

The Establishment Act 2024

A BILL

To establish the government of Vindex Nation and ensure integrity within the three branches in one supreme law.

Be it enacted by the House of Representatives of the Republic of Vindex Nation in Congress assembled,

SECTION 1. **SHORT TITLE.**

This Act may be cited as TEA 2024.

SEC. 2. **DEFINITIONS.**

As used in this Act, the term—

“unanimous vote” can be defined as a vote which favors support from all members of the legislative branch who vote on a given measure.

SEC. 3. **General Provisions of Separation.**

- (1) The Executive Branch, Legislative Branch, and Judicial Branch shall all be entirely separate from each other.
- (2) This bill shall not be amended or repealed without the support of four (4) out of five (5) sitting representatives and ratification from the President of Vindex Nation. The fraction in this clause shall be absolute and shall not be proportional to the number of representatives voting.
- (3) Any power of the government not explicitly granted to the Judicial Branch or Legislative Branch shall automatically be granted to the Executive Branch, so long as the power is not explicitly denied to the Government or denied to the Executive Branch by law.
- (4) TEA shall be the ONE and ONLY supreme law. This means that supremacy clauses and provisions, such as stating that no law may violate TEA or that more than a simple majority is required to pass this law is exclusive to this law only. No other law may include any supremacy clauses.

SEC. 4. **The Executive Branch.**

- (1) Procedures on the Appointment of the President.
 - (a) The President shall be appointed by the Emperor and only be removed by the Emperor.
 - (b) The Vice-President shall assume office if the President is removed in accordance with Section 9 of this law.
 - (c) The Vice President shall not be removed unless they have been impeached through proper impeachment procedures or convicted in a federal court.

(2) Explicit Powers of the Executive Branch.

- (a) The power to enact or veto legislation passed by the House of Representatives shall be vested in the Executive Branch.
- (b) The power to authorize a declaration of war passed by congress shall be vested in the Executive Branch.
- (c) The power to manage all officers and employees of the government, and to freely manage and organize the structure of the government when not provided for by law, shall be vested in the executive branch, excluding the employees and the structures of the Judicial Branch and Legislative Branch
- (d) The power to authorize the usage of military force within Vinish territory shall be vested in the Executive Branch.
- (e) The power to enforce laws passed by the House of Representatives shall be vested in the Executive Branch.
- (f) The power to freely appoint and regulate a cabinet shall be invested in the President of Vindex Nation. The President may create and dismantle cabinet departments and offices at their discretion. The President may freely dismiss any member of the Cabinet without the obligation to provide valid reasoning. Members of the Cabinet are additionally subject to removal upon the proper procedures of impeachment or a verdict in a federal court.

(3) Executive Orders.

- (a) An executive order shall be defined as a lawfully-binding directive issued to cabinet departments and/or citizens of Vindex Nation by the President.
- (b) Executive orders shall not violate standing law. The Judicial branch will enforce this through judicial review, outlined in Section 5 of this law. Said judicial review may only follow through a lawsuit filed by any citizen or entity of Vindex Nation.
- (c) Failure to follow an executive order may be considered a valid reason for termination from government positions cited as insubordination.

SEC. 5. The Judicial Branch.

(1) Procedures on the Appointment of the Chief Justice and Judges.

- (a) The President shall appoint the Chief Justice who shall be confirmed through a simple majority by Congress. The Chief justice shall only be removed if convicted in a federal court, impeached, or removed by the emperor. The President shall not fire the Chief Justice.

- (b) The President shall appoint lower court Judges who shall be confirmed through a simple majority by Congress and serve a term length of two months. All judicial branch officials are subject to removal upon impeachment.
- (c) The President shall appoint Supreme Court Justices, who shall be confirmed through a simple majority by Congress.

(2) Organization of the Judicial Branch.

- (a) The Judicial Branch shall be separated into one Supreme Court and lower courts established by this legislative branch.
- (b) The Supreme Court shall consist of the Chief Justice and two Associate Justices. Associate Justices must hold the [Associate Justice] tag. Decisions made by the supreme court require a simple majority to go into effect.
- (c) The lower courts shall consist of Judges. Judges shall operate independent of one another, and shall properly execute the duties prescribed to them in Section 5 of this law, as well as any provisions prescribed in the bill establishing the lower court.
- (d) The Chief Justice may freely organize any parts of the Judicial Branch not involving courts or judges.

