



Our \$38.6 trillion national debt -- increasing by nearly \$2 trillion annually -- is an existential threat to the nation's future prosperity, social harmony, and national security. The federal government has yet to produce a credible solution to restore fiscal sanity and sustainability. Since the 1980s, Congress has repeatedly ignored its own statutory fiscal rules and has never passed a constitutional amendment to self-limit its addiction to spending and debt.

Fortunately, our Constitution's framers anticipated that Congress could one day become unresponsive, granting to the sovereign states equal power under Article V to propose amendments. As of 1979 [thirty-nine states](#), greater than the two-thirds (34) required under Article V, had submitted applications mandating that Congress call a convention for proposing a fiscal responsibility amendment. As of 1983, this count had reached 40 states, the count remaining at 34 or more until 2004. Last year, the National Federalism Commission, [confirmed](#) the FFSF count and documented that during 2016-2017, [thirty-six states](#) had once again submitted the sufficient number of applications.

Over the decades since 1979, Congress has willfully ignored its express, ministerial, and non-discretionary obligation to call an amendment-proposing convention. Congress has thereby effectively voided a fundamental provision of our Constitution, eliminating the protections endowed by our system of federalism, and concentrating power in the hands of an unresponsive, spending, and debt-addicted Congress.

The sole remedy to this blatant constitutional breach and the most viable solution to the nation-imperiling debt crisis is litigation by the states to protect and enforce their Article V powers. For these two reasons, the [Federal Fiscal Sustainability Foundation](#) (FFSF) was organized by Dave Walker, former Comptroller General of the United States, Ken Cuccinelli, former Virginia Attorney General, among others. FFSF is assisting the states and their Attorneys General in the filing of a Declaratory Judgement action to compel Congress to call a convention for proposing a fiscal responsibility amendment to the U.S. Constitution.

In preparation for this litigation, because Congress has never (since 1789), formally acknowledged receipt of, cataloged, or counted state Article V applications, FFSF in 2023 completed the first-ever definitive documentation of all fiscal responsibility applications, thereby establishing a conclusive factual record. FFSF then engaged an esteemed constitutional litigator to draft a 51-page Declaratory Judgement filing addressing all [likely legal questions](#) which several state Attorneys General have reviewed and may use as the basis for their pending multi-state filing.

As to "runaway convention" fear-mongering, we are [fully confident](#) that the states' legislatures, which the Supreme Court has [unanimously ruled](#) have absolute control over convention delegates, will confine debate to the fiscal responsibility subject matter identified by the majority of states as the single issue to address. We also fully recognize that the convention will have no power to do anything other than propose an amendment which must be carefully crafted to reach the very high bar of subsequent ratification by thirty-eight states.

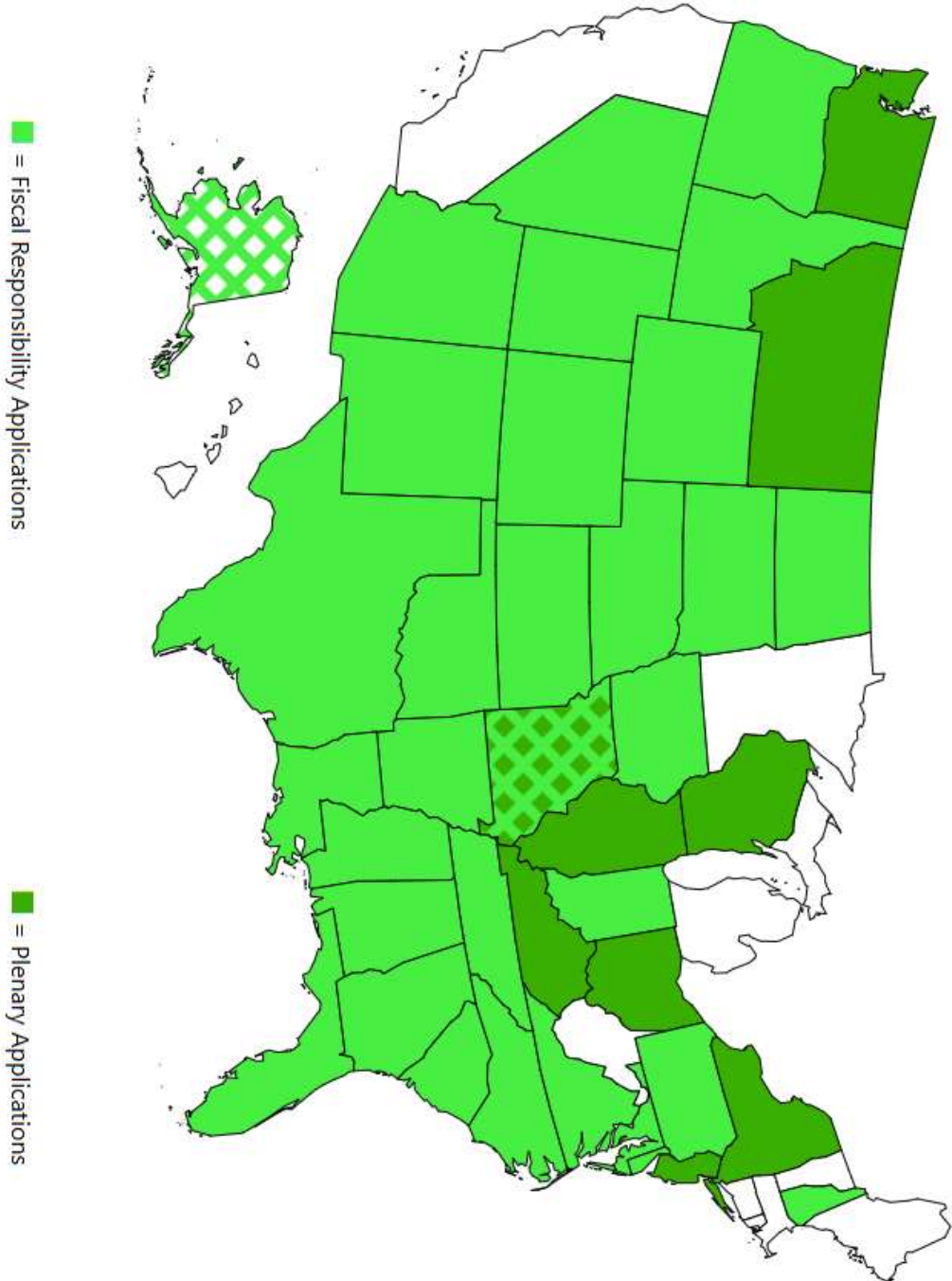
The time has plainly passed for hand wringing and wishful thinking about the incipient debt crisis. We no longer have years to act. We now call upon leaders to endorse this specific and viable approach to protect American prosperity, social harmony, and national security.

Detail at [FFSF.us](#)

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Fiscal Responsibility Applications 39 by 1979 and 40 by 1983



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