

No Uncertain Terms

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Carson, Cruz, Rubio, Jindal Sign USTL Pledge to Fight for Congressional Term Limits as President

Four of the GOP presidential candidates who have voiced support for congressional term limits — Dr. Benjamin Carson, U.S. Senator Ted Cruz, U.S. Senator Marco Rubio, and Louisiana Governor Bobby Jindal — have now also signed the U.S. Term Limits Amendment Pledge to throw their weight behind the reform should they reach the Oval Office.

The presidential-candidate edition of the Pledge commits the signatory, “as a candidate for President of the United States,” to “pledge to support congressional ratification and state ratification of an amendment to the U.S. Constitution that would set term limits on service in the U.S. Senate and U.S. House as there are term limits on the President, as enacted by the 22nd Amendment.”

The presidential-candidate edition of the U.S. Term Limits Amendment Pledge is provided to every announced candidate for president.

The U.S. Term Limits Constitutional Amendment to limit U.S. House members to three two-year terms, U.S. Senators to two six-year terms has been introduced in the Senate by Senator David Vitter and in the House of Representatives by Representative Matt Salmon. Senators Rubio



(Continued on Page 3)

With Heads-up from USTL, Nashville Voters Repulse Assault on Term Limits

On August 6, voters of the combined Nashville city and Davidson County “metro” defeated by 63-37 the council-referred Amendment 1, which if passed would have increased the maximum tenure of city council members from two to three four-year terms.

By 62-38, voters also rejected Amendment 2, a term limits expansion posted via a citizen initiative initiated by Council Member Emily Evans that would also have tacked another term onto council tenure.

Amendment 2 was a multiple-subject ballot measure. Evans had tried the old trick of combining an unpopular proposal with something that voters might like better: in this case, a reduction in the number of city council mem-

bers from 40 to 27. Voters saw through the ploy, though, so that it extracted only an additional percentage point in a still-definitive victory for term limits.

As *The Tennessean* summed it up in the days after the election: “Last week’s big winner in Nashville? Term limits.”

(Continued on Page 3)

Article V path to congressional term limits may be our best chance
see p. 7



President's Corner

BY PHILIP BLUMEL

The idea of term limits has been around since the ancient Greeks city-states and the Roman Republic. More recently, "rotation in office" was very much part of the political thinking of such American Founding Fathers as Thomas Jefferson, George Mason and Luther Martin. The story of the last is told in an informative and humorous little book called *Forgotten Founder, Drunken Prophet: The Life of Luther Martin* by Bill Kauffman.

Martin was a representative of Maryland at the Constitutional Convention in 1787 and an example — exasperating to many — of the so-called Anti-Federalists, who feared that with the new national powers provided by the Constitution would result in massive centralization and abuse of power. To protect our liberties, the Anti-Federalists fought for, among other things, a Bill of Rights and term limits. They got the former but not the latter.

In the debates over term limits, Virginian George Mason — often called the father of the Bill of Rights — pointed out that "nothing is so essential to the preservation of a republican government as a periodical rotation."

Martin argued that the entrenched politician "will take his family to the place where the government shall be fixed; that will become his home, and there is every reason to expect, that his future views and prospects will centre in the favors and emoluments of the general government."

The Anti-Federalists are often thought the losers in the battle over the Constitution. But their many contributions to the document — tributes to their determination and adherence to principle — helped it to preserve rather than threaten liberty.

It did take a while for their dark predictions to be borne out. Rotation in office was so ingrained in the revolutionary republican creed that not until the turn of the 20th century did professional politician become the norm in the Congress and in legislatures across the country. I suspect that Martin and other Founders alert to the importance of temporal limits on power would salute our efforts, today, to make rotation in office in the nation's Congress a reality at last.

See page 7 for Phil's thoughts about pursuing the constitutional-convention route to a congressional term limits amendment — and to join the effort.

