

## THE THREAT OF A CONSTITUTIONAL CONVENTION AND BALANCED BUDGET AMENDMENT

A national effort is underway to pass state resolutions calling for a Constitutional Convention to rewrite the U.S. Constitution to sharply limit what the federal government can do to advance the nation's priorities, invest in the country's future, and protect the rights and opportunities of all Americans. Among the many deeply damaging Constitutional amendments that could emerge from this effort is a balanced budget amendment.

### **Background:**

The U.S. Constitution can be amended in two ways. The first method is the one the country has always used: Congress proposes amendments to the states for ratification. The second method is one that has never been tried: states formally ask Congress to call a new Constitutional Convention, opening the Constitution to change. Congress is required to call a convention if at least two-thirds (34) of states request one. The American Legislative Exchange Council (ALEC) has made it a top priority to get 34 states to pass resolutions calling for a convention in 2016.

There are two movements that have made progress getting their resolutions passed in state legislatures. The first is the Balanced Budget Taskforce and the second is the Convention of States. These movements want to use a constitutional convention to pass a Balanced Budget Amendment and impose other restraints to the Federal government.

- **Balanced Budget Amendment:**

According to proponents, as many as 28 states have passed resolutions calling on Congress to convene an Article V convention to propose a balanced budget amendment. Groups, such as the Balanced Budget Task Force, are targeting several states—AZ, ID, KY, ME, MT, SC, VA, WA, WI, and WY—to pass these resolutions.

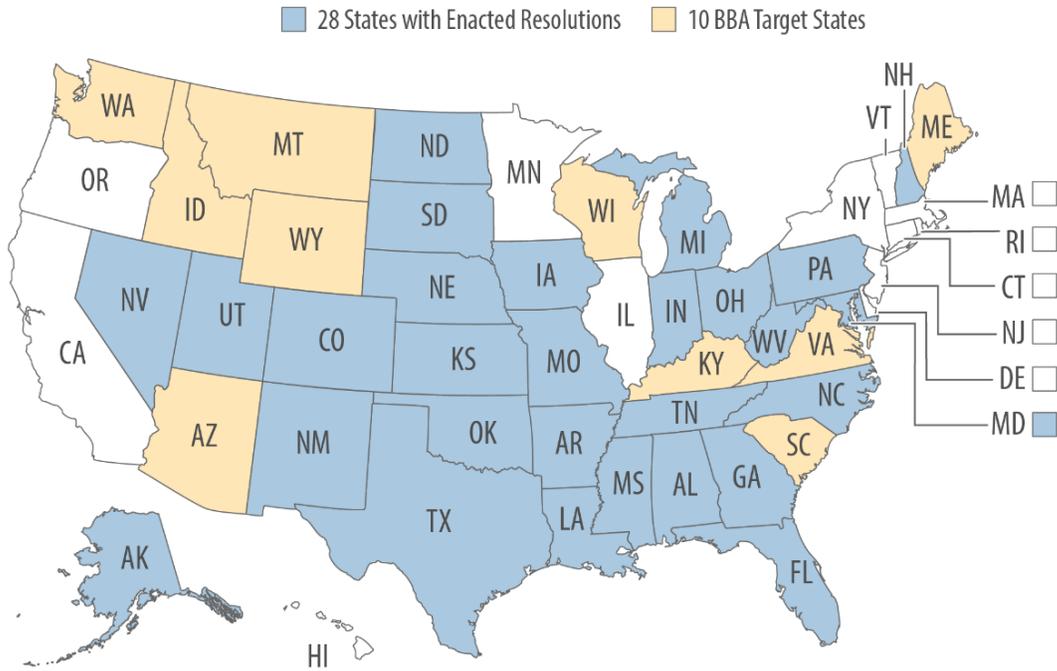
- **Convention of States:**

Proponents, including ALEC and the Convention of States, an organization led by Chairman of the Home School Legal Defense Association Michael Farris, TEA Party Patriots Co-founder Mark Meckler, and former U.S. Senator Tom Coburn, are pushing a resolution invoking Article V of the U.S. Constitution calling for a Constitutional Convention to “impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress.” Eight states—Alabama, Alaska, Florida, Georgia, Indiana, Louisiana, Oklahoma, and Tennessee—have enacted this model resolution. The Convention of States organization is targeting states with at least one GOP-controlled legislative chamber.

### **Primary Problems with a Constitutional Convention and Balanced Budget Amendment:**

- **Calling a Constitutional Convention is very dangerous.** If Congress called a Constitutional Convention, or attempted to do so, the country would be thrown into great turmoil, a period of extraordinary tension and deep anxiety, and likely find itself quickly mired in momentous, lengthy legal and political battles of great consequence to the nation's future.
- **States cannot limit the agenda of a Constitutional Convention.** A Constitutional Convention would open up the Constitution to whatever amendments its delegates chose to propose, just as the convention that produced the current Constitution ignored its original charge, to amend the Articles of Confederation, and instead wrote an entirely new governing document.
- **A balanced budget amendment to the U.S. Constitution would be a highly ill-advised way to address the nation's long-term fiscal problems.** By requiring a balanced budget every year, no matter the state of the economy, such an amendment would raise serious risks of tipping weak economies into recession and making recessions longer and deeper, causing very large job losses. That's because the amendment would force policymakers to cut spending, raise taxes, or both just when the economy is weak or already in recession — the exact opposite of what good economic policy would advise.

# Constitutional Convention to Enact a Balanced Budget Amendment: Enacted and Targeted States



# Constitutional Convention to Limit Federal Powers and Spending

