

Summary Table of (11 proposed) "Liberty Amendments" by Mark Levin

[Grading/Ranking and commentary by Lloyd Sloan, 2013Sep. 3 B's, 2 C's, 4 D's, 2 F's, GPA: 1.5]

Levin Order	Grade (Rank)	An Amendment to . . .	Summary	Commentary, Improvements (Is an amendment necessary?)
1	D (6)	Establish Term Limits for Members of Congress	12 year lifetime limit in Congress, applies retroactive	Right problem, Wrong answer (Popular, but only treats symptoms.) REFORM election methods (End two-party system by cumulative voting?)
2	C (5)	Restore the Senate	Repeal 17th. State legislature may remove by 2/3 vote.	IMPROVE (by one state-one vote) Use the original voting method in the Articles
3	D- (7)	Establish Term Limits for Supreme Court Justices and Super-Majority Legislative Override	12 year lifetime limit on Supreme Court. (Rotate 1/3 every 4 years.) Override Supreme Court opinion by 3/5 Congress or by 3/5 states, within two years.	NO Amendment needed. Right problem identified: Judicial Supremacy REFORM Judicial powers (by III.2 restrictions on jurisdiction primarily, see Schlafly "Supremacists")
4	C (4)	Limit Federal Spending	Balanced Budget required, else 5% across-the-board cut. Spending cap 17.5% GDP. 3/5 required to increase debt. 3/5 may override the restrictions.	IMPROVE (by limits on debt, money, war powers) Bigger problems are ignored: Federal Reserve System and paper money (fiat currency), legitimate debt for war, but abuse of war powers
5	B (2)	Limit Federal Taxing	Personal (also corporate) taxation cap is 15% of income. No sales, VAT or death taxes. Elections held one day after tax deadlines.	IMPROVE (by state requisitions) Use the original taxation method in the Articles. Patrick Henry's idea, left out of the Bill of Rights
6	D- (8)	Limit the Federal Bureaucracy	Three year limit on all departments and agencies. Re-authorized in stand-alone bills. Executive Regulations worth over \$100 million reviewed by Congressional super-committee	NO Amendment needed. REAL problem: Restore "due process" REFORM: No Exec Regulation authority Super-committee authorization is a bad idea.
7	D- (9)	Promote Free Enterprise	Rewrite Commerce clause. Interstate commerce power is solely to prevent states from hindering commerce. Matters within a state are outside federal commerce powers.	NO Amendment needed. REAL problem: Limit Federal Powers (By whom?) I.8 limits are too "semantic" and "judicial-intensive" Proposals 10, 5, 4 (and 2) are better solutions
8	F (10)	Protect Private Property	Rewrite takings clause. Compensate for regulatory takings.	NO Amendment needed. Follow Barron v. Baltimore (See proposal 3) Perhaps new additions to Bill of Rights (Privacy?)
9	B (3)	Grant the States Authority to Directly Amend the Constitution	2/3 of states may amend without Congress. six year time limit, no rescinding.	Good idea: states amend WITHOUT Congress But 2/3 of states is still the wrong formula. IMPROVE using "representative majority"
10	B (1)	Grant the States Authority to Check Congress	3/5 of states veto Congress (or regulation worth over \$100 million) within 2 years. 30 day public notice before vote in Congress. (unless 2/3 override)	IMPROVE (by State Repeal Amendment, SRA) Repeal idea (Randy Barnett) is better than veto idea. 3/5 of states is the wrong formula (as is 2/3) and the 2-year time limit is wrong.
11	F (11)	Protect the Vote	Photo-ID required in all elections. Voting no earlier than 30 days before election (45 days for military)	NO Amendment needed. Congress and states already have power to do this.