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"It is not the function of our Government to keep the citizen from falling into error; it is the function of the citizen to keep the Government from falling into error."

-- U.S. Supreme Court in
American Communications Association v. Douds

Nashville (Cont'd from page 1)

U.S. Term Limits had been active in the region in the lead-up to the election, alerting Nashville voters to the details of the dual assaults so that they would be less likely to be caught off-guard by the Amendment 2 “alternative” to Amendment 1 after entering the voting booth. USTL contributed op-eds, yard signs, a web presence, and even manpower to help get the word out.

This is the fifth time Nashville council members have failed to convince voters to weaken term limits.

Both foes and friends of term limits cited the effectiveness of Nashville term limits in opening up seats to vigorous competition, with 22 of 40 council members — and the mayor — being ousted by term limits this year. That term limits do in fact prevent entrenched incumbencies is precisely what rankles career politicians, and of course what voters in originally passing the reform had sought to accomplish.

“USTL assists in local term limits campaigns because



elected officials at all levels will veer into corrupt and self-serving behavior,” said USTL Executive Director Nick Tomboulides. “When this happens, the wealthy lobbyists and donors who prop up politicians will do everything they can to beat term limits.

“We cannot let it happen.”

Carson, Cruz, Rubio, Jindal (Cont'd from page 1)

and Cruz have both cosponsored the Senate resolution.

The president cannot vote on or sign the amendment, but his prominent advocacy would do much to help push it through Congress.

In 2012, Marco Rubio, in supporting a congressional term limits measure proposed by Senator Jim DeMint, said: “No elected official is so good that they’re irreplaceable, and having term limits will ensure that our legislative branch is continuously infused with new people and ideas. We have term limits in Florida, and I saw the benefit of having our legislators serve for a limited time and then return home to live under the laws they crafted. Term limits are long overdue in Washington.”

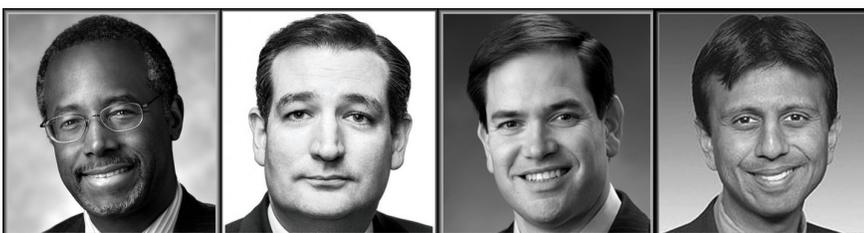
Getting term limits is among the top-ten priorities that Cruz articulated in an October 2014 op-ed for USA To-

day (usat.ly/1ft7TcA), months before he became the first member of either major party to announce his presidential candidacy.

“Crony capitalists are standing in the way of common-sense reforms, whether it’s abolishing the Export-Import Bank or keeping the Internet tax-free forever and unconstrained by job-killing regulations,” Cruz wrote. “We can stop the Washington corruption, in part, by reining in corporate welfare, imposing a lifetime ban on members of congress becoming lobbyists, and fighting to pass a constitutional amendment to require term limits for congress.”

“We must encourage innovation and ingenuity to improve the state of our nation,” Ben Carson said upon signing the Pledge. “Term limits create more opportunities for fresh ideas.... We need people running for elected office for the right reasons — not career politicians.”

The amendment requires passage by two-thirds majorities in the House and Senate (or the calling of a constitutional convention by two thirds of the states — see page 6), followed by ratification by 38 states, to become part of the Constitution.



