

## “Threatening” Congress with Article V Applications

After almost a decade of insisting that Congress will never term-limit itself by proposing a constitutional amendment, US Term Limits (USTL) did a 180 in 2024—apparently to sidestep the “runaway convention” objection. Now they insist there won’t be a convention—so it can’t run away! Either way, USTL’s solution to save America is for State Legislatures to vote to pass USTL’s applications asking Congress to call a convention under Art. V.



USTL lobbyist Constantin Querard [testified](#)<sup>i</sup> in Alaska:

*“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.)*

Sen. Todd Johnson, in presenting the USTL application to the North Carolina Senate Rules Committee on Dec. 2, 2024, agreed: “...As history has proven, a convention on (term limits) or any issue is highly unlikely to ever actually happen...just as occurred with the 17<sup>th</sup>, 21<sup>st</sup>, and 22<sup>nd</sup> Amendments to the US Constitution—as the number of states signed-on approaches the required 34 states, Congress decides to take action...because they ultimately want the control over the Amendment.”

Meanwhile, the Balanced Budget Amendment (BBA) groups are selling the same false narrative:

Idaho State Sen. Doug Ricks (R), [testified](#)<sup>ii</sup> 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.”<sup>iii</sup>

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

**But history proves no such thing. There is virtually no correlation between States’ passing applications and Congress’s proposing related Amendments!** See Table on page 2.

Passing Art. V convention applications appears to have played a role in Congress’s proposing the 17<sup>th</sup> Amendment. But state applications to Congress were too few in number to have played a role in any other Amendment. Moreover, several applications came close to passing in the required number of states, **without** Congress’s passing an Amendment.

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

Topic of Amendment or Application (year ratified)	# of Apps (# Needed) <sup>iv</sup>	The <b>REAL</b> reasons why these Amendments were proposed by Congress
* 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)	States' passing A5C applications was one reason Congress proposed the 17 <sup>th</sup> amendment. Other reasons included deadlock in Legislatures' selecting their US Senators, & 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 <sup>th</sup> Amendment.
* Repeal of Prohibition Amendment XXI (1933)	4 (32)	Prohibition was a boon to organized crime in illegal alcohol production & their ability to bribe businesses, political leaders & police departments. This crippled the enforcement of Prohibition (Amend. XVIII). The 4 A5C applications apparently had no effect.
* Presidential Tenure Amendment XXII (1951)	5 (32)	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 <sup>th</sup> )	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

\* Amendments that have been cited by USTL and/or BBA groups as evidence to support their false narrative.

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

<sup>ii</sup> [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.

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

<sup>iv</sup> 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 at the time (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 or the convention lobby.