

2023 SENATE STATE AND LOCAL GOVERNMENT

SCR 4012

2023 SENATE STANDING COMMITTEE MINUTES

State and Local Government Committee
Room JW216, State Capitol

SCR 4012
2/16/2023

Resolution to rescind all extant applications by the ND Legislative Assembly to call a convention to propose amendments the US Constitution, under Article V of the US Constitution.
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10:03 AM Chair Roers opened the hearing. Present: Chair Roers, Vice Chair Barta, Sen Cleary, Sen Estenson, Sen J Lee, and Sen Braunberger.

Discussion Topics:

- Working rules
- Constitution protection
- Trust issue

Sen Clemens, Dist 16, bill sponsor and testified in support #20975.

Rose Christensen testified in support. #21010.

Duane Stahl, Valley City, ND, testified in support #21015

Jan Wangler, Bismarck, ND, testified in support with no written testimony.

Victor Skrivanek, testified in support with no written testimony.

Joanna Martin, Cookeville, TN, testified via ZOOM in support #20811.

Eldon Stahl, WY, testified ZOOM in support. #20485, #20486, #20484, #20483, #20482.

Barry Borg, Valley City, ND, testified in support with no written testimony.

Rep Kasper, Dist 46, testified opposed with no written testimony.

Jeremy Neuharth, Fargo, ND, testified opposed #20948.

George Goodman, Williston, testified opposed with no written testimony.

Lynn Mahr, Bismarck, ND, testified opposed #20944.

Dale Burke, Thompson, ND, testifies opposed #20950, 21016.

James Swartout, Williston, ND, testified opposed with no written testimony.

Chris Miller, ND citizen, testifies opposed with no written testimony.

Mark Meckler, Leander, TX testified via ZOOM opposed #20901.

Additional written testimony:

Andrew Schlafly, Far Hills, NJ in support #20916

Barbara Harless, Murphy, TX in support #20956

Lydia Scarnici, Valley City, ND, in support #20959

Judi Caler, Nevada City, CA in support #20969

Bradley Russel, Williston, ND opposed #20967

Claire Swenson, Valley City, ND in support #21013

Judy Stahl, Valley City, ND in support #21012

Allen Siebert, Valley City ND in support #21011

11:26 AM Chair Roers closed the hearing.

Pam Dever, Committee Clerk

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To rescind all extant applications by the ND Legislative Assembly to call a convention to propose amendments to the US Constitution, under Article V of the US Constitution.
--

10:18 AM Chair Roers opened committee work. Present: Chair Roers, Vice Chair Barta, Sen Cleary, Sen Estenson, Sen J Lee, and Sen Braunberger.

Discussion Topics:

- Committee action

Sen Estenson moved a DO NOT PASS.

Sen Barta seconded the motion.

Roll call vote.

Senators	Vote
Senator Kristin Roers	Y
Senator Jeff Barta	Y
Senator Ryan Braunberger	Y
Senator Sean Cleary	N
Senator Judy Estenson	Y
Senator Judy Lee	ab

Motion passed. 4-1-1

Sen Estenson will carry the bill.

Chair Roers adjourned the meeting.

Pam Dever, Committee Clerk

REPORT OF STANDING COMMITTEE

SCR 4012: State and Local Government Committee (Sen. K. Roers, Chairman)
recommends **DO NOT PASS** (4 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SCR
4012 was placed on the Eleventh order on the calendar. This resolution does not
affect workforce development.

TESTIMONY

SCR 4012

In Their Own Words: The Article V Convention Lobby

Claim: States can Limit Article V Convention through Application Language, Same-subject Aggregation

“In order to convene a convention for proposing a balanced budget amendment, thirty-four states (2/3rds) need to pass a resolution for this subject. The resolutions do not have to be the same in their wording, but only need to state the convention is limited to considering a balanced budget amendment.”--“Debt, Deficits, and The Balanced Budget Amendment,” p. 11, by Bill Fruth, Co-Founder, Balanced Budget Amendment Task Force, 2017

<https://web.archive.org/web/20190120214330/http://bba4usa.org/wp-content/uploads/2018/02/DDBBA-2018.pdf>

BBA Task Force Founder Abandons above Claim, Pushes for Unlimited Convention

“one state should pass one resolution that says ‘here are 34 Article V applications’ (28 on a single subject, and 6 on any subject) and we’re going to...demand Congress call the Convention”--David Biddulph, Co-Founder of Balance Budget Amendment Task Force and Let US Vote for a BBA, Workshop - Four Paths to a State Drafted Voter Ratified U S Balance Budget Amendment, July 21, 2020 <https://youtu.be/33WxxZ6gdDQ?t=1067>

“This application is to be considered as covering the same subject matter as the presently-outstanding balanced budget *and unlimited-subject applications* from other states...” [emphasis added]--“Let US Vote for a BBA” Model Resolution

<https://web.archive.org/web/20201022225344/https://letusvoteforbba.org/app/uploads/2020/05/Model-Policies-for-Article-V-BBA-Application-and-Article-V-Comissioner-Oath-Instructions-and-Recall.pdf>

Conscious Effort to rebrand “Constitutional Convention”

“I’m going to put our concepts on ‘reset.’...One thing that I hope you will never hear from my lips...in discussing this particular type of convention is the words...‘constitutional convention.’ The Constitution gives the convention a specific name --- a convention for proposing amendments --- and I think we should call it that or perhaps an Article V convention, an amendments convention, or a *convention of the states*.”—Professor Robert Natelson, Sept. 16, 2010; *Article V Symposium, Part 1, Cooley Law School* <https://www.youtube.com/watch?v=ioD0IYkVrMM&t=95s>

...while admitting they’re pushing the same thing with a different name...

If you stand up and put your career on the line to support a call for a *constitutional convention*, you need to know that there’s an army behind you. [emphasis added]—Mark Meckler, President and Co-Founder, Convention of States Project, Sept. 23rd, 2013, Speech at ALEC Conference <https://www.youtube.com/watch?v=y2--Cq-bAA4&t=601s>

“One more state. One more state, and then you take this grenade, and you pull the pin. Got a live piece of ammo in your hands. Thirty-four states. If every Republican Legislator votes for this, we have a *Constitutional Convention!*” [emphasis added]-- Former US Senator Rick Santorum, Senior Advisor for Convention of States Project, ALEC States and National Policy Summit, 2021 <https://youtu.be/sw3QL l8aCM?t=262>

...And Letting it slip that the goal is really just to Change the Constitution

“...we need to have a...convocation...to vet out any idea that anyone has...what I really think we need to do is sit down and see, what are the viable amendments that can pass at a convention?” -- OH Senate Majority Leader, Matt Huffman, Workshop - Four Paths to a State Drafted Voter Ratified U S Balance Budget Amendment, July 21, 2020 <https://youtu.be/33WxxZ6gdDQ?t=1774>

“I think it’s really important on this issue for lawmakers to remember, it’s not just the possibility to change the Constitution, it’s the responsibility.”—Former Wisconsin Governor Scott Walker, Honorary Chair, Center for State-led National Debt Solutions; *Ibid.* <https://youtu.be/33WxxZ6gdDQ?t=3187>

Michael Farris: “The greatest thing we can achieve out of a convention is if they mess it up, again, we call another convention.”—Farris, Natelson, and Meckler Speak at ALEC Conference, Posted Aug. 23, 2013 (*Mr. Farris is Co-Founder of the Convention of States Project*) <https://youtu.be/UCA2pyLHtiY?t=4146>

“it’s going to be much easier to get a conversation about *fundamental reform* going in the context of a call for a convention ... [this is] an *important strategic opportunity that a call for a convention would offer ... different souls with different objectives could agree on the need for a convention without agreeing on the particular proposals that a convention should recommend.*” -- Lawrence Lessig, *Republic Lost: How Money Corrupts Congress—and a Plan to Stop It*, 2011, p. 293 <https://archive.org/details/republiclost/page/n307/mode/2up?view=theater>

Meckler Hints at Using Deceptive Narrative/Framing to Sell Stealth Open-ended Convention to Legislators

Audience Member: “If there’s no risk, then why did you put limitations on the enabling...the three basic limitations in the laws that you’re...”

Mark Meckler: “So, as opposed...to doing a general convention?”

Audience Member: “Correct”

Mark Meckler: “The reason is for narrative...If I were to say...*we’re just going to have a Convention; we have no idea... what we’re gonna talk about at this Convention*, then, frankly, nobody would support it because there’d be so much fear out there...that we had to frame it in a way...and if you don’t frame a political discussion in the correct way, you lose.” [emphasis added]--Mark Meckler, President, Co-Founder, Convention of States Project, Q&A Session, FreedomFest, Rapid City, SD, July 2021 <https://www.facebook.com/conventionofstates/videos/244524804218626> (28:20 mark)

“If we want to inspire the grassroots to engagement, our primary purpose has to be to tell a story that will engage them. This is probably the only thing I’m an expert on—that and shoveling stalls, I’m pretty good at that—you know, that comes in handy, shoveling comes in handy in politics as well.” -- Mark Meckler, Speech at ALEC Conference, Sept. 23rd, 2013 <https://youtu.be/y2--Cq-bAA4?t=100>

To What Extent Would Convention of States Project Like to Change the US Constitution?

“...our application is fairly broad...[My opponent’s] argument against this is that *it opens up all the articles, and that’s true*...[except for Articles 6 and 7].” [emphasis added] Robert Kelly, Staff Counsel for Convention of States Project, public debate, March 15, 2014, Yorktown, VA <https://youtu.be/kCApyUYvuRE?t=70>

“One thing I would do, is I would make it...like the... European Court of Justice. We should have 50 Supreme Court Justices, and they should be appointed by the State Legislatures.” -- Michael Farris, Co-Founder, Convention of States Project, “Farris, Natelson, and Meckler Speak at Alec Conference,” posted Aug 23, 2013 <https://youtu.be/UCA2pyLHtiY?t=4082>

“If they abuse it, we just keep calling co--, so if the Supreme Court messes up, OK, let’s *abolish* it. If they’re going to ignore the Constitution, we abolish the Supreme Court and figure out some other way to settle the disputes.”--Michael Farris, Co-Founder, Convention of States Project, *Ibid.*, <https://youtu.be/UCA2pyLHtiY?t=4183>

“Neither the States nor the United States shall make or enforce any law infringing the right to keep and bear arms *of the sort ordinarily used for self-defense and recreational purposes*, provided that States and the United States in places subject to its general regulatory authority, *may enact and enforce reasonable regulations on the bearing of arms, and the keeping of arms by persons determined, with due process, to be dangerous to themselves or others.*” [Emphasis added.]—revision of 2nd Amendment from “The Conservative Constitution” (Section 12, Par. 7) co-authored by Robert P. George, Member of Legal Advisory Board of Convention of States Project <https://constitutioncenter.org/news-debate/special-projects/constitution-drafting-project/the-conservative-constitution/the-conservative-constitution-full-text>

Meckler Admits Constitutional Enforcement is Real Solution to Usurpations (not Changing Constitution)

“The Founders told us the Constitution itself was nothing more than a parchment barrier. It was gonna take the will of the people to support the ideas in the Constitution. That’s what it’s gonna take again.” -- Mark Meckler, President and Co-Founder of Convention of States Project, Red Eye Radio, July 6th, 2017 https://drive.google.com/file/d/0B24ek5nR_xgpZG41MmIFWlUtd2s/view?usp=sharing&resourcekey=0-dQabco7gJXMGfaZquhLXbw (go to 5:13 mark)

In Sept, 2017, the Left-leaning magazine, *The Nation*, published this article (first page below, key quotes continue on back)

“The hordes have broken through the gates of Washington, DC, and now we should tear the structure down.”

—Mark Meckler, president of Citizens for Self-Governance

The Nation.

by RICHARD KREITNER

Why the left should embrace the movement for a new constitutional convention.

Conventional Wisdom

A

T NOON ON TUESDAY, SEPTEMBER 12, 71 delegates gathered in the chamber of the State House of Representatives in Phoenix, Arizona. A sign near the entrance featured an official logo that bore a gold-plated inscription: ARTICLE V: HISTORY IN THE MAKING.

Nominated by 19 Republican state legislatures, the men and women in Phoenix—all of whom, the *Arizona Republic* said, “appeared white”—assembled to organize a convention of the states, a never-before-tried method for amending the US Constitution.

“Some are saying about us, ‘They are no Hamilton. They are no Jefferson,’” said Kelly Townsend, the Arizona state representative who served as chair of the Phoenix convention, speaking to a reporter. “No, we are not. But we are the stewards now. They found the courage to stand up, and now it’s our turn.”

The US Constitution is the most difficult to alter of any in the world. Article V lays out two ways to propose amendments: with the support of two-thirds of both houses of Congress, or by a convention of states called by Congress upon the request of two-thirds of the states. Whichever way it’s put forward, an amendment then has to be approved by three-quarters of the states—either by special conventions





Citizens United foe: Lawrence Lessig says we shouldn't fear a "runaway convention."

"Last January, [Mark] Meckler [President and Co-Founder of Convention of States] explained the Article V movement to a conservative paper: "The hordes have broken through the gates of Washington, DC, and now, at this very moment, is the time we should tear the structure down." [emphasis added]

"As the writer Daniel Lazare described in his 1996 book *The Frozen Republic: How the Constitution Is Paralyzing Democracy*, constitutional change was at the center of the original Progressive agenda."

"Rather than ridicule the efforts to adapt the Constitution for the present day, small-D democrats ought—with eyes wide open—to join them"

"A convention of states, therefore, is the best remaining option for sorely needed constitutional reforms."

"Another piece of such a package could be the abolition of the antidemocratic Electoral College."

Throughout American history, there have been hundreds of attempts to abolish the Electoral College. All began in Congress, and all failed. It's time to try another way

"My partner is my friend, and someone I've worked with for a long time, Mark Meckler."

Other issues now pressed by the left—the right to health care, education, housing, the vote, even a basic income—could also be raised in a convention of states.

"There's no reason that bold progressive ideas can't be introduced and advocated with just as much tenacity and organizational panache as the Kochs bring to the balanced-budget crusade. The left shouldn't be afraid of a "runaway convention." It should welcome one."



Above: Larry Lessig and Mark Meckler as teammates at Intelligence Squared Debate on Article V Amendments Convention, 2017

In his chapter on an Article V convention in *Republic, Lost: The Corruption of Equality and the Steps to*

End It (2015), Lessig suggests a grand bargain: "The key is a simple compromise. We get to consider our proposals if you get to consider yours."

"North Carolina native and a professor at the University of Texas School of Law, [Sanford] Levinson argues that we should put "our undemocratic Constitution," as he termed it in the title of a 2006 book, up to a vote. If a majority voted against it in a national referendum, there would be a new convention to reconsider the whole structure."

Read the full article here: [The US Constitution Is Over 2 Centuries Old and Showing Its Age | The Nation](#)

Move to Amend Endorsing Organizations (As of 2/9/2023)

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The Move To Amend Coalition locally and nationally works to create real democracy by ending the corrupting effects of undue corporate power through amending the United States Constitution to establish that:

- Only human beings, not corporations and other legal entities, are persons endowed with constitutional rights*
- Money is not speech, and therefore regulating political contributions and spending is not equivalent to limiting political speech*

If your organization, business, union, faith community, or local governmental organization would like to sign on as a supporter of this effort, [click here to add your endorsement!](#)

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Testimony in Support of SCR 4012

Rescind all Article V Constitutional Convention Applications

Feb. 16th 2023, Bismarck, ND

Madam Chairwoman, Eldon Stahl, Evanston, Wyoming, in support of SCR 4012. Have you ever made a decision that seemed reasonable, but, upon reflection, was a mistake? Maybe you got some new information or experience which helped you see more clearly.

As the ancient playwright Sophocles wrote, "All men make mistakes, but a good man yields when he knows his course is wrong, and repairs the evil." [Sophocles, *Antogone*, (The Theban Plays, #3)]

Today, I'll present evidence that lobbying efforts supporting applications for an Article V amendments convention, from various groups, were, in fact, in bad faith, and that applying for an Article V Convention process was one of those well-intentioned mistakes common to the human experience.

Let's start with the 2011 application for a convention North Dakota passed, which says,

"WHEREAS, ... the safeguards in the [U S] Constitution...may not be sufficiently clear to limit a Constitutional Convention to the specific subject for which that convention was called and thereby avoid a "runaway convention" where other matters may be considered" (ND HCR 3048, from 2011 session)

Does that sound odd to you? We're concerned a convention could run away, so we're applying for a convention? Hindsight is indeed 20/20.

A key argument used to promote a convention has been that once 34 states apply for a convention on the same subject, the wording of the 34 applications would limit it.

In 2015, national lobbyists from the "Balanced Budget Amendment Task Force", lobbied North Dakota lawmakers and made this claim. The Legislature then passed that group's model resolution which reads,

"this application ... shall not be aggregated with any applications on any other subject;" (HCR 3015, North Dakota, 2015 session)

A few years later, the total number of states with active applications for a convention with language for a balanced budget amendment was actually going down due to rescissions. About that same time, this group began claiming that unrelated applications could and should be added together to trigger a convention. They even got resolutions to that effect filed in several states. One of them was Utah. If you'll turn to pages 3 through 6 in that resolution, you'll see it lists applications for a convention to propose a Bill of Rights, ending slavery, and the direct election of US Senators that supposedly Congress neglected to add together to call a convention for a balanced budget amendment. But this raises the question: if unrelated applications are used to trigger a convention, how would it be limited? And if proponents are going back on their original claims, why should we trust them? Why should we NOT rescind these applications for a convention?

A few state legislatures became alarmed at this blatant hypocrisy and betrayal and rescinded all previous applications for a convention [New Jersey, 2021 SCR 1061; Illinois, 2022, SJR 54, 2022]. North Dakota can do the same with SCR 4012.

Next, you have the Convention of States Project, or COS, resolution, passed in North Dakota in 2017. COS seems quite conservative at first glance. All about limiting the federal government. They often mention liberal organizations and people opposing a convention. That's half the story. What they don't say is that, as the "Conventional Wisdom" handout you have from the very left-leaning *Nation* magazine, there are those on the Left pushing for a Convention, including over 700 liberal organizations, as noted in another handout, from the left-leaning *Movetoamend.org* that support a convention. Are you OK with requesting a convention process to change the Constitution based on half-truths?

COS tends to make a lot of hay out of the idea of reining in the feds but never mentions their biggest goal. Back in 2013 Michael Farris, the co-founder of Convention of States Project explained it this way at the ALEC Convention:

"The greatest thing we can achieve out of a convention is if they mess it up, again, we call another convention."—*Farris, Natelson, and Meckler Speak at ALEC Conference, Posted Aug. 23, 2013 (Mr. Farris is Co-*

Founder of the Convention of States
Project) <https://youtu.be/UCA2pyLHtiY?t=4146>

At the same meeting, Farris said,

“If they [the Supreme Court] abuse it, we just keep calling co--, so if the Supreme Court messes up, OK, let’s *abolish* it. If they’re going to ignore the Constitution, we abolish the Supreme Court and figure out some other way to settle the disputes.”--Michael Farris, Co-Founder, Convention of States Project, Ibid., <https://youtu.be/UCA2pyLHtiY?t=4183>

Is that what North Dakota had in mind? Perpetual changes to the Constitution as the greatest outcome? Rewriting or abolishing Article III dealing with the federal judiciary? If that’s on the table, why isn’t the legislative branch or the executive branch? Why NOT the Bill of Rights?

And you have this very revealing back and forth from Mark Meckler, President, CEO, and co-founder of Convention of states Project, where he said the quiet part out loud in 2021 in Rapid City:

Audience Member: “If there’s no risk, then why did you put ... the three basic limitations ...”

Mark Meckler: “So, as opposed...to doing a general convention?”

Audience Member: “Correct”

Mark Meckler: “The reason is for narrative...If I were to say...we’re just going to have a Convention; we have no idea... what we’re gonna talk about at this Convention, then, frankly, nobody would support it because there’d be so much fear out there...that we had to frame it in a way...and if you don’t frame a political discussion in the correct way, you lose.”

[emphasis added]--Mark Meckler, President, Co-Founder, Convention of States Project, Q&A Session, FreedomFest, Rapid City, SD, July 2021
<https://www.facebook.com/conventionofstates/videos/244524804218626>
(28:20 mark)

So, if they admitted a convention is really just gambling with our Charter of Liberties, they’d get nowhere.

False assurances. Half-truths. Poor reasoning. False narratives and deceptively framing an argument. These tactics and others led North Dakota to apply for a Convention for changing the Constitution. But there is still time to back away from the danger before it's too late, and you can lead the way.

I urge you to give SCR 4012 a do pass recommendation and stand by for questions. Thank you.

LEGISLATIVE GENERAL COUNSEL

H.J.R. 9

⌚ Approved for Filing: R.H. Rees ⌚

⌚ 01-21-22 8:45 AM ⌚

1 **JOINT RESOLUTION DEMANDING CONGRESS TO CALL**
2 **AN ARTICLE V CONVENTION OF STATES**

3 2022 GENERAL SESSION
4 STATE OF UTAH

5 **Chief Sponsor: Ken Ivory**

6 Senate Sponsor: _____



8 **LONG TITLE**

9 **General Description:**

10 This joint resolution demands Congress to call an Article V convention of states.

11 **Highlighted Provisions:**

12 This resolution:

13 ▶ demands that Congress set a date and place for an Article V convention of states to
14 impose fiscal restraints on the federal government toward achieving a balanced
15 federal budget;

16 ▶ implores Congress to require that any proposed amendment be ratified by state
17 conventions;

18 ▶ provides that legal action be undertaken to compel Congress to call an Article V
19 convention of states;

20 ▶ admonishes the legislatures of other states to take action to compel Congress to call
21 an Article V convention; and

22 ▶ calls upon the Utah congressional delegation to exert efforts to compel Congress to
23 call a convention of states.

24 **Special Clauses:**

25 None



27 *Be it resolved by the Legislature of the state of Utah:*



H.J.R. 9

28 WHEREAS, Article V of the United States Constitution states that: "The Congress, . . .
29 on the Application of the Legislatures of two thirds of the several States, shall call a
30 Convention for proposing Amendments . . ." to the United States Constitution;

31 WHEREAS, in 1979, the Legislature of the State of Nevada passed an Article V
32 application for a convention for proposing amendments to the United States Constitution for
33 the purpose of imposing fiscal restraints upon the federal government;

34 WHEREAS, the Nevada application stated:

35 "Whereas, The national debt now amounts to hundreds of billions of dollars and is
36 increasing enormously each year as federal expenditures grossly exceed federal revenues; and

37 Whereas, Payment of the increased interest on this ever-expanding debt imposes a
38 tremendous burden on the taxpayers of this country; and

39 Whereas, Continuous deficit financing by the Federal Government supports inflationary
40 conditions which adversely affect the national economy and all Americans, particularly those
41 persons with fixed or low income; and

42 Whereas, Constantly increasing use of deficit financing has enabled the Federal
43 Government to allocate considerable sums to programs which in many instances have proved
44 to be wasteful and nonbeneficial to the public; and

45 Whereas, Limiting federal expenditures in each fiscal year to revenues available in that
46 year, except during national emergencies, will result in greater selectivity of federal programs
47 for the benefit of the public; and

48 Whereas, The annual federal budgets continually reflect the unwillingness or inability
49 of both the legislative and executive branches of the Federal Government to balance the budget
50 and demonstrate the necessity for a constitutional restraint up on deficit financing";

51 WHEREAS, combined with the Article V applications for a convention of states on any
52 subject, the Nevada Article V application was the 34th application, constituting 2/3 of all
53 states, for a convention of states for imposing fiscal restraints on the federal government
54 toward achieving a balanced federal budget;

55 WHEREAS, Congress has failed to comply with its constitutional mandate to "call a
56 Convention for proposing Amendments . . . on the Application of the Legislatures of two thirds
57 of the several states" upon receipt of the Nevada Article V application published in the
58 Congressional Record on February 8, 1979;

59 WHEREAS, as indicated in the following chart, by the end of 1979 the legislatures of
 60 39 states had made application for an Article V convention for imposing fiscal restraints on the
 61 federal government:

	State	Year Passed	Subject	Citation	Additional BBA Applications Passed by 1979	
62	Virginia (11/14/1788)	1788	Plenary Bill of Rights Rescinded, 2004	1 Annals of Cong. 258-59 (J. Gales, Sr. ed., 1834) (H.R., May 5, 1789)	1973: (HJR75) 119 Cong. Rec. 8091 1975: (SJR107) 121 Cong. Rec. 5793 1976: (SJR36) 122 Cong. Rec. 8335-36	All rescinded, 2004
63						
64	New York	1789	Plenary Bill of Rights	H.R. Jour., 1st Cong., 1st Sess., 29-30 (May 6, 1789)		
65	Georgia	1832	Plenary	S. Jour., 22nd Cong., 2nd Sess., 65-66 (Jan. 9, 1833)	1976: (HR469-1267) 122 Cong. Rec. 2740	All rescinded, 2004
66	South Carolina (12/13/1832)	1832	Plenary Consider, determine questions of dis- puted power be- tween states and fed. gov't	H.R. Jour. 22nd Cong., 2nd Sess. 219-20 (Jan. 21, 1833)	1976: (S.C. ACTS) 122 Cong. Rec. 4329 1979: (S1024) 125 Cong. Rec. 2114	Rescinded, 2004
67	Illinois	1861	Plenary	Ill. Laws 281-82		Avert Civil War
68	Indiana (3/11/1861)	1861	Plenary to clarify the Constitution to avoid mis- understanding	Cong. Globe, 37th Cong., Special Session 1465-66 (S., March 18, 1861)	1957: (HECR9) 103 Cong. Rec. 6475-76 1976: 122 Cong. Rec. 931 1979: (SEJR8) 125 Cong. Rec. 9188	

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1901 Res: "as soon as two-thirds [of the states] shall make similar application"

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7	Kentucky (RES1)	1861	Plenary To avert Civil War	Cong. Globe, 36th Cong., 2nd Sess. 751, (S., Feb. 5, 1861)		
8	Ohio	1861	Plenary	Ohio Laws 181		
9	New Jersey	1861	Plenary	Cong. Globe, 36th Cong. 2nd Sess. 680 (S., Feb. 1, 1861)		To avert Civil War; rescinded, 2021
10	Texas (SCR4)	1899	Plenary	33 Cong. Rec. 219 (1899)	1979:(HCR31) 125 Cong. Rec. 5223-24	1899 resolution Rescinded, SJR38, 2017
11	Colorado (SB13)	1901	Plenary Dir. Elect. of US Senators	45 Cong. Rec. 7113 (1910)	1978: (SJM1) 124 Cong. Rec. 8778	All Rescinded, 2021;
12	Oregon (HJR4)	1901	Plenary	34 Cong. Rec. 2290 (1901)	1979: (SJM2) 125 Cong. Rec. 5953	Direct Elect. of US Senators
13	Washington (HB90)	1901	Plenary	1901 Wash. Laws 333		
14	Iowa (3/24/1904)	1904	Plenary Dir. Elect. of US Senators	38 Cong. Rec. 4959 (1904)	1979: (SJR1) 125 Cong. Rec. 15,227	
15	Kansas (HCR4)	1907	Plenary	41 Cong. Rec. 2929 (1907)	1979: (SCR1661) 125 Cong. Rec. 2110	Dir. Elect of US Senators and "other amendments"
16	Missouri (3/6/1907)	1907	Plenary	45 Cong. Rec. 7116 (1910)		
17	Nebraska	1907	Plenary	1907 Neb. Laws 583-84	1979: (LR106) 125 Cong. Rec. 2112	Dir. Elect. of US Senators, left open to "proposing amendments" as per Art. V language
18	North Carolina	1907	Plenary Dir. Elect of US Senators	45 Cong. Rec. 7117 (1910)	1979: (SJR1) 125 Cong. Rec. 3310-11	
19	Oklahoma (SJR9)	1908	Plenary and dir. elect of US Senators	45 Cong. Rec. 7117-18 (1910)	1978: (HJR1049) 124 Cong. Rec. 12, 397	All Rescinded 2009
20	Montana (SJR1)	1911	Plenary Anti-Polygamy	46 Cong. Rec. 2411 (1911)		

83	21	Wisconsin (JR15S)	1911	Plenary	47 Cong. Rec. 1873 (1911)	
84	22	Wyoming (EJR4)	1961	Balanced Budget	107 Cong. Rec. 2759 (1961)	1978: (EJR1) 124 Cong. Rec. 14056
85	23	Alabama (HJR105)	1975	Balanced Budget	121 Cong. Rec. 28,347 (1975)	1979:(HJR227) 125 Cong. Rec. 2108-09
86	24	Louisiana (SCR109)	1975	Balanced Budget	121 Cong. Rec. 25,312 (1975)	1979: (SCR4) 125 Cong. Rec. 19,470-71 1979: (SCR73) 125 Cong. Rec. 2110-11
87	25	Mississippi (HCR51)	1975	Balanced Budget	121 Cong. Rec. 12,175-76 (1975)	1979: (HCR51) 125 Cong. Rec. 2111-12
88	26	Delaware (HCR36)	1976	Balanced Budget	122 Cong. Rec. 4329 (1976)	
89	27	Florida (SM234)	1976	Balanced Budget	125 Cong. Rec. 2109-10 (1979)	
90	28	Pennsylvania (R236)	1976	Balanced Budget	125 Cong. Rec. 2113-14 (1979)	
91	29	Arizona (HCM2003)	1977	Balanced Budget	123 Cong. Rec. 18,873-74 (1977)	1979: (HCM2320) 125 Cong. Rec. 2109 1979: (SJR1002) 125 Cong. Rec. 7920-21
92	30	Maryland (SJR4)	1977	Balanced Budget	123 Cong. Rec. 2545-46 (1977)	
93	31	Tennessee (HJR22)	1977	Balanced Budget	123 Cong. Rec. 18,419 (1977)	1978: (HJR22) 124 Cong. Rec. 11,437-38
94	32	Arkansas (HJR1)	1979	Balanced Budget	125 Cong. Rec. 4372 (1979)	
95	33	Idaho (HCR7)	1979	Balanced Budget	125 Cong. Rec. 3657 (1979)	

All Rescinded,
HJR 3, 2009

96	34	Nevada (SJR22)	1979	Balanced Budget	125 Cong. Rec. 2112 (1979)	
97	35	New Hampshire (HCR8)	1979	Balanced Budget	125 Cong. Rec. 11,584 (1979)	
98	36	New Mexico (SJR)	1979	Balanced Budget	125 Cong. Rec. 2112-13 (1979)	
99	37	North Dakota (SCR4018)	1979	Balanced Budget	125 Cong. Rec. 2113 (1979)	
100	38	South Dakota (JR)	1979	Balanced Budget	125 Cong. Rec. 3656-57 (1979)	Rescinded, 2010; reapplied 2015
101	39	Utah	1979	Balanced Budget	125 Cong. Rec. 4372-73 (1979)	Rescinded, 2001, reapplied 2015

102 WHEREAS, Alexander Hamilton in Federalist 85 stated that "The Congress 'shall call a
103 convention.' Nothing in this particular is left to the discretion of that body";

104 WHEREAS, from February 8, 1979, when Congress was constitutionally mandated to
105 call a convention of states for the purpose of imposing fiscal restraints on the federal
106 government toward achieving a balanced federal budget, the nation's debt has ballooned from
107 \$830 billion to approximately \$30 trillion while the value of the dollar has declined over 70%;

108 WHEREAS, the United States Constitution was ratified by Convention Delegates
109 "chosen in each State by the People thereof" and the 21st Amendment, repealing Prohibition,
110 was ratified in 1933 by a vote of the people for YES-pledged Delegates in 38 of 39 state
111 conventions:

112 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah
113 demands that Congress, within 60 calendar days after receiving this resolution, designate a
114 place and a date within 2022 for the nation's first Article V Convention for Proposing
115 Amendments to impose fiscal restraints on the federal government toward achieving a balanced
116 federal budget, based on the 39 unrescinded, continuing resolution Applications published in

117 the Congressional Record (35) or State laws (4) through 1979.

118 BE IT FURTHER RESOLVED that the Legislature of the state of Utah implores
119 Congress to stipulate in the call resolution that any proposed amendment be ratified by state
120 conventions to ensure that the people can express their consent in ratifying amendments
121 imposing fiscal restraints on the federal government.

122 BE IT FURTHER RESOLVED that legal action be undertaken in the name of the
123 Legislature of the state of Utah to compel Congress to call an Article V convention, if Congress
124 fails to do so within 60 calendar days after receiving this resolution.

125 BE IT FURTHER RESOLVED that the Legislature of the state of Utah alerts their
126 counterparts in the several states of Congress' disdain for the constitutional mandate to call an
127 Article V convention upon the application of two thirds of the States and admonishes them to
128 take such action as will compel the compliance of Congress with the constitutional duty to
129 immediately call a convention of states for proposing amendments to impose fiscal restraints
130 on the federal government toward achieving a balanced federal budget, by naming the time this
131 year and the place for the convention.

132 BE IT FURTHER RESOLVED that the Legislature of the state of Utah calls upon the
133 Utah congressional delegation to exert their utmost efforts to compel Congress to honor its
134 constitutional duty to immediately call the convention of states for proposing amendments to
135 impose fiscal restraints on the federal government toward achieving a balanced federal budget,
136 by naming this year the date and the place for the convention.

137 BE IT FURTHER RESOLVED that a copy of this joint resolution be transmitted to the
138 Speaker and Minority Leader of the United States House of Representatives; the President,
139 Majority Leader, and Minority Leader of the United States Senate; all members of Utah's
140 congressional delegation; and the Legislature and attorney general of each of the other states.

**Testimony *in support of* SCR 4012 to Rescind Applications for Congress to call
an Article V Convention
before the North Dakota Senate State and Local Government Committee
for the Hearing on February 16, 2023 @ 10:00 AM Central Time**

By Joanna Martin, J. D.

To Chairman Roers, Vice-Chairman Barta and Honorable Members:

I am a retired litigation attorney, trial and appellate, and have spent the last 13 or more years as a volunteer writing and speaking on our federal Constitution and all issues surrounding an Article V convention. I live in Tennessee; and testify on my own behalf.

I. Constitutional Provisions respecting an Article V Convention

Article V, US Constitution, says:

“*The Congress*, whenever two thirds of both Houses shall deem necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, *shall call a Convention* for proposing Amendments...” [emphasis added]

Article I, §8, last clause, US Constitution, says Congress shall have the Power...

“*To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.*” [italics added]

Accordingly, State Legislatures have no powers respecting the convention other than *applying to Congress for Congress to call the convention*. *Congress* calls the convention and makes the laws necessary and proper to organize the convention. As shown in more detail on the following pages:

- That includes [determining the number and selection process for Delegates](#). *We don't know what Laws Congress will make determining the number & selection process for Delegates.*
- It also includes [judging and counting the applications for a convention](#). Congress has recently indicated that it is going to count *all* of the non-rescinded applications filed with them (including non-rescinded applications filed in 1789, 1861, and 1901 along with later filed applications) to get to 34 States.

So please - [don't buy a pig in a poke!](#) Rescind [North Dakota's existing applications](#) for Congress to call an Article V convention.

