



# The National Debt Relief Amendment

## Information Package

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# Welcome

Thank you for taking time out of your busy schedule to learn more about the National Debt Relief Amendment!

As a legislator, it is important that you recognize the responsibility entrusted to you by our Founders when they crafted Article V of our Constitution. They realized that a time would come when states would need to take action to protect the American people from an irresponsible and dysfunctional Congress. I believe our Founding Fathers intended that we as state legislators would understand that we not only have the right to use Article V, but moreover, a **duty** to use Article V when action is needed.

If ever there was an issue in the history of our country for which we should invoke our rights under Article V, it is the out-of-control, incessant upward spiral of our federal debt. If ever there was a time when the American people need us to act on their behalf, it is now.

We have compiled this package to give you a broad overview of the NDRA. If you need additional information or if you are considering sponsoring the NDRA in your state, please contact us. We have the resources to assist you.

## Critical guidance for legislators who intend to sponsor the NDRA in their state

1. **Before drafting the resolution**, please contact RestoringFreedom.Org to leverage our knowledge and experience with the NDRA and the state-initiated Article V process.
2. **The model legislation MUST be consistent in each state** or your state's resolution may not be included as part of the required number. Also, each state is relying on the other states to maintain uniformity. This is a collective undertaking that requires 34 state legislatures to speak with the same voice.
3. **After your legislative counsel drafts the resolution**, please submit a copy of the draft to us so that our team can review and propose changes if necessary.
4. **Please continue to work with us throughout the process.** We can support your efforts with educational materials, expert testimony and media appearances. Advance notice allows us to do so in a timely manner.
5. **The NDRA is a non-partisan solution** to the federal debt crisis, and the debt was accumulated under the control of both parties. We recommend that you actively seek co-sponsors from both parties.

# The National Debt Relief Amendment

## The Solution to the Federal Debt Crisis

*“An increase in the federal debt requires approval from a majority of the legislatures of the separate states.”*

**The National Debt Relief Amendment (NDRA) is a simple yet powerful 18-word amendment that will contain the growth in federal debt, lead to a balanced federal budget, rebuild federalism, create transparency, enforce budget discipline and expand democracy.**

**The National Debt Relief Amendment represents a common sense solution to the federal debt crisis that will make Congress accountable through a more transparent and politically open process before the national debt can be increased.** The National Debt Relief Amendment requires approval from a majority of state legislatures to increase the national debt. This allows the American people to have a voice through the government closest to them, the state legislatures, before new debt is authorized. It is consistent with the separation of powers philosophy that guided our Founding Fathers and delivers on their vision of a government of the people, by the people, and for the people.

**The NDRA delivers fiscal discipline.** Congress will find it necessary to build realistic budgets based upon the honest scoring of bills. Congressional earmarks, war funding, and off-budget spending will require offset or new debt authorization by the states.

**The NDRA allows Congress to request an increase in federal debt when necessary.** The NDRA does not prevent our country from responding to a national crisis, still enabling states to respond quickly to an emergency.

**The NDRA does not rely upon the courts for interpretation or enforcement.** It would be practically impossible for the U.S. Treasury to sell bonds in the open market without state approval.

**The NDRA provides an effective constraint to federal overreach.** The states will have an effective tool to return the Federal Government to its limited role and release the states from federal mandates and unconstitutional intrusions upon their sovereignty.

**The NDRA has been supported by state legislators and citizens from across the political spectrum and has been thoroughly researched and endorsed by the Goldwater Institute.**

**Congress will never propose an Amendment to the U.S. Constitution that limits its ability to borrow and spend money.** A campaign for a state led Amendment process under Article V of the U.S. Constitution is underway. North Dakota and Louisiana have passed the NDRA, 22 states will be introducing the Amendment for consideration in their next sessions, and active discussions are underway with state legislators in many more.

# The National Debt Relief Amendment

## Comparison to a Balanced Budget Amendment

1. The NDRA (National Debt Relief Amendment) creates a national discussion at all of our State Capitols whenever Congress attempts to increase our nation's debt. Greater transparency and a national consensus will be required prior to allowing Congress to mortgage our future. This allows the American people to have a voice on the authorization of new debt and to express their opinion to the government that is closest to them. Simply put, the NDRA provides better representation for the American people than a BBA.
2. The NDRA is policy neutral. It does not place any limits on how much the Federal Government can tax or spend. It simply requires Congress to get approval from a majority of our State Legislatures prior to increasing our Nation's debt.
3. The NDRA is self-enforceable and does not rely on our court system to interpret its meaning or intent. It would be practically impossible for the U.S. Treasury to sell unauthorized bonds in the open market. There are many ways for Congress to circumvent a BBA by changing laws that define what should be included in the budget.
4. The NDRA gives Congress the political will to make the tough decisions necessary to balance our federal budget.
5. The NDRA would require special interest groups to lobby at all of our State Capitols in order to continue to get federal funds. This will change the whole dynamic of our existing governing structure, severely weakening the systemic problem that is currently crippling our nation.
6. The NDRA would allow Congress to react to the will of the American people if they need to increase our debt to fight a war, respond to a national catastrophe, or address a recession. A BBA removes the American people from this discussion.
7. The strength of the NDRA is in its simplicity that makes it easy to understand and gives it the most likely chance to get approval from the necessary 38 States for ratification. There are many complex versions of the BBA, and there is a lack of agreement among many constitutional scholars and politicians as to how a BBA should be structured.
8. The NDRA is non-partisan and is being promoted in a way that will appeal to citizens from all parts of the political spectrum whose views may differ greatly on fiscal policy but can all agree that our rapidly increasing federal debt is unsustainable.
9. The NDRA and a BBA can complement each other.

