

# Hospitals & Asylums

## Constitution of Hospitals & Asylums Non-Government Economy

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### **PREAMBLE**

*Hospitals & Asylums (HA) was discovered in 2000.*

*The HA acronym was coined by Alexander Augustus the African American surgeon who founded Freedmen's Hospital & Asylum (HA) for President Abraham Lincoln, who also created the Columbia Institution for the Deaf and populated Arlington National Cemetery.*

*HA dates to the Naval Hospital Act of Feb. 26, 1811, that was the work of Paul Hamilton secretary of the Navy under President James Madison. The codification at Title 24 of the United States Code was the work of Hon. Edward C. Little who died on June 24, 1924.*

*Economic law demands that we work together. Both the state and the private sector play an important role. Everyone has the fundamental right to be free of hunger, poverty and disease. It is the equal right of men and women to the enjoyment of all the economic, social and cultural rights; to read and write and thereby to grow and flourish with equal rights, health, justice, truth, freedom and peace in pursuit of eternal life, prosperity and happiness.*

*In all our dealings we must be ethical. To the government ethics is a matter of accounting for income, expenditure and association. To the professional ethics is a matter of profiting with the least risk of harm to anyone. Everyone has a professional responsibility to provide adequately for the needs of those unable to pay.*

*The golden rule provides that one must treat others as one wishes to be treated. Therefore non-violence and the non-use of force are fundamental to all dealings with all people and we must also reject all forms of hatred, bigotry, discrimination, prejudice, violence, crime and disease. It is our duty to defend the life and liberty of all people and treat everyone fairly.*

*Believing that the codification, adjudication and progressive change of HA statute will promote the maintenance of international peace and security, the development of healthy and friendly relations and the achievement of co-operation among all people.*

*Find no modern constitution would be complete without a prescription for Amantadine to cure human influenza A and the extra-pyramidal side-effects of antipsychotic drugs; corticosteroid inhalers for asthma; antibiotics for endocarditis and to solve antibiotic resistance: ampicillin for pneumonia and meningitis, doxycycline, the once a day antibiotic, for syphilis, bubonic plague, Lyme disease and hospital acquired methicillin resistant Staphylococcus aureus and metronidazole, for gastroenteritis and joints.*

*Scholars should do more than 100 crunches, 250 push-ups in sets of 50 – 100 and carry their laptop in a backpack on 10km run daily and marathon on the Sabbath.*

## **Chapter 1 History**

### **Art. 1 Title 24 of the United States Code**

10 Chapter of Hospitals & Asylums (HA) statute can be found in Title 24 of the United States Code (USC). HA was first codified for the United States Congress by Hon. Edward C. Little who passed away on June 24, 1924 shortly before the permanent laws entered into force on Dec. 7, 1925. HA traces its legislative history to the Naval Hospital Act of Feb. 26, 1811. After considerable delay to fund the construction of the promised retirement home the Commissioner was arrested, detained, tried by jury and after serious illness appealed his extra service pay to the Supreme Court in *US v. Thomas Fillebrown, Secretary of Commissioners of Navy Hospitals* 32 US 28 7 Pet. 28 (1833) as cited by Justice Story in *Minis v. US* 40 U.S. 423 (1841). Many of the sections have been repealed and Title 24 is so short that it is usually published with Title 23 Highways.

### **Art. 2 Naval and Army Hospitals**

The Secretary of the Navy shall procure at suitable places proper sites for Navy hospitals, as authorized by Congress under 24USC§14. Annual appropriations in such amounts as may be necessary are authorized from the general fund of the Treasury for the maintenance, operation, and improvement of naval hospitals under 24USC§14a. For every Navy officer, seaman, or marine admitted into a Navy hospital, the institution shall be allowed one ration per day during his continuance therein, to be deducted from the account of the United States with such officer, seaman, or marine under 24USC§16. The Army and Navy General Hospital at Hot Springs, Arkansas, shall be subject to such rules, regulations, and restrictions as shall be provided by the President of the United States and shall remain under the jurisdiction and control of the Department of the Army under 24USC§18. Hospitalization of the dependents of naval and Marine Corps personnel and of the persons outside the naval service shall be furnished only for acute medical and surgical conditions, exclusive of nervous, mental, or contagious diseases or those requiring domiciliary care. Routine dental care, other than dental prosthesis and

orthodontia, may be furnished to such persons who are outside the naval service under the same conditions 24USC§35

### **Art. 3 National Home for Disabled Volunteer Soldiers**

A volunteer military of the mentally and physically able and willing prevailed in 1974 although the National Home for Disabled Volunteer Soldiers was repealed in 1957. There are reserved from settlement, entry, sale, or other disposal all those certain tracts, pieces, or parcels of land lying and being situated in the Black Hills meridian, in Fall River County, State of South Dakota Battle Mountain Sanitarium Reserve at Hot Springs, South Dakota shall be under the exclusive control of the Secretary of Veterans Affairs under Subchapter V of Chapter 3 of Title 24 of the United States Code.

### **Art. 4 District of Columbia Mental Health System**

Since its establishment by Congress in 1855, Saint, Elizabeth's Hospital has developed into a respected national mental health hospital and study, training, and treatment center, providing a range of quality mental health and related services. The District of Columbia Community Mental Health System Act of 1988 reduced the population of St. Elizabeth's (Psychiatric) Hospital from 7,000 to less than 700 under 24USC§225.

### **Art. 5 Columbia Institution for the Deaf and Dumb**

The Columbia Institution for the Deaf and Dumb was established on February 16, 1857. An Act of Congress changed the institution's charter, enabling it to issue college degrees, that was signed into law by President Abraham Lincoln (1809-1865) in 1864. The school for the deaf became the teaching hospital of Howard University Medical School in 1868 that was renamed Gallaudet University in honor of Thomas Hopkins Gallaudet (1787-1851), a notable figure in the advancement of deaf education. I. King Jordan was elected President of Gallaudet University (1988-2006) amid student protests for a deaf head, he resigned the first day of 2007.

### **Art. 6 Freedmen's Hospital and Asylum**

Established in 1862 Freedmen's Hospital and Asylum cared for freed, disabled, and aged blacks. In 1863, it was placed under Dr. Alexander Augusta (1825-1890) the first African-American to be a surgeon in the US army, to make Major in the US Army, to head a hospital and to be buried with the rank of an officer in Arlington Cemetery. In 1968 Freedmen became a teaching hospital with 278 beds and in 1909 Congress authorized the construction of a new hospital. In 1967, Freedmen's Hospital was transferred to Howard University and used as a hospital until 1975. There is a Freedmen's Memorial open to the public.

### **Art. 7 Arlington Memorial Amphitheater**

Arlington Memorial Cemetery has been fully operational since May of 1864. Arlington Mansion and 200 acres of ground immediately surrounding it were officially designated as a military cemetery June 15, 1864, by Secretary of War Edwin M. Stanton. Recommendations of the Secretary of Defense, or his designee, shall be sent to Congress in January of each year, with respect to the memorials to be erected, and the remains of deceased members of the Armed Forces to be entombed, in the Arlington Memorial Amphitheater, Arlington National Cemetery, Virginia under 24USC§295a.

### **Art. 8 Gorgas Hospital**

The Government hospital within the Canal Zone, near the City of Panama, known prior to March 24, 1928, as the Ancon Hospital, shall after such date be known and designated on the public records as the Gorgas Hospital, in recognition of the distinguished services to humanity as a fitting perpetuation of the name and memory of Major General William Crawford Gorgas. The change in the name of said hospital under 24USC§302 shall in no wise affect the rights of the Federal Government, or any municipality, corporation, association, or person.

### **Art. 9 Armed Forces Retirement Home**

The Naval Home was officially opened in 1834 and was known as the Naval Asylum until the name was changed to the Naval Home in 1880. The Soldiers' Home was established in 1851, as an "asylum for old and disabled veterans." In 1992 President George H. Bush (1989-1993) signed the law establishing the Armed Forces Retirement Home (AFRH). AFRH houses an estimated 1,600 veterans at the U.S. Soldiers' and Airmen's Home (USSAH) in Washington, D.C and the U.S. Naval Home (USNH) in Gulfport, Mississippi.

## **Chapter 2 Practical Petitions**

### **Art. 10 Payment for Donors of Blood**

Any person, whether or not in the employ of the United States, who shall furnish blood from his or her veins for transfusion into the veins of a person entitled to and undergoing treatment at Government expense, whether in a Federal hospital or institution or in a civilian hospital or institution, or who shall furnish blood for blood banks or for other scientific and research purposes in connection with the care of any person entitled to treatment at Government expense, shall be entitled to be paid therefore such reasonable sum, not to exceed \$50, for each blood withdrawal as may be determined by the head of the department or independent agency concerned, from public funds available to such department or independent agency for medical and hospital supplies: Provided, That no payment shall be made under this authority to any person for blood withdrawn for the benefit of the person from whom it is withdrawn under 24USC§30.

### **Art. 11 Park Grants**

A. In all cases of unperfected bona fide claims to land, said claims may be perfected upon compliance with the requirements of the laws respecting settlement, residence, improvements, and so forth, in the same manner in all respects as claims are perfected to other Government lands: Provided, That to the extent that the lands within said reserve are held in private ownership the Secretary of the Interior is authorized in his discretion to exchange therefore public lands of like area and value, which are surveyed, vacant, unappropriated, not mineral, not timbered, and not required for reservoir sites or other public uses or purposes. The private owners must, at their expense and by appropriate instruments of conveyance, surrender to the Government a full and unencumbered right and title to the private lands included in any exchange before patents are issued for or any rights attached to the public lands included therein, and no charge of any kind shall be made for issuing such patents. Upon completion of any exchange the lands surrendered to the Government shall become a part of said reserve in a like manner as if they had been public lands at the time of the establishment of said reserve. Nothing contained in this section shall be construed to authorize the issuance of any land scrip under 24USC§153. The first national park was established in 1832 in Hot Springs, Arkansas. The name of Hot Springs Reservation was changed to Hot Springs National Park in 1921. The superintendent was dedicated to provide and maintain a sufficient number of free baths for the use of the indigent under 16USC§361 (1878) and leased to the Army and Naval hospitals under 24USC§18 (1882), 16USC§362 (1891) and 24USC§20 (1909).

