

34-States **V** Congress

“Stop Bankrupting US”

Ronald Reagan:

“Unless [the states] act quickly, the people running Congress will bankrupt America.”

Harry Reid: ***“We are driving ourselves into bankruptcy. We’ve got to do something.”***

Federalist 85: The Congress 'shall call a convention.'

- *“The Congress 'shall call a convention.' Nothing in this particular is left to the discretion of that body.”*
- *“Whenever nine States (two thirds) concur, (Congress) will have no option upon the subject.”*

There are 34 Unrescinded Article V Applications:
28 Balanced Budget Amendment &
6 “Any/All Subjects”

Article V Applications	States	Total Applications
Balanced Budget Amendment	AL, AK, AZ, AR, CO, FL, GA, IN, IA, KS, LA, MI, MO, MS, NE, NH, NC, ND, OH, OK, PA, SD, TN, TX, UT, WI, WV & WY	28
Any/All Subjects	IL, KY, NJ, NY, OR & WA	<u>6</u>
Total BBA + Any Subject *		34

* This 34 State Aggregation is based on the work of Constitutional Scholar Robert G. Natelson. His findings were published in the Federalist Society Review in May of 2018 and can be found [here](#).

Let Us Vote for a Balanced Budget Amendment Citizen’s Campaign, Inc.

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Why has Congress not complied with Article V's mandate to Call a Convention when 34 states have approved Applications?

Ans: They want to keep their constitutional monopoly.

Congressional Research Service-2017: *"...state Applications have not been collected and are scattered..."*

House Rule (5): Congress has disregarded its own to rule *"to make public (selected) Applications"* organized by *"state and year received"* since 2019. (Note: *"to make public"* is not an official "count.")

There were no co-sponsors or Congressional hearings on the proposed "Article V Records Transparency Act of 2017" which would take *"5 years and \$10 million"* to *"compile"* but not designate as *"valid"* any of the 700+ state Applications passed since 1789.

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Why has Congress never counted a single Article V Application?

As U.S. Senate Budget Committee Chairman (ret.) stated:

“Congress isn’t going to allow the states to dictate budgeting rules.”



“The Archivist of the United States surprised Congress by certifying that three fourths of the states had ratified the 27th Amendment 203 years after its proposal.”



Congress “Officially Counts” House and Senate votes to the two-thirds required to propose a Constitutional Amendment to the States for ratification.



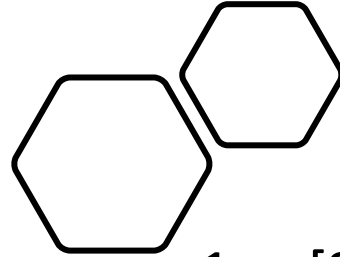
Congress has held no hearing to officially count Article V Applications despite media reports of 32 Income Tax and Balanced Budget Amendment Article V Applications.

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“Stop Bankrupting US”

34-States **V** Congress Taskforce Solution



1. [STATE] Legislature passes a Resolution setting the time and place for the 34-States v. Congress Taskforce to propose a U.S. Balanced Budget Amendment.
2. [STATE] Attorney General files a multi-state mandamus action against Congress for failure to “Call” the Article V Balanced Budget Amendment Convention: 34-States v. Congress.

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34-States V Congress Taskforce Resolution Whereas Clauses

- Whereas the Founders knew there would come a time when the federal government would overstep its authority, and they gave us a tool to deal with it and;
- Whereas Article V of the Constitution gives either Congress or the States the authority to propose amendments to the Constitution itself and;
- Whereas Congress is unable or unwilling to prevent the most predictable economic crisis in history and;
- Whereas 34 States may propose a U.S. Balanced Budget Amendment and;
- Whereas without the consent of the federal government, We the People can vote to ratify a 34-State drafted Balanced Budget Amendment that prevents Congress from bankrupting Social Security, national security and the American Dream.

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34-States V Congress Taskforce Resolution Resolved Clauses

- Resolved, that the State of [STATE] Legislature:
 1. Demands Congress “call” the Article V Balanced Budget Amendment Convention as Constitutionally mandated “on the Application of two thirds of the Legislatures of the several states” (See the 34 unrescinded Article V Applications attached); and
 2. Sets the time and place for the 34-States v. Congress Taskforce [VIRTUAL, IN PERSON] meeting to draft a U.S. Balanced Budget Amendment if Congress refuses to comply with Article V’s mandate within 30 days from the date of this Resolution.

34-States v. Congress for Not “Calling” the BBA Convention



- Mandamus: “a judicial writ issued as a command ordering a person(s) to perform a constitutional duty.”
- Expose Congress for unconstitutionally denying the states their right to draft and the people to ratify a U.S. Balanced Budget Amendment.
- Educate Americans on how “We the People...established this Constitution” and can vote to prevent Congress from “Bankrupting US” with a state-drafted Balanced Budget Amendment.

