



Written by [Peter Rykowski](#) on July 23, 2022

Resolution to Call an Article V Constitutional Convention Introduced in Congress

Members of Congress have introduced a resolution to call an [Article V Constitutional Convention](#), or Con-Con. If enacted, this would decimate the Constitution and the God-given individual liberties that it protects. Deceptively, the resolution [aggregates](#) old, rescinded, and unrelated state legislative applications to Congress for a convention.

House Concurrent Resolution 101 ([H. Con. Res. 101](#)) is sponsored by Jodey Arrington (R-Texas) and cosponsored by Yvette Herrell (R-N.M.) and Brian Fitzpatrick (R-Pa.). If passed by the House and Senate, it would call “a Convention for proposing amendments to the Constitution of the United States,” and require Congress to “set the date and place for the Convention to occur” within 180 days after the U.S. Archivist certifies that at least 34 states have applied for a Con-Con.

Importantly, H. Con. Res. 101 deceptively reaches the 34-state threshold for calling a convention by aggregating “Balanced Budget Amendment” (BBA) applications with unrelated — and in many cases, centuries-old — applications for a plenary convention. (Many of the BBA and plenary convention resolutions have also since been rescinded.) The resolution [states](#):

Whereas congressional and State records of purported plenary applications for amendments on any subject and applications for single subject Fiscal Responsibility Amendments [FRA] compiled by the Article V Library list 42 total applications over time, 39 active applications in 1979, 40 active applications in 1983, and at least 34 active applications in many years thereafter[.]

Despite mentioning “Fiscal Responsibility Amendments” in its preamble, H.Con.Res.101 does not limit its scope to BBA or FRA applications — there is nothing stopping Congress from considering any other topic in the Constitutional Convention it would call under the resolution.

The John Birch Society [has been warning](#) about this aggregation scheme and, more broadly, a Con-Con. Commenting on H. Con. Res. 101, JBS CEO Bill Hahn [stated](#) that a convention “is not the right tool” and “has the power to destroy the Bill of Rights. That may not be the intent of supporters, but it certainly could be an outcome.”

Speaking specifically about a BBA, Hahn stated that it “misses the real problem, which is the constant



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disobedience of constitutional limitations.”

Delegates to any constitutional convention possess the inherent sovereign right of the people at large to propose any amendments or an entirely new constitution, as was the case in the original [Convention of 1787](#), and any convention could [reverse](#) the existing Constitution’s limitations on government power and interference. Furthermore, the aggregation scheme decimates any notions that a convention will be “limited” or confined to a single subject.

As *The New American* previously reported, every so-called “balanced budget amendment” proposal [includes loopholes or escape clauses](#) that would [easily allow](#) Congress to continue to increase spending and/or raise taxes. In other words, these amendments would make an *unbalanced* budget constitutional.

Commenting on H. Con. Res. 101, one Con-Con proponent [claimed](#) the resolution was “designed to restore federal fiscal sanity.” However, as shown above, this claim is false. Rather, all Congress needs to do is to end its wasteful and unconstitutional spending; if it does this, federal spending would likely decrease by at least 80 percent, thus quickly eliminating the United States’ fiscal problems.

And even *if* a Con-Con does not result in disaster, there is no guarantee that it will help. Responding to the idea of a Con-Con, U.S. Representative Thomas Massie (R-Ky.; [99 percent Freedom Index score](#)) stated, “If my colleagues won’t follow the present constitution, why would they follow a new one?”

Accordingly, Congress would be wise to reject H. Con. Res. 101 and every other Con-Con proposal. Instead, it must follow the existing Constitution and take out-of-control spending seriously by simply ending it.

To urge your U.S. representative and senators to oppose H. Con. Res. 101, visit The John Birch Society’s legislative alert [here](#).



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