1. 1.3% of National Forest acres burned while 0.02% of National Park acres burned in 2017. Wood piles must be prohibited. Forest Service slash piles must be methodically scattered, 15 days park service per square mile megaton of piles of cut trees and shrubs under 18USC§1856, thickets must be mechanically chipped or burned in secure winter campfire(s) to prevent the ignition of flammable debris Fire 36CFR§261.5 under 16USC§551. Up to 33,000 Forest Service slash and burn employees, about 40% of total USDA employment, may fired unless they learn to chuck wood, and require disability retirement under 5USC§8337. Dead trees can be salvage logged for about a year after a catastrophic fire before they rot, to reduce overhead falling object risk. Replant non-invasive food forests to replace those burned by arson subsequent to the concurrent invention of agriculture, cities and war circa 6000BC. Direct grants are available from the Secretary of the Interior for the purpose of maintaining the National Forests, trails, roads, bridges, watersheds, swimming holes, campgrounds, and bathrooms, removing litter, restoring slashed and burned forests to recreational use and preserving the wilderness under 54USC§302904 (2014) as cited by 24USC§423(b) and best patented, with or without roadless areas, by Wilderness Preservation System under 16USC§1131.

## **Art. 12 Unlawful Intrusion Violation of Rules and Regulations**

All persons who shall unlawfully intrude upon said reserve, or who shall without permission appropriate any object therein or commit unauthorized injury or waste in any form whatever upon the lands or other property therein, or who shall violate any of the rules and regulations prescribed hereunder, shall, upon conviction, be fined in a sum not more than \$1,000, or be imprisoned for a period not more than twelve months, or shall suffer both fine and imprisonment, in the discretion of the court under 24USC§154.

### **Art. 13 Repatriation and Release to Next of Kin**

1. Persons hospitalized for mental illness or detained for a criminal offense while traveling abroad shall be repatriated upon request of the Secretary of State. Arrangements to receive an eligible person at any port of entry or debarkation shall be made under 24USC§322.

2. If a person who is a patient hospitalized for mental illness, or his legal guardian, spouse, or adult next of kin, requests the release of such patient, the right of the Secretary, or the head of the hospital, to detain him for care and treatment shall be determined in accordance with such laws governing the detention, for care and treatment, of persons alleged to be mentally ill as may be in force and applicable generally in the State in which such hospital is located, but in no event shall the patient be detained more than forty-eight hours after the receipt of such request under 24USC§326.

### **Art. 14 Disposition of Effects of Deceased Person**

A will or other instrument of a testamentary nature involving property rights shall be promptly delivered, upon the death, to the proper court of record. It is recommended the decedent's property, in equal pro-rata shares to the highest following categories of identified survivors (listed in the order of precedence indicated) under 24USC§420:

1. The surviving spouse or legal representative.
2. The children of the deceased.
3. The parents of the deceased.
4. The siblings of the deceased.
5. The next-of-kin of the deceased.

### **Art. 15 Fines and Forfeitures under Uniform Code of Military Justice**

There is established in the Treasury of the United States an Armed Forces Retirement Home Trust Fund wherein a portion of fines and forfeitures collected for criminal violations of the Uniform Code of Military Justice may be deposited under 24USC§419(a)(4) and 10USC§2772

### **Art. 16 Admission to Armed Forces Retirement Home**

To apply for acceptance as a resident of a facility of the Retirement Home, a person eligible to be a resident shall submit to the Director of that facility an application in such form and containing such information as the Chief Operating Officer may require under 24USC§412.

- a. Persons eligible to be residents -
  - A. are 60 years of age or over; and

B. were discharged or released from service in the Armed Forces under honorable conditions after 20 or more years of active service; and  
C. Persons who served in a war theater during a time of war declared by Congress or were eligible for hostile fire special pay, were discharged or released from service in the Armed Forces under honorable conditions; or are determined under rules prescribed by the Chief Operating Officer to be incapable of earning a livelihood because of injuries, disease, disability or compelling personal circumstances.

b. Persons who have been convicted of a felony or are not free of drug, alcohol, or psychiatric problems shall be ineligible to become a resident of the Retirement Home.

### **Chapter 3 Right to Write**

#### **Article 17 Freedom of the Press**

Members of the Society of Professional Journalists believe that public enlightenment is the forerunner of justice and the foundation of democracy. The duty of the journalist is to further those ends by seeking truth and providing a fair and comprehensive account of events and issues. Conscientious journalists from all media and specialties strive to serve the public with thoroughness and honesty. Professional integrity is the cornerstone of a journalist's credibility. Journalists share a dedication to ethical behavior and adopt this code to declare the Society's principles and standards of practice. Journalists should be honest, fair and courageous in gathering, reporting and interpreting information. Ethical journalists treat sources, subjects and colleagues as human beings deserving of respect to minimize harm. Journalists act independently and should be free of obligation to any interest other than the public's right to know. Journalists are accountable to their readers, listeners, viewers and each other.

#### **Art. 18 Treaties**

Treaties are adopted by the vote of two thirds of the States present and voting under Art. 9(2) of the Vienna Convention on the Law of Treaties of 27 January 1980. "Pacta sunt servanda" every treaty in force is binding upon the parties to it and must be performed by them in good faith under Art. 26. Two or more of the parties to a multilateral treaty may conclude an agreement to modify the treaty under Art. 41. A State may invoke an error in a treaty as invalidating its consent to be bound by the treaty under Art. 48 (1).

#### **Art. 19 Copyright Royalties**

A. Everyone has a constitutional right to benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he or she is the author. Everyone shall uphold the moral and material interests of the author under Art. 27(2) of the Universal Declaration of Human Rights of December 10, 1948. Negotiation of these rights shall not in any circumstances be prejudicial to the moral rights of the author, nor to his or her right to obtain equitable remuneration.

1. The Berne Convention for the Protection of Literary and Artistic Works of September 9, 1886 establishes the laws of the union in regards to intellectual property rights. The Berne Convention Implementation Act of 1988 in Appendix I of Title 17 provides that the Convention is not self-executing and may be performed only pursuant to appropriate domestic law. Authors of literary works shall enjoy the exclusive right of authorizing the public recitation of their works, including such public recitation by any means or process.

2. Ownership of a copyright is distinct from ownership of any material object in which the work is embodied. Transfer of ownership of any material object, including the copy, does not of itself convey any rights in the copyrighted work. In works for hire the employer, or other person for whom the work was prepared, shall enjoy the same rights as the author of an original work under 17USC§201. The United States Government is not precluded from receiving and holding copyrights transferred to it by assignment, bequest, or purchase however copyright protection is not available for any work of the United States Government under 17USC§105.

3. Any dispute, controversy or claim arising out of breach of contract or non-contractual claim, may be submitted to mediation in accordance with the WIPO Mediation Rules (MR). If, and to the extent that, any such dispute, controversy or claim has not been settled pursuant to the mediation within 60 or 90 days of the commencement of the mediation, it shall, upon the filing of a Request for Arbitration by either party, be referred to and finally determined by arbitration in accordance with the WIPO Expedited Arbitration Rules (EAR).

#### **Art. 20 Doctrine of Fair Use**

A. The fair use doctrine, codified in Section 107 of the Copyright Act, tempers the protection of copyright by allowing an author to use a limited amount of copyrighted material when copyright law might otherwise stifle the very creativity which that law is designed to foster. In determining whether the use made of a work in any particular case is a fair use the factors to be considered shall include,

1. The purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
2. The nature of the copyrighted work;
3. The amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
4. The effect of the use upon the potential market for or value of the copyrighted work.

B. The fact that a work is unpublished shall not itself bar a finding of fair use if such finding is made upon consideration of all the above factors.

#### **Art. 21 Fulfillment of Rights**

A. There are three levels of obligations are imposed upon the State as the result of this right: to respect, protect and fulfill.

1. Respect requires that State parties refrain from interfering directly or indirectly with the right to benefit from the protection of the moral and material interests of the author.
2. The obligation to protect requires state parties to take measures to prevent third parties from interfering with the moral and material interests of the author.
3. Finally the obligation to fulfill requires the State to adopt appropriate legislative, administrative, budgetary, judicial promotional and other measures toward the full realization of the rights and freedoms of the people.

### **Art. 22 Legislative Drafting**

A. Drafting legislation is one of the most difficult legal writing skills.

1. The first step is to determine what you want the proposed legislation to do.
2. The second step is to determine the structure of your proposed legislation. The structure of a bill begins with the long title and enacting clause required under 1USC§101 everything after is part of the statute. All bills begin with –

A BILL

To ---

Be it enacted in the Senate and House of Representatives, Assembled, Referred to ---

3. The third step is to draft the bill, so that the language and organization are no more complicated than necessary, serve the object of the legislation without creating unnecessary problems, and are internally coherent and consistent with usages in the existing statute. If the bill amends or repeals existing law the laws may be stricken or amended as desired so that the bill become effective upon passage.

### **Art. 23 How a Bill Becomes a Law**

A. Origination of Bill in the House of Representatives: Resolution, Joint Resolution, Concurrent Resolution by executive agency, political interest group, individual member, bill drafting agency.

1. Introduction of Bill by Member into the Hopper
2. Referral to Standing Committee by Leadership and Parliamentarian.
3. Committee Action: Possible referral to subcommittee, hearings customary on major bills, open hearing for testimony, possible closed hearings for deliberation, amendment and decision, committee decisions are generally - disregard (pigeonhole), defeat, accept and report, amend and report or rewrite.

