

No Uncertain Terms

THE NEWSLETTER OF THE TERM LIMITS MOVEMENT • JANUARY/FEBRUARY 2017 • VOLUME 25 • No. 1

#1 Drain-the-Swamp Method for President Trump: Term Limits

In the last few weeks of his presidential campaign, GOP nominee Donald Trump set forth an ambitious reform agenda for his first 100 days in office, including a hiring freeze on federal employees and a plan for repealing regulations. At the top of his list of reforms was congressional term limits.

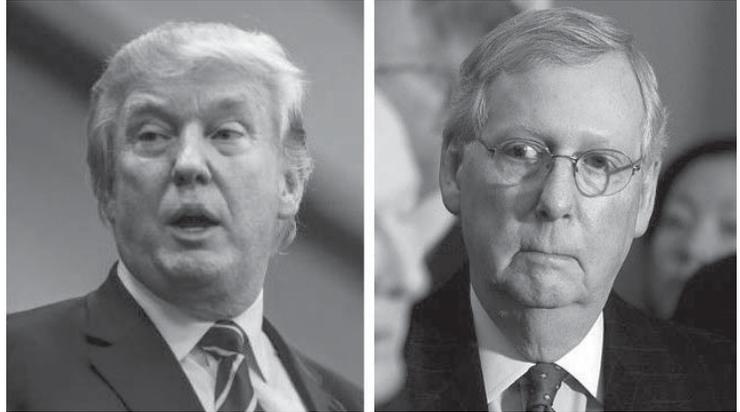
Trump has endorsed the USTL-supported term limits of a maximum of three terms (six years) in the U.S. House, two terms (12 years) in the U.S. Senate.

One sign not long after election day that the new president means what he says about term limits was his immediate rebuttal of a claim made by campaign insider Newt Gingrich, who declared on cable TV that with the election over and governance about to begin, Trump was distancing himself from the “drain-the-swamp” language he had used during the campaign.

No, that’s false, Trump tweeted; we’ll always be trying to drain the swamp. Gingrich had to make a shamefaced public apology.

This was the same Newt Gingrich who had retreated from the term limits plank of

Join the Fight!
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Donald Trump versus Mitch McConnell.

his own Contract with America back in the 1990s — who had never really been an authentic supporter of term limits to begin with. Perhaps, then, Gingrich blundered about Trump’s intentions simply because the former speaker assumed that nobody in power could ever really wants to substantively tackle institutional corruption in Washington DC.

(Continued on Page 3)

Arizona, Georgia, Utah Take First Steps Toward Term Limits Convention

Legislation to call a Term Limits Convention — an Article V convention to bypass Congress and send a constitutional term limits amendment to the states directly — has recently advanced in three states: Arizona, Georgia, and especially Utah.

First, three committee approvals in the three states occurred within a span of three days in February. Then HJR12, a resolution calling for the Term Limits Convention, was approved late in February by the Utah house of representatives. The single-subject house resolution passed after a senate resolution calling for a convention with a broader agenda failed.

Representative Timothy Hawkes, sponsor of HJR12, said, “If you are concerned about [a multiple-issue convention]

and want to see a narrow convention, then this is the Article V resolution for you.” Now the Utah senate must approve the resolution if Utah is to join Florida in calling for a Term Limits Convention.

Every state that passes a bill calling for the convention brings us closer to the goal of holding the Term Limits Convention and, ultimately, of term-limiting Congress.

We are also working with congressmen and congressional candidates to push for congressional passage of a term limits amendment. Many have opined that Congress will never term-limit itself voluntarily. But we think that they may well do so if and when the weight of public pressure becomes great enough.

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President's Corner

BY PHILIP BLUMEL

It has been a long struggle, and the struggle is not over. But now a president of the United States has endorsed the same congressional term limits amendment endorsed by U.S. Term Limits — one that would impose a maximum tenure of three two-year terms on U.S. Representatives, two six-year terms on U.S. Senators.

What it means: the iron is red-hot. Time to strike.

Time to make congressional term limits finally happen. Time to publicize the cause of congressional term limits with renewed energy, to recruit as many people as we can to help us all around the country, to push as hard as we can and to keep pushing and pushing and pushing until it's done.

The new president is with us. The American people are with us. In Congress, House Speaker Paul Ryan has expressed his willingness to bring the question to the floor for a vote, and a growing number of congressmen (48 at the moment) have cosponsored the Congressional Term Limits. Three candidates in a South Carolina special election have also just pledged to become cosponsors if elected.

