates the states to comply with federal programs in a manner consistent with overall federal policy; and

WHEREAS, there is no provision for the states to approve or deny the mandated federal policy or programs; and

WHEREAS, federally mandated regionalization results in an undesirable centralization of power at the federal level, overrides the authority of State and local governments, violates the Check and Balance System, the principle of the distribution of powers, and the 10th Amendment of the United States Constitution dealing with State rights; now, therefore, be it

RESOLVED BY THE SENATE AND THE ASSEMBLY OF THE State of ______________________ jointly, that the Legislature of the State of ______________________ respectfully memorializes the President and the Congress of the United States to rescind the Federal Regional System and restrict the tendency toward further federally imposed regionalization; and be it further

RESOLVED, that the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States; to the Speaker of the House of Representatives; and to each Senator and Representative from the State of ______________________ in the Congress of the United States.
REPORT OF THE

JOINT COMMITTEE ON REGIONAL GOVERNMENT

Submitted To
The Illinois General Assembly
And
Governor James R. Thompson

February 1979
1994 Update
To the Illinois Report

This report passed out of the two houses in the state of Illinois. Unfortunately, however, the governor, James R. Thompson, vetoed the report and it never became an official state enactment.

Since that time, the federal government has advanced the regional system so that the federal government works directly with the states. All power has been dangerously consolidated on the federal level.

The word "regional" is synonymous with the word "international". The United States is being prepared for international management under a unified world-wide military command and control system run by the United Nations.

Bernadine Smith
GENERAL ASSEMBLY
STATE OF ILLINOIS
HOUSE OF REPRESENTATIVES
JOINT COMMITTEE ON REGIONAL GOVERNMENT
2033 Stratton Building
Springfield, Ill. 62706

February, 1979

TO: The Honorable Members of the
Illinois General Assembly

I wish to express my gratitude to those Committee members and witnesses who gave so generously of their time, talents and energies to make this study possible. We are especially indebted to the hundreds of citizens who travelled from all parts of the state and country to share their concerns about regional governance with the Committee. We appreciate also the public officials who appeared to present their views and testimony.

This study was the direct result of a broad-based concern on behalf of those citizens who view with increasing alarm what they consider to be the dangers of federal regionalism to the sovereignty of state government, and to the integrity of our Constitutional Republic. Adding impetus were state, county and local officials, distressed by what they believe to be federal usurpation of local government's constitutional powers and prerogatives.

The responsibility has been an awesome one. Indeed, the work of this Committee, and future efforts of similar purpose, may well be of a significance which outstrips even our own current assessments.

It is my devout hope that this Committee, now concluding its work, will have discharged its full responsibility, pursuant to HJR 8, to the people of the State of Illinois and to the members of the Illinois General Assembly.

Again, I thank all of those who have shared in the completion of this arduous and complex task.

Sincerely,

George Ray Hudson
Chairman
This report has been approved by the following members of the Joint Committee on Regional Government:

Rep. George Ray Hudson, Chairman
Sen. Karl Berning
Rep. Charles M. Campbell
Sen. John E. Grotberg
Rep. Henry J. Klosak
Rep. Joe E. Lucco
Sen. James H. Rupp

The following members of the Joint Committee on Regional Government do not approve this report:

Sen. Howard W. Carroll, Vice Chairman
Sen. Richard S. Clewis
Sen. Richard Guidice
Rep. Lawrence Murphy
PREFACE

The Joint Committee on Regional Government was formed in 1977 by a vote of both Houses of the Illinois General Assembly. House Joint Resolution 8 (See Appendix A) created the bi-partisan Committee and gave the six Senators and six Representatives who composed the Committee the responsibility of investigating regional government as it affects the State of Illinois.

During 1978, the Committee held three public hearings on the subject of "regional government" in the cities of Springfield, Chicago and Edwardsville. In those hearings, dozens of witnesses appeared before the Committee to present testimony. Among those who testified were local government officials, officials associated with regional planning agencies, Federal and State government officials, members of private organizations and private citizens. As a result of the hearings and the interest and participation of many people, hundreds of pages of written and oral testimony and a mass of articles, pamphlets and books were collected and considered by the Committee and its staff. All of this information has been turned over to the Illinois State Library in Springfield, where it may be examined by the public.

As with any complex subject, it was not an easy task for the Committee to wade through the mass of information it gathered and reach a consensus on the subject of "regionalism". The Committee realizes that its findings will undoubtedly be objected to by persons on both sides of the issue as either being too
critical or not critical enough. Yet, the purpose and function of the Committee was not to issue a report which would please any one faction, but rather to make an independent, critical study of the subject and to reach its own conclusions. The Committee intentionally took a critical approach in its study because the tone of the creating resolution calls for it, and because the Committee found that the trend toward regionalism has escaped serious examination by any legislative body of the State of Illinois.

With the issuance of this report, the work of the Committee on Regional Government is concluded. The Committee has fulfilled its legislated mandate to act as a special investigating committee of the Illinois General Assembly. It is from its authority as representatives of the people, and as the governmental body which has oversight responsibilities into the actions of State and local government units that the General Assembly empowered the Joint Committee to undertake its study and to issue this report.

The following composed the Committee and its staff:

Representative George Ray Hudson, Chairman
Senator Howard W. Carroll, Vice Chairman
Senator Karl Berning
Representative Charles M. Campbell
Senator Richard S. Clewis
Senator John E. Grotberg
Senator Richard Guidice
Representative Richard F. Kelly, Jr.
Representative Henry J. Klosak
Representative Joe E. Lucco
Representative Lawrence Murphy
Senator James H. Rupp

Don Etchison, Staff writer and assistant
Barbara Brey, Committee secretary and clerk
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INTRODUCTION TO REGIONALISM

What is Regionalism?

A precise definition of "regionalism" is not easy to give, for it is a general term which is defined in different ways by different people. This fact was very apparent in the Committee hearings where the Committee members heard a wide range of definitions of "regionalism". At one end of the spectrum were those adamantly opposed to regionalism, who described it as a Communist conspiracy designed to abolish traditional constitutional units of American government and replace them with regional governments. Opposite of this definition were those strong proponents of regionalism who viewed it as a progressive way of assisting and modernizing local and State governments. Besides this great disparity in how supporters and opponents view regionalism, the task of objectively defining the meaning of the word is further complicated because there are several levels of government at which regionalism is practiced in the United States, and a great variety in the announced purposes and structures of the existing regional units.

Without embracing either of the opposing definitions mentioned above, for the purposes of this report the term "regionalism" generally refers to the existing regional agencies, regional units or structures which have been established by the federal government, the States and local governmental units. Such regional entities may be units of government, quasi-governments, areawide planning agencies, or administrative units of the Federal and State governments. In addition to this practical description of what
"regionalism" is, as used in this report "regionalism" may also refer to the concept of "regionalizing" or "regionalization". When used in this manner, "regionalism" pertains to the ideal or body of thought, developed and promoted by the federal government, which is concerned with the consolidation, merger or establishment of multi-state, multi-county and multi-local governmental units; i.e., "regional governance".

Federal Involvement in Regionalism

The establishment and functioning of regional organizations are not altogether new. In the United States, regional planning for metropolitan areas has its origins as far back as the 1920's. However, it has only been in the last two decades that regional organizations have begun to appear in increasing numbers throughout the United States. This trend toward regional government has been enthusiastically promoted and mandated by the federal government.

