

**FIRST AMENDMENT PETITION FOR REDRESS OF VIOLATIONS OF  
THE GUARANTEE CLAUSE AND THE ENUMERATED POWERS  
WITHIN THE CONSTITUTION FOR THE UNITED STATES OF  
AMERICA BY CONGRESS**

Pursuant to Article I, Article IV, Article VI, and the Fourteenth Amendment to the Constitution for the United States of America, the undersigned, who reside in the County of Pennington within the State of South Dakota, hereby exercise our constitutionally protected “right” to petition our government (i.e. County Commissioners) for redress of violations of the Constitution for the United States of America.

**WHEREAS**, the jurisdiction as defined in the Virginia Ratification Debates on the Adoption of the Federal Constitution were succinctly assert by James Madison that “the powers of the federal government are enumerated; it can only operate in certain cases; it has legislative powers on defined and limited objects, beyond which it cannot extend its jurisdiction.”<sup>1</sup> (Mr. Madison, June 6 1787), and

**WHEREAS**, One specific responsibility and power delegated to the general government is within Article IV Section 4 referred to as the Guarantee Clause that “The United States shall guarantee to every State in this Union a

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<sup>1</sup>James Madison, The Debates In The Convention Of The Commonwealth Of Virginia,

On The Adoption Of The Federal Constitution. [https://constitution.org/1-Constitution/rc/rat\\_va\\_05.txt](https://constitution.org/1-Constitution/rc/rat_va_05.txt)

Republican Form of Government, **and shall protect each of them against Invasion,**<sup>2</sup> and

**WHEREAS,** the framers did not specify this to be a military invasion; thus, the reason for a lack of clarity in the Constitution; that they were well aware of the historical context of theological combatants and religious invasion. A specific religious invasion doctrine referred to as Hijrah doctrine<sup>3</sup>, is an Islamic policy/principle of Jihad by migration. This doctrine calls for Mohammadian's to mass migrate into a non-believer nation and entrench themselves into the nation without assimilating, seeking to undermine and overthrow the host government by exploiting democracy along with accelerating growth in the Mohammadian's population. They accelerate growth by both continuing aggressive immigration and by violating the nation's laws by practicing polygamy openly claiming religious rights or doing it secretly when the host countries laws will not allow it. This way the Mohammadian's are able to have as many children as possible until they commandeer a nation to subjugate it to Islam. The Zoroastrian's of Persia (Iran) were conquered and forced into practicing Islam by this doctrine completely eradicating the Zoroastrian faith; and

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<sup>2</sup> The Constitution for the United States of America, [https://constitution.org/1-Constitution/constit\\_.htm](https://constitution.org/1-Constitution/constit_.htm)

<sup>3</sup> Levy J. (2009, August 16). The Hijra. Retrieved 30 June, 2020, retrieved from [https://www.americanthinker.com/articles/2009/08/the\\_hijra.html](https://www.americanthinker.com/articles/2009/08/the_hijra.html)

**WHEREAS**, the definition of an invasion<sup>4</sup> is:

- 1) an act or instance of invading or entering as an enemy, especially by an army
- 2) the entrance or advent of anything troublesome or harmful, as disease
- 3) entrance as if to take possession or overrun
- 4) infringement by intrusion

, and

**WHEREAS**, invasions are not limited to military forces; a political invasion can be equally dangerous to a nation. Those who illegally and willfully enter into a nation to exploit its economic, political, and other opportunities must be treated as much as a threat to a nations security as an invading military force. This is an invasion where people are not just hiding in plain sight – but are stealing and forging identities and identification; thus, committing additional crimes to permanently remain in violation of fundamental immigration laws.

**WHEREAS**, these invaders coming into the United States do not assimilate either and insist on retaining their language and culture and try to directly engage in the political process to undermine and defy our laws as well as our Constitution; in other words, these are political combatant invaders with the intent to undermine America politically, and

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<sup>4</sup> Dictionary.com, <https://www.dictionary.com/browse/invasion#>

**WHEREAS**, this invasion has been allowed and supported by Congress to exist for almost four decades, where many invaders have had children while illegally here in the United States. In accordance with the Fourteenth Amendment Section 1, “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.”<sup>5</sup> A person must be a citizen to be considered under the jurisdiction of the United States; thus, children born to two parents who are not under the legal jurisdiction of the United States are and cannot be Citizens of the United States. Consequently, this clause strictly addressed the salves that were under the jurisdiction of the United States at the time of the amendment, since they were recognized for apportionment of Representation, and