II. How did we get in the mess we are in?

With our Constitution of 1787, we created a federal government to which we delegated only a handful of enumerated powers. [This Chart](#) lists the powers delegated to the federal government – *it's a short list*.

But through the years, Americans stopped reading the Constitution, and they forgot what it said. And they elected to office people who didn't know what it said. What we see around us today is the result of everybody *ignoring* our Constitution for over 100 years.

III. So how can we blame *the Constitution* for our problems?

Those pushing for a convention say, “We’re in this mess because *our Constitution is defective* – we need to *amend the Constitution* to rein in the federal government.”

But our Constitution *already limits* the federal government to a handful of enumerated powers.

Furthermore, there is no amendment on the face of this Earth which can control those who already *disregard the existing constitutional limits on the federal government*.

I have read the amendments proposed by [Mark Levin](#), by “COS” at their [simulated convention](#), and [other](#) proposed Amendments. None of them limit the power of the federal government - instead, they legalize powers already usurped, grant new powers to the federal government, or strip the States and The People of their existing powers.

There's another agenda behind the push for an Article V Convention.

IV. “COS” False Claims and Assurances

1. "COS's" entire case is based on their *false and absurd claim* that the convention method of getting Amendments was added to Article V so that when the federal government *violates the limits in the Constitution*, we could rein them in by *amending the Constitution*. [This Flyer](#) proves what was actually said at the federal convention of 1787 – and it is not what COS claims. To the contrary, our Framers agreed that [the purpose of Amendments is to correct defects in the Constitution](#).

George Mason's concern was that Congress might refuse to consent to Amendments which were needed to correct *defects* in the Constitution. So he wanted a convention added to Article V so that the People could propose Amendments to fix the defects! His actual words are in the Flyer.

That same Flyer also shows (at endnote 3) that James Madison *warned* that those who secretly wish to get a new Constitution would push for a convention *under the pretext* of getting Amendments. An Article V convention has *always* been about getting a new Constitution – this was seen from the beginning and is

why, as early as April 1788, John Jay (who became our first Chief Justice), Alexander Hamilton, and James Madison began warning against an Article V Convention. ¹

That's what it's about today – and that is the certain result of an Article V Convention. [Four US Supreme Court Justices \(two Conservatives and two Liberals\)](#), and other legal scholars and jurists, warn against an Article V Convention. They understand that our Constitution is likely to be lost if Congress calls an Article V Convention.

New Constitutions are already prepared – several of them are online [see items 1 & 12 on the Exhibit List below]. **Robert P. George, a member of Mark Meckler's "COS" Legal Advisory Board, has already co-authored [a new Constitution](#) which creates a new federal government and imposes gun controls and red flag confiscations.** ²

2. "COS" gives State Legislators a great many assurances as to what Congress *will do, must do, and can't do* respecting an Article V Convention. But **the Constitution** doesn't support any of COS's claims - nor has **Congress** passed any law which supports any of the assurances COS makes to State Legislators.

To the contrary - what Congress has done *directly contradicts* the assurances COS gives to State Legislators. For example:

- COS assures State Legislators that *they* will select and control the Delegates to the Convention. But [what Congress has done in the past](#) suggests that Congress intends to provide *for the popular election of Delegates, with each State having that number of Delegates equal to its electoral votes*. Under that method of selecting Delegates, California would have 55 Delegates; North Dakota would have 3.
- COS assures State Legislators that Congress "can't" call a convention until they get applications from 34 States asking for the same Amendment; and that delegates to the convention "can't" consider anything other than Amendments requested by 34 State Legislatures. But their claim is contradicted by legislation filed in Congress last July which directs the Archivist of the United States *to count all non-rescinded applications together* to get to 34 States - [here's the proof](#).

So it doesn't matter what Amendment is described in the application for a Convention. Congress apparently intends to count them all together to get to 34 States.

¹ The Antifederalists (Patrick Henry, George Mason, and others) opposed our Constitution of 1787 *and pushed for another Convention so they could get rid of it*. [So Jay, Madison and Hamilton warned against it](#).

² Mr. Meckler may now claim that Robert P. George doesn't have that much to do with his "COS" organization; but at a hearing before a Pennsylvania Senate Committee on Nov. 8, 2021, Mr. Meckler, who presented himself as a "Second Amendment guy", bragged about having Princeton Law Professor "Robbie George" on his Legal Advisory Board [\[link\]](#).

3. “COS” assures State Legislators that anything which comes out of a Convention can’t take effect unless it is ratified by $\frac{3}{4}$ of the States; and that a Convention “can’t” propose a new Constitution with its own mode of ratification.

But in Federalist Paper No. 40 (15th para), James Madison specifically invoked that “transcendent and precious right” set forth in our Declaration of Independence of a People to throw off one government and set up a new one, as justification for ignoring their instructions to propose amendments to the Articles of Confederation, and writing a new Constitution with an easier mode of ratification. [Here](#) is the Proof.

And new Constitutions are already prepared [see items 1 & 12 of the following Exhibit List]. **The proposed Constitution for the Newstates of America provides at Article XII that it is to be ratified by a national referendum called by the President.**

V.

Our Constitution doesn’t need fixing. *We have a moral problem* – like Esau, we sold our Heritage for handouts and subsidies from the federal government. With federal money comes federal control.

Exhibit List

1. [HERE](#) is the proposed **Constitution for the Newstates of America**. Article XII, §1 thereof provides for ratification by *a referendum initiated by the President*. The States are dissolved and replaced by regional governments answerable to the new national government.³ This Constitution sets up a totalitarian dictatorship. Pursuant to Article I, Part B, §8, *we are to be disarmed*.
2. The Chart which illustrates our Declaration of Independence, Constitution, & federal structure, and lists the enumerated powers is [HERE](#).
3. To see how six of Mark Levin’s “liberty amendments” do the opposite of what he claims, go [HERE](#). [His other amendments are just as bad.]
4. The Nightmare Amendments from “Convention of States Project’s” (COS) simulated convention are [HERE](#).
5. The Flyer which shows that our Framers said the purpose of *amendments* is to correct defects in the Constitution; and knew that the purpose of a *convention* is to get a new Constitution, is [HERE](#). **“COS” has been misrepresenting what the Delegates to the Convention said.**

³ US Supreme Court Chief Justice Warren Burger described this proposed Constitution in his letter of April 8, 1986 to Phyllis Schlafly [LINK](#). Note that in his last paragraph, Justice Burger refers to the professors who “would like to abolish the states, and reorganize the federal structure along the lines of the division of circuits for the Federal Judicial system, or even on a more rigid regional basis.”

6. [HERE](#) is the April 11, 2014 Report of the Congressional Research Service which shows that Congress recognizes that it has *exclusive authority* over “calling” - organizing - the convention provided for at Article V, US Constitution. A Summary is on page 4.

7. [States have no Power to Control Delegates to an Article V Convention](#) shows that those who promise that State Legislators will select and control the Delegates are making stuff up! Furthermore, Delegates have the self-evident Right "to alter or to abolish" the existing state & federal governments. Thus no one has power over Delegates.

8. [HERE](#) are the **Articles of Confederation**, our first Federal Constitution. **Article XIII required approval of amendments by the Continental Congress and by every State Legislature.**

9. [HERE](#) is the Resolution of the Continental Congress dated Feb. 21, 1787, to call a convention to be held at Philadelphia,

“...for the sole and express purpose of revising the Articles of Confederation...”

10. [HERE](#) are the Credentials of the Delegates to the Federal Convention of 1787 and instructions from the States. The *operative words* of the instructions encompassed:

- “alterations to the Federal Constitution which, **when agreed to by Congress and the several States, would become effective**”: Virginia, Pennsylvania, Delaware, Georgia, S. Carolina, Maryland, & New Hampshire.
- “**for the purpose of revising the Federal Constitution**”: Virginia, Pennsylvania, North Carolina, Delaware, and Georgia.
- “**for the sole and express purpose of revising the Articles of Confederation**”: New York, Massachusetts, and Connecticut.
- “provisions to make the Constitution of the federal Government adequate”: New Jersey.

[Rhode Island did not send Delegates to the convention.]

11. In Federalist Paper No. 40 (15th para), James Madison, Father of our Constitution, invoked that “transcendent and precious right” set forth in our Declaration of Independence of a People to throw off one government and set up a new one, as justification for ignoring their instructions and writing a new Constitution. [HERE](#) is the Flyer.

12. **Here are additional Constitutions which can be imposed at a Convention called by Congress pursuant to Article V, US Constitution:**

- Read [HERE](#) about the proposed **Constitution for the New Socialist Republic in North America**. It was prepared by the **Revolutionary Communist Party, USA**. [HERE](#) is the text of their Constitution.
- Read [HERE](#) of The Constitution 2020 movement funded by George Soros & supported by Marxist law professors, Cass Sunstein, Eric Holder, etc. See also [THIS](#) article. They want a Marxist Constitution.

- Read [HERE](#) the globalist Council on Foreign Relations’ Task Force Report on the North American Union (NAU). Under this scheme, Canada, the US, and Mexico are to be integrated politically and *a Parliament & a militarized and unified police force* are to be set up over the three countries. [This is the “New World Order” which the Bush family & others have been planning. Heidi Cruz was on the Task Force which wrote the Report.]
- The National Constitution Center’s Constitution Drafting Project has released three proposed new Constitutions. You can read the proposed new Constitutions [HERE](#). These proposed Constitutions would transfer massive new powers to a new federal gov’t, and (among other horrors) would legalize the unconstitutional acts which have been going on for 100 years. *The National Constitution Center is a quasi-official branch of the federal gov’t – its website address is <https://www.usa.gov/federal-agencies/national-constitution-center>*

One of these Constitutions, the so-called “Conservative” Constitution, was co-authored by Robert P. George, who is a member of Mark Meckler’s COS Legal Advisory Board. This proposed Constitution creates a new federal government & imposes gun control & red flag confiscations (among other horrors): See [THIS](#) & [THIS](#).

13. Warnings of Brilliant Men (Madison, Hamilton, 4 US Supreme Court Justices, and other jurists and legal scholars) against an Article V convention are [HERE](#).

14. [HERE](#) is the Pew Report: Click on your State to find out what percentage of your *State government’s* revenue was from federal funds. And that’s a pittance compared to the additional federal funds poured into your State to local gov’ts, NGOs, research grants, price supports, welfare programs, social security, Medicare, etc., etc., etc. And all that spending is unconstitutional as outside the scope of the enumerated powers.

15. [HERE](#) is the archived edition of an unofficial source which listed applications for an Article V convention already submitted to Congress by the various State legislatures.

16. [HERE](#) is where James Madison said our Constitution depends on the people having the “virtue and intelligence to select men of virtue and wisdom” to office [scroll down to text at 223].

17. Thomas Jefferson, James Madison, and Alexander Hamilton always said that because the States *created* the federal government [when they ratified the Constitution], the States are the final authority on whether their “creature” has violated the constitutional compact the States made with each other; and that when the fed gov’t usurps powers not delegated, each State has *the natural right* to nullify *of their own authority* all such acts of the fed gov’t. **The refusal to go along with unconstitutional acts is the remedy our Framers advised when the fed gov’t violates the Constitution.**

This is not a mere “constitutional right” created by our Constitution of 1787 – this is the GOD-GIVEN NATURAL RIGHT OF SELF-DEFENSE which pre-dates and pre-exists the Constitution! See [THIS](#).

18. Who is behind the push for an Article V convention? It is the BIG MONEY globalists, primarily the Koch Foundations and George Soros, who are funding the push for an Article V convention. See, e.g.,

- [Kochs Bankroll Move to Rewrite the Constitution](#)
- [George Soros assault on U.S. Constitution](#)
- [Soros in Vermont: Leftist billionaire behind state's call to keep money out of politics](#)
- [Citizens for Self-Governance](#) This goes into detail about the funding and expenditures for one of Mark Meckler's organizations, "Citizens for Self-Governance"
- [Koch brothers from Conservapedia](#)

19. Mark Meckler tells State Legislators that his organizations are funded by grandmas sending him \$5.00 checks out of their paltry monthly incomes. But this paper, [Dark Money—Not the Grassroots—Is Behind the Convention of States Organizations \(COS\)](#), proves that almost 2/3 of the money driving Meckler's effort to get State Legislatures to apply to Congress for a convention under Article V of the US Constitution is coming from major donors *annually* giving Meckler's organizations \$5,000 to \$2,000,000 *each* over the latest 3 years of reporting available. **Why are multi-billionaires trying to get their hands on our Constitution?**

20. [HERE](#) is a Chart from *letusvoteforbba.org* where, by aggregating applications from 1789, 1861 to avert the Civil War, and 1901 for popular election of US Senators *with* later applications for a balanced budget amendment, they claim to have 33 States with active Applications for an Article V convention.

21. [Con-Con legislation filed in Congress is a wake-up call to convention supporters](#) explains & links to [H.C.R. 101](#) and [H.R. 8419](#) (filed July 19, 2022) re calling an Art. V Convention & how the States' applications will be counted. *It's not what the convention pushers have been telling State Legislators.*

22. **States better rescind ASAP their existing applications.** See: [Bluffing their way to an Article V Convention; Part 1: Validation schemes](#) and [Part 2: The best PR money can buy.](#)

Contact me at publiushuldah@gmail.com February 14, 2023

<https://publiushuldah.wordpress.com/>



TESTIMONY OF MARK MECKLER, J.D.

NORTH DAKOTA SENATE COMMITTEE ON STATE AND LOCAL GOVERNMENT
SCR 4012 - FEBRUARY 16, 2023

My name is Mark Meckler. I am an attorney residing in Texas, and I am the Co-Founder and President of Citizens for Self-Governance and Convention of States Action.

Back in 2017, the North Dakota legislature passed HCR 3006, applying for an Article V Convention to propose amendments that would impose fiscal restraints on the federal government, limit its power and jurisdiction, and set term limits for federal officials. You had the privilege and honor of personally meeting and speaking with my friend and personal mentor the late Senator Tom Coburn, one of the greatest patriots and conservative Senators in modern American history.

Convention of States Action is a grassroots organization with around five million supporters nationwide. We have volunteer leaders and teams in all 50 states, and as of today we have passed applications substantially similar to North Dakota's HCR 3006 in 19 states. Recent polling shows that nearly two-thirds of Americans—across party lines—support this effort.

With our federal government now poised to implement more radical, socialist policies than ever before, the structural solution to federal overreach--provided by Article V--is needed more than ever. But the resolution before you would have you *stand down* and *surrender to* the neverending flood of federal usurpations of the powers reserved to the states under the Constitution. Now is not the time to retreat from using your constitutional power as a state legislature; now is the time to advance. Now is the time to stand strong in the fight.

I know that you frequently receive advice from self-described “scholars” who predict all sorts of horrible outcomes from an Article V Convention. They have no actual scholarly qualifications, and their reasons for opposing Article V are totally based on irrational fears. Their ramblings are completely at odds with the collective wisdom of the nation's top, peer reviewed, professors and scholars. These include Professor Robert Natelson (author of [The Law of Article V](#), whose works have been frequently cited by the U.S. Supreme Court); Michael Farris (former President of Alliance Defending Freedom, founder of Home School Legal Defense Association and Patrick Henry College, and author of a [Harvard Journal of Law & Public Policy article](#) debunking the “runaway convention” myth); Chuck Cooper (former top litigator for the NRA); Professor Randy Barnett, former deputy Attorney General Mark Levin, and many others.



The rationale this resolution offers for rescinding your extant Article V applications demonstrates a very basic, fundamental misunderstanding of the Article V process and constitutional law. It suggests that because the Declaration of Independence recognizes the basic right of people to alter or abolish a government that fails to secure their rights, an Article V convention would have “inherent power” to deny limitations imposed upon it by the states and “impose sweeping changes” to the Constitution. This is utter nonsense and shows that those writing it don’t even understand the basic structure and operation of our governing charter.

There is no link between those two ideas. Article V doesn’t authorize a convention to form a new government. If you just read it, you see that it authorizes a convention only to propose amendments to “this” Constitution—the one we already have. An Article V convention called pursuant to your 2017 application would have no more legal power to abolish the government than you have as you sit here today. People who make this argument are operating from fear alone, not an understanding of our most fundamental law, the United States Constitution.

As for convention delegations disregarding the limitations placed on them by their state legislatures, that is also nonsense. Every law student learns that pursuant to the principles of basic agency law, an agent cannot simply disregard the instructions and limitations of his or her principal. Commissioners sent to act as agents of their state legislatures in an interstate convention cannot ignore the state legislature’s instructions and limitations. And if they did, their actions would be legally void.

Finally, SCR 4012 claims that you don’t ever *need* to use your power under Article V because we can all just rely on Congress to propose needed amendments. I submit to you that a quick read of the daily news is all it takes to see that this plan of relying on Congress to do what the nation needs is not working. More importantly, it has *never* worked. When was the last time a government voluntarily limited its own authority? Such a suggestion is antithetical to human nature.

In 2017, when you passed HCR 3006, the federal debt was 19.9 Trillion Dollars. Today it is over 31 Trillion dollars. And in fact, when some of the proponents of this rescission resolution began their fight against the Balanced Budget Amendment, the federal debt was under 3 Trillion dollars. How much is enough? Must our government and our economy collapse into rubble like the Weimar Republic before these people will stand and fight? Or would they cower before their rulers in Washington, DC even then...allowing them to take more and more power?

In 1775, Patrick Henry stood before the House of Burgess in VA and said, “It is in vain, sir, to extenuate the matter. Gentlemen may cry, Peace, Peace-- but there is no peace. The war is actually begun! The next gale that sweeps from the north will bring to our ears the clash of

resounding arms! Our brethren are already in the field! Why stand we here idle? What is it that gentlemen wish? What would they have? Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery? Forbid it, Almighty God! I know not what course others may take; but as for me, give me liberty or give me death!”

Calling out across the centuries, Patrick Henry is not alone in asking you to stand against the power of the federal government. Virtually every nationally known conservative figure who has commented on Convention of States has done so in favor of the idea; Sean Hannity, Mark Levin, Ben Shapiro, Gov. Ron DeSantis, Gov. Gregg Abbott are among many others. So have 18 other Republican state legislatures to date. And many are considering it this session. In fact, this resolution just passed in the Wyoming Senate. Just last year it passed in West Virginia, South Carolina, Nebraska and Wisconsin. With the movement to restrain Washington DC aggressively on the march, would you now stand with the radical left in America and back down?

Yes, I did ask “Would you now stand with the radical left and back down?” Because literally every national left-wing group in America has taken a public stand against Convention of States, in writing. Common Cause, MoveOn.org, DailyKOS, Planned Parenthood, and over 240 other radical left wing groups have attacked this movement because they are afraid that it would remove their power in DC, and return it to you, the state legislatures. Most recently, Convention of States was attacked by Media Matters, a left wing censorship group, after I appeared on Tucker Carlson’s show and explained what this is all about. We have been recently attacked by New Republic, and former Democrat Senator Russ Feingold wrote an entire book about how “dangerous” calling a convention of states would be to left-wing plans. Hillary Clinton has personally spoken out against calling a Convention of States.

History will judge one way or another. History will ask whether this body stood on the side of liberty and against those who would oppress us from Washington DC. History will ask what each of us did in the fight for liberty. History will ask how you personally voted when it came time to stand against DC tyranny.

Now is your moment to stand bravely against the leftists tearing apart the very fabric of our society and stalwartly say “NO.” In 2017 this very legislature demonstrated courage and did just that. I urge you to honor that courage today and vote against surrendering to the radical left. Please, fight for your state, and for your country. Fight for your children and grandchildren. The fight is on, and you are called to lead in that fight.

Now, more than ever before, the nation needs you to use the constitutional authority the Founders gave you to intervene on behalf of the people and stop federal overreach.



Please oppose SCR 4012 and prevent this attempt at surrender. Thank you for allowing me to testify today.

North Dakota Senate State and Local Government Public Hearing

Written Testimony in support in SCR 4012

Please vote "YES" on SCR 4012, to rescind all existing applications for an Article V Convention. The pending applications are a threat to our constitutional republic. There is no way to know what a future Congress might do with these applications, and no way to limit the harm that a new constitutional convention could cause.

Other states have taken this very wise step of rescinding their pending applications for an Article V Convention. ***Please likewise rescind all of your prior applications.***

There is strong *bipartisan opposition* to holding a new Article V Convention, particularly at this time. Justice Scalia said in the last year of his life that ***it is a "horrible idea" to hold a convention under Article V of the Constitution.*** I was in the audience when he said that, which was independently reported by a newspaper.

This is one of the few issues on which a majority on both sides of the political spectrum agree: ***our Constitution should not be opened up to secret billionaires to rewrite it.*** Young people oppose holding a constitutional convention ("Con Con"). Kitty Werthmann, who passed away last summer at age 96 in Pierre, South Dakota, volunteered every year to defeat Article V applications there. Phyllis Schlafly spent decades defeating this bad idea.

A YES vote on SCR 4012 is a vote for our Constitution, and for our future liberty and prosperity. Thank you!!!

Andrew Schlafly, Esq.
Practices law in the US Ct of Appeals for Eighth Circuit, which presides over ND
Phyllis Schlafly Eagles
(908) 719-8608

Lynn Mahr
2134 Harbor Dr
Bismarck, ND 58504

Testimony Urging a DO NOT PASS vote SCR 4012

Hi! My name is Lynn Mahr. I've been a volunteer for Convention of States for five years.

During that time, I have been in direct contact with the fine people of the

great state of North Dakota. My husband and I have been residents of Bismarck for 13 years.

There is absolutely no question that the common theme of interaction is

the simple question, what can we do? Our country is on the wrong track.

Government is becoming more aggressive and unwieldy and we are very

concerned.

Convention of States gives the people a glimmer of hope that Article V
in

our Constitution, which was intended for times like these, will give the
power back to we the people. Which is why I ask you to oppose, VOTE

DO NOT PASS SCR 4012. Thank you.

Testimony of Jeremy Neuharth

1420 4TH STREET NORTH • FARGO, ND 58102
TELEPHONE: (701) 388-9063 • E-MAIL ADDRESS: JEREMY@NEUHARTH.NET

February 16, 2023

Madame Chairman and distinguished members of the committee,

My name is Jeremy Neuharth, a North Dakota native who grew up on one of many family farms here in this great state. I am honored to be a veteran of the North Dakota Army National Guard, blessed to have a wonderful family, including two children, and proud to own a small business located in Fargo, North Dakota.

I am here today in **opposition of SCR 4012** as a citizen of North Dakota and as a state leader for the North Dakota Convention of States effort. Although I am happy to answer any questions about the merits of an Article V Convention, or address details regarding the passing of the original resolution (HCR 3006 in the 65th Assembly), I want to focus my testimony on why I believe this Legislative Assembly made the right decision three sessions ago.

A common tactic for Convention of States opposition is to create fear by stating a convention will cause chaos or will be out of control. We can pile in experts to refute such an outcome, but all of you, being involved in our state legislature, know there is a method to our political process. Parliamentary procedures, debates, votes, negotiations, and committees are all part of what some might identify as chaotic. We have amended our U.S. Constitution before. The only difference, in this case, is that the States are recommending the amendments instead of Congress. An option put in our Constitution by the Founders for states to use. Why should the states limit themselves from a power clearly given to them? I would argue the lack of state involvement at the Federal level is a core reason why we are having the problems we do today.

I find myself questioning, "Is there any part of my life where the Federal Government is not involved?" I would ask the committee members, "How many policy decisions for the citizens of North Dakota are dictated or heavily influenced by the Federal level?" Should the Federal Government be able to tell North Dakota how we should conduct our energy policy? Is the Federal Government better at managing North Dakotans? When does the neverending title wave of dictates from Washington, DC stop?

In my opinion, the most significant benefit of our COS resolution (HCR 3006) is to bring the voice of the states back into the decision making. Our Republic is so valuable because it allows different things to work for different people. Our goal should not be to create unity by requiring the conformity of all as determined

by the Federal Government. Our individual states are unique in their own ways; our different views and ways of living give our country its rich fabric. Therefore, deciding what is best for North Dakota citizens should not be established through the opinion of other states or the US Government at large. The US Constitution states in black and white that you have this power. We trust in you to use that power.

I also want to remind you I did not stand alone when the resolution was originally passed. At that time, we had **over 1,600 North Dakota citizens** across every district in the State of North Dakota supporting this resolution. Each one of those citizens with deep concerns regarding the direction of outside power and influence inflicted upon our state. In the legislature, we had twelve sponsors, including the Majority Leader from both chambers. The resolution endured through the process of committee hearings just like this, floor votes in both Chambers, open debate, and thoughtful discussion. We made a statement, as a state, regarding the need and desire to rein in the abuse of power and uncontrolled spending at the Federal level. In our last session, legislators reaffirmed our commitment by opposing a similar concurrent resolution (SCR 4004).

Without doubt, we did the right thing by passing the Convention of States resolution. We evaluated many options and took the constitutionally provided method to take back our voice. We live in the United States of America, and it's important to recognize how key the word "States" truly is. It is critical for the states to have their place in the system. It is time for us to have the freedom of diversity in thought and solutions. To those who want to maintain the status quo, North Dakota needs to make clear it wasn't an acceptable answer then, and we are not about to accept that answer now. I trust in our people, our Framers, and the Constitution. I trust you will join me in reaffirming we made the right choice by **opposing SCR 4012**.

Testimony of Dale W. Burke
Regional Captain ND Region 1, Convention of States Action
in opposition to SCR 4012

Good morning Madam Chairman, distinguished members of the Senate State and Local Government Committee, and guests. When I raised my right hand and swore an oath to defend the Constitution against all enemies foreign and domestic to enlist in the US Army, much like each of you did when elected to your seat in the North Dakota Senate, I took that oath seriously and served for over 7 years until a training accident ended my military career. That dedication to my oath is what brings me here today in opposition to SCR 4012.

I became a volunteer activist for COSAction in 2018 after much research and reflection. I was initially very skeptical of the idea of an Article 5 Convention of states. Much of that trepidation was due to the kind of information being put forward by the proponents of this bill. However, as I did my own research and investigation into the truth about the process, I became convinced of its providence and efficacy. In a time of division like we haven't seen in this nation since the lead up to the civil war in 1860, there has never been more reason to use the part 2, or states, option of Article 5 than now. Considering the resolution this bill would rescind was passed overwhelmingly by the North Dakota Legislature in 2017, and upheld in the face of a 2021 effort to rescind, we should stay the course. If not, we could easily see our beloved Republic fall into another violent conflict to decide its future. The Founders gave us this diplomatic option to prevent that very thing from happening again.

I am now a Regional Captain for North Dakota Region 1 which encompasses the eastern half of North Dakota. I have been in contact with the citizens of this state in a unique and personal way as part of my duties with COSAction. I can attest to the fact there are a large number of citizens who are ready for the kind of debate and discussion an Article 5 Convention would generate. Having witnessed the anger and frustration in these citizens hearts, I hate to imagine what these good and faithful citizens would resort to if diplomatic options are removed from the table. So I rise today to urge you to recommend a "Do Not Pass" for SCR 4012. Thank you for your time and attention.

Dale W. Burke
Regional Captain
COSAction

Dear Senator,

YES vote on SCR 4012

If you cherish the republic our Founders handed to us, **please rescind all outstanding applications for an Article V convention.**

States have no power over an Article V convention once it convenes. The convention will be free to draft a new constitution if it wishes.

The delegates at an Article V convention are authorized under the *federal* constitution (not state constitutions or state statutes), and as such will be entitled to the same powers and immunity from arrest or punishment as Congress. (How well does North Dakota control her congressmen?)

The US Constitution Art I Section 6 grants...

*The Senators and Representatives...shall in all cases, except treason, felony and breach of the peace, be **privileged from arrest** during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House, they shall not be questioned in any other place.*

[<https://constitution.congress.gov/browse/article-1/section-6/clause-1/>]

The North Dakota constitution
ARTICLE IV Section 15.

*Members of the legislative assembly are **immune from arrest** during their attendance at the sessions, and in going to or returning from the sessions, except in cases of felony. Members of the legislative assembly may not be questioned in any other place for any words used in any speech or debate in legislative proceedings*

[<https://www.ndlegis.gov/constit/a04.pdf>]

Regardless of the “faithful delegate” bills passed in state legislatures, the delegates are free to propose any and all amendments in convention, and can adopt rules to vote by secret ballot. The North Dakota legislature and all of the United States will have no idea what is happening.

How do we know what’s broken in the constitution we have now - we aren’t enforcing it! Let’s enforce our current constitution first, then decide if and what amendments would be in order.

The 16th, 17th, and 18th Amendments were bad ideas, and yet they passed the ¾ threshold in the 20th century. Where is our modern day James Madison, Alexander Hamilton, and Benjamin Franklin in our current state legislatures? There are a small handful in each state, but will they be the ones to attend an Article V convention? Will they be the majority to vote on any proposals sent to the states for ratification? Most likely that answer is no.

Let’s enforce this constitution first (Article VI). Don’t open up the constitution to an Article V convention.

Vote YES on SCR 4012

Respectfully,
Barbara Harless
709 Summer Place
Murphy, TX 75094

Testimony in support of SCR 4012

Chairman Roers, Vice-Chairman Barta and State and Local Government Committee Members:

There is much uncertainty surrounding how an Article V convention would function.

I don't think it prudent to call for a convention without a clear understanding of its operational procedure. If it's being called for, we should know exactly what we are asking for.

Neither those in support or opposition of this resolution can assert full knowledge of how an Article V convention would play out. There is also no guarantee that a convention would result in the passing of an amendment, so all the work and expense of calling one may be fruitless in the end.

In 2015, the North Dakota legislature submitted a call for an Article V convention for the purpose of passing a balanced budget amendment. There hasn't been any effort, that I'm aware of, that any attempt has been made to submit a so called balanced budget amendment for ratification, by simply using the same process that was used to ratify each and every amendment to the United States Constitution, after the tenth amendment. If a balanced budget amendment, or any other amendment, had sufficient merit, in my opinion, the submission of any amendment for ratification to the states could or would be ratified by that same process.

In view of the current large and rising national debt, calling for a national convention would not be in the best interest of both legislative and judicial economy, especially when it could be accomplished by a less costly process by simply submitting the amendment to the states for ratification as has been done in the past.

Madame Chair Roers and members of the State and Local Government Committee, I strongly urge that you reconsider North Dakota's application for an Article V convention.

Please vote Do Pass on SCR 4012.

Thank you for your time and consideration.

Lydia Scarnici

Valley City, ND

To Whom it May Concern:

I am writing to voice my opposition to SCR 4012. An overwhelming amount of Americans are in favor of term limits and possibly an age limit. We, in North Dakota, voted for a term limit measure in 2022 to limit our state representatives. Support for term limits is an issue that crosses political lines. Polls show Republicans, Democrats and Independents want term limits. This is our right and responsibility to call a convention of states, set term limits and enforce the will of the people.

Thank you,
Bradley Russell

To Sen. Kristin Roers, Chairman; Sen. Jeff Barta, Vice Chairman; and Members of the Senate State and Local Government Committee:

RE: Support for North Dakota SCR 4012 (Rescission of all active Art. V Convention applications)

My name is Judi Caler, and I'm President of Citizens Against an Article V Convention. Thank you for the opportunity to submit written testimony.

In 2001, the North Dakota Legislature wisely [rescinded](#) all its previously-passed applications asking Congress to call a Convention under Article V. But a decade later, newer Legislatures—unaware of the risks—began passing applications again; and now North Dakota has several applications on record, including the Balanced Budget (2015) and Convention of States (2017) applications.

Legislators' biggest concern today is triggering a “runaway” convention. That's why special interest lobbyists, backed by millions of dollars in [Dark Money](#) have been falsely assuring state legislators that Congress can't call a convention unless 34 states pass the same or similar applications; that the Delegates to the convention can discuss and propose only amendments limited to the subject(s) of those 34 applications; and that State Legislatures will be in control of the convention from start to finish. Under these circumstances, they say, the convention can't possibly run away, and legislators should vote for *more* applications.

Ask yourself why billionaires are trying to get their hands on our Constitution!

And now there is [barefaced evidence](#) that the convention lobby's assurances are false. Recently proposed federal legislation contradicts what state legislators have been promised over the past decade to get them to pass applications.

US Rep. Jodey Arrington (R-TX), introduced [H.Con.Res.101](#) and [H.R.8419](#) in July, 2022. The former is a purported “call” for a convention which doesn't pretend to limit the convention. And the latter bill directs the Archivist of the United States to “authenticate, count, and publish” *all non-rescinded applications*—regardless of age, subject, obsolescence or constitutionality—and notify Congress of its duty to call a convention, if those applications were passed by at least 34 State Legislatures. Similar legislation is expected to be introduced in Congress in 2023.

Thus, per 2022 proposed federal legislation, North Dakota would be counted toward the 34-state threshold, along with other states that have *no applications* similar to North Dakota's on record—States like Washington State which passed a plenary (unlimited) application in [1901](#); and New York

which passed an application in [1789](#) asking Congress to call a convention to add a Bill of Rights to the US Constitution!

Time is of the essence. Regardless of the restricted wording and intent behind North Dakota's active applications, North Dakota would unintentionally help trigger a convention that is inherently illimitable, should federal legislation now being discussed in Congress pass.

Indeed, Delegates to the Convention, as sovereign Representatives of "We the People," have the inherent Right "to alter or to abolish" our "Form of Government," as expressed by the Declaration of Independence, para. 2. And we don't know who those Delegates would be, or how they'd be selected!

And if you think ratification by 38 states will save us from anything bad happening, think again. A new constitution will have its own, easier mode of ratification. Delegates to the 1787 constitutional convention set a precedent when they ignored their instructions to amend the Articles of Confederation, our first Constitution, and wrote a new Constitution with its own, easier ratification process (see US Constitution, Art. VII).

Delegates to a *federal* convention called by *Congress* to discuss and propose changes to the *federal* Constitution, aren't governed by State Law—so "unfaithful delegate bills, like one North Dakota passed in [2015](#), are worthless. Delegate bills serve only to falsely assure legislators that they can control the convention—so they'll vote for the applications.

[It's Congress who will decide](#) how the Delegates are selected, per US Constitution, Art. I, Sec. 8, last clause, as well as Congress who will set up the initial rules for the convention. And after the convention convenes, the Delegates can change the rules and do whatever they want. The role of State Legislatures in the Art. V Convention process is to ask Congress to call a Convention.

Please **Vote "YES!" on SCR 4012**, and rescind all North Dakota's currently active applications asking Congress to call a convention under Art. V. The Constitution isn't the problem!

Thank you for your consideration.

Respectfully,

Judi Caler, President
Citizens Against an Article V Convention

FEBRUARY 16, 2023

STATE AND LOCAL GOVERNMENT

SCR 4012

SUBMITTED BY:

SEN DAVID CLEMENS

DIST 16

I AM SEN DAVID CLEMENS FROM DISTRICT 16 AND AM HERE TO INTRODUCE RESOLUTION 4012.

RESOLUTION 4012 IS A RESOLUTION TO RESIND ALL PREVIOUS RESOLUTIONS FROM NORTH DAKOTA CALLING FOR AN ARTICLE V CONVENTION OF STATES.

