

Proposed Constitutional Amendment

Introduction: This proposed amendment to the Constitution, called the “By the People Amendment”, puts the power to remove congresspeople, presidents and vice presidents in the hands of the people. It seeks to ensure the government is truly accountable to the people and there are mechanisms for citizens to remove elected officials who fail to live up to expectations.

“By the People Amendment”

While electing officials to represent the public’s interests is the goal of this democracy as formed, there is potential for public servants to be influenced by factors which many in the public may find contrary to the representation and governance they seek.

As it is currently written, there are no mechanisms in the Constitution to remove a congressperson, president or vice-president other than the expiration of their term or through processes managed and overseen by the same. This fails to empower the public in times where the public interest is being overlooked, and it is for this reason that this amendment is proposed.

This amendment asserts that for democracy to be full, and for governance to truly be of the people and by the people, there must be mechanisms short of rebellion where the people, without the required intervention of representatives, can remove congresspeople, presidents and vice-presidents. As a method for realizing this growing empowerment of the public, certain procedures must be laid out, and so this amendment, including the following steps, will from here forward be called the “By the People Amendment”.

In order to successfully recall a U.S. congressperson, president or vice-president, the following steps must be followed:

- The recall process, whether it be for a congressperson or a president and/or vice-president, will follow a two-step process.
- Should the recall process be successful, an two-round snap election will ensue.
- In the first process, a petitioner must pay a nominal fee and gather signatures amounting to 10% of all registered voters in the appropriate jurisdiction(s) within 60 days of filing.
 - All expenses related to this step must be covered by the petitioner or by supporters of this effort.
 - No state, or jurisdiction within, may interfere with or impede this process.
 - Each state, and jurisdiction within, must allocate dedicated space for the petitioner and / or representatives of the same to gather signatures during the hours of 8am to 7pm, 6 days per week. This is in order to make this process available to the greatest number of potentially interested voters.
 - A total of 10% of registered voters in any combination must sign the petition for this first step of the recall process to be considered successful and to move to the next step.
 - If the petition is to recall a president or vice-president, no jurisdictional conditioning would limit the process from moving forward, meaning any combination of voters across the nation that adds up to 10% of the national voter base is sufficient. No individual state need meet this threshold for this first step of the recall process to be considered successful.

- If 10% of registered voters do not affirm this process, the effort fails and ends at this stage.
- If the previous threshold is reached, state legislature(s) are required to initiate a recall investigation which would use state ballots and a voting window of 60 days to determine if 60% of citizens or more support the proposed recall.
 - States are required to utilize the same mechanisms used for national voting for supporting this process, and all expenses from here forward are the responsibility of the associated jurisdiction (state).
 - Each state and jurisdiction within must allocate dedicated space for the recall vote to take place.
 - Absentee ballots must be offered and honored, with the postmark date used to determine if the vote was placed within the prescribed period.
 - In the case of voting on the recall of a president and/or vice-president, voters would not only vote whether to support this effort, they would also select the person in the line of succession they would support filling the void created by this removal.
 - During this period interested parties will be allowed to submit their name for candidacy should the recall be successful.
 - Ballots will have a carbon copy so they can be tallied both by a delegation formed by the filers as well as an equal number of opponents.
 - If 60% of all registered voters in any combination do not affirm this process, the effort fails and ends at this stage.
- If the threshold of 60% of any combination of registered voters supporting this effort is met, the recall is considered successful and the politician is immediately removed from their position.
 - In the case of recalling a congressperson, if the recall is successful, the state legislature, rather than the governor will select an interim person to fill the void of this position. This is because the former is more likely a broad representation of the voter base when compared to the latter.
 - In the case of recalling a president and / or vice president, the person in the line of succession who received the most votes would be the interim replacement immediately upon the vacancy of this / these position(s).
- If the recall is successful, and the politician of interest is removed from office, a two-round snap election will be triggered.
 - The first round:
 - Multiple candidates from each party, as well as multiple independents, would be permitted to run in this first round, much like a multi-party primary.
 - Voting would begin 45 days after the date of removal from office with the final votes mandatorily submitted by 60 days post removal.
 - The first round would determine the candidates who would move to the second round; one allowed for each party along with one independent.
 - Each voter would be allowed a primary and secondary choice when submitting their ballot.
 - The second round:

- This round of voting would ensue on a single day 21 days after the end of the first round.
- The winner of this election will immediately assume office.
- The term of office would be the remaining time left in the predecessor's term, and normal election cycles will ensue thereafter.