

Is Rand Paul Sincere? We'll Find Out Shortly

By Bill Walker

Is Rand Paul, the newly elected senator from Kentucky, sincere? Does Senator Rand Paul really mean and believe what he says or is he doing as so many politicians have before him, saying things that get him elected? Frankly, I am not sure. I do know, however, that in at least one case, everyone will know the answer to this question very shortly.

One of Mr. Paul's pet political projects is a balanced budget amendment. He has spoken in support of this issue many times. It turns out he has scheduled a speech before the Kentucky state legislature [next month](#). In that speech, according to reports, he plans to urge support of an Article V Convention application by the state of Kentucky. That application, of course, would be for the exclusive purpose of holding a convention to discuss a balanced budget amendment.

Without distracting too much from the main point of this article, the idea of holding an Article V Convention exclusively for discussion (and presumably passage) of a proposed balanced budget amendment is both constitutional as well as political nonsense. The premise that Senator Paul and his supporters proceed on is that two thirds of the states must submit applications asking for a balanced budget amendment, which then Congress must address in the form of a convention call. In sum, they believe that if two thirds of the states submit applications on the same subject, Congress must call a convention.

There are several problems with this premise. The first problem is the states already have submitted [sufficient applications](#) on a balanced budget amendment to cause a convention call on that issue alone. Therefore, any more applications on this, or any other issue, are needless. The proof of this statement lies in photographic copies of official government documents of state applications which can be read at the FOAVC website.

Because everyone ignores this fact, politicians, like Senator Paul, keep demanding new applications rather than just standing up in Congress and demanding that Congress form itself into a committee of the whole for the purpose of picking a time and place for a convention to take place as was outlined by the Founders in Congress [in 1789](#). So, ignoring all else, a legitimate question must be asked: why are these so-called advocates for a balanced budget amendment (or any other amendment proposal) ignoring the fact they have already achieved what they say they want—sufficient applications to cause a convention call by Congress for an Article V Convention.

These advocates seek more applications for a single subject convention conveniently forget the fact Article V clearly allows for an Article V Convention to propose “amendments” not “amendment.” Therefore, state applications cannot limit a convention

to a single, specific amendment. Indeed, as the states are not empowered by Article V to write proposed amendments (this power being expressly reserved to Congress or a convention) the content of an application, as far as any proposed amendment subject matter is dictum. The only portions of state applications recognized by Article V as constitutional and therefore in effect, are those requesting Congress call a convention. Article V is plain in meaning. Whenever two thirds of the state legislatures apply for a convention call, Congress must issue it. Thus, a convention call is a simple numeric count of applying states with no other terms or conditions. Hence, the entire premise of same subject is erroneous.

Another point of public record may explain why these supporters are seeking a new round of applications. They do not want people to find out that the states have submitted sufficient applications on two other subjects to cause a convention call on each of those. By having a new set of applications, they hope not to draw attention to other already submitted applications. The public record shows that repeal of the 16th Amendment and apportionment have enough applications to cause a convention call. They also do not want supporters of the repeal amendment to know that the states have already submitted hundreds of applications for related amendments on this subject.

The purpose of this particular article is not to go into an in-depth discussion of the single subject amendment convention. Nor is it to discuss in great depth the obvious dangers associated with such a convention. Briefly, therefore, a single subject convention would render the people, as well as the delegates to such a convention, meaningless in the process. The entire convention would be a shame.

Obviously, such a convention would have a pre-determined political outcome, i.e., the passage of a particular amendment proposal, such as balanced budget. If elections occurred under such conditions, what would the people decide given the outcome of their vote ultimately is already pre-determined? In sum, the convention would be what is often termed a “runaway” convention. It would be of single political mind, allowing no debate or discourse, with a pre-determined agenda and outcome controlled by special interests determined to advance their political agenda at the expense of all others.

In any event, as stated, the purpose of this article is to determine whether Senator Rand Paul is sincere in regards to his advocacy for a balanced budget amendment. Put another way, does Senator Rand Paul really want a balanced budget amendment via the convention method of amendment proposal or is simply making political hay for some other political purpose?

Once I heard about the senator’s announced speech and declared position, I decided it was time to find out. I did this with a simple phone call. I called the senator’s office. I spoke to a receptionist who obviously was unfamiliar with the senator’s political positions let alone the historic information I asked she relay to the senator.

I informed her that sufficient applications already exist to cause a convention call. I informed her the government has already formally and officially admitted this fact in a

federal lawsuit. Under these circumstances therefore, the senator going to the Kentucky State Legislature to ask for another application is meaningless and a waste of time. Such action would prove Senator Paul is not interested in such an amendment but instead seeks whatever political hay the issue can make for him.

I requested Senator Paul go on the Senate floor and announce that sufficient applications exist to cause a convention call and request Congress immediately issue a convention call. The senator can have no political opposition to this given the huge number of application already on file for a balanced budget amendment. Discussion of the issue will surely occur at any convention along with the 20 or so other issues already applied for by the states.

The receptionist stated she would let Senator Paul know about the applications. I asked someone more senior from the senator's office contact me. I received no phone call back from the senator's office. From experience I can state this is the usual procedure members of Congress use regarding an Article V Convention call when confronted about it—they avoid the matter entirely.

Frankly, I find it odd Senator Rand apparently knows so little about the number of submitted applications. Apparently, he did not research the public record to discover the number of submitted applications. Nevertheless, the question posed in this article will be answered.

Either, in the next few days, Senator Rand Paul of Kentucky will make a historic trip to the Senate floor. He will become the first member of Congress to officially request Congress act on already submitted applications for an Article V Convention. Given the public record of already submitted applications, a convention call will follow. His desire for a balanced budget amendment will advance. Presumably, he desires this.

On the other hand, Senator Rand will prove he is simply making political hay. He will address the Kentucky State Legislature next month supporting another needless application for a political issue that requires no further applications. If he does this, then everyone will know at least on this issue, Senator Rand is insincere. If he were sincere, he would make every effort to get a convention call instead of wasting time asking the states for unneeded applications. He would instead present the issue to Congress, demand it obey the Constitution and call the convention.

To find out whether Senator Paul is sincere, all that is required is to simply watch and see what he does.