**WHEREAS**, foreigners inside or outside the United States are not entitled to apportionment for representation in accordance with the Fourteenth Amendment Section 2, that “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 the 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

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<sup>5</sup> The Constitution for the United States of America, [https://constitution.org/1-Constitution/constit\\_.htm](https://constitution.org/1-Constitution/constit_.htm)

inhabitants of such State, being twenty-one years of age, **AND CITIZENS OF THE UNITED STATES** (emphasis added), or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.”<sup>6</sup>

**WHEREAS**, in accordance to the Fifteenth, and the Nineteenth Amendment, the requirement of citizenship was reasserted that in both amendments stated “The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State;”<sup>7</sup> the point in fact, there is not one amendment to the Constitution for the United States of America that allows non-citizens the right to vote or to be included in apportionment for representation; however, many States are violating this law allowing invaders access to voting, and

**WHEREAS**, within Dennis L. Murphy published article titled “The Exclusion of Illegal Aliens from the Reapportionment Base: A Question of Representation,”<sup>8</sup> he clarifies the fact that in 1980 the United States government began violating the Constitution by apportioning representation to invaders (i.e.

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<sup>6</sup> The Constitution for the United States of America, [https://constitution.org/1-Constitution/constit\\_.htm](https://constitution.org/1-Constitution/constit_.htm)

<sup>7</sup> The Constitution for the United States of America, [https://constitution.org/1-Constitution/constit\\_.htm](https://constitution.org/1-Constitution/constit_.htm)

<sup>8</sup> Dennis L. Murph, The Exclusion of Illegal Aliens from the Reapportionment Base: A Question of Representation <https://scholarlycommons.law.case.edu/cgi/viewcontent.cgi?article=2054&context=caselrev>

illegal aliens) stating “IN THE 1990 census, illegal aliens were enumerated by the Census Bureau. The census count is used for several purposes, including apportionment of seats in the House of Representatives among the several states. The Constitution denies illegal aliens the right to vote; nevertheless, illegal aliens were counted in the 1980 census and included in the reapportionment base that year. As a result, Georgia and Indiana each lost a seat in the House of Representatives.” Furthermore, the Center for Immigration Studies reported on December 19, 2019<sup>9</sup> that due to the fact that the federal government has begun counting invaders in the census today twenty-six seats in the House of Representatives are being unconstitutional granted to invaders in direct violation to Section 2 of the Fourteenth Amendment of the Constitution for the United States of American, and

**WHEREAS**, Rafael Bernal reported a study conducted by Yale and MIT<sup>10</sup> in 2018 that these schools estimated that there were modestly at least twenty-two point one million in contrast to the assertion that there was only eleven million invaders in the United States of America, and

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<sup>9</sup> The Impact of Legal and Illegal Immigration on the Apportionment of Seats in the U.S. House of Representatives in 2020 <https://cis.org/Report/Impact-Legal-and-Illegal-Immigration-Apportionment-Seats-US-House-Representatives-2020>

<sup>10</sup> Yale, MIT study: 22 million, not 11 million, undocumented immigrants in US, By Rafael Bernal - 09/21/18 04:38 PM EDT, <https://thehill.com/latino/407848-yale-mit-study-22-million-not-11-million-undocumented-immigrants-in-us>

**WHEREAS**, one cannot consider one million let alone over twenty million people illegally living within a nation they have no right of citizenship yet demanding protection, and political and voting access as an immigration problem, this is by ALL definitions an invasion, and

**WHEREAS**, Presidents Herbert Hoover and Dwight Eisenhower both fulfilled their oath of office by ensuring “that the laws be faithfully executed”<sup>11</sup> in accordance with Article II of the Constitution for the United States of America; two Presidents deported invaders and their non-citizen children who were born in the United States but were NOT “subject to the jurisdiction thereof.”<sup>12</sup> Where, in 1931, Presidents Herbert Hoover deported between 500,000 and 2,000,000 illegal aliens and their non-U.S. citizen children<sup>13</sup> and during the Korean War up to 1955, President Dwight Eisenhower executed the largest deportation expelling more than 4 million illegal aliens<sup>14</sup>, and