(3) Explicit Powers of the Judicial Branch.

- (a) The Judicial Branch shall have the power to interpret the meaning of laws passed by congress and executive orders issued by the President.
- (b) The Judicial Branch shall have the power to conduct judicial review. The procedures of judicial review are as follows:
 - (i) Judicial review shall only be held when all three justices of the supreme court are available. If one justice is unavailable, the alternate associate justice may sit in as a replacement. Judicial review may additionally only be held if a case is presented before the court by any citizen or entity of Vindex Nation.
 - (ii) The Supreme Court will have the power to properly interpret the law. The Supreme Court may nullify parts of laws passed by congress, or executive orders issued by the President, if they are in violation of this act, or any act with a clearly established supremacy clause. The Supreme Court may not nullify a part of an act of congress, or an entire act of congress, if it has received a unanimous voting majority and the signature of the President. Congress will not have the power to overturn lower court or supreme court rulings altogether, but they will have the power to nullify an interpretation of the law by the lower Courts or Supreme Court by amending the law in question through the legislative process.

- (c) The Supreme Court shall have appellate jurisdiction in cases involving appeals from all established lower courts.
- (d) The Lower Courts shall have the original jurisdiction in all cases arising on Vinish territory. Verdicts issued by the lower Court shall be followed by all citizens,

government officials, and departments, unless overturned or amended by the Supreme Court, or an act of congress signed by the President.

- (e) The Judicial branch has the sole authority to verify, review, and log warrants. The Chief Justice may delegate this authority to additional figures within the Vinish government.
- (f) The Judicial Branch has the sole power of authorizing subpoenas, however for purposes of testimony, investigative reasons, and other reasons that have been authorized by a Judge, the House of Representatives shall have the authority to issue subpoenas.

SEC. 6. The Legislative Branch.

(1) Procedures on the Appointment of the Speaker of the House and the elections of Representatives.

- (a) The Speaker of the House shall be appointed by the President of Vindex Nation. The Speaker of the House may only be removed through impeachment, or a unanimous vote of all sitting Representatives through a replacement vote. The Speaker of the House shall serve a term of 1 month.
- (b) Five (5) Representatives shall be elected by the general public every month. The Speaker of the House or President in absence of the Speaker shall organize these elections. All election procedures must be public to prevent fraud or corruption. The Speaker of the House may not fire or remove representatives. Representatives may only be removed after a conviction in a federal court, or impeachment.

(2) Explicit Powers of the Legislative Branch.

- (a) The House of Representatives shall have the sole power to pass legislation. In order for legislation to be considered passed by the House of Representatives, it shall require at least three out of five representatives voting in favor. Legislation passed by the House of Representatives shall require the signature of the President before it may go into effect.
- (b) The House of Representatives shall have the power to override a presidential veto upon a unanimous voting majority in favor. The House of Representatives may not override a veto involving the amendment or repeal of this act.
- (c) The House of Representatives shall have the power to request a declaration of war. Upon at least four out of five representatives voting in favor of the declaration of war, the President shall enact or veto the declaration. A presidential veto for a declaration of war may not be overridden by congress.
- (d) The House of Representatives shall have the power to impeach, following the proper impeachment guidelines set in Section 7 of this law.

SEC. 7. **Impeachment procedures.**

(1) Definitions and Requirements.

- (a) Impeachment shall be known as when Articles of Impeachment are passed successfully by the House of Representatives (meeting proper requirements) alleging that a government official or government employee committed a crime. Impeachment does not always result in the removal of office.
- (b) Articles of Impeachment shall be known as the document proposed by the House of Representatives alleging a government official or employee of a crime. Articles of Impeachment do not result in the removal of office. They allow an inquiry into the alleged actions to begin.
- (c) Government officials shall be defined as any individual elected or appointed to a leadership position by the Vindex Government. Government employees are defined as any individual employed by the Vindex Government. They shall all be subject to impeachment for high crimes and misdemeanors.

(2) Explicit Procedures on Impeachment.

