

State Article V Applications Listed by Amendment Subject

Article V of the Constitution requires Congress call a convention “on the application of two-thirds of the state legislatures.” It does not state, “...on the application of the state legislatures for an amendment.” Despite this, many political supporters of an Article V Convention do so with the political aim of having “their” amendment enacted into the Constitution and none other. Hence these supporters believe applications should be counted by Congress on a subject basis rather than a numeric count of applying states despite the clear language of Article V.

Consequently, these groups spend a great deal of political time and capital getting applications for “their” amendment. None of these groups ever cites the actual public record shown below which demonstrates all of the “popular” amendment applications, such as balanced budget, have already achieved the two-thirds requirement decades ago. These groups neglect a political fact. If they do not accept the existing public record showing “their” amendment has already achieved two-thirds status, thus advocate Congress call on that basis, and instead advocate only “their” applications “count,” how can they oppose Congress ignoring “their” applications as it has already done with previous applications on the same subject as “their” amendment?

All these groups ignore the decision [by Congress on May 5, 1789](#) establishing the basis for determination of whether the states had satisfied the Constitution and thus compelled Congress to call an Article V Convention. On that date, discussion of whether to base such determination on the subject matter of the applications, or a numeric count of applying states was determined to be on numeric count. No group favoring “their” amendment ever cites this public record. Congress has never altered its determination, that a convention call is based on numeric count of applying states primarily because the text of the Constitution makes any other interpretation impossible.

Simply put, the Constitution mandates Congress base its convention call on a numeric count of applying states with no other conditions, terms, or circumstances. The United States Supreme Court has affirmed this on at least four occasions. The four subjects, Repeal of Federal Income Tax, Balanced Budget Amendment, Apportionment, and Direct Election of Senators all achieved two-thirds status decades ago, according to the public record. As to why present day political groups do not accept the public record and passing “their” amendment based on already

existing public record, these groups generally suggest the applications are no longer valid. If so, whatever argument used to justify acceptance of only “their” amendment, is applicable by Congress against “their” amendment when the time comes for Congress to reject “their” amendment.

Repeal of Federal Income Tax

1. [General Annals of Congress 1 \(J. Gales Ed.\) Pg 00029 Yr 1789](#)-NY (general)
2. [CR 033 Pg 00219 Yr 1899](#)-TX (general)
3. [CR 045 Pg 07116 Yr 1910](#)-MO (general)
4. [CR 045 Pg 07117 Yr 1910](#)-OK (general)
5. [CR 046 Pg 02411 Yr 1911](#)-MT (general)
6. [CR 084 Pg 02509 Yr 1939](#)-**WY**-Repeal of 16th Amendment (continued to: [Page 02510](#))
7. [CR 084 Pg 03320 Yr 1939](#)-**MD**-Repeal of 16th Amendment
8. [CR 086 Pg 03407 Yr 1940](#)-**RI**-Repeal of 16th Amendment
9. [CR 087 Pg 03172 Yr 1941](#)-**IA**-Repeal of 16th Amendment
10. [CR 087 Pg 03370 Yr 1941](#)-**ME**-Repeal of 16th Amendment (continued to: [Page 03371](#))
11. [CR 087 Pg 03812 Yr 1941](#)-**MA**-Repeal of 16th Amendment (continued to: [Page 03813](#))
12. [CR 087 Pg 04537 Yr 1941](#)-**MI**-Repeal of 16th Amendment
13. [CR 089 Pg 03761 Yr 1943](#)-**NH**-Repeal of 16th Amendment (continued to: [Page 03762](#))
14. [CR 089 Pg 04017 Yr 1943](#)-**DE**-Repeal of 16th Amendment
15. [CR 089 Pg 07523 Yr 1943](#)-**AL**-Repeal of 16th Amendment (continued to: [Page 07524](#))
16. [CR 089 Pg 07524 Yr 1943](#)-**WI**-Repeal of 16th Amendment
17. [CR 089 Pg 08220 Yr 1943](#)-**PA**-Repeal of 16th Amendment
18. [CR 090 Pg 04040 Yr 1944](#)-**KY**-Repeal of 16th Amendment (continued to: [Page 04041](#))
19. [CR 090 Pg 06141 Yr 1944](#)-**NJ**-Repeal of 16th Amendment
20. [CR 095 Pg 07893 Yr 1949](#)-**NE**-Repeal of 16th Amendment, Limited Federal Taxation (continued to: [Page 07894](#))
21. [CR 097 Pg 02936 Yr 1951](#)-**KS**-Repeal of 16th Amendment
22. [CR 097 Pg 05155 Yr 1951](#)-**FL**-Repeal of 16th Amendment (continued to: [Page 05156](#))
23. [CR 098 Pg 00742 Yr 1952](#)-**AR**-Repeal of 16th Amendment
24. [CR 098 Pg 00742 Yr 1952](#)-**IL**-Repeal of 16th Amendment (continued to: [Page 00743](#))
25. [CR 098 Pg 00947 Yr 1952](#)-**UT**-Repeal of 16th Amendment
26. [CR 098 Pg 00947 Yr 1952](#)-**NM**-Repeal of 16th Amendment, Limited Federal Taxation (continued to: [Page 00948](#))
27. [CR 098 Pg 01056 Yr 1952](#)-**IN**-Repeal of 16th Amendment (continued to: [Page 01057](#))
28. [CR 098 Pg 01225 Yr 1952](#)-**GA**-Repeal of 16th Amendment
29. [CR 098 Pg 01496 Yr 1952](#)-**VA**-Repeal of 16th Amendment
30. [CR 099 Pg 00320 Yr 1953](#)-**LA**-Repeal of 16th Amendment (continued to: [Page 000321](#))