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Appendix:

“Let Us Vote for a Balanced Budget Amendment Citizen’s Campaign”

- Ratification of the 21st Amendment was by state convention where delegates voted “for” or “against” ratification as instructed by the citizens.
- 83% of U.S. Voters say: “Let Us Vote for a Balanced Budget Amendment.”
- 45% of U.S. Voters say: “To get my vote, let me vote for a Balanced Budget Amendment.”
- Hundreds of state and federal candidates have signed the: “Let Us Vote for a Balanced Budget Amendment Pledge.”

Article V

Amendment
Ratification by State
Convention requires a
majority vote of the
people in 38 states for
"Yes" Pledged
Delegates

- The Salt Lake Tribune, December 6, 1933
 - "Utah voters said no to [LDS President] Grant and yes to repeal. The vote wasn't even close: 102,224 for repeal, 65,898 against."
 - "On Dec. 5, 1933, the Utah Legislature convened a constitutional convention to ratify officially the 21st Amendment."
 - Ratification by State Convention requires a majority vote of the people in 3/4th of the states for "Yes-Pledged" State Convention Delegates.

83% of U.S. Voters Say: “Let Us Vote for a Balanced Budget Amendment” ...Regardless of Party Affiliation

Answer	U.S.	Democrats	Republicans	Other
"The People Should Vote"	83%	83%	83%	83%
"Congress Should Vote"	17%	17%	17%	17%
“Let Us Vote” for a Balanced Budget Amendment “to get our vote”	45%	46%	45%	44%
Total Respondents	8,671	3,596	3,689	1,386

45% of U.S. Voters say: “To get my vote, ‘Let Me Vote for a Balanced Budget Amendment’”

Answer	CA	KY	NY	SC	WI
"The People Should Vote"	80%	87%	82%	82%	84%
"Congress Should Vote"	20%	13%	18%	18%	16%
“Let Us Vote” for a Balanced Budget Amendment “to get our vote”	40%	49%	44%	47%	44%
Total Respondents	1,430	2,120	1,772	1,264	2,085

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Candidate Pledge to “Let Us Vote for a U.S. Balanced Budget Amendment”

I, _____, candidate for:
(Candidate Name)

___ U.S. President/U.S. Congress _____
(State) (House/Senate) (District #)

___ State Legislature _____
(State) (House/Senate) (District #)

pledge to Support my Constituents’ Constitutional Right to Vote for a U.S. Balanced Budget Amendment.

Signature X _____ Date _____

Phone _____ Email _____ Website _____

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Candidates for federal office Pledge their support for:

A U.S. Balanced Budget Amendment that at a minimum:

1. Prohibits total federal spending from increasing faster than inflation up to 2% plus population growth with exceptions for Social Security and national emergencies.
2. Stipulates the state convention mode of ratification ([a vote of the people](#)).

The Let Us Vote for a Balanced Budget Amendment Resolution that:

1. Sets the time and place ("call") for an Article V Convention of States to propose a U.S. Balanced Budget Amendment upon receipt of [34 BBA or Any-Subject Applications](#).
2. Voids any convention-proposed amendment unrelated to balancing the federal budget.
3. Stipulates the state convention mode of ratification ([a vote of the people](#)).