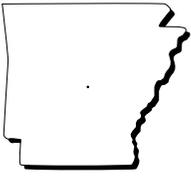
Carson

Cruz

Rubio

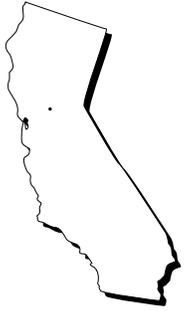
Jindal

Term Limits



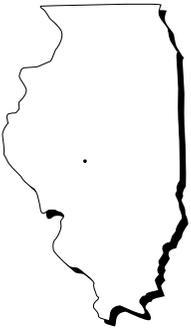
ARKANSAS

In June, Arkansas Attorney General Leslie Rutledge rejected the wording of a proposed constitutional amendment to slash the maximum overall tenure of state lawmakers from 16 years to ten years. But Arkansas Term Limits submitted revised text, and now Rutledge has approved the potential ballot question. In addition to capping combined legislative tenure at ten years, the amendment would also limit tenure in the house to three two-year terms and in the senate to two four-year terms. The term limits changes that voters passed last year — provisions of which had been obscured in a deliberately misleading laundry-list ballot question — had bloated maximum tenure in a single state legislative seat to a whopping 16 years. ATL must collect more than 84,000 signatures to send the question to the 2016 ballot.



CALIFORNIA

San Miguel County, CA. We wish this kind of unanimity were a little more common: without any member dissenting, the San Miguel council complied with a citizen-initiated petition requesting that they post a ballot question to impose a two-term limit on county commissioners. (County-level citizen petitions cannot directly send a question to ballot without the approval of commissioners.) Voters will decide the question this November.



ILLINOIS

After President Obama spoke in Africa in favor of term limits (see page 6), Rauner said the same principle applies in the Corn State. “You should have term limits in Africa to help you deal with your corruption and end your corruption. Think about that statement, and think about what’s gone on in the State of Illinois and the City of Chicago and Springfield for years.” Illinois has entered its third month without a budget. In early September, lawmakers failed to override Governor Rauner’s veto of legislation strip the administration of its ability to reject bad union contracts. The governor has not yet secured any of his major budgetary, property tax, and other reforms — including term limits. But lawmakers cannot ignore his vetoes.



MICHIGAN

We can always rely on Michigan lawmakers to try to topple term limits. House Joint Resolution Y would allow lawmakers to serve up to 16 years in a single legislative seat. In response to Rep. Martin Howrylak’s proposal to drastically weakening state legislative term limits, in August USTL Executive Director Nick Tomboulides published an op-ed in the *Oakland Press* and other Digital First Media papers, “Don’t retreat on legislative term limits” (<http://bit.ly/1FsrYai>). “If Howrylak’s amendment is approved, Michigan would move from having the strongest term limits in America to the weakest in the democratized world.... Citizens and politicians have disagreed about term limits since the reform’s inception. But there are two key points to remember when breaking the tie: which side has the conflict of interest, and which is the other’s employer?”



OHIO

On August 31, the Ohio group Eight Is Enough submitted 1,742 signatures to the attorney general’s office, which is 742 more than required to secure Attorney General Mike DeWine’s review of a term limits amendment proposed for the November 2016 ballot. If posted and passed, the amendment would set a lifetime limit of eight years of service in the house and eight years in the senate, and a lifetime limit of 12 years in the legislature as a whole. The new law would end the practice of some legislators of hopping indefinitely back and forth between the two chambers. If DeWine’s office approves the

in the News

question, Eight Is Enough must gather another 306,000 signatures to place the question on the statewide ballot.

The proposed amendment is largely a response to the work of the so-called Ohio Constitutional Modernization Commission, set up by state lawmakers for the purpose of asking state lawmakers to weaken term limits. The measure the commission is currently mulling would enable lawmakers to serve up to 12 consecutive years in one chamber, and would impose no lifetime life on tenure. According to Ray Warrick, chairman of Eight Is Enough: “The General Assembly’s sneak attack on term limits, through the ruse of a commission, is a slap in the face to the people of Ohio. Ohio’s term limits are [weaker than] others around the country. And yet are leaders still whine about them and scheme to get around them.” The Eight Is Enough measure to tighten term limits and a career-politician measure to weaken them may well appear on the same ballot.