4. Calendars: Union (revenue and appropriation), House (public), Private (claims), Consent (minor, non-controversial), Discharge (remove bills from committee) Rules Committee (major bills) Hearings, Closed rules, Open rules (predominant form)

5. Floor Action: Committee of the Whole, general debate, second reading, amendment, report to the House, advance to third reading, passage or defeat.

#### B. Senate Referral to Standing Committee by Leadership and Parliamentarian

1. Committee Action: similar to those of House, including closed and open hearings, amendment, pigeonholing, passage or defeat.

2. Calendars: General Orders and Executive and Discharge.

3. Floor Action: similar to those of House, including rejection or acceptance of committee amendments, other amendments, unlimited debate.

4. Cloture: supermajority cutting off the talk, filibuster enables a minority to kill a bill or force concessions for an extended talk.

5. Unanimous consent: expedited proceedings are read

6. Conference Committee: May be requested if House and Senate versions differ, composed of managers from each house who vote separately, each house must concur in the conference report.

7. Bill signed by Speaker and Vice-President. President: has ten days (not including Sunday) to sign it or veto it. The options are Approve, Veto, "Pocket Veto", Permit bill to become law without signature.

C. In practice the bill killings of Congress are usually bypassed in favor of the less reactionary, less coercive and more flexible power of private law often enacted 'Be the Democratic-Republican (DR) two party system Abolished.

#### **Art. 24 New Editions of Code**

1. HA statute is a new edition of code.

2. New editions of Code and Supplements are not published oftener than once in each five years under 1USC§202(c).

3. Each compilation is annually prepared for printing of the parliamentary precedents and advance royalties are sought under the Legislative Branch Appropriation Act of 1966 (79 Stat. 270; Public Law 89-90) at 2USC§28.

4. A minimum of \$6,500 is appropriated for the preparation and editing of the Code and Supplemental of the United States and District of Columbia under 1USC§213.

## **Chapter 4 Rule of Law**

### **Art. 25 Asylum**

A. An insane asylum is not an asylum it is a political persecution. The granting of Asylum is a peaceful and humanitarian act and that, as such, it cannot be regarded as unfriendly by any other State under the Declaration on Territorial Asylum 2312 (XXII) of 14 December 1967. The Declaration like the Convention on the Status of Refugees of 1951 is mindful of the Universal Declaration of Human Rights, which declares in Art. 14 (1) Everyone has the right to seek and to enjoy in other countries asylum from persecution. (2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations. Thomas Paine demanded in his pamphlet Common Sense of 1776, O! Receive the fugitive, and prepare in time an asylum for mankind.

B. The Asylum policy of the United States is that refugees with a legitimate claim for relief from political persecution shall be; (i) granted sufficient resources for employment training and placement in order to achieve economic self-sufficiency among refugees as quickly as possible; (ii) provided with the opportunity to acquire sufficient English language training to enable them to become effectively resettled as quickly as possible; (iii) insured that cash assistance is made available to refugees in such a manner as not to discourage their economic self-sufficiency under 8USC§1158 and 8USC§1522.

C. Common Articles 26-29 to the Convention Relating to the Status of Refugees of 1951 and the Convention Relating to the Status of Stateless Persons of 1954 protect refugees and stateless people against discrimination, provide for the freedom of movement, requires States to provide them with identity papers and travel documents at the same price as nationals. A refugee is someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion. A stateless person is someone who is not considered as a national by any state under the operation of its law.

### **Art. 26 Common Law**

A. Common law is embodied in the evolving jurisprudence of the Supreme Court.

1. Justices are elected to state and national Supreme Courts. Justices are the highest ranking judicial officers. Justices lead the judiciary, regulate the bar and hear cases.

2. Justice involves applying laws to cases affecting the rights of individuals and discovering laws or their application to be unjust or unconstitutional for the pacific resolution of a case or to request the legislature that the laws be amended or repealed.

B. Basic principles of common law are.

1. Common Article 1 of the International Covenant on Civil and Political Rights of 23 March 1976 and the International Covenant on Economic, Social and Cultural Rights of 3 January 1976 provides (1) All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development. (2) All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence.

2. Common Article 3 of the Geneva Conventions provides Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed hors de combat by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, color, religion or faith, sex, birth or wealth, or any other similar criteria.

3. When a couple has lived together for a prescribed number of years their relationship is considered a common law marriage. To minimize the infringement of the State on marriage the Universal Life Church Monastery certifies Ministers to officiate marriage certificates in lieu of a justice of the peace.

C. The basic practice of common sense for a legal system is the accountable settlement of torts claims made under:

1. Art. 14 of the International Covenant on Civil and Political Rights of 23 March 1976, states at paragraph 6, “when a person has by a final decision been convicted of a criminal offense and when subsequently his conviction has been reversed or he has been pardoned on the ground that a new or newly discovered fact shows conclusively that there has been a miscarriage of justice, the person who has suffered punishment as a result of such conviction shall be compensated according to law”.

2. Art. 14 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 26 June 1987 provides the State, “shall ensure in its legal system that the victim of an act of torture obtains redress and has an enforceable right to fair and adequate compensation, including the means for as full rehabilitation as possible.”

### **Art. 27 Civil Law System**

A. Civil law is based upon the Civil Code, the codified statutes of Congress. Civil law is done entirely by the writing and exchange of legal briefs predicated upon the accurate citation of the Civil Code. Trials and juries are rare and undesirable. The civil law system regulates all criminal trials. Constitutional rights and freedoms may be subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society. The rule of law embraces at least three principles.

First, that the law is supreme over officials of the government as well as private individuals, and thereby preclusive of the influence of arbitrary power.

Second, requires the creation and maintenance of an actual order of positive laws which preserve and embody the more general principle of normative order.

Third, that the relationship between the state and individual shall be regulated by law:

B. Peace, justice and nonviolence are fundamental to the Rule of Law. The golden rule is that one should do unto others as one would have done unto oneself. An unjust law however is no law at all. How does one determine when a law is just or unjust? Any law that degrades human personality or is born in false witness is unjust. In defense of freedom the people, judges, justices and the jury, through the process of jury nullification, have the power to rule laws unconstitutional in their application or *in toto* if they conflict with their conscience Supreme Law - the Constitution.

1. The doctrine of inter-jurisdictional immunity recognizes the powers of one level of government must be protected against intrusions, even incidental ones, by another level.
2. The doctrine of federal paramountcy provides that when the operational effects of provincial legislation are incompatible with federal legislation, the federal legislation must prevail and the provincial legislation is rendered inoperative to the extent of the incompatibility.
3. Federal legislation can be ruled unconstitutional if the legislation fails to have a pressing and substantial justification.
4. The Constitution may not be used to justify negligence to settle human rights cases, sovereign immunity is predicated upon the highest law human rights.

#### **Art. 28 Principle of Non-Use of Force**

1. The Principle of Non-Use of Force or non aggression principle is considered the *jus cogens*, universal norm, of international law and human behavior. All Members shall refrain in their (international) relations from the threat or use of force against the territorial integrity or political independence of any other (State), or in any other manner inconsistent with the Purposes of the UN under Art. 2(4) of the UN Charter.
2. Nothing shall impair the right of individual or collective self-defense. It is a well established principle that the use of force is acceptable only when that use of force was directly and proportionally aimed against an armed attack in which case the Geneva Conventions apply to all affected parties as explained by the International Court of Justice in Judgment No. 70: *Nicaragua v. USA* (1984) under Art. 51 of the UN Charter.

### **Art. 29 Freedom from Fear and Want**

1. The ideal of free human beings enjoying freedom from fear and want under the Universal Declaration of Human Rights of December 10, 1948 relies upon respect for the inherent dignity and equal and inalienable rights of all members of the human family as the foundation of freedom, justice and peace in the world that can only be achieved if conditions are created whereby everyone may enjoy his economic, social and cultural rights, as well as civil and political rights as they determine for themselves.

2. Higher standards of living, full employment, and conditions of economic and social progress and development; solutions of international economic, social, health, and related problems; and international cultural and educational co-operation; are reliant upon universal respect for, and observance of, human rights and fundamental freedoms for all without discrimination as to race, sex, language, disability, political affiliation or religion.

### **Art. 30 Right to Self Determination**

1. All peoples have the right to self-determination under common Art. 1 of the Covenant on Economic, Social and Cultural Rights of 3 January 1976 and the International Covenant on Civil and Political Rights of 23 March 1976. By virtue of that right to self determination they freely determine their political status and freely pursue their economic, social and cultural development.

2. All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence. In all Courts, a person may represent themselves prose, speaking for themselves. In international development the basic principle is for nations to cast off the yoke of colonialism and capitalize upon their own natural and human resources to achieve political independence.

### **Art. 31 Immunity**

1. Immunity is integral to the defense. Everyone is entitled to medical immunity under the law. Medical immunity is a state of having sufficient biological defenses to avoid infection, disease, or other unwanted biological invasion, and is related to the functions of the immune system. Freedom from unwarranted search and seizure is clearly of utmost important for the achievement of the highest level of physical and mental health. First Amendment Privacy Protection protects people and associations from unreasonable search and seizure unless there is reason to believe that such action is necessary to prevent death or serious bodily injury under 42USC§2000aa(b)(2).

2. Legal immunity confers a status on a person or body that makes them free from otherwise legal obligations such as, liability for damages, arrest, punishment for criminal

acts or unlawful search and seizure. Any action or proceeding brought against an individual who is entitled to immunity shall be dismissed. Such immunity may be established by or on behalf of the individual under 22USC§254d.

3. Article 105 of the Charter of the United Nations provides that the Organization shall enjoy in the territory of each of its Member such privileges and immunities as are necessary for the fulfillment of its purposes under 22USC(6)§254b.

4. The Convention on Privileges and Immunities of the United Nations of February 13, 1946 elaborates at section 2 the United Nations, its property and assets wherever located and by whomsoever held, shall enjoy immunity from every form of legal process except insofar as in any particular case it has expressly waived its immunity. Under Section 4 the archives of the United Nations, and in general all documents belonging to it or held by it, shall be inviolable wherever located. Section 11(a) assures representatives of Members immunity from personal arrest or detention and from seizure of their personal baggage, and, in respect of words spoken or written and all acts done by them in their capacity as representatives, immunity from legal process of every kind.

