

Fact Sheet: How Compact for America's Sixteen Safeguards Safely Regulate the Origination of a Balanced Budget Amendment

The Compact for America is our best hope for safely ratifying a powerful Balanced Budget Amendment that could save us and our kids from a mortgaged future.

The Compact fully structures, codifies and regulates the state-initiated constitutional amendment process under Article V of the U.S. Constitution to ensure the process efficiently, safely and exclusively advances a specific Balanced Budget Amendment proposal—much like a ballot measure directed to state legislators, governors and Congress.

Safeguard #1: Overwhelming Political Will. The Compact for America ensures the convention for proposing the BBA will be organized **only if** 38 states join the compact, **only if** Congress calls the convention in accordance with the Compact, and **only if** the convention is organized within one year of the passage of the Congressional resolution. This ensures that nothing happens until a supermajority of states and a majority of federal representatives line up and manifest overwhelming, contemporaneous political will behind its rules and limited BBA agenda in advance. Deviating from the Compact would be political suicide for anyone who tried.

Safeguard #2: Convention Processes and Logistics are Fully Codified and Regulated. The Compact specifies the convention location, agenda, committee structure, and rules; codifying them to ensure the Initiative advances solely the BBA it specifies.

Safeguard #3: The CFA is Constitutionally-Protected Binding State and Federal Law. Because the convention is not organized until Congress calls it in accordance with the Compact, the Compact's rules and limited agenda will obtain the status of both state and federal law, the obligation of which is guaranteed under the Constitution's Contracts Clause under current U.S. Supreme Court precedent. Any deviation from the Compact will be, on its face, illegal and unconstitutional unless proponents of the deviation succeed in overturning decades and centuries-old legal precedent.

Safeguard #4: Political Ambition of Aspiring Governors. The Compact designates sitting governors as sole delegates for member states and requires governor-delegates who attend the convention to take a temporary leave of absence from their gubernatorial office while at the convention, leaving their likely political rivals in charge of the state and able to direct efforts to enforce the Compact as needed.

Safeguard #5: Convention Cannot Proceed Unless Agenda Limited to BBA. The Compact designates and instructs member state delegates from 38+ states to vote into place its rules and limited BBA agenda for the convention **as the first order of business** or else to return home without participating in the convention.

Safeguard #6: Nullification of Unauthorized Delegate and Member State Actions. The Compact deems *void ab initio* any action by any member state delegate or member state at the convention that deviates from its rules and agenda.

Safeguard #7: Automatic Recall of Rogue Delegates. The Compact automatically terminates and recalls any member state delegate who deviates from its rules and agenda.

Safeguard #8: Automatic Disqualification of Rogue States. The Compact disqualifies the vote of any member state whose delegates deviate from its rules and agenda.

Safeguard #9: State Legislatures Can Recall Rogue Delegates. The Compact empowers state legislatures to recall delegates for good cause.

Safeguard #10: Time Limited Convention. The Compact limits the convention to a single 24 hour session.

Safeguard #11: Prohibition on Advancing Unauthorized Proposals. The Compact prohibits every member state and all of its residents from materially advancing any unauthorized proposal.

Safeguard #12: Nullification of Unauthorized Convention Proposals. The Compact deems *void ab initio* any convention activity or proposal that deviates from its limited agenda and rules.

Safeguard #13: Prohibition on Ratification of Unauthorized Proposals. The Compact bars every member state from ratifying any convention proposal other than the BBA it specifies.

Safeguard #14: Mandatory Compact Enforcement by State Attorney Generals. The Compact empowers and requires attorneys general in all 38+ member states to secure an injunction to enforce its terms if the Compact is violated. Governor-delegates who violate the Compact serve up a political opportunity on a silver platter.

Safeguard #15: Competent Venue Selected for Compact Litigation. The Compact requires all litigation to take place in the U.S. Court of Appeals for the 5th Circuit or in Texas state courts.

Safeguard #16: Commission Intervention. The Compact empowers an interstate commission populated by the states to relocate the convention if it deviates from the Compact.

From any vantage point, the Compact for America Initiative is a safe and effective means of restoring our Nation and protecting our Liberty. Learn more at www.compactforamerica.org