TEXAS

Houston, TX. Houston City Council members voted 12-5 this August to place a question on the November ballot that, if passed, would lengthen the term limits of council members from three two-year terms to two four-year terms. The change would kick in next year, although Mayor Annise Parker — who also voted yes — had preferred it go into effect in 2020 to avoid the charge of benefiting incumbents. Under the terms of the ballot measure, council members currently serving their third term, like Parker, would be ineligible to lengthen their tenure. But members serving their first two-year term could then serve two four-year terms (an expansion of their maximum tenure from six years to ten years). Those serving their second two-year term could add one four-year term.



UNITED STATES

Senator Rand Paul believes there’s little chance to improve Washington’s bad ways without term limits. “I’m absolutely convinced we won’t fix this place until we clean it, use some antiseptic on it and really have term limits and have better rotation up here,” he told Glenn Beck during a September episode of Beck’s radio show. “Because of entrenchment up here — basically people become furniture and nothing changes, and they don’t listen to the people.”



GREAT BRITAIN

Will members of the House of Lords, a notorious repository of appointed cronies, become subject to term limits? The question has been revisited after news of a fresh batch of 45 appointees. The number included “Lord Moat,” a nickname for scandal-blighted former Tory MP Douglas Hogg alleged to have used taxpayer money for part of his household expenses (including moat cleaning; Hogg disputes details of the allegations). “More appointments isn’t the answer,” said the grassroots organization Unlock Democracy. “The only way to fix the Lords is to replace it with an elected second chamber.” Amid the furor over the recent appointments, British Prime Minister David Cameron has said that he is “open” to the possibility of term limits for the upper chamber.



RWANDA

In early September, John Kirby, a U.S. State Department spokesman, repeated the American government’s opposition to attempts by other governments to roll back presidential term limits: “We do not support those in positions of power changing constitutions solely for their political self-interest.” The remarks could have been apropos any number of presidents in Latin America, Africa and elsewhere, but were directed specifically to Rwanda President Paul Kagame, in power since 1994. Kagame has been gearing up to run for a constitutionally prohibited third term.

Obama Rebukes Africa's Would-Be Presidents-for-Life

Whatever may be said against any authoritarian tendencies displayed by our own president, Barack Obama may be credited for at least explicitly upholding presidential term limits, as he did when recently chastising African heads of state seeking to undermine constitutional limits on their tenure.

“When a leader tries to change the rules in the middle of the game just to stay in office, it risks instability and strife, as we’ve seen in Burundi,” Obama said in a speech this July at a meeting of the African Union. “Sometimes you’ll hear leaders say, well, I’m the only person who can hold this nation together. If that’s true, then that leader has failed to truly build their nation.

“You look at Nelson Mandela — Madiba, like George Washington, forged

a lasting legacy not only because of what they did in office, but because they were willing to leave office and transfer power peacefully. And just as the African Union has condemned coups and illegitimate transfers of power, the AU’s authority and strong voice can also help the people of Africa ensure that their leaders abide by term limits and their constitutions. Nobody should be president for life.”

The *New York Times* reported that during the president’s speech, which was interrupted by applause 75 times, his audience “cheered and whooped most enthusiastically as he talked about leaders who overstay their welcome.”

In Burundi, President Nkurunziza defied the constitution that had helped resolve a civil war in the country to pursue a third term in office, in the process sparking more bloody civil conflict.

Presidential attempts to undo presidential term limits on the African continent have also been undertaken recently in countries like Rwanda, Burkina Faso, Republic of the Congo, and the Democratic Republic of the Congo. One exception to the trend is the Central African Republic, whose transitional government recently adopted a new constitution that limits presidents to two terms in office. The country’s voters must now approve it.



Burundi protesters oppose a third term for their president.

That Obama upholds the importance of presidential term limits in the nations of Africa, and by implication in the U.S. too, is all well and good. But he should go further and also champion congressional term limits, as several GOP candidates for president have now pledged to do should they get Obama’s job (see page 1).