5. Art. 22 of the Vienna Convention on Diplomatic Relations of April 18, 1961 (T.I.A.S. numbered 7502; 23 U.S.T. 3227), provides, the premises of the mission, their furnishings and other property thereon and the means of transport of the mission shall be immune from search, requisition, attachment or execution. Article 31 ensures a diplomatic agent shall enjoy immunity from the criminal, civil and administrative jurisdictions of the receiving State. Under Art. 44 the receiving State must, even in case of armed conflict, grant facilities in order to enable persons enjoying privileges and immunities, it must, in particular, in case of need, place at their disposal the necessary means of transport for themselves and their property. States may designate a representative of the mission a *persona non grata* and have them prevented from entering or removed from the country.

### **Art. 32 Right to a Fair Trial**

1. The right to a fair trial is a basic human and constitutional right in all-criminal prosecutions. The right to a fair trial is a fundamental safeguard to assure that individuals are not unjustly punished. The basic principle in a fair trial is a right to justice. Every government has the duty to bring to justice those responsible for crimes regardless of their status. The two elements of a fair trial are truth and decent treatment as explained by Amnesty International in their Fair Trials Manual.

2. The essential principle contained in the actual trial of an illegal act is that reparation must, as far as possible, wipe out all the consequences of the illegal act and re-establish the situation which would, in all probability, have existed if that act had not been committed.

3. When people are tortured or ill treated by law enforcement officials, when innocent individuals are convicted, or when trials are manifestly unfair the justice system is equally liable for being prosecuted for crimes and procedural errors.

4. The accused enjoy a number of rights. No one will be held to answer for a capital or infamous crime unless indicted by the grand jury, nor shall be forced to bear witness against themselves, ie. the right to remain silent, nor shall anyone be twice put in jeopardy for the same offense, nor be deprived of life, liberty or property without due process of law, nor shall private property be taken for public use without just compensation.

5. The accused shall enjoy the right to a speedy and public trial, by an impartial jury. The arrested person must be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have a compulsory process for obtaining witnesses in their favor and to have the assistance of a counsel for his defense.

### **Art. 33 Lawyers**

1. The primary purpose of lawyers is to represent the rights of the criminally accused.

2. As a member of a learned profession, a lawyer should cultivate knowledge of the law beyond its use for clients and employ that knowledge in reform of the law and work to strengthen legal education in the public interest, in the spirit of the ABA Model Rules of Professional Responsibility.

3. Legal institutions in a constitutional democracy depend on popular participation and support to maintain their authority therefore lawyers should further the public's understanding of and confidence in the rule of law and justice system.

4. A lawyer should be mindful of deficiencies in the administration of justice and legislature and of the fact that the poor, and sometimes persons who are not poor, cannot or have not afforded adequate legal assistance and are entitled to free, professionally literate and friendly legal services nonetheless.

5. The unauthorized practice of law, *ultra vires*, prohibits the unauthorized disclosure of the work and identity of authors without remuneration for their legal service. Furthermore an illiterate lawyer is not a lawyer at all. A lawyer should not go to trial without a legal brief and a legal brief without the citation of several legal philosophers, including all voluntary literary witnesses, is not a professional work. Attorney client privilege therefore extends to authors and other informants.

### **Art. 34 Continuing Legal Education**

This Constitution was amended within 30 days of notification by the ABA Center for Continuing Legal Education (CLE) for submission to the Organization of Administrators of Continuing Legal Education (ORACLE) in 2005.

## **Art. 35 International Bill of Rights**

Art. 55 of the UN Charter, that is drafted - with a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the *principle of equal rights* and *self-determination of peoples*, the United Nations shall promote:

- (a) higher standards of living, full employment, and conditions of economic and social progress and development, under the Declaration on Social Progress and Development 2542 (XXIV) 1969;
- (b) solutions of international economic, social, health, and related problems; and international cultural and educational co-operation under the International Covenant on Economic, Social and Cultural Rights, 2200A(XXI)(1966);
- (c) universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion under the Universal Declaration of Human Rights 217 A (III) of 10 December 1948.

These basic documents are supported by the:

- a. The Optional Protocol to the International Covenant on Civil and Political Rights of 23 March 1976 recognizing the Human Rights Council and;
- b. The Second Optional Protocol aiming at the abolition of the death penalty of 15 December 1989.
  - i. Status of national ratifications

## **Chapter 5 Political Privilege**

### **Art. 36 Democracy**

The effective exercise of representative democracy is the basis for the rule of law and of constitutional regimes that rely upon parliament for their authority. The basic democratic principles are freedom and equal rights. For representative democracy to flourish people must be able to make political decisions free of fear and want.

1. The Inter-American Democratic Charter Adopted by the OAS General Assembly at its special session held in Lima, Peru, on 11 September 2001 reaffirms the principle of representative democracy for good governance.
2. Every citizen shall have the right and the opportunity under Art. 25 of the International Covenant on Civil and Political Rights of 23 March 1976,

- a. To take part in the conduct of public affairs, directly or through freely chosen representatives.
- b. To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors.
- c. To have access, on general terms of equality, to public service in his or her country.

**Art. 37 Political Parties**

- 1. Political parties are a protected form of freedom of association. Multi-party politics are preferred to single party States.
- 2. Political parties promote candidates for political office. People are free to express their political opinion by forming political associations and parties.
- 3. A political party must be philosophically diametrically opposed to the use of armed or military or police force. It is absolutely critical that candidates and parties refrain the use of propaganda for war, or incitement of hatred or armed force, or they will be censored.
- 4. The political spectrum running from left to right follows,

Communist – Liberal = Conservative – Fascist

- 5. In the United States there are only the Democrats (D) and Republicans (R) who have juxtaposed the ideologies of free market liberalism and social conservatism for the paucity of foundation in the actual work of political philosophers to allow politics to stray into Communism, the interest of workers, and Fascism, the corporate interest, that are incorporated into the administration to regulate the economy but as political rhetoric have historically failed to maintain a division between public and private sectors and failed to prevent militarization of the private sector.
- 6. For politics to flourish a multiparty political system is needed, to allow a plurality of opinions be expressed on issues of importance to the people. A fairness doctrine is important to allow for the freedom of expression, of at least a minimum of debate. Independent and third party candidates need to enjoy the freedom of the press and the privilege of public office to reverse a century of dictatorship.

**Art. 38 Political Organization**

- 1. Citizens petition Congress for redress by signing petitions, writing reports, forming committees and peacefully protesting. Only Congress members may introduce bills into the hopper. Professional lobbyists represent both clients and the public interest. No later than 45 days after the first of January a lobbyist shall register with Secretary of the Senate and the Clerk of the House of Representatives a disclosure under 2USC§1604.

2. A “527” political organization writes an annual report, funds a newsletter and campaign committees. Everyone has the constitutional rights to petition the Government for the redress of grievances; to express a personal opinion; and to freely associate, as protected by the first amendment to the Constitution and 26USC§527.

### **Art. 39 Non Governmental Organization and Non Profit Corporation**

1. The Economic and Social Council (ECOSOC) makes suitable arrangements for consultation with non-governmental organizations under Art. 71 of the UN Charter and ECOSOC Resolution 1996/31 provides for registration with the DESA NGO Section.

a. A quadrennial report shall be prepared for the NGO Section of ECOSOC.

b. NGOs may appoint representatives to attend UN conferences.

i. The lesson to be learned is that legitimate leaders have a much lighter burden of proof than non-governmental organizations and political advocates, NGOs must therefore write both detailed reports and summarize them, in less than 500 words, for politicians.

2. A “501c” non profit corporation is exempt from income taxes under 26USC§501(c).

a. A non-profit corporation may promote religion, social welfare, public health, science public safety, literacy, education, amateur sports, prevention of cruelty to children or animals or recreation.

b. Non-profits shall not devote a substantial part of their activities to propaganda, or otherwise attempt to influence legislation or political campaigns on behalf of or in opposition to any candidate for public office.

### **Art. 40 Public Health**

A. Art. 10 (bed) of the Declaration on Social Progress and Development of 11 December 1969 summarizes the Constitution of the World Health Organization of 22 July 1946 goal of achieving the highest standard of health by ensuring: (b) The elimination of hunger and malnutrition and the guarantee of the right to proper nutrition. (e) The raising of general standards of literacy, in order to; (d) achieve the highest standards of health and the provision of health protection for the entire population, if possible free of charge. To keep abreast of public health research HA syndicates: 1. GlobalHealthReporting.org Weekly TB/Malaria Report 2. Kaiser Daily Health Policy Report

1. To prescribe: Naloxone (Narcan) rescue injection and naltrexone oral to reverse respiratory depression in opiate overdoses. Amantadine (Symmetrel) to cure in one dose human influenza and the extra-pyramidal side effects of anti-psychotic drugs and treat Parkinson's. Ampicillin (Principen) treats pneumonia, meningitis and sinusitis. Metronidazole (Flagyl ER) (1960) treats joint, lower lung, heart, pancreatic, kidney,

liver and gastrointestinal infections caused by *Helicobacter pylori*, *Entamoeba histolytica*, *Bacteroides fragilis*, *Salmonella*, *Giardia*, *E. coli* and antibiotic associated colitis caused by *Clostridium difficile*. Doxycycline (1967), the once a day antibiotic, heals wounds infected with hospital acquired Methicillin Resistant *Staphylococcus Aureus* (MRSA), bubonic plague, Lyme disease and syphilis. Clindamycin (Cleocin) treats *Staph* in children under age 8 and pregnant women. *Staph* heart attacks are 50% fatal on hospital admissions. Toxic shock syndrome is caused by hospital acquired *Staphylococcus aureus* sensitivity to *Streptococcus* spp. and is best treated with doxycycline or clindamycin. One cup of bleach per 5 gallons hospital cleanser. Brush teeth within 10 minutes of eating sweets. Hydrocortisone creme treats aspergillosis and allergies. Clotrimazole (athlete's foot creme) treats the foot and shin. Stonebreaker (*Chanca piedra*) cures urinary and gallstones overnight.

