Background:

Wisconsin and the nation could be entering a very precarious time if the Constitutional Convention for a Balanced Budget takes place. This proposal for a Balanced Budget Amendment through a Constitutional Convention could threaten our ability to serve vulnerable populations and the civil liberties of all Americans.

In Wisconsin, the Committee on Financial Services, Constitution, and Federalism has passed three bills to present to the Senate for a vote: Senate Bill 107 and Senate Joint Resolution 18 and 19. The bills provide an outline for putting forth a Constitutional Convention through state legislation. One bill also explains the processes and procedures of how to enact the Constitutional Convention and how delegates would be elected. If passed, Wisconsin would participate alongside with 29 other states who have called for the federal government to have a balanced budget amendment.

Amendments to the Constitution can occur in two different ways: through Congress or through a Constitutional Convention. In the first method, Congress proposes an amendment with two-thirds of the U.S. Senate and House agreeing. America has seen effective results through this method including the abolishment of slavery and giving women the right to vote. The second method is under the Article V of the United States Constitution, where 34 (two-thirds) states must call for a constitutional amendment. At a convention held by the states, the proposed amendments will be presented to Congress. In either method, a second step is required: a ratification of the proposed amendment by 38 states (three-fourths).

There has been only one constitutional convention in our history. In 1787, people like James Madison, Alexander Hamilton, and George Washington redefined America by creating a new constitution. While the framers set America up for greatness, the idea of allowing another “runaway” convention could alter how this country functions today.

Issue:

The possibility of a “runaway” convention could be very harmful to the vulnerable populations that social workers serve and the rights we enjoy. While legislators who back the Constitutional Convention purport that the Convention is strictly limited to balancing the federal government’s budget, there is no guarantee that other amendments would not be passed. If initiated, foundational tenets set forth in the bill of rights could become endangered. Americans’ rights could be altered, impacting freedom of speech, religion, press, the right to bear arms, the right to have an abortion or even protection for the rights to life, liberty, and prosperity.

The impetus behind the effort for a Balanced Budget Amendment comes from concerns regarding the federal debt and deficit in America. However, it has been argued that there are

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1 Procedure to Amend the U.S. Constitution. (February 2017) Wisconsin Legislative Council Information Memorandum.
other means of holding the federal government accountable for its spending. Despite the financial challenges facing our country, it is important to recognize that certain spending is necessary and the federal government must have the ability to spend in times of crises. Moreover, the federal government also has a responsibility to meet the human needs of its residents.

Medicare, Social Security, funding natural disasters, fighting new epidemics, and addressing the needs of vulnerable populations are all necessities to the wellbeing of American citizens. If we had had a required balanced budget, Franklin D. Roosevelt could not have passed the New Deal to pull us out of the Great Depression nor could Barack Obama have passed the stimulus package helping us out of the Great Recession. The federal government needs to have the ability to respond to economic crises, otherwise in times of a recession it can lead to longer and deeper economic hardship causing unemployment to increase.

The federal government provided 120 billion dollars for Hurricane Katrina relief, which was three times more than Louisiana’s state budget. In 2013, the U.S. Department of Housing and Urban Development provided over $10.5 billion in aid to New York City, New Jersey, New York State, Connecticut, Maryland, and Rhode Island after the devastation brought on by Hurricane Sandy. In 2014, the Obama Administration pledged over $175 million to West Africa after the Ebola breakout. That money was used to help treat vulnerable populations who had the virus and to contain Ebola from spreading into other countries, including the United States. How could these states and fellow nations overcome the crises without the aid of the U.S. federal government? Simple answer, they could not.

If the Balanced Budget Amendment passes, the ability for the federal government to respond to national states of emergency or new epidemics is drastically weakened. Funding for states and local governments in the form of grants or aids, which is currently about a third of an average state’s revenue, will be decimated. If a Constitutional Convention for a Balanced Budget occurs, funding for programs and services across the board becomes vulnerable to budgetary cuts.

**Position:**

NASW-WI’s position on the Article V Constitutional Convention for a Balanced Budget Amendment is that it strongly opposes this bill. It threatens Americans basic human rights and jeopardizes the livelihoods of vulnerable populations. NASW believes that it is the role of the federal government to protect and preserve vulnerable populations and our civil liberties. If a Balanced Budget Amendment to the Constitutional Convention passes, the federal government loses its ability to aid states, populations, and communities in need. With only five more states needed to begin a Constitutional Convention, NASW-WI urges Wisconsin legislators to oppose this bill.

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