Term limits on the presidency are, to be sure, especially important, for the nation’s chief executive wields the greatest power of any elected official. But Congress also wields enormous power; and we have seen how corruptible its members can be and how preclusive of robust electoral competition entrenched incumbency can be.

How about it, Mr. President?

Join Americans Calling for an Article V Term Limits Convention

by Phil Blumel

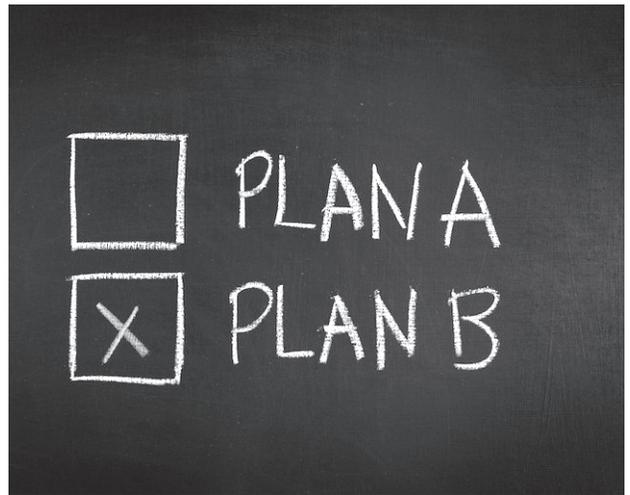
Each election cycle, hundreds of Congressional challengers (and even an incumbent or two) sign the U.S. Term Limits Congressional Pledge to sponsor and vote for a term limits amendment to the U.S. Constitution. And each national election day, a dozen or two new signatories are elected to Congress. We are headed in the right direction: toward a critical mass that will one day secure a floor vote on this popular reform.

But skeptics (including many term limits activists) assure us that Congress will never, ever vote out a term limits amendment. They may be right; or, at least, political circumstances must be somewhat different from what they are at the moment for this to happen. But what if there were a way to pass a constitutional amendment without the consent of Congress?

Well, there is.

Article V of the Constitution provides two ways to amend that document. The first is the familiar route of going first through the Congress, and then to the states for ratification. But the Founders knew there might be times when Congress refuses to act against its own political interests for the sake of the public good even when an

Article V
The Congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of the several states, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate.



overwhelming majority of Americans demand it. So they provided a way to bypass Congress.

If two thirds (34) of the states formally call for a convention of states for the purpose or proposing an amendment “to this Constitution,” Congress “shall” call a convention. The amendment the convention produces would then go straight to the states for ratification.

“Is Article V a long shot? Yes. Every means of imposing congressional term limits has proven to be a long shot. When we get there, it will be because one of the long shots paid off.”

—Paul Jacob, president of Citizens in Charge

So the best and fastest way to impose term limits on Congress may well be through calling a term limits convention as authorized by Article V of the U.S. Constitution. U.S. Term Limits is therefore launch-

ing a massive nationwide campaign in cooperation with the Convention of States Project to convene it.

A single-amendment convention committed specifically to imposing congressional term limits will win bipartisan support. It will bypass the career politicians in Washington. It will allow citizens like you and me to take a giant step toward cleaning up corruption and careerism on Capitol Hill, by reintroducing the regular rotation and competitive elections that the Founders intended.

Convening an Article V convention will not be easy. We must lobby state legislatures to support this historic idea. This will be a tough and costly fight. Will you help? Sign the online petition at termlimits.org/ustl-petition. Make a financial contribution at www.termlimits.org/donate-2. When the bill is introduced in your state, U.S. Term Limits will alert you with the bill info and how you can help get it passed.

Let's hit the restart button on Congress and make history!

Phil Blumel is the president of U.S. Term Limits.

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**— Phil Blumel, president, U.S. Term Limits
see p. 7**