

“Threatening” Congress with Article V Applications

After a decade of saying that an Art. V Convention (A5C) is the only thing that can save America, the convention lobby is testing a new narrative, apparently because they failed to convince enough Legislators that the [convention can’t run away](#).



U.S. Term Limits (USTL) lobbyist Aaron Dukette [testified](#)¹ in Tennessee, in January 2024: “*What this is, is a pressure game. And it’s going to box Congress into a corner...*”

Or as Dukette’s USTL colleague, lobbyist Constantin Querard [testified](#)² in Alaska, in February:

*“While it’s an Article V application, this issue is never going to a convention. Our goal is **NOT** a convention. We’re gonna do what’s worked for the last 240 years. And that is to use the process to pressure Congress to write the Amendment itself.” (Emphasis added.)*

Idaho State Sen. Doug Ricks (R), [testified](#)³ in March that “[*The Balanced Budget Amendment (BBA) Campaign’s*] main goal is **NOT** to call a convention. ... [*It*] intends to use the threat of a convention achieved at 33 states to force Congress to act and propose their own BBA.” Loren Enns, President of [Balanced Budget Now](#), echoed Ricks at the same Idaho hearing, “*Nobody really wants a convention, if it can be avoided.*”⁴

The new narrative credits states’ pressure from A5C applications for Congress’s passing the Bill of Rights, presidential tenure, women’s right to vote, electing US Senators by popular vote, etc.

But in our history, there is virtually no correlation between States’ passing applications and Congress’s proposing related Amendments! See Table below.

However, convincing legislators that they need to pass applications to ask Congress for a convention that will never happen—and thus can’t run away—is a way of getting states to pass applications to trigger the convention that the convention lobby has been promoting all along.

Meanwhile, [H.CON.RES.24](#) (2023-2024) is a pending congressional call for an *unlimited* convention, based on pooling all applications together, regardless of subject, or anything else. It proves that members of Congress, working with the convention lobby, are attempting to call a convention now—and may take advantage of applications intended as threats, to justify the call.

Playing chicken with Congress isn’t a good bet. And State Legislators who vote for applications while gambling that Congress will never call a convention, are betting our Constitution.

Amendment (Year Ratified)	# of Apps (# Needed) ⁵	Most likely reason Congress passed Amendment (if they did)
Bill of Rights Amendments I-X (1791)	2 (10)	In order to induce States to ratify the new Constitution, James Madison promised to introduce a Bill of Rights into Congress. He kept that promise in 1789.
Popular Vote for US Senators Amendment XVII (1913)	29 (32)	The 17th Amendment appears to have been motivated by both corruption and deadlock by State Legislatures in selecting their US Senators. The proposed Amendment finally passed both Houses of Congress in 1912, but amendments had been introduced in Congress beginning almost 90 years earlier. States' passing A5C applications was one of multiple efforts that led to passage of the 17 th amendment, including many states directing their Legislatures to appoint the winner of their State's popular vote.
Women's Right to Vote Amendment XIX (1920)	0 (32)	The US Constitution never prohibited women from voting. Some State Constitutions did. The Suffragettes were responsible for the 19 th Amendment.
Presidential Tenure Amendment XXII (1951)	5 (32)	The 2-term tradition started by George Washington was followed for 150 years and had been the subject of controversy since 1787. But it was FDR's reelection to an unprecedented 4 terms that motivated Congress to propose the Amendment in 1947. The 5 A5C applications had no apparent effect.
Anti-Polygamy	19 (32)	No Amendment proposed by Congress
Right to Life	19 (34)	No Amendment proposed by Congress
Repeal the Income Tax (16 th)	25 (34)	No Amendment proposed by Congress
Balanced Federal Budget	32 (34)	No Amendment proposed by Congress
Apportionment	33 (34)	No Amendment proposed by Congress

¹ [Testimony](#) (Dukette) @ 39:12, Tennessee Senate State & Local Gov't Committee on HJR0005 (Term Limits), Jan. 23, 2024.

² [Testimony](#) (Querard) @ 03:11:35, Alaska House State Affairs Committee on HJR 13 (Term Limits), Feb. 1, 2024

³ [Testimony](#) (Ricks) @ 05:30 before the Idaho Senate (Standing) Judiciary & Rules Committee, SCR 115 (BBA), Mar. 1, 2024. Enter hearing information in drop down menus.

⁴ [Testimony](#) (Enns) @ 09:00 before the Idaho Senate (Standing) Judiciary & Rules Committee, SCR 115 (BBA), Mar. 1, 2024. Same link as above, after Ricks.

⁵ According to the unofficial [Article V Library](#), the highest number of States that ever held non-rescinded applications on the subject at the same time; in parentheses is the # of States needed to apply (2/3 of the States). Note that Congress determines which applications are valid in order to count the number of States that applied—not the Article V Library nor the convention lobby.