#### **Art. 41 Education**

1. The International Covenant on Economic, Social and Cultural Rights 2200A (XXI) of 16 December 1966 recognizes the right of everyone to education. Education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. Education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the maintenance of peace.

2. With a view to achieving the full realization of this right:

(a) Primary education shall be compulsory and available free to all;

(b) Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education;

(c) Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education;

(d) Fundamental education shall be encouraged or intensified as far as possible for those persons who have not received or completed the whole period of their primary education;

(e) The development of a system of schools at all levels shall be actively pursued, an adequate fellowship system shall be established, and the material conditions of teaching staff shall be continuously improved.

3. Due respect must be given for the liberty of parents and, when applicable, legal guardians to choose for their children schools, other than those established by the public authorities, which conform to such minimum educational standards as may be laid down

or approved by the State and to ensure the religious and moral education of their children in conformity with their own convictions.

4. No part of this article shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, that shall conform to such minimum curricular standards as may be laid down by the State.

## Chapter 6 Economic Law

### Art. 42 Dual Mandate

The dual mandate for price stability and maximum employment also provides for a separation between the public and private sectors. Keynesian economics promotes a mixed economy, where both the state and the private sector play an important role. Keynesian economics comes in contrast to laissez-faire economics, economic theory based on the belief that markets and the private sector could operate well on their own, without state intervention. In Keynes's theory, general (macro-level) trends can overwhelm the micro-level behavior of individuals, instead of the economic process being based on continuous improvements in potential output, as most classical economists had believed from the late 1700s on. Keynes asserted the importance of aggregate demand for goods as the driving factor of the economy, especially in periods of downturn.

It is easily shown that the conditions of supply, such as are usually expressed in terms of the supply curve, and the elasticity of supply relating output to price, can be handled in terms of our two chosen units by means of the aggregate supply function, without reference to quantities of output, whether we are concerned with a particular firm or industry or with economic activity as a whole. For the aggregate supply function for a given firm (and similarly for a given industry or for industry as a whole) is given by

$$Z_r = f_r(N_r),$$

where  $Z_r$  is the return the expectation of which will induce a level of employment  $N_r$ . If, therefore, the relation between employment and output is such that an employment  $N_r$  results in an output  $O_r$ , where  $O_r = j_r(N_r)$ , it follows that

$$p = Z_r/O_r = f_r(N_r)/j_r(N_r)$$

is the ordinary supply curve.

Thus in the case of each homogeneous commodity, for which  $O_r = j_r(N_r)$  has a definite meaning, we can evaluate  $Z_r = j_r(N_r)$  in the ordinary way; but we can then aggregate the  $N_r$ 's in a way which we cannot aggregate the  $O_r$ 's, since  $SO_r$  is not a numerical quantity. Moreover, if we can assume that, in a given environment, a given aggregate employment will be distributed in a unique way between different industries, so that  $N_r$  is a function of  $N$ , further simplifications are possible.

### **Art. 43 Law of Supply and Demand**

1. The Law of Supply and Demand provides that competition between consumers and producers brings the supply of goods and the demand for them into balance. This is Cardinal 'law' of free-market economic theory. Overproduction lowers prices, increasing demand; over-consumption raises prices, reducing demand.

2. Say's Law provides that there can be no demand without supply. Thus aggregate demand equals aggregate supply. Thus every rise in the demand for goods results in an increase in supply. Recession therefore does not occur because of failure in demand or lack of money. The more goods that are produced, the more those goods can constitute a demand for other goods. For this reason, prosperity should be increased by stimulating production, not consumption. The creation of more money simply results in inflation; more money demanding the same quantity of goods does not represent an increase in real demand as stated by the French economist Jean-Baptiste Say in 1803.

### **Art. 44 Law of Diminishing Returns**

1. The Law of diminishing returns provides that if one factor of production – say, staff, or research - is continually increased while the others remain constant, eventually the point is reached where each new unit of increase brings a smaller addition to production than the previous one. Also known as the Law of Variable Proportions and Parkinson's Law

2. Parkinson's Law explains that work expands to fill the time available to do it. Or, that the amount of work done varies inversely to the number of people employed as the result of the Law of Diminishing Returns. Although more people can make a job go faster as long as there is somebody the job will get done. Any gain that a proprietor makes from employment is less than if the owner did it themselves and becomes even more marginal the more employees there are. This theory was first published by the British economist Cyril Northcote Parkinson in 1958.

3. Gresham's Law explains that 'bad money drives out good'. Or, that debasing the metal content of coinage lowers the value of money, since owners of unadulterated coins tend to hoard them or melt them down to purchase a greater number of debased coins. It is the basis for the right to a fair trial, attributed to Elizabeth I's financial adviser, Sir Thomas Gresham. Probably first stated by the Polish astronomer Nicolaus Copernicus.

### **Art. 45 Balanced Budget**

A. The ordinary expense of modern governments in time of peace is equal or nearly equal to their ordinary revenue, according to Adam Smith in an Inquiry into the Nature and Causes of the Wealth of Nations, 1776 Public Debts Book V Chapter III. The more the public debts may have been accumulated, the more necessary it may have become to study to reduce them. When national debts have once been accumulated to a certain degree, instance of their having been fairly and completely paid, is nearly unheard of, except by President Andrew Jackson in 1832.

B. Several balanced budget Amendments have been proposed however none were agreed to. The version introduced into the House of Representatives with 160 sponsors on 7 January 1997 was supplementally amended three times before the need to delete war privileges left only *Section 1*. Total outlays for any fiscal year should not exceed total receipts for that fiscal year. The EU does not accept a deficit in excess of 3% of GDP.

1. To balance the federal budget it is necessary to correct the 12% margin of error favoring debt in OMB Table 4.1 Outlays by Agency Other Defense Civil Programs, Allowance and Other Independent Agencies rows must be deleted. State and International Assistance rows combined. Cabinet agency congressional budget justifications must be annually reviewed to produce exact outlay estimates under Art. 2 Sec. 2 of the United States Constitution. Total outlays are subtracted from total revenues to determine a surplus or deficit.

### **Art. 46 Free Trade**

1. Liberal theory is founded in the belief that the market is reliant upon freedom to engage in trade without restraint. Free trade and globalization do not guarantee democracy and respect for human rights, but they do provide a more favorable trade wind for achieving those goals. Democracy and human rights are of the utmost importance the success of trade. An equitable currency exchange rate is of great value whereas an overvalued currency reduces demand on the international market and devaluating increases demand.

2. The kind of economic organization that provides economic freedom directly, namely competitive capitalism, also promotes political freedom because it separates economic power from political power. Liberal democracies limit their regulation of the economy.

3. Evidence indicates that there is a direct relationship between the international trade deficit and prison overpopulation. It would seem that the infringement of civil liberties drives people to import foreign goods and generates dislike of, and inefficiencies in, domestic producers and exporters.

4. The Buy American Provisions under 24USC§225h promotes the Buy American Act of 1933 at 41USC§10a that states, “Notwithstanding any other provision of law... only such...articles, materials, and supplies as have been mined or produced in the United States...shall be acquired for public use”.

5. To promote trade, that creates 2/3 of economic growth, without protectively manipulating the currency exchange governments should devalue their currencies to the extent that the governments is in budget or trade deficit – laissez-faire bailout. The equation for devaluating is quite simple. The currency is devaluated by the proportion of the size of the deficit less value of foreign currency reserves, divided by the size of the GDP. This will ensure that the GDPs of the nations who engage in deficits do not

overvalue their currency and stifle trade, nor do nations, who has accumulated significant foreign reserves, undervalue their currency and glut the market. Therefore;

$$\begin{aligned}\alpha &= \text{value of bailout} \\ \beta &= \text{value of foreign currency reserves} \\ \gamma &= \text{value of GDP} \\ \delta &= \text{negative value signifies need to devalue}\end{aligned}$$

Thus,

$$-1 \left( \frac{\alpha - \beta}{\gamma} \right) = \delta$$

6. Biased to appreciate developing nation currencies this equation will work towards the goal of global economic equality and ensure international trade is free of market distorting subsidies.

### **Art. 47 Corporations**

1. Firms are the basic economic decision-making unit they can be informal households or partnerships or organized as corporations.
2. Corporations are generally subdivided into those taxed at corporate rates (taxable or C corporations), and those electing to be taxed through their shareholders at individual income tax rates.
3. The latter group includes Subchapter S corporations (or simply S corporations), Regulated Investment Companies (RICs), and Real Estate Investment Trusts (REITs), all of which are not taxed at the enterprise level but whose income similarly flows through to their owners, where it is subject to tax. C.
4. Taxable corporate income is generally taxed directly at the business level, then again at the shareholder level, at the applicable rates on dividend income.
5. Non governmental organizations have a responsibility to ensure the social and environmental responsibility of corporations.

### **Art. 48 Wages and Inflation**

1. All people have the right to gainful employment in their freely chosen career or as accepted in the labor market.
2. Peter's Principle is in any organization every employee rises to his level of incompetence. All valuable work is therefore done by people who have not yet reached that level. People must be cautious with leadership because they often accept positions of power for which they are not qualified although they may have performed well in

another, lesser or more specialized position as published by a Canadian-born author, Professor Lawrence J. Peter, in 1969.

3. To maximize employment the Authority to Accept Certain Uncompensated Services under 24USC§422 (d) provides that the status of persons providing voluntary personal services or gratuitous services or receiving training, shall be considered to be an employee of the Federal Government only for purposes of compensation for work-related injuries or claims for damages or loss.

