

117TH CONGRESS
2D SESSION

H. CON. RES. 101

Calling an Article V Convention for proposing amendments to the Constitution of the United States and stipulating the ratification of such amendments by State conventions, a vote of We the People, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 19, 2022

Mr. ARRINGTON (for himself, Ms. HERRELL, and Mr. FITZPATRICK) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary

CONCURRENT RESOLUTION

Calling an Article V Convention for proposing amendments to the Constitution of the United States and stipulating the ratification of such amendments by State conventions, a vote of We the People, and for other purposes.

Whereas Article V of the Constitution of the United States states that “The Congress . . . on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments” to the Constitution;

Whereas congressional and State records of purported plenary applications for amendments on any subject and applications for single subject Fiscal Responsibility Amendments compiled by the Article V Library list 42 total applications over time, 39 active applications in 1979, 40

active applications in 1983, and at least 34 active applications in many years thereafter;

Whereas Alexander Hamilton in Federalist 85 stated that “The Congress ‘shall call a convention’. Nothing in this particular is left to the discretion of that body”;

Whereas beginning in 1979, when Congress appears to have failed in its constitutional duty to count applications and call a “Convention for proposing Amendments”, the Nation’s debt has increased to more than \$30,000,000,000,000 from \$830,000,000,000, while the value of the dollar has declined by over 70 percent;

Whereas the Constitution was ratified by Convention delegates “chosen in each State by the People thereof”, and the 21st Amendment, repealing Prohibition, was ratified in 1933 by a vote of the people for Yes-pledged delegates in 38 of 39 State Conventions; and

Whereas the Supreme Court’s unanimous opinion in *Chiafalo v. Washington* stated: “electors . . . have no ground for reversing the vote of millions of its citizens. That direction accords with the Constitution—as well as with the trust of the Nation that here, We the People rule.”: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring),*

3 **SECTION 1. CALL FOR ARTICLE V CONVENTION OF STATES.**

4 (a) IN GENERAL.—

5 (1) CALL FOR CONVENTION; TIMING.—As pro-
6 vided in Article V of the Constitution of the United
7 States, and except as provided in paragraph (2),

1 Congress hereby calls a Convention for proposing
2 amendments to the Constitution of the United
3 States, and sets the date and place for the Conven-
4 tion to occur during the 180-day period which begins
5 on the date the Archivist of the United States noti-
6 fies Congress under section 106c of title 1, United
7 States Code, that the Archivist has identified ple-
8 nary or issue specific applications from at least two-
9 thirds of the States calling for such a convention.

10 (2) EXCEPTION.—Paragraph (1) does not apply
11 if, prior to the expiration of the 60-day period which
12 begins on the date of the adoption of this concurrent
13 resolution—

14 (A) the Archivist of the United States sub-
15 mits to Congress a certification that the Archi-
16 vist finds that, as of such date, there have
17 never been plenary or amendment-specific non-
18 rescinded applications from at least two-thirds
19 of the States calling for a convention for pro-
20 posing amendments to the Constitution; and

21 (B) the Archivist includes in the certifi-
22 cation a detailed explanation of the Archivist's
23 findings for each State.

24 (b) RATIFICATION OF AMENDMENTS BY STATES.—

25 Any proposed amendment at the Convention called under

1 this section shall be ratified by a vote of We the People
2 in three-quarters (38) of the States via State convention
3 delegates who shall “have no ground for reversing the vote
4 of millions of [their] citizens” (Chiafalo v. Washington).

5 **SEC. 2. TRANSMISSION TO ADMINISTRATOR OF GENERAL**
6 **SERVICES.**

7 A copy of this concurrent resolution shall be trans-
8 mitted to the Administrator of General Services for sub-
9 mission to the legislatures of the several States.

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