



CONVENTION *of* STATES ACTION MARYLAND

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Maryland General Assembly, Maryland House of Delegates

Madam Chairwoman and Committee Members

My name is Bob Betz and I am the State Information Analyst for the Maryland Convention of States team. I am providing this written testimony to supplement my oral testimony before your committee.

As I said in my oral testimony, I have been a Marylander and a federal employee for 37 years. I am proud of the work I do, the people I work with, and the organization I work for. We play a vital role in our nation's defense, are unwaveringly loyal to the United States of America, and honored to be public servants.

Our government is broken. It no longer operates in the background of our lives to ensure our freedom and security. It no longer focuses on guaranteeing individual freedoms, protecting individual rights, or ensuring all of us have the opportunity to excel at whatever passions we choose to pursue. Instead, it has become a tool that powerful people fight over and use to force American society to conform to their own visions, to comply with their own agendas and to grow their own power. It is not the government we chose for ourselves.

There are far too many examples of how the federal government is unmoored from its constitutional role to discuss in any single testimony. I hope to make my point using the single issue of the instability that decoupling our government from the constitution is causing in our country. The recent presidential election is an excellent example.

The 2020 election was clearly a battle between two presidents, two political parties, and two visions for America's future that were wildly different. Passionate political battle is a time-honored American tradition, but the dramatic impact that last year's election had on our country is not.

Other than being Commander in Chief, sharing a short list of responsibilities with the Senate, and a few other duties, a president has one primary role. Quoting the Constitution: "he shall take care that the laws be faithfully executed." That's it. Period. President's executive orders are not laws, their policies have limits, and they don't unilaterally establish or revise international relationships.

If either the previous or current president was acting within their constitutional role, the transition between them would have been simple and smooth. There would have been very little impact and almost no immediate change in Americans' lives. The president in office at the end of the day on January 20th had the same job of enforcing the same laws that the president in office at the start of the day had. No matter how much their visions of America's future differed, both presidents should have been doing the exact same thing, just in different ways.

Instead, the current president immediately reversed many of the previous president's policies, just as the previous president did with his predecessor's policies. Those reversals should have been nothing more than a change in the "tactics" each president preferred for implementing the same set of laws. That would have been normal and expected. But because presidents have assumed far more power than they actually have, those changes immediately and dramatically altered American's lives.

People have different opinions about the Keystone XL pipeline, immigration at the southern border, relations with China, and many other issues, but the sudden changes we saw following inauguration day in 2021 should never have happened. They did happen because presidents now act, and are allowed to act, with authority reserved for Congress. Had the Congress decided to make the changes presidents brought about with executive orders, the process would have been slow, deliberate, and subject to American's input expressed loudly, but peacefully, to the House of Representatives. Instead of instability and upheaval, we would have had steady and effective progress.

We see the same problems in the recurring battle for the presidency every four years. Presidents do influence Congress and their policies do impact American life, but they rightly to it by partnering with, or sometimes opposing, Congress.

However, Americans thought of the individuals selected as the current and previous presidents as leaders who would either save or utterly destroy our country. Everyone agreed that one of them was an "existential threat to America", just not on which one was which. However, we should have voted for the person we wanted to set the tone for how our laws are enforced. The phrase "kids in cages" described the manner in which the previous president implemented immigration laws. What we should have achieved by changing presidents was a new way of enforcing those same laws in a totally different way.

At this point, I hope this limited discussion of how presidents act, and how they are allowed to act, outside their constitutional authority, destabilizes America as a nation and the lives of Americans as individuals. Gas prices are rising, people are out of work, pandemic responses are fluctuating, and yesterday's patriots are extremists today. None of this would happen if the federal government was restricted to roles, authorities and limits established in the Constitution. Laws of all types would be stable until changed through slow and deliberate processes. Civil rights, social justice, gender issues would all still exist, but every one of them could be solved in ways that respected individual choices and honored all points of view. America never needed to be great again, nor does it need to be built back better. America needs to remember who we are, what we stand for, and get back to the business of being one nation, with liberty and justice for all.

In closing, I'm asking you to support the call for a Convention of States by supporting resolution HJ-0006. It asks for nothing more than a meeting of all 50 states to consider the condition of America today and to propose new amendments to the Constitution to restore the government to its appropriate roles.

That is exactly the same power Congress used 33 times since 1787 to recommend Constitutional amendments to the states. None of those recommendations led to a runaway convention that rewrote the Constitution. The processes and procedures involved were well understood and easily observed despite being omitted from the Constitution. The states eventually approved 27 of those 33 proposed amendments and they were adopted into the Constitution as it exists today. HJ-006 adds Maryland to the list of states asking Congress to schedule another meeting, this time among the states instead of the houses of Congress, to propose new amendments. As was done 33 times before, those amendments would be presented to the 50 states, discussed and voted on in each and adopted or rejected as new amendments to the Constitution. Nothing could be simpler, or more vital to our country's future.

With deepest respect,
Bob Betz