The biggest stumbling block to getting the passage of the amendment fully considered in both chambers of Congress is the opposition of Senate Majority Leader Mitch McConnell, who says that term limits will not be on the Senate agenda. He thinks that this decision is the end of the matter. (If you'd like to chat with him about it, the phone number of his senate office is 202-224-2541.)

Our radio ads promoting congressional term limits have begun airing in Colorado, and our digital ads are appearing nationwide. We must sustain and expand this effort.

We need your help on all fronts. Please talk to your friends and family and representatives about term limits. Urge Mitch McConnell to let his colleagues vote on the Congressional Term Limits Amendment. If your congressional representatives have not signed on as a cosponsor of the Congressional Term Limits Amendment, ask them why. Talk to your state representatives about supporting a call for a Term Limits Convention, especially if you live in one of the states we are currently targeting: Georgia, Alabama, South Carolina, Missouri, Utah, or Tennessee.

If you can, please chip in a few dollars to help fund USTL's fight to end the era of fifty-year-long congressional incumbencies; it will be greatly appreciated. (Visit us at bit.ly/2kO6JR2 to contribute.)

One way or another you and I will slap term limits on the U.S. House and U.S. Senate. Let's make it happen.

Visit Phil Blumel's blog at pblumel.blogspot.com.
Visit USTL's Facebook page at on.fb.me/U0blkG.

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U.S. Term Limits – DC Office
1250 Connecticut Avenue NW
Suite 200
Washington, DC 20036
(202) 261-3532 – Phone

info@ustl.org – Email
www.termimits.org – Web

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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*

Arizona, Georgia, Utah (Cont'd from page 1)

Overwhelming support for a Term Limits Convention is one form the pressure can take. As U.S. Term Limits President Phil Blumel told columnist Caroline Baum, in Florida, “For us to be successful, the states do not have to have a convention. Passing applications in the states will get Congress to act. Congress would write its own amendment.”

That was the pattern with respect to passage of the 17th Amendment, which provided for direct popular election of U.S. Senators. (Before then, state legislatures had elected U.S. Senators.) The U.S. House passed several bills to make direct election a reality, but the legislation always foundered in the other chamber — until 29 states passed bills calling for a convention to send an amendment to the states. After that, Congress finally did write and pass a constitutional amendment providing for direct election of senators, which was then ratified by the states.

Today, bills to call a Term Limits Convention have been filed or are about to be filed in Alabama, Alaska, Arizona, Colorado, Georgia, Illinois, Missouri, South Carolina, Tennessee, Texas and Utah — and more bills are on the way. U.S. Term Limits is working overtime to help pass Term Limits Convention bills in as many of these states as possible.

The progress we have made so far shows that your volunteering and grassroots activism are paying off. Keep up the pressure: The more your state legislators hear from you, the

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States of America**

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more likely they are to vote for the Term Limits Convention. If they never hear from you, they won't know how important this reform is.

Members of the U.S. Congress are the other audience here. Every time a state takes action toward slapping term limits on Congress, career politicians in Washington sweat a little bit more. They know the day is coming when we the American people will change the system forever.

#1 Drain-the-Swamp Method (Cont'd from page 1)

The constitutional term limits amendment supported by U.S. Term Limits has been introduced again in both the U.S. House and the U.S. Senate, and we have sent letters to individual congressmen asking for more cosponsors of the amendment.

However, the professional politicians in D.C. are still preventing a vote on congressional term limits. Senate Majority Leader Mitch McConnell has said congressional term limits won't be on the Senate to-do list at all.

On the other hand, in addition to the support of the new president, congressional term limits also enjoys the support of all incumbent signatories of the USTL Term Limits Pledge who have cosponsored the amendment, as well as the support of current House Speaker Paul Ryan.

President Trump has a lot on his plate, obviously. If he should forget to press for congressional term limits, it's up to us to remind him and to keep reminding him.

As Representative Ron DeSantis puts it, Trump “has the megaphone now to be able to really force Congress to take this up. I mean, if he starts going to Twitter and he tells our constituents that Congress needs to be voting on that, guess what? The members are going to hear from their constituents about it.

“So I think it's changed the dynamic in a way that really gives us a good opportunity to bring it up for a vote and get a strong vote unlike, I think, in years past. I think it's the best time for term limits that we've had in the past 25 years.”