The federal government has been involved in regionalization of government at all levels. It has mandated the establishment of regional organizations through a variety of federal aid programs, regulations and requirements. For instance, between the mid-1960's and 1977, federal programs requiring state and local governments to institute an areawide (regional) approach to administration, planning and development grew from only a few to thirty-three. (Appendix B is a list of such federal programs.) The federal promotion of regional organizations is freely acknowledged by federal officials. In his written testimony, Robert
Merriam, former Chairman of the Federal Advisory Commission on Intergovernmental Relations, specifically told the Committee that the federal government "undoubtedly" has been the "main force" in establishing the nationwide network of the some 2000 substate regional planning and development organizations which presently exist in the United States.¹

Federal Regional Councils: Multi-State Regionalism

By means of an executive order, in 1969 President Nixon created ten Federal Regions. These regional units of the federal government were created by grouping several states together to form a multi-state region, with the consequence that the 50 States have now been divided into ten Federal Regions. (Appendix C shows the regions.) Illinois was grouped along with Indiana, Ohio, Wisconsin and Michigan into Federal Region V. The headquarters, or "capital", of this region is Chicago.

Governing these ten multi-state regions are ten Federal Regional Councils, each to be composed of regional representatives of the major federal agencies; i.e., Departments of Transportation and Labor, Environmental Protection Agency, etc. Under the Nixonian policy of "new federalism", these regional offices are given the authority to approve grants and make policy decisions. The announced purpose of transferring authority to the regional councils was to "decentralize" federal decision-making and program administration.

Although their purpose and usefulness have been subjected to

¹Robert E. Merriam, written testimony to the Joint Committee on Regional Government, July 10, 1978.
questioning since their inception, the Federal Regional Councils continue to exist after ten years. Upon taking office in January, 1977, President Carter had an assessment of the Federal Regional Councils made. While the results of that study suggested that there was a need for some form of regional "presence", the duties and purposes of the Federal Councils were still seen to be vague and ill-defined. Nevertheless, the Councils were given an additional "probationary" year in which to prove themselves. Yet, a few of the Secretaries of federal agencies, not waiting for a final decision to be made on the status of the Federal Regional Councils, decided to terminate the offices of their regional representatives. Among those who chose this course of action were the Secretaries of HEW, HUD and Labor.\footnote{Intergovernmental Perspectives, Advisory Commission on Intergovernmental Relations, Winter 1978, Vol. 4, No. 1, p. 6.} At the end of the "trial" period in the Fall of 1978, the Carter Administration once again reviewed the performance of the Federal Regional Councils, and concluded that they should not be abolished. Consequently, the Councils were given another extension of up to one year.\footnote{Correspondence from Loren A. Wittner, Chairperson, Federal Regional Council V to Don Etchison, Committee Staff, September 19, 1978; Telephone conversation between Mr. Horwitz, Staff Director of the Federal Regional Council V and Don Etchison, November 27, 1978.}

During its hearings, this Committee on Regional Government heard much criticism of the Federal Regional Councils. Members of a private organization called the Committee to Restore the Constitution vehemently objected to the very existence of the Federal Regional Councils. In claiming that the Federal Councils
are illegal and unconstitutional, members of the Committee to Restore the Constitution cited Article IV, Section 3 of the United States Constitution, which says that a "State" is not to be formed by the "Junction of two or more States" without the consent of the Legislatures of the States concerned and the Congress. Although the Federal Government has denied the allegation, the Committee to Restore the Constitution has charged that the ultimate plan of the Federal Government is to abolish the States and replace them with regional governments which will be controlled by appointed officials. This is what the Committee to Restore the Constitution calls the "Quiet Revolution". 4

Regionalism in Illinois: State Districting

In Illinois, regional units or districts have long been utilized by State agencies and departments for administrative purposes. During the early 1960's, an effort was made to have the various departments establish a unified framework of regional units for administering programs and delivering services. Yet, that initiative failed, and over a period of years, each agency developed its own separate regions or districts. As a result of the independent action of each State agency, by 1970 there existed a wide variety of regional units with each having different boundaries.

4The position of the Committee to Restore the Constitution can be found in the transcripts of the following testimonies: David Horton, Springfield, April 11, 1978; Archibald Roberts, Chicago, July 10, 1978; Adeline Dropka, Edwardsville, September 26, 1978.
In response to Federal requirements promoting substate
districting, and as a result of the hodgepodge or overlapping and
uncoordinated array of regional administrative units of the State,
in 1970 Governor Ogilvie created a special Task Force on Regionali-
zation to study the possibility of establishing uniform State
regions and to make recommendations for achieving that goal. The
report which was completed and given to the Governor in January,
1971, suggested that a system of two levels or "tiers" of regions
be established in Illinois, with the "first tier" being composed
of five to seven large multi-county regions. Those regions would
be used by State agencies for their own administrative purposes.
The "second tier" was to be composed of smaller multi-county regions
which would coordinate the activities of the State and local govern-
ments in dealing with the Federal Government and its assistance
programs.\(^5\)

On June 22, 1971, Governor Ogilvie followed the recommendation
of the Task Force and through an Executive Order created the "first
tier" of regions, and directed each State Agency under his control
to adopt the designated boundaries. This, however, was as far as
the Ogilvie administration proceeded in implementing the recommend-
ations of the Task Force, for in the Fall of 1972, Ogilvie was
defeated in his bid for a second term by Dan Walker.

Under the Walker administration, efforts were made to establish
the "second tier" of regional districts. Frank Kirk, appointed by
Walker as the Director of the Department of Local Government Affairs,

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\(^5\)"A Regionalization Program for Illinois," Office of the Governor,
was the driving force behind this movement. Soon after Kirk became the Director, the Department of Local Government Affairs began working on a comprehensive regionalization plan for the State. By early 1974, a tentative proposal for establishing the "second tier" of regions had been developed. That plan suggested that the State be divided into 19 multi-county districts. In the Spring of 1974, a series of 17 public hearings were held throughout the State in order to expose the plan to the public and to obtain public reaction to it. As one would expect, the view of the public was quite varied, ranging from a positive reaction to negative. The proposal had trouble in areas of the State which were not then involved in areawide planning activities, but it did better in those parts of the State which were involved in areawide planning.  

Although State officials involved in the project stressed that there was no intention of using the proposed districting system to promote the formulation of "new regional agencies" or "regional government structure", critics of the plan expressed concern over the eventual loss of local governmental control to the proposed regional districts or "super-counties", as some called them. Those fears had been further increased by legislation proposed by the Association of Illinois Regional Planning Directors. Their plan called for the establishment of a Statewide

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network of new multi-county regions which would possibly super-
sede existing planning commissions.⁹

By the time the Department of Local Government Affairs' proposal was revised and completed, opposition to it had become substantial. The plan was opposed by numerous local government officials, the legislature and private citizens. In the General Assembly, the House and Senate passed Joint Resolution 62, which said:

We call upon the Governor of the State of Illinois, the Honorable Daniel Walker, and upon the Director of the Department of Local Government Affairs, the Honorable Frank A. Kirk, to defer any executive action which would alter the boundaries of any operational or planning district, area, region or other geographical subdivision of any state agency, other than normal individual alterations needed for reasons of economy or operating efficiency, until the General Assembly has had an opportunity to consider the proposals for substate districts which will so vitally affect the governments, and people within the legislative districts which the Members represent....¹⁰

Consequently, by late 1974, the attempt of the Executive Branch of the State to establish a set of unified substate regional districts was shelved. The passage of the Joint Resolution by the Legislature put the matter to rest. In addition to the defeat of the plan to create the "second tier" districts, by late 1974 it had also become apparent that the "first tier" of regional


districts had proven to be a failure and actually existed only on paper. While some of the State agencies had attempted to follow Governor Ogilvie's directive and adjust their activities to the established districts, many others recognized that those districts were simply too large and inflexible to be effectively utilized.¹¹

Since the failure of the Ogilvie and Walker attempt to create a statewide, two-tiered system of unified regional units, little if nothing has been done to change the existing system of substate regional units in Illinois. At the present, there are over fifty regional administrative units used by the agencies of the State. (Appendix D shows the region boundaries of five State agencies.)