- (a) For the impeachment process to officially begin, the Articles of Impeachment must be passed by the House of Representatives.
- (b) Three [3] of the five [5] incumbent Representatives must vote in favor of the Articles of Impeachment. If three [3] out of five [5] in favor is not reached, the Articles of Impeachment fails
- (c) Articles of Impeachment must identify the name of the person being impeached, the offense of the individual being impeached, any material evidence proving the individual committed the alleged offense and a statement of the reason why the individual is being impeached. All evidence must be provided in the Articles of Impeachment. Evidence not included in the Articles may not be used in the trial if it reaches the trial phase.
- (d) To provide all individuals equal protection under the law, no individual shall have Articles of Impeachment proposed against them twice for the same offense. [Different offenses may be proposed; however, if it fails the first time, it may not be re-proposed.]

(3) The Review Panel.

- (a) If Articles of Impeachment pass, the Review Panel is to convene and review all pieces of evidence. Evidence not included in the Articles of Impeachment may not be used in the Review Panel's review or the trial if it moves to that phase.
- (b) If the Chief Justice is NOT being impeached, the Review Panel must consist of the three Supreme Court Justices [Supreme Court Justices include the Chief Justice].
- (c) If the Chief Justice **IS** being impeached, the Review Panel is to consist of the President, the Speaker of the House, and one [1] lower court judge. This lower court Judge is voted on, confidentially, by the President and Speaker of the House. Both must agree for the Judge to be added to the panel. If they cannot agree on the lower Court Judge within five [5] days of the Articles of Impeachment passing, the most senior Lower Court Judge shall be placed on the Review Panel.
- (d) The Review Panel's review is to be closed-door to prevent future bias. The Review Panel is to vote on the following:
 - (i) Does the evidence submitted for impeachment show an offense or offenses were committed?
 - (ii) Was the evidence legally and ethically obtained?
 - (iii) Were the Articles of Impeachment proposed out of blackmail or revenge?
 - (iv) Were the offenses listed high crimes and misdemeanors and do they justify the removal of office?
 - (v) Any other legal reasons that should stop the impeachment from moving forward.
- (e) Two [2] out of three [3] of the Review Panelists must vote to continue the impeachment. If they do, it will move on to the trial phase. If they do not, the impeachment will not continue.

(4) The Trial Phase.

- (a) If the review passes [the Review Panel votes 2 for - 1 against **OR** 3 for - 0 against moving forward], the trial phase shall begin.
- (b) The Chief Justice shall preside over the impeachment trial. If the Chief Justice cannot be available, he/she is to appoint a Supreme Court Justice to preside. If the

Chief Justice is being impeached, the President is to preside. If the President cannot be available, the Vice-President shall preside.

- (c) The procedures followed for the impeachment trial shall be the Judicial Branch's criminal court procedures.
- (d) There shall be a jury of five [5] peers, all of which must be crime-free for at least two weeks. The defense and prosecution (Attorney General by default) shall have the ability to object to a jury-person if there is a reasonable claim of bias or other justifiable reason. The individual presiding may not overrule a valid objection to a jury-person unless he/she feels, beyond a reasonable doubt, that the individual is stalling or that the objection is invalid.
- (e) If the Chief Justice or a judge is being impeached, no member of the Jury shall have been convicted or sentenced by that Judge or Chief Justice, even if currently crime-free.
- (f) The Prosecution shall be the Attorney General or District Attorney and the team selected by them. The District Attorney cannot be targeted or punished for their prosecution in an impeachment case. If the District Attorney is being impeached, the Attorney General shall appoint a special prosecutor.
- (g) For the sake of the integrity of the trial, the Prosecution and Defense shall have the opportunity to make an opening statement, call witnesses, present evidence, and make a closing statement. The order of such shall follow the designated process used in Criminal Court by the Judicial Branch.
- (h) The Prosecution shall not introduce any evidence or call any witnesses that were not listed in the Articles of Impeachment. The Defense may introduce evidence and call witnesses as they please.
- (i) After all testimony is heard and both sides are done presenting their arguments, the Jury shall vote. The Review Panel must collect the votes of the Jury. Each member of the Review Panel shall have an empty book. Each member of the Jury shall whisper their vote to each member of the Review Panel. At the end of votes, they must certify that the votes inside the book are official, that they did not alter any vote, that they did not intimidate any vote, and that they did not falsify any vote.
- (j) After votes are collected, the Review Panel shall meet in a private location and tally votes. If there are any discrepancies in votes, the Panel is to investigate. If there are no discrepancies, they shall return to the trial-room and announce the verdict. When investigating, the Panel shall have the power to subpoena any evidence, including people and testimony, for the purposes of completing the investigation.
- (k) All records of votes are confidential; HOWEVER, they must be kept for future review. The National Archives and Records Administration (NARA) shall be responsible for the safe-keeping of these records.