AN ARTICLE V CONVENTION IS ALLOWED IN ARTICLE V OF THE US CONSTITUTION AS A WAY FOR THE STATES TO REQUEST THE US CONGRESS TO CALL A CONVENTION WHEN REQUESTED BY 2/3 OF THE STATES, NAMELY 34 STATES. THE PURPOSE OF THE CONVENTION WOULD BE TO OFFER AMENDMENTS TO THE US CONSTITUTION FOR VARIOUS REASONS.

HOWEVER, THE REASON FOR THIS RESOLUTION IS CONCERNS FOR WHAT A CONVENTION COULD BRING. ARTICLE V DOES NOT SAY OR GUARANTEE WHO CAN BE DELEGATES, HOW DELEGATES ARE SELECTED, HOW MANY AMENDMENTS CAN BE OFFERED, HOW EACH STATE COULD BE REPRESENTED AND FINALLY, WHAT RULES WOULD EVEN BE ADOPTED FOR THE CONVENTION. THE CONVENTION COULD RESULT IN AN UNLIMITED NUMBER OF AMENDMENTS WHICH COULD ADVERSELY AFFECT OUR CONSTITUTION.

FOR THESE REASONS, I WOULD ASK THAT YOU RECOMMEND A DO PASS FOR SCR 4012.

SUBMITTED BY

SEN DAVID CLEMENS

**Testimony *in support of* SCR 4012 to Rescind Applications for Congress to call
an Article V Convention
before the North Dakota Senate State and Local Government Committee
for the Hearing on February 16, 2023 @ 10:00 AM Central Time**

By Joanna Martin, J. D.

To Chairman Roers, Vice-Chairman Barta and Honorable Members:

I am a retired litigation attorney, trial and appellate, and have spent the last 13 or more years as a volunteer writing and speaking on our federal Constitution and all issues surrounding an Article V convention. I live in Tennessee; and testify on my own behalf.

I. Constitutional Provisions respecting an Article V Convention

Article V, US Constitution, says:

“*The Congress*, whenever two thirds of both Houses shall deem necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, ***shall call a Convention*** for proposing Amendments...” [emphasis added]

Article I, §8, last clause, US Constitution, says Congress shall have the Power...

“*To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.*” [italics added]

Accordingly, State Legislatures have no powers respecting the convention other than *applying to Congress for Congress to call the convention*. *Congress* calls the convention and makes the laws necessary and proper to organize the convention. As shown in more detail on the following pages:

- That includes **determining the number and selection process for Delegates**. *We don't know* what Laws Congress will make determining the number & selection process for Delegates.
- It also includes **judging and counting the applications for a convention**. Congress has recently indicated that it is going to count ***all*** of the non-rescinded applications filed with them (including non-rescinded applications filed in 1789, 1861, and 1901 along with later filed applications) to get to 34 States.

So please - don't buy a pig in a poke! Rescind **North Dakota's existing applications** for Congress to call an Article V convention.

II. How did we get in the mess we are in?

With our Constitution of 1787, we created a federal government to which we delegated only a handful of enumerated powers. **This Chart** lists the powers delegated to the federal government – *it's a short list*.

But through the years, Americans stopped reading the Constitution, and they forgot what it said. And they elected to office people who didn't know what it said. What we see around us today is the result of everybody *ignoring* our Constitution for over 100 years.

III. So how can we blame *the Constitution* for our problems?

Those pushing for a convention say, "We're in this mess because *our Constitution is defective* – we need to *amend the Constitution* to rein in the federal government."

But our Constitution *already limits* the federal government to a handful of enumerated powers.

Furthermore, there is no amendment on the face of this Earth which can control those who already *disregard the existing constitutional limits on the federal government*.

I have read the amendments proposed by **Mark Levin**, by "COS" at their **simulated convention**, and **other** proposed Amendments. None of them limit the power of the federal government - instead, they legalize powers already usurped, grant new powers to the federal government, or strip the States and The People of their existing powers.

There's another agenda behind the push for an Article V Convention.

IV. "COS" False Claims and Assurances

1. "COS's" entire case is based on their *false and absurd claim* that the convention method of getting Amendments was added to Article V so that when the federal government *violates the limits in the Constitution*, we could rein them in by *amending the Constitution*. **This Flyer** proves what was actually said at the federal convention of 1787 – and it is not what COS claims. To the contrary, our Framers agreed that **the purpose of Amendments is to correct defects in the Constitution**.

George Mason's concern was that Congress might refuse to consent to Amendments which were needed to correct *defects* in the Constitution. So he wanted a convention added to Article V so that the People could propose Amendments to fix the defects! His actual words are in the Flyer.

That same Flyer also shows (at endnote 3) that James Madison *warned* that those who secretly wish to get a new Constitution would push for a convention *under the pretext* of getting Amendments. An Article V convention has *always* been about getting a new Constitution – this was seen from the beginning and is

why, as early as April 1788, John Jay (who became our first Chief Justice), Alexander Hamilton, and James Madison began warning against an Article V Convention. ¹

That's what it's about today – and that is the certain result of an Article V Convention. **Four US Supreme Court Justices** (two Conservatives and two Liberals), and other legal scholars and jurists, warn against an Article V Convention. They understand that our Constitution is likely to be lost if Congress calls an Article V Convention.

New Constitutions are already prepared – several of them are online [see items 1 & 12 on the Exhibit List below]. **Robert P. George, a member of Mark Meckler's "COS" Legal Advisory Board, has already co-authored a new Constitution which creates a new federal government and imposes gun controls and red flag confiscations.** ²

2. "COS" gives State Legislators a great many assurances as to what Congress *will do, must do, and can't do* respecting an Article V Convention. But **the Constitution** doesn't support any of COS's claims - nor has **Congress** passed any law which supports any of the assurances COS makes to State Legislators.

To the contrary - what Congress has done *directly contradicts* the assurances COS gives to State Legislators. For example:

- COS assures State Legislators that *they* will select and control the Delegates to the Convention. But **what Congress has done in the past** suggests that Congress intends to provide for the *popular election of Delegates, with each State having that number of Delegates equal to its electoral votes*. Under that method of selecting Delegates, California would have 55 Delegates; North Dakota would have 3.
- COS assures State Legislators that Congress "can't" call a convention until they get applications from 34 States asking for the same Amendment; and that delegates to the convention "can't" consider anything other than Amendments requested by 34 State Legislatures. But their claim is contradicted by legislation filed in Congress last July which directs the Archivist of the United States to count all non-rescinded applications together to get to 34 States - **here's the proof**.

So it doesn't matter what Amendment is described in the application for a Convention. Congress apparently intends to count them all together to get to 34 States.

¹ The Antifederalists (Patrick Henry, George Mason, and others) opposed our Constitution of 1787 and pushed for another Convention so they could get rid of it. **So Jay, Madison and Hamilton warned against it.**

² Mr. Meckler may now claim that Robert P. George doesn't have that much to do with his "COS" organization; but at a hearing before a Pennsylvania Senate Committee on Nov. 8, 2021, Mr. Meckler, who presented himself as a "Second Amendment guy", bragged about having Princeton Law Professor "Robbie George" on his Legal Advisory Board [\[link\]](#).

3. “COS” assures State Legislators that anything which comes out of a Convention can’t take effect unless it is ratified by $\frac{3}{4}$ of the States; and that a Convention “can’t” propose a new Constitution with its own mode of ratification.

But in Federalist Paper No. 40 (15th para), James Madison specifically invoked that “transcendent and precious right” set forth in our Declaration of Independence of a People to throw off one government and set up a new one, as justification for ignoring their instructions to propose amendments to the Articles of Confederation, and writing a new Constitution with an easier mode of ratification. Here is the Proof.

And new Constitutions are already prepared [see items 1 & 12 of the following Exhibit List]. **The proposed Constitution for the Newstates of America provides at Article XII that it is to be ratified by a national referendum called by the President.**

V.

Our Constitution doesn’t need fixing. *We have a moral problem* – like Esau, we sold our Heritage for handouts and subsidies from the federal government. With federal money comes federal control.

Exhibit List

1. **HERE** is the proposed **Constitution for the Newstates of America**. Article XII, §1 thereof provides for ratification by *a referendum initiated by the President*. The States are dissolved and replaced by regional governments answerable to the new national government.³ This Constitution sets up a totalitarian dictatorship. Pursuant to Article I, Part B, §8, *we are to be disarmed*.
2. The Chart which illustrates our Declaration of Independence, Constitution, & federal structure, and lists the enumerated powers is **HERE**.
3. To see how six of Mark Levin’s “liberty amendments” do the opposite of what he claims, go **HERE**. [His other amendments are just as bad.]
4. The Nightmare Amendments from “Convention of States Project’s” (COS) simulated convention are **HERE**.
5. The Flyer which shows that our Framers said the purpose of *amendments* is to correct defects in the Constitution; and knew that the purpose of a *convention* is to get a new Constitution, is **HERE**. **“COS” has been misrepresenting what the Delegates to the Convention said.**

³ US Supreme Court Chief Justice Warren Burger described this proposed Constitution in his letter of April 8, 1986 to Phyllis Schlafly **[LINK]**. Note that in his last paragraph, Justice Burger refers to the professors who “would like to abolish the states, and reorganize the federal structure along the lines of the division of circuits for the Federal Judicial system, or even on a more rigid regional basis.”

6. **HERE** is the **April 11, 2014 Report of the Congressional Research Service** which shows that Congress recognizes that it has *exclusive authority* over “calling” - organizing - the convention provided for at Article V, US Constitution. A Summary is on page 4.

7. **States have no Power to Control Delegates to an Article V Convention** shows that those who promise that State Legislators will select and control the Delegates are making stuff up! Furthermore, Delegates have the self-evident Right "to alter or to abolish" the existing state & federal governments. Thus no one has power over Delegates.

8. **HERE** are the **Articles of Confederation**, our first Federal Constitution. **Article XIII required approval of amendments by the Continental Congress and by every State Legislature.**

9. **HERE** is the Resolution of the Continental Congress dated Feb. 21, 1787, to call a convention to be held at Philadelphia,

“...for the sole and express purpose of revising the Articles of Confederation...”

10. **HERE** are the Credentials of the Delegates to the Federal Convention of 1787 and instructions from the States. The *operative words* of the instructions encompassed:

- “alterations to the Federal Constitution which, **when agreed to by Congress and the several States, would become effective**”: Virginia, Pennsylvania, Delaware, Georgia, S. Carolina, Maryland, & New Hampshire.
- “for the purpose of revising the Federal Constitution”: Virginia, Pennsylvania, North Carolina, Delaware, and Georgia.
- “for the sole and express purpose of revising the Articles of Confederation”: New York, Massachusetts, and Connecticut.
- “provisions to make the Constitution of the federal Government adequate”: New Jersey.

[Rhode Island did not send Delegates to the convention.]

11. In Federalist Paper No. 40 (15th para), James Madison, Father of our Constitution, invoked that “transcendent and precious right” set forth in our Declaration of Independence of a People to throw off one government and set up a new one, as justification for ignoring their instructions and writing a new Constitution. **HERE** is the Flyer.

12. **Here are additional Constitutions which can be imposed at a Convention called by Congress pursuant to Article V, US Constitution:**

- Read **HERE** about the proposed **Constitution for the New Socialist Republic in North America**. It was prepared by the **Revolutionary Communist Party, USA**. **HERE** is the text of their Constitution.
- Read **HERE** of The Constitution 2020 movement funded by George Soros & supported by Marxist law professors, Cass Sunstein, Eric Holder, etc. See also **THIS** article. They want a Marxist Constitution.

- Read [HERE](#) the globalist Council on Foreign Relations' Task Force Report on the North American Union (NAU). Under this scheme, Canada, the US, and Mexico are to be integrated politically and a *Parliament & a militarized and unified police force* are to be set up over the three countries. [This is the “New World Order” which the Bush family & others have been planning. Heidi Cruz was on the Task Force which wrote the Report.]
- The National Constitution Center's Constitution Drafting Project has released three proposed new Constitutions. You can read the proposed new Constitutions [HERE](#). These proposed Constitutions would transfer massive new powers to a new federal gov't, and (among other horrors) would legalize the unconstitutional acts which have been going on for 100 years. *The National Constitution Center is a quasi-official branch of the federal gov't – its website address is <https://www.usa.gov/federal-agencies/national-constitution-center>*

One of these Constitutions, the so-called “Conservative” Constitution, was co-authored by Robert P. George, who is a member of Mark Meckler's COS Legal Advisory Board. This proposed Constitution creates a new federal government & imposes gun control & red flag confiscations (among other horrors): See [THIS](#) & [THIS](#).

13. Warnings of Brilliant Men (Madison, Hamilton, 4 US Supreme Court Justices, and other jurists and legal scholars) against an Article V convention are [HERE](#).

14. [HERE](#) is the Pew Report: Click on your State to find out what percentage of your *State government's* revenue was from federal funds. And that's a pittance compared to the additional federal funds poured into your State to local gov'ts, NGOs, research grants, price supports, welfare programs, social security, Medicare, etc., etc., etc. And all that spending is unconstitutional as outside the scope of the enumerated powers.

15. [HERE](#) is the archived edition of an unofficial source which listed applications for an Article V convention already submitted to Congress by the various State legislatures.

16. [HERE](#) is where James Madison said our Constitution depends on the people having the “virtue and intelligence to select men of virtue and wisdom” to office [scroll down to text at 223].

17. Thomas Jefferson, James Madison, and Alexander Hamilton always said that because the States *created* the federal government [when they ratified the Constitution], the States are the final authority on whether their “creature” has violated the constitutional compact the States made with each other; and that when the fed gov't usurps powers not delegated, each State has *the natural right* to nullify *of their own authority* all such acts of the fed gov't. **The refusal to go along with unconstitutional acts is the remedy our Framers advised when the fed gov't violates the Constitution.**

This is not a mere “constitutional right” created by our Constitution of 1787 – this is the GOD-GIVEN NATURAL RIGHT OF SELF-DEFENSE which pre-dates and pre-exists the Constitution! See [THIS](#).

18. Who is behind the push for an Article V convention? It is the BIG MONEY globalists, primarily the Koch Foundations and George Soros, who are funding the push for an Article V convention. See, e.g.,

- [Kochs Bankroll Move to Rewrite the Constitution](#)
- [George Soros assault on U.S. Constitution](#)
- [Soros in Vermont: Leftist billionaire behind state's call to keep money out of politics](#)
- [Citizens for Self-Governance](#) This goes into detail about the funding and expenditures for one of Mark Meckler's organizations, "Citizens for Self-Governance"
- [Koch brothers from Conservapedia](#)

19. Mark Meckler tells State Legislators that his organizations are funded by grandmas sending him \$5.00 checks out of their paltry monthly incomes. But this paper, [Dark Money—Not the Grassroots—Is Behind the Convention of States Organizations \(COS\)](#), proves that almost 2/3 of the money driving Meckler's effort to get State Legislatures to apply to Congress for a convention under Article V of the US Constitution is coming from major donors *annually* giving Meckler's organizations \$5,000 to \$2,000,000 *each* over the latest 3 years of reporting available. **Why are multi-billionaires trying to get their hands on our Constitution?**

20. [HERE](#) is a Chart from *letusvoteforbba.org* where, by aggregating applications from 1789, 1861 to avert the Civil War, and 1901 for popular election of US Senators *with* later applications for a balanced budget amendment, they claim to have 33 States with active Applications for an Article V convention.

21. [Con-Con legislation filed in Congress is a wake-up call to convention supporters](#) explains & links to [H.C.R. 101](#) and [H.R. 8419](#) (filed July 19, 2022) re calling an Art. V Convention & how the States' applications will be counted. *It's not what the convention pushers have been telling State Legislators.*

22. States better rescind ASAP their existing applications. See: [Bluffing their way to an Article V Convention; Part 1: Validation schemes and Part 2: The best PR money can buy.](#)

Contact me at publiushuldah@gmail.com

February 14, 2023

<https://publiushuldah.wordpress.com/>

Model Convention of States Application/Resolution

Published in Solution Process Volunteer Resources on July 17, 2017 by Convention Of States Project

The Model Convention of States application Resolution provides citizens and legislators with the correct operative language to include in their state's Convention of States resolution. Each state must pass this exact application to aggregate towards the 34 states necessary to call a Convention.

File name:
COS_APPforCOS.pdf

Type:
application/pdf

File Size:
0.47 MB

Direct link:

<https://conventionofstates.com/files/model-convention-of-states-application/download>

except if

8419

passes

DOWNLOAD

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CONGRESS.GOV

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.

117th Congress (2021-2022)

Sponsor: [Rep. Arrington, Jodey C. \[R-TX-19\]](#) (Introduced 07/19/2022)

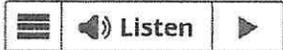
Committees: House - Judiciary; Oversight and Reform

Latest Action: House - 11/01/2022 Referred to the Subcommittee on the Constitution, Civil Rights, and Civil Liberties. ([All Actions](#))

Tracker: ⓘ

Introduced

Summary(1) **Text(1)** Actions(4) Titles(1) Amendments(0) Cosponsors(5) Committees(2) Related Bills(0)



There is one version of the bill. **Text available as:** [XML/HTML](#) | [XML/HTML \(new window\)](#) | [TXT](#) | [PDF \(226KB\)](#) ⓘ

Shown Here:

Introduced in House (07/19/2022)

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:

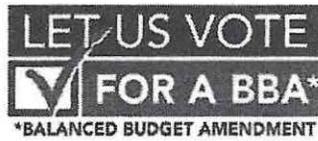
“106c. Duties relating to State applications calling for Article V Conventions.”.

33 Active Article V Applications

	State	Year Passed	Resolution Number			State	Year Passed	Resolution Number
1	Alabama	2011	<u>SJR 100</u>		12	Louisiana	2014	<u>HCR 70</u>
2	Alaska	1982	<u>HJR 17</u>		13	Michigan	2014	<u>SJR V</u>
3	Arizona	2017	<u>HCR 2013</u>		14	Mississippi	1975 2019	<u>HCR 51</u> <u>SCR 596</u>
4	Arkansas	1979	<u>HJR1</u>		15	Missouri	1983	<u>SCR 3</u>
5	Florida	2010 2014	<u>SCR 10</u> <u>SM 658</u>		16	Nebraska	1979 2010	<u>LR 106</u> <u>LR 538</u>
6	Georgia	2014	<u>SR 736</u>		17	New Hampshire	2012	<u>HCR 40</u>
7	Illinois	1861	<u>Joint Resolutions on Federal Relations</u>		18	New Jersey	1861	<u>Joint Resolutions on the state of the Union</u>
8	Indiana	1957 1976	<u>HECR 9</u> <u>SEJR 8</u>		19	New York	1789	<u>House of Representatives J. 36</u>
9	Iowa	1979	<u>SJR 1</u>		20	North Carolina	1979	<u>SJR 1</u>
10	Kansas	1979	<u>SCR 1661</u>		21	North Dakota	2015	<u>HCR 3015</u>
11	Kentucky	1861	<u>HR1</u>		22	Ohio	2013	<u>SJR 5</u>

more than 50 years old more than 100 yrs. old

more than 200 yrs. old



33 Active Article V Applications

	State	Year Passed	Resolution Number			State	Year Passed	Resolution Number
23	Oklahoma	2016	<u>SJR 4</u>		29	Washington	1901	<u>HB 90</u>
24	Oregon	1901	<u>HJR 4</u>		30	Utah	2015	<u>HJR 7</u>
25	Pennsylvania	1976	<u>R 236</u>		31	West Virginia	2016	<u>HCR 36</u>
26	South Dakota	2015	<u>HJR 1001</u>		32	Wyoming	2017	<u>HEJR 2</u>
27	Tennessee	2014	<u>HJR 548</u>		33	Wisconsin	2017	<u>AJR 21</u>
28	Texas	1979	<u>HCR 31</u>					

Dark Money¹—Not the Grassroots—Is Behind the Convention of States Organizations

By Judi Caler



Patriots are rightly concerned that Mark Meckler, lobbyist and President of the Convention of States organizations (COS), has spent tens of millions of dollars spreading misinformation and cajoling State Legislatures into passing applications asking Congress to call a convention under Article V of the U.S. Constitution. Thirty-four States are needed to pass such applications to trigger a constitutional convention, where a new Constitution would likely be proposed, along with an easier mode of ratification. So, who is behind COS?

Meckler tells state legislators that COS is a grassroots movement, funded by thousands of ordinary citizens. In fact, since December, 2017, the COS homepage boasted:

WHO'S BEHIND THIS THING?

The American people. We thought you'd never ask! The Convention of States Project is first and foremost a movement of grassroots citizens who are fed up with business as usual in D.C. We're funded by thousands of everyday patriots who have committed their lives, fortunes, and sacred honor to protecting liberty for future generations.

But Andy Schlafly, attorney and son of conservative icon Phyllis Schlafly, testified at a Pennsylvania hearing on Oct. 22, 2019 against COS's Article V convention application (@ 11:55):

Schlafly: "...[W]ho's funding them? Where's the money coming from? There's a lot of **money** behind this. And they're not disclosing where the money behind this push to change the Constitution is coming from. That should scare everybody in this room. Who are these people who are pushing to rewrite the Constitution? I suspect some of them are globalists, but ask them...it's not disclosed. And I'm certainly not in favor of allowing billionaires who don't disclose their identity...[or] their real agenda...to rewrite our Constitution. That's **not** a good idea."

Meckler, at the same hearing, feigning outrage, fumed (@ 46:11):

¹ Dark money is money donated to politically active nonprofit organizations or anonymous corporate entities, which spend this money to influence political campaigns or other special interests but are not required to reveal their donors.

Meckler: "...[W]ho's funding this? Any of you at any time are welcome to visit our very fancy corporate offices **in my house in Texas. In my personal home office off the kitchen, where all the billionaires apparently come visit me. It's an outrage and a slander.** And this kind of slanderous politics takes this discussion to some place it should not go, which is frankly, it's just slander, and innuendo. It's gutter politics. And I don't believe in it...

"I can tell you who my donors are. See, because the person that raises the money for...this organization is my wife of 26 years who works in the office next to mine, who has raised money from over 80,000 individual grassroots patriots all over this country. So, if those are the millionaires and billionaires that Mr. Schlafly is afraid of, well, he might want to talk to the grandmas who send me checks and say, 'it's five bucks a month out of my fixed income, and I'm sorry I can't afford any more.' Again, an outrageous slander on the tens of thousands of people supporting this movement."

Notice that in one fell swoop, Meckler masterfully deflects attention from the source of his funding, while playing the victim and accusing his opponents of slander.

So, what's the truth? Let's go straight to the tax-exempt returns that Meckler is required to file with the IRS every year. These returns, also known as 990s, are public information and filed by all nonprofits.

The most recent 990s available for Meckler's organizations are for the years 2020, 2019, and 2018. The Meckler organizations appear to include Convention of States Action (COSA); Citizens for Self-Governance (CSG); Citizens for Self-Governance Action (CSG Action); and Defending Liberty, Inc. (DLI). Each year, Meckler filed a 990 return for each entity, as required by law, and signed them under penalty of perjury.

Nonprofits are not required to disclose the identity of their contributors—so all contributors are anonymous, unless the organization chooses to disclose them. That's why the accompanying Schedule B doesn't include the names & addresses of the donors—only the total amount of all donations totaling \$5,000 or more from each numbered donor during the year. Still, those figures are revealing.

Donations of \$5,000 or more to each entity are summarized by year on the accompanying Chart. The source documentation for figures on the Chart can be found mostly on Schedule B of the linked 990s.

Here's the short version:

Between 2018 and 2020, contributions ranging from \$5,000 to \$2,000,000 per donor, to the four entities totaled \$16,751,011, or 63% of the \$26.7 million in contributions reported on Meckler's combined 990s for the 3-year period. And that \$16.7 million was from *at most* 168 unique anonymous persons; thus, their average contribution was almost \$100,000 [$\$16,751,011 \div 168 = \$99,708$].

But likely, Meckler has fewer than 168 major donors, as repeat donors over the 3-year period are to be expected. So, depending upon how many major donors gave in one, two, or three years and/or gave to multiple Meckler entities, the average donation per major donor over the three-year period amounts to *at least \$99,708, and may be more than \$200,000 or \$300,000!* **So, COS isn't a grassroots organization funded from the bottom up by small donors.** Schedule B provides proof that COS's agenda to replace our Constitution is coming mostly from major donors.

Meckler frequently sends out emails asking for money, to his list of unsuspecting patriots. Unsurprisingly, most of his requests are accompanied by an offer from a "generous donor" to match each contribution. The patriots on Meckler's email list probably have no idea that Meckler has been receiving almost two-thirds of his contributions from multi-millionaires and/or billionaires while drawing salaries for himself and his wife totaling hundreds of thousands of dollars annually.

We can only conclude that Meckler is disingenuous when he ridicules the suggestion that his organizations are funded by undisclosed multi-millionaires and billionaires. And while his organizations may well receive some small donations, he denies that the bulk of his money comes from the superrich. And all the while, he yells "slander" with a straight face, and shamelessly conjures up Grandma wishing she could give him more of her paltry income, when asked about the millions in **dark money** he's amassing!

We know why the liquor, drug, and tobacco industries invest millions in lobbyists to influence state legislation. But why would major donors invest millions in COS to bring about a convention to rewrite the U.S. Constitution?

The total amount of money spent over the years by the Meckler organizations to trigger a constitutional convention is astonishing. Meckler needs to be confronted everywhere he goes by opponents, supporters, & legislators alike—and asked why he is hiding the fact that he's working for the superrich. We have a right to know; it's our Constitution they're after!

You can download the 990 forms from the accompanying Chart and copy Schedule B, so you'll have ammo to push back with, the next time Meckler plays the Grandma card.

Meckler Entities Anonymous Major Contributions (≥ \$5,000) for Years 2018 Through 2020					
Meckler Organizations' Forms 990	(A) # of Major Donors (Sched. B)	(B) Total \$ from Major Donors (Sched. B)	(C) Total of all Contributions: Form 990 p.1, line 8	B ÷ C Major Contributions' % of Total	B ÷ A Average Major Donation
<u>COSA 2020</u> <u>47-2245708</u>	55	\$4,112,370	\$7,159,560	57%	\$74,770
<u>COSA 2019</u>	45	3,884,001	6,777,645	57%	86,311
<u>COSA 2018</u>	26	2,239,125	4,872,216	46%	86,120
<u>CSG 2020</u> <u>27-1657203</u>	8	1,016,800	1,622,566	63%	127,100
<u>CSG 2019</u>	13	633,100	961,914	66%	48,700
<u>CSG 2018</u>	13	1,844,815	2,319,810	80%	141,909
<u>CSG Action 2020</u> <u>27-4648506</u>	1	2,000,000	2,000,000	100%	2,000,000
<u>CSG Action 2019</u>	2	305,800	305,800	100%	152,900
<u>CSG Action 2018</u>	2	535,000	581,000	92%	267,500
<u>DLI 2018: 812320022</u> <u>No Rev. 2019-20</u>	3	180,000	180,000	100%	60,000
TOTALS	168	\$16,751,011	\$26,780,511	% of total contributions ≥ \$5,000*	Avg. \$ per Major Donor – at the very least*
*See note below				63%	\$99,708

*Note: \$16,751,011 in major contributions [≥ \$5,000] out of \$26,780,511 total contributions [63%] were reported, from 168 Major Donors giving \$5,000 or more to the above Meckler entities from 2018-2020. Thus, the Average contribution given by a Major Donor was *at the very least* \$99,708 [$\$16,751,011 \div 168$] and may be over \$200,000 or \$300,000—if the same Major Donors contributed in multiple years and/or to multiple Meckler entities.

ARTICLE V CONVENTION OF STATES

Pocket Guide

The Founders' Constitutional Plan for
We the People to Secure America's Future



COS  CONVENTION *of* STATES ACTION

COS
pocket
guide



Pocket Guide

*The Founders' Constitutional Plan for
We the People to Secure America's Future*

PURCHASE A PHYSICAL COPY

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Who Decides?

A MESSAGE FROM COSA PRESIDENT MARK MECKLER

Who gets to decide what's best for you and your family?
Should you have the power to decide?

Or should some out-of-touch bureaucrat in Washington,
D.C., have the power to decide?

It's time we shift the national conversation away from
what government should do to "fix" our problems. It's time
we decide for ourselves whether the federal government
should be involved at all in matters that affect us personally.

No matter the political issue of the day, the establishment
in Washington loves to deliberate on what *they* will do.

They want the American people to ponder, "What will
they decide?"

What will Congress decide about health care? Taxes?
Education? Fiscal responsibility?

Who Decides?



Mark Meckler, President of Convention of States Action

Instead of focusing on the better question: **Who** should decide?

Should the government decide what to do about your health care, or should you and your doctor decide? Should D.C. bureaucrats decide what to do about education, or should you, your spouse, and your children's teachers decide? Should nine Supreme Court Justices decide what constitutes a marriage, or should you, your community, and your state decide?

If you're anything like me, the answer is obvious. It's the same answer our Founding Fathers gave when they drafted the Constitution: we the people should decide, not some far-off, disconnected government run by out-of-touch elites.

The truth is the Washington establishment will never, ever limit its own power. We just can't rely on the politicians who got us into this mess to get us out of it.

We need a solution that will let us go around the Washington political establishment and rein in the out-of-control federal government, *permanently*.

Here at Convention of States Action, we are implementing the solution with the help of a vast family of grassroots patriots just like you.

This solution was hidden in plain sight in Article V of the Constitution, and it's our best and last chance to take the power back from the out-of-control politicians in Washington and safeguard our liberty once and for all.

The booklet you hold in your hands contains our Founding Fathers' antidote and cure for what ails our country.

Take it, read it, and use it as you talk with your friends and family members about this constitutional solution to restore our great nation.

Yours in the fight,



Mark Meckler
President
Convention of States Action

Article V

OF THE U.S. CONSTITUTION

Article V of the Constitution of the United States reads as follows:

“The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, **or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States,** or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.”

Article V of the U.S. Constitution

The history of Article V from the 1787 Convention: “On September 15, as the Convention was reviewing the revisions made by the Committee of Style, George Mason expressed opposition to the provisions limiting the power to propose amendments to Congress. According to the Convention records, Mason thought that ‘no Amendment of the proper kind would ever be obtained by the people, if the Government should become oppressive, as he verily believed would be the case.’ In response, Gouverneur Morris and Elbridge Gerry made a motion to amend the article to reintroduce language requiring that a convention be called when two-thirds of the States applied for an amendment.” [30 *Harvard Journal of Law and Public Policy* 1005, 1007 (2007)]



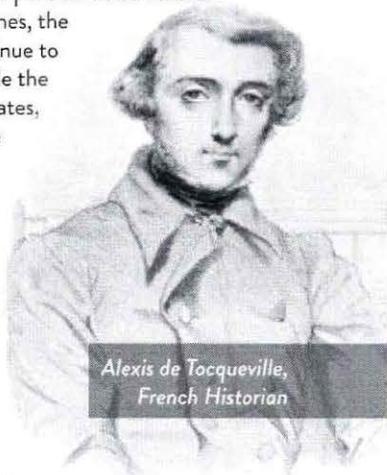
George Mason, Founding Father

Thank God that the Founders were wise enough to give us the second clause of Article V. Their decision was unanimous. The Framers had very little debate about this—and they debated almost everything—because they knew human nature. They had experienced the heavy hand of a tyrannical government. They foresaw a time in the future when such a mechanism would be necessary. Now is that time.

The Problem

WHY A CONVENTION OF STATES?

Washington, D.C., will never voluntarily relinquish its own power, no matter who is elected. The only rational conclusion is this: unless some political force outside of Washington, D.C., intervenes, the federal government will continue to bankrupt this nation, embezzle the legitimate authority of the states, and destroy the liberty of the people. Rather than securing the blessings of liberty for future generations, Washington, D.C., is on a path that will enslave our children and grandchildren to the debts of the past.

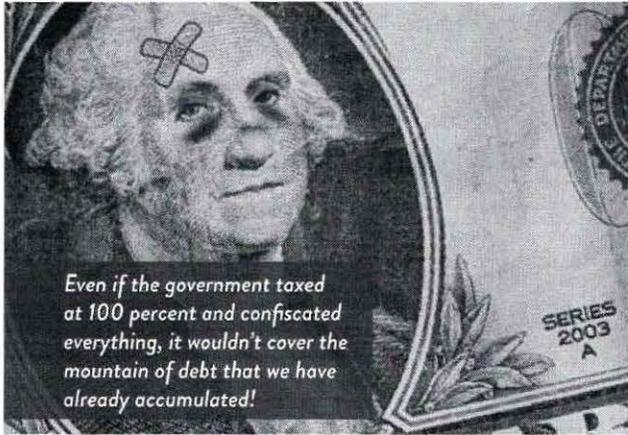


*Alexis de Tocqueville,
French Historian*

We see four major abuses against the people by the federal government. These abuses are not mere instances of bad policy. The federal government has been subjecting us to “soft tyranny” in which the government does not (yet) shatter all men’s wills but regularly

“softens, bends, and guides” them. If we do nothing to halt these abuses, we run the risk of becoming nothing more than “a flock of timid and industrious animals, of which the government is the shepherd.” (Alexis de Tocqueville, Democracy in America, 1840)

3.1 - The Spending and Debt Crisis



America's national debt numbers in tens of trillions of dollars, but it only tells a part of the story. Under standard accounting practices, the federal government actually owes well over \$100 trillion more in vested Social Security benefits and other programs. The government cannot tax its way out of debt. Even if the government taxed at 100

percent and confiscated everything, it wouldn't cover the mountain of debt that we have already accumulated!

3.2 - The Regulatory Crisis

The federal bureaucracy has placed a regulatory burden upon businesses that is complex, conflicted, and crushing. Little accountability exists when agencies—rather than Congress—enact the real substance of the law. Current research shows the annual cost of compliance at about \$2 trillion, roughly equal to all income and corporate taxes combined! Worse, the growth-killing effects of regulation have shrunk economic growth by 25 percent, or \$4 trillion per year.

3.3 - Congressional Attacks on State Sovereignty

Congress has turned state legislatures into their regional agencies rather than respecting them as truly independent republican governments.

For years, Congress has been using federal grants to keep the states under its control. Combining these grants with federal mandates (which are rarely fully funded), Congress has turned state legislatures into their regional agencies rather than respecting them as truly independent republican governments.

A radical social agenda and an invasion of the rights of the people accompany all of this. While significant efforts

have been made to combat this social erosion, these trends defy some of the most important founding principles of federalism and self-governance.

3.4 - Federal Takeover of the Decision-Making Process

The Founders believed that the structures of a limited government would provide the greatest protection of liberty. Not only were there to be checks and balances between the branches of the federal government, power was to be delineated between the states and federal government. The latter was to exercise only those “few and defined” powers specifically granted in the Constitution, while the states’ powers were left “broad and undefined.”

Collusion among decision-makers in Washington, D.C., has replaced these checks and balances. The federal judiciary supports Congress and the White House in their ever-escalating attack upon the jurisdiction of the 50 states.