31. [CR 106 Pg 10749 Yr 1960](#)-NV-Repeal of 16th Amendment, Limitation on Federal Enterprises
32. [CR 108 Pg 05051 Yr 1962](#)-SC-Repeal of 16th Amendment, Limitation on Federal Enterprises
33. [CR 109 Pg 07060 Yr 1963](#)-CO-Limitation on Taxation (repeal of 16th Amendment as currently written)
34. [CR 135 Pg 05895 Yr 1989](#)-**ID**-Limited Federal Taxation (repeal of 16th Amendment as currently written)

Total Number of Applying States: 34--Convention Call Required. Year Required: 1989

Balanced Budget

1. [General Annals of Congress 1 \(J. Gales Ed.\) Pg 00029 Yr 1789](#)-NY (general)
2. [CR 046 Pg 02411 Yr 1911](#)-MT (general)
3. [CR 047 Pg 01842 Yr 1911](#)-WI (general)
4. [CR 101 Pg 08397 Yr 1955](#)-OK-Balanced Budget (continued to: [Page 08398](#))
5. [CR 103 Pg 06475 Yr 1957](#)-IN-Balanced Budget (continued to: [Page 06476](#))
6. [CR 107 Pg 02759 Yr 1961](#)-WY-Balanced Budget
7. [CR 119 Pg 08091 Yr 1973](#)-VA-Balanced Budget
8. [CR 121 Pg 05793 Yr 1975](#)-AR-Balanced Budget
9. [CR 121 Pg 12175 Yr 1975](#)-MS-Balanced Budget (continued to: [Page 12176](#))
10. [CR 121 Pg 25312 Yr 1975](#)-LA-Balanced Budget
11. [CR 121 Pg 28347 Yr 1975](#)-AL-Balanced Budget
12. [CR 122 Pg ????? Yr 1975](#)-FL-Balanced Budget; ³ See also: [CRS S5563 Yr 2014](#); [CRS S5564 Yr 2014](#)
13. **North Dakota**--Balanced Budget 1975;
See: <http://clerk.house.gov/legislative/memorial-pdfs/1978/Memorial-197801-ND.pdf>; (Passed by legislature 1975; shows received by House in 1978)
14. [CR 122 Pg 02740 Yr 1976](#)-GA-Balanced Budget
15. [CR 122 Pg 04329 Yr 1976](#)-DE-Balanced Budget
16. [CR 122 Pg 04329 Yr 1976](#)-SC-Balanced Budget
17. **New Mexico**--Balanced Budget 1976;
See: <http://clerk.house.gov/legislative/memorial-pdfs/1976/Memorial-197601-NM.pdf>
18. [CR 123 Pg 02545 Yr 1977](#)-MD-Balanced Budget (continued to: [Page 02546](#))
19. [CR 123 Pg 18419 Yr 1977](#)-TN-Balanced Budget
20. [CR 123 Pg 18873 Yr 1977](#)-AZ-Balanced Budget (continued to: [Page 18874](#))
21. [CR 123 Pg 20659 Yr 1977](#)-NH-Balanced Budget
22. [CR 124 Pg 14193 Yr 1978](#)-KS-Balanced Budget; See also: [CR 124 Pg 14584 Yr 1978](#)-KS-Balanced Budget; See also: [CRH H10711 Yr 2015](#)-KS (two entries); (received by House in 2016):
<http://clerk.house.gov/legislative/memorial-pdfs/2016/Memorial-201601-KS.pdf>
23. [CR 125 Pg 00134 Yr 1979](#)-TX-Balanced Budget
24. [CR 125 Pg 02109 Yr 1979](#)-CO-Balanced Budget
25. [CR 125 Pg 02112 Yr 1979](#)-NE-Balanced Budget
26. [CR 125 Pg 02112 Yr 1979](#)-NV-Balanced Budget
27. [CR 125 Pg 02113 Yr 1979](#)-OR-Balanced Budget
28. [CR 125 Pg 02113 Yr 1979](#)-PA-Balanced Budget (continued to: [Page 02114](#))
29. [CR 125 Pg 03007 Yr 1979](#)-NC-Balanced Budget; see also:
<http://clerk.house.gov/legislative/memorial-pdfs/1979/Memorial-197901-NC-A.pdf>
30. [CR 125 Pg 03427 Yr 1979](#)-SD-Balanced Budget

