

INTRODUCTION AND OVERVIEW

This document is a hypothetical legislative Senate bill. The purpose for creating this bill is to portray one possible type of solution incorporating the essential elements needed to achieve the level of competence and quality required of elected political leaders. The need for this is urgent. Modern National and Global issues are ever more complex, and demand vastly greater knowledge, ethics, and tolerance to craft good societal solutions. Unfortunately, insufficient knowledge, racism, corruption, and self-interest currently exists to a problematic degree. This document is meant to stimulate discussion and encourage national policy dialogue about this issue.

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Calendar No. #

CONGRESS
SESSION

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To establish standards, processes, and infrastructure by which to develop, continuously improve, and maintain, a superior common code of ethics and integrity, level of knowledge, and competency, in elected officials, politicians, and certain career public officials.

IN THE HOUSE OF REPRESENTATIVES

[date]
[elected representative] (for Mr. R. Lewis of North Carolina) introduced the following bill.

A BILL

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TO ESTABLISH STANDARDS, PROCESSES, AND INFRASTRUCTURE BY WHICH TO DEVELOP, CONTINUOUSLY IMPROVE, AND MAINTAIN, A SUPERIOR COMMON CODE OF ETHICS AND INTEGRITY, LEVEL OF KNOWLEDGE, AND COMPETENCY, IN ELECTED OFFICIALS, POLITICIANS, AND CERTAIN CAREER PUBLIC OFFICIALS.

1 *Be it enacted by the Senate and House of Representatives of the United*
 2 *States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) *SHORT TITLE.* – *This act may be cited as the “Honest Political*
 5 *Ethics” (HOPE Act).*

6 (b) *TABLE OF CONTENTS.* –

Sec. 1. Short title, table of contents.

Sec. 2. General definitions.

Sec. 3. Supersession.

Sec. 4. Overview.

Sec. 5. Effective date.

TITLE I – CONSTITUTIONAL INDIVIDUAL PRIVACY RIGHTS

Sec. 101. Independent oversight.

Sec. 102. Certification requirements.

Sec. 103. Core code-of-behavior.

Sec. 104. Limitations.

TITLE II – RESPONSIBILITIES

Sec. 201. Supreme Court of the United States.

Sec. 202. <Reserved.>

Sec. 203. <Reserved.>

TITLE III – ENFORCEMENT AND FISCAL PROVISIONS

Sec. 301. <Reserved.>

Sec. 302. <Reserved.>

7 **SEC. 2. GENERAL DEFINITIONS.**

8 (1.) The term “information” shall be used interchangeably with, and have
 9 the same meaning, as the terms; datum, data, metadata, information, knowledge,
 10 and wisdom, and other related terms, and apply only to information stored on, or
 11 encoded on or within paper, plastic, electronic, magnetic, optronic, photronic,
 12 bioengineered, chemical, molecular, or sub-atomic media.

13 (2.) The term “sentient being” shall mean any entity possessing self
 14 awareness, memory, ability to communicate, and intellect sufficient to interact
 15 using abstract concepts including those of social and cultural behavior.

16 **SEC. 3. SUPERSESSION.**

1 All laws in conflict with this legislation are hereby declared null and void.

2 ***SEC. 4. OVERVIEW.***

3 The Constitution of the United States of America establishes the
4 preeminence, rights and protections of the individual as fundamental to American
5 society. This explicitly includes the right of individual liberty. Liberty requires
6 freedom from physical or mental control or coercion to the maximum extent
7 possible while still maintaining the public peace and rule of law. Societal change,
8 particularly change caused by the use of new technology, can have the effect of
9 reducing liberty by infringing or eroding individual privacy rights, thereby using
10 information to control or coerce specific actions. The purpose of this bill is to
11 evolve public policy on information that when processed with information
12 technology can erode individual privacy, and thus erode constitutional rights.

13 ***SEC. 5. EFFECTIVE DATE.***

14 (1.) The provisions in this bill shall become effective twelve months from
15 approval.

16 **TITLE I – POLITICAL QUALITY ASSURANCE**

17 ***SEC. 101. INDEPENDENT OVERWATCH.***

18 (1.) An independent Federal organization shall be established named the
19 “Excellence Accrediting And Enforcement Agency” (hereinafter referred to as the
20 XAE), and directed by, and answerable only to, the justices of the U.S. Supreme
21 Court. The XAE shall:

22 (a.) Establish and publish standards of conduct, ethics, values, knowledge,
23 behavior, and job performance metrics for Federal and State elected positions.

24 (b.) Design a curriculum based upon the XAE standards, execute ongoing
25 training based upon that curriculum, and serve as the sole certification
26 credentialing authority for those individuals who successfully complete the
27 curriculum. The curriculum shall be limited to four months full-time or twelve
28 months part-time.

29 (c.) Publish a “report card” three times per year for each certificated
30 individual elected to a Federal or State political position, grading performance

1 versus XAE published standards and job metrics.

2 (d.) Exercise the authority to remove a Federal or State elected official
3 from office: within the first nine months of a term if the official receives an
4 overall failing report card grade, or at any time if the official becomes uncertified
5 by the XAE.

6 (2.) All XAE information and actions shall be available to the public
7 upon request, without delays, redactions, or censorship.

8 ***SEC. 102. CERTIFICATION REQUIREMENTS.***

9 (1.) It shall be a required prerequisite that an individual possess XAE
10 certification in order to campaign for, or hold, elected political office.

11 (2.) XAE certification shall expire after five years unless renewed by
12 successfully completing an XAE approved either ongoing or renewal training
13 program.

14 (3.) XAE certification shall be revoked for violations of this legislation,
15 Federal law, or overall report card grade failure.

16 ***SEC. 103. CORE CODE-OF-BEHAVIOR.***

17 (1.) It shall be unlawful for a Federal or State elected official or
18 campaigning politician to:

19 (a.) knowingly lie, mislead, or misrepresent.

20 (b.) Accept materials, services, or information and apply any portion for
21 personal use, immediate or deferred, directly or indirectly by trust, proxy, relative,
22 or agent.

23 (c.) Disrupt, damage, delay or hinder critical government operations,
24 processes, or responsibilities for gain or perceived advantage personally or by
25 interest groups, political party, or foreign entity.

26 (d.) Use the authorities of government against citizens with primary or
27 additional intent to benefit political party or special interest groups.

28 (2.) Refusal or unnecessary delay in providing records requested by the
29 XAE for the purpose of producing a report card, may at XAE discretion result in
30 revocation of certification.