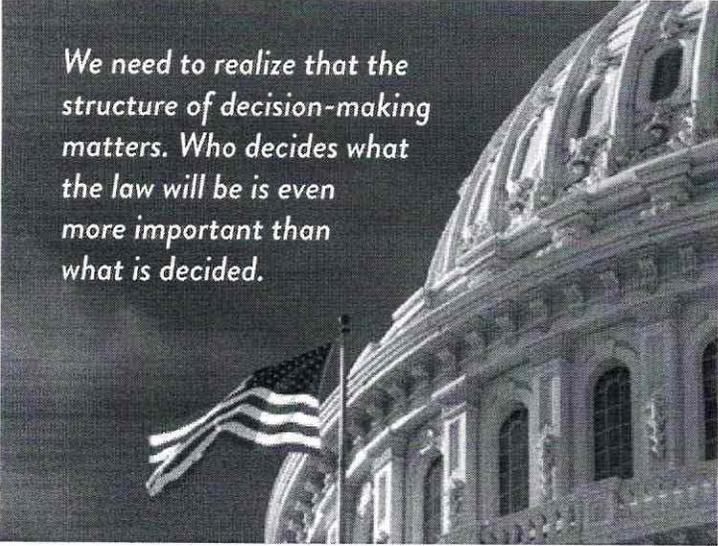
We need to realize that the structure of decision-making matters. Who decides what the law will be is even more important than what is decided. The protection of liberty requires a strict adherence to the principle that the power of the federal government is limited and enumerated. Washington, D.C., does not believe this principle, as evidenced by an unbroken practice of expanding the boundaries of federal power.

CONVENTION OF STATES

The problems are big, but we have a solution as big as those problems. Article V gives us the tool the Founders intended for us to use to fix the mess in D.C.

Article V of the Constitution is our best chance – and our last chance – to take the power back from the out-of-control politicians and bureaucrats in Washington and safeguard our liberty once and for all.

And when the Convention of States convenes, Congress and the Washington bureaucracy will be powerless to stop it.

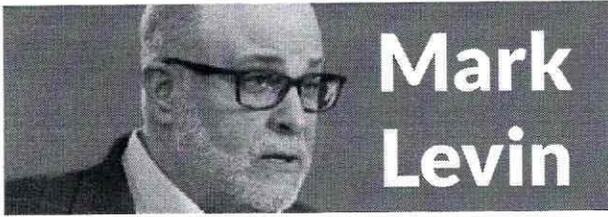


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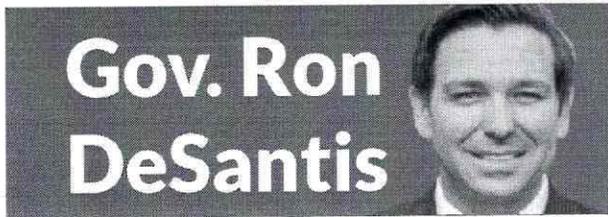
CONVENTION OF STATES

Support

FOR A CONVENTION OF STATES



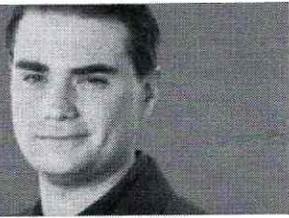
"I have wholeheartedly endorsed the Convention of States Project. I serve on its Legal Board of Reference because they propose a solution as big as the problem."



"The permanent bureaucracy will never voluntarily give up an ounce of its power....I encourage all other state legislatures to support the Convention of States Project and pass the resolution today."

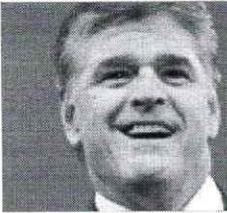
Support for a Convention of States

Ben Shapiro



"We have to hem in the power of Congress and, in many cases, the power of the Executive, before it is too late. Can you imagine the looks on the faces of politicians when they realize they are now legally barred from controlling your life and they can't just live in those offices forever? Calling a Convention of States is the only way to get the job done. Sign the petition and get involved. It's an important cause."

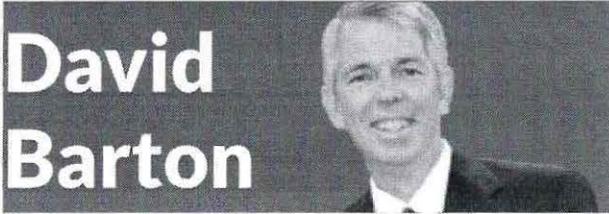
Sean Hannity



"There's a solution in our Constitution. We have the power to call a Convention of States to restrain the size, the power, the scope, and the jurisdiction of the federal government. If you're serious about saving the nation, this is the best way to do it. Join the constitutional revolution with Convention of States Project."



"Americans are sick and tired of the double-talk coming out of Washington. So am I. After serving in the House, the Senate, and as President of the Heritage Foundation, I've finally realized the most important truth of our time: Washington, D.C., will never fix itself. Article V is the only solution."



"I support an Article V Convention of the States. It is time for states to go on the offensive to limit the overreach of the federal government... I urge you to support all of the Constitution, and thus the efforts of the Convention of States to pass their extremely well-thought-out and strategic legislation in your home state and thus join us in a call to restore our constitutional republic."

CONVENTION OF STATES



"Only a Convention of States will give us effective solutions to the abuse of power in Washington, D.C. It is our moral obligation to protect liberty for ourselves and our posterity."



"The Founding Fathers gave us a foolproof way to rein in an over reaching federal government in Article V. If young conservatives want to take back our country, they will join me in supporting the Convention of States Project. A Convention of States is the only constitutional way to limit the power and jurisdiction of the federal government and anyone who wants to give power back to the people will support this growing movement. After all, as we always say at Turning Point, 'Big Government Sucks,' and it's not going to shrink itself."

CONVENTION OF STATES

OTHER NOTABLE SUPPORTERS

- Sheriff David Clarke
- Lt. Col. Bill Cowan
- Ken Cuccinelli
- Rep. Jeff Duncan
- Sen. Ron Johnson
- Andrew McCarthy
- Gov. Sarah Palin
- Thomas Sowell
- Mat Staver
- Steve Hilton
- Gov. Greg Abbott
- Judge Andrew Napolitano
- James O'Keefe
- Sen. Ben Sasse
- Pete Coors
- Steve Deace
- Rep. Mark Meadows
- David Horowitz
- Lawrence Jones
- Sen. Marco Rubio
- Dr. Ben Carson
- Gov. Mike Huckabee
- Gov. Jeb Bush
- Sen. Jim Talent
- Gov. Bobby Jindal
- Rep. Louie Gohmert
- Morton Blackwell
- Randy E. Barnett
- Charles J. Cooper
- Dr. John C. Eastman
- Robert P. George
- C. Boyden Gray
- Cal Thomas



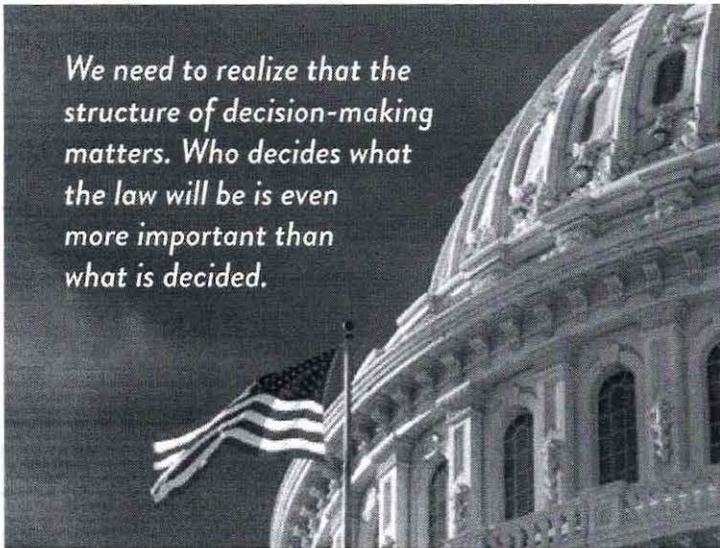
CONVENTION OF STATES

The problems are big, but we have a solution as big as those problems. Article V gives us the tool the Founders intended for us to use to fix the mess in D.C.

Article V of the Constitution is our best chance – and our last chance – to take the power back from the out-of-control politicians and bureaucrats in Washington and safeguard our liberty once and for all.

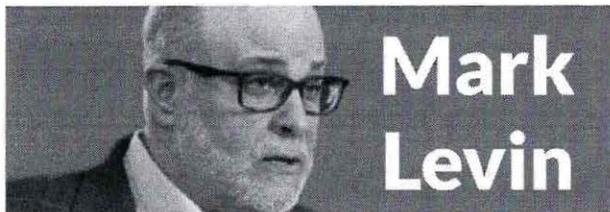
And when the Convention of States convenes, Congress and the Washington bureaucracy will be powerless to stop it.

We need to realize that the structure of decision-making matters. Who decides what the law will be is even more important than what is decided.



Support

FOR A CONVENTION OF STATES



"I have wholeheartedly endorsed the Convention of States Project. I serve on its Legal Board of Reference because they propose a solution as big as the problem."



"The permanent bureaucracy will never voluntarily give up an ounce of its power....I encourage all other state legislatures to support the Convention of States Project and pass the resolution today."

Support for a Convention of States

Answers

TO COMMON QUESTIONS

6.1 - Why Do We Need to Call a Convention of States?

Washington, D.C., is broken. The federal government is spending this country into the ground, seizing power from the states and taking liberty from the people. It's time for we the people to take a stand against tyranny with a coordinated, nationwide effort to curb the unrestrained and growing power of the federal government. The Founders gave us this emergency tool to fix Washington, D.C. We must use it before it is too late. Even when good people go to D.C. as elected officials, they lack the power to fix the structural problems now destroying our country. No change in personnel can fix a structural problem. Only a Convention of States has the power to repair the damage and halt the federal government from eroding the liberties of the sovereign citizens further.

6.2 - What is a Convention of States?

A Convention of States is a convention called by the state legislatures for the purpose of proposing amendments to the Constitution. They are given power to do this under Article V of the Constitution ([see text, page 4](#)). It is

not a constitutional convention. It cannot throw out the Constitution, because it receives its authority from the Constitution. A Convention of States can only propose amendments that fit within the topic of the applications adopted by the state legislatures. So, for example, a Convention that is called to limit the power of the federal government could not propose an amendment to reduce our rights and expand federal power.

6.3 - How Do the State Legislatures Call a Convention of States?

Thirty-four state legislatures must pass a resolution in each chamber of their legislatures (called an "application") calling for a Convention of States. The Convention of States application does not need to be signed by the Governor to be effective. As soon as both chambers of the state legislature pass the application, that state becomes one of the required 34 states calling for a Convention. In order for the applications to be aggregated (counted together towards the 34-state threshold), they must all cover the same topic or set of topics for a Convention. [The Convention of States model application is included on page 29.](#)

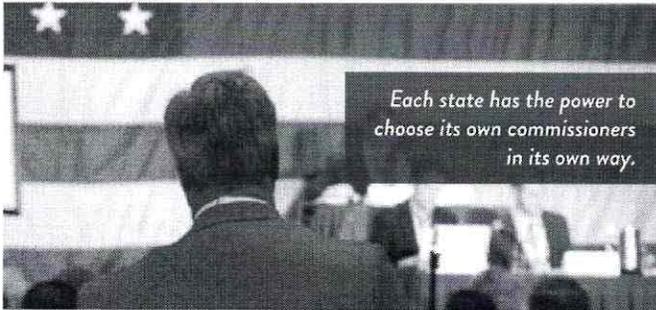
6.4 - Can Congress Block a Convention of States?

No. As long as each of the 34 states applies for a Convention that deals with the same issue (e.g., limiting the power and jurisdiction of the federal government), Congress must call the Convention. Congress's ministerial

duty is to name the place and the time for the Convention. If it fails to exercise this power reasonably, the states themselves can and will override congressional inaction.

6.5 - How Do States Choose Their Delegates?

States are free to develop their own selection process for choosing their delegates – properly called “commissioners.” Historically, the most common method used was an election by a joint session of both chambers of the state legislature. This is true federalism in action. Each state has the power to choose its own commissioners in its own way.



6.6 - What Happens at a Convention of States?

Each state's delegation participates in discussing, drafting, and voting on amendment proposals germane to the topic(s) stated in the 34 applications that triggered the Convention. According to historical precedent, each state

has one vote at the convention. Amendments sent to the states are merely suggestions, and have no authority until ratified by the states.

6.7 - How are Proposed Amendments Ratified?

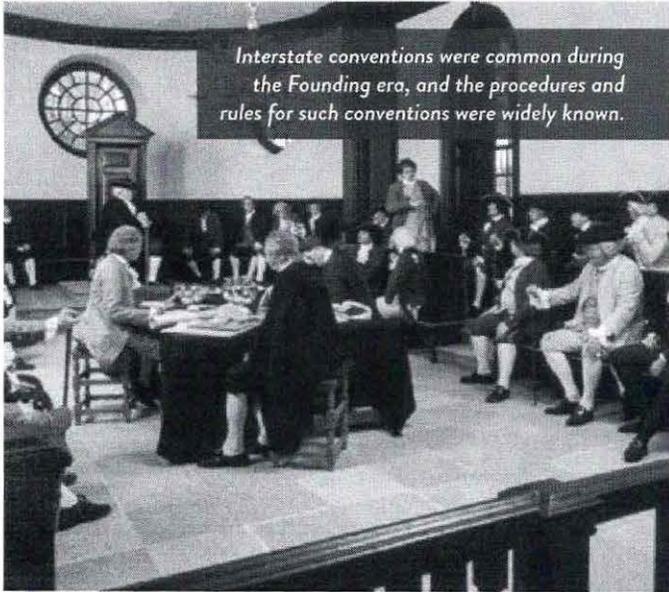
Thirty-eight states must ratify any proposed amendments before they become part of the Constitution. Each proposed amendment is ratified separately by the states even if proposed as a package (like the Bill of Rights). Ratification may be done by state legislatures or by state ratification conventions, which represent the people more directly. Historically, ratification has been by state legislatures, with the exception of the Twenty-First Amendment, which was ratified by state conventions.

6.8 - How Do We Know How a Convention of States Will Work?

Interstate conventions were common during the Founding era, and the procedures and rules for such conventions were widely known. Additionally, there have been many interstate conventions since the Founding era, all operating on similar rules. We can know how a Convention of States would operate by studying the historical record. The recent Convention of States Simulation (held in Williamsburg, Virginia, in September of 2016) proved that these well-established procedures would be followed by any Convention of States held today (see page 32 for a summary of that event).

6.9 - Is a Convention of States Safe?

Yes. The convention's authority is limited to that conferred upon it by the state legislatures. Furthermore, the ratification process ensures that amendments that do not reflect the desires of the American people will not be passed. ([Read more detailed responses to specific objections to a Convention of States on page 23 of this booklet.](#))



CONVENTION OF STATES

Overcoming Objections

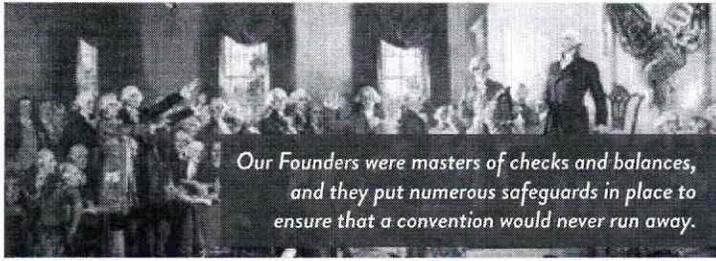
FROM THE OPPOSITION

Objection 1: What happens if a Convention of States becomes a “runaway convention” and takes away our hard-won liberties?

Answer: Despite a common myth promoted by some groups beginning in the 1960s, there is absolutely no precedent for a “runaway convention.” There have been at least 38 multi-state conventions in American history and not a single one has “run away.”

Our Founders were masters of checks and balances, and they put numerous safeguards in place to ensure that a Convention would never run away. The most important of these safeguards is the requirement that 38 states ratify any proposal coming out of the Convention before any change is made to the Constitution. It is politically impossible for any change to be made to our Constitution that does not enjoy the overwhelming support of the American people. As respected

constitutional scholar Professor Robert Natelson has pointed out, "There are far more checks on a runaway convention than on a runaway Congress."



Objection 2: Didn't the original Constitutional Convention run away?

Answer: No, this is another myth that has been spread to justify judicial activism and other unconstitutional changes to our system of government. The entire claim that the Constitutional Convention ran away is based on the false idea that Congress called the Constitutional Convention for the sole purpose of amending the Articles of Confederation. But that's not true. In fact, under the Articles of Confederation, Congress had no authority to call a convention. If you look at the historical records, it was actually Virginia that called the Constitutional Convention in October 1786. Virginia called the Convention for the purpose of "render[ing] the Federal Constitution [system of government] adequate to the Exigencies of the Union," an instruction that certainly included proposing

CONVENTION OF STATES

Objection 5: Article V says Congress “calls” the Convention. Doesn’t this mean Congress will control the Convention?

Answer: No, Congress’s role is limited to issuing the “call” which sets the date, time, and location of the meeting once it receives 34 applications for a Convention on the same topic. In legal terms, this is referred to as a “ministerial” role. In this role, Congress is acting in a limited administrative capacity on behalf of the states. It has no authority beyond that, including no control over the delegates.



Objection 6: At a time of extreme gerrymandering and in an environment of unlimited political spending, wouldn’t a Convention of States open up the Constitution and our system of government to being rewritten by special interest groups and the wealthy?

CONVENTION OF STATES

Answer: No. Over 400 applications for a Convention of States have been filed, but we have never had one because there have never been 34 applications seeking a Convention for the same purpose. This demonstrates that the purpose or scope specified in the applications does matter. States can instruct their respective delegates to entertain a narrower scope than what is within the aggregated application, but they cannot broaden the topic beyond that identified in the 34 passed applications.

Objection 7: Why is the opposition to a Convention of States issuing dire warnings about its potential for national disaster?

Answer: Nearly all opposition comes from the hard left, as was revealed in April of 2017. Led by the George Soros-funded Common Cause, a coalition of radically anti-constitutional activist groups united in their opposition to this constitutional solution. The nearly 250 signers include the AFL-CIO, Planned Parenthood, Greenpeace, La Raza, the NAACP, and Clinton-founded groups like MoveOn.org. These nearly 250 groups depend on a corrupt, runaway federal government to preserve their power, fill their coffers with taxpayer dollars, and advance their radical agendas. This kind of organized opposition means one thing: We are right above the target and they know it. These organizations share one goal: Keep the disastrous status quo of our federal government unchanged. A Convention of States is the only way to stop them.

Convention of States

MODEL APPLICATION

The COS application limits what can be proposed at a Convention of States.

The subject areas that can be considered at a Convention of States are strictly limited to those specified in the official applications submitted by all 34 (or more) states. Section 1 of the application for a Convention of States was carefully worded to specify such limits. It reads:

Section 1. The legislature of the State of _____ hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a Convention of the States limited to proposing amendments to the Constitution of the United States that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress.

Any amendment submitted by the Convention of States which goes beyond the scope plainly stated in Section 1 cannot be considered for ratification by the states.

Amendments

TO CONSIDER AT A CONVENTION OF STATES

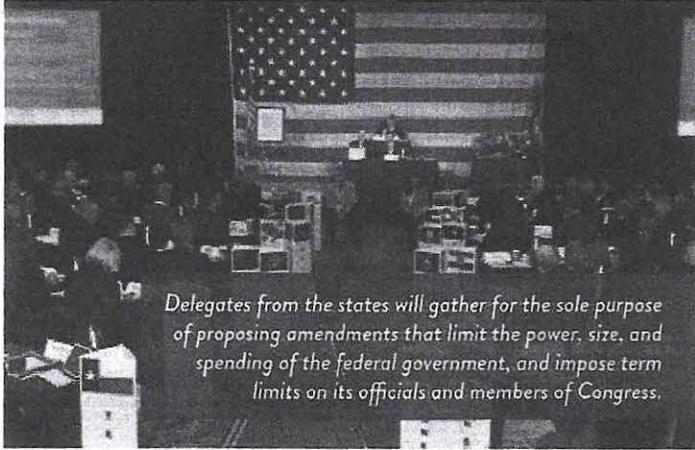
At an Article V Convention of States, delegates will have the opportunity to debate and pass amendments that could:

- Limit Supreme Court Justices to nine members.
- Prevent the addition of states without the affirmative consent of three quarters of the existing states.
- Require members of Congress to live under the same laws they pass for the rest of us.
- Impose term limits on members of Congress.
- Require a balanced federal budget.
- Impose limits on federal spending and/or taxation.
- Get the federal government out of our healthcare system.
- Get the federal government out of our education system.
- Stop unelected federal bureaucrats from imposing regulations.

Amendments to Consider at a Convention of States

- Set term limits for federal bureaucrats, ending the dominance of the "swamp."
- Remove the authority of the federal government over state energy policy.
- Force the federal government to honor its commitment to return federal lands to the states.

At this Convention, delegates from the states will gather for the sole purpose of proposing amendments that limit the power, size, and spending of the federal government, and impose term limits on its officials and members of Congress.



CONVENTION OF STATES

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Constitutional Convention & Conference of States

Proposed Constitution for the Newstates of America

This transcript of the Proposed Constitution for the Newstates of America was transferred from Col. Arch Roberts' website at [Committee to Restore the Constitution](#). When possible, we transfer whole files — always giving credit to its source — in the event a website with pertinent information may be discontinued. — Jackie

A CONSTITUTION FOR THE NEWSTATES OF AMERICA, from the book, THE EMERGING CONSTITUTION by Rexford G. Tugwell, published 1974 (Harper & Row: \$20.00) illustrates with chilling clarity the final objective of regional governance conspirators. The goal is a corporate state concentrating economic, political and social powers in the hands of a ruling elite. "A Constitution for the Newstates of America", is the fortieth version of this revolutionary document prepared by a team of social experimenters at the CENTER FOR THE STUDY OF DEMOCRATIC INSTITUTIONS, Fund for the Republic (Ford Foundation), Post Office Box 4068, Santa Barbara, California 93103.

The Center, its first objective accomplished, has appointed socialist-oriented University of Denver Chancellor Maurice B. Mitchell as its new head and may merge with the Aspen Institute for Humanistic Studies, a Colorado-based world government policy promotion agency.

Aspen Institute Chairman is Robert O. Anderson, chief executive officer, Atlantic Richfield Company; member, Committee for Economic Development (laid ground work for regional government), and advisory board member, Institute for International Education. Anderson is the principal figure in campaign aimed at seizing control of the National Rifle Association.

Constitution for the Newstates of America

PREAMBLE

So that we may join in common endeavors, welcome the future in good order, and create an adequate and self-repairing government - we, the people, do establish the Newstates of America, herein provided to be ours, and do ordain this Constitution whose supreme law it shall be until the time prescribed for it shall have run.

ARTICLE I

Rights and Responsibilities

A. Rights

SECTION 1. Freedom of expression, of communication, of movement, of assembly, or of petition shall not be abridged except in declared emergency.

SECTION 2. Access to information possessed by governmental agencies shall not be denied except in the interest of national security; but communications among officials necessary to decisionmaking shall be privileged.

SECTION 3. Public communicators may decline to reveal sources of information, but shall be responsible for hurtful disclosures.

SECTION 4. The privacy of individuals shall be respected; searches and seizures shall be made only on judicial warrant; persons shall be pursued or questioned only for the prevention of crime or the apprehension of suspected criminals, and only according to rules established under law.

SECTION 5. There shall be no discrimination because of race, creed, color, origin, or sex. The Court of Rights and Responsibilities may determine whether selection for various occupations has been discriminatory.

SECTION 6. All persons shall have equal protection of the laws, and in all electoral procedures the vote of every eligible citizen shall count equally with others.

SECTION 7. It shall be public policy to promote discussion of public issues and to encourage peaceful public gatherings for this purpose. Permission to hold such gatherings shall not be denied, nor shall they be interrupted, except in declared emergency or on a showing of imminent danger to public order and on judicial warrant.

SECTION 8. The practice of religion shall be privileged; but no religion shall be imposed by some on others, and none shall have public support.

SECTION 9. Any citizen may purchase, sell, lease, hold, convey, and inherit real and personal property, and shall benefit equally from all laws for security in such transactions.

SECTION 10. Those who cannot contribute to productivity shall be entitled to a share of the national product; but distribution shall be fair and the total may not exceed the amount for this purpose held in the National Sharing Fund.

SECTION 11. Education shall be provided at public expense for those who meet appropriate tests of eligibility.

SECTION 12. No person shall be deprived of life, liberty, or property without due process of law. No property shall be taken without compensation.

SECTION 13. Legislatures shall define crimes and conditions requiring restraint, but confinement shall not be for punishment; and, when possible, there shall be preparation for return to freedom.

SECTION 14. No person shall be placed twice in jeopardy for the same offense.

SECTION 15. Writs of habeas corpus shall not be suspended except in declared emergency.

SECTION 16. Accused persons shall be informed of charges against them, shall have a speedy trial, shall have reasonable bail, shall be allowed to confront witnesses or to call

others, and shall not be compelled to testify against themselves; at the time of arrest they shall be informed of their right to be silent and to have counsel, provided, if necessary, at public expense; and courts shall consider the contention that prosecution may be under an invalid or unjust statute.

B. Responsibilities

SECTION 1. Each freedom of the citizen shall prescribe a corresponding responsibility not to diminish that of others: of speech, communication, assembly, and petition, to grant the same freedom to others; of religion, to respect that of others; of privacy, not to invade that of others; of the holding and disposal of property, the obligation to extend the same privilege to others.

SECTION 2. Individuals and enterprises holding themselves out to serve the public shall serve all equally and without intention to misrepresent, conforming to such standards as may improve health and welfare.

SECTION 3. Protection of the law shall be repaid by assistance in its enforcement; this shall include respect for the procedures of justice, apprehension of lawbreakers, and testimony at trial.

SECTION 4. Each citizen shall participate in the processes of democracy, assisting in the selection of officials and in the monitoring of their conduct in office.

SECTION 5. Each shall render such services to the nation as may be uniformly required by law, objection by reason of conscience being adjudicated as hereinafter provided; and none shall expect or may receive special privileges unless they be for a public purpose defined by law.

SECTION 6. Each shall pay whatever share of governmental costs is consistent with fairness to all.

SECTION 7. Each shall refuse awards or titles from other nations or their representatives except as they be authorized by law.

SECTION 8. There shall be a responsibility to avoid violence and to keep the peace; for this reason the bearing of arms or the possession of lethal weapons shall be confined to the police, members of the armed forces, and those licensed under law.

SECTION 9. Each shall assist in preserving the endowments of nature and enlarging the inheritance of future generations.

SECTION 10. Those granted the use of public lands, the air, or waters shall have a responsibility for using these resources so that, if irreplaceable, they are conserved and, if replaceable, they are put back as they were.

SECTION 11. Retired officers of the armed forces, of the senior civil service, and of the Senate shall regard their service as a permanent obligation and shall not engage in enterprise seeking profit from the government.

SECTION 12. The devising or controlling of devices for management or technology shall establish responsibility for resulting costs.

SECTION 13. All rights and responsibilities defined herein shall extend to such associations of citizens as may be authorized by law.

ARTICLE II

The Newstates

SECTION 1. There shall be Newstates, each comprising no less than 5 percent of the whole population. Existing states may continue and may have the status of Newstates if the Boundary Commission, hereinafter provided, shall so decide. The Commission shall be guided in its recommendations by the probability of accommodation to the conditions for effective government. States electing by referendum to continue if the Commission recommend otherwise shall nevertheless accept all Newstate obligations.

SECTION 2. The Newstates shall have constitutions formulated and adopted by processes hereinafter prescribed.

SECTION 3. They shall have Governors, legislatures, and planning, administrative, and judicial systems.

SECTION 4. Their political procedures shall be organized and supervised by electoral Overseers; but their elections shall not be in years of presidential election.

SECTION 5. The electoral apparatus of the Newstates of America shall be available to them, and they may be allotted funds under rules agreed to by the national Overseer; but expenditures may not be made by or for any candidate except they be approved by the Overseer; and requirements of residence in a voting district shall be no longer than thirty days.

SECTION 6. They may charter subsidiary governments, urban or rural, and may delegate to them powers appropriate to their responsibilities.

SECTION 7. They may lay, or may delegate the laying of, taxes; but these shall conform to the restraints stated hereinafter for the Newstates of America.

SECTION 8. They may not tax exports, may not tax with intent to prevent imports, and may not impose any tax forbidden by laws of the Newstates of America; but the objects appropriate for taxation shall be clearly designated.

SECTION 9. Taxes on land may be at higher rates than those on its improvements.

SECTION 10. They shall be responsible for the administration of public services not reserved to the government of the Newstates of America, such activities being concerted with those of corresponding national agencies, where these exist, under arrangements common to all.

SECTION 11. The rights and responsibilities prescribed in this Constitution shall be effective in the Newstates and shall be suspended only in emergency when declared by Governors and not disapproved by the Senate of the Newstates of America.

SECTION 12. Police powers of the Newstates shall extend to all matters not reserved to the Newstates of America; but preempted powers shall not be impaired.

SECTION 13. Newstates may not enter into any treaty, alliance, confederation, or agreement unless approved by the Boundary Commission hereinafter provided.

They may not coin money, provide for the payment of debts in any but legal tender, or make any charge for inter-Newstate services. They may not enact ex post facto laws or ones impairing the obligation of contracts.

SECTION 14. Newstates may not impose barriers to imports from other jurisdictions or impose any hindrance to citizens' freedom of movement.

SECTION 15. If governments of the Newstates fail to carry out fully their constitutional duties, their officials shall be warned and may be required by the Senate, on the recommendation of the Watchkeeper, to forfeit revenues from the Newstates of America.

ARTICLE III

The Electoral Branch

SECTION 1. To arrange for participation by the electorate in the determination of policies and the selection of officials, there shall be an Electoral Branch.

SECTION 2. An Overseer of electoral procedures shall be chosen by majority of the Senate and may be removed by a two-thirds vote. It shall be the Overseer's duty to supervise the organization of national and district parties, arrange for discussion among them, and provide for the nomination and election of candidates for public office. While in office the Overseer shall belong to no political organization; and after each presidential election shall offer to resign.

SECTION 3. A national party shall be one having had at least a 5 percent affiliation in the latest general election; but a new party shall be recognized when valid petitions have been signed by at least 2 percent of the voters in each of 30 percent of the districts drawn for the House of Representatives. Recognition shall be suspended upon failure to gain 5 percent of the votes at a second election, 10 percent at a third, or 15 percent at further elections.

District parties shall be recognized when at least 2 percent of the voters shall have signed petitions of affiliation; but recognition shall be withdrawn upon failure to attract the same percentages as are necessary for the continuance of national parties.

SECTION 4. Recognition by the Overseer shall bring parties within established regulations and entitle them to common privileges.

SECTION 5. The Overseer shall promulgate rules for party conduct and shall see that fair practices are maintained, and for this purpose shall appoint deputies in each district and shall supervise the choice, in district and national conventions, of party administrators. Regulations and appointments may be objected to by the Senate.

SECTION 6. The Overseer, with the administrators and other officials, shall:

- a. Provide the means for discussion, in each party, of public issues, and, for this purpose, ensure that members have adequate facilities for participation.
- b. Arrange for discussion, in annual district meetings, of the President's views, of the findings of the Planning Branch, and such other information as may be pertinent for enlightened political discussion.
- c. Arrange, on the first Saturday in each month, for enrollment, valid for one year, of voters at convenient places.

SECTION 7. The Overseer shall also:

- a. Assist the parties in nominating candidates for district members of the House of Representatives each three years; and for this purpose designate one hundred districts, each with a similar number of eligible voters, redrawing districts after each election. In these

there shall be party conventions having no more than three hundred delegates, so distributed that representation of voters be approximately equal.

Candidates for delegate may become eligible by presenting petitions signed by two hundred registered voters. They shall be elected by party members on the first Tuesday in March, those having the largest number of votes being chosen until the three hundred be complete. Ten alternates shall also be chosen by the same process.

District conventions shall be held on the first Tuesday in April. Delegates shall choose three candidates for membership in the House of Representatives, the three having the most votes becoming candidates.

b. Arrange for the election each three years of three members of the House of Representatives in each district from among the candidates chosen in party conventions, the three having the most votes to be elected.

SECTION 8. The Overseer shall also:

a. Arrange for national conventions to meet nine years after previous presidential elections, with an equal number of delegates from each district, the whole number not to exceed one thousand.

Candidates for delegates shall be eligible when petitions signed by five hundred registered voters have been filed. Those with the most votes, together with two alternates, being those next in number of votes, shall be chosen in each district.

b. Approve procedures in these conventions for choosing one hundred candidates to be members-at-large of the House of Representatives, whose terms shall be coterminous with that of the President. For this purpose delegates shall file one choice with convention officials. Voting on submissions shall proceed until one hundred achieve 10 percent, but not more than three candidates may be resident in any one district; if any district have more than three, those with the fewest votes shall be eliminated, others being added from the districts having less than three, until equality be reached. Of those added, those having the most votes shall be chosen first.

c. Arrange procedures for the consideration and approval of party objectives by the convention.

d. Formulate rules for the nomination in these conventions of candidates for President and Vice-Presidents when the offices are to fall vacant, candidates for nomination to be recognized when petitions shall have been presented by one hundred or more delegates, pledged to continue support until candidates can no longer win or until they consent to withdraw. Presidents and Vice-Presidents, together with Representatives-at-large, shall submit to referendum after serving for three years, and if they are rejected, new conventions shall be held within one month and candidates shall be chosen as for vacant offices.

Candidates for President and Vice-Presidents shall be nominated on attaining a majority.

e. Arrange for the election on the first Tuesday in June, in appropriate years, of new candidates for President and Vice-Presidents, and members-at-large of the House of Representatives, all being presented to the nation's voters as a ticket; if no ticket achieve a majority, the Overseer shall arrange another election, on the third Tuesday in June, between the two persons having the most votes; and if referendum so determine he shall provide similar arrangements for the nomination and election of candidates.

In this election, the one having the most votes shall prevail.

SECTION 9. The Overseer shall also:

a. Arrange for the convening of the national legislative houses on the fourth Tuesday of July.

b. Arrange for inauguration of the President and Vice-Presidents on the second Tuesday of August.

SECTION 10. All costs of electoral procedures shall be paid from public funds, and there shall be no private contributions to parties or candidates; no contributions or expenditures for meetings, conventions, or campaigns shall be made; and no candidate for office may make any personal expenditures unless authorized by a uniform rule of the Overseer; and persons or groups making expenditures, directly or indirectly, in support of prospective candidates shall report to the Overseer and shall conform to his regulations.

SECTION 11. Expenses of the Electoral Branch shall be met by the addition of one percent to the net annual taxable income returns of taxpayers, this sum to be held by the Chancellor of Financial Affairs for disposition by the Overseer.

Funds shall be distributed to parties in proportion to the respective number of votes cast for the President and Governors at the last election, except that new parties, on being recognized, shall share in proportion to their number. Party administrators shall make allocations to legislative candidates in amounts proportional to the party vote at the last election.

