

The Nebraska Legislature on Friday will consider a motion to pull [LR 14](#) out of the Government, Military and Veterans Affairs Committee. LR 14 is a measure to petition Congress to call a convention to make changes to the U.S. Constitution. Many convention proponents want to see the U.S. impose federal “fiscal restraints” – such as a balanced budget amendment, debt limits and even the elimination of the federal income tax. In addition to being unpopular both nationwide and in Nebraska, a constitutional convention would likely be immensely damaging to our state and national well-being.

Runaway convention would be hard to prevent

A Constitutional Convention could lead to sweeping changes far beyond those that were the impetus for calling a convention. There are no rules limiting a convention to one topic, nor are there rules as to how a convention would be governed. Once a Constitutional Convention is called, any topic or change to the U.S. Constitution would be possible. Given the current divisive state of American politics, it’s not hard to imagine special interests from across the political spectrum working to push their agendas in such a setting, resulting in major changes. In the words of late Supreme Court Justice Antonin Scalia: “I would not want a convention. Woah! Who knows what would come of it?”

Polling demonstrates the political unpopularity of a constitutional convention

According to 2021 national-level polling conducted by J. Wallin,¹ 46.7% of all voters oppose an Article V Convention, with 34.7% in support and 18.6% unsure. After being presented with arguments for and against a convention, 54.8% of voters said they were opposed to the idea, with only 30.9% in support. Opposition is particularly strong among Republicans, with 55.7% of Republican voters opposing the idea and only 28.2% supporting it. Republican respondents identified “protecting our constitutional rights” as the single most important issue that our nation’s elected leaders should be focusing on. A Constitutional Convention could put those rights in jeopardy. In early 2021, Data for Progress conducted a survey of likely voters in Nebraska, asking if they would “support or oppose a national Constitutional Convention to add amendments to the U.S. Constitution.” Nebraska voters overwhelmingly opposed a convention, with 60% in opposition, and 47% in “strong opposition.” In contrast, 31% expressed support and only 9% said they “strongly support” the idea.

Federal fiscal restraints would prove extremely harmful

The fiscal measures proposed by convention proponents would be devastating to the effectiveness of the federal government. During downturns in the economy, businesses and consumers spend less, which leads to job losses. At the same time, the cost of

¹ Defendourconstitution.org, “New Polling Shows Americans Oppose Changing Constitution Through Convention,” accessed at <https://defendourconstitution.org/news/new-polling-shows-americans-oppose-changing-constitution-through-convention/> on April 14, 2021

safety net programs such as unemployment benefits, SNAP and Medicaid increase as more people need these services. Borrowing to fund increases in these benefits helps cushion the blow to the economy and prevents an economic tailspin. This helps families that receive the benefits and helps preserve the remaining jobs and incomes of those who produce or sell groceries, health care and other services. This is why Macroeconomic Advisers, an economic forecasting firm, found that “recessions would be deeper and longer” under a balanced budget amendment.² It is also why more than 1,000 economists, including 11 Nobel laureates, issued a joint statement in 1997 condemning a balanced budget amendment that was considered by Congress, warning that it would aggravate recessions.³

Federal funding vital to supporting Nebraskans

Federal fiscal restraints would have severe consequences for nearly all Nebraskans by reducing federal support for farmers, retirees, veterans, and others throughout the state. In FY19, federal dollars accounted for more than 27% of appropriations of all fund sources in Nebraska.⁴ In FY19, the Department of Defense spent \$1.6 billion in Nebraska to directly pay for 16,501 personnel and to fund jobs in the private sector through contracts with the DoD.⁵ Furthermore, in 2019, Nebraska farmers received \$950 million in direct federal payments. Eliminated or reduced funding for these federal programs would be extremely harmful to many Nebraskans.

Conclusion

Given the many dangers posed by a Constitutional Convention and by federal fiscal restraints, as well as the fact that the idea of calling a convention is unpopular in Nebraska, the state would be best served by lawmakers rejecting the motion to pull LR 14 from committee.

[You can read more about our concerns regarding Constitutional Convention legislation and federal fiscal restraints in this issue brief.](#)

² Macroadvisers, “Man Up: AJ(obs)A vs. J(obs)TGA,” accessed at https://macroadvisers.blogspot.com/2011/10/man-up-ajobsa-vs-jobstga.html?utm_source=feedburner&utm_medium=twitter&utm_campaign=Feed%3A+Macroadvisers+%28Macroadvise rs%29 on April 14, 2021.

³ Economic Policy Institute, “Nobel Laureates and Leading Economists Oppose Constitutional Balanced Budget Amendment,” accessed at <https://www.epi.org/publication/economist-statement-constitutional-balanced-budget-amendment/> on April 14, 2021.

⁴ Nebraska FY20 – 21 Biennial Budget Report, pages 89 – 93, accessed at <https://nebraskalegislature.gov/pdf/reports/fiscal/2019budget.pdf> on April 14, 2021.

⁵ U.S. Department of Defense. “Defense Spending by State, Fiscal Year 2019: Nebraska.”