Multi-County and Single-County Planning Commissions

Presently, there are seventeen multi-county and twenty-five single-county regional planning agencies or commissions in Illinois. All but a few of them are sanctioned under State law by provisions of The Regional Planning Enabling Act (Chapter 34, Section 300 of the Illinois Revised Statutes). That Act, which originated in 1929, gives the County Board of each county the authority to establish a single-county planning agency, or to jointly establish a multi-county planning agency with other neighboring counties. When organized, such commissions are authorized to employ a staff, make plans for the "development of the region",

¹¹Lee Ahlswede, County and Township Official, April, 1974, p. 21.
gather information and assist local governments within the region. Also, the agencies are given the responsibility of preparing zoning plans and building codes, and of submitting them to governing bodies for their approval. Such plans are only advisory, unless they are adopted by the elected officials of the unit of local government to which they are presented.

The number of members which are on a regional planning commission board and their method of appointment are determined by the county board officials. Generally, however, at least 60% of the board commissioners are officials who have been elected to other local offices within the region; i.e. mayors, county board members. A regional planning commission must have the local officials on its board if it is to be eligible to receive and use Federal funds.

Most substate regional planning commissions in Illinois are financed by a combination of local money, state grants and federal assistance. However, in many cases the amount of revenue deriving from state and local sources is small in comparison to the amount contributed by the federal government. While only a few of the single-county planning agencies in Illinois were 100% locally funded in 1977, most of the single-county agencies received a majority of their funds from federal agencies. As a group, the multi-county planning commissions had even a higher degree of dependency on federal funds than did the single-county planning commissions. In 1977, several of the multi-county planning commissions received over 70% of their money from the federal government.\footnote{Further information on the activities, composition of the board members, staffing and financing of regional planning commissions in Illinois can be found in Illinois Regional Planning Agency Directory, 1977, Illinois Department of Local Government Affairs.}
(Appendix E lists planning commissions in Illinois.)

Perhaps the most important function of many of the regional planning agencies in Illinois is to administer the A-95 Review and Comment process which the federal government requires before its agencies give financial assistance to local governments. The purpose of the A-95 program is to give the State, designated regional planning agencies and units of local government the chance to review and comment upon an application for federal aid which may affect them. In Illinois, the A-95 process is implemented by the Bureau of the Budget within the Executive Branch of the State. Certain regional planning agencies are designated by the Executive Branch as A-95 clearinghouses for the area in which they function. However, regional agencies in areas which qualify as metropolitan areas are automatically A-95 clearinghouses. For example, in the six-county Chicago area, the Northeastern Illinois Planning Commission is the A-95 clearinghouse.

When a regional planning agency is an A-95 clearinghouse, it has the authority to give positive or negative recommendations on applications for federal funds made by local governments under its jurisdiction. Although the recommendations the regional planning agencies make to the federal government are only supposed to be "advisory" in nature, they nevertheless are an important consideration in the decision of whether or not financial assistance is granted to the applicant. As testimony given to this Committee confirmed, some local government officials and private citizens
resent regional planning commissions having this power.\textsuperscript{13}

While criticized for their authority over local governments in the federal grant process, defenders of regional planning agencies pointed out during the hearings of this Committee that the professional staffs of those agencies are often instrumental in helping local governments obtain federal funds. This was said to be especially true in rural areas of the State where a single small local government does not have the resources or expertise to research and apply for federal funds.\textsuperscript{14}

The two most significant multi-county regional planning organizations in Illinois are located in the Chicago metropolitan area. They are the Northeastern Illinois Planning Commission and the Regional Transportation Authority. Both were created by special legislation and have somewhat different powers than most other regional agencies in the State. Although the Northeastern Illinois Regional Planning Commission has much the same powers and duties as other downstate planning commissions, the Regional Transportation Authority came into existence in 1975 when a majority of those voting approved of it in a referendum. Undoubtedly, both of these agencies are the most controversial regional organizations

\textsuperscript{13} Statement of Nicholas B. Blase, Mayor, Village of Niles, Chicago, July 10, 1978; Statement of Stephen E. Aradas, Director of McHenry County Regional Planning Commission in regard to the A-95 authority the Northeastern Illinois Planning Commission has over his Commission, Chicago, July 10, 1978.

\textsuperscript{14} Statement of Michael A. Steele, President, Greater Illinois Section, Illinois Chapter, American Institute of Planners, Edwardsville, September 26, 1978; Statement of Dale McLaren, Executive Director, Greater Wabash Regional Planning Commission, Edwardsville, September 26, 1978; Statement of Dr. Edward J. Goetzman, Mayor, City of Kewanee, Edwardsville, September 26, 1978; Fred Lloyd, Chairman, Southeastern Illinois Regional Planning and Development Commission, Edwardsville, September 26, 1978.
in the State. Although they are controversial for many reasons, a simple fact is that the decisions those agencies make affect millions of people in the Chicago area, and an unpopular action obviously creates a lot of criticism.

During the hearings, the members of the Committee heard a considerable amount of criticism directed toward those two organizations and the powers they possess over local governments within their jurisdiction. Although officials from both agencies contended that they merely carry out the duties and responsibilities the Legislature granted them,\(^{15}\) their opponents repeatedly stressed that those two regional organizations, and others like them, are run by appointed directors and staff members who are not subject to voter approval. Furthermore, critics objected to those organizations having any power over duly-elected local governments.\(^{16}\)

In other testimony presented to this Committee, some witnesses pointed out the questionable nature of having regional planning commission boards predominately composed of persons who become members by virtue of their having been elected to a specific local government position. The problem arises because the people who elected them did so to fill a specific post, and not to be a member of the board of a planning commission. This question concerns the transfer of authority and responsibility of an official who is


elected to represent and guard the interest of a specific locality, but whose power is spread to another position to which he was not elected. In their testimonies to this Committee, both Archibald Roberts and Paul A. Lenz, Mayor of Alton, stated that they did not believe this transfer of authority to be proper. 17

Finally, in regard to the duties, powers and functions given to regional planning agencies from the Federal and State governments, during the Committee hearings defenders of those agencies pointed out that those organizations are not and should not be thought of as "regional governments". Strictly speaking, they maintained that regional planning commissions are not "governments" per se because they do not have the power to tax, make laws or enforce them. Planning commissions, they contend, are merely voluntary associations of local governments which have been established to serve those governments, and their only purpose is to advise and make recommendations. Some of the officials involved in regional organizations stressed to the Committee that they are for "regional planning" and "regional cooperation", but are against "regional government". 18