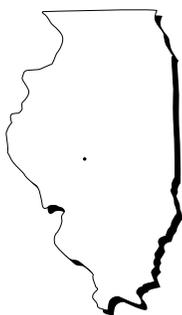
Term Limits



FLORIDA

A committee of the Florida House of Representatives has advanced a proposed constitutional amendment to limit the tenure of Florida Supreme Court justices and appeal court judges to a single 12-year term. The justices and appeal court judges face a retention election every six years, but no one is ever rejected in these elections (the last time it happened was four decades ago). According to one supporter, Representative Jennifer Sullivan, “An accountability system that does not hold people accountable is not truly accountable. This bill seeks to correct that and give the people of Florida another opportunity to implement the accountability they originally intended to place upon our judicial branch of government.”

Weston, FL. Weston commissioners agreed 4-0 not to ask voters to repeal the term limits on commissioners in a March election. Calls for “reconsideration” of term limits usually come from incumbents, not voters. This kind of pre-electoral retreat is not as dramatic as voters’ rejection of a repeal measure at the ballot box, but it occurs for the same reason: the voters’ consistently strong support for term limits.



ILLINOIS

The Illinois Senate has approved a resolution to term-limit its leadership — to ten years on the of senate president and senate majority leader. According to State Senator Chapin Rose, “It’s an absolute huge event in Illinois politics. We’re calling for the House to do the same thing.”

However, as one longtime observer of the political scene observes, the “huge” reform here is only “ten-year term limits on two senate leaders, which I’m sure can easily be repealed as the deadlines get close.” True enough. What a state senate giveth, a state senate can taketh away. What Illinois voters need is a constitutional amendment term-limiting *all* lawmakers, a reform for which Governor Rauner has continued to press despite all bitter opposition by incumbents.

The Illinois Supreme Court recently explained its decision of late last year to affirm an appellate ruling that a Village of Broadview term limits referendum is not confusing, a claim made after the referendum petition was filed. According to an analysis by Kirk Jenkins at Mondaq.com, “The Supreme Court explained that the plain language of the referendum provided that term limits would apply to anyone who sought election in April 2017 or after who has ‘been previously elected’ to that office for two terms. When read in its entirety, the language used was sufficiently clear to understand what the voters would be voting on, even without an express statement of the referendum’s temporal reach.” (Read more at bit.ly/2l5dlWk.) The measure imposes limits of two terms on the village president.



LOUISIANA

Lafourche, LA. In December of last year, Lafourche voters approved consecutive limits of two four-year terms on the parish president (73% in favor) and three four-year terms on parish council members (71% in favor). The council had referred the measure in August with an 8-1 vote. The holdout, Daniel Lorraine, is in his ninth term. “I’ll go ‘til they turn me out, I get beat or I die,” he says. And he pledges to keep fighting against term limits.



NEW YORK

New York Governor Andrew Cuomo has climbed aboard the term limits bandwagon, even offering his own proposal to limit the terms of lawmakers and statewide officials.

State Senator Joseph Griffo has offered a bill that would impose eight-year limits on the governor and other statewide officials, 12-year limits on lawmakers. Governor Cuomo would convert two-year terms of lawmakers to four years and impose eight-year term limits — a shorter term limit for lawmakers than what Griffo wants.

Griffo says: “If you want to fundamentally and dramatically change the culture of Albany, then you need to limit the amount of time our elected officials are in office.... There are plenty of compelling concepts being proposed that are worth examining to restore trust in government, but real ethics reform must begin with term limits.” Yes, and eight-year limits are better than 12-year limits.

A Quinnipiac poll found that 56% of voters would support a pay hike for New York state lawmakers if it would get them to accept term limits, and 70% of respondents say they would not support an unconditional pay raise.

In The News



OHIO

Ohio's attorney general has given the go-ahead for a ballot measure that would constitutionally term-limit members of the Ohio State Supreme Court to a maximum of nine consecutive years if it reaches ballot — a task that requires gathering 305,591 valid signatures by July 5, 2017 — and is then approved by voters. A successful measure would add the following text to Article IV of the state constitution: “No person shall be elected or appointed as a judge of the Supreme Court if said person, at the time of said election or appointment, has served nine or more consecutive years as a judge of the Supreme Court regardless of whether as chief justice, a justice, or a combination of the two.”



SOUTH CAROLINA

Three candidates in the South Carolina congressional race to replace Mick Mulvaney have signed the U.S. Term Limits Amendment pledge committing themselves, if elected, to “cosponsor and vote for the U.S. Term Limits Amendment of three (3) House terms and two (2) Senate terms and no longer limit.” The three candidates are attorney Tom Mullikin; Chad Connelly, a former chairman of the South Carolina Republican Party and Republican National Committee official; and Thomas Pope, speaker pro tempore of the state house of representatives. Mulvaney vacated his U.S. House seat in order to serve as director of the Office of Management and Budget in the Trump Administration.



