

BACKGROUND PAPER - OUR SILENT CONSTITUTION

Few would argue that in modern times the most significant expressions of our Federal Government power are in the areas of taxation, government spending, regulation, and the acquisition and management of funds to be held in Trust, such as Social Security and Medicare, for future payments to the people. Yet the U.S. Constitution says almost nothing about how these critically important activities are to be conducted or constrained.

Moreover, there are no references in the Constitution to the proper rules regarding regulations or accounting. Unglamorous topics, to be sure, but the omissions are dangerous.

When our federal system was established it was intended that the size and powers of the Federal Government be limited, and that government operations not even represent full-time employment for elected and appointed officials. Most of the governing was supposed to be done by the States.

For many years customs duties were the major source of revenue for the Federal Government. We did not have very many full time federal employees. We did not maintain anything like standing armed forces. When war came we recruited men and geared up for it. Until as late as 1964 the budget of the entire Federal Government was less than \$100 billion.

Now we have something very different. Now our Federal Government employs millions of people, taxes and spends about \$4 trillion per year, reaches deeply into almost every aspect of our lives and commerce, and enacts complex laws some of which are as much as 2,500–3,000 pages long, and that is before creating regulations to implement them.

At such a time in history when our National Government has grown so large and powerful, one would think our Constitution should be updated to be more specific and detailed about how we should limit and control such extensive expressions of governmental power as taxation, spending, regulation, accounting, and management of huge amounts of money earmarked for our retirement and our health care.

But the Constitution stands silent, the abuses continue, and the problems get worse.