

ORIGINAL JURISDICTION: ARTICLE III, SECTION 2, CLAUSE 2

EXECUTIVE SUMMARY

For the past several decades, through a variety of misguided citations of case law, and compounded by the support of unconstitutional federal statutes, a regularity of usurping a State's right to have its grievances heard before an appropriate court has been facilitated. Cases in which States are a Party belong in the Supreme Court.

On Thursday, Feb. 18, 2011, the Patriot Coalition and FIRE Coalition held a [Restoring Constitutional Governance briefing](#) in the House Judiciary Sub-Committee Chambers, Room 2226 Rayburn HOB to draw attention to this usurpation and others. The Founding Fathers provided a means by which we could amend the Constitution ratified by the several States within Article V. The methods ratified do not include judicial or Congressional activism.

Simply read the U.S. Constitution, Article III, Section 2, Clause 2. It means what it says.

The U.S. Constitution is NOT a contract/compact between the federal government and the States, but is THE contract between the several sovereign States that gave license to a federal government to perform certain enumerated functions on behalf of the States.

In "[Cohens v. Virginia](#)," Supreme Court Chief Justice Marshall stated the following:

"The people made the Constitution, and the people can unmake it. It is the creature of their will, and lives only by their will. But this supreme and irresistible power to make or to unmake resides only in the whole body of the people, not in any subdivision of them. The attempt of any of the parts to exercise it is usurpation, and ought to be repelled by those to whom the people have delegated their power of repelling it."

Chief Justice Marshall went on to say:

"It is most true that this Court will not take jurisdiction if it should not; but it is equally true that it must take jurisdiction if it should. The judiciary cannot, as the legislature may, avoid a measure because it approaches the confines of the Constitution. We cannot pass it by because it is doubtful. With whatever doubts, with whatever difficulties, a case may be attended, we must decide it if it be brought before us. We have no more right to decline the exercise of jurisdiction which is given than to usurp that which is not given. The one or the other would be treason to the Constitution." [-Supreme Court Chief Justice Marshall](#)

- Read our open letters to AZ Gov. Brewer, VA A.G. Cuccinelli, & SCOTUS Chief Justice Roberts:
<http://rejoinordie.com/docs/rejoinordie.pdf>
- Watch the "Restore States' Rights" PowerPoint presentation to learn more about "original jurisdiction."
<http://rejoinordie.com/ppt/OJ-Rev4.ppt>
- Read what Supreme Court Historical Society Trustee Bernard Reese has to say:
<http://www.rstar.com/gnt/whatyoursaving/x1024315796/Guest-%20column-Court-had-no-authority-in-Arizona-case-Supreme-Court-%20does#comments>
- Read Federalist 81: The Judiciary Continued, and the Distribution of the Judicial Authority,
http://thomas.loc.gov/home/histdox/fed_81.html

Restoring Constitutional governance requires that the below federal statutes be brought back into compliance with the Constitution. It's time for our elected officials to keep their oath to support and DEFEND the Constitution.

The PDF version of this document which contains clickable links with the email addresses of the speakers and the organizations they represent, along with links to source documents can be downloaded directly at:

<http://rejoinordie.com/docs/RCG-PRIME.pdf>

STATUTORY CHANGES THAT ARE NEEDED TO:
RESTORE CONSTITUTIONAL COMPLIANCE & PROTECT STATES' RIGHTS:

[TITLE 28](#) > [PART IV](#) > [CHAPTER 81](#) > [§ 1251. Original jurisdiction](#)

- (a) The Supreme Court shall have original and exclusive jurisdiction of all controversies between two or more States.
- (b) The Supreme Court shall have original but not exclusive jurisdiction of:
- (1) All actions or proceedings to which ambassadors, other public ministers, consuls, or vice consuls of foreign states are parties;
 - (2) All controversies between the United States and a State;
 - (3) All actions or proceedings by a State against the citizens of another State or against aliens.

To be compliant with U.S. Constitution, § 1251 should read:

In all cases affecting Ambassadors, other public Ministers, and Consuls, and those in which a State shall be Party, the Supreme Court shall have original jurisdiction.
[Part (b) should be stricken in its entirety.]

[TITLE 28](#) > [PART IV](#) > [CHAPTER 85](#) > [§ 1331. Federal question](#)

The district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.

To be compliant with U.S. Constitution, § 1331 should read:

The district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States, except those affecting Ambassadors, other public Ministers, and Consuls, and those in which a State shall be Party.
[See U.S. Constitution, Article III, Section 2, Clause 2.]

[TITLE 28](#) > [PART IV](#) > [CHAPTER 85](#) > [§ 1345. United States as plaintiff](#)

Except as otherwise provided by Act of Congress, the district courts shall have original jurisdiction of all civil actions, suits or proceedings commenced by the United States, or by any agency or officer thereof expressly authorized to sue by Act of Congress.

To be compliant with U.S. Constitution, § 1345 should read:

Except as otherwise provided by Act of Congress, the district courts shall have original jurisdiction of all civil actions, suits or proceedings commenced by the United States, or by any agency or officer thereof expressly authorized to sue by Act of Congress, not to include those affecting Ambassadors, other public Ministers, and Consuls, and those in which a State shall be Party.
[See U.S. Constitution, Article III, Section 2, Clause 2.]

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**CONGRESSIONAL BRIEFING ON
RESTORING CONSTITUTIONAL GOVERNANCE**

Thursday, Feb. 17, 2011, 9:30a.m. – 10:30a.m.
House Judiciary Sub-Committee
Room 2226, Rayburn HOB

Contact: Jeff Lewis Jeff@PatriotCoalition.com
Phone: 252-876-9489



"I know of no safe depository of the ultimate powers of the society but the people themselves; and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them, but to inform their discretion through education." – Thomas Jefferson

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[Richard D. Fry, Esq.](#), General Counsel, [FIRE Coalition](#) & [Patriot Coalition](#)
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ANTI-GUN OBAMACARE & 2nd AMENDMENT

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BIRTHRIGHT CITIZENSHIP & 14TH AMENDMENT

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NATIONAL SECURITY & IMMIGRATION LAW ENFORCEMENT

[Jeff Lewis](#), National Director, [FIRE Coalition](#) & [Patriot Coalition](#)

DHS & ITS FORMAL TIES TO HATE GROUPS & OTHER EXTREMISTS

[Tom DeWeese](#), President, [American Policy Center](#)
Author, ["Now Tell Me I Was Wrong"](#)
Publisher, ["The DeWeese Report"](#)

EDUCATING AMERICA: TEACHING PRINCIPLES OF LIBERTY OF THE U.S. CONSTITUTION

[Dr. Earl Taylor](#), President, [National Center for Constitutional Studies](#)

God Bless America and Those That Defend Her.

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