



CONVENTION OF STATES

Frequently Asked Questions

Why Do We Want 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 American citizens took a stand and made a legitimate effort to curb the power and jurisdiction of the federal government. The Founders gave us a tool to fix Washington, D.C. We must use it before it is too late.

You can watch Michael Farris explain the problem [here](#).¹

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, Section 2 of the Constitution.

It is *not* a constitutional convention. It cannot throw out the Constitution because it derives its authority from the Constitution.

We explain a Convention of States further on [our website](#).

How Do the State Legislatures Call a Convention of States?

Thirty-four state legislatures must pass a bill called an "application" calling for a convention of states. They submit these applications to Congress. The applications must request a convention of states for the same subject matter.

Can Congress Block a Convention of States?

No. As long as each state applies for a convention that deals with the same issue (i.e., limiting the power and jurisdiction of the federal government), Congress must call the convention. Congress can name the place and the time for the convention. If it fails to exercise this power reasonably, either the courts or the states themselves can override Congressional inaction.

¹ If you would like to access any of the embedded links in this document, you can view the online version of our FAQs page here: http://conventionofstates.com/wp-content/uploads/2014/03/Frequently-Asked-Questions_01.pdf

Article V says Congress “calls” the convention. Does this mean they control the Convention and choose the delegates?

No. The Founders made this very clear. Once 34 states apply, Congress has no discretion whether to call a convention and no control over the delegates (Federalist No. 85, see paragraph beginning "In opposition to the probability...").² George Mason proposed to add the Convention of States provision to Article V because he thought Congress had too much control over the amendment process. The Framers unanimously agreed with him. It makes no sense to interpret Article V to give more power to Congress, when the whole point was to take power away.

This claim that Congress gets to choose the delegates also goes against common sense. Just because one party "calls" a convention, doesn't it mean it gets to choose the delegates for the other parties. Think about it. Virginia called the Philadelphia Convention of 1787. Did it get to choose the delegates for Massachusetts? Of course not. Massachusetts did. Each state chooses its own delegates; it doesn't matter who calls the convention. This is Agency law 101 and basic common sense.

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 houses of the state legislature.

Rob Natelson explains this further in his handbook (page 14).

What Happens at a Convention of States?

Commissioners from each state propose, discuss, and vote on amendments to the Constitution. Amendments the convention passes by a simple majority will be sent back to the states for ratification. Each state has one vote at the convention.

How are Proposed Amendments Ratified?

Thirty-eight states must ratify any proposed amendments. Once states ratify, the amendments become part of the Constitution.

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 accepted. Thus, we can know how a Convention of States would operate by studying the historical record. Dr. Rob Natelson has done extensive research on this topic, and more details can be found in the Handbook (page 21).

² If you would like to access any of the embedded links in this document, you can view the online version of our FAQs page here: http://conventionofstates.com/wp-content/uploads/2014/03/Frequently-Asked-Questions_01.pdf

Is a Convention of States Safe?

Yes. The ratification process ensures no amendment will be passed that does not reflect the desires of the American people. In addition to this, there are numerous safeguards against a “runaway convention,” all of which can be found in the Handbook.

You can also read [this page](#), watch [this video](#), or read page 17 of [Prof. Rob Natelson’s handbook](#).³

If the Federal Government Ignores the Current Constitution, Why Would They Adhere to an Amended Constitution?

When the Founders wrote the Constitution, they did not anticipate modern-day politicians who take advantage of loopholes and vague phraseology. Even though the federal violation of the Constitution is obvious to all reasonable Americans, Washington pretends otherwise, claiming the Constitution contains broad and flexible language. Amendments at a convention of states will be written with such politicians in mind. The language they use for these amendments will be unequivocal. There will be no doubt as to their meaning, no possibility of alternate interpretations, and no way for them to be broken.

In addition to this, it should be noted that the federal government has not violated the amendments passed in recent years. Women’s suffrage, for example, has been 100% upheld.

What is the Plan?

The COS Project’s plan is twofold:

1. We want to call a convention for a particular subject rather than a particular amendment. Instead of calling a convention for a balanced budget amendment (though we are entirely supportive of such an amendment), we want to call a convention for the purpose of limiting the power and jurisdiction of the federal government.
2. We believe the grassroots is the key to calling a successful convention. The goal is to build a political operation in a minimum of 40 states, getting 100 people to volunteer in at least 75% of the state legislative district (that’s 3,000 districts). We believe this is very doable. Only through the support of the American people will this project have a chance to succeed.

A good overview of the plan is available [here](#) and [here](#).

³ If you would like to access any of the embedded links in this document, you can view the online version of our FAQs page here: http://conventionofstates.com/wp-content/uploads/2014/03/Frequently-Asked-Questions_01.pdf