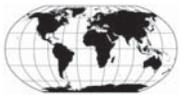
TENNESSEE

A January op-ed published by U.S. Term Limits president Phil Blumel in *The Tennessean* and other publications describes impending legislation calling for an Article V Term Limits Convention as “a historic opportunity for Tennessee” (see tne.ws/215jzFP). “Passage by the Tennessee General Assembly between now and early 2017 will represent a second large swing state [after Florida] coming out for this popular bipartisan reform. Additionally, the convention call would place additional pressure on Congress to pass an amendment at the same time the new president will be doing so. If Congress refuses, Tennessee's action would be the next step toward a state-run amendment convention, bypassing Congress to do the people's will.”



UNITED STATES

In a talk at the Conservative Political Action Committee (CPAC) in late February, U.S. Senator Ted Cruz reiterated his support for congressional term limits and urged members of the Republican majority to take prompt action. “I think [congressional term limits] is one of the first and biggest steps we can take to actually drain the swamp,” Cruz told his audience. “This election was the American people saying, ‘Enough already with the corruption in both parties, Democrats and Republicans who have been here too long.’ President Trump campaigned on draining the swamp. We have majorities in both houses. I think we ought to demonstrate that we have heard the voters; we bring up term limits, pass it, send it to the states for ratification.”



GAMBIA

Yahya Jammeh, who had been president of Gambia for 22 years, at first conceded defeat after losing an inadequately rigged presidential election on December 2, 2016. In fact, Jammeh called opposition leader Adama Barrow on national television to say: “Allah is telling me my time is up, and I hand over graciously with gratitude toward the Gambian people and gratitude toward you.” Thousands of Gambians celebrated in the streets. Then Jammeh, who had once vowed to stay in power “a billion years,” apparently realized that a billion years were not up yet. He reversed himself and refused to step down for nearly two months. Tensions rose to the extent that neighbor countries eventually buttressed diplomacy with military threats to enforce the election results. Finally, Jammeh acceded to the pressure and let himself be exiled to Equatorial Guinea. That he was effectively if belatedly called to account seems to have had more to do with the blatancy and awkwardness of his contempt for democratic norms than that contempt per se — which is widespread among Africa's aspiring presidents-for-life.

WHAT THEY'RE SAYING

No Accountability in Pennsylvania Government

“I know the arguments against term limits. We would lose out on all that institutional knowledge. A revolving door would give more power to the staff members who know their way around Harrisburg. And — my favorite — ‘we already have term limits. They’re called elections.’

“If you’ve been reading my columns about gerrymandering, you know that the last argument is hog-wash. There is no accountability in our state government. Once you’ve been elected, it’s probably a job for life as long as you want it and as long as you keep your party leaders happy with you.

“But even without gerrymandering, even if we had campaign finance reform to help level the financial playing field, I’d be in favor of term limits.

“Why? Because I want turnover. For me, the ideal elected official is someone who has been successful at a real job and now wants to carry those life experiences over into a stint on limited duration in public service. They will be people with little patience for partisanship, influence-peddling and other manifestations of bad government. And they won’t have to devote an inordinate amount of their time and energy toward getting re-elected, since they won’t be there very long anyway.”

— **“Pennsylvania legislators know what they should be doing,” Bill White, *The Morning Call*, February 4, 2017, bit.ly/2IG3ZEF**

Trump is Right About Term Limits

“In the Senate, incumbents won 90 percent of their re-election bids this year and, stretching back through 1988, have never won less than 79 percent of the time in any of the past 15 elections.

“The winning percentage of House of Representatives incumbents is even more staggering. They won 97 percent of their races this November and have won 90 percent or more of the time every election since 1994, with the exception of 2010 (85 percent).

“Is this good for the legislative branch and, by extension, good for the United States?

“President-elect Donald Trump says no. And he’s right....

“To loosen that grip and infuse Congress with new blood — or to use his parlance, ‘drain that swamp’ — Trump proposes six-year term limits for the House and 12-year limits for the Senate. That would allow House incumbents, who serve two-year terms, to run for re-election twice and senators, who serve six-year terms, to run for re-election once....

“Members of Congress have a vested interest, of course, in quashing any term limits bill.