Expenditures shall be audited by the Watchkeeper; and sums not expended within four years shall be returned to the Treasury.

It shall be a condition of every communications franchise that reasonable facilities shall be available for allocations by the Overseer.

ARTICLE IV

The Planning Branch

SECTION 1. There shall be a Planning Branch to formulate and administer plans and to prepare budgets for the uses of expected income in pursuit of policies formulated by the processes provided herein.

SECTION 2. There shall be a National Planning Board of fifteen members appointed by the President; the first members shall have terms designated by the President of one to fifteen years, thereafter one shall be appointed each year; the President shall appoint a Chairman who shall serve for fifteen years unless removed by him.

SECTION 3. The Chairman shall appoint, and shall supervise, a planning administrator, together with such deputies as may be agreed to by the Board.

SECTION 4. The Chairman shall present to the Board six- and twelve-year development plans prepared by the planning staff. They shall be revised each year after public hearings, and finally in the year before they are to take effect. They shall be submitted to the President on the fourth Tuesday in July for transmission to the Senate on September 1 with his comments.

If members of the Board fail to approve the budget proposals by the forwarding date, the Chairman shall nevertheless make submission to the President with notations of reservation by such members. The President shall transmit this proposal, with his comments, to the House of Representatives on September 1.

SECTION 5. It shall be recognized that the six- and twelve-year development plans represent national intentions tempered by the appraisal of possibilities. The twelve-year plan shall be a general estimate of probable progress, both governmental and private; the six-year plan shall be more specific as to estimated income and expenditure and shall take account of necessary revisions.

The purpose shall be to advance, through every agency of government, the excellence of national life. It shall be the further purpose to anticipate innovations, to estimate their impact, to assimilate them into existing institutions, and to moderate deleterious effects on the environment and on society.

The six- and twelve-year plans shall be disseminated for discussion and the opinions expressed shall be considered in the formulation of plans for each succeeding year with special attention to detail in proposing the budget.

SECTION 6. For both plans an extension of one year into the future shall be made each year and the estimates for all other years shall be revised accordingly. For nongovernmental activities the estimate of developments shall be calculated to indicate the need for enlargement or restriction.

SECTION 7. If there be objection by the President or the Senate to the six- or twelve-year plans, they shall be returned for restudy and resubmission. If there still be differences, and if the President and the Senate agree, they shall prevail. If they do not agree, the Senate shall prevail and the plan shall be revised accordingly.

SECTION 8. The Newstates, on June 1, shall submit proposals for development to be considered for inclusion in those for the Newstates of America. Researches and administration shall be delegated, when convenient, to planning agencies of the Newstates.

SECTION 9. There shall be submissions from private individuals or from organized associations affected with a public interest, as defined by the Board. They shall report intentions to expand or contract, estimates of production and demand, probable uses of resources, numbers expected to be employed, and other essential information.

SECTION 10. The Planning Branch shall make and have custody of official maps, and these shall be documents of reference for future developments both public and private; on them the location of facilities, with extension indicated, and the intended use of all areas shall be marked out.

Official maps shall also be maintained by the planning agencies of the Newstates, and in matters not exclusively national the National Planning Board may rely on these.

Undertakings in violation of official designation shall be at the risk of the venturer, and there shall be no recourse; but losses from designations after acquisition shall be recoverable in actions before the Court of Claims.

SECTION 11. The Planning Branch shall have available to it funds equal to one-half of one percent of the approved national budget (not including debt services or payments from trust funds). They shall be held by the Chancellor of Financial Affairs and expended

according to rules approved by the Board; but funds not expended within six years shall be available for other uses.

SECTION 12. Allocations may be made for the planning agencies of the Newstates; but only the maps and plans of the national Board, or those approved by them, shall have status at law.

SECTION 13. In making plans, there shall be due regard to the interests of other nations and such cooperation with their intentions as may be approved by the Board.

SECTION 14. There may also be cooperation with international agencies and such contributions to their work as are not disapproved by the President.

ARTICLE V

The Presidency

SECTION 1. The President of the Newstates of America shall be the head of government, shaper of its commitments, expositor of its policies, and supreme commander of its protective forces; shall have one term of nine years, unless rejected by 60 percent of the electorate after three years; shall take care that the nation's resources are estimated and are apportioned to its more exigent needs; shall recommend such plans, legislation, and action as may be necessary; and shall address the legislators each year on the state of the nation, calling upon them to do their part for the general good.

SECTION 2. There shall be two Vice-Presidents elected with the President; at the time of taking office the President shall designate one Vice-President to supervise internal affairs; and one to be deputy for general affairs. The deputy for general affairs shall succeed if the presidency be vacated; the Vice-President for internal affairs shall be second in succession. If either Vice-President shall die or be incapacitated, the President, with the consent of the Senate, shall appoint a successor. Vice-Presidents shall serve during an extended term with such assignments as the President may make.

If the presidency fall vacant through the disability of both Vice-Presidents, the Senate shall elect successors from among its members to serve until the next general election.

With the Vice-Presidents and other officials the President shall see to it that the laws are faithfully executed and shall pay attention to the findings and recommendations of the Planning Board, the National Regulatory Board, and the Watchkeeper in formulating national policies.

SECTION 3. Responsible to the Vice-President for General Affairs there shall be Chancellors of External, Financial, Legal, and Military Affairs.

The Chancellor of External Affairs shall assist in conducting relations with other nations.

The Chancellor of Financial Affairs shall supervise the nation's financial and monetary systems, regulating its capital markets and credit-issuing institutions as they may be established by law; and this shall include lending institutions for operations in other nations or in cooperation with them, except that treaties may determine their purposes and standards.

The Chancellor of Legal Affairs shall advise governmental agencies and represent them before the courts.

The Chancellor of Military Affairs shall act for the presidency in disposing all armed forces except militia commanded by governors; but these shall be available for national service at the President's convenience.

Except in declared emergency, the deployment of forces in far waters or in other nations without their consent shall be notified in advance to a national security committee of the Senate hereinafter provided.

SECTION 4. Responsible to the Vice-President for Internal Affairs there shall be chancellors of such departments as the President may find necessary for performing the services of government and are not rejected by a two-thirds vote when the succeeding budget is considered.

SECTION 5. Candidates for the presidency and the vice-presidencies shall be natural-born citizens. Their suitability may be questioned by the Senate within ten days of their nomination, and if two-thirds of the whole agree, they shall be ineligible and a nominating convention shall be reconvened. At the time of his nomination no candidate shall be a member of the Senate and none shall be on active service in the armed forces or a senior civil servant.

SECTION 6. The President may take leave because of illness or for an interval of relief, and the Vice-President in charge of General Affairs shall act. The President may resign if the Senate agree; and, if the term shall have more than two years to run, the Overseer shall arrange for a special election for President and Vice-President.

SECTION 7. The Vice-Presidents may be directed to perform such ministerial duties as the President may find convenient; but their instructions shall be of record, and their actions shall be taken as his deputy.

SECTION 8. Incapacitation may be established without concurrence of the President by a three-quarters vote of the Senate, whereupon a successor shall become Acting President until the disability be declared, by a similar vote, to be ended or to have become permanent. Similarly the other Vice-President shall succeed if a predecessor die or be disabled. Special elections, in these contingencies, may be required by the Senate.

Acting Presidents may appoint deputies, unless the Senate object, to assume their duties until the next election.

SECTION 9. The Vice-Presidents, together with such other officials as the President may designate from time to time, may constitute a cabinet or council; but this shall not include officials of other branches.

SECTION 10. Treaties or agreements with other nations, negotiated under the President's authority, shall be in effect unless objected to by a majority of the Senate within ninety days. If they are objected to, the President may resubmit and the Senate reconsider. If a majority still object, the Senate shall prevail.

SECTION 11. All officers, except those of other branches, shall be appointed and may be removed by the President. A majority of the Senate may object to appointments within sixty days, and alternative candidates shall be offered until it agrees.

SECTION 12. The President shall notify the Planning Board and the House of Representatives, on the fourth Tuesday in June, what the maximum allowable expenditures for the ensuing fiscal year shall be.

The President may determine to make expenditures less than provided in appropriations; but, except in declared emergency, none shall be made in excess of appropriations. Reduction shall be because of changes in requirements and shall not be such as to impair the integrity of budgetary procedures.

SECTION 13. There shall be a Public Custodian, appointed by the President and removable by him, who shall have charge of properties belonging to the government, but not allocated to specific agencies, who shall administer common public services, shall have charge of building construction and rentals, and shall have such other duties as may be designated by the President or the designated Vice-Presidents.

SECTION 14. There shall be an Intendant responsible to the President who shall supervise Offices for Intelligence and Investigation; also an Office of Emergency Organization with the duty of providing plans and procedures for such contingencies as can be anticipated.

The Intendant shall also charter nonprofit corporations (or foundations), unless the President shall object, determined by him to be for useful public purposes. Such corporations shall be exempt from taxation but shall conduct no profitmaking enterprises.

SECTION 15. The Intendant shall also be a counselor for the coordination of scientific and cultural experiments, and for studies within the government and elsewhere, and for this purpose shall employ such assistance as may be found necessary.

SECTION 16. Offices for other purposes may be established and may be discontinued by presidential order within the funds allocated in the procedures of appropriation.

ARTICLE VI

The Legislative Branch

(The Senate and the House of Representatives)

A. The Senate

SECTION 1. There shall be a Senate with membership as follows: If they so desire, former Presidents, Vice-Presidents, Principal Justices, Overseers, Chairmen of the Planning and Regulatory Boards, Governors having had more than seven years' service, and unsuccessful candidates for the presidency and vice-presidency who have received at least 30 percent of the vote. To be appointed by the President, three persons who have been Chancellors, two officials from the civil services, two officials from the diplomatic services, two senior military officers, also one person from a panel of three, elected in a process approved by the Overseer, by each of twelve such groups or associations as the President may recognize from time to time to be nationally representative, but none shall be a political or religious group, no individual selected shall have been paid by any private interest to influence government, and any association objected to by the Senate shall not be recognized. Similarly, to be appointed by the Principal Justice, two persons distinguished in public law and two former members of the High Courts or the Judicial Council. Also, to be elected by the House of Representatives, three members who have served six or more years.

Vacancies shall be filled as they occur.

SECTION 2. Membership shall continue for life, except that absences not provided for by rule shall constitute retirement, and that Senators may retire voluntarily.

SECTION 3. The Senate shall elect as presiding officer a Convener who shall serve for two years, when his further service may be discontinued by a majority vote. Other officers, including a Deputy, shall be appointed by the Convener unless the Senate shall object.

SECTION 4. The Senate shall meet each year on the second Tuesday in July and shall be in continuous session, but may adjourn to the call of the Convener. A quorum shall be more than three-fifths of the whole membership.

SECTION 5. The Senate shall consider, and return within thirty days, all measures approved by the House of Representatives (except the annual budget). Approval or disapproval shall be by a majority vote of those present. Objection shall stand unless the House of Representatives shall overcome it by a majority vote plus one; if no return be made, approval by the House of Representatives shall be final.

For consideration of laws passed by the House of Representatives or for other purposes, the Convener may appoint appropriate committees.

SECTION 6. The Senate may ask advice from the Principal Justice concerning the constitutionality of measures before it; and if this be done, the time for return to the House of Representatives may extend to ninety days.

SECTION 7. If requested, the Senate may advise the President on matters of public interest; or, if not requested, by resolution approved by two-thirds of those present. There shall be a special duty to note expressions of concern during party conventions and commitments made during campaigns; and if these be neglected, to remind the President and the House of Representatives that these undertakings are to be considered.

SECTION 8. In time of present or prospective danger caused by cataclysm, by attack, or by insurrection, the Senate may declare a national emergency and may authorize the President to take appropriate action. If the Senate be dispersed, and no quorum available, the President may proclaim the emergency, and may terminate it unless the Senate shall have acted. If the President be not available, and the circumstances extreme, the senior serving member of the presidential succession may act until a quorum assembles.

SECTION 9. The Senate may also define and declare a limited emergency in time of prospective danger, or of local or regional disaster, or if an extraordinary advantage be anticipated. It shall be considered by the House of Representatives within three days and, unless disapproved, may extend for a designated period and for a limited area before renewal.

Extraordinary expenditures during emergency may be approved, without regard to usual budget procedures, by the House of Representatives with the concurrence of the President.

SECTION 10. The Senate, at the beginning of each session, shall select three of its members to constitute a National Security Committee to be consulted by the President in emergencies requiring the deployment of the armed forces abroad. If the Committee dissent from the President's proposal, it shall report to the Senate, whose decision shall be final.

SECTION 11. The Senate shall elect, or may remove, a National Watchkeeper, and shall oversee, through a standing committee, a Watchkeeping Service conducted according to rules formulated for their approval.

With the assistance of an appropriate staff the Watchkeeper shall gather and organize information concerning the adequacy, competence, and integrity of governmental agencies and their personnel, as well as their continued usefulness; and shall also suggest the need for

new or expanded services, making report concerning any agency of the deleterious effect of its activities on citizens or on the environment.

The Watchkeeper shall entertain petitions for the redress of grievances and shall advise the appropriate agencies if there be need for action.

For all these purposes, personnel may be appointed, investigations made, witnesses examined, postaudits made, and information required.

The Convener shall present the Watchkeeper's findings to the Senate, and if it be judged to be in the public interest, they shall be made public or, without being made public, be sent to the appropriate agency for its guidance and such action as may be needed. On recommendation of the Watchkeeper the Senate may initiate corrective measures to be voted on by the House of Representatives within thirty days. When approved by a majority and not vetoed by the President, they shall become law.

For the Watchkeeping Service one-quarter of one percent of individual net taxable incomes shall be held by the Chancellor of Financial Affairs; but amounts not expended in any fiscal year shall be available for general use.

B. The House of Representatives

SECTION 1. The House of Representatives shall be the original lawmaking body of the Newstates of America.

SECTION 2. It shall convene each year on the second Tuesday in July and shall remain in continuous session except that it may adjourn to the call of a Speaker, elected by majority vote from among the Representatives-at-large, who shall be its presiding officer.

SECTION 3. It shall be a duty to implement the provisions of this constitution and, in legislating, to be guided by them.

SECTION 4. Party leaders and their deputies shall be chosen by caucus at the beginning of each session.

SECTION 5. Standing and temporary committees shall be selected as follows:

Committees dealing with the calendaring and management of bills shall have a majority of members nominated to party caucuses by the Speaker; other members shall be nominated by minority leaders. Membership shall correspond to the parties' proportions at the last election. If nominations be not approved by a majority of the caucus, the Speaker or the minority leaders shall nominate others until a majority shall approve.

Members of other committees shall be chosen by party caucus in proportion to the results of the last election. Chairmen shall be elected annually from among at-large members.

Bills referred to committees shall be returned to the house with recommendations within sixty days unless extension be voted by the House.

In all committee actions names of those voting for and against shall be recorded.

No committee chairman may serve longer than six years.

SECTION 6. Approved legislation, not objected to by the Senate within the allotted time, shall be presented to the President for his approval or disapproval. If the President disapprove, and three-quarters of the House membership still approve, it shall become law.

The names of those voting for and against shall be recorded. Bills not returned within eleven days shall become law.

SECTION 7. The President may have thirty days to consider measures approved by the House unless they shall have been submitted twelve days previous to adjournment.

SECTION 8. The House shall consider promptly the annual budget; if there be objection, it shall be notified to the Planning Board; the Board shall then resubmit through the President; and, with his comments, it shall be returned to the House. If there still be objection by a two-thirds majority, the House shall prevail. Objection must be by whole title; titles not objected to when voted on shall constitute appropriation.

The budget for the fiscal year shall be in effect on January 1. Titles not yet acted on shall be as in the former budget until action be completed.

SECTION 9. It shall be the duty of the House to make laws concerning taxes.

1. For their laying and collection:

- a. They shall be uniform, and shall not be retroactive.
- b. Except such as may be authorized by law to be laid by Authorities, or by the Newstates, all collections shall be made by a national revenue agency. This shall include collections for trust funds hereinafter authorized.
- c. Except for corporate levies to be held in the National Sharing Fund, hereinafter authorized, taxes may be collected only from individuals and only from incomes; but there may be withholding from current incomes.
- d. To assist in the maintenance of economic stability, the President may be authorized to alter rates by executive order.
- e. They shall be imposed on profitmaking enterprises owned or conducted by religious establishments or other nonprofit organizations.
- f. There shall be none on food, medicines, residential rentals, or commodities or services designated by law as necessities; and there shall be no double taxation.
- g. None shall be levied for registering ownership or transfer of property.

2. For expenditures from revenues:

- a. For the purposes detailed in the annual budget unless objection be made by the procedure prescribed herein.
- b. For such other purposes as the House may indicate and require the Planning Branch to include in revisions of the budget; but, except in declared emergency, the total may not exceed the President's estimate of available funds.

3. For fixing the percentage of net corporate taxable incomes to be paid into a National Sharing Fund to be held in the custody of the Chancellor of Financial Affairs and made available for such welfare and environmental purposes as are authorized by law.

4. To provide for the regulation of commerce with other nations and among the Newstates, Possessions, Territories; or, as shall be mutually agreed, with other organized governments; but exports shall not be taxed; and imports shall not be taxed except on

recommendation of the President at rates whose allowable variation shall have been fixed bylaw. There shall be no quotas, and no nations favored by special rates, unless by special acts requiring two-thirds majorities.

5. To establish, or provide for the establishment of, institutions for the safekeeping of savings, for the gathering and distribution of capital, for the issuance of credit, for regulating the coinage of money, for controlling them edia of exchange, and for stabilizing prices; but such institutions, when not public or semipublic, shall be regarded as affected with the public interest and shall be supervised by the Chancellor of Financial Affairs.

6. To establish institutions for insurance against risks and liabilities, or to provide suitable agencies for the regulation of such as are not public.

7. To ensure the maintenance, by ownership or regulation, of facilities for communication, transportation, and others commonly used and necessary for public convenience.

8. To assist in the maintenance of world order, and, for this purpose, when the President shall recommend, to vest jurisdiction in international legislative, judicial, or administrative agencies.

9. To develop with other peoples, and for the benefit of all, the resources of space, of other bodies in the universe, and of the seas beyond twelve miles from low-water shores unless treaties shall provide other limits.

10. To assist other peoples who have not attained satisfactory levels of well-being; to delegate the administration of funds for assistance, whenever possible, to international agencies; and to invest in or contribute to the furthering of development in other parts of the world.

11. To assure, or to assist in assuring, adequate and equal facilities for education; for training in occupations citizens may be fitted to pursue; and to reeducate or retrain those whose occupations may become obsolete.

12. To establish or to assist institutions devoted to higher education, to research, or to technical training.

13. To establish and maintain, or assist in maintaining, libraries, archives, monuments, and other places of historic interest.

14. To assist in the advancement of sciences and technologies; and to encourage cultural activities.

15. To conserve natural resources by purchase, by withdrawal from use, or by regulation; to provide, or to assist in providing, facilities for recreation; to establish and maintain parks, forests, wilderness areas, wetlands, and prairies; to improve streams and other waters; to ensure the purity of air and water; to control the erosion of soils; and to provide for all else necessary for the protection and common use of the national heritage.

16. To acquire property and improvements for public use at costs to be fixed, if necessary, by the Court of Claims.

17. To prevent the stoppage or hindrance of governmental procedures, or of other activities affected with a public interest as defined by law, by reason of disputes between employers and employees, or for other reasons, and for this purpose to provide for

conclusive arbitration if adequate provision for collective bargaining fail. From such finding there may be appeal to the Court of Arbitration Review; but such proceedings may not stay the acceptance of findings.

18. To support an adequate civil service for the performance of such duties as may be designated by administrators; and for this purpose to refrain from interference with the processes of appointment or placement, asking advice or testimony before committees only with the consent of appropriate superiors.

19. To provide for the maintenance of armed forces.

20. To enact such measures as will assist families in making adjustment to future conditions, using estimates concerning population and resources made by the Planning Board.

21. To vote within ninety days on such measures as the President may designate as urgent.

ARTICLE VII

The Regulatory Branch

SECTION 1. There shall be a Regulatory Branch, and there shall be a National Regulator chosen by majority vote of the Senate and removable by a two-thirds vote of that body. His term shall be seven years, and he shall preside over a National Regulatory Board. Together they shall make and administer rules for the conduct of all economic enterprises.

The Regulatory Branch shall have such agencies as the Board may find necessary and are not disapproved by law.

SECTION 2. The Regulatory Board shall consist of seventeen members recommended to the Senate by the Regulator. Unless rejected by majority vote they shall act with the Regulator as a lawmaking body for industry.

They shall initially have terms of one or seventeen years, one being replaced each year and serving for seventeen years. They shall be compensated and shall have no other occupation.

SECTION 3. Under procedures approved by the board, the Regulator shall charter all corporations or enterprises except those exempted because of size or other characteristics, or those supervised by the Chancellor of Financial Affairs, or by the Intendant, or those whose activities are confined to one Newstate.

Charters shall describe proposed activities, and departure from these shall require amendment on penalty of revocation. For this purpose there shall be investigation and enforcement services under the direction of the Regulator.

SECTION 4. Chartered enterprises in similar industries or occupations may organize joint Authorities. These may formulate among themselves codes to ensure fair competition, meet external costs, set standards for quality and service, expand trade, increase production, eliminate waste, and assist in standardization. Authorities may maintain for common use services for research and communication; but membership shall be open to all eligible enterprises. Nonmembers shall be required to maintain the same standards at those prescribed for members.

SECTION 5. Authorities shall have governing committees of five, two being appointed by the Regulator to represent the public. they shall serve as he may determine; they shall be compensated; and he shall take care that there be no conflicts of interest. The Board may approve or prescribe rules for the distribution of profits to stockholders, allowable amounts of working capital, and reserves. Costing and all other practices affecting the public interest shall be monitored.

All codes shall be subject to review by the Regulator with his Board.

SECTION 6. Member enterprises of an Authority shall be exempt from other regulation.

SECTION 7. The Regulator, with his Board, shall fix standards and procedures for mergers of enterprises or the acquisition of some by others; and these shall be in effect unless rejected by the Court of Administrative Settlements. The purpose shall be to encourage adaptation to change and to further approved intentions for the nation.

SECTION 8. The charters of enterprises may be revoked and Authorities may be dissolved by the Regulator, with the concurrence of the Board, if they restrict the production of goods and services, or controls of their prices; also if external costs are not assessed to their originators or if the ecological impacts of their operations are deleterious.

SECTION 9. Operations extending abroad shall conform to policies notified to the Regulator by the President; and he shall restrict or control such activities as appear to injure the national interest.

SECTION 10. The Regulator shall make rules for and shall supervise marketplaces for goods and services; but this shall not include security exchanges regulated by the Chancellor of Financial Affairs.

SECTION 11. Designation of enterprises affected with a public interest, rules for conduct of enterprises and of their Authorities, and other actions of the Regulator or of the Board may be appealed to the Court of Administrative Settlements, whose judgments shall be informed by the intention to establish fairness to consumer and competitors and stability in economic affairs.

SECTION 12. Responsible also to the Regulator, there shall be an Operations Commission appointed by the Regulator, unless the Senate object, for the supervision of enterprises owned in whole or in part by government. The commission shall choose its chairman, and he shall be the executive head of a supervisory staff. He may require reports, conduct investigations, and make rules and recommendations concerning surpluses or deficits, the absorption of external costs, standards of service, and rates or oprices charged for services or goods.

Each enterprise shall have a director, chosen and removable by the Commission; and he shall conduct its affairs in accordance with standards fixed by the Commission.

ARTICLE VIII

The Judicial Branch

SECTION 1. There shall be a Principal Justice of the Newstates of America; a Judicial Council; and a Judicial Assembly. There shall also be a Supreme Court and a High Court of Appeals; also Courts of Claims, Rights and Duties, Administrative Review, Arbitration Settlements, Tax Appeals, and Appeals from Watchkeeper's Findings. There shall be Circuit

Courts to be of first resort in suits brought under national law; and they shall hear appeals from courts of the Newstates.

Other courts may be established by law on recommendation of the Principal Justice with the Judicial Council.

SECTION 2. The Principal Justice shall preside over the judicial system, shall appoint the members of all national courts, and, unless the Judicial Council object, shall make its rules; also, through an Administrator, supervise its operations.

SECTION 3. The Judicial Assembly shall consist of Circuit Court Judges, together with those of the High Courts of the Newstates of America and those of the highest courts of the Newstates. It shall meet annually, or at the call of the Principal Justice, to consider the state of the Judiciary and such other matters as may be laid before it.

It shall also meet at the call of the Convener to nominate three candidates for the Principal Justiceship whenever a vacancy shall occur. From these nominees the Senate shall choose the one having the most votes.

SECTION 4. The Principal Justice, unless the Senate object to any, shall appoint a Judicial Council of five members to serve during his incumbency. He shall designate a senior member who shall preside in his absence.

It shall be the duty of the Council, under the direction of the Principal Justice, to study the courts in operation, to prepare codes of ethics to be observed by members, and to suggest changes in procedure. The Council may ask the advice of the Judicial Assembly.

It shall also be a duty of the Council, as hereinafter provided, to suggest constitutional amendments when they appear to be necessary; and it shall also draft revisions if they shall be required. Further, it shall examine, and from time to time cause to be revised, civil and criminal codes; these, when approved by the Judicial Assembly, shall be in effect throughout the nation.

SECTION 5. The Principal Justice shall have a term of eleven years; but if at any time the incumbent resign to be disabled from continuing in office, as may be determined by the Senate, replacement shall be by the senior member of the Judicial Council until a new selection be made. After six years the Assembly may provide, by a two-thirds vote, for discontinuance in office, and a successor shall then be chosen.

SECTION 6. The Principal Justice may suspend members of any court for incapacity or violation of rules; and the separation shall be final if a majority of the Council agree.

For each court the Principal Justice shall, from time to time, appoint a member who shall preside.

SECTION 7. A presiding judge may decide, with the concurrence of the senior judge, that there may be pretrial proceedings, that criminal trials shall be conducted by either investigatory or adversary proceedings, and whether there shall be a jury and what the number of jurors shall be; but investigatory proceedings shall require a bench of three.

SECTION 8. In deciding on the concordance of statutes with the Constitution, the Supreme Court shall return to the House of Representatives such as it cannot construe. If the House fail to make return within ninety days the Court may interpret.

SECTION 9. The Principal Justice, or the President, may grant pardons or reprieves.

SECTION 10. The High Courts shall have thirteen members; but nine members, chosen by their senior justices from time to time, shall constitute a court. The justices on leave shall be subject to recall.

Other courts shall have nine members; but seven, chosen by their seniors, shall constitute a court.

All shall be in continuous session except for recesses approved by the Principal Justice.

SECTION 11. The Principal Justice, with the Council, may advise the Senate, when requested, concerning the appropriateness of measures approved by the House of Representatives; and may also advise the President, when requested, on matters he may refer for consultation.

SECTION 12. It shall be for other branches to accept and to enforce judicial decrees.

SECTION 13. The High Court of Appeals may select applications for further consideration by the Supreme Court, of decisions reached by other courts, including those of the Newstates. If it agree that there be a constitutional issue it may make preliminary judgment to be reviewed without hearing, and finally, by the Supreme Court.

SECTION 14. The Supreme Court may decide:

- a. Whether, in litigation coming to it on appeal, constitutional provisions have been violated or standards have not been met.
- b. On the application of constitutional provisions to suits involving the Newstates.
- c. Whether international law, as recognized in treaties, United Nations agreements, or arrangements with other nations, has been ignored or violated.
- d. Other causes involving the interpretation of constitutional provisions; except that in holding any branch to have exceeded its powers the decision shall be suspended until the Judicial Council shall have determined whether, in order to avoid confrontation, procedures for amendment of the Constitution are appropriate.

If amendatory proceedings are instituted, decision shall await the outcome.

SECTION 15. The Courts of the Newstates shall have initial jurisdiction in cases arising under their laws except those involving the Newstate itself or those reserved for national courts by a rule of the Principal Justice with the Judicial Council.

ARTICLE IX

General Provisions

SECTION 1. Qualifications for participation in democratic procedures as a citizen, and eligibility for office, shall be subject to repeated study and redefinition; but any change in qualification or eligibility shall become effective only if not disapproved by the Congress.

For this purpose a permanent Citizenship and Qualifications Commission shall be constituted, four members to be appointed by the President, three by the Convener of the Senate, three by the Speaker of the House, and three by the Principal Justice. Vacancies shall be filled as they occur. The members shall choose a chairman; they shall have suitable assistants and accommodations; and they may have other occupations. Recommendations of the commission shall be presented to the President and shall be transmitted to the House of

Representatives with comments. They shall have a preferred place on the calendar and, if approved, shall be in effect.

SECTION 2. Areas necessary for the uses of government may be acquired at its valuation and may be maintained as the public interest may require. Such areas shall have self-government in matters of local concern.

SECTION 3. The President may negotiate for the acquisition of areas outside the Newstates of America, and, if the Senate approve, may provide for their organization as Possessions or Territories.

SECTION 4. The President may make agreements with other organized peoples for a relation other than full membership in the Newstates of America. They may become citizens and may participate in the selection of officials. They may receive assistance for their development or from the National Sharing Fund if they conform to its requirements; and they may serve in civilian or military services, but only as volunteers. They shall be represented in the House of Representatives by members elected at large, their number proportional to their constituencies; but each shall have at least one; and each shall in the same way choose one permanent member of the Senate.

SECTION 5. The President, the Vice-Presidents, and members of the legislative houses shall in all cases except treason, felony, and breach of the peace be exempt from penalty for anything they may say while pursuing public duties; but the Judicial Council may make restraining rules.

SECTION 6. Except as otherwise provided by this Constitution, each legislative house shall establish its requirements for membership and may make rules for the conduct of members, including conflicts of interest, providing its own disciplines for their infraction.

SECTION 7. No Newstate shall interfere with officials of the Newstates of America in the performance of their duties, and all shall give full faith and credit to the Acts of other Newstates and of the Newstates of America.

SECTION 8. Public funds shall be expended only as authorized in this Constitution.

ARTICLE X

Governmental Arrangements

SECTION 1. Officers of the Newstates of America shall be those named in this Constitution, including those of the legislative houses and others authorized by law to be appointed; they shall be compensated, and none may have other paid occupation unless they be excepted by law; none shall occupy more than one position in government; and no gift or favor shall be accepted if in any way related to official duty.

No income from former employments or associations shall continue for their benefits; but their properties may be put in trust and managed without their intervention during continuance in office. Hardships under this rule may be considered by the Court of Rights and Duties, and exceptions may be made with due regard to the general intention.

SECTION 2. The President, the Vice-Presidents, and the Principal Justice shall have households appropriate to their duties. The President, the Vice-President, the Principal Justice, the Chairman of the Planning Board, the Regulator, the Watchkeeper, and the Overseer shall have salaries fixed by law and continued for life; but if they become

members of the Senate, they shall have senatorial compensation and shall conform to senatorial requirements.

Justices of the High Courts shall have no term; and their salaries shall be two-thirds that of the Principal Justice; they, and members of the Judicial Council, unless they shall have become Senators, shall be permanent members of the Judiciary and shall be available for assignment by the Principal Justice.

Salaries for members of the Senate shall be the same as for Justices of the High Court of Appeals.

SECTION 3. Unless otherwise provided herein, officials designated by the head of a branch as sharers in policymaking may be appointed by him with the President's concurrence and unless the Senate shall object.

SECTION 4. There shall be administrators:

- a. for executive offices and official households, appointed by authority of the President;
- b. for the national courts, appointed by the Principal Justice;
- c. for the Legislative Branch, selected by a committee of members from each house (chosen by the Convener and the Speaker), three from the House of Representatives and four from the Senate.

Appropriations shall be made to them; but those for the Presidency shall not be reduced during his term unless with his consent; and those for the Judicial Branch shall not be reduced during five years succeeding their determination, unless with the consent of the Principal Justice.

SECTION 5. The fiscal year shall be the same as the calendar year, with new appropriations available at its beginning.

SECTION 6. There shall be an Officials' Protective Service to guard the President, the Vice-Presidents, the Principal Justice, and other officials whose safety may be at hazard; and there shall be a Protector appointed by and responsible to a standing committee of the Senate. Protected officials shall be guided by procedures approved by the committee.

The service, at the request of the Political Overseer, may extend its protection to candidates for office; or to other officials, if the committee so decide.

SECTION 7. A suitable contingency fund shall be made available to the President for purposes defined by law.

SECTION 8. The Senate shall try officers of government other than legislators when such officers are impeached by a two-third vote of the House of Representatives for conduct prejudicial to the public interest. If Presidents or Vice-Presidents are to be tried, the Senate, as constituted, shall conduct the trial. Judgments shall not extend beyond removal from office and disqualification for holding further office; but the convicted official shall be liable to further prosecution.

SECTION 9. Members of legislative houses may be impeached by the Judicial Council; but for trials it shall be enlarged to seventeen by Justices of the High Courts appointed by the Principal Justice. If convicted, members shall be expelled and be ineligible for future public office; and they shall also be liable for trial as citizens.

ARTICLE XI

Amendment

SECTION 1. It being the special duty of the Judicial Council to formulate and suggest amendments to this Constitution, it shall, from time to time, make proposals, through the Principal Justice, to the Senate. The Senate, if it approve, and if the President agree, shall instruct the Overseer to arrange at the next national election for submission of the amendment to the electorate. If not disapproved by a majority, it shall become part of this Constitution. If rejected, it may be restudied and a new proposal submitted.

It shall be the purpose of the amending procedure to correct deficiencies in the Constitution, to extend it when new responsibilities require, and to make government responsible to needs of the people, making use of advances in managerial competence and establishing security and stability; also to preclude changes in the Constitution resulting from interpretation.

SECTION 2. When this Constitution shall have been in effect for twenty-five years the Overseer shall ask, by referendum, whether a new Constitution shall be prepared. If a majority so decide, the Council, making use of such advice as may be available, and consulting those who have made complaint, shall prepare a new draft for submission at the next election. If not disapproved by a majority it shall be in effect. If disapproved it shall be redrafted and resubmitted with such changes as may be then appropriate to the circumstances, and it shall be submitted to the voters at the following election.

If not disapproved by a majority it shall be in effect. If disapproved it shall be restudied and resubmitted.

ARTICLE XII

Transition

SECTION 1. The President is authorized to assume such powers, make such appointments, and use such funds as are necessary to make this Constitution effective as soon as possible after acceptance by a referendum he may initiate.

SECTION 2. Such members of the Senate as may be at once available shall convene and, if at least half, shall constitute sufficient membership while others are being added. They shall appoint an Overseer to arrange for electoral organization and elections for the offices of government; but the President and Vice-Presidents shall serve out their terms and then become members of the Senate. At that time the presidency shall be constituted as provided in this Constitution.

SECTION 3. Until each indicated change in the government shall have been completed the provisions of the existing Constitution and the organs of government shall be in effect.

SECTION 4. All operations of the national government shall cease as they are replaced by those authorized under this Constitution.

The President shall determine when replacement is complete.

