



Senator Tom Coburn, M.D.
U.S. Senator, Oklahoma
2005-2015

Testimony of Dr. Tom Coburn, former U.S. Senator from Oklahoma, on HCR5009

**Kansas House Federal and State Affairs Committee
March 13, 2019**

The time has come for the Kansas state legislature to use its power under Article V of the U.S. Constitution to address national problems that Congress will not address. For instance, it is crucial for the states to force the federal government to live within its means.

With \$22 Trillion dollars of debt already (\$124 Trillion if we count unfunded liabilities), we have a moral obligation to stop the bleeding. Future generations of Americans will not enjoy the blessings of liberty that we inherited if we enslave them to a growing debt of this magnitude.

But we must go further than simply balancing our federal budget. We, the people, must impose additional restraints upon career politicians in DC who will never be inclined to restrain their own power.

Americans have seen a steady, unbroken trend of greater and greater centralization of power in our nation's out-of-touch capitol. We are not only overtaxed but overregulated.

Unelected bureaucrats created nearly 70,000 pages of rules and regulations last year. Onerous regulations of this magnitude often kill jobs by causing businesses to move overseas. They can also serve as an impediment to new businesses that would otherwise create jobs for Americans who desperately need them. Even if the Trump administration slows down regulation, it will only be a temporary reprieve.

Several years ago Harvey Silverglate wrote a book entitled "Three Felonies A Day," explaining how the average, well-meaning American professional wakes up, goes to work, and comes home, blissfully unaware of the fact that he or she has likely committed multiple federal crimes in the course of the workday due to an ever-expanding code of broad, vague federal laws.

Is this freedom?

And if it weren't insult enough to be overtaxed and overregulated, the fact is that the ordinary, hard-working American is, by and large, simply overlooked.

Year after year, we raise our collective voices to tell our representatives what we want them to do: to end waste, fraud and abuse; to reform our immigration system; to create an atmosphere for

job growth; and to make our tax code fair and simple. But instead of doing these things, DC politicians spend much of their time arguing about public policies that don't even belong at the national level, but rather at the state and local levels.

So what can you, as guardians of your citizens' liberty, really DO to force our federal government to get back on track?

Thankfully, America's Founders drafted the Constitution with a safe and effective recourse. Article V provides our state legislatures with the same power it provides to Congress for proposing constitutional amendments.

Since leaving the U. S. Senate, I have dedicated my time and energy to the Convention of States Project—an effort to finally use this Article V power. We are working to pass resolutions in the required 34 states for a convention to propose amendments that “impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress.” Fourteen states have already done their part.

In addition to allowing for a balanced budget amendment, HCR 5009 would allow for the consideration of amendments that do one or more of the following:

- Limit Congress' spending power
- Limit Presidents' use of executive orders to make law
- Limit the ability of administrative agencies to implement rules and regulations where Congress has not provided clear direction
- Limit the use of international treaties to determine U.S. domestic law
- Impose real checks and balances on the U.S. Supreme Court, including, possibly, term limits for Supreme Court justices.

I am here today to urge you to use this constitutional tool to return power back to the states and put DC back in its place. We have come far past the point when we could hope that the next election would result in meaningful governmental reform. We know that no matter which party controls the presidency, and no matter which party controls Congress, the dysfunction in Washington will persist until an outside force stops it.

If you recognize, as I do, that our nation is headed for disaster at the hands of an over-powerful federal government, please support HCR 5009.

A handwritten signature in blue ink, appearing to read "Tom A. Cotton". The signature is fluid and cursive, with a long horizontal stroke at the beginning and a large, sweeping flourish at the end.