4. The Iron Law of Wages is that if wages rise above subsistence level, they produce inflation, which in turn forces wages down to subsistence level again. States and employers from time to time make estimates as to the minimum living wage so as to keep the standard of living of the population above the poverty line. Care must be taken in collective bargaining to ensure that growth in income does not lead to inflation. Given wide currency by British economist David Ricardo, of French origin.

5. Engel's Law anticipates that with rising incomes, the share of expenditures for food and other products declines. Based on surveys of families' budgets and expenditure patterns, that the income elasticity of demand for food was relatively low. The resulting shift in expenditures affects demand patterns and employment structures. Engel's Law does not suggest that the consumption of food products remains unchanged as income increases! It suggests that consumers increase their expenditures for food products, in % terms. Ernst Engel was a 19<sup>th</sup> century German statistician.

6. To sustain consumer economic growth with a minimum of inflation it is necessary to prioritize growth of low-income wages, slightly more than, and professional wages, lower than, the average annual rate of inflation. With the average annual rate of inflation stabilized between 2.5% - 3% since 1980 worldwide, the current expectation is that social security benefits and federal minimum wage grow 3% annually, while professional wages increase about 1.5%. For the federal budget 2.7% average annual consumer price index inflation means spending for government grows 2.5%, health, education, services and in-kind welfare grow 3% and cash welfare grows 4% to sustain a 3% increase in benefit amount and 1% increase in population. The federal hourly minimum wage statute needs to be amended so that it automatically increases an affordable 3% every year from \$7.25 (2009-present) under 29USC§206 (a)(1)(D).

#### **Art. 49 Taxable Income**

1. Gross national income (GNI) is a more accurate method of estimating national wealth. GNI includes the income of all people and corporate profits.

2. Taxes may be excluded but as a calculation of national wealth may also be included to express the total amount of national revenues.

3. People with incomes below the poverty line are exempt from taxation. People with incomes above the maximum earning limit are also frequently exempt but may be taxed as corporations.

### **Art. 50 Gross Domestic Product**

Gross Domestic Product (GDP) is an indicator of total national economic well-being. The 1993 System of National Accounts (SNA) calculates the GDP in table 2.4

1. Gross domestic product (GDP) at market prices = Output + taxes, less subsidies on products – intermediate consumption, or,

2. Gross domestic product (GDP) at market prices = Final consumption expenditure/ actual final consumption + changes in inventories + gross fixed capital formation + acquisitions less disposals of valuables + exports of goods and services - imports of goods and services.

### **Chapter 7 Agenda**

#### **Art. 51 Reform**

HA statute notes the idiocy in regards to the Secretary of Health and Human Services (SHHS) and Secretary of Defense (SoD). The right names for the Department of Health and Human Services (DHHS) and Department of Defense (DoD) are the Public Health Department (PHD) and Military Department (MD), respectively. St. Elizabeth's Hospital has been the Department of Homeland Security (DHS) headquarters since 2010 and Congress is advised to immediately change the name of the Department to U.S. Customs.

#### **Art. 52 Military Department**

The Department of Defense (DoD) was legislated by 98 3 40 Stat. 1303 (March 3, 1919) and Secretary of Defense Transfer Order No. 40 [App. A & C(3)](July 22, 1949) right before the Geneva Convention of April 21 to August 12, 1949. Common Art. 3 of the Geneva Conventions guarantees noncombatants and those laying down their arms *hors de combat* shall be treated humanely and the order to kill all combatants is prohibited. The budget totals of the Air Force, Army and Navy must be subtracted from the annual total war levy to determine undistributed offsetting receipts at year end. A Military Department (MD) could minimally be required to report their undistributed offsetting receipts in their congressional budget justification.

#### **Art. 53 Public Health Department**

1. The Department of Health and Human Services (DHHS) needs to be graduated into two separate departments Human Services (HS) and Public Health Department (PHD) pursuant to 31 FR 8855 (June 25, 1966), and PL96-88 (Oct. 17, 1979) and Department of Education Re-organization Act of May 4, 1980, under 20USC§3508. The Centers for

Medicare, Medicaid and SCHIP (CMS) needs to limit inflation in health expenditures to 3% annually. To redress hyperinflation Medicaid prices should be the equally the rule for private health insurance payments and out-of-pocket payors. National health expenditures should be reduced to less than 10% of GDP by 2030. The Amount of Premiums must not increase more than 3% annually in Sec. 1839 of the Social Security under 42USC§1395r. To redress hyperinflation in national health expenditures, it is necessary repeal 'medical records and payments' from the Fair Credit Reporting Act 15USC§1681a(x)(1).

#### **Art. 54 Human Services**

Human Services (HS) is a federal agency composed of the growing budgets for the Administration for Children and Families (ACF) and Administration of Community Living (ACL) and dwindling budget for Substance Abuse Mental Health Service Administration (SAMHSA). HS must be graduated from the Department of Health, to produce a supplemental budget request to defend annual 2.5% government, 3% health benefit, education, services, in-kind welfare and 4% cash welfare growth, with arrears under Art. 19 of the UN Charter. The mission is to redress the deprivation of 10 million Aid For Families with Dependent Children (AFDC) benefits 1996-2000 by making a collective effort to protect federal health, education and welfare agency budget growth from hyperinflation and budget cuts. Human Services budgets have taken the blame for health hyperinflation, for too long, and two separate independent Cabinet agencies are recommended to redress health hyperinflation and child welfare attrition, separately.

#### **Art. 55 Child SSI Tax**

Child poverty currently runs at 22%-33%, working age poverty 10%, elderly poverty 9%, and the average poverty rate remains virtually unchanged at 15%-18% from 1996. Congress has no option but to tax the rich the 12.4% OASDI tax on all their income and create a Supplemental Security Income (SSI) Trust Fund to end child poverty by 2020 and all poverty by 2030. Congress must repeal the Adjustment of the contribution and benefit base in Section 230 of the Social Security Act under 42USC§430 and replace it with 'There is created in the Treasury a Supplemental Security Income (SSI) Trust Fund to tax the rich the full 12.4% Federal Insurance Contribution Act (FICA) Old Age Survivor and Disability Insurance (OASDI) on all their income. This tax on the rich would pay 16-24 million children growing up poor child SSI benefits, hopefully end child poverty by 2020 and all poverty by 2030. OASDI revenues would be distributed between the OASI, DI and SSI Trust Funds by the Board of Trustees in the Annual Report to redress priorities of ending child poverty and building the SSI trust fund ratio that changes over time to barely have enough to pay for the high cost of retirement of the Baby Boomers between 2030 and 2040.' The alternative is that there will be social security deficits by 2020, near depletion of the combined trust fund by 2030 and chronic federal budget deficits under current law.

#### **Art. 56 Economic Growth**

A. Since the Industrial Revolution which began in 1750 the era of modern economic growth has led the GWP per capita to increase in a sustained basis, though in a very uneven way across different regions of the world. There are two kinds of economic growth. One kind of growth is the growth of the world's technological leaders, driven by relentless technological advance, called endogenous growth, meaning something that arises or is abolished from within a system, rather than from the outside. The other kind of growth is catch-up growth, that can be considerably faster than endogenous growth. Technological leaders have tended to grow at around 1-2% per capita, while the fastest catching up countries, like South Korea and China, have enjoyed per capita GDP growth of 5-10% per annum. No technological leader has ever sustained such rapid growth rates, and no laggard country has sustained them after the point of catching up with the leading countries. Super-rapid and sustained economic growth is about closing gaps in coverage for the poor, not about inventing new economic systems, subsidies or technologies.

1. Since the 1980s global consumer price inflation has been controlled between 2.5% - 3% and currently runs at 2.7%. For sustainable economic growth with a minimum of inflation, it is necessary that federal outlays prioritize growth for welfare programs for the poor more than inflation and government less than inflation. The Iron Law of Wages states, that if wages rise above subsistence level, they produce inflation, which in turn forces wages down to subsistence level again. Engel's Law anticipates that with rising incomes, the share of expenditures for food and other products declines. By paying welfare the government is not only doing what internationally recognized human rights knows to be the right thing to do, welfare both controls inflation by giving the savviest price negotiators more and assured the poor will continue to return the vast majority of their new incomes directly to the consumer economy.

2. To navigate Engels' Law and the Iron Law of Wages, the rule of law for sustainable economic growth while inflation remains between 2.5% - 3% is 2.5% government, 3% health, education, service, minimum wage, benefits and 4% total cash welfare annual growth in federal outlays. 2.5% growth in professional payrolls is divided between an annual raise (1.5%) and employment growth (1%). 4% growth in outlays for cash welfare is shared between 3% Cost-of-living adjustment and 1% population growth. While welfare populations may grow faster, due to retirement of the Baby Boomer cohort or new child SSI tax on the rich, while inflation runs 2.5% - 3% a 3% COLA is the correct interpretation of Sec. 215(i) of the Social Security Act under 42USC§415(i). To relieve payrolls of irregular and large increases in federal minimum wage to make up for the many years without a raise, it is necessary to legislate an automatic increase in federal minimum wage from \$7.25 an hour 2009-2018 to '\$7.50 in 2019 and 3% more every year thereafter.' under 29USC§206(a)(1)(D).

### **Art. 57 Budget Surplus**

A. Normally governments run on a deficit. According to the EU deficits should not exceed 3% of GDP. A federal budget surplus is an extremely elusive goal that has been achieved only a few times in American history. Most famously the time President Andrew Jackson paid back the entire national debt in 1832 although Immanuel Kant had

written earlier that this was theoretically impossible to do. Although the United States earned a \$70 million surplus 1789-1849, the Civil War incurred a -\$991 million deficit 1850-1900. Between 1900 and 1920 the budget fluctuated tens of millions dollars surplus or deficit, regardless of the war in Europe. From 1920 until after the stock market crash in 1931 there was a surplus. Since the end of World War II 1947 – 1948, the federal government has declared a surplus only in 1960 and 1999-2000.