While critics of regional planning commissions acknowledge these points, they maintain that the line of distinction in this matter is very thin. Regardless of whether or not the substate regional planning agencies are, in fact, "governments" in the strict sense does not actually matter to them. For the very existence and functioning of these regional units, supported primarily by Federal funds, operated by appointed people and having authority over traditional local governments, is what they oppose. Besides this, instead of aiding the local governments, opponents of regional planning agencies contend that the ultimate purpose of those agencies, as envisioned by the federal government, is to take over traditional units of local government, by-pass the state government and deal directly with the federal government. In short, in many cases, critics of regional planning agencies see those agencies not as units which serve local government, but as future replacements for those governments. Moreover, they see them to be agents of the federal government which are working for the restructuring of traditional local governments and bring the demise of the counties, townships and municipalities as they now exist.\footnote{Statement of Lee Ahlswede, County and Township Official, Springfield, April 11, 1978.}
THE VIEW OF THE COMMITTEE

After investigating and studying "regional government" in Illinois, the Committee concludes that there is a substantial body of evidence which indicates that by promoting regional planning agencies, the Federal Government has and is encroaching upon the traditional rights, powers and duties of the State of Illinois and its units of local government.

The Committee finds that this intrusion of the Federal Government into State and local affairs has not been accidental, but has been carried out as part of a deliberate policy to increase federal power at the expense of the states and local units of government. This conclusion is no subjective judgment, but is well-documented.

The trend toward "regionalism" is just one aspect of a larger trend of increased federal involvement in state and local matters. The growth of this "federalism" can be seen by the increase in the number of federal programs for state and local governments. For example, twenty years ago there were less than 100 Federal Aid programs for local and state governments. Those programs added up to 2.2 billion dollars, or 10.4 percent of all state and local government funds. By 1978, the number of federal grant, loan and subsidy programs had increased to over a thousand. Moreover, federal aid to state and local governments now amounts to more than 85 billion dollars, or 26.2 percent of their revenues.20 In Illinois alone, the total federal infusion of money in fiscal year

1976 was 15 billion dollars. Of that amount, slightly less than
3 billion went to the state and local governments.21

There is no doubt that the federal government has indeed
expanded its policymaking dominance through various laws,
regulations and programs. In a "carrot and stick" approach, the
laws and regulations promulgated by the Federal Government
represent the "stick", and the billions of dollars of available
funds represent the "carrot". In analyzing this approach, David
Walker, Assistant Director of the U. S. Advisory Commission on
Intergovernmental Relations, has said that the Congress is using
the flow of federal money as a leverage to obtain "a whole series
of national social and moral objectives".22

Likewise in regard to its promotion of regionalism, this
Committee believes the Federal Government is using money, laws,
programs, requirements and regulations to alter the structure of
local and state governments. The Committee found that the Federal
Government has used the "carrot and stick" approach to promote the
formulation of the substate regional districts in Illinois, as
well as other states. By offering to finance local projects
through federal assistance programs, the Federal Government has
induced many units of government to establish the required
regional structure to apply for and review grant applications
for federal funds. Thus, in many cases, for units of local
government to receive federal money, they must belong to

21"Federal Aid to Illinois State Agencies, FY 1976-77," Research
Memorandum 56 prepared by the Illinois Commission on Intergovern-
mental Cooperation, July 1977, p. 23.
regional planning commissions. Once they belong to a regional commission, all federal guidelines must be met in order to receive the federal funds, and it is the planning commissions who determine if the guidelines have been met. Within a short time, the units of local government become dependent upon the federal funds and are under pressure to meet all federal requirements continually, or else have the funding cut off.

It should be pointed out that this Committee is not against planning or areawide cooperation among governments in activities which are the result of local initiative and carried out by constitutional units of government with accountable elected officials making the decisions. However, the Committee is very much opposed to the method employed by the Federal Government which encourages and/or mandates the establishment of regional planning agencies, headed by appointed directors not directly accountable to the public and dependent upon federal funds for their existence. When this happens, these planning agencies, which supposedly exist to serve local governments, in effect, become agents of the Federal Government.

The Committee believes that the State Government and the local units of government in Illinois should become more aware of the increasing amount of intrusion of the Federal Government into state and local affairs via the vehicle of "regional government".

In several areas in the past, the Illinois General Assembly and the Governor have passed legislation establishing regional planning agencies in order that federal money could be accepted and utilized by such agencies. This Committee believes that the
General Assembly and the Governor must now start to consider seriously the long-range implications of such actions, and refuse to sanction the creation of any new regional agency as a conduit for federal funds to local governments.

The investigation of this Committee discovered that there is a definite movement toward "regional government" which has accelerated across the country during the last decade. The Federal Government has been and continues to be the prime instigator behind this trend. It is up to the elected officials of the state to start guarding the rights and sovereignty of the people of the State of Illinois against the Federal Government's usurping the State's sovereignty by continually expanding federal authority into areas traditionally belonging to local and state governments.

This Committee recognizes that from the numerous planning officials who took the time to tell us their side of the story, most of them are intelligent and competent professionals. Many of these people are well-meaning and, obviously, often give valuable assistance to the communities which they serve. Nonetheless, it appears to this Committee that they are, in widely varying degrees, being used as agents of the Federal Government.

The Committee understands that, in many instances, areawide planning is a necessary and beneficial action. In today's highly developed American society, political, economic and environmental problems often cross the boundaries of traditional political units which might necessitate areawide agreements to solve various problems. Yet, what this Committee rejects is the Federal Government's promoting the establishment of regional agencies. By
promoting a specific governmental structure for regional planning agencies, the Federal Government by-passes the State Government and deals directly with the regional planning agencies. Local units of government are supposed to be creatures of the State, not creatures of the Federal Government. This Committee views the establishment of regional planning agencies as governmental structures which usurp both the authority of the traditional governing units--the townships, cities, counties--and the state, while increasing the authority of the Federal Government to intervene in local affairs through the aforementioned planning agencies.

At the multi-state level of regionalism, the Committee is concerned about the establishment and continued existence of the ten Federal Regional Councils into which Illinois and the other forty-nine States have been divided. The reason given by the Federal Government for the establishment of the regional councils is to "decentralize" the administration of the Federal Government in order to be closer to the people. While this Committee notes this rationale, it seriously questions the utility, functioning and constitutionality of federal multi-state regional governance.

Evidence has shown that after ten years of existence, the purpose of the Federal Regional Councils is still ill-defined. The Committee contacted the Federal Regional Council V in Chicago three times to solicit testimony concerning its role and duties, but was refused each time. Thus, if the avowed purpose of the Federal Regional Council is to present federal policies and programs to state and local units of government, it seems to this
Committee that the Federal Council in Chicago has failed in this duty.

The Committee views the very existence of the Federal Regional Councils as threats to the sovereignty of the fifty States. The Federal Government denies that it has any intention of replacing the fifty States with the ten Federal Regional Councils. Yet, while the possibility of this happening may seem remote, it is not beyond the realm of possibility when viewed in the full light of day and the Federal Government's previous performance.