“But with pressure from Trump and widespread grass-roots support, congressional term limits could help usher in an era of greater legislative responsiveness to changing national needs — and less kowtowing to special interests.”

— **“Trump is right about need for term limits,” editorial, *The Herald Bulletin*, November 29, 2016, bit.ly/2iTHRv**

The Articles of Confederation are Right About Term Limits

“Many of the Founding Fathers, including James Madison, Thomas Jefferson and John Adams, were in favor of term limits. They feared creating a permanent ruling class that would pursue its own interests at the expense of the public’s. Jefferson stressed ‘the necessity of rotation in office’ as a means to prevent abuse.

“But term limits, which were included in the Articles of Confederation, never made it into the Constitution based on the belief that regular elections were the best form of term limits.

“In theory, elections should be the best form of term limits. But it hasn’t worked out that way. Many House seats are uncontested. The odds are so stacked against challengers that serious candidates are discouraged from running for office. Voters have a choice between an incumbent and a non-entity. Or the lesser of two evils.”

— **“Donald Trump is right about the need for term limits,” Caroline Baum, *MarketWatch*, February 8, 2017, on.mktw.net/2lpQvtT**

WHAT WE'RE SAYING

Anti-Term Limits Lawmakers Busted for Bribery by Nick Tomboulides

In 2014, Arkansas state legislators used misleading ballot language to trick Arkansas voters into gutting the state's term limits law. Now the same politicians behind that scheme — which called dumping term limits “ethics reform” — have been busted for bribery.

Arkansas State Representative Micah Neal pled guilty in January to taking \$38,000 in bribes from two non-profit groups after securing taxpayer-funded grants for the organizations. According to case documents, Neal and an unnamed state senator used their official positions to appropriate \$600,000 in Government Improvement Fund money to two non-profit groups in exchange for bribes. Neal is facing a maximum penalty of 20 years in prison and a \$250,000 fine.

Neal's partner in crime is none other than Senator Jon Woods, the architect of the outrageous 2014 scam to destroy term limits.

The big picture is now coming together. While Woods and Neal were feathering their nests, they were also clobbering term limits to make sure the gravy train would never stop. This corruption bombshell is exactly why term limits are so important. Without a check on their power, politicians too often turn a place of public service into their own place of profit.

We should never let that happen.

— **Nick Tomboulides is the executive director of U.S. Term Limits.**



Micah Neal and Jon Woods.

Voters Versus Incumbents on Term Limits by Paul Jacobs

Last year, Americans — everywhere from Montgomery County, Maryland, bordering the nation's capital on the east coast to sunny Santa Clara, California, on the west coast — voted to impose term limits on their elected officials.

There were 40 separate local votes to enact term limits or, conversely, measures put up by politicians to weaken or abolish those limits. In every single case — that's 100 percent — voters came down on the side of strong term limits. And by a whopping average vote of 74 percent.

Back in 2014, term limits admittedly did not fare quite as well. In that election year, a mere 97 percent of local term limits ballot measures prevailed. You can't win 'em all.

Speaker Paul Ryan has promised to bring term limits to the floor for a vote. Senate Majority Leader Mitch McConnell has refused. McConnell's office number is (202) 224-2541.

Most folks I know believe we most desperately need term limits on Congress. Even in these days of division, with our nation racked by partisan rancor and recrimination, a constitutional amendment to term-limit Congress has better than two-to-one support by folks across the spectrum. Congressional term limits are favored by 77 percent of Republicans, 67 percent of Democrats and 79 percent of independents.

In the homestretch of his campaign, President Donald Trump pledged that, as his first order of business in “draining the swamp,” he would push Congress to propose an amendment limiting House members to three terms, six years, and Senators to two terms, 12 years. These are the limits in the term limits amendment introduced by Sen. Ted Cruz (R-Tex.) and Rep. Ron DeSantis (R-Fla.).

Speaker Paul Ryan has promised to bring it to the floor for a vote. Senate Majority Leader Mitch McConnell has refused. McConnell's office number is (202) 224-2541.

— **Paul Jacob is president of the Citizens in Charge Foundation and the Liberty Initiative Fund, and he serves on the board of directors of U.S. Term Limits.**

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1250 Connecticut Avenue NW
Suite 200
Washington, DC 20036

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“President Trump campaigned on draining the swamp. We have majorities in both houses. I think we ought to demonstrate that we have heard the voters; we bring up [congressional] term limits, pass it, send it to the states for ratification.”

**— Senator Ted Cruz
see p. 5**