1. To achieve a budget surplus revenues must exceed expenditures. Normally tax revenues increase at a high rate of 4.5% - 6%, sustaining revenue growth however requires popular economic policies. After unsustainable economic growth from tax relief for the rich, and zero federal revenue growth, the time is ripe to tax the rich to pay child SSI to prevent economic slowdown. Care must be taken to ensure the long-awaited tax on the rich is not lost on the 12% overestimate in favor of debt contrived in the ledger of OMB Table 4.1 Outlays by Agency. The only direct benefit the federal budget would derive from the tax on the rich is that total outlays would be relieved of on-budget SSI costs. The normally growing federal government 2.5% - 4% must be required to earn their surplus with revenues derived from popular policies that must include accounting accuracy, abolition of prohibition, trade liberalization, selling identification documents to, and collecting taxes from immigrants, so that by taxing the rich to pay social security benefits to the poor, consumer economic growth and taxation of beneficiaries would generate a budget surplus and sustain it.

B. To begin to balance the federal budget it is necessary to correct the 12% margin of error favoring debt in OMB Table 4.1 Outlays by Agency Other Defense Civil Programs, Allowance and Other Independent Agencies rows on and off-budget must be deleted. State and International Assistance rows are combined. General Services Administration and Small Business Administration loan programs need to be removed from the outlay ledger, like Stafford Subsidized Student Loans and revenues from the Education budget. Every balanced budget amendment proposal since 1997 has excluded revenues from lending and payment of debt principal from the equation. from the federal budget. Once the Cabinet ledger has been settled congressional budget justifications must be annually reviewed to produce exact outlay estimates under Art. 2 Sec. 2 of the US Constitution.

### **Art. 58 Alcohol, Tobacco and Marijuana**

A. To begin to be eligible to earn federal tax revenues from the legalization of recreational marijuana the Treasury Department is advised to change the name of the Alcohol and Tobacco Tax and Trade Bureau (ATTTB) to Bureau of Alcohol, Tobacco and Marijuana (ATM). The Justice Department will change the name of the Bureau of Alcohol, Tobacco and Firearms (ATF) to Bureau of Firearms and Explosives (FE).

1. In 2014 more than 300 economists and 600 churches petitioned the White House to legalize marijuana and abolish prohibition era law law enforcement agencies, the FBI, DEA, Interagency Drug and Crime Task Force, and Office of National Drug Control Policy to redress the tampering of narcotics and hallucinogens by law enforcement, reduce the deficit and reverse the tenfold increase in fentanyl opiate overdoses.

2. Food and Drug Administration (FDA) outlays for the Center for Tobacco Policy (CTP) must be terminated under the Nuremberg Code and Sec. 301 of the Food Drug and Cosmetic Act (FD&CA) under 21USC§331. The FDA may keep the tobacco fees.

### **Art. 59 Customs**

Congress needs to amend Title 22 US Code Foreign Relations and Intercourse (a-FRai-d) to Foreign Relations (FR-ee). The Court of International Trade of the United States (COITUS) should be renamed US Customs Court (USCC) pursuant to the Customs Court Act of 1980 that created it. The Department of Homeland Security (DHS) should change their name to U.S. Customs, Immigration and Customs Enforcement (ICE) needs to be abolished, like the Immigration and Naturalization Service (INS) before it. Migrant workers and members of their families shall not be subject to measures of collective expulsion under Art. 22 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (1990). 3% growth for U.S. Citizenship and Immigration (USCIS), 2.5% for other Customs agencies.

### **Art. 60 Documents**

A. The Constitution gave to Congress the power in Article I Section 8 Clause 4 'To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States'. Article 9 Clause 1 limits, 'The Migration or Importation of such Persons...but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person'. To create a popular immigration policy that will sustain economic and federal revenue growth U.S. Customs must sell travel documents and limit their withholding of income tax on the wages of nonresident aliens under 26USC§1441.

1. A refugee is someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion. A stateless person is someone who is not considered as a national by any state under the operation of its law and is essentially unable to procure an official identity document. Common Articles 26-29 to the Convention Relating to the Status of Refugees of 1951 and the Convention Relating to the Status of Stateless Persons of 1954 require States to provide them with identity papers and travel documents at the same price as nationals. Many healthy Americans have become stateless in recent years, due to difficult to impossible new evidence requirements. If people are unable to buy identification and international travel documents, they should be sold travel documents that indicate that they are stateless, for not more than \$10 under Art. I Sec. 9 Clause 1 of the US Constitution.

### **Art. 61 General Principles of UN Reform**

1. The points of order for UN reform are:

- a. Set down the Generals of the United Nations (GUN), elect a civilian Secretary and ratify the new Statement of the United Nations (SUN) in world elections.
- b. Levy a 1% of income tax or 1-2% of income voluntary contribution to world-wide-welfare.
- c. Change the name of the Economic and Social Council (ECOSOC-k) to Socio-Economic Administration (SEA).
- d. Abolish the International Criminal Tribunal for the Former Yugoslavia.
- e. Remove Drugs from the Office of Crime.
- f. Repeal Permanent Membership to the UN Security Council.

## **Chapter 8 Amendments**

### **Art. 62 Amending HA**

The author amends HA.

### **Art. 63 Amending the United States Code**

To amend the United States Code a bill must be passed by the majority of the US Congress and signed by the President.

### **Art. 64 Amending the United States Constitution**

Article 5 of the US Constitution provides that amendments may be proposed by two thirds of both Houses or on the application of two thirds of state legislatures and ratified by three fourths of state legislatures.

### **Art. 65 Amending the United Nations Charter**

A. Two or more of the parties to a multilateral treaty may conclude an agreement to modify the treaty under Article 41 and two-thirds may ratify under Article 9 to the Vienna Convention on the Law of Treaties. 27 January 1980

1. Chapter XVIII at Art. 108 of the UN Charter provides that amendments shall come into force for all Members of the United Nations when they have been adopted by a vote of two thirds of the members of the General Assembly and ratified in accordance with their respective constitutional processes by two thirds of the Members of the United Nations, including all the permanent members of the Security Council.

## **Chapter 9 Annotated U.S. Constitution**

## **Art. 66 Annotation**

Annotation is different from the current system of constitutional amendments authorized in the United States. The psychological interaction between the first and second amendments to the Bill of Rights (1789) must be corrected and old debts from the Confederacy forgiven. The Second Amendment right to bear arms is unusual and the militia is particularly cruel treatment for people who sue the government for a redress of grievances. The quartering of troops in people's homes is not a constitutional law in any of the fifty states or hundreds of nations. Sections 2-5 of the 14<sup>th</sup> Amendment (1868) must be repealed to provide people born and naturalized in the United States the equal protection Section 1. Prohibition in the 18<sup>th</sup> Amendment (1919) was repealed by the 21<sup>st</sup> Amendment (1933) but set bad precedence, enforcement must be abolished under the Slavery Convention (1926). Brackets or other notation should be used on the text of both 18<sup>th</sup> and 21<sup>st</sup> amendments. [Brackets mean repealed]

## **Art. 67 Supremacy Clause**

Article VI of the U.S. Constitution should be written supreme law first, debts last [unnumbered and in brackets].

1. This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

2. The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

[All Debts contracted and Engagements entered into, before the adoption of the Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.]

## **Art. 68 Balanced Budget Second Amendment**

Section 1 Total outlays for any fiscal year shall not exceed total receipts for that fiscal year.

Section 2 Prior to each fiscal year, the President shall transmit to the Congress a proposed budget for the United States Government for that fiscal year.

Section 3 The Congress shall implement a balanced budget by appropriate legislation.

[A well-regulated militia being necessary to the security of a free state, the right of people to keep and bear arms shall not be infringed.]

### **Art. 69 No Arbitrary Arrest, Detention or Exile Third Amendment**

The third amendment of 1791 is a response to a discontinued cruel and unusual practice of British colonials that states, 'No soldier shall, in time of peace be quartered in any, house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.' and replaced with to reduce the burden on the inferior court

No arbitrary arrest, detention or exile.

### **Art. 70 Equal Protection Section**

14<sup>th</sup> Amendment of 1868 provides;

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

### **Art. 71 Jim Crow**

Sections 2-5 of the 14<sup>th</sup> Amendment are repealed:

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

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

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

Section 5 the Congress shall have power to enforce by appropriate legislation the provisions of this article.]

#### **Art. 72 Torture Compensation**

Torture 18USC§2340A(a) amended so 'outside the United States' is removed so - Whoever commits or attempts to commit torture shall be fined under this title or imprisoned not more than 20 years, or both, and if death results to any person from conduct prohibited by this subsection, shall be punished by death or imprisoned for any term of years or for life. Exclusive Remedies 18USC§2340B replaced with 'The State shall ensure in its legal system that the victim of an act of torture obtains redress and has an enforceable right to fair and adequate compensation, including the means for as full rehabilitation as possible. In the event of the death of the victim as a result of an act of torture, his dependents shall be entitled to compensation under Art. 14 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 26 June 1987'.

#### **Chapter 10 Statement of the United Nations**

##### **Art. 73 General Principle of UN Charter Amendment**

1. The general principle of UN Charter reform is to set down the Generals of the United Nations (GUN) in order to democratically elect a Secretary and Parliament. Besides the following two amended Chapters all reference to the Secretary General would need to be shortened to Secretary, General Assembly to Parliament and ECOSOC to Socio-economic Administration (SEA). To de-colonize the UN the Permanent Membership to the Security Council will be repealed.

2. Chapter XII International Trusteeship System Arts. 75-85 is amended in vacation of paragraph 177 of the Draft Outcome Document of the World Summit of 13 September

2005 to establish an international system of 1% social security taxation that appears on the pay-stubs of workers and beneficiaries worldwide.

3. Chapter XIII Trusteeship Council Arts. 86-91 is amended as ordered in the Outcome Document of the 2005 World Summit of 22 September 2005 that called for the Human Rights Commission to change their name to the Human Rights Council and adopt a parliamentary function. The Human Rights Council was established in General Assembly Resolution A/60/251 of 3 April 2006.