Regardless of conjecture, the fact remains that ten Federal Regional Councils do exist, that a new structure has been established providing for the merger of the fifty States into ten Federal Regional units of governance. Combining the fifty States into ten units, or into new "superstates", is expressly prohibited by Article IV of the United States Constitution, unless the consent of the Legislatures of the various States involved and the Congress grant such permission. Yet, while the States were combined into the ten Federal Regional units, neither Congress nor any of the States had a vote in the matter. Only by an Executive Order from the President were these regions established.

It is the view of this Committee that, if the State of Illinois or any other state is to be placed into a multi-state Federal Region, the Legislature of the State has the constitutional right and duty to approve or disapprove of such federal action. The elected Legislature of Illinois was not given that opportunity, and Illinois was placed into Federal Regional Council V through the solitary action of the Executive Branch of the Federal Government. Hence, the Committee's view is that the Federal Government's regional
councils are unconstitutional and must be abolished. For the

ten years of their existence, those Councils have not only been

a waste of taxpayers' money, but continue to threaten the sover-
eignty of the State of Illinois.

Finally, in concluding this report, the Joint Committee

would like to make two recommendations to the General Assembly.

First of all, the Committee recommends that legislation be intro-
duced in the 81st General Assembly, creating a special Joint
Committee on State Sovereignty. The purpose of such a Committee
would be to continue the work begun by this Committee, and to
examine all aspects of federal activities and programs as they
relate to the State of Illinois. Whereas this Committee was given
the responsibility of investigating "regionalism" by public
hearings and of reporting its findings to the General Assembly,
the Committee on State Sovereignty would be given the duties of
investigating and making specific recommendations on ways the
General Assembly can guard the sovereign rights, powers and duties
of the State of Illinois and its people.

In making such a recommendation, the Joint Committee would
like to point out that there are many agencies and commissions
which work to facilitate better relations between the State and
the Federal Government, but none to preserve and guard the
integrity of the State and local governments from encroachments
by the Federal Government.

Because this Committee is very much alarmed at the increasing
intrusion of the Federal Government into State and local affairs,
it also recommends that a Resolution be introduced in the General
Assembly which would express this concern to the Illinois
delegation in Congress. It is recommended that such a Resolution strongly emphasize that the General Assembly is concerned about the proliferation of "regional governments" and the role that the Federal Government has played in promoting them. Moreover, the Resolution would call on the Illinois delegation to introduce legislation at the federal level, abolishing the ten Federal Regional Councils. Such a Resolution would put the Illinois General Assembly on record as opposing the Federal Government's attempt to restructure State and local government through regionalization.
ILL. HOUSE PASSES HR8-INVESTIGATION BILL
REGIONAL GOVERNMENT
(Reprint: Chicago Tribune 4-13-77)

(EDITOR’S NOTE: In our last Crier we covered the resolution to investigate Regionalism in the state of Indiana. This month we are reprinting an article carried in the Chicago Tribune, 4-13-77. It covered an Illinois resolution to investigate regionalism, and mentions that similar resolutions have been set up in 6 other states.

We feel it is imperative that our legislatures seek similar actions here in Pennsylvania. The citizens of our state should demand it, and settle for nothing less.)

HINSDALE—With mounting frequency articles appear in the press concerning the explosive growth of federal legislation and executive orders mandating compliance with regional administrative regulations. With equal frequency, municipalities, townships, counties, school and sanitary districts, and citizen organizations are expressing alarm over their increasing loss of governmental control and policy-making decisions.

Sharing this broad-based concern, I, along with Rep. Charles M. Campbell (R., Danville) as co-sponsor, have introduced a resolution (HJR-8, subsequently passed the House 119-29), requesting the Illinois House, with Senate concurring, to establish a Joint Committee on Regional Government to investigate the regional government concept and its effect on traditional constitutional government in Illinois.

MOVE TO REGIONAL PLANNING IS LED BY
MINNEAPOLIS-ST. PAUL AGENCY

By ROBERT REINHOLD
(Special to The New York Times – 3-8-77)

(EDITOR’S NOTE: This reprint, from the New York Times 3-8-77 on the regional planning agency set up in the Minn.-St. Paul area speaks for itself. This type of governance by a select few will only cease when citizens have decided that they have had enough.

ST. PAUL—Nobody elected John Boland to his job, and few in the Twin Cities area really know who he is or quite what he does. But probably no one has as much say about the way two million residents of the Middle West metropolitan area will live, work and play for the next generation.

Already the 39-year-old Mr. Boland and an unusual agency he heads have halted plans for a subway and jetport for the Minneapolis-St. Paul area. And soon, under a pioneering law passed by the Minnesota Legislature, they will draw up a plan telling local officials and developers what can and cannot be done with every square foot of the 3,000 square miles in the seven counties that make up the Twin Cities’ metropolitan area.

The agency, the Metropolitan Council, is a powerful, unelected and somewhat resented shadow government, superimposed by the

Illinois will become the seventh state to request a full-dress examination of the controversial system of regional government which, when analyzed, subtly removes the control of government from the people and their elected representatives to a federal level of appointed officials.

Rep. George Ray Hudson

This is not a Republican vs. Democrat issue, nor is it a city vs. suburban or rural issue. The issue is constitutional government as our founding fathers intended vs. central, federal dictate.

George Ray Hudson
State representative, 41st District

The state over hundreds of municipalities. It is charged with containing helter-skelter suburban sprawl and with protecting the older suburbs and central cities from decay.

The council is at the forefront of a movement to bring metropolitan or regional influence to bear on such concerns as pollution, water supply, waste disposal, transportation and health care—problems that usually do not respect city boundaries.

In recent interviews, officials in two North American metropolitan areas that do have regional authorities, Minneapolis and Toronto, emphasized that the change had come about only because the state government imposed it on reluctant local officials, jealous of their prerogatives and powers. Mandatory regional cooperation would thus be all the more difficult to achieve in the New York City area, for example, which covers parts of three states.

But the deepening “urban crisis,” marked by tension between decaying inner cities and growing suburbs, has sharpened demands for reform. Congress has considered using revenue sharing as a lever to compel local cooperation, and President Carter has long been a proponent of the regional approach.

“...the more efficient and economical the government will be.”
—Thomas Jefferson
GOVERNMENT CODE SECTION
54950 (California’s "Brown Act")

The People have the right to instruct their representatives for the common good.

"The Legislature finds and declares that the public commissions, boards and councils and other public agencies in this State exist to aid in the conduct of the people's business.

It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly.

The people of this State do not yield THEIR SOVEREIGNTY to the agencies which serve them. The people in delegating authority, do not give their public servants the rights to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created."

