

## Why You Should Co-Sponsor HCR 101/SCR TBD: the Call for an Inflation-Fighting Fiscal Responsibility Amendment Proposing Convention with Ratification by a Vote of “We the People”

- **TOP ISSUE FOR CONSTITUENTS** - In a recent [NBC Poll](#), voters identified inflation and “threats to democracy” as the two most important issues facing the country. For many, the current [excess inflation](#) and [rising interest rates](#) (fueled by [deficit spending](#)) are threatening the American Dream. Increasingly, the unsustainable trajectory of federal debt threatens [economic stability](#), [national security](#), [Social Security](#), and the [prosperity of future generations](#). HCR 101 reverses Congress’ suppression of the States’ right to draft in convention, and “We the People’s” democratic [right](#) to vote on amendments. As George Washington stated in his farewell address, “*let [the Constitution] be corrected by an explicit and authentic act of the whole people.*”
- **DUTY TO COUNT AND CALL** - Under [Article V of the United States](#) Constitution, the States are authorized to propose constitutional amendments through a convention of States called for that purpose. Congress is tasked with the ministerial duty of issuing the call for such a convention “*on the application of the legislatures of two thirds (34) of the several States.*” *McCall v. Congress* is a mandamus case against Congress for failure to count Applications since 1789 and call when mandated. Other state legislatures and Attorney Generals are likely to bring similar cases.
- **THE THRESHOLD ACHIEVED** - On February 8, 1979, the Congressional Record documented the receipt of [Nevada’s IFFRA Convention Application](#). According to government records compiled in the [Article V Library](#), it appears that this Application satisfied the constitutional requirement mandating Congress call an Article V convention to propose amendments. Legal scholars and state legislative leaders across the political spectrum agree that plenary Applications on any/all subjects should [aggregate](#) with single-subject Applications. By the end of 1979, thirty-nine States had submitted Applications, with the count remaining adequate to call a convention for many decades thereafter.
- **DELAY HAS BEEN COSTLY AND UNCONSTITUTIONAL** – Congress has unconstitutionally failed to authenticate, store, or count these Applications, and neglected its duty to set the date and place for the convention for proposing amendments as far back as [Oklahoma’s Application](#) for the Direct Election of U.S. Senators in 1908. Congress’ unconstitutional failure to do its duty has been, until HCR 101, the greatest affront to the prosperity and security of the American People since our democratic foundation 233 years ago. Since 1979, the nation’s debt has soared from \$830 billion to over [\\$31 trillion](#), total liabilities and unfunded obligations have exploded to over \$110 trillion, and the value of the dollar has declined by over 70%.
- **A LEGISLATIVE REMEDY** - On July 19, 2022, Representative Jodey Arrington (TX-19) introduced two critical pieces of legislation designed to restore the balance of power between the federal government, the States, and “We the People.” [HCR 101](#) calls for a Convention of States to propose an Inflation-Fighting Fiscal Responsibility Amendment unless the Archivist proves otherwise and stipulates ratification by a vote of “We the People.” [HR 8419](#) formally establishes the Archivist’s role in counting Article V Applications and informing Congress when a call is mandated.
- **RATIFICATION BY THE PEOPLE** - In an [April 2022 poll](#), a nonpartisan 86% of registered voters indicated they wanted the American People to be able to vote versus Congress on an Inflation-Fighting Fiscal Responsibility Amendment. A provision in HCR 101 would mandate that right by stipulating ratification via [State Conventions](#) in three-quarters (38) of the States, where The People would elect convention delegates based on their pledged yes or no votes.
- **RESTORING AMERICAN PROSPERITY** - Please consider co-sponsorship of HCR 101 and HR 8419, or forthcoming counterpart Senate legislation, to rectify Congress’ apparent unconstitutional inaction under Article V in 1979 by setting the date and place for a convention of States to draft an Inflation-Fighting Fiscal Responsibility Amendment with ratification by a vote of “We the People” in three-quarters (38) of the States. You may also take action today by signing our [co-sponsor pledge](#).

**Stop Inflating U.S.**

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## ADVOCATES FOR SUPPORTING HCR 101:

- **GEORGE WASHINGTON (FAREWELL ADDRESS):** *“If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an explicit and authentic act (amendment) of the whole people.”*
- **NEVADA’S 1979 ARTICLE V APPLICATION:** *“Whereas, Continuous deficit financing by the Federal Government supports inflationary conditions which adversely affect the national economy and all Americans, particularly those persons with fixed or low income.”*
- **OKLAHOMA’S 1908 “MANDATE TO CALL” APPLICATION:** *“WHEREAS, the United States Senate has... [denied] to the people of the several States a chance to secure this much-desired change in the method of electing Senators.”*
- **NEBRASKA’S 1893 APPLICATION:** *“WHEREAS, it is the desire of a large majority of the people of the United States that... U.S. Senators be elected by a direct vote of the people.”*
- **REPRESENTATIVE JODEY ARRINGTON (TX-19):** *“It is long past the time to rally the States and rein in Washington’s fiscal irresponsibly.”*
- **RUSS FEINGOLD & PETER PRINDIVILLE (CO-AUTHORS), THE CONSTITUTION IN JEOPARDY:** *“Yet Article V can provide sufficient procedure to allow balance between stability and change, should the country choose to allow it.”*
- **DAVID M. WALKER, FORMER COMPTROLLER GENERAL OF THE UNITED STATES:** *“The time has come to defuse our ticking debt bomb... a mandamus case when decided by the Supreme Court, is very likely to command Congress to acknowledge the Article V Application count and Call the Convention.”*
- **ADMIRAL BILL OWENS, UNITED STATES NAVY (RET), FORMER VICE CHAIRMAN JOINT CHIEFS OF STAFF:** *“Our country needs a strong reminder of both states rights and the seriousness of acting fiscally in the best interests of our country and our national security. This convention for proposing amendments will not only be historic, but it will also be a monument to our founders and to our present-day legislators taking the right action on behalf of our people.”*
- **DR. BARRY POULSON, EMERITUS PROFESSOR OF ECONOMICS AT THE UNIVERSITY OF COLORADO:** *“This resolution (HCR 101) will allow U.S. citizens for the first time to incorporate fiscal constraints in our Constitution. The federal government is too big, too expensive, and too intrusive in our lives.”*
- **BOB CARLSTROM, PRESIDENT OF AMAC ACTION:** *“The States are now the last line of defense of the American people and our republic against the ruinous runaway federal spending and ballooning national debt. The Congress has a clear Constitutional responsibility to pass a Concurrent Resolution for calling a ‘Convention for proposing Amendments’ to require federal Fiscal Responsibility for the sake of our children, grandchildren and generations to follow.”*
- **TOM LLEWELLYN, CO-FOUNDER OF LET US VOTE FOR A BALANCED BUDGET AMENDMENT CITIZEN’S CAMPAIGN, INC.:** *“Since Congress shows no willingness to stop their reckless spending, the only responsible action is for Congress to ‘Call the Question’ and (with a simple-majority vote) support use of Article V by the States and have them deliberate and propose an inflation-fighting Fiscal Responsibility Amendment that ‘We the People’ can ratify.”*
- **DAVID BIDDULPH, CO-FOUNDER OF LET US VOTE FOR A BALANCED BUDGET AMENDMENT CITIZEN’S CAMPAIGN, INC.:** *“...our founders put in the mechanism of Article V to bypass Congress’ failure to address major concerns ...let us utilize this to stop inflation-causing deficit spending that is reducing our standard of living and burdening the generations that follow.”*

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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

Resolved by the House of Representatives (the Senate concurring),

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

(a) IN GENERAL.—

(1) CALL FOR CONVENTION; TIMING.—As provided in Article V of the Constitution of the United States, and except as provided in paragraph (2), Congress hereby calls a Convention for proposing amendments to the Constitution of the United States, and sets the date and place for the Convention to occur during the 180-day period which begins on the date the Archivist of the United States notifies Congress under section 106c of title 1, United States Code, that the Archivist has identified plenary or issue specific applications from at least two thirds of the States calling for such a convention.

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

(A) the Archivist of the United States submits to Congress a certification that the Archivist finds that, as of such date, there have never been plenary or amendment-specific non rescinded applications from at least two-thirds of the States calling for a convention for proposing amendments to the Constitution; and

(B) the Archivist includes in the certification a detailed explanation of the Archivist’s findings for each State.

(b) RATIFICATION OF AMENDMENTS BY STATES.—

Any proposed amendment at the Convention called under this section shall be ratified by a vote of We the People in three-quarters (38) of the States via State convention delegates who shall “have no ground for reversing the vote of millions of [their] citizens” (Chiafalo v. Washington).

## SEC. 2. TRANSMISSION TO ADMINISTRATOR OF GENERAL SERVICES.

A copy of this concurrent resolution shall be transmitted to the Administrator of General Services for submission to the legislatures of the several States.

### 117TH CONGRESS, 2D SESSION H. R. 8419

To amend title 1, United States Code, to direct the Archivist of the United States to authenticate, count, and publish applications of States calling for a Convention for proposing amendments to the Constitution of the United States, to publish a certification when two-thirds of the States submit applications calling for such a Convention, and to notify Congress of the requirement under Article V of the Constitution to call such a Convention when such a certification is published, and for other purposes.

#### IN THE HOUSE OF REPRESENTATIVES

JULY 19, 2022. Mr. ARRINGTON (for himself, Ms. HERRELL, and Mr. FITZPATRICK) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

#### A BILL

To amend title 1, United States Code, to direct the Archivist of the United States to authenticate, count, and publish applications of States calling for a Convention for proposing amendments to the Constitution of the United States, to publish a certification when two-thirds of the States submit applications calling for such a Convention, and to notify Congress of the requirement under Article V of the Constitution to call such a Convention when such a certification is published, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. DUTIES OF ARCHIVIST RELATING TO STATE APPLICATIONS FOR CALLING FOR CONVENTIONS OF STATES FOR PROPOSING CONSTITUTIONAL AMENDMENTS.

(a) DUTIES DESCRIBED.—Title 1, United States Code, is amended by inserting after section 106b the following new section:

#### “§ 106c. Duties relating to State applications calling for Article V Conventions

“(a) APPLICATIONS BY STATES; RESCISSIONS.—The Archivist of the United States shall authenticate, count, and publish all applications of States calling for a Convention for proposing amendments to the Constitution of the United States pursuant to Article V of the Constitution, together with resolutions of States to rescind previous applications.

“(b) CERTIFICATION AND NOTIFICATION REQUIREMENTS.—Upon the receipt by the Archivist of non-rescinded applications calling for a Convention for proposing amendments to the Constitution from two-thirds of the several States, as provided under Article V of the Constitution, the Archivist shall—

“(1) publish a certification that two-thirds of the several States have called for the Convention, together with a list of the States submitting applications calling for the Convention; and

“(2) notify Congress that it is required under the Constitution to call the Convention and set its date and place forthwith, as set forth in Article V.”.

(b) CLERICAL AMENDMENT.—The table of sections of [chapter 2](#) of title 1, United States Code, is amended by inserting after the item relating to [section 106b](#) the following:

“106c. Duties relating to State applications calling for Article V Conventions.”