**WHEREAS**, Article VI Section 4 of the Constitution for the United States of America guarantees to each State in the union that the federal government will protect each State from an invasion by stating “The United States shall guarantee

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<sup>11</sup> The Constitution for the United States of America, [https://constitution.org/1-Constitution/constit\\_.htm](https://constitution.org/1-Constitution/constit_.htm)

<sup>12</sup> The Constitution for the United States of America, [https://constitution.org/1-Constitution/constit\\_.htm](https://constitution.org/1-Constitution/constit_.htm)

<sup>13</sup> Mexican Repatriation, [https://en.wikipedia.org/wiki/Mexican\\_Repatriation](https://en.wikipedia.org/wiki/Mexican_Repatriation)

<sup>14</sup> Library of Congress, <https://www.loc.gov/classroom-materials/immigration/mexican/expansion-and-expulsion/>

to every state in this union, a republican form of government, and shall protect each of them against invasion,”<sup>15</sup> and

**WHEREAS**, the framers of the Constitution were well aware that invasions were accomplished in ways other than a military force. During the Virginia Ratification Debates on the adoption of the Constitution, James Madison stated “without a general controlling power to call forth the strength of the Union to repel invasions, the country might be overrun and conquered by foreign enemies.”<sup>16</sup> He also asserted historical context in stating “The uniform conclusion drawn from a review of ancient and modern confederacies is, that, instead of promoting the public happiness, or securing public tranquillity, they have, in every instance, been productive of anarchy and confusion, ineffectual for the preservation of harmony, and a prey to their own dissensions and foreign invasions,”<sup>17</sup> and

**WHEREAS**, regardless of the type of invasion, each person violating our immigration laws by entering the United States illegally is a combatant in one form or another. Many of those who have invaded the United State over the past

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<sup>15</sup> The Constitution for the United States of America, [https://constitution.org/1-Constitution/constit\\_.htm](https://constitution.org/1-Constitution/constit_.htm)

<sup>16</sup> James Madison, The Debates In The Convention Of The Commonwealth Of Virginia, On The Adoption Of The Federal Constitution. [https://constitution.org/1-Constitution/rc/rat\\_va\\_05.txt](https://constitution.org/1-Constitution/rc/rat_va_05.txt)

<sup>17</sup> James Madison, The Debates In The Convention Of The Commonwealth Of Virginia, On The Adoption Of The Federal Constitution. [https://constitution.org/1-Constitution/rc/rat\\_va\\_06.txt](https://constitution.org/1-Constitution/rc/rat_va_06.txt)



three decades have become political combatants; demanding access to vote, access to representation, access to benefits, politically protesting, and participating in our political process.

**WHEREAS**, in California CNN reported that “Lizbeth Mateo seems to be a woman that’s going places... She was just appointed to a California state senate committee. She’s also an undocumented immigrant.”<sup>18</sup> Clearly the United States is being invaded by political combatants

**WHEREAS**, Article IV, Section 4 of the Constitution for the United States of America promises that “The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion;” and

**WHEREAS**, in America, a Government Republican in Form is a Government based on the written will and consent of the People, instituted to secure the individual’s natural Rights and where the Law is King; and

**WHEREAS**, a Republican form of government is one based upon laws and the rule of laws; consequently in accordance with Article VI Section 2 that the “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

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<sup>18</sup> Doug Criss, CNN March 16 2018 <https://www.cnn.com/2018/03/16/politics/california-undocumented-appointment-trnd/index.html>

shall be bound thereby, any thing in the constitution or laws of any state to the contrary notwithstanding,”<sup>19</sup> and

**WHEREAS**, Article I Section 8 subsection 15 of the Constitution stipulates the actions Congress must when a State or the United States in being invaded is stating “The Congress shall have the power... To provide for calling forth the militia to execute the laws of the union, suppress insurrections **AND REPEL INVASIONS** (emphasis added),”<sup>20</sup> and

**WHEREAS**, every member of Congress is legally required to take an oath of office where they must swear or affirm that they are “to support this constitution”<sup>21</sup> without any exception, and

**WHEREAS**, the United States Congress is not only failing to protect the States from an invasion, they have been working to legitimize and support their access to voting as well as unconstitutionally paying them monies for living assistance; therefore, ALL members of Congress who has not formally and on the record demanded the deployment of the militia or National Guard on the Southern border to repel this invasion has outright and deliberately violated their oath of office, and