"When government assumes undelegated powers, it's acts are void and of no force." — Thomas Jefferson
RESOLUTION No. 447-74

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

WHEREAS, the Board of Supervisors of El Dorado County has consistently upheld the principle of local elective government, elected by popular vote of the citizens involved; and

WHEREAS, essential to such elective procedures is an informed electorate, basing their decisions freely on accurate information, openly debated, and

WHEREAS, inherent in this process is the right of the citizens not to be misled, coerced, or otherwise inhibited in the free exercise of the elective franchise, and

WHEREAS, any effort to nullify these rights is in direct conflict with the intent of the Constitution of the United States and the State of California, and

WHEREAS, it has been brought to the attention of this Board that a report has been issued by the Institute for Local Self Government, asserting the authority of the Governor's Office, the Office of Intergovernment Management, and the Council on Intergovernmental Relations, which presents prima facie evidence of a deliberate, calculated attempt to mislead, coerce, and inhibit the rights of citizens to determine the need for, the desirability of, and the method to bring about changes in the structure of their local governments; and

WHEREAS, the "Summary of Conclusions" in this report states:

"There must be a CLIMATE FOR CHANGE in order for the restructuring of local government to occur, whether this restructuring involves drastic reform, reorganization, modernization, or a minor administrative realignment. While the following does not represent an exclusive list, the factors mentioned here are those which most often create such a climate:

a. COLLAPSE of government's ability to provide such needed services;
b. a CRISIS of major magnitude;
c. a CATASTROPHE that has a physical effect on the community;
d. the CORRUPTION of local officials;
e. the high COST of government and the desire for higher level of services."

(emphasis in the original); and

WHEREAS, it would appear from this document, which is entitled "The Politics of Change in Local Government Reform", that it was received by the Council on Intergovernmental Relations; and

WHEREAS, the techniques described in this report have apparently been used in San Diego County Government Reorganization, in the Consolidation of the Contra Costa Fire Department, and the current effort to consolidate Sacramento City and County; and
WHEREAS, the cited report actually states that LOCAL GOVERNMENT IS MEETING THE PROBLEMS OF TODAY, and that no pressure is building up to cause the citizens to wish the desired reforms, then recommends the use of "change agents" to DEVELOP a climate for change, using diversionary tactics to confuse and disorient the citizens, and to deceive them about the need for reform; and

WHEREAS, this Board of Supervisors is at a loss to understand any legitimate function served by such proposals as these;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of El Dorado, in the State of California, on this 17th day of September, 1974, that all persons by whom this present Resolution is received be informed that this Board herewith goes on record in strong opposition to any such attempt to deprive the citizens of the State of California, and particularly of El Dorado County, of their right to determine for themselves the forms and functions of their government, and

BE IT FURTHER RESOLVED that this Board notify the Governor of the State of California, the Institute for Local Self Government, the Office of Intergovernment Management, the Council on Intergovernmental Relations, the League of California Cities, the California Supervisors Association, and the Boards of Supervisors of the several counties of the State, that such political abuse as is disclosed in this document is intolerable, and

BE IT FURTHER RESOLVED that the Board of Supervisors of El Dorado County hereby calls on all responsible citizens and officials to be on guard against any such attempt to usurp their rights and privileges.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the 17th day of September, 1974, by the following vote of said Board:

Ayes: Franklin H. Lane, William V. D. Johnson, W. P. Walker, Raymond E. Laywer, Thomas L. Stewart
Kees: None
Absent: None

I CERTIFY THAT:
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

DATE

ATTEST: CARL A. KELLY, County Clerk and ex-officio Clerk of the Board of Supervisors
By: Deputy Clerk

Chairman, Board of Supervisors

I CERTIFY THAT:
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

DATE

ATTEST: CARL A. KELLY, County Clerk and ex-officio Clerk of the Board of Supervisors of the County of El Dorado, State of California.

By: Deputy Clerk
RESOLUTION  No. 487-73

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

WHEREAS, the El Dorado County Board of Supervisors is on record affirming support of the principle of local representative government, elected by popular vote of the citizens governed; and

WHEREAS, El Dorado County, through the use of existing methods and structures of government, has demonstrated that cooperation with neighboring counties and cities can solve mutual problems; and

WHEREAS, there is increasing evidence of a determined effort toward regional redistricting as a substitute for such cooperation, which effort does not originate at the local level, and appears to be developing into a direct attack on the autonomy of city and county government; and

WHEREAS, under the direction of the California Council on Intergovernmental Relations (an appointed body), the State has been divided into arbitrary multi-county regions, (substate regionals), presumably with appointed regional councils replacing authority previously and properly reserved to elected municipal and county officials; and

WHEREAS, these substate regionals are intended to become local agencies for the administration of state and federal programs, and will not represent the citizens in the local areas; and

WHEREAS, this movement is not confined to the State of California, but is taking place in other states as well, and all such substate regionals interlock with the division of the United States into Ten Standard Federal Regions, as mandated by the President in an Executive Order (EO #11647, 12 February 1972) which placed California with Nevada and Arizona in "Region Nine" without the knowledge or consent of the citizens; and

WHEREAS, it would appear that EO #11647 is in direct violation of Article IV, Sections 3 and 4 of the Constitution of the United States
and of the Tenth Amendment, as well as Article 1, Sections 2, 22, 23, and Article 3, Section 1 of the California Constitution as set forth below:

"CONSTITUTION OF UNITED STATES

Article IV

Section 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.

Section 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.

AMENDMENT[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.

CONSTITUTION OF CALIFORNIA

Article 1.

§2. Political power; purpose of government

Sec. 2. All political power is inherent in the people. Government is instituted for the protection, security and benefit of the people, and they have the right to alter or reform the same whenever the public good may require it.

§22. Mandatory and prohibitory provisions

Sec. 22. The provisions of this Constitution are mandatory and prohibitory, unless by express words they are declared to be otherwise.

§23. Rights reserved to people

Sec. 23. This enumeration of rights shall not be construed to impair or deny others retained by the people.

Article 3.

§1. Constitution of United States supreme law of land

Sec. 1. The State of California is an inseparable part of the United States of America, and the United States Constitution is the supreme law of the land."
WHEREAS, the evident goal of the regionalization of local, state and federal governments is centralization of power and authority, which rightfully and constitutionally belongs to these several governments; transference of custody of the public purse to appointed officials; and, usurpation of the rights and freedoms of the citizens which are guaranteed by the Constitution of the United States and the Constitutions of the several states, including the State of California,

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of El Dorado in the State of California, that the evidence in support of the above recitals is sufficiently strong to warrant immediate action; that fulfillment of their solemn oath of office to support and defend the Constitutions of the United States and of the State of California requires that this Board make known to all whom it may concern that, in the course of conducting the business of El Dorado County, matters have come to their attention which indicates the substance of the above to be true, and

1) that copies of this resolution be sent to the Boards of Supervisors of each and all of the several counties in the State of California, to the Sheriff of each county and to the County Supervisors Association of California.

2) that the Boards of Supervisors of the other counties be, and they are hereby requested to join with the El Dorado County Board in demanding of all persons responsible that no further action of any nature whatsoever be taken on any phase of this substate redistricting until such time as there can be a determination made of the desires and will of the several counties and their citizens with regard to its continuance.

3) that the El Dorado County Board of Supervisors invites suggestions from other counties as to methods of determining necessary procedures directed toward holding a joint investigation into this entire matter to provide opportunity for all persons having information and/or evidence of misrepresentation, fraud, conspiracy or sedition, or any other illegal activity connected with this movement of regionalization, to be heard.
4) that the El Dorado County Board urges other counties to use every means available to them to manifest the urgency of this matter and to inform their citizens of this concern; such means should include consideration of adoption of a resolution similar to this as evidence to those who represent their citizens at the state and federal levels of determination to insure that the solution to the problems which are the stated basis for this proposal is not a greater ill than the problem.

