

POSITION PAPER

10th AMENDMENT – State and Individual Sovereignty

By: John W. Wallace

The Tenth Amendment to the US Constitution states:

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

The purpose of the Tenth Amendment, much like the Ninth Amendment, is to clearly eliminate any ambiguities about the true purpose of the US Constitution, which is to protect our rights and property by severely limiting the privileges and powers delegated to the federal government.

The Tenth Amendment reinforces the idea that the three branches of the federal government and their agents can only exercise powers specifically granted to them in the Constitution. Unfortunately, the federal government has far exceeded the privileges and powers authorized by the Constitution. The oligarchy in Washington seems to believe that the Constitution is a "living document" and that the power should flow downward from the federal government, to the states and finally to the people. This is the complete opposite of the way things are supposed to be and the time is now for the states and the people, including their elected representatives, to step forward to correct this unconstitutional situation before it is too late.

For the reasons indicated, I hereby take the following pledges:

THE FEDERAL PLEDGE

As a public office holder, or a candidate for public office, I affirm that:

1. All just political authority is derived from the People, and government may only be established and maintained with their consent.
2. The People of each State have the sole and exclusive right and power to govern themselves in all areas not delegated to their government.
3. A government without limits is a tyranny.
4. The Tenth Amendment defines the total scope of federal power as being that which has been delegated by the people to the federal government in the Constitution, and also that which is necessary and proper to advancing those powers specifically enumerated in

the Constitution of the United States. The rest is to be handled by the state governments, or by the people themselves, as they determine.

5. In order for a federally-exercised power to be “necessary and proper” it must be a) something that, without which, would make the enumerated power impossible to exercise, and b) a lesser power than that which has been enumerated

6. The “Interstate Commerce Clause” in Article I, Section 8 of the Constitution, does not permit Congress to regulate matters that merely affect commerce among the States. It only permits Congress to regulate trade among the States.

7. The phrase, “general Welfare,” in Article I, Section 8 does not authorize Congress to enact any laws it claims are in the “general Welfare” of the United States. The phrase sets forth the requirement that all laws passed by Congress in Pursuance of the enumerated powers of the Constitution shall also be in the general Welfare of the United States. This was affirmed by James Madison when he wrote: “With respect to the words “general welfare,” I have always regarded them as qualified by the detail of powers connected with them. To take them in a literal and unlimited sense would be a metamorphosis of the Constitution into a character which there is a host of proofs was not contemplated by its creators.”

8. The federal government is not authorized to tax the People to raise monies for unconstitutional purposes. Likewise, the federal government is not authorized to condition funding to State or local governments on compliance with mandates which require them to do what the federal government is not authorized to do directly.

9. When Congress enacts laws and regulations that are not made in Pursuance of the powers enumerated in the Constitution, the People are not bound to obey them.

10. When the federal government exceeds its Constitutional authority, a nullification of the act is the rightful remedy. Without that remedy, the People would be living in a tyranny, under the unlawful and excessive control of one or more branches of the federal government.

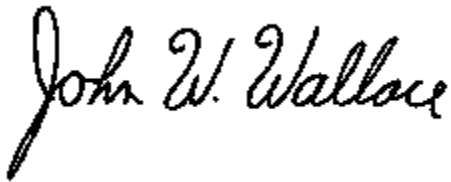
As a public office holder, or a candidate for public office, I promise that, as long as I hold office:

1. My votes will always be in favor of the Constitution of the United States and the Constitution of this State. Every issue. Every time. No exceptions. No excuses.

2. I do, and will continue to, oppose any and all efforts by the federal government to act beyond its Constitutional authority.

3. I will proactively introduce and support measures designed to adhere to the Tenth Amendment and preserve, to their fullest extent, the powers of the People in my district, and of the legislators and administrations of my State.

4. I will introduce, sponsor and support a resolution affirming the sovereignty of the People of each State under the Tenth Amendment to the Constitution of the United States.
5. I will introduce, sponsor, and support legislation that seeks to repeal laws and regulations that are outside the scope of the powers delegated by the people to the federal government.
6. I will introduce, sponsor and support legislation that provides such relief as is necessary and proper to provide fair redress to the citizens of my State in response to actions by the federal government which exceeds its Constitutional authority.
7. Whenever I vote in favor of a new federal power, I will always make public my justification for it within the confines of the enumerated powers of the Constitution.
8. I will only vote in favor of a bill that I have thoroughly read, considered and understood.
9. I will be accountable to voters. Upon request, I will make public every vote I cast while in office.
10. I will keep this pledge public, and will provide a link on my website which directs constituents to the text of this pledge.



January 25, 2010

THE STATE PLEDGE:

As a public office holder, or a candidate for public office, I affirm that:

1. All just political authority is derived from the People, and government may only be established and maintained with their consent.
2. The People of each State have the sole and exclusive right and power to govern themselves in all areas not delegated to their government.
3. A government without limits is a tyranny.

4. The Tenth Amendment defines the total scope of federal power as being that which has been delegated by the people to the federal government in the Constitution, and also that which is necessary and proper to advancing those powers specifically enumerated in the Constitution of the United States. The rest is to be handled by the state governments, or by the people themselves, as they determine.

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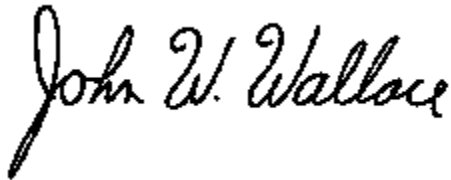
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3. I will proactively introduce and support measures designed to adhere to the Tenth Amendment and preserve, to their fullest extent, the powers of the People in my district, and of the legislators and administrations of my State.
4. I will introduce, sponsor and support resolutions affirming the sovereignty of the People of this State under the Tenth Amendment to the Constitution of the United States.
5. I will introduce, sponsor, and support legislation that nullifies, within my state, actions of the federal government which exceed its Constitutional authority.
6. I will introduce, sponsor and support legislation that provides such relief as is necessary and proper to provide fair redress to the citizens of my State in response to actions by the federal government which exceeds its Constitutional authority.
7. I will introduce, sponsor and support legislation which refuses federal funding made on condition that my State comply with federal mandates not authorized by the Constitution.
8. I will only vote in favor of a bill that I have thoroughly read, considered and understood.
9. I will be accountable to voters. Upon request, I will make public every vote I cast while in office.
10. I will keep this pledge public, and will provide a link on my website which directs constituents to the text of this pledge.

A handwritten signature in black ink that reads "John W. Wallace". The signature is written in a cursive, flowing style.

January 25, 2010

For more information about John W. Wallace, or to find out about his positions on other issues, please go to: www.TeaPartyRep.com