

Con Con Talking Points for Democrats 2024

- Given the GOP's gerrymandered control of state legislatures, there is no constitutional convention math that sends an anti-Citizens United amendment out for ratification. ALEC and the far-right know that and are using Wolf PAC (and U.S. Term Limits) to move them closer to a right-wing convention designed to radically curtail federal powers and undo a century of progressive reforms and civil rights.
- ALEC (American Legislative Exchange Council) is pushing for a [constitutional convention now](#). They are claiming that we met the 34-state threshold in 1979 when Nevada passed the BBA. They are introducing bills in legislatures across the country this year to force congress to call a convention. Their [model resolution](#) demands that Congress convene an immediate constitutional convention and threatens legal action if it doesn't.
- The Center for Media and Democracy's (CMD) recent report, [Convention of State Politicians](#), documents how the Right has enacted delegate selection laws passed in 22 states that would give the GOP supermajority control over a constitutional convention by allotting one vote per state and having legislative leaders handpick delegates. That is no accident -- it is a strategy ALEC and the Tea Party-aligned Convention of States have been pursuing ever since Obama was elected.
- Former Sen. Rick Santorum explains this strategy at an ALEC conference. "We have the opportunity as a result of that to have a supermajority," Santorum said, "even though...we may not even be in an absolute majority when it comes to the people who agree with us."
- Duke University Prof. Nancy MacLean and Arn Pearson published an article, [Constitution in the Crosshairs](#), in *The Progressive* in December exposing the far-right roots and radical goals of the con con movement.
- Wolf PAC's dangerous collaboration with ALEC. See [ALEC is Using Wolf PAC to Help the Right Rewrite the Constitution](#).
- Wolf PAC's [dangerous collaborations](#) with all the right-leaning groups who are pushing for a con con.
- Since its inception, Wolf PAC has only passed resolutions in five states, two of which have since been rescinded. And it hasn't scored a win since 2016.
- Path to Reform to reform has [argued at ALEC events](#) that Wolf PACs convention resolutions can be added to the far-right Convention of State applications, and ALEC is pursuing an aggregation strategy to force Congress to call a convention. See [ALEC Policy Summit Features Push to Legally Force a Constitutional Convention](#).
- Progressive states are rescinding con con resolutions -- not passing new ones -- for precisely this reason. Seven states have rescinded so far since 2016 (most recently Oregon, Illinois, and New Jersey), and there are rescission efforts underway in numerous other blue and purple states.

- Even with a dramatic advantage in conservative control of state legislatures across the country, the BBA and COS efforts have found it difficult to win the state resolutions needed to get to the 34-state threshold. With frustration mounting, the leaders of the pro-convention movement are attempting to mainstream a [fringe legal theory](#) put forward by Rob Natelson in 2018. This theory allows plenary (or generic) calls for a convention to be combined with existing COS and BBA convention calls.
- Ken Quinn, the Northeast Regional Director of US Term Limits who has been pushing the WolfPAC/Term Limits bill in Maine, [previously served](#) as the regional director for the Koch and Mercer-funded far-right Convention of States project.
- While term limits, BBA, Convention of States and overturning *Citizens United* are being used for their populist appeal, the goal is the same -- a right-wing, GOP-controlled constitutional convention [aimed at undoing everything progressives care about](#). There is nothing in the Constitution that limits the scope of an Article V convention once it has been convened, and state laws limiting convention delegates are not enforceable.
- Former Sen. Russ Feingold wrote a book on this threat last year, [Constitution in Jeopardy](#), and has published [numerous columns](#) warning of the dangers of a constitutional convention.
- Georgetown Law Prof. David Super's [A New Constitutional Convention Would Be the Death of Progress](#), and *Business Insider's* [Republicans' next big play is to rewrite the Constitution. And they're willing to play the long game to win](#).
- [Coalition statement](#) from nearly 250 progressive and non-partisan organizations opposing a constitutional convention.
- Convention of States held a [simulated constitutional convention last year](#), and here are a few of the proposals that they voted to adopt for proposed constitutional amendments:
 - Term limits. (9 terms House; 3 terms Senate)
 - Limiting the Supreme Court to nine justices.
 - Fiscal austerity. (Expenditures limited average revenue for past three years and capped at 18% of GDP, plus other fiscal rules.)
 - Radically revamping the Commerce Clause, including prohibiting Congress from delegating any rule making function to the executive branch.
 - Allowing a simple majority of states to rescind any act of Congress, the president, or a federal agency.
 - Forbidding the federal government from owning, regulating, or controlling land or mineral rights except when granted permission by a state's legislature.