5) that copies of this resolution also be sent to State Senator Clare Berryhill, Assemblyman Eugene Chappie, the Hon. Ralph C. Dills, Chairman of the State Senate Governmental Organization Committee, the Hon. Newton R. Russell, Chairman of the State Assembly Government Administration Committee, the Hon. Leon D. Ralph, Chairman of the Assembly Governmental Organization Committee, Senator Milton Marks and Assemblyman John T. Knox, Chairman of the respective Local Government Committees, United States Senators Alan Cranston and John Tunney, Congressman Harold T. Johnson and the Governor and Lieutenant Governor of the State of California.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the 16th day of October, 1973, by the following vote of said Board:

Ayes: Franklin K. Lane, William V. D. Johnson, W. P. Walker, Raymond E. Lawyer

Noes: None

Absent: Thomas L. Stewart

By

[Signature]
Chairman, Board of Supervisors

[Table with dates and copies sent to]

[Signatures]
RESOLUTION

Section 1. WHEREAS:

(a) The inception of California counties in 1850 was in recognition of the need for divisions of government functioning at the level of the citizens served with policy-making officials selected by their fellow-citizens at the ballot-box and ready accessibility of government operations to the people; and

(b) In the first fifty years of California Statehood the state law gave to the counties practically all the functions of government that directly concerned the citizens and the local government system worked effectively to meet the needs of the people of this great State during the early years of its formative growth and on into the modern era with the flexibility to meet the changing needs of our citizens and the challenges of these times except as limited and eroded by State and Federal intrusions into responsibilities historically exercised by the division of local government closest to the people; and

(c) Despite the outstanding performance of county government over the years the myth has been circulated that government is best administered when it is farther removed from the citizens it serves and that policy-makin...
government administrators should be selected for the people rather than by the people and that they should administer governmental functions practically immune from effective accountability to the people; and

(d) These myths have been without support in fact but have permeated the thinking of those seeking greater centralizations of government power at eschelons so far removed from the people served as to be practically inaccessible and unresponsive to the local citizens, the latest manifestation of such unwanted government restructuring being the State and Federal imposition of more government by more remote boards, committees and commissions composed of more non-elected policy-making administrators armed with veto power over decisions made by locally-elected representatives of the people; and

(e) Not only is "regional government" inherently destructive to the effective functioning of the historic American system of representative government but it is without legal basis in our Federal and State Constitutions and conflicts with our traditional concepts of local control and accountability of our public servants; and

(f) The trend to "regionalism" in American government is stifling our citizens' traditional right and opportunity to directly participate in decision-making at the local level, is thwarting the citizens' right to know what government is deciding for him, is casting on our citizens burdens of financing services over which his elected representatives have no control, and is subverting the traditional American system of constitutional government by elected representation; and

(g) There can be no justification for such damage to our system in light of the recently published "Report of the (Governor's) Task Force on Local Government Reform" which examined the myths which have been advanced to justify the erosion of local government and said Task Force found in truth and fact that the myths are false and that instead of fomenting the dissipation of local control we should take action to preserve its concept and strengthen its authority and ability to fulfill its historic role as the level of government closest to our people and best able to respond to their need for those governmental services which can be provided with a minimum of interference in the lives and freedom of the people we serve; and
(h) The Governor's Task Force lays to rest the usual excuse advanced to justify regionalism by noting in its Report as follows:

"The proliferation of regional units (especially by the state and federal governments) prompted the Task Force to examine the citizens' need for regional decision-making systems. There is no evidence to support the contention that regional organizations would be more efficient or effective than existing local governments acting cooperatively. It is highly likely that regional governments will be less responsive than present local governments."

"These findings lead us to conclude that:
- a. There will be a loss of local authority and responsibility, decreasing the viability of existing local governments, if regional organizations are established,
- b. There will also be a loss of citizen control over policies, plans and programs,
- c. Any regional organization will ultimately become another layer of government."

"Therefore, we do not believe that there is a need for regional governments or that there must be an integrated plan for an entire region. Instead, we find a need for more effective areawide decision-making mechanisms... (and) that such mechanisms must be tied to the principles of citizen control and local home rule."

(i) The Task Force concluded that local representative government is the best system to meet the challenges of our times and a restructuring of local government through imposition of "regional government" would be based on false assumptions and, while a continuing effort must always be made to improve efficiency and economy in our government, the traditional American system can best be preserved by solving multi-county problems through voluntary mutual action by the elected representatives of our units of government and thus avoid the irreparable damage to our freedoms and rights guaranteed by the Constitution which will result from any further involuntary imposition of non-elected regional authorities into our system;

Section 2. NOW, THEREFORE, BE IT RESOLVED by the Supervisors of the County of Kern, State of California, as follows:

1. This Board hereby expresses its absolute opposition to the erosion of local representative government by unwanted State and Federal imposition of regional non-elected boards, commissions and committees.

2. The clarion call of El Dorado County in 1973 for counties in California to join together in investigating means of effective action to stop the inroads of "regionalism" should forthwith be implemented by counties
meeting together through their elected representatives, the Members of the respective Board of Supervisors, to lay down a united program for effective resistance to the inroads of "regional government" and to strengthen local government's ability to handle multi-county problems through voluntary mutual approaches.

3. For the purpose hereinabove stated, this Board urges that representatives of the elected governing boards of each and all of the counties of California assemble together in the County of El Dorado or the County of Kern before the end of this year and we do herewith invite early acknowledgment from each Board of interest in so meeting.

4. The Clerk of this Board is directed to forward copies of this Resolution to the following:

a) The Hon. Gerald Ford, President of the United States of America
b) The Hon. Ronald Reagan, Governor of California
c) Members of the California Legislature representing Kern County
d) The Board of Supervisors of all California counties
e) The County Supervisors Association of California
SOME OF THE CRITICAL REMARKS MADE BY

PATRICK HENRY

WHILE HE WAS OPPOSING THE CONSTITUTION WHEN IT WAS UNGUARDED BY A BILL OF RIGHTS.

This Constitution will trample on your fallen liberty. It squints toward monarchy. It will convert us to one solid empire.

This Constitution substitutes a consolidated in lieu of a confederated government, and this threatens the total annihilation of the state sovereignties. It will lead to a consolidation of the states into one consolidated government instead of a confederation of the states.

When government removes your armaments, you will have NO power but government will have ALL power! What will you do when evil men take office?

You are writing this Constitution as if only good men will take office.

When evil men take office, the whole gang will be in collusion. They will keep the people in utter ignorance and steal their liberty by ambuscade.*

A standing army we shall have, also to execute the execrable commands of tyranny.

Your guns are gone! What resistance could be made?

Will you assemble and just tell them? Even if you could assemble, how will you enforce rightful punishment when due? Your guns are gone!

My great objection to this government is that it does not leave us the means of defending our rights, or waging war against tyrants. Have we the means of resisting disciplined armies, when our only defense, the militia, is put in the hand of the congress?.......

Oh, sir, we should have fine times, indeed, if to punish tyrants, it were only necessary to assemble the people.

Let Mr. Madison tell me when did liberty ever exist when the sword and the purse were given up from the people? Unless a miracle shall interpose, no nation ever did, nor ever can, retain its liberty after the loss of the sword and the purse.
Guard with jealous attention the public liberty! Suspect everyone who approaches that jewel. Unfortunately, nothing will preserve it but downright force, and whenever you give up that force, you are inevitably ruined!

They are being allowed too much money. They are being given too much power.

