



October 8, 2013

Open Letter to the Michigan Senate Committee on Government Operations: Now is the Time to Rein in Federal Spending!

Dear Senator:

On behalf of National Taxpayers Union's (NTU's) 362,000 members nationwide and nearly 11,900 members in Michigan, I urge you to support Senate Joint Resolution 5, a Balanced Budget Amendment (BBA) Convention Application introduced by Senator Mike Green. This bill would affirm Michigan's leadership on the issue of proposing a Balanced Budget Amendment to the U.S. Constitution for ratification. If SJR 5 passes, Michigan will join 19 other states in exercising their constitutional prerogative to put our country on the path to fiscal sanity.

A Balanced Budget Amendment would enshrine in our Constitution a principle that our Founders simply assumed and abided by: the federal government should not spend more than it takes in, absent a specific, genuine emergency. Unfortunately, decades of fiscal mismanagement have proven that Congress as an institution is no longer capable of restraining itself, and that durable constitutional safeguards must have a role in limiting government. Washington has run deficits during 45 of the last 50 years.

Given this abysmal history, it becomes clear any solution to our spending crisis must come from outside Washington, D.C. Thankfully, the Constitution allows state lawmakers to exercise certain powers to prevent a catastrophe due to federal excesses. As we wrote in "Why You Must Lead the Congress" over two decades ago:

The Founding Fathers had no way of predicting the current irresponsible spending policies of the federal government. Yet although they could not foretell the future, they were men of great wisdom. They did foresee the possibility that Congress might fail the people. It is for that reason that Article V of the U.S. Constitution enables the states to amend the Constitution.

Recently you have received a great deal of misinformation about the Balanced Budget Amendment and the limited convention process from organizations that mistrust both your wisdom and that of the Founding Fathers. Yet, we urge you to consider a warning from our Chairman, David Stanley. Over 18 years ago, Mr. Stanley, who served as a leader in the Iowa State Senate, authored a document entitled "How to Restore Fiscal Sanity: State Legislatures Hold the Key," in which he wrote:

You would be suspicious of anyone who claims to support law enforcement but wants to abolish the police. You should be equally skeptical of anyone who claims to be for a Balanced Budget Amendment but against a limited convention to propose it. ...

The best way to ensure the survival of our Constitution and its guarantees of liberties is for the States to use the Constitution as the Founders intended – to pass enough Article V resolutions to force Congress to act. ... Unless we have the courage to use the tools the Founders in their wisdom gave us, our nation will become a laughingstock and bury our children under a mountain of debt.

Furthermore, the scholarship on behalf of Article V's relevance and utility has grown tremendously. Professor Robert Natelson, for example, has conducted painstaking research to show that the Founders certainly did not construct Article V as an afterthought or an accident. From its conception, the provision was intended to be vigorously applied toward remedies for federal overreach. Nick Dranias of the Goldwater Institute has, through an ongoing series of works, cogently demonstrated that Article V is a fundamental element in our constitutional system of checks and balances, one whose exercise is both necessary and safe. They join modern-era conservatives in proclaiming the vital role of Article V such as Justice Antonin Scalia, who in 1979 said:

I have no fear that ... extreme proposals would come out of a constitutional convention. ... The founders inserted this alternative method of obtaining constitutional amendments because they knew the Congress would be unwilling to give attention to many issues the people are concerned with, particularly those involving restrictions on the federal government's own power."

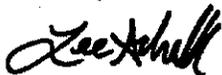
Those words echo the opinion of Ronald Reagan, who stated forthrightly:

... [V]oices have been raised warning of danger that a constitutional convention would open the door to all manner of proposed amendments. In my view those who warn of this show little faith in our democratic procedures. The Constitution provides for both methods and the convention is a safety valve giving the people a chance to act if Congress refuses to.

Yet, the naysayers against this process have failed to muster any credible evidence for their case, preferring instead to conjure up the "nonexistent constitutional ghosts" that the late Senator Sam Ervin, an Article V advocate, warned about more than 20 years ago. We were told that the cure for federal profligacy lies in "electing the right leaders," all while numerous Presidents and Congresses abused the nation's good credit. We were told that statutory measures would bring outlays under control, even as laws such as the Gramm-Rudman Hollings Act were trampled underfoot. We were told that elected officials need only "follow the Constitution," and there would be no justification to amend the nation's foundational document. Today, the entire republic that our Constitution undergirds and guarantees is threatened with extinction due to unsustainable federal policies. We were told that limits on taxes and spending were too trivial for the Constitution, a notion that seems quaint today as our gross federal debt exceeds the ominous level of 100 percent of the nation's economic output. Entitlement programs, whose dire condition has been known for at least 20 years now, threaten to heap unfathomable burdens on taxpayers.

Our members hope you will recognize these facts and pursue the most rational and safe option now by enacting an Article V resolution for a limited convention of the states to propose a Balanced Budget Amendment. That process begins by ensuring SJR 5 earns an overwhelming margin of support in the Michigan Senate. Please contact us with any questions you may have or information you may require. Above all, however, please do not allow this historic opportunity for reestablishing fiscal responsibility to slip from your grasp; for the sake of current and future generations of taxpayers, the time to act is now.

Sincerely,



Lee Schalk
State Government Affairs Manager