The President shall cause to be constituted an appropriate commission to designate existing laws inconsistent with this Constitution, and they shall be void; also the commission shall assist the President and the legislative houses in the formulating of such laws as may be consistent with the Constitution and necessary to its implementation.

SECTION 5. For establishing Newstates boundaries a commission of thirteen, appointed by the President, shall make recommendations within one year. For this purpose the members may take advice and commission studies concerning resources, population, transportation, communication, economic and social arrangements, and such other conditions as may be significant. The President shall transmit the commission's report to the Senate. After entertaining, if convenient, petitions for revision, the Senate shall report whether the recommendations are satisfactory but the President shall decide whether they shall be accepted or shall be returned for revision.

Existing states shall not be divided unless metropolitan areas extending over more than one state are to be included in one Newstate, or unless other compelling circumstances exist; and each Newstate shall possess harmonious regional characteristics.

The Commission shall continue while the Newstates make adjustments among themselves and shall have jurisdiction in disputes arising among them.

SECTION 6. Constitution of the Newstates shall be established as arranged by the Judicial Council and the Principal Justice.

These procedures shall be as follows: Constitutions shall be drafted by the highest courts of the Newstates. There shall then be a convention of one hundred delegates chosen in special elections in a procedure approved by the Overseer. If the Constitution be not rejected it shall be in effect and the government shall be constituted. If it be rejected, the Principal Justice, advised by the Judicial Council, shall promulgate a Constitution and initiate revisions to be submitted for approval at a time he shall appoint. If it again be rejected he shall promulgate another, taking account of objections, and it shall be in effect. A Constitution, once in effect, shall be valid for twenty-five years as herein provided.

SECTION 7. Until Governors and legislatures of the Newstates are seated, their governments shall continue, except that the President may appoint temporary Governors to act as executives until succeeded by those regularly elected. These Governors shall succeed to the executive functions of the states as they become one of the Newstates of America.

SECTION 8. The indicated appointments, elections, and other arrangements shall be made with all deliberate speed.

SECTION 9. The first Judicial Assembly for selecting a register of candidates for the Principal Justiceship of the Newstates of America shall be called by the incumbent Chief Justice immediately upon ratification.

SECTION 10. Newstates electing by referendum not to comply with recommendations of the Boundary Commission, as approved by the Senate, shall have deducted from taxes collected by the Newstates of America for transmission to them a percentage equal to the loss in efficiency from failure to comply.

Estimates shall be made by the Chancellor of Financial Affairs and approved by the President; but the deduction shall not be less than 7 percent.

SECTION 11. When this Constitution has been implemented the President may delete by proclamation appropriate parts of this article.

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CONSTITUTIONAL
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	Citation	State Act	Year	State	Subject	Limited	Subsequent History
1.	  H.R. Jour., 22nd Cong., 2d Sess., 361-62 (Feb. 19, 1833)	1/12/1833	1833	Alabama	Tariffs	No	
2.	  89 Cong. Rec. 7523-24 (1943)	HJR66	1943	Alabama	Federal taxing power, Repeal Sixteenth Amendment	No	repealed by 91 Cong. Rec. 6631-32 (1945)
3.	  103 Cong. Rec. 10,863 (1957)	SJR47	1957	Alabama	Selection and tenure of federal judges	No	
4.	  105 Cong. Rec. 3083 (1959)	SJR2	1959	Alabama	Federal preemption of state law	No	
5.	  109 Cong. Rec. 5250 (1963)	HJR13	1963	Alabama	Establish Court of the Union	No	
6.	  111 Cong. Rec. 3722 (1965)	SJR3	1965	Alabama	Apportionment	No	
7.	  113 Cong. Rec. 10,117-18 (1967)	R11	1967	Alabama	Revenue sharing	No	
8.	  121 Cong. Rec. 28,347 (1975)	HJR105	1975	Alabama	Balanced budget	Yes	repealed by 136 Cong. Rec. 4663 (1990)
9.	  125 Cong. Rec. 2108-09 (1979)	HJR227	1976	Alabama	Balanced budget	Yes	repealed by 135 Cong. Rec. H5484 (daily ed. Sept. 7, 1989)
10.	  126 Cong. Rec. 10,650 (1980)	SJR9	1980	Alabama	Right to life	Yes	

11.	 	127 Cong. Rec. 21,684 (1981)	SJR41	1981 Alabama	Selection and tenure of federal judges	Yes	
12.	 	158 Cong. Rec. H5147-49 (daily ed. July 18, 2011).	SJR100	2011 Alabama	Balanced budget	Yes	
13.	 	161 Cong. Rec. S8601-2 (daily ed. Dec. 10, 2015)	HJR112	2015 Alabama	Balanced budget, Congressional term limits, Federal taxing power, Federal/National debt limit, Repeal Sixteenth Amendment, Selection and tenure of federal judges, Convention of States Project [Convention of States Project]	Yes	
14.	 	H. J. Res. No. 23 (Al. 2018)	HJR23	2018 Alabama	Congressional term limits	Yes	
15.	 	128 Cong. Rec. 5643 (1982)		1982 Alaska	Balanced budget	Yes	
16.	 	160 Cong. Rec. S6094-5 (daily ed. Nov. 18, 2014)	HJR22	2014 Alaska	Balanced budget, Congressional term limits, Federal taxing power, Federal/National debt limit, Repeal Sixteenth Amendment, Selection and tenure of federal judges, Convention of States Project [Convention of States Project]	Yes	
17.	 	H. J. Res. 14 (Alaska 2016)	HJR14	2016 Alaska	Supreme Court decisions, Nullification [Nullification]	Yes	
18.	 	111 Cong. Rec. 3061 (1965)	HCR1	1965 Arizona	Apportionment	No	repealed by 149 Cong. Rec. 12844 (2003)
19.	 	118 Cong. Rec. 11,445 (1972)	HCR2009	1972 Arizona	School prayer	No	repealed by 149 Cong. Rec. 12844 (2003)

20.	 	123 Cong. Rec. 18,873-74 (1977)	HCM2003	1977	Arizona	Balanced budget	No	repealed by 149 Cong. Rec. 12844 (2003)
21.		125 Cong. Rec. 7920-21 (1979)	SJR1002	1979	Arizona	Balanced budget	Yes	repealed by 149 Cong. Rec. 12844 (2003)
22.	 	125 Cong. Rec. 12,287 (1979)	HJM2001	1979	Arizona	Repeal Sixteenth Amendment, Prohibit federal commercial enterprises	No	repealed by 149 Cong. Rec. 12844 (2003)
23.	 	125 Cong. Rec. 2109 (1979)	HCM2320	1979	Arizona	Balanced budget	No	repealed by 149 Cong. Rec. 12844 (2003)
24.	 	126 Cong. Rec. 11,389 (1980)	HCR2001	1980	Arizona	Coercive use of federal funds	No	repealed by 149 Cong. Rec. 12844 (2003)
25.	 	130 Cong. Rec. 14,956 (1984)	SCR1008	1984	Arizona	Line-item veto	Yes	repealed by 149 Cong. Rec. 12844 (2003)
26.	 	H. Conc. Res. 2010 (Az. 2017)	HCR2010	2017	Arizona	Balanced budget, Congressional term limits, Federal taxing power, Federal/National debt limit, Repeal Sixteenth Amendment, Selection and tenure of federal judges, Convention of States Project [Convention of States Project]	Yes	
27.	 	H. Conc. Res. No 2013 (Az. 2017)	HCR 2013	2017	Arizona	Balanced budget	Yes	
28.	 	45 Cong. Rec. 7113 (1910)	HCR17	1901	Arkansas	Direct election of Senators	No	
29.	 	1903 Ark. Acts 485- 86	SM1	1903	Arkansas	Direct election of Senators	No	
30.	 	1911 Ark. Acts 1338-39*		1911	Arkansas	Direct election of Senators	Unknown	

31.	 	98 Cong. Rec. 742 (1952)		1943	Arkansas	Federal taxing power, Repeal Sixteenth Amendment	No	repealed by 91 Cong. Rec. 1209 (1945)
32.	 	91 Cong. Rec. A279 (1945)	SCR10	1945	Arkansas	Federal taxing power, Repeal Sixteenth Amendment	No	repealed by 91 Cong. Rec. A279 (1945)
33.	 	105 Cong. Rec. 4398 (1959)	HCR24	1959	Arkansas	Validity of Fourteenth Amendment	No	
34.	 	107 Cong. Rec. 2154 (1961)	HCR14	1961	Arkansas	Supreme Court decisions	No	
35.	 	109 Cong. Rec. 2768 (1963)	HJR2	1963	Arkansas	Revision of Article V	No	
36.	 	109 Cong. Rec. 2769 (1963)	HJR4	1963	Arkansas	Apportionment	No	
37.	 	109 Cong. Rec. 2769 (1963)	HJR12	1963	Arkansas	Presidential electors	No	
38.	 	109 Cong. Rec. 2768-69 (1963)	HJR3	1963	Arkansas	Establish Court of the Union	No	
39.	 	111 Cong. Rec. 1670 (1965)	SJR1	1965	Arkansas	Apportionment	No	
40.	 	121 Cong. Rec. 11,218 (1975)		1975	Arkansas	Federal/National debt limit	No	
41.	 	123 Cong. Rec. 15,808-09 (1977)	JR2	1977	Arkansas	Right to life	Yes	
42.	 	125 Cong. Rec. 4372 (1979)	HJR1	1979	Arkansas	Balanced budget	Yes	
43.	 	S. J. Res. No. 3 (Ark., 2019)	SJR3	2019	Arkansas	Balanced budget, Congressional term limits, Federal taxing power, Federal/National debt limit, Repeal Sixteenth Amendment, Selection and tenure of federal judges, Convention of States Project [Convention of States Project]	Yes	

44.	 	47 Cong. Rec. 2000 (1911)	SJR25	1911 California	Direct election of Senators	No	
45.	 	79 Cong. Rec. 10,814 (1935)	SJR23	1935 California	Federal labor regulations [Minimum wage]	No	
46.	 	79 Cong. Rec. 10,814 (1935)		1935 California	Taxation of securities [Eliminate tax exemptions]	No	
47.	 	95 Cong. Rec. 4568-69 (1949)	AJR26	1949 California	World federal government	Yes	
48.	 	98 Cong. Rec. 4003-04 (1952)	AJR8	1952 California	Proceeds of federal taxes on fuel	No	
49.	 	160 Cong. Rec. S5507 (daily ed. Sep. 10, 2014)	AJR1	2014 California	Campaign Finance Reform	Yes	
50.	 	45 Cong. Rec. 7113 (1910)	SB13	1901 Colorado	Direct election of Senators, Plenary	No	
51.	 	109 Cong. Rec. 6659 (1963)	HJM4	1963 Colorado	Presidential selection, Presidential electors	No	
52.	 	109 Cong. Rec. 7060 (1963)	SJM9	1963 Colorado	Federal taxing power [Limit federal taxes]	No	
53.	 	113 Cong. Rec. 18,007 (1967)	SJM5	1967 Colorado	Apportionment	No	
54.	 	124 Cong. Rec. 8778 (1978)	SJM1	1978 Colorado	Balanced budget	Yes	
55.	 	138 Cong. Rec. 16,552 (1992)	SJM92-3	1992 Colorado	Coercive use of federal funds [Funding of federally mandated state programs]	Yes	
56.	 	95 Cong. Rec. 7689 (1949)		1949 Connecticut	World federal government	Yes	
57.	 	104 Cong. Rec. 8085-86 (1958)	SJR9	1958 Connecticut	State taxing power over nonresidents	No	
58.	 	41 Cong. Rec. 3011 (1907)	HJR7	1907 Delaware	Anti-polygamy	No	repealed by 162 Cong. Rec.S5277

59.	 	89 Cong. Rec. 4017 (1943)	SCR6	1943 Delaware	Federal taxing power, Repeal Sixteenth Amendment	No	(daily ed. Sep 6, 2016) repealed by 162 Cong. Rec.S5277 (daily ed. Sep 6, 2016)
60.	 	117 Cong. Rec. 2500 (1971)	HCR2	1971 Delaware	Revenue sharing	Yes	repealed by 162 Cong. Rec.S5277 (daily ed. Sep 6, 2016)
61.	 	122 Cong. Rec. 4329 (1976)	HCR36	1976 Delaware	Balanced budget	Yes	repealed by 162 Cong. Rec.S5277 (daily ed. Sep 6, 2016)
62.	 	60 Del. Laws, c.745 (1976)	HJR43	1976 Delaware	Capital Punishment	No	repealed by 162 Cong. Rec.S5277 (daily ed. Sep 6, 2016)
63.	 	124 Cong. Rec. 2193 (1978)	SCR79	1978 Delaware	Selection and tenure of federal judges	No	repealed by 162 Cong. Rec.S5277 (daily ed. Sep 6, 2016)
64.	 	124 Cong. Rec. 19,683 (1978)	HCR9	1978 Delaware	Right to life	No	repealed by 162 Cong. Rec.S5277 (daily ed. Sep 6, 2016)
65.	 	140 Cong. Rec. 14,718 (1994)	HCR56	1994 Delaware	Federal taxing power [Prohibit retroactive taxes]	Yes	repealed by 162 Cong. Rec.S5277 (daily ed. Sep 6, 2016)
66.	 	89 Cong. Rec. 5690 (1943)	HM15	1943 Florida	World federal government	No	repealed by 97 Cong. Rec. 5019-20 (1951)
67.	 	91 Cong. Rec. 4965 (1945)		1945 Florida	Treaty making	No	repealed by 97 Cong. Rec. 5019-20 (1951)

68.	 	95 Cong. Rec. 7000 (1949)	SM282	1949 Florida	World federal government	Yes	repealed by 97 Cong. Rec. 5019-20 (1951)
69.	 	97 Cong. Rec. 5155-56 (1951)	SCR206	1951 Florida	Federal taxing power, Repeal Sixteenth Amendment	No	
70.	 	103 Cong. Rec. 12,787 (1957)	SCR116	1957 Florida	Supreme Court decisions	No	
71.	 	109 Cong. Rec. 2072 (1963)	SM13- X(63)	1963 Florida	Revision of Article V	No	
72.	 	109 Cong. Rec. 2071-72 (1963)	SM12- X(63)	1963 Florida	Establish Court of the Union	No	
73.	 	111 Cong. Rec. 14,308 (1965)	HM2433	1965 Florida	Apportionment	No	
74.	 	115 Cong. Rec. 24,116 (1969)	SM397	1969 Florida	Revenue sharing	No	
75.	 	117 Cong. Rec. 2589-90 (1971)	HCR1-B	1971 Florida	Revenue sharing	Yes	
76.	 	118 Cong. Rec. 11,444 (1972)	SM227	1972 Florida	Replace Vice-President as head of Senate	Yes	
77.	 	125 Cong. Rec. 2109-10 (1979)	SM234	1976 Florida	Balanced budget	Yes	repealed by 134 Cong. Rec. 15,364 (1988)
78.	 	160 Cong. Rec. 5563 (daily ed. Sep. 11, 2014)	SCR10	2010 Florida	Balanced budget	Yes	
79.	 	160 Cong. Rec. S4333 (daily ed. July 9, 2014)	SM658	2014 Florida	Balanced budget	Yes	
80.	 	160 Cong. Rec. S4333 (daily ed. July 9, 2014)	HM261	2014 Florida	Single Subject Matter	Yes	
81.	 	160 Cong. Rec. S4332 (daily ed. July 9, 2014)	SM476	2014 Florida	Balanced budget, Congressional term limits, Federal taxing power, Federal/National debt limit,	Yes	

Repeal Sixteenth Amendment,
Selection and tenure of federal
judges, Convention of States
Project [Convention of States
Project]

82.	 	163 Cong. Rec. S112 (daily ed. Jan. 5, 2017)	HM417	2016 Florida	Congressional term limits	Yes	
83.	 	S. Jour., 22nd Cong., 2nd sess., 65-66 (Jan. 9, 1833)		1832 Georgia	Plenary	No	repealed by 150 Cong. Rec. 11,124 (2004)
84.	 	98 Cong. Rec. 1057 (1952)		1952 Georgia	Treaty making	No	repealed by 150 Cong. Rec. 11,124 (2004)
85.	 	98 Cong. Rec. 1057 (1952)		1952 Georgia	Federal taxing power, Repeal Sixteenth Amendment	No	repealed by 150 Cong. Rec. 11,124 (2004)
86.	 	101 Cong. Rec. 1532 (1955)		1955 Georgia	State control of public education	No	repealed by 150 Cong. Rec. 11,124 (2004)
87.	 	101 Cong. Rec. 6744-45 (1955)		1955 Georgia	Revision of Article V [Revision to Article V]	Yes	repealed by 150 Cong. Rec. 11,124 (2004)
88.	 	105 Cong. Rec. 2793 (1959)	HR99	1959 Georgia	State control of public education	No	repealed by 150 Cong. Rec. 11,124 (2004)
89.	 	107 Cong. Rec. 4715 (1961)	SR39	1961 Georgia	Supreme Court decisions	No	repealed by 150 Cong. Rec. 11,124 (2004)
90.	 	1965 Ga. Laws 507-08	SR14	1965 Georgia	Apportionment	No	repealed by 150 Cong. Rec. 11,124 (2004)
91.	 	111 Cong. Rec. 5817 (1965)	HR128-212	1965 Georgia	State control of public education	No	repealed by 150 Cong. Rec. 11,124 (2004)

92.	 	1967 Ga. Laws 894	HR120-296	1967 Georgia	Revenue sharing	No	repealed by 150 Cong. Rec. 11,124 (2004)
93.	 	122 Cong. Rec. 2740 (1976)	HR469-1267	1976 Georgia	Balanced budget	Yes	repealed by 150 Cong. Rec. 11,124 (2004)
94.	 	137 Cong. Rec. 8085-86 (1991)	R105	1991 Georgia	Flag desecration	Yes	repealed by 150 Cong. Rec. 11,124 (2004)
95.	 	160 Cong. rec. S3667 (daily ed. June 12, 2014)	SR371	2014 Georgia	Balanced budget	Yes	
96.	 	160 Cong. Rec. S4332 (daily ed. July 9, 2014)	SR736	2014 Georgia	Balanced budget, Congressional term limits, Federal taxing power, Federal/National debt limit, Repeal Sixteenth Amendment, Selection and tenure of federal judges, Convention of States Project [Convention of States Project]	Yes	
97.	 	45 Cong. Rec. 7113-14 (1910)	JM2	1901 Idaho	Direct election of President, Direct election of Senators, Presidential selection [Direct election of President, Direct election of Senators, Vice-Presidential selection]	No	repealed by 146 Cong. Rec. S739 (2000)
98.	 	69 Cong. Rec. 455 (1927)	SJR2	1927 Idaho	Taxation of securities	No	repealed by 146 Cong. Rec. S739 (2000)
99.	 	103 Cong. Rec. 4831-32 (1957)	HCR6	1957 Idaho	Revision of Article V	Yes	repealed by 146 Cong. Rec. S739 (2000)
100.	 	109 Cong. Rec. 2281 (1963)	SJM4	1963 Idaho	Apportionment	No	repealed by 117 Cong. Rec. 9522 (1971)

101.	 	109 Cong. Rec. 3855 (1963)	SJM9	1963 Idaho	Federal/National debt limit	No	repealed by 146 Cong. Rec. S739 (2000)
102.	 	1963 Idaho Sess. Laws 1181-82	HJM17	1963 Idaho	Revision of Article V	No	repealed by 146 Cong. Rec. S739 (2000)
103.	 	111 Cong. Rec. 1437-38 (1965)	SJM1	1965 Idaho	Apportionment	No	repealed by 117 Cong. Rec. 9522 (1971)
104.	 	125 Cong. Rec. 3657 (1979)	HCR7	1979 Idaho	Balanced budget	Yes	repealed by 146 Cong. Rec. S739 (2000)
105.	 	126 Cong. Rec. 6172 (1980)	SCR132	1980 Idaho	Right to life	Yes	repealed by 146 Cong. Rec. S739 (2000)
106.	 	1861 Ill. Laws 281- 82		1861 Illinois	Plenary	No	
107.	 	45 Cong. Rec. 7114 (1910)	SJR5	1903 Illinois	Direct election of Senators, Plenary	No	
108.	 	42 Cong. Rec. 164 (1907)	HJR12	1907 Illinois	Direct election of Senators	No	
109.	 	1909 Ill. Laws 495	HJR17	1909 Illinois	Direct election of Senators	No	
110.	 	47 Cong. Rec. 1298 (1911)	HJR9	1911 Illinois	Antitrust	No	
111.	 	50 Cong. Rec. 120- 21 (1913)	SJR12	1913 Illinois	Anti-polygamy	No	
112.	 	98 Cong. Rec. 742- 43 (1952)	HJR32	1943 Illinois	Federal taxing power, Repeal Sixteenth Amendment	No	
113.	 	89 Cong. Rec. 2516-17 (1943)	SJR8	1943 Illinois	Limit presidential tenure	No	
114.	 	99 Cong. Rec. 9864 (1953)	HJR37	1953 Illinois	Revision of Article V	Yes	
115.	 	102 Cong. Rec. 69- 70 (1956)	SJR25	1956 Illinois	Revision of Article V	Yes	

116.	 	109 Cong. Rec. 3788 (1963)	SJR4	1963	Illinois	Revision of Article V	No
117.	 	111 Cong. Rec. 14,144 (1965)	SJR22	1965	Illinois	Revenue sharing	No
118.	 	113 Cong. Rec. 8004 (1967)	HJR32	1967	Illinois	Apportionment	No
119.	 	113 Cong. Rec. 20,893 (1967)	HJR34	1967	Illinois	Presidential electors	No
120.	 	162 Cong. Rec. S71 (daily ed. Jan 12, 2016)	SJR42	2014	Illinois	Campaign Finance Reform	Yes
121.	 	Cong. Globe, 37th Cong., Special Sess. 1465-66 (S., Mar. 18, 1861)	3/11/1861	1861	Indiana	Plenary	No
122.	 	45 Cong. Rec. 7114 (1910)	HJR4	1907	Indiana	Direct election of Senators, Plenary	No
123.	 	98 Cong. Rec. 1056-57 (1952)	HCR10	1952	Indiana	Federal taxing power, Repeal Sixteenth Amendment	No
124.	 	103 Cong. Rec. 6473-74 (1957)	HECR7	1957	Indiana	Presidential selection, Presidential selection	Yes
125.	 	103 Cong. Rec. 6475-76 (1957)	HECR9	1957	Indiana	Balanced budget	Yes
126.	 	103 Cong. Rec. 6472-73 (1957)*	HECR4	1957	Indiana	Treaty making	Unknown
127.	 	103 Cong. Rec. 6471-72 (1957)	HECR2	1957	Indiana	Revision of Article V	No
128.	 	103 Cong. Rec. 6474-75 (1957)	HECR8	1957	Indiana	Federal taxing power, Repeal Sixteenth Amendment	Yes
129.	 	113 Cong. Rec. 6384 (1967)	HECR58	1967	Indiana	Apportionment	No
130.	 	120 Cong. Rec. 14 (1974)	SEJR8	1973	Indiana	Right to life	No

131.	 	122 Cong. Rec. 931 (1976)		1976	Indiana	Balanced budget	No	
132.	 	125 Cong. Rec. 9188 (1979)	SEJR8	1979	Indiana	Balanced budget	Yes	
133.	 	162 Cong. Rec. S6663 (daily ed. Dec. 1, 2016)	SEJR14	2016	Indiana	Balanced budget, Congressional term limits, Federal taxing power, Federal/National debt limit, Repeal Sixteenth Amendment, Selection and tenure of federal judges, Convention of States Project [Convention of States Project]	Yes	
134.	 	38 Cong. Rec. 4959 (1904)	3/24/1904	1904	Iowa	Direct election of Senators, Plenary	No	
135.	 	42 Cong. Rec. 204- 05 (1907)	SJR2	1907	Iowa	Direct election of Senators, Plenary	No	
136.	 	44 Cong. Rec. 1620 (1909)	HJR9	1909	Iowa	Direct election of Senators, Plenary	No	
137.	 	87 Cong. Rec. 3172 (1941)	HCR15	1941	Iowa	Federal taxing power, Repeal Sixteenth Amendment	No	repealed by 91 Cong. Rec. 2383-84 (1945)
138.	 	89 Cong. Rec. 2728 (1943)	HCR26	1943	Iowa	Limit presidential tenure	No	
139.	 	97 Cong. Rec. 3939-40 (1951)	SCR11	1951	Iowa	Federal taxing power, Repeal Sixteenth Amendment	Yes	
140.	 	115 Cong. Rec. 12,249 (1969)	SCR13	1969	Iowa	Apportionment	No	
141.	 	118 Cong. Rec. 6501-02 (1972)	HJR1	1972	Iowa	Revenue sharing	Yes	
142.	 	125 Cong. Rec. 15,227 (1979)	SJR1	1979	Iowa	Balanced budget	Yes	
143.	 	41 Cong. Rec. 2929 (1907)	HCR4	1907	Kansas	Direct election of Senators, Plenary	No	

144.	 	45 Cong. Rec. 7115 (1910)		1908 Kansas	Direct election of Senators, Plenary	No	
145.	 	97 Cong. Rec. 2936 (1951)	SCR4	1951 Kansas	Federal taxing power, Repeal Sixteenth Amendment	No	
146.	 	109 Cong. Rec. 2769 (1963)	SCR3	1963 Kansas	Revision of Article V	No	repealed by 116 Cong. Rec. 11,548 (1970)
147.	 	109 Cong. Rec. 7287-88 (1963)	SCR23	1963 Kansas	Presidential electors	No	repealed by 116 Cong. Rec. 11,548 (1970)
148.	 	109 Cong. Rec. 2769 (1963)	SCR4	1963 Kansas	Apportionment	No	repealed by 116 Cong. Rec. 11,548 (1970)
149.	 	111 Cong. Rec. 3061-62 (1965)	SCR1	1965 Kansas	Apportionment	No	repealed by 116 Cong. Rec. 11,548 (1970)
150.	 	125 Cong. Rec. 2110 (1979)	SCR1661	1978 Kansas	Balanced budget	Yes	
151.	 	Cong. Globe, 36th Cong., 2d Sess. 751 (S., Feb. 5, 1861)	RES1	1861 Kentucky	Plenary	No	
152.	 	45 Cong. Rec. 7115 (1910)		1902 Kentucky	Direct election of Senators	No	
153.	 	90 Cong. Rec. 4040-41 (1944)	HR79	1944 Kentucky	Federal taxing power, Repeal Sixteenth Amendment	No	repealed by 97 Cong. Rec. 10,973 (1951)
154.	 	111 Cong. Rec. 26,073-74 (1965)	SR8	1965 Kentucky	Apportionment	No	
155.	 	121 Cong. Rec. 27,821 (1975)	HR29	1975 Kentucky	School assignment	No	
156.	 	124 Cong. Rec. 9697 (1978)	HRR7	1978 Kentucky	Right to life	Yes	
157.	 	45 Cong. Rec. 7115 (1910)	A4	1907 Louisiana	Direct election of Senators	No	repealed by 138 Cong. Rec. 669

158.	 	60 Cong. Rec. 31 (1920)*		1920	Louisiana	Revision of Article V	Unknown	(1992) repealed by 138 Cong. Rec. 669 (1992)
159.	 	99 Cong. Rec. 320- 01 (1953)		1953	Louisiana	Federal taxing power, Repeal Sixteenth Amendment	No	repealed by 100 Cong. Rec. 9420 (1954)
160.	 	106 Cong. Rec. 14,315 (1960)*		1960	Louisiana	[unknown]	Unknown	repealed by 138 Cong. Rec. 669 (1992)
161.	 	106 Cong. Rec. 14,401 (1960)	HCR22	1960	Louisiana	Repeal Sixteenth Amendment	No	repealed by 138 Cong. Rec. 669 (1992)
162.	 	111 Cong. Rec. 12,110 (1965)	SCR25	1965	Louisiana	Apportionment	No	repealed by 138 Cong. Rec. 669 (1992)
163.	 	111 Cong. Rec. 164-65 (1965)	SCR3	1965	Louisiana	State control of public education	No	repealed by 138 Cong. Rec. 669 (1992)
164.	 	116 Cong. Rec. 21,369 (1970)	HCR4	1970	Louisiana	Sedition laws	No	repealed by 138 Cong. Rec. 669 (1992)
165.	 	116 Cong. Rec. 22,906 (1970)	SCR25	1970	Louisiana	Taxation of bonds	No	repealed by 138 Cong. Rec. 669 (1992)
166.	 	116 Cong. Rec. 5499 (1970)	HCR12	1970	Louisiana	School assignment	No	repealed by 138 Cong. Rec. 669 (1992)
167.	 	117 Cong. Rec. 19,801-02 (1971)	SCR138	1971	Louisiana	Revenue sharing	Yes	repealed by 138 Cong. Rec. 669 (1992)
168.	 	121 Cong. Rec. 25,312 (1975)	SCR109	1975	Louisiana	Balanced budget	No	repealed by 138 Cong. Rec. 669 (1992)

169.	 	122 Cong. Rec. 23,550 (1976)*		1976	Louisiana	Right to life	Unknown	repealed by 138 Cong. Rec. 669 (1992)
170.	 	125 Cong. Rec. 18,954 (1979)	SCR105	1979	Louisiana	Federal regulations and rules	Yes	repealed by 138 Cong. Rec. 669 (1992)
171.	 	125 Cong. Rec. 19,470-71 (1979)	SCR4	1979	Louisiana	Balanced budget	Yes	repealed by 138 Cong. Rec. 669 (1992)
172.	 	125 Cong. Rec. 2110-11 (1979)	SCR73	1979	Louisiana	Balanced budget	Yes	repealed by 138 Cong. Rec. 669 (1992)
173.	 	154 Cong. Rec. S3504 (daily ed. Apr. 29, 2008)	HCR38	2008	Louisiana	Posse Comitatus	Yes	
174.	 	158 Cong. Rec. S2241 (daily ed. Mar. 29, 2012)	HCR87	2011	Louisiana	Federal/National debt limit	Yes	
175.	 	160 Cong. Rec. S5563 (daily ed. Sep. 11, 2014)	HCR70	2014	Louisiana	Balanced budget	Yes	
176.	 	S. Conc. Res. 52 (La. 2016)	SCR 52	2016	Louisiana	Balanced budget, Congressional term limits, Federal taxing power, Federal/National debt limit, Repeal Sixteenth Amendment, Selection and tenure of federal judges, Convention of States Project [Convention of States Project]	Yes	
177.	 	46 Cong. Rec. 4280 (1911)	2/22/1911	1911	Maine	Direct election of Senators	No	
178.	 	87 Cong. Rec. 3370-71 (1941)		1941	Maine	Federal taxing power, Repeal Sixteenth Amendment	No	repealed by 99 Cong. Rec. 4311 (1953)

179.	 	95 Cong. Rec. 4348 (1949)		1949	Maine	World federal government	Yes	repealed by 97 Cong. Rec. 6033 (1951)
180.	 	97 Cong. Rec. 6033-34 (1951)		1951	Maine	Federal taxing power	Yes	
181.	 	84 Cong. Rec. 3320 (1939)		1939	Maryland	Federal taxing power, Repeal Sixteenth Amendment	No	repealed by S. J. Res. 2 (Md. 2017)
182.	 	111 Cong. Rec. 5820 (1965)	SJR1	1965	Maryland	Apportionment	No	repealed by S. J. Res. 2 (Md. 2017)
183.	 	123 Cong. Rec. 2545-46 (1977)	SJR4	1977	Maryland	Balanced budget	Yes	repealed by S. J. Res. 2 (Md. 2017)
184.	 	75 Cong. Rec. 45 (1931)	03/13/1931	1931	Massachusetts	Repeal Eighteenth Amendment	No	
185.	 	87 Cong. Rec. 3812-13 (1941)		1941	Massachusetts	Federal taxing power, Repeal Sixteenth Amendment	No	repealed by 98 Cong. Rec. 4641 (1952)
186.	 	110 Cong. Rec. 9875 (1964)	4/23/1964	1964	Massachusetts	Pensions for the elderly	No	
187.	 	117 Cong. Rec. 5020 (1971)		1971	Massachusetts	Revenue sharing	Yes	
188.	 	117 Cong. Rec. 30,905 (1971)		1971	Massachusetts	Funding private schools	Yes	
189.	 	119 Cong. Rec. 12,408-09 (1973)	03/28/1973	1973	Massachusetts	Funding private schools	Yes	
190.	 	120 Cong. Rec. 7687 (1974)	03/04/1974	1974	Massachusetts	Funding private schools	Yes	
191.	 	120 Cong. Rec. 13,130-31 (1974)		1974	Massachusetts	School assignment	Yes	
192.	 	122 Cong. Rec. 9735 (1976)		1976	Massachusetts	School assignment	No	
193.	 	123 Cong. Rec. 22,002 (1977)		1977	Massachusetts	Right to life	No	
194.	 	124 Cong. Rec. 8777-78 (1978)	R	1978	Massachusetts	School assignment	No	

195.	 	35 Cong. Rec. 117 (1901)	SJR 443	1901 Michigan	Direct election of Senators	No
196.	 	45 Cong. Rec. 7116 (1910)	JR7	1901 Michigan	Direct election of Senators	No
197.	 	50 Cong. Rec. 2290 (1913)	HR20	1913 Michigan	Anti-polygamy	No
198.	 	87 Cong. Rec. 8904 (1941)	SCR20	1941 Michigan	Federal taxing power, Repeal Sixteenth Amendment	No
199.	 	89 Cong. Rec. 2944 (1943)	SCR24	1943 Michigan	Limit presidential tenure	No
200.	 	95 Cong. Rec. 5628-29 (1949)	HCR26	1949 Michigan	Federal taxing power	Yes
201.	 	102 Cong. Rec. 7240-41 (1956)	HCR8	1956 Michigan	Revision of Article V	Yes
202.	 	117 Cong. Rec. 41,598-99 (1971)	10/28/1971	1971 Michigan	School assignment	Yes
203.	 	160 Cong. Rec. H7887 (daily ed. Sep. 18, 2014)	SJRV	2014 Michigan	Balanced budget	Yes
204.	 	34 Cong. Rec. 2560 (1901)	SF94	1901 Minnesota	Direct election of Senators	No
205.	 	1909 Minn. Laws 719	JR17	1909 Minnesota	Anti-polygamy	No
206.	 	1911 Minn. Laws 595	JR10	1911 Minnesota	Direct election of Senators	No
207.	 	111 Cong. Rec. 10,673 (1965)	R5	1965 Minnesota	Apportionment	Yes
208.	 	86 Cong. Rec. 6025 (1940)		1940 Mississippi	Federal taxing power, Repeal Sixteenth Amendment	No
209.	 	111 Cong. Rec. 15,769 (1965)	SCR101	1965 Mississippi	Apportionment	No
210.	 	111 Cong. Rec. 15,770 (1965)	HCR14	1965 Mississippi	Control communism	No