## **Chapter 10-A International Tax Administration Amendment to the UN Charter**

### **Art. 74 International Tax Administration Amendment**

The United Nations shall establish under its authority an international social security taxation system for the administration and supervision of such territories as may be placed there-under by subsequent individual agreements. These territories are hereinafter referred to as Member States.

### **Art. 75 Basic Objectives**

The basic objectives of the taxation system, in accordance with the Purposes of the United Nations laid down in Article 1 of the present Charter, shall be:

- a. to further international peace and security;
- b. to promote the political, economic, social, and educational advancement of the inhabitants of the Member States, and their progressive development towards self-government or independence as may be appropriate to the particular circumstances of each territory and its peoples and the freely expressed wishes of the peoples concerned, and as may be provided by the terms of each social security agreement;
- c. to encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion, and to encourage recognition of the interdependence of the peoples of the world; and
- d. to ensure equal treatment in social, economic, and commercial matters for all Members of the United Nations and their nationals, and also equal treatment for the latter in the administration of social security.

### **Art. 76 Categorization of Territories**

1. The taxation system shall apply to such territories in the following categories as may be placed there-under by means of social security agreements:
  - a. least developed countries who are entitled to the largest per capita benefit payment;
  - b. middle income developing nations who are exempt from either taxation or benefit but fertile for investment;
  - c. donor nations responsible for making annual contributions to the international social security system.

2. It will be a matter for subsequent agreement as to which Member States in the foregoing categories will fulfill their obligations to give money to the poor.

#### **Art. 77 Income tax**

The taxation system shall apply to all territories and people who have become Members of the United Nations, relationship among whom shall be based on respect for the principle of sovereign equality. The UN taxation system will be a flat tax on wages that appears as a social security tax on the pay-stub of workers in developed nations and social security administration in the books of the treasuries of least developed countries.

#### **Art. 78 Administrative agreement**

The terms of taxation for each territory to be placed under the social security system, including any alteration or amendment, shall be agreed upon by the states directly concerned, taking into consideration the donor classification and the mandate to wealthy Member Nations for contributions totaling 0.7% of GDP or 1% of GNI. To avoid dependency 33% of administration shall be paid to national governments in taxes that shall be administered for local projects approved by the people.

#### **Art. 79 Speedy Negotiation**

1. Except as may be agreed upon in individual taxation agreements, placing each wealthy territory under the taxation system, without altering in any manner the rights whatsoever of any states or any peoples or the terms of existing international instruments to which Members of the United Nations may respectively be parties.

2. Paragraph 1 of this Article shall not be interpreted as giving grounds for delay or postponement of the negotiation and conclusion of agreements for placing least developed nations and other needy territories under the social security system.

#### **Art. 80 Tax Authority**

The taxation agreement shall in each case include the terms under which the wealthy territory will be collected and designate the authority which will exercise the collection of taxation of the developed nation. Such authority, hereinafter called the tax authority, may be one or more states or the Organization itself.

#### **Art. 81 National Poverty Line**

There may be designated, in any administrative agreement, a regional area which may include part or all or a collection of impoverished territories to which the social

security agreement for the payment of benefits to poor individuals applies on the basis of the national poverty line.

### **Art. 82 Parliamentary Function**

1. All functions of the United Nations relating to administrative areas, including the approval of the terms of social security agreements and of their alteration or amendment shall be exercised by the Parliament.
2. The basic objective shall be applicable to the people of each region.
3. The Parliament shall, subject to the provisions of the trusteeship agreements and without prejudice to security considerations, avail itself of the assistance of the Security Council to perform those functions of the United Nations under the taxation system relating to political, economic, social, and educational matters in strategic areas.

### **Art. 83 Maintenance of Social Security**

It shall be the duty of the administering authority to ensure that the Member State shall play its part in the maintenance of international social security.

To this end the administering authority may make use of volunteer forces, facilities, and assistance from the territory in carrying out the obligations to poor individuals in this social security tax undertaken in this regard by the administering authority.

### **Art. 84 Committee on Contributions**

1. The functions of the United Nations with regard to taxation agreements for all areas not designated as regional, including the approval of the terms of the taxation agreements, the apportionment of benefits in the commonwealth, and of their alteration or amendment, shall be exercised by the Parliament.
2. The Committee on Contributions, shall assist the Parliament in carrying out these functions.

## **Chapter 10-B Human Rights Council Amendment to the UN Charter**

### **Art. 85 Human Rights Council Amendment**

1. The Human Rights Council shall comprise between 30 and 50 members, each serving for a period of three years, to be elected directly by the Parliamentary Assembly, by a two thirds majority. In establishing the membership of the Council, due regard shall be given to the principle of equitable geographical distribution and the contribution of Member States to the promotion and protection of human rights;

2. Those elected to the Council should undertake to abide by human rights standards in their respect for and protection and promotion of human rights, and will be evaluated during their term of membership under the review mechanism, unless they have been evaluated shortly before the start of their term in the Council.

### **Art. 86 Responsibility**

The Council will be the organ primarily responsible for promoting universal respect for and observance and protection of all human rights and fundamental freedoms for all, without distinction of any kind and in a fair and equal manner, recognizing their indivisible, inalienable and interrelated culture. The treaty bodies the Council reviews are:

- a. High Commissioner of Human Rights
- b. Council on Human Rights
- c. Committee on Migrant Workers
- d. Committee on Economic, Social and Cultural Rights
- e. Committee on the Elimination of Discrimination against Women
- f. Committee on the Rights of the Child
- g. Committee on the Elimination of Racial Discrimination
- h. Committee against Torture

### **Art. 87 Function**

The Council will be:

1. The forum for dialogue on thematic issues relating to all human rights and fundamental freedoms and make recommendations to the Parliamentary Assembly (General Assembly) for the further development of international law in the field of human rights;
2. To promote international cooperation to enhance the abilities of Member States to implement human rights commitments, including international norms and standards, and the provision of assistance by the Office of the United Nations High Commissioner for Human Rights to Member States, at their request, through programmes of advisory services, technical cooperation and capacity-building;
3. Promote effective coordination and the mainstreaming of human rights within the United Nations system, including by making policy recommendations to the Parliamentary Assembly (General Assembly), the Security Council, the Socio-Economic

Administration (Economic and Social Council) and other United Nations bodies. The Council should also work in close cooperation with regional organizations in the field of human rights;

4. Evaluate the fulfillment by all States of all their human rights obligations, in particular under the Charter and the Universal Declaration of Human Rights. This procedure will not duplicate the reporting procedures being carried out under the human rights treaties;

5. Address any matters or situations related to the promotion and protection of human rights, including urgent human rights situations, and make recommendations thereon to the Member States and provide policy recommendations to the United Nations system and petitioners.

#### **Art. 88 Voting**

1. Each member of the Council shall have one vote.

2. Decisions of the Council shall be made by a majority of the members present and voting.

#### **Art. 89 Procedure**

1. The Council shall adopt its own rules of procedure, including the method of selecting its High Commissioner.

2. The Council shall meet as required in accordance with its rules, which shall include provision for the convening of meetings on the request of a majority of its members.

#### **Art. 90 Report**

1. The Council shall submit an annual report to the Parliamentary Assembly.

2. The Council shall, when appropriate, avail itself of the assistance of the Socio-Economic Administration (Economic and Social Council) and of the specialized agencies in regard to matters with which they are respectively concerned.

3. The arrangements made by the Socio-Economic Administration (Economic and Social Council) for consultations with non-governmental organizations under Article 71 of the Charter shall apply to the Council.

#### **Chapter 9 Internet Office**

#### **Art. 91 Secretary**

To better serve the public there is a Secretary to ensure the secrecy and confidentiality of correspondence, disseminate news, periodicals, submissions for publication, and conduct research for the preparation of documents for publication.

### **Art. 92 Agenda**

To uphold the democratic principles of non-use of force, equal rights and the right of all peoples to self-determination the agenda is:

1. public health 2. a balanced budget 3. human rights 4. redistribution of wealth and 5. copyright royalties.

### **Art. 93 Authors**

Authors may write Hospitals & Asylums on the top of their document, and refer to the non-governmental organization as HA.

### **Art. 94 Curriculum**

HA is responsible for the federal budget and social security. The statute is reviewed as time allows:

Chapter 1 Military Diplomacy in May  
Chapter 2 Attorney General Enforcement in July  
Chapter 3 Health and Welfare in June  
Chapter 4 State Mental Institution Library Education in March  
Chapter 5 Customs in September  
Chapter 6 Jury Duty in January  
Chapter 7 National Cemeteries as needed  
Chapter 8 Drug Regulation in October  
Chapter 9 Public Health Department in April  
Chapter 10 Armed Forces Retirement Home in November

### **Art. 95 Medical Ethics**

The quality of HA is primarily a matter of medical ethics. When health is good the work is plentiful, precise and inspiring. When times are rough productivity goes down, work languishes, and errors are made. At no time shall these errors include prescriptions of law authorizing bio-terrorism, non-consensual investigations or incitement to any form of violence. Medical ethics are paramount.

### **Art. 96 Counsel**

People and organizations with whom HA has a vested interest, namely family members, friends, authors, paying clients and assailants, are entitled to dispute resolution. Record

is made of conflicts of interest to mitigate loss and counsel parties to realign so that we may seal the record and go our separate ways.

## **Chapter 12 Society**

### **Art. 97 Hospitals & Asylums Day**

Sleep under the stars and count the Perseid meteors July 17 – August 24.

### **Art. 98 Donations**

Thank you for your support.

### **Art. 99 No-Membership**

Hospitals & Asylums is not a membership society.

### **Art. 100 Citation**

Sanders, Tony J. Constitution of Hospitals & Asylums Non Governmental Economics. 21<sup>th</sup> Ed. Hospitals & Asylums HA-24-7-18 [www.title24uscode.org/CHANGE.html](http://www.title24uscode.org/CHANGE.html)

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