The power of the federal courts would swell the patronage of the president.

The president will lead in the treason. Your militia will leave you and fight against you.

The clause before you gives a power of direct taxation unbounded and unlimited.

Your laws on impeachment are a sham and a mockery due to mutual implication of government officials.

The cession of the whole treaty-making power to the president and the senate is one of the most fearful features in this Constitution, as they can enter into the most ruinous of foreign engagements.

The pay of the members is to be fixed by themselves without limit or restraint.

You are not to inquire how your trade may be increased, nor how you are to become a great and powerful people, but how your liberties can be secured! For liberty ought to be the direct end of government.

Will the abandonment of your most sacred rights tend to the security of your liberty? Liberty, the greatest of all earthly blessings - give us that precious jewel and you may take everything else.

The adoption of this instrument has been maintained upon the ground that it would increase our military strength. You are negligently suffering our liberty to be wrested from us.

Even if you could assemble, how will you enforce rightful punishment when due? Oh, Sir, we should have fine times, indeed, if to punish tyrants, it were only necessary to assemble the people. A standing army we shall have, also to execute the execrable commands of tyranny.

The policy or impolicy of any provision does not depend upon itself alone, but on other provisions with which it stands connected.

I am not well versed in History, but I will submit to your recollection whether liberty has been destroyed most often by the licentiousness of the people, or by the tyranny of the rulers. I imagine, sir, that you will find the balance on the side of tyranny. Happy will you be, if you, miss the fate of those nations, who omitting
to resist their oppressors, or negligently suffering their liberty to be wrested from them, have groaned under intolerable despotism!

Let not gentlemen be told that 'it is not safe to reject this government'. Wherefore is it not safe? To encourage us to adopt it, they tell us, that there is a plain easy way of getting amendments. When I come to contemplate this part, I suppose that I am mad, or that my countrymen are so. The way to amendments is, in my conception -- shut!

"Hence it appears that 3/4th of the states must ultimately agree to any amendments that may be necessary. Let us consider the consequence of this. Let us suppose (for the case is supposable, possible and probable) that you happen to deal these powers to unworthy hands; will they relinquish powers already in their possession, or agree to amendments? 2/3rds of the Congress, or of the state legislatures are necessary even to propose amendments. If one-third of these be unworthy men, they may prevent the application for amendments; but a destructive and mischievous feature is, that 3/4ths of the state legislatures, or of the state conventions, must concur in the amendments when proposed. In such numerous bodies, there must necessarily be some designing bad men!"

The least you can do is guard this Constitution with a Bill of Rights!

Patrick Henry

The brunt of the battle fell on Henry alone. Madison and others were accusing him of disunion. Henry told them that the dissolution of the Union was abhorrent to his mind. He considered himself a sentinel over the rights of the people, their liberties and happiness. He declared that even if twelve states had adopted the 1787 Constitution as it was without a Bill of Rights, he would still reject it.

* ambuscade means attacked from a concealed point.
The Constitution would have died in 1788 if it had not been for acceptance of the logic presented by Patrick Henry which forced the drafting of the Bill of Rights, a contractual agreement that perpetuated his views on the right to arms.
This is what Daniel Webster would advise us to do today!

"With the people, and the people alone, lies any remedy for the past or any security for the future. No delegated power is equal to the exigency of the present crisis. No public servants, however able or faithful, have ability to check or to stop the fearful tendency of things. It is a cue for sovereign interposition.

The rescue, if it come at all, must come from that power which no other on earth can resist. I earnestly wish, therefore, unimportant as my own opinions may be, and entitled, as I know they are, to no considerable regard, yet, since they are honest and sincere, and since they respect nothing less than dangers which appear to me to threaten the government and Constitution of the country, I fervently wish that I could now make them known, not only to this meeting and to this State, but to every man in the Union. I take the hazard of the reputation of an alarmist; I cheerfully submit to the imputation of over-excited apprehension; I discard all fear of the cry of false prophecy, and I declare, that, in my judgment, not only the great interests of the country, but the Constitution itself, are in imminent peril, and that nothing can save either the one or the other but that voice which has authority to say to the evils of misrule and misgovernment, 'Hitherto shall ye come, but no further.'

It is true, Sir, that it is the natural effect of a good constitution to protect the people. But who shall protect the constitution? Who shall guard the guardian? What arm but the mighty arm of the people itself is able, in a popular government, to uphold public institutions? The constitution itself is but the creature of the public will; and in every crisis which threatens it, it must owe its security to the same power to which it owes its origin.

The appeal, therefore, is to the people; not to party nor to partisans, not to professed politicians, not to those who have an interest in office and place greater than their stake in the country, but to the people, and the whole people; to those who, in regard to political affairs, have no wish but for a good government, and who have power to accomplish their own wishes." .....Daniel Webster

"Hold on my friends, to the Constitution and to the Republic for which it stands. Miracles do not cluster, and what has happened once in 6000 years, may not happen again." .....Daniel Webster
March 7, 1988

Letter to the Editor Column

Dear Editor:

While I don't recall having read the article in the Hanford Sentinel which reported to Californians that Speaker of the State Assembly, Willie Brown, has asked the Assembly Office of Research to study his proposal to abolish city and county governments, I do know that the Los Angeles Times (10-25-87) ran this headline: BROWN SEEKS TO ABOLISH LOCAL GOVERNMENTS; the San Francisco Examiner (1-8-88) ran this headline: BROWN URGES PANEL TO STUDY REWORKING OF LOCAL GOVERNMENT; and the Fresno Bee ran this headline: BROWN BLASTS COUNTIES AS OUTMODED IDEA (9-27-87).

Brown said, "We need a dramatic re-examination of whether there ought to be county governments at all or whether some other system could be more efficient......" In his weekly address, he suggested that California's 58 traditional counties be replaced with "some other system." Administrative units of operation, called Umbrella Multi-Jurisdictional Organizations, which are designed not only to replace our cities and counties, but also to absorb the functions of the state with the objective of elimination of the state itself, is that "some other system" to which Brown referred. This is a well-documented set of facts.

Actually, this isn't Brown's plan. The plan has been around for some time. It isn't "theory" anymore! It is an actual plan, segments of which have been put into operation during the last 15 years, advancing to the degree that broader, bolder and more blatant moves are being dared with the expectancy that the public is too irresponsible now to even put up one iota of resistance. Oh yes, part of the plan is the gradual phasing out of elected representation to permit appointed personnel to run the new "some other system".

Thinking that the Kings County Grand Jury (who runs those "Tell It To The Grand Jury" advertisements in your Hanford Sentinel) would be the logical ones to participate and officiate in an investigation, one local resident of Hanford appeared on November 10, 1987 before the Grand Jury, loaded with documents to support statements made, and made a plea for this Grand Jury to investigate Brown's "some other system" and the abolishment of our cities and counties. After all, shouldn't that be a prime duty of a Grand Jury? Yet, they refused to study the issue, refused to explain why in a letter which they had been asked to submit. They are guilty of malfeasance, as I see it, by refusing to protect the existence of our county and the cities within Kings County. This 1987-1988 Grand Jury, who themselves need to be investigated for refusing to explain why they will not undertake an investigation of an act to abolish our county, owes it to this community to explain WHY. They, too, are not above the law. Let's have an official response.

Bernadene Smith