211.	 	111 Cong. Rec. 15,769-70 (1965)	SCR102	1965	Mississippi	State control of public education	No
212.	 	116 Cong. Rec. 6097 (1970)	SCR514	1970	Mississippi	School assignment	No
213.	 	119 Cong. Rec. 8089 (1973)	HCR55	1973	Mississippi	School assignment	Yes
214.	 	119 Cong. Rec. 8689 (1973)	HCR14	1973	Mississippi	School prayer	Yes
215.	 	121 Cong. Rec. 12,175-76 (1975)	HCR51	1975	Mississippi	Balanced budget	No
216.	 	125 Cong. Rec. 3196 (1979)	HCR3	1979	Mississippi	Right to life	Yes
217.	 	125 Cong. Rec. 2111-12 (1979)	HCR51	1979	Mississippi	Balanced budget	No
218.	 	S. Conc. Res. No. 596 (Miss. 2019)	SCR596	2019	Mississippi	Balanced budget, Congressional term limits, Federal taxing power, Federal/National debt limit, Repeal Sixteenth Amendment, Selection and tenure of federal judges, Convention of States Project [Convention of States Project]	Yes
219.	 	1901 Mo. Laws 268	HJCR2	1901	Missouri	Direct election of Senators	No
220.	 	1903 Mo. Laws 279-80	HJCR2	1903	Missouri	Direct election of Senators	No
221.	 	40 Cong. Rec. 138 (1905)	HJCR5	1905	Missouri	Direct election of Senators	No
222.	 	45 Cong. Rec. 7116 (1910)	3/6/1907	1907	Missouri	Plenary	No
223.	 	50 Cong. Rec. 1796 (1913)		1913	Missouri	Constitutionality of state enactments	No
224.	 	109 Cong. Rec.	HCR4	1963	Missouri	Apportionment	No

		5968 (1963)						
225.	 	109 Cong. Rec. 5868 (1963)	HCR5	1963	Missouri	Revision of Article V	No	
226.	 	111 Cong. Rec. 3304 (1965)	HCR2	1965	Missouri	Apportionment	No	
227.	 	121 Cong. Rec. 12,867 (1975)	SCR7	1975	Missouri	Right to life	No	
228.	 	129 Cong. Rec. 20,352 (1983)	SCR3	1983	Missouri	Balanced budget	Yes	
229.	 	139 Cong. Rec. 14,565 (1993)	SCR9	1993	Missouri	Judicial authority	Yes	
230.	 	140 Cong. Rec. 15,072-73 (1994)	SCR21	1994	Missouri	Coercive use of federal funds [Unfunded mandates]	Yes	
231.	 	S. Conc. Res. 4 (Mo. 2017)	SCR4	2017	Missouri	Balanced budget, Congressional term limits, Federal taxing power, Federal/National debt limit, Repeal Sixteenth Amendment, Selection and tenure of federal judges, Convention of States Project [Convention of States Project]	Yes	
232.	 	35 Cong. Rec. 208 (1901)	JCR2	1901	Montana	Direct election of Senators	No	repealed by 153 Cong. Rec. S8690 (2007)
233.	 	39 Cong. Rec. 2447 (1905)	HJR1	1905	Montana	Direct election of Senators	No	repealed by 153 Cong. Rec. S8690 (2007)
234.	 	45 Cong. Rec. 7116 (1910)	SJR1	1907	Montana	Direct election of Senators	No	repealed by 153 Cong. Rec. S8690 (2007)
235.	 	42 Cong. Rec. 712 (1908)	SJR1	1907	Montana	Direct election of Senators	No	repealed by 153 Cong. Rec. S8690 (2007)

236.	 	47 Cong. Rec. 98-99 (1911)	HJM7	1911	Montana	Anti-polygamy	No	repealed by 153 Cong. Rec. S8690 (2007)
237.	 	46 Cong. Rec. 2411 (1911)	SJR1	1911	Montana	Direct election of Senators, Plenary	No	repealed by 153 Cong. Rec. S8690 (2007)
238.	 	1947 Mont. Laws 796-97	HJM6	1947	Montana	Limit presidential tenure	No	repealed by 153 Cong. Rec. S8690 (2007)
239.	 	109 Cong. Rec. 4469 (1963)	HJR13	1963	Montana	Presidential electors	No	repealed by 153 Cong. Rec. S8690 (2007)
240.	 	109 Cong. Rec. 3854 (1963)	SJR15	1963	Montana	Apportionment	No	repealed by 153 Cong. Rec. S8690 (2007)
241.	 	111 Cong. Rec. 2777 (1965)	SJR5	1965	Montana	Apportionment	No	repealed by 153 Cong. Rec. S8690 (2007)
242.	 	1893 Neb. Laws 466-67		1893	Nebraska	Direct election of Senators	No	
243.	 	35 Cong. Rec. 1779 (1902)*		1902	Nebraska	Direct election of Senators	Unknown	
244.	 	45 Cong. Rec. 7116 (1910)	HR167	1903	Nebraska	Direct election of Senators	No	
245.	 	1907 Neb. Laws 583-84		1907	Nebraska	Direct election of Senators, Plenary	No	
246.	 	47 Cong. Rec. 99 (1911)		1911	Nebraska	Anti-polygamy	No	
247.	 	95 Cong. Rec. 7893-94 (1949)	LR42	1949	Nebraska	Federal taxing power	Yes	repealed by 99 Cong. Rec. 6163 (1953)
248.	 	111 Cong. Rec. 24,723 (1965)	LR	1965	Nebraska	Apportionment	No	
249.	 	111 Cong. Rec.	LR42	1965	Nebraska	Presidential electors	No	

							19,775 (1965)				
250.	 	125 Cong. Rec. 2112 (1979)	LR106	1976 Nebraska	Balanced budget	Yes					
251.	 	124 Cong. Rec. 12,215 (1978)	LR152	1978 Nebraska	Right to life	Yes					
252.	 	35 Cong. Rec. 112 (1901)	SCR	1901 Nevada	Direct election of Senators	No				repealed by S.J. Res. No. 10 (Nv. 2017)	
253.	 	37 Cong. Rec. 24 (1903)	ACR4	1903 Nevada	Direct election of Senators	No				repealed by S.J. Res. No. 10 (Nv. 2017)	
254.	 	1905 Nev. Stat. 272-73	SCR	1905 Nevada	Direct election of Senators	No				repealed by S.J. Res. No. 10 (Nv. 2017)	
255.	 	42 Cong. Rec. 163 (1907)	AJCR	1907 Nevada	Direct election of Senators	No				repealed by S.J. Res. No. 10 (Nv. 2017)	
256.	 	67 Cong. Rec. 456 (1925)	SJR6	1925 Nevada	Repeal Eighteenth Amendment	No				repealed by S.J. Res. No. 10 (Nv. 2017)	
257.	 	106 Cong. Rec. 10,749 (1960)	SJR7	1960 Nevada	Repeal Sixteenth Amendment	No				repealed by S.J. Res. No. 10 (Nv. 2017)	
258.	 	109 Cong. Rec. 9942 (1963)	SJR2	1963 Nevada	Apportionment	No				repealed by S.J. Res. No. 10 (Nv. 2017)	
259.	 	119 Cong. Rec. 17,022-23 (1973)	SJR7	1973 Nevada	School assignment	Yes				repealed by S.J. Res. No. 10 (Nv. 2017)	
260.	 	121 Cong. Rec. 21065 (1975)	AJR47	1975 Nevada	Coercive use of federal funds	No				repealed by S.J. Res. No. 10 (Nv. 2017)	
261.	 	125 Cong. Rec. 16,350 (1979)	SJR27	1979 Nevada	Right to life	Yes				repealed by S.J. Res. No. 10 (Nv. 2017)	

262.	 	125 Cong. Rec. 2112 (1979)	SJR22	1979 Nevada	Balanced budget	Yes	repealed by S.J. Res. No. 10 (Nv. 2017)
263.	 	126 Cong. Rec. 1104-05 (1980)	SJR8	1980 Nevada	Balanced budget	Yes	repealed by S.J. Res. No. 10 (Nv. 2017)
264.	 	89 Cong. Rec. 3761-62 (1943)		1943 New Hampshire	Federal taxing power, Repeal Sixteenth Amendment	No	repealed by H. Con. Res. 28 (2010)
265.	 	97 Cong. Rec. 10,716-17 (1951)		1951 New Hampshire	Federal taxing power	No	repealed by H. Con. Res. 28 (2010)
266.	 	111 Cong. Rec. 12,853 (1965)		1965 New Hampshire	Apportionment	No	repealed by H. Con. Res. 28 (2010)
267.	 	115 Cong. Rec. 36,153-54 (1969)		1969 New Hampshire	Revenue sharing	No	repealed by H. Con. Res. 28 (2010)
268.	 	119 Cong. Rec. 22,887-88 (1973)	HCR6	1973 New Hampshire	School prayer	Yes	repealed by H. Con. Res. 28 (2010)
269.	 	125 Cong. Rec. 11,584 (1979)	HCR8	1979 New Hampshire	Balanced budget	Yes	repealed by H. Con. Res. 28 (2010)
270.	 	162 Cong. Rec. S5153 (daily ed. Jul. 14, 2016)	HCR40	2012 New Hampshire	Balanced budget	Yes	
271.	 	Cong. Globe, 36th Cong., 2d Sess. 680 (S., Feb. 1,1861)		1861 New Jersey	Plenary	No	
272.	 	45 Cong. Rec. 7117 (1910)	JR5	1907 New Jersey	Direct election of Senators	No	
273.	 	75 Cong. Rec. 3299 (1932)	JR1	1932 New Jersey	Repeal Eighteenth Amendment	No	
274.	 	90 Cong. Rec. 6141 (1944)		1944 New Jersey	Federal taxing power	No	repealed by 100 Cong. Rec. 11,943 (1954)
275.	 	95 Cong. Rec. 4571 (1949)	ACR17	1949 New Jersey	World federal government	Yes	repealed by 97 Cong. Rec. 7296

276.	 	116 Cong. Rec. 41,879 (1970)	SCR77	1970 New Jersey	Revenue sharing	Yes	
277.	 	119 Cong. Rec. 11,446 (1973)	ACR91	1972 New Jersey	School prayer	No	
278.	 	123 Cong. Rec. 10,481 (1977)	S1271	1977 New Jersey	Right to life	Yes	
279.	 	161 Cong. Rec. H9205 (daily ed. Dec. 9, 2015)	SCR132	2015 New Jersey	Campaign Finance Reform	Yes	
280.	 	98 Cong. Rec. 947- 48 (1952)	HJR12	1952 New Mexico	Federal taxing power	No	rescinded by House Joint Resolution No. 10 (N.M. 2017)
281.	 	112 Cong. Rec. 199 (1966)	SJR2	1966 New Mexico	Apportionment	No	rescinded by House Joint Resolution No. 10 (N.M. 2017)
282.	 	125 Cong. Rec. 2112-13 (1979)	SJR	1979 New Mexico	Balanced budget	Yes	rescinded by House Joint Resolution No. 10 (N.M. 2017)
283.	 	H.R. Jour., 1st Cong., 1st Sess. 29-30 (May 6, 1789)		1789 New York	Plenary	No	
284.	 	40 Cong. Rec. 4551 (1906)		1906 New York	Anti-polygamy	No	
285.	 	75 Cong. Rec. 48 (1931)	A4	1931 New York	Repeal Eighteenth Amendment	Yes	
286.	 	118 Cong. Rec. 33,047-48 (1972)	JR7	1972 New York	Funding private schools	Yes	
287.	 	1901 N.C. Sess. Laws 1039		1901 North Carolina	Direct election of Senators	No	
288.	 	45 Cong. Rec. 7117 (1910)		1907 North Carolina	Direct election of Senators, Plenary	No	

289.	 	95 Cong. Rec. 6587-88 (1949)	R37	1949	North Carolina	World federal government	Yes	
290.	 	111 Cong. Rec. 10,673 (1965)	R60	1965	North Carolina	Apportionment	Yes	
291.	 	125 Cong. Rec. 3310-11 (1979)	SJR1	1979	North Carolina	Balanced budget	Yes	
292.	 	113 Cong. Rec. 11,175 (1967)	HCRI-1	1967	North Dakota	Apportionment	No	repealed by 147 Cong. Rec. S3705 (2001)
293.	 	117 Cong. Rec. 11,841 (1971)	SCR401	1971	North Dakota	Revenue sharing	Yes	repealed by 147 Cong. Rec. S3705 (2001)
294.	 	125 Cong. Rec. 2113 (1979)	SCR4018	1979	North Dakota	Balanced budget	No	repealed by 147 Cong. Rec. S3705 (2001)
295.	 	Senate Concurrent Resolution No. 4033 (1979)*		1979	North Dakota	Federal taxing power [Estate Taxes]	Unknown	repealed by 147 Cong. Rec. S3705 (2001)
296.	 	158 Cong. Rec. S1459 (daily ed. Mar. 7, 2012)	SCR4007	2011	North Dakota	Federal/National debt limit	Yes	
297.	 	158 Cong. Rec. H3805 (daily ed. May 31, 2011)	HCR3048	2011	North Dakota	Revision of Article V	Yes	
298.	 	161 Cong. Rec. S2399-400 (daily ed. April 23, 2015)	HCR3015	2015	North Dakota	Balanced budget	Yes	
299.	 	H. Conc. Res. 3006 (ND 2017)	HCR 3006	2017	North Dakota	Balanced budget, Congressional term limits, Federal taxing power, Federal/National debt limit, Repeal Sixteenth Amendment, Selection and tenure of federal judges, Convention of States Project [Convention of States Project]	Yes	

300.	 	1861 Ohio Laws 181		1861 Ohio	Plenary	No	
301.	 	1908 Ohio Laws 641-42		1908 Ohio	Direct election of Senators	No	
302.	 	1911 Ohio Laws 741		1911 Ohio	Direct election of Senators	No	
303.	 	47 Cong. Rec. 660- 61 (1911)	HJR13	1911 Ohio	Anti-polygamy	No	
304.	 	111 Cong. Rec. 25,237 (1965)	SJR16	1965 Ohio	Revenue sharing	No	
305.	 	117 Cong. Rec. 22,280 (1971)	JR	1971 Ohio	Revenue sharing	Yes	
306.	 	160 Cong. Rec. S1174 (daily ed. Feb. 26, 2014)	SJR5	2013 Ohio	Balanced budget	Yes	
307.	 	45 Cong. Rec. 7117-18 (1910)	SJR9	1908 Oklahoma	Direct election of Senators, Plenary	No	probably repealed by 2009 Cong. Rec. H9549 (2009)
308.	 	1911 Okla. Sess. Laws 388-89	SCR13	1911 Oklahoma	Anti-polygamy	No	probably repealed by 2009 Cong. Rec. H9549 (2009)
309.	 	109 Cong. Rec. 1172 (1963)	SCR2	1963 Oklahoma	Revision of Article V	No	probably repealed by 2009 Cong. Rec. H9549 (2009)
310.	 	109 Cong. Rec. 1172-73 (1963)	SCR3	1963 Oklahoma	Apportionment	No	probably repealed by 2009 Cong. Rec. H9549 (2009)
311.	 	111 Cong. Rec. 11,488 (1965)	SCR35	1965 Oklahoma	Presidential electors	No	probably repealed by 2009 Cong. Rec. H9549 (2009)
312.	 	111 Cong. Rec. 1216 (1965)*		1965 Oklahoma	Apportionment	Unknown	probably repealed by 2009 Cong. Rec. H9549 (2009)
313.	 	119 Cong. Rec. 14,428 (1973)	HCR1026	1973 Oklahoma	School assignment	No	probably repealed by 2009 Cong. Rec.

314.	 	122 Cong. Rec. 16,814 (1976)*		1976	Oklahoma	Coercive use of federal funds	Yes	H9549 (2009) probably repealed by 2009 Cong. Rec. H9549 (2009)
315.	 	124 Cong. Rec. 12,397 (1978)	HJR1049	1976	Oklahoma	Balanced budget	Yes	probably repealed by 2009 Cong. Rec. H9549 (2009)
316.	 	126 Cong. Rec. 8972 (1980)	HJR1053	1980	Oklahoma	Right to life	Yes	probably repealed by 2009 Cong. Rec. H9549 (2009)
317.	 	162 Cong. Rec. S6354-55 (daily ed. Nov. 15, 2016)	SJR4	2016	Oklahoma	Balanced budget, Congressional term limits, Federal taxing power, Federal/National debt limit, Repeal Sixteenth Amendment, Selection and tenure of federal judges, Convention of States Project [Balanced budget and Convention of States Project]	Yes	
318.	 	H. J. Res. No. 10 (Or. 1864)	HJR10	1864	Oregon	Slavery	No	
319.	 	34 Cong. Rec. 2290 (1901)	HJR4	1901	Oregon	Direct election of Senators, Plenary	No	
320.	 	35 Cong. Rec. 117 (1901)	SJM11	1901	Oregon	Direct election of Senators	No	
321.	 	45 Cong. Rec. 7118 (1910)	SJR7	1903	Oregon	Direct election of Senators	No	
322.	 	43 Cong. Rec. 2071 (1909)	HJM2	1909	Oregon	Direct election of Senators	No	
323.	 	49 Cong. Rec. 2463 (1913)	SJR2	1913	Oregon	Anti-polygamy	No	
324.	 	84 Cong. Rec. 985 (1939)	HJM1	1939	Oregon	Townsend plan	No	
325.	 	117 Cong. Rec. 17,056-57 (1971)	HJR1	1971	Oregon	Revenue sharing	Yes	

326.	 	125 Cong. Rec. 5953 (1979)	SJM2	1977 Oregon	Balanced budget	Yes	repealed by 146 Cong. Rec. S84 (2000)
327.	 	45 Cong. Rec. 7118 (1910)	CR10	1901 Pennsylvania	Direct election of Senators	No	
328.	 	1907 Pa. Laws 821-22	N42	1907 Pennsylvania	Anti-polygamy	No	
329.	 	1913 Pa. Laws 869	JR	1913 Pennsylvania	Anti-polygamy	No	
330.	 	89 Cong. Rec. 8220-21 (1943)	HCR50	1943 Pennsylvania	Federal taxing power, Repeal Sixteenth Amendment	No	
331.	 	89 Cong. Rec. 8220 (1943)	5/27/1943	1943 Pennsylvania	Coercive use of federal funds	No	
332.	 	125 Cong. Rec. 2113-14 (1979)	R236	1976 Pennsylvania	Balanced budget	Yes	
333.	 	124 Cong. Rec. 11,438 (1978)		1978 Pennsylvania	Right to life	Yes	
334.	 	86 Cong. Rec. 3407 (1940)		1940 Rhode Island	Federal taxing power, Repeal Sixteenth Amendment	No	repealed by 95 Cong. Rec. 8286 (1949)
335.	 	1971 R.I. Acts & Resolves 216-18*		1971 Rhode Island	Revenue sharing	Yes	
336.	 	123 Cong. Rec. 15,808 (1977)		1977 Rhode Island	Right to life	Yes	
337.	 	162 Cong. Rec. S5276 (daily ed. Sep. 6, 2016)	H7670	2016 Rhode Island	Campaign Finance Reform	Yes	
338.	 	H.R. Jour. 22nd Cong., 2nd Sess. 219-20 (Jan. 21, 1833)**	12/13/1832	1832 South Carolina	Plenary	No	("disfavored" by S.C. Code Ann. § 1-1- 1510 (2004))
339.	 	53 Cong. Rec. 2442 (1915)		1915 South Carolina	Anti-polygamy	No	("disfavored" by S.C. Code Ann. § 1-1- 1510 (2004))

340.	 	108 Cong. Rec. 5051 (1962)		1962	South Carolina	Repeal Sixteenth Amendment, Prohibit federal commercial enterprises	No	("disfavored" by S.C. Code Ann. § 1-1- 1510 (2004))
341.	 	109 Cong. Rec. 10,441-42 (1963)	HCR	1963	South Carolina	Revision of Article V	No	("disfavored" by S.C. Code Ann. § 1-1- 1510 (2004))
342.	 	109 Cong. Rec. 10,442-43(1963)	SCR147	1963	South Carolina	Establish Court of the Union	No	("disfavored" by S.C. Code Ann. § 1-1- 1510 (2004))
343.	 	109 Cong. Rec. 10,441-42 (1963)	SCR149	1963	South Carolina	Apportionment	No	("disfavored" by S.C. Code Ann. § 1-1- 1510 (2004))
344.	 	111 Cong. Rec. 3304 (1965)		1965	South Carolina	Apportionment	No	("disfavored" by S.C. Code Ann. § 1-1- 1510 (2004))
345.	 	111 Cong. Rec. 3304 (1965)		1965	South Carolina	State control of public education	No	("disfavored" by S.C. Code Ann. § 1-1- 1510 (2004))
346.	 	122 Cong. Rec. 4329 (1976)	S.C. ACTS	1976	South Carolina	Balanced budget	Yes	repealed by S.C. Code Ann. § 1-1- 1510 (2004)
347.	 	125 Cong. Rec. 2114 (1979)*	S1024	1978	South Carolina	Balanced budget	Yes	("disfavored" by S.C. Code Ann. § 1-1- 1510 (2004))
348.	 	45 Cong. Rec. 7118 (1910)	HJR2	1907	South Dakota	Direct election of Senators	No	repealed by H.J.Res. No. 1004 (S.D. 2019)
349.	 	43 Cong. Rec. 2670 (1909)	HJR7	1909	South Dakota	Anti-polygamy	No	repealed by H.J.Res. No. 1004 (S.D. 2019)
350.	 	43 Cong. Rec. 2667-68 (1909)	HJR5	1909	South Dakota	Direct election of Senators	No	repealed by H.J.Res. No. 1004 (S.D. 2019)
351.	 	99 Cong. Rec. 9180-81 (1953)	SJR4	1953	South Dakota	Revision of Article V	Yes	repealed by 160 Cong. Rec. S3667 (daily ed. June 12,

352.	 	101 Cong. Rec. 2861-62 (1955)	SJR5	1955	South Dakota	Revision of Article V	Yes	2014) [HB-1135 (2010)] repealed by 160 Cong. Rec. S3667 (daily ed. June 12, 2014) [HB-1135 (2010)]
353.	 	109 Cong. Rec. 14,638-39 (1963)	SJR1	1963	South Dakota	Revision of Article V	No	repealed by 160 Cong. Rec. S3667 (daily ed. June 12, 2014) [HB-1135 (2010)]
354.	 	109 Cong. Rec. 14,639 (1963)	SJR2	1963	South Dakota	Apportionment	No	repealed by 160 Cong. Rec. S3667 (daily ed. June 12, 2014) [HB-1135 (2010)]
355.	 	111 Cong. Rec. 3722-23 (1965)	SJR3	1965	South Dakota	Apportionment	No	repealed by 160 Cong. Rec. S3667 (daily ed. June 12, 2014) [HB-1135 (2010)]
356.	 	117 Cong. Rec. 5303 (1971)	HJR503	1971	South Dakota	Revenue sharing	Yes	repealed by H.J.Res. No. 1004 (S.D. 2019)
357.	 	123 Cong. Rec. 11,048 (1977)	HJR503	1977	South Dakota	Right to life	Yes	repealed by 160 Cong. Rec. S3667 (daily ed. June 12, 2014) [HB-1135 (2010)]
358.	 	125 Cong. Rec. 3656-57 (1979)	JR	1979	South Dakota	Balanced budget	Yes	repealed by 160 Cong. Rec. S3667 (daily ed. June 12, 2014) [HB-1135 (2010)]
359.	 	132 Cong. Rec. 4473-74 (1986)	JR	1986	South Dakota	Line-item veto	Yes	repealed by 160 Cong. Rec. S3667

360.	 	135 Cong. Rec. 5395-96 (1989)		1989	South Dakota	Congressional term limits	Yes	(daily ed. June 12, 2014) [HB-1135 (2010)] repealed by 160 Cong. Rec. S3667 (daily ed. June 12, 2014) [HB-1135 (2010)]
361.	 	139 Cong. Rec. 5905 (1993)	SJR3	1993	South Dakota	Coercive use of federal funds	Yes	repealed by 160 Cong. Rec. S3667 (daily ed. June 12, 2014) [HB-1135 (2010)]
362.	 	162 Cong. Rec. S6550 (daily ed. Nov. 29, 2016)	HJR1001	2015	South Dakota	Balanced budget	Yes	
363.	 	35 Cong. Rec. 2344 (1902)	SJR40	1901	Tennessee	Direct election of Senators	No	repealed by HJR 30 (2010)
364.	 	1903 Tenn. Pub. Acts 1630-31	N14	1903	Tennessee	Direct election of Senators	No	repealed by HJR 30 (2010)
365.	 	45 Cong. Rec. 7118 (1910)	JR15	1905	Tennessee	Direct election of Senators	No	repealed by HJR 30 (2010)
366.	 	47 Cong. Rec. 187 (1911)	SJR43	1911	Tennessee	Anti-polygamy	No	repealed by HJR 30 (2010)
367.	 	112 Cong. Rec. 199-200 (1966)	HJR34	1965	Tennessee	Apportionment	No	repealed by HJR 30 (2010)
368.	 	118 Cong. Rec. 16,214 (1972)	SJR101	1972	Tennessee	School assignment	Yes	repealed by HJR 30 (2010)
369.	 	118 Cong. Rec. 16,214 (1972)	SJR100	1972	Tennessee	School assignment	No	repealed by HJR 30 (2010)
370.	 	122 Cong. Rec. 3307-08 (1976)	HJR222	1976	Tennessee	Coercive use of federal funds	No	repealed by HJR 30 (2010)
371.	 	123 Cong. Rec. 22,002 (1977)	HJR160	1977	Tennessee	Line-item veto	Yes	repealed by HJR 30 (2010)

372.	 	123 Cong. Rec. 18,419 (1977)*		1977	Tennessee	Selection and tenure of federal judges	Unknown	repealed by HJR 30 (2010)
373.	 	123 Cong. Rec. 18,419 (1977)*	HJR22	1977	Tennessee	Balanced budget	Yes	repealed by HJR 30 (2010)
374.	 	124 Cong. Rec. 11,437 (1978)	HJR21	1978	Tennessee	Selection and tenure of federal judges	No	repealed by HJR 30 (2010)
375.	 	124 Cong. Rec. 11,437-38 (1978)	HJR22	1978	Tennessee	Balanced budget	No	repealed by HJR 30 (2010)
376.	 	126 Cong. Rec. 9765 (1980)	SJR23	1980	Tennessee	Right to life	Yes	repealed by HJR 30 (2010)
377.	 	H. Jour. Res. 548 (Tenn. 2014)	HJR548	2014	Tennessee	Balanced budget	Yes	
378.	 	S. J. Res. 67 (Tenn. 2016)	SJR67	2016	Tennessee	Balanced budget, Congressional term limits, Federal taxing power, Federal/National debt limit, Repeal Sixteenth Amendment, Selection and tenure of federal judges, Convention of States Project [Convention of States Project]	Yes	
379.	 	33 Cong. Rec. 219 (1899)	SCR4	1899	Texas	Plenary	No	repealed by S. Jour. Res. No 38 (Tx. 2017)
380.	 	45 Cong. Rec. 7119 (1910)	HCR22	1901	Texas	Direct election of Senators	No	repealed by S. Jour. Res. No 38 (Tx. 2017)
381.	 	1911 Tex. Gen. Laws 276-77	HCR11	1911	Texas	Direct election of Senators	No	repealed by S. Jour. Res. No 38 (Tx. 2017)
382.	 	1911 Tex. Gen. Laws 281-82	HCR17	1911	Texas	Anti-polygamy	No	repealed by S. Jour. Res. No 38 (Tx. 2017)
383.	 	101 Cong. Rec. 2770-71 (1955)	SCR15	1955	Texas	Revision of Article V	Yes	repealed by S. Jour. Res. No 38 (Tx. 2017)

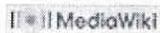
384.	 	103 Cong. Rec. A4782-83 (1957)*		1957 Texas	Preservation of states' rights	Unknown	2017) repealed by S. Jour. Res. No 38 (Tx. 2017)
385.	 	103 Cong. Rec. 8265 (1957)**	SCR91	1957 Texas	Oil and mineral rights	Unknown	repealed by S. Jour. Res. No 38 (Tx. 2017)
386.	 	109 Cong. Rec. 11,852-53 (1963)	HCR29	1963 Texas	Presidential electors	No	repealed by S. Jour. Res. No 38 (Tx. 2017)
387.	 	109 Cong. Rec. 11,852 (1963)	HCR22	1963 Texas	Apportionment	No	repealed by S. Jour. Res. No 38 (Tx. 2017)
388.	 	109 Cong. Rec. 11,852 (1963)	HCR21	1963 Texas	Revision of Article V	No	repealed by S. Jour. Res. No 38 (Tx. 2017)
389.	 	111 Cong. Rec. 18,171 (1965)	SCR24	1965 Texas	Apportionment	No	repealed by S. Jour. Res. No 38 (Tx. 2017)
390.	 	113 Cong. Rec. 17,634 (1967)	SCR12	1967 Texas	Revenue sharing	No	repealed by S. Jour. Res. No 38 (Tx. 2017)
391.	 	119 Cong. Rec. 11,515 (1973)	HCR	1973 Texas	School assignment	Yes	repealed by S. Jour. Res. No 38 (Tx. 2017)
392.	 	125 Cong. Rec. 5223-24 (1979)	HCR31	1977 Texas	Balanced budget	Yes	
393.	 	S. J. Res. 2 (Tex. 2017)	SJR2	2017 Texas	Balanced budget, Congressional term limits, Federal taxing power, Federal/National debt limit, Repeal Sixteenth Amendment, Selection and tenure of federal judges, Convention of States Project [Convention of States Project]	Yes	

394.	 	45 Cong. Rec. 7119 (1910)	HJR	1903 Utah	Direct election of Senators	No	repealed by 147 Cong. Rec. S10387 (2001)
395.	 	98 Cong. Rec. 947 (1951)		1951 Utah	Federal taxing power, Repeal Sixteenth Amendment	No	repealed by 147 Cong. Rec. S10387 (2001)
396.	 	109 Cong. Rec. 5947 (1963)	HCR1	1963 Utah	Presidential electors	No	repealed by 147 Cong. Rec. S10387 (2001)
397.	 	111 Cong. Rec. 4320 (1965)	SJR3	1965 Utah	Apportionment	No	repealed by 147 Cong. Rec. S10387 (2001)
398.	 	123 Cong. Rec. 13,057-58 (1977)	HJR28	1977 Utah	Right to life	No	repealed by 147 Cong. Rec. S10387 (2001)
399.	 	125 Cong. Rec. 4372-73 (1979)		1979 Utah	Balanced budget	Yes	repealed by 147 Cong. Rec. S10387 (2001)
400.	 	133 Cong. Rec. 9736 (1987)		1987 Utah	Federal taxing power	Yes	repealed by 147 Cong. Rec. S10387 (2001)
401.	 	161 Cong. Rec. H5237 (daily ed. Jul. 15, 2015)	HJR7	2015 Utah	Balanced budget	Yes	
402.	 	S. J. Res. No 9 (Utah 2019)	SJR9	2019 Utah	Balanced budget, Congressional term limits, Federal taxing power, Federal/National debt limit, Repeal Sixteenth Amendment, Selection and tenure of federal judges, Convention of States Project [Convention of States Project]	Yes	
403.	 	49 Cong. Rec. 1433 (1913)		1912 Vermont	Anti-polygamy	No	

404.	 	160 Cong. Rec. S4331 (daily ed. July 9, 2014)	JSR27	2014 Vermont	Campaign Finance Reform	Yes	
405.	 	1 Annals of Cong. 258-59 (J. Gales, Sr. ed., 1834) (H.R., May 5, 1789)	11/14/1788	1788 Virginia	Plenary	No	repealed by 160 Cong. Rec. S2238 (2014) [HJR 194 (2004)]
406.	 	98 Cong. Rec. 1496 (1952)	HJR32	1952 Virginia	Federal taxing power, Repeal Sixteenth Amendment [Repeal Sixteenth Amendment]	No	repealed by 160 Cong. Rec. S2238 (2014) [HJR 194 (2004)]
407.	 	106 Cong. Rec. 5240-41 (1960)	HJR7	1960 Virginia	State control of public education	No	repealed by 160 Cong. Rec. S2238 (2014) [HJR 194 (2004)]
408.	 	111 Cong. Rec. 880 (1965)	HJR5	1964 Virginia	Revision of Article V	No	repealed by 160 Cong. Rec. S2238 (2014) [HJR 194 (2004)]
409.	 	110 Cong. Rec. 5659 (1964)	HJR90	1964 Virginia	Apportionment	No	repealed by 160 Cong. Rec. S2238 (2014) [HJR 194 (2004)]
410.	 	111 Cong. Rec. 880-81 (1965)	HJR6	1964 Virginia	Apportionment	No	repealed by 160 Cong. Rec. S2238 (2014) [HJR 194 (2004)]
411.	 	119 Cong. Rec. 8091 (1973)	HJR75	1973 Virginia	Balanced budget	Yes	repealed by 160 Cong. Rec. S2238 (2014) [HJR 194 (2004)]
412.	 	121 Cong. Rec. 5793 (1975)	SJR107	1975 Virginia	Balanced budget	Yes	repealed by 160 Cong. Rec. S2238 (2014) [HJR 194 (2004)]

413.	 	122 Cong. Rec. 8335-36 (1976)	SJR36	1976 Virginia	Balanced budget	Yes	repealed by 160 Cong. Rec. S2238 (2014) [HJR 194 (2004)]
414.	 	123 Cong. Rec. 9289 (1977)	HJR168	1977 Virginia	Line-item veto	Yes	repealed by 160 Cong. Rec. S2238 (2014) [HJR 194 (2004)]
415.	 	1901 Wash. Laws 333	HB90	1901 Washington	Plenary	No	
416.	 	45 Cong. Rec. 7119 (1910)	HB207.	1903 Washington	Direct election of Senators, Plenary	No	
417.	 	46 Cong. Rec. 651 (1911)	SCR17	1909 Washington	Anti-polygamy	No	
418.	 	44 Cong. Rec. 127 (1909)	SCR17	1909 Washington	Anti-polygamy	No	
419.	 	109 Cong. Rec. 5867 (1963)	HJM1	1963 Washington	Apportionment	No	
420.	 	1907 W. Va. Acts 433-34	SJR13	1907 West Virginia	Anti-polygamy	No	
421.	 	117 Cong. Rec. 541-42 (1971)	HCR9	1971 West Virginia	Revenue sharing	Yes	
422.	 	162 Cong. Rec. S5277 (daily ed. Sep. 6, 2016)	HCR36	2016 West Virginia	Balanced budget	Yes	
423.	 	37 Cong. Rec. 276 (1903)*		1903 Wisconsin	Direct election of Senators	Unknown	
424.	 	42 Cong. Rec. 165- 66 (1907)	SJR28	1907 Wisconsin	Direct election of Senators	No	
425.	 	45 Cong. Rec. 7119-20 (1910)	JR10	1908 Wisconsin	Direct election of Senators	No	
426.	 	47 Cong. Rec. 1873 (1911)	JR15S	1911 Wisconsin	Plenary	No	

427.	 	50 Cong. Rec. 42-43 (1913)		1913 Wisconsin	Anti-polygamy	No	
428.	 	71 Cong. Rec. 2590 (1929)	SJR65	1929 Wisconsin	Plenary	No	
429.	 	75 Cong. Rec. 57 (1931)		1931 Wisconsin	Repeal Eighteenth Amendment	No	
430.	 	89 Cong. Rec. 7524 (1943)	AJR55	1943 Wisconsin	Federal taxing power, Repeal Sixteenth Amendment [Repeal Sixteenth Amendment]	No	repealed by 91 Cong. Rec. 3266 (1945)
431.	 	89 Cong. Rec. 7525 (1943)	JR38	1943 Wisconsin	Limit presidential tenure	No	
432.	 	109 Cong. Rec. 15,107 (1963)	JR80A	1963 Wisconsin	Presidential electors	No	
433.	 	Assemb. J. Res. 21 (Wi. 2017)	AJR21	2017 Wisconsin	Balanced budget	Yes	
434.	 	84 Cong. Rec. 1973 (1939)	EJM4	1939 Wyoming	Federal taxing power, Repeal Sixteenth Amendment [Repeal Sixteenth Amendment]	No	repealed by H. J. Res. 3 (Wyo. 2009)
435.	 	105 Cong. Rec. 3085-86 (1959)	EJR2	1959 Wyoming	Repeal Sixteenth Amendment, Prohibit federal commercial enterprises	No	repealed by H. J. Res. 3 (Wyo. 2009)
436.	 	107 Cong. Rec. 2759 (1961)	EJR4	1961 Wyoming	Balanced budget	No	repealed by H. J. Res. 3 (Wyo. 2009)
437.	 	109 Cong. Rec. 4778-79 (1963)	EJR2	1963 Wyoming	Establish Court of the Union	No	repealed by H. J. Res. 3 (Wyo. 2009)
438.	 	109 Cong. Rec. 4779 (1963)	EJM15	1963 Wyoming	Revision of Article V	No	repealed by H. J. Res. 3 (Wyo. 2009)
439.	 	109 Cong. Rec. 4779 (1963)	EJM14	1963 Wyoming	Apportionment	No	repealed by H. J. Res. 3 (Wyo. 2009)
440.	 	124 Cong. Rec. 14056 (1978)	EJR1	1978 Wyoming	Balanced budget	Yes	repealed by H. J. Res. 3 (Wyo. 2009)
441.	 	H. Enr. J. Res. 2 (Wy. 2017)	HEJR 2	2017 Wyoming	Balanced budget	Yes	



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Report Errata

Oath of office

The U. S. Constitution: Article VI : “ The Senator and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers of the United States and of the several States shall be bound by Oath or Affirmation, to support this Constitution;...”