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<sup>19</sup> The Constitution for the United States of America, [https://constitution.org/1-Constitution/constit\\_.htm](https://constitution.org/1-Constitution/constit_.htm)

<sup>20</sup> The Constitution for the United States of America, [https://constitution.org/1-Constitution/constit\\_.htm](https://constitution.org/1-Constitution/constit_.htm)

<sup>21</sup> The Constitution for the United States of America, [https://constitution.org/1-Constitution/constit\\_.htm](https://constitution.org/1-Constitution/constit_.htm)

**WHEREAS**, During the Congressional Debates of the Fourteenth Amendment, as section 3 was clarified and defined of its meaning and intent by Senator Howard who asserted “It seems to me that where a person has taken a solemn oath to support the Constitution of the United States there is a fair moral implication the he (or she) cannot afterward commit an act which in its effect would destroy the Constitution of the United States without incurring the guilt of at least moral perjury;”<sup>22</sup> and

**WHEREAS**, the consequences and language for moral perjury clearly stated in Section 3 of the Fourteenth Amendment of the Constitution for the United States of America as: “No person shall be a Senator or Representative in 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;” and

**WHEREAS**, ALL of Congress, having taken their oath to support the Constitution for the United States, did disqualify themselves from holding any

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<sup>22</sup> Howard J. (1866). Congressional Globe. Retrieved 30 June, 2020, from page 2898 [A Century of Lawmaking for a New Nation: U.S. Congressional Documents and Debates, 1774 - 1875 \(loc.gov\)](#)

office under the United States or under any State, by violating their oath by failing to support the Constitution and by allowing States and Non-Government Organizations to provide health/medical, free or low-cost food, housing, as well as financial aide or comfort to invaders and in many cases giving direct aid.<sup>23</sup> Allowing for a “catch and release”<sup>24</sup> for decades is a direct violation of the United States government’s requirement to repel an invasion by allowing invaders to stay within the borders if the United States directly, and

**WHEREAS**, with every Right there is a remedy and any Right that is not enforceable is not a Right; and

**WHEREAS**, any member of Congress who has not formally called for the deployment of the Militia or the National Guard to the Southern border to repel an invasion for over three decades must be removed from the Office as required by Section 3 of the Fourteenth Amendment and

**NOW THEREFORE**, in accordance with Article IV Section 4 that the States are guaranteed a Republican form of government, that our elected County Commissioners are our direct representatives, who in accordance with Article VI Section 3 of the Constitution for the United States must also take an oath “to support” the Constitution for the United States, we demand that ALL County

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<sup>23</sup> Paul Bedard, March 22, 2021 [Millions of illegal immigrants set to get \\$4.38 billion in Biden COVID cash \(msn.com\)](https://www.msn.com/en-us/news/politics/story/millions-of-illegal-immigrants-set-to-get-4.38-billion-in-biden-covid-cash)

<sup>24</sup> Catch and Release, Wikipedia, [Catch and release \(immigration\) - Wikipedia](https://en.wikipedia.org/wiki/Catch_and_release_(immigration))

Commissioners who represent the people of Pennington County, in the State of South Dakota; unite together to petition the State Legislature on our behalf, who have also taken the same oath to support the Constitution for the United States that in accordance with Article I, Article IV, Article VI, and Fourteenth Amendments to the Constitution for the United States of America, demand that the South Dakota State Legislators, the Governor, the Attorney General and the Secretary of State unite and formally call for the removal of Congress and that ALL Senators and Representatives in Congress from the State of South Dakota be charged with both treason and failure to fulfill their oaths and in accordance with Article IV Section 2 subsection 2, be extradited to the State of South Dakota to face trial of their charges and that the Governor in accordance with Article I and the Seventeenth Amendment replace ALL Senators and Representatives in Congress from the State of South Dakota for they have directly violated their legal obligation to support the Constitution and they continue to support rebellion against the Constitution for the United States by not deploying the Militia or the National Guard as required by Section 8 of the First Article and Section 3 of the Fourteenth Amendment; and report back to We the People of South Dakota, any and ALL State Legislators who failed to fulfill their oath of office to support the Constitution for the United States and did vote or act as required by the Constitution for the United States.

Respectfully submitted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ by: