

OPEN LETTER TO LANCASTER COUNTY, PA. OATH TAKERS

There are two views on the Constitution, creating two forms of government. Only one can be true. Which do you hold?

- **A list of Enumerated Powers in Article 1, Section 8, reinforced by the 10th Amendment, severely limiting the actions of our employees in Washington, D.C. so that we can live free from a powerful central government.**
- **A 'living document', where our federal servants are above the Constitution and the Bill of Rights and have power, without limits, over our lives, families, virtues, businesses, and property.**

Democrats and Republicans routinely dismiss the Constitution as a "living document." This is a weak attempt to justify unconstitutional laws, opinions, rules, regulations, taxes, fees, and agencies, and reveals the necessity of denigrating the Constitution to allow both parties to continue operating outside the 10th Amendment and the Enumerated Powers.

"The plan of the convention declares that the power of Congress, or, in other words, of the national legislature, shall extend to certain ENUMERATED CASES. This specification of particulars evidently excludes all pretensions to a general legislative authority, because an affirmative grant of special powers would be absurd, as well as useless, if a general authority was intended." - Alexander Hamilton, Federalist No. 83

The "living document" argument is an obvious lie. It is an effective lie, however, if millions knowingly or unknowingly repeat and believe the lie, and if through apathy and fear we do nothing to call attention to this deception and continue to cooperate as if it were true. The Left, in both parties, are determined that we never have this conversation.

Every American has a 10th Amendment Right to federal employees restrained by the Enumerated Powers, and to local and State officials that stand between us and them when they are not. The federal government was created by the People and never, during or after, did we give up our power to determine when our creation is operating outside of the confines of its Delegated Responsibilities, nor have we ever surrendered the Right to respond accordingly.

Endless legislation, executive orders, legal opinions, and the force of multiple layers of law enforcement agencies gives the federal government's extra-constitutional activity the appearance of legitimacy. The 10th Amendment, however, still stands and the Oath to obey and defend the Constitution remains an absolute requirement of all who would serve us. Jefferson called the 10th Amendment the foundation of our Constitution. Our Freedom pivots on this fact.

Law enforcement officers apply the law daily and we are very concerned, as all true Americans should be, that many are obeying unlawful orders to enforce what is unconstitutional. Legislators responsible for interposing themselves between us and unconstitutional federal dictates are instead cooperating with and facilitating illegal federal activity. Judges and lawyers have become accountable to only themselves by rejecting the Constitution and, more importantly, the source of its principles and instead stand on the miasma that is case law, which they alone produce and interpret.

As part of the federal government the Supreme Court is under the Constitution, never over it. Despite what is commonly believed, the Constitution itself does not give the Supreme Court or the judiciary final authority over what is constitutional, and the Separation of Powers requires that each branch be tightly held in check by the other two. The Supreme Court is the highest court, not the Supreme Law of the Land. Our Declaration of Independence makes it abundantly clear that it is us and not our government that will have the final word on our Liberty and our Rights.

Only federal activity within the strict confines of the Constitution, and the principles of which it is a simple but powerful reflection, are valid. Jefferson said, **"whenever the General Government assumes undelegated powers, its acts are void, null, and without force."** The Supreme Court agreed: **"...a law repugnant to the Constitution is void..."** - Marbury v. Madison, (1803). Our Justices and judges used to believe in constitutionally limited governments: **"An unconstitutional act is not law; it confers no right; it imposes no duties; it affords no protection; it creates no office; it is in legal contemplation, as inoperative as though it had never been passed."** - Norton v. Shelby County, (1886).

Whether or not federal, State, and local Oath takers are honoring their Oaths of Office and obeying and defending the Constitution or are *instead* enforcing everything Washington D.C. produces, has become a one-sided conversation.

The Constitution as written clearly limits the federal government to only two essential tasks, defense and facilitating trade. Despite it having become 'normal' for the federal government to operate outside of its constitutional confines, it

is never too late to draw attention to their unconstitutional activities and start restoring the Rule of Law and our Liberty. It is our Right and duty as Americans to do so, especially when those that swore the Oath refuse to honor that Oath.

We cannot easily rein in Washington, D.C. or even our Commonwealth, but we can restore Freedom to our County. In an entire nation that should be protected by the Constitution, we are entitled to create a **10th Amendment Sanctuary County** where the Enumerated Powers, the Bill of Rights, and the great principles that created our Republic are again what protect and guide our lives. Forcing you to honor your Oath is essential to us restoring the Rule of Law.

We should never lose our Liberty because people among us neither want theirs nor know how to live free and virtuous lives. It is because of them that we wrote the Constitution and require that you swear your Oath of Office to us, and it is our responsibility to hold you to that oath. Enforcing the 10th Amendment will force you to pick a side in this fight.

The Constitution cannot be two opposite things at the same time. Is the Constitution our Highest Law that keeps us free, or is it an anachronistic document flippantly referenced on rare occasions? Are our Rights from God and eternal, or political favors from man and transient? Are our responsibilities individual and voluntary, or collective and coerced?

If the 10th Amendment has not been repealed, and it has not, and if the Rule of Law, Personal Responsibility, and Freedom still define our Republic, and they do, then we need to resolve what defines and limits our federal government: The Constitution or arrogant politicians. Only when the Constitution is obeyed and enforced are we free.

It is often discussed that the U.S. Department of Education is unconstitutional. Many days could be spent listing the agencies, programs, taxes, fees, rules, and regulations that are outside the scope of the Constitution. If we are not mistaken that list well exceeds 65 million. Clearly, the endless conversation about what limits our federal servants will never occur again if we keep waiting on the people that swore the Oath of Office to begin that conversation.

The Constitution and your Oath are what should have prevented the expansion of Washington D.C.'s size and power over our lives. You swore your Oath to us publicly and willingly. **How you view the Constitution tells us who and what you are actually obeying and enforcing.**

Our pursuit of answers in this conflict is not just academic, the implications to the Rule of Law and the fundamental nature of our Republic are obvious. Our Republic is increasingly divided over many issues, but we believe that the Constitution and, vastly more importantly, the principles that created it form the true divide that is seeing it torn apart.

If we cannot discuss and agree upon the importance and genius of the Constitution as written, and that our Liberty is inversely proportional to the size of government, then our Union is irreparably divided and serious conflict is once again inevitable. Tragically, easily disproven lies have steered our Republic into this avoidable constitutional crisis.

Our primary objective is a public conversation on the 10th Amendment, the Enumerated Powers, the Bill of Rights, and the Oath of Office before we relegate all of them to the trash heap and completely rely upon the mercies and whims of our federal employees that routinely and increasingly abandon our Republic's most fundamental principles and the constitutional limits on their activity. Those that disagree are invited to vigorously defend their 'living document' view.

If your chosen job requires that you swear the Oath of Office to obey and defend the Constitution, it is your duty to promote this critical conversation. We will also be asking the media, which has special protection in the Constitution and specific obligations as a result, to also help resolve this crisis. **Most importantly, we are demanding all Oath takers in Lancaster County take a public stand on which of the two views on the Constitution you hold.** Remaining silent and refusing to discuss that which you swore to us to obey and defend is a breach of your Oath.

We have a right to know, and you are obligated to answer. It is an absolute necessity in resolving this nation-dividing crisis. Discussing the Constitution is not 'political,' as some proclaim. It is the Law that each of you swore to obey and enforce. Stating and clarifying your view on the Constitution is the first and most fundamental act in fulfilling that duty.

Please contact us at your earliest convenience to set a time to meet and discuss in what ways you are going to help facilitate and promote this much needed conversation.