The Presidential oath - Article II, Section 1: *“I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States.”*

The Congressional oath: *“I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will faithfully discharge the duties of the office on which I am about to enter; so help me God.”*

North Dakota Constitution:

Article XI. Section 4. “Members of the legislative assembly and the executive and judicial branches, except such inferior officers as may be by law exempted, before they enter on the duties of their respective offices, shall take and subscribe the following oath or affirmation”: *“I do solemnly swear (or affirm as the case may be) that I will support the Constitution of the United States and the Constitution of the State of North Dakota,; and that I will faithfully discharge the duties of the Office of _____ according to the best of my ability, so help me God.”*

US Military Oath of allegiance:

“I do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; and that I will obey the orders of the President of the United States and the orders of the officers appointed over me, according to regulations and the uniform code of military justice, so help me God.”

The United Nations Oath:

The oath which commanding officers of UN deployments take:

"I solemnly affirm to exercise in all loyalty, discretion and conscience the functions entrusted to me as a member of the international service of the United Nations, to discharge those functions and regulate my conduct with the interest of the United Nations only in view and not to seek or accept instructions in respect to the performance of my duties from any government or other authority external to the organization."

Monday February 13, 2023

**To Members of Hearing Committee on
Recinding Con-Con.**

**Reasons Not to Call a Convention of
States.**

I am going to note here for you some of the prominent people who voiced their opinion on why calling for a con-con could result in a run-away convsntion that could change our whole Constitution as we know it.

**What legal experts have said about a
Constitutional Convention, including the
actual possibility of a run-away
convention.**

- 1. Letter by Chief Justice Warren Burger**
- 2. Article by Justice Arthur Goldberg**
- 3. Excerpt by Dist. Judge Bruce Van Sickle**
- 4. Letter by Prof. Laurence H. Tribe.**
- 5. Memorandum by Laurence H. Tribe.**

- 6. Letter by Prof. Gerald Gunther.**
- 7. Letter by Prof. Neil H. Cogan.**
- 8. Letter by Prof. Jefferson B. Fordham.**
- 9. Letter by Prof. Charles E. Rice.**
- 10. Letter by Prof. Christopher Brown**
- 11. Letter by Prof. Charles Alan Wright**
- 12. Letter by Rex E Lee (Pres. Of Brigham Young University.**
- 13. Article by Richard H. Seamon**

These can all be looked up and verified on line.

Thank you
Allen Siebert
470 5th St NW
Valley City, ND 58072
Ph- 701-840-9340
Dist 24

Members of the Senate State and Local Government Committee,

I am in favor of SCR 4012, a bill that would rescind all of North Dakota's applications for an Article V Constitutional Convention.

If we wish to amend the Constitution, we should do it the way all 27 of the amendments to the Constitution have been done, by the first method outlined in Article V. In the first method of amending the Constitution Congress proposes the amendment with a two-thirds majority vote in both the House and Senate. This is a much safer way to amend the Constitution than to hold a Constitutional Convention.

The second method that Article V allows for amending the Constitution is that if two-thirds of the States apply to Congress proposing an amendment or amendments, Congress must call a Constitutional Convention. Congress would determine the number of delegates to a convention and how they will be selected.

Ratification can be done either by a three-fourths majority vote of the Legislatures of the several States or a three-fourths majority in ratifying conventions in each State whether using the first or second method of amending the Constitution, although the only time that ratification has been done by ratifying conventions in each of the States was when the 21st Amendment was ratified repealing the 18th (Prohibition).

The danger in using an Article V Constitutional Convention is that it allows for amendments (PLURAL). Delegates from all points on the political spectrum would have a free-for-all proposing amendments. The divisiveness it could cause would add to the already divisive political atmosphere we now see. What America needs right now is unity, not more division. There could be constitutional revisions which threaten our God-given rights and liberties or even an entire re-write of our Constitution.

Some who want an amendment may be more interested in having an Article V Constitutional Convention than in passing a particular amendment. It is interesting to note that one member of the board of the "Convention of States" (COS) organization, Robert George with the help of three others has written a new "conservative" constitution. It makes serious changes to the Second Amendment, allows for "red flag laws," and increases the size and scope of the federal government. Also those who want to use the Article V Convention method to pass amendments use deceptive "bait" such as amendments for fiscal restraint, term limits, balancing the budget, etc. that appeal to conservative legislators." Another deception is the (COS) calling for a Convention of States and claiming that it wasn't the same as a Constitutional Convention. It has also recently changed its name to "Convention of States Action" perhaps to cause confusion that it isn't the same organization or is another one.

Founding Father James Madison including many other prominent people have warned against the dangers of a Constitutional Convention as have former Supreme Court Justice Warren Burger, Supreme Court Justice Antonin Scalia, and talk show host Glenn Beck who recently reversed his support after initially being an ardent supporter of one.

Some may say, rightly, that because an Article V Constitutional Convention is part of the Constitution, it is constitutional to use it. True, but there are those who use this fact as an excuse saying that they would be dishonoring their oath of office to uphold the Constitution if they opposed a convention. However, just because Article V exists, the Constitution does not mandate its use. A North Dakota Legislator certainly would not be dishonoring his or her oath by opposing an Article V Constitutional Convention.

North Dakota legislators have rescinded an application for a Constitutional Convention in the past as they became more aware of its dangers. It is time to do so again as the number of states necessary to trigger a convention is nearing two thirds. Therefore, we need to rescind North Dakota's applications to pare down the number and, of course, to not pass any more. Please vote YES (do pass) on SCR 4012.

Judy Stahl, 468 5th St. NW, Valley City, ND 58072 701-845-9673 4freedomusa@bektel.com District 24

To Members of the Senate State and Local Committee
February 11, 2023

This testimony is in regard to SCR 4012.

Please vote yes to pass this, to rescind all of North Dakota's applications for an Article V Constitutional Convention. There are people who want to change our U.S. Constitution because they don't think it is relevant anymore. They want an Article V Con-Con.

We disagree!

We believe our Constitution needs to be read by our citizens as well as our legislators. Then follow what it says.

Some dangers of holding an Article V Con-Con are:

- A Con-Con would be difficult to control
- There very easily could be groups that would lobby for their desires.
 - Antifa or Black Lives Matter
 - U.S. citizens representing a foreign country
 - Mainstream media could try to influence
 - Socialist / communist agenda could be pushed
 - A Con-Con may change some of the rights protected by the 10th Amendment and the rest of the Bill of Rights.

One example of our federal government not following our Constitution : In Article IV, section 4 the federal branch of our government is charged with protecting the states against invasion . The last 2 years we have seen thousands of illegal immigrants coming into our country . The federal branch of our government is allowing this! Our country no longer has a southern border! Please vote yes on SCR 4012.

P.S. if not for us do it for our children and grandchildren.

Sincerely,

Claire and Gary Swenson

Claire and Gary Swenson - Dist 24
507-5th Ave. N.W.
Valley City, N.D.
58072
(phone 845-4134)

Testimony
in Support of
SCR 4012
BY DUANE BENEDICT STAHL
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TESTIMONY FOR SCR 4012

The current political climate raises the possibility of grave consequences of an Article V convention.

Every few years new batches of legislation fly across the desks of state legislators to apply to Congress for an Article V convention. People on the left and the right have seized on a constitutional convention as a silver bullet.

Article V of the Constitution requires Congress to call a convention on the application of two-thirds of the states (currently 34). Conservatives imagine a nationwide ban on abortion, a more robust Second Amendment, and a balanced-budget amendment that will force cuts in social programs like unemployment insurance and food assistance. Progressives envision strict campaign finance reform, abolishing the Electoral College, and dumping the Second Amendment outright.

Next: It Might Happen Again as We Imagined It Happened Before!

Otherwise stated, "An amendments convention is a constitutional convention. We've only had one constitutional convention and it exceeded its mandate. It 'ran away' and that could happen again."

A very quick answer to this claim is: "This isn't 1787. That convention met in secrecy and no one could follow its proceedings. Today the convention proceedings would likely be open and televised so state lawmakers could watch them 24/7. Or perhaps the delegates might decide to keep their proceedings secret till the end of the convention.

Assuming Congress cannot limit the scope of an Article V Convention called by state legislatures, debate still exists regarding whether the states have this power. Article V provides no guidance regarding what power the states have beyond obligating Congress to "call a Convention for proposing Amendments."

Some scholars argue that the text of Article V bars the states from limiting the Convention to a specific issue or amendment. The argument is that the language, "Congress . . . shall call a Convention for proposing *Amendments*" (emphasis added), indicates that an "Article V Convention has the power to consider various issues and to submit various amendments." Further, constitutional scholars suggest that Article V does not allow states to apply for *an amendment*, but rather authorizes states to apply for a *Convention* for proposing amendments. Thus,

scholars argue that states cannot apply for a Convention for a specific amendment, but rather can only oblige Congress to hold a Convention, where any subsequently proposed amendment could be proposed and voted on.

Florida Senator Marco Rubio wants a Constitutional Convention. So do lefty pundits and right-wing talk show hosts. And for the past few years, talk show host Mark Levin has been campaigning for a convention with broader conservative goals citing "Washington's refusal to place restrictions on itself." "Congress might try to limit the agenda to one amendment or to one issue, but there is no way to assure that the Convention would obey," wrote the late Chief Justice Warren Burger. Recently, Glenn Beck withdrew his support for such a convention.

Article V says not a word expressly authorizing the states, Congress, or some combination of the two to confine the subject matter of a convention. It says nothing prescribing that the make-up of a convention, as many conservatives imagine, will be one-state-one-vote (as Alaska and Wyoming might hope) or whether states with larger populations should be given larger delegations (as California and New York would surely argue).

Finally, we should take into account the vast opposition to an Article V convention:

On just one online site, I found quotes from 40 legal scholars from across the nation opposing an Article V convention. I have given these to each of you, and I have underlined pertinent parts in each.

I strongly urge each of you to vote for SCR 4012 to rescind all calls for Congress to call an Article V convention.

Legal Scholars Warn of the Dangers of an Article V Convention

Legal scholars from across the political spectrum agree that there is no way to limit the scope of an Article V convention and a new constitutional convention could be a dangerous process.

“[T]here is no way to effectively limit or muzzle the actions of a Constitutional Convention. The Convention could make its own rules and set its own agenda. Congress might try to limit the convention to one amendment or one issue, but there is no way to assure that the Convention would obey.” – Warren Burger, Chief Justice of the U.S. Supreme Court (1969-1986)

“I certainly would not want a constitutional convention. Whoa! Who knows what would come out of it?” – Antonin Scalia, Associate Justice of the U.S. Supreme Court (1986-2016)

“There is no enforceable mechanism to prevent a convention from reporting out wholesale changes to our Constitution and Bill of Rights.” – Arthur Goldberg, Associate Justice of the US. Supreme Court (1962-1965)

“Questions about such a convention have been debated for years by legal scholars and political commentators, without resolution. Who would serve as delegates? What authority would they be given? Who would establish the procedures under which the convention would be governed? What limits would prevent a “runaway” convention from proposing radical changes affecting basic liberties?...With these thorny issues unsettled, it should come as no surprise that warning flags are being raised about a constitutional convention.” – Archibald Cox, Solicitor General of the United States (1961-1965) and special prosecutor for the U.S. Department of Justice (1973)

“Any new constitutional convention must have the authority to study, debate, and submit to the states for ratification whatever amendments it considers appropriate...If the legislatures of thirty-four states request Congress to call a general constitutional convention, Congress has a constitutional duty to summon such a convention. If those thirty -four states recommend in their applications that the convention consider only a particular subject, Congress still must call a convention and leave to the convention the ultimate determination of the agenda and the nature of the amendments it may choose to propose.” – Walter E. Dellinger, Solicitor

General of the United States (1996-1997) and the Douglas B. Maggs Professor Emeritus of Law at Duke University

“First of all, we have developed orderly procedures over the past couple of centuries for resolving [some of the many] ambiguities [in the Constitution], but no comparable procedures for resolving [questions surrounding a convention]. Second, difficult interpretive questions about the Bill of Rights or the scope of the taxing power or the commerce power tend to arise one at a time, while questions surrounding the convention process would more or less need to be resolved all at once. And third, the stakes in this case in this instance are vastly greater, because what you’re doing is putting the whole Constitution up for grabs.” –Laurence Tribe, professor of constitutional law at Harvard Law School

“The bigger threat is that a constitutional convention, once unleashed on the nation, would be free to rewrite or scrap any parts of the U.S. Constitution. Do we really want to open up our nation’s core defining values to debate at a time when a serious candidate for the White House brags about his enthusiasm for torture and the surveillance state, wants to “open up” reporters to lawsuits, scoffs at the separation of powers and holds ideas about freedom of religion that are selective at best?” – David Super, professor of law at Georgetown University

“Note what [Article V] does not say. It says not a word expressly authorizing the states, Congress, or some combination of the two to confine the subject matter of a convention. It says not a word about whether Congress, in calculating whether the requisite 34 states have called for a convention, must (or must not) aggregate calls for a convention on, say, a balanced budget, with differently worded calls arising from related or perhaps even unrelated topics. It says not a word prescribing that the make-up of a convention, as many conservatives imagine, will be one-state-one-vote (as Alaska and Wyoming might hope) or whether states with larger populations should be given larger delegations (as California and New York would surely argue).” - Walter Olson, senior fellow at the Cato Institute’s Center for Constitutional Studies

“Danger lies ahead. Setting aside the long odds, if California and 33 more states invoke Article V, there’s a risk that we’d end up with a “runaway” convention, during which delegates would propose amendments on issues including abortion, gun rights and immigration.” – Rick

Hasen, Chancellor's Professor of Law and Political Science at the University of California, Irvine

"Holding a Constitutional convention when the U.S. is embroiled in extremely toxic, uninformed and polarized politics is a really, really bad idea." – Shelia Kennedy, professor of law and policy at Indiana University Purdue University Indianapolis

"But no rule or law limits the scope of a state-called constitutional convention. Without established legal procedures, the entire document would be laid bare for wholesale revision. Article V itself sheds no light on the most basic procedures for such a convention. How many delegates does each state get at the convention? Is it one state, one vote, or do states with larger populations, like California, get a larger share of the votes? The Supreme Court has made at least one thing clear — it will not intervene in the process or the result of a constitutional convention. The game has neither rules nor referees." – McKay Cunningham, professor of law at Concordia University

"The result will be a disaster. I hate to think of the worst-case scenario. At best, the fight over every step along the way would consume our country's political oxygen for years." – David Marcus, professor of law at the University of Arizona

"At present, there are no rules regarding who can participate, give money, lobby or have a voice in a constitutional convention. There are no rules about conflicts of interest, disclosure of who is giving or expending money. No rules exist that address political action committees, corporate or labor union involvement or how any other groups can or should participate. Not only might legitimate voices of the people be silenced by convention rules, but special interests may be given privilege to speak and affect the deliberations...there are no rules limiting what can be debated at a constitutional convention. Given the potential domination by special interests, who knows the result?" – David Schultz, political science and election law professor at Hamline University

"An Article V convention might propose an amendment to restore or expand the liberties of the American people, but it also could propose an amendment that diminishes the liberties of

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the American people, or of some of the people. “ – John Malcolm, director of the Heritage Foundation’s Edwin Meese III Center for Legal and Judicial Studies

“But nothing in the Constitution limits such a convention to the issue or issues for which it was called. In other words, anything and everything could be on the table, including fundamental constitutional rights. Nor are there any guarantees about who would participate or under what rules. Indeed, for these reasons, no constitutional convention has been called since the first in 1787.” – Helen Norton, professor and Ira C. Rothgerber, Jr. Chair in Constitutional Law at the University of Colorado

“The lack of clear rules of the road, either in the text of the Constitution itself or in historical or legal precedent, makes the selection of the convention mechanism a choice whose risks dramatically outweigh any potential benefits.” – Richard Boldt, professor of law at the University of Maryland

“We live in deeply partisan times. There are no certainties about how a constitutional convention would play out, but the most likely outcome is that it would deepen our partisan divisions. Because there are no clear constitutional rules defining a convention’s procedures, a convention’s “losers” may deem illegitimate any resulting changes. Regardless of the ultimate outcome, the process itself would likely worsen our already vicious national politics.” – Eric Berger, associate dean and professor of law at the University of Nebraska College of Law

“There are no such guarantees. This is uncharted territory... We should not now abandon the very document that has held us together as a nation for over two and one quarter centuries. Rewriting the Constitution is a dangerous errand that would not only unravel the legal ties that have kept us together for so long but would also undermine our sense of national identity and the way that view ourselves as a people.” – William Marshall, professor of law at University of North Carolina

“Terrible idea... Today’s politicians don’t have the timeless brilliance of our framers. If we were to rewrite our constitution today, we wouldn’t get a particularly good one.” – Adam Winkler, professor of constitutional law and history at the University of California, Los Angeles

“I believe it’s a time for constitutional sobriety. It’s a time to keep our powder dry and not to move on an uncharted course. We are not the founding fathers. This would be disastrous.”

– Toni Massaro, constitutional law professor at the University of Arizona

“Having taught constitutional law for almost 40 years, and having studied constitutions from around the globe, I have difficulty imagining anything worse.” – Bill Rich, professor of law at Washburn University in Topeka, Kansas

“There are no constitutional limits on what the convention could do, no matter what the states say going into it.” – David Schwartz, professor of law at the University of Wisconsin Law School

“The Constitution allows for the calling of conventions on a petition of enough states, but not limited conventions of enough states. If the delegates decide they don’t want to be bound by the (state) resolution, they are right that they can’t be bound.” – Richard H. Fallon Jr., constitutional law professor at Harvard University

“Once you open the door to a constitutional convention, there are no sure guidelines left. This is the constitutional equivalent of opening a can of worms.” – Miguel Schor, constitutional law professor at Drake University School of Law

“Thus, neither the states nor Congress may limit the convention to specific subjects. While the goal to propose a balanced budget amendment may provide guidance to the convention, it would not have the force of law... Put simply, the rewards of any constitutional change is not worth the risks of a convention.” – Sam Marcossan, professor of law at the University of Louisville

“Even more frightening is that the entire Constitution will be in play during a convention. The First Amendment could disappear, so could gun rights. There is no guarantee that any of our current constitutionally protected rights would be included in a new constitution. The only guarantee is that all of those rights would be imperiled.” – Mark Rush, the Waxberg Professor of Politics and Law at Washington and Lee University in Lexington



“Most significantly, we advise the Legislature that a federal constitutional convention called with this resolution could potentially open up each and every provision of the United States Constitution to amendment or repeal. In other words, a federal constitutional convention could propose amendments to eliminate the protections of free speech; the protections against racial discrimination; the protections of freedom of religion; or any of the other myriad provisions that presently provide the backbone of American law.” – March 2018 legislative testimony of Russell Suzuki, Acting Attorney General, and Deirdre Marie-Iha, Deputy Attorney General, of the state of Hawaii

“Whatever one thinks about these proposed amendments, trying to pass them through an Article V convention is a risky business. The Constitution does not specify how the delegates for such a convention would be chosen, how many delegates each state would have, what rules would apply at the convention or whether there would be any limits on what amendments the convention could consider. A convention that was called to address a specific issue, such as budget deficits, might propose changes to freedom of speech, the right to keep and bear arms, the Electoral College or anything else in the Constitution. There is no rule or precedent saying what the proper scope of the convention’s work would be.” – Allen Rostron, associate dean for students, the William R. Jacques Constitutional Law Scholar, and a professor at the University of Missouri

“Whether I like or dislike the specific proposal is not the point — the point is that a constitutional convention is a risky and potentially dangerous way to propose amendments.”
– Hugh Spitzer, professor of law at the University of Washington School of Law

“A Constitutional Convention could be dangerous and destructive to our country, and citizens should approach the idea with the same wariness the founders did...Do we really want to tinker with this nation’s fundamental rights – especially at a time when our country is deeply divided politically? Let’s not risk opening what could be a Pandora’s box of chaos and an existential crisis for the country.” – Dewey M. Clayton, professor of political science at the University of Louisville

“If that were to happen, anything goes. (The original constitutional convention was called to amend the Articles of Confederation, after all. They were scrapped instead.) The Constitution

specifies no rules, no referee and no bans on lobbying or foreign influence at constitutional conventions. Everything in the Constitution would be up for grabs – including the right to free speech, freedom of religion, freedom from random police searches and seizures and, yes, the right to vote.” – Kimberly Wehle, professor at the University of Baltimore School of Law and a former assistant U.S. attorney and associate independent counsel in the Whitewater investigation

“Amendment by convention has never been attempted and little is certain about the powers and prerogatives of such a convention. The basic problem is that there appears to be no effective way to limit the convention’s scope once it is called.” – Stephen H. Sach, Attorney General of Maryland (1979-1987)

“It is unclear, for instance, what the agenda of the convention that the states would call would be. Some people even think that the scope of the convention would be unlimited, and that makes a lot of very rational people wary of making the whole Constitution up for grabs.” – John O. McGinnis, the George C. Dix Professor in Constitutional Law at Northwestern University Pritzker School of Law

“The dangers stem largely from the fact that it is an uncharted course... The alternative route in Article V is one that has never been taken. This route is obviously legitimate, but it is an unknown... Moreover, the convention would have a plausible case for taking an even broader view of its agenda. Convention delegates could claim that they represent the people who elected them, and that they are entitled to deal with any constitutional issue of major concern to their constituency. The states, quite unthinkingly and without consideration of the implications, have started a process that may eventually produce a shock to them and to the country. It is a process of undeliberate constitution making that would make James Madison turn over in his grave.” – Gerald Gunther, constitutional law scholar and professor of law at Stanford Law School

“In these contentious times, democratic institutions, norms, and views are under unprecedented stress. When debating whether to adopt a resolution to apply to Congress to call for an Article V Convention, Maryland legislators should keep in mind the possibility that the call could add to a widespread perception of national disarray and push the American

— JB

Republic closer to a breaking point. The perils of an Article V Convention running amok and altering the core framework of the American Republic are high. This method of reform should therefore be used only as a last resort.” – Miguel González-Marcos, professor of law at the University of Maryland

“There is a risk of a runaway convention.” – Michael Gerhardt, constitutional law professor at the University of North Carolina School of Law

“So the fear among some people is that if we were to have such a constitutional convention that the whole Constitution would be up in the air again. It might be possible that the whole thing would be undermined, and no one would know going in what might replace it.” – Daniel Ortiz, constitutional law professor at the University of Virginia

“First, the national convention method may not result in any amendment, because it generates many uncertainties that can defeat the passage of an amendment. These uncertainties include what the legal rules are that govern the amendment process, what actions the other states will take, what role the Congress will play, and what amendment the convention will propose. Second, this method may result in a different amendment than the one that the state legislature desired through a runaway convention. Even if the state legislature specifically provided that the convention should only address a particular amendment, it is quite possible that the convention could propose an entirely different amendment and that amendment would then be ratified by the states.” – Michael B. Rappaport, professor of law at the University of San Diego

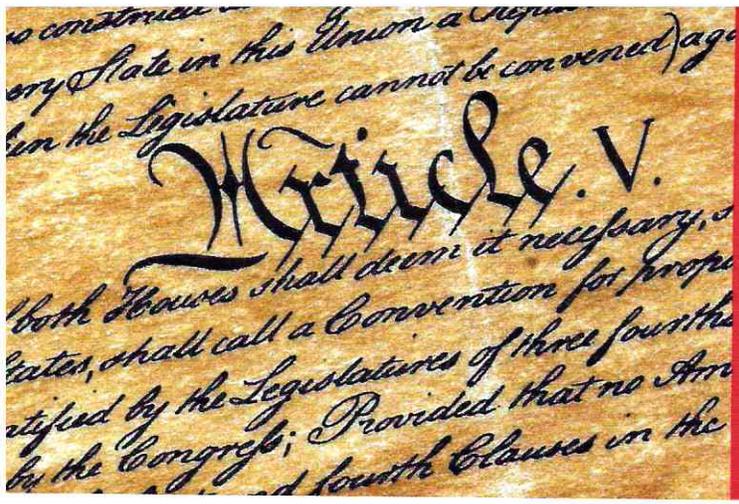
“Given that Article V contains no safeguards to restrain delegates, or instructions for choosing delegates, no part of the Constitution would be off limits. While some advocating for a convention may claim to care only about one issue, invoking Article V in this way would put the most basic parts of our democracy at risk. Extremists would have free rein to everything from our systems of checks and balances, to our most cherished rights, such as freedom of speech and voting for our leaders.” – Wilfred Codrington, assistant professor of law at Brooklyn Law School

W. Codrington

“I want to raise the
powerful group
this foundation
freedoms we
laws and the
Constitution
of those
influences

the father of the Constitution” due to his pivotal role in its
and that a convention was not the “most convenient or
long desired change. **When asked his opinion on a
convention in 1788**, he said:

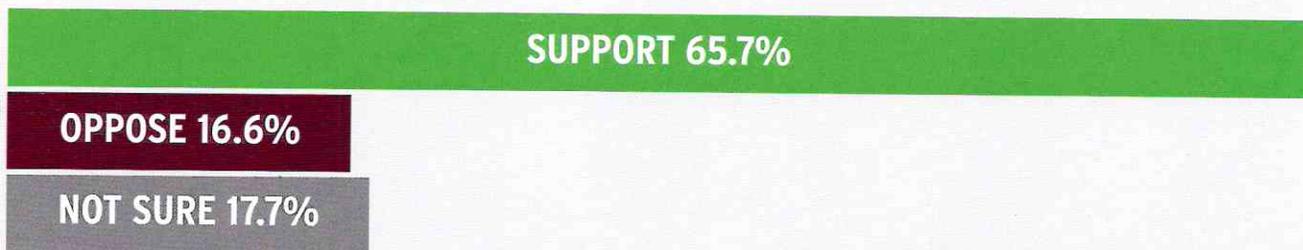
*...where to take place for the avowed and sole purpose of revising
naturally consider itself as having a greater latitude than the
administer and support as well as to amend the system; it would
ever agitation to the public mind; an election into **it would be**
violent partizans [sic] on both sides; it [would] probably consist
of heterogeneous characters; would be the very focus of that flame which has
much heated men of all parties; would no doubt contain individuals of
opposite views, who under the mask of seeking alterations popular in some parts but
inadmissible in other parts of the Union might have a dangerous opportunity of
sapping the very foundations of the fabric. Under all these circumstances it seems
scarcely to be presumable that the deliberations of the body could be conducted in
harmony, or terminate in the general good. **Having witnessed the difficulties and**
dangers experienced by the first Convention...I should tremble for the result of a
Second, meeting in the present temper of America and under all the disadvantages I
have mentioned.*



Your constituents want you to use the constitutional solution given to YOU, as their state legislator, to impose fiscal restraints on the federal government, limit its power and jurisdiction, and set term limits on career politicians and deep state bureaucrats. That's what Convention of States Action is all about. Visit www.cosaction.com to learn more.

Strong Support for a Convention of States Nationwide

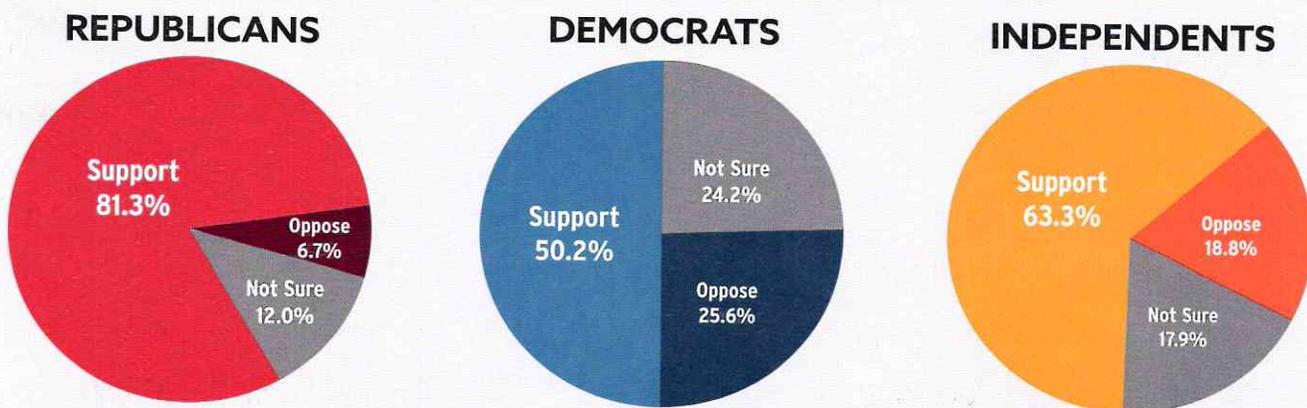
for amendments to impose fiscal restraints, limit federal power, and set term limits



Source: The Trafalgar Group Nationwide Issues Survey, July 2022

Support for a Convention of States By Party Affiliation

for amendments to impose fiscal restraints, limit federal power, and set term limits

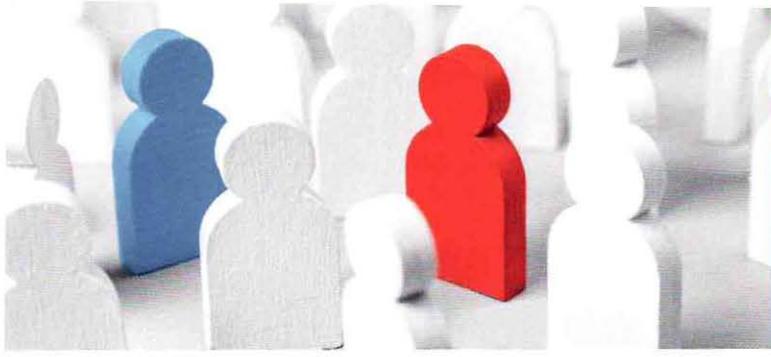


Source: The Trafalgar Group Nationwide Issues Survey, July 2022

Convention of States by the Numbers

Supporters: 5,408,908
Petition Signers: 2,425,084
Veteran Signers: 275,593

Volunteers: 229,785
Active District Captains: 925



“We are a threat to the entrenched deep state in our federal government.”

CRITICISM REAFFIRMS WE’RE ON THE RIGHT TRACK

THE MAINSTREAM MEDIA and the wealthy, career politicians don’t like what we’re doing; which is why we’re confident we’re on the right track.

Convention of States Action (COSA) has been under steady fire for weeks on end. The attacks appear to be a coordinated effort by the groups whose power would be harmed most by an Article V convention.

Former Senator Russ Feingold of Wisconsin, an avid socialist who is deeply tied to the Swamp, largely sparked the opposition with the release of his new book titled, *“The Constitution in Jeopardy: An Unprecedented Effort to Rewrite Our Fundamental Law and What We Can Do About It.”* Feingold claims Convention of States is a “hushed effort” attempting to “radically change our Constitution.”

COSA is anything but hushed, and we also aren’t changing what’s in the Constitution. Rather, our efforts are supported by the Constitution, which allows the states to propose amendments, exactly as the U.S. Congress has done in the past.

With an extensive base of supporters, volunteers and staff based everywhere across the nation, COSA is becoming more and more foreseeable in the eyes

of the American public. Thus, mainstream outlets including the New York Times, MSNBC, Business Insider and Yahoo unified to attack what they see as a supposed “threat.”

The majority of Americans in both political parties are for this constitutional movement. Earlier in the summer, polling from our partners at the Trafalgar Group found that 65.7% of Americans support a convention for proposing constitutional amendments based around our three limited topics of discussion.

It’s not absurd to impose term limits, a balanced budget and power restraints on federal bureaucrats.

However, the Washington establishment would never advocate for a cause that would make them completely irrelevant and powerless. The grassroots army at COSA is stronger than ever and we are gaining even more supporters through this limelight.

A brand new COSA volunteer in Colorado learned about our movement from these negative attacks and decided to look more into the organization. After enough research on the fundamentals, she not only decided that she was for

COSA, but also decided to immediately become a volunteer.

She is now a dedicated volunteer committing her valuable time and energy to further the movement.

Negative hit pieces against our freedom-centered cause can feel daunting, but it only proves we’re doing something right. Our grassroots reaffirm this belief as we continue to expand our reach and increase support.

“We are not a threat to the soul of this country; we are a threat to the entrenched deep state in our federal government,” another volunteer recently wrote to the COSA blog page. “They try to paint us as extremists because they know we are gaining ground.”

That’s exactly what this scheme intends to do. As a Convention of States becomes more and more likely, the critics will only get more vocal. They have the manipulative tools, dirty connections and financial resources to blast our organization in the spotlight, but we have the resilience and strength to press on.

We the People will continue to bring light against the darkness of today’s world.

Responses to Opposition

COS Endorsers

View Our Progress