SEC. 8. Civil Rights.

(1) Definitions

- (a) Let the term “Arms” be defined as firearms (guns), bows and swords.
- (b) Let the term “Personal Property” be defined as someone’s AS properties, items, and any form of property that belongs to that person. This does not include public or government properties.
- (c) Let the term “Search and Seizure” be defined as the government commencing a search on a person or their personal property in order to seize someone or something.
- (d) Let the term “infringe” be defined as violating the rights of another.
- (e) Let the term “imprisonment” be defined as placing and holding someone in an official prison of Vindex Nation.
- (f) Let the term “Gun Control” be defined as a law to regulate the sale, manufacturing, transfer, and use of firearms and swords. I.e. Open Carry Laws, Permit requirements, and restricting weaponry in certain areas.
- (g) Let the term “warrant granter” be defined as somebody who has the ability to grant warrants.

(2) Freedom of Religion, Speech, Press, Assembly, and Petition.

- (a) The Government may not infringe upon the establishment of religion or the free exercise thereof; freedom of speech, or of the press; or the right of the people to peacefully assemble and to petition the Government for a redress of grievances.
- (b) Conspiracy, Incitement, inchoate offenses, death threats, harassment, hate speech, discrimination, disturbance of the peace, slander, libel, blackmail, and attempting forgery of any type of documents are illegal and not protected by this section.

(3) Bearing and Keeping Arms.

- (a) The Right of the people to keep and bear arms shall not be infringed by the Government.
- (b) Forms of Gun Control may be put in place but all arms cannot be fully illegalized or banned.

(4) Search and Seizure.

- (a) The right of the people to secure themselves and their personal property against unreasonable searches and seizures, shall not be infringed by the Government. No warrant shall be enforced unless it is given by a warrant granter, which such warrant is supported by probable cause and evidence, and such warrant describes the location to be searched and the persons or personal property to be seized.

- (5) Double Jeopardy, Self-Incrimination, Ex-Post facto.
 - (a) No person may be tried for a crime in the court-of-law, found not guilty, and tried again for that exact same crime. No person may be compelled in any criminal conviction or criminal trial to be a witness against himself. Furthermore, no person may be tried, arrested or otherwise punished for a crime that was not criminalized at the time the mentioned crime was committed.

- (6) False Imprisonments.
 - (a) If a person is imprisoned by the Government, they may appeal that imprisonment to the Judicial Branch through civil procedures. If the imprisonment is found to be unjustified, false, or unlawful, the person who was imprisoned must receive monetary compensation from the person(s) who falsely imprisoned them and for whatever crime they were falsely imprisoned for, they shall be acquitted of that crime.

- (7) Equal Protection under the law.
 - (a) All citizens are guaranteed equal protection and equal treatment under the law regardless of any characteristics.

SEC. 9. Line of succession.

- (1) The line of succession for the presidency if the President of Vindex Nation is removed shall be in the following order:
 - (a) Vice President
 - (b) Speaker Of The House
 - (c) Secretary Of State
 - (d) Secretary Of Treasury
 - (e) Secretary Of Defense
 - (f) Attorney General
 - (g) Secretary Of Interior
 - (h) Secretary Of Commerce
 - (i) Secretary Of Health And Human Services

Signed,

David F. Spice
[Representative]

Yazz Cadejon
[Representative]

John Brown
[Representative]

Clarke the Devious
[Supportive Citizen]

Xishai Cyrus
[Chief Archivist]

Nancy Velosi
[Supportive Citizen]

Elijah Morton
[Surgeon]

Aurora August
[EMS Trainer]

Luissa Martinez
[Police Chief Trainer]

Ciaran Sullivan
[Surgeon General]

Preston Wayne
[British Armed Forces]

Delilah-Rose Pruitt
[SWAT Chief]