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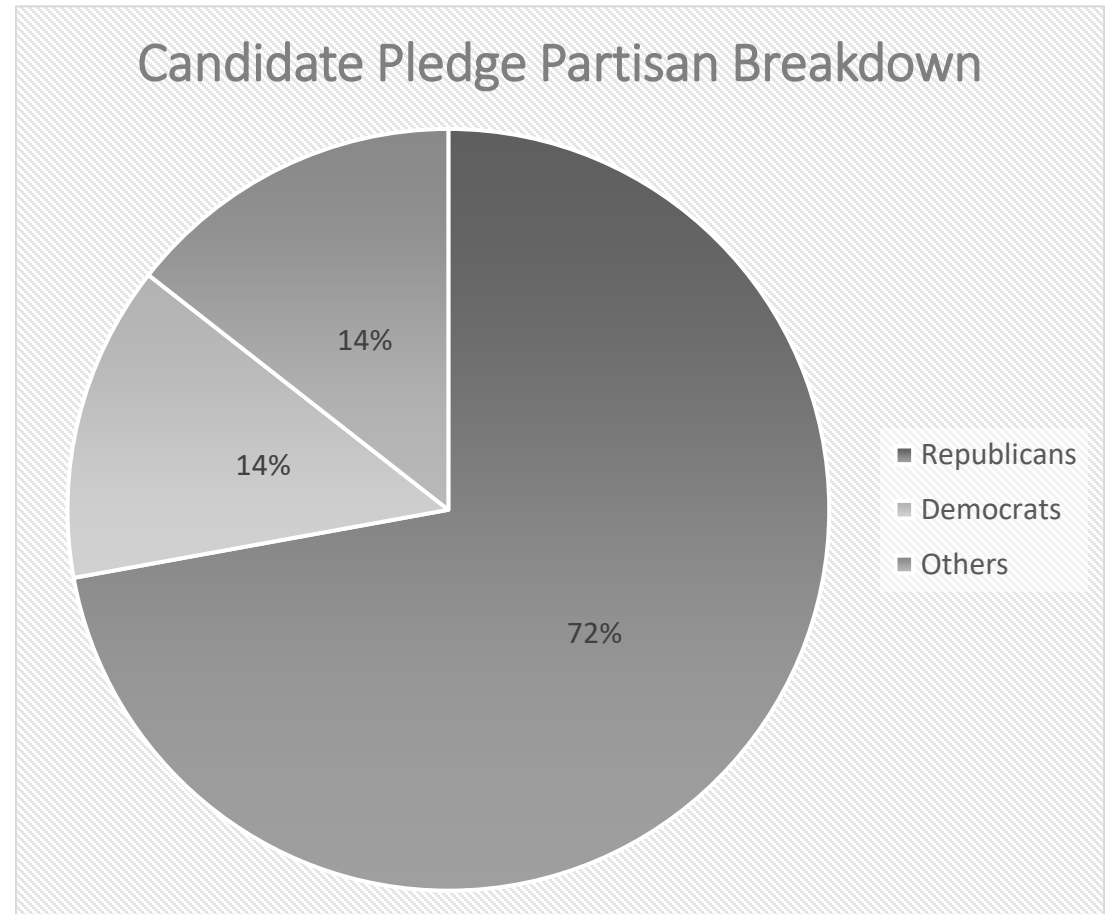
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Candidates for state legislature Pledge to:

1. Support a [Balanced Budget Amendment Article V Application](#) in [these states](#).
2. Support a State Law that prevents [Amendment Convention Commissioners](#) from proposing amendments unrelated to the subject(s) stipulated by my state legislature in [these states](#).
3. Oppose Rescission of The Balanced Budget Amendment or Any-Subject Article V Applications in [these states](#).
4. Urge my state's Congressional Delegation to support a Balanced Budget Amendment proposed by Congress or the States, which, in either case, stipulates the state convention mode of ratification ([a vote of the people](#)).

Let Us Vote for a Balanced Budget Amendment 2020 Pledge Campaign

- 64 Candidates for State Legislature have Pledged their Support.
- 137 Candidates for Federal Office have Pledged.
- Pledged Candidates are Using Social Media to Educate Voters on this Issue.



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Balanced Budget Amendment Q & A

1. How could a balanced budget amendment (BBA) address a national emergency like Covid-19?

Ans: A BBA could be designed to allow emergency spending above its annual spending-growth-limit (SGL). Excess spending in one year could reduce the SGL over future years by the emergency-spending amount plus interest.

2. Would taxes have to be raised to balance the budget?

Ans: No. A BBA designed to limit the growth of government spending would not require budgets to balance annually. Balance would be achieved by keeping the growth of government in line with the growth of the economy.

3. Would balancing the budget require Social Security benefits to be cut?

Ans: No. A BBA could be designed with an exemption for Social Security.



4. Would Medicare and Medicaid be affected by a spending-growth-limited BBA?

Ans: Yes. All government entitlement programs and trust funds (except Social Security) could be required to institute reforms to slow their growth.

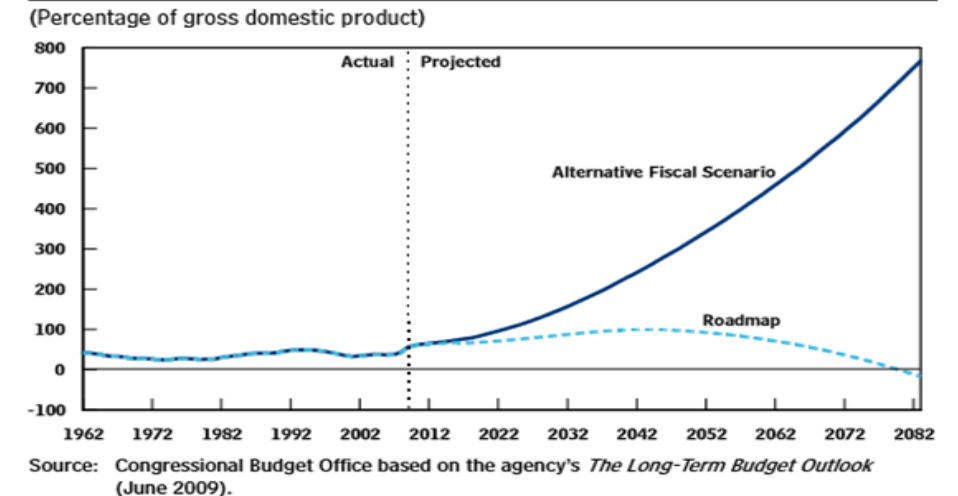
5. How could a balanced budget amendment be enforced?