[CONCURRENT/JOINT] HOUSE-SENATE RESOLUTION APPLYING FOR  
AN ARTICLE V AMENDMENTS CONVENTION

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Whereas, Article V of the Constitution of the United States provides authority for a Convention to be called by the Congress of the United States for the purpose of proposing amendments to the Constitution upon application of two-thirds of the Legislatures of the several states (“amendments convention”), and,

Whereas, the Legislature of the State of \_\_\_\_\_ favors the proposal and ratification of an amendment to said Constitution which shall provide that an increase in the federal debt requires approval from a majority of the legislatures of the separate States.

Therefore, be it resolved:

Section 1. That, as provided for in Article V of the Constitution of the United States, the Legislature of the State of \_\_\_\_\_ herewith respectfully applies for an amendments convention to be called for the purpose of proposing an amendment which shall provide that an increase in the federal debt requires approval from a majority of the legislatures of the separate States.

Section 2. That the amendments convention contemplated by this application shall be entirely focused upon and exclusively limited to the subject matter of proposing for ratification an amendment to the Constitution providing that an increase in the federal debt requires approval from a majority of the legislatures of the separate States.

Section 3. This application constitutes a continuing application in accordance with Article V of the Constitution of the United States until at least two-thirds of the legislatures of the several states have made application for an equivalently limited amendments convention.

Section 4. Be it further resolved that a certified copy of this application be dispatched by the secretary of state (or other responsible constitutional officer), to the President of the United States Senate, to the Speaker of the United States House of Representatives, to each member of the applicant’s delegation to the United States Congress, and to the presiding officers of each house of the several state legislatures, requesting their cooperation in applying for the amendments convention limited to the subject matter contemplated by this application.

# 10 Facts | *to Rebut the Mythology of a Runaway Convention*

- 1 Article V does not authorize a constitutional convention; it authorizes a convention for proposing specific amendments.
- 2 When the Founders drafted the U.S. Constitution in 1787, they specifically rejected language for Article V that would have allowed the states to later call for an open convention.
- 3 Thirty eight (38) states must ratify any proposal from an amendments convention, requiring a broad consensus that makes sure an amendments convention cannot “runaway.”
- 4 The limited scope of an amendments convention is underscored by the fact that it specifically says amendments cannot alter the equal number of votes for each state in the U.S. Senate without the consent of the affected state. This establishes that an Article V convention couldn’t simply rewrite the entire Constitution.
- 5 The states define the agenda of an amendments convention through their applications for the convention and through the commission of delegates. Amendments conventions can be limited to specific topics.
- 6 The Constitution was sold by the Founders to the ratifying states on the basis that they retained their ultimate authority over the federal government through their Article V amendment powers. James Madison in Federalist No. 43 specifically argued that states should use the power to correct errors in the Constitution. And Alexander Hamilton in the “final argument” of the Federalist Papers, in Federalist No. 85, said the Article V amendment process was the means by which the states would rein in an out-of-control federal government. One cannot take the Constitution seriously and contend that Article V was not meant to be used. It is a critical and “deal closing” element of the balance of power created by the Constitution.
- 7 There is zero precedent that any convention of the states has ever “runaway” from its assigned agenda. There have been 12 interstate conventions in the history of our country. All of them stayed within their stated agenda. Even the Constitutional Convention of 1787 was not convened to “amend” the Articles of Confederation, but to “revise” and “alter” the Articles to establish an effective national government. This was fully consistent with the Articles of Confederation because the Articles authorized alterations – a term that had revolutionary significance because it echoed the language of the Declaration of Independence. The broad purpose of the Constitutional Convention of 1787 was specifically mentioned in the call of Congress and in nearly all of the commissions for the delegates for each state. The 1787 convention did not runaway at all; it did what it was charged to do – like all interstate conventions preceding it.

- 8 The procedures for conducting an amendments convention are similar to Congress' long-established rulemaking powers. Constitutional text, language and custom make clear that Congress calls the convention, setting a time and location; states appoint delegates by way of resolutions and commissions (or general state law); delegates initially vote as states at the convention; and majority votes will decide what amendments are proposed for ratification. An amendments convention is simply an interstate task force.
- 9 The limited scope of an amendments convention is similar to that of state ratification conventions that are also authorized in Article V, but no one worries about a ratification convention "running away," even though such a convention does make law.
- 10 An amendments convention, because it only proposes amendments and does not make law, is not an effective vehicle for staging a government takeover.

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## The Goldwater Institute

*The Goldwater Institute was established in 1988 as an independent, non-partisan public policy research organization. Through policy studies and community outreach, the Goldwater Institute broadens public policy discussions to allow consideration of policies consistent with the founding principles Senator Barry Goldwater championed—limited government, economic freedom, and individual responsibility. The Goldwater Institute does not retain lobbyists, engage in partisan political activity, or support or oppose specific legislation, but adheres to its educational mission to help policymakers and citizens better understand the consequences of government policies. Consistent with a belief in limited government, the Goldwater Institute is supported entirely by the generosity of its members.*

## Guaranteed Research

*The Goldwater Institute is committed to accurate research. The Institute guarantees that all original factual data are true and correct to the best of our knowledge and that information attributed to other sources is accurately represented. If the accuracy of any material fact or reference to an independent source is questioned and brought to the Institute's attention with supporting evidence, the Institute will respond in writing. If an error exists, it will be noted on the Goldwater Institute website and in all subsequent distribution of the publication, which constitutes the complete and final remedy under this guarantee.*

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