Ans: A BBA could be designed with a requirement for an annual independent audit. If the audit found that the spending growth limit had been exceeded, a BBA could penalize members of Congress by declaring them ineligible for reelection.

6. What impact would a spending growth-limited BBA have on the national debt?

Ans: The \$26 trillion debt could be completely paid off in 75 years without raising taxes or cutting spending.

Figure 1.
Debt Held by the Public Under CBO's Alternative Fiscal Scenario and the Roadmap



7. What impact would the spending-growth limited BBA have on family income?

Ans: By constitutionally prohibiting government spending from growing faster than the economy, personal income (adjusted for inflation) would quadruple from \$40,000 to \$160,000 per year, over 75 years.

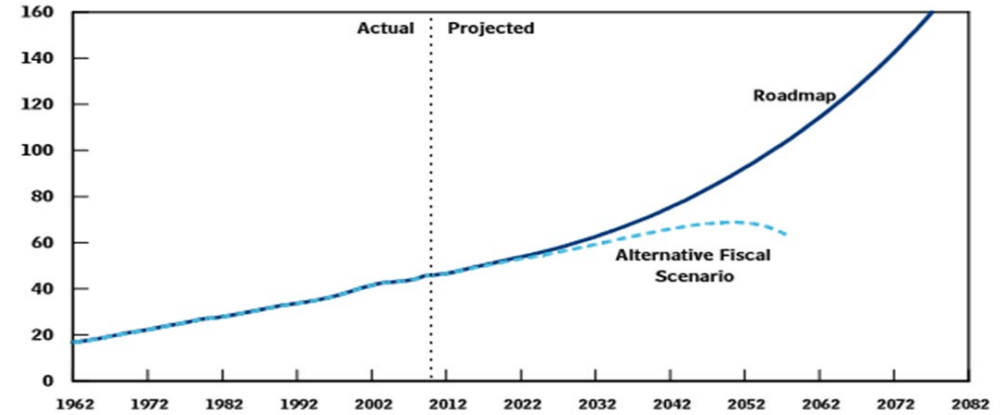
8. What happens if a BBA is not passed?

Ans: The Congressional Budget Office estimates that under current law, annual deficits will increase resulting in stagnant family incomes, tax increases and ultimately an economically catastrophic depression.

Figure 4.

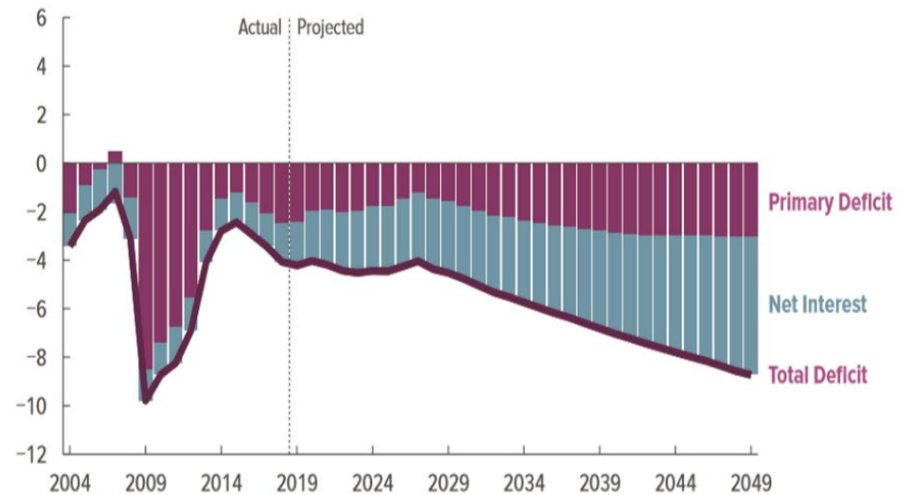
Real Potential Gross National Product per Person Under CBO's Alternative Fiscal Scenario and the Roadmap

(Thousands of 2009 dollars)



Source: Congressional Budget Office based on the agency's *The Long-Term Budget Outlook* (June 2009).

Percentage of Gross Domestic Product



Deficits grow from 4.2 percent of GDP in 2019 to 8.7 percent in 2049, driving up debt. Net spending for interest on debt accounts for most of the growth in total deficits.

See Figure 1-4

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