31. [CRS 125 S03657 Yr 1979](#)-ID-Balanced Budget; See also: [CRH 125 H03522 Yr 1979](#); <http://clerk.house.gov/legislative/memorial-pdfs/1982/Memorial-198201-ID.pdf> (House Judiciary Committee states application received in 1982; Senate record shows receipt in 1979)
32. [CR 125 Pg 04071 Yr 1979](#)-UT-Balanced Budget
33. [CR 125 Pg 11583 Yr 1979](#)-WA-Balanced Budget (continued to: [Page 11584](#))
34. [CR 125 Pg 15227 Yr 1979](#)-IA-Balanced Budget
35. [CRH 128 H00798 Yr 1982](#)-AK-Balanced Budget; See also: <http://clerk.house.gov/legislative/memorial-pdfs/1982/Memorial-198201-AK.pdf>
36. [CRS 129 S20352 Yr 1983](#)-MO-Balanced Budget; See also: [CRH 129 H18473 Yr 1983](#); <http://clerk.house.gov/legislative/memorial-pdfs/1984/Memorial-198401-MO.pdf>; (House Judiciary Committee states application received in 1984; Senate record shows receipt in 1983)
37. [CRS S1174 Yr 2014](#)-OH-Balanced Budget See also: <http://clerk.house.gov/legislative/memorial-pdfs/2014/Memorial-201401-OH.pdf>
38. [CRH H7887 Yr 2014](#)-MI-Balanced Budget; See also: <http://clerk.house.gov/legislative/memorial-pdfs/2014/Memorial-201401-MI.pdf>
39. [CRH H176 Yr 2016](#)-MN-Balanced Budget; See also: [CRH H331 Yr 2016](#)-MN
40. [CRS S5277 Yr 2016](#)-WV-Balanced Budget Budget (Printed twice in the Senate Record as POM-201 and POM 202); See also: [CRH H5161 Yr 2016](#) (continued [CRH H5162 Yr 2016](#))

Total Number of Applying States: 40--Convention Call Required. Year Required: 1979

Apportionment

1. [General Annals of Congress 1 \(J. Gales Ed.\) Pg 00029 Yr 1789](#)-NY (general)
2. [CR 047 Pg 01842 Yr 1911](#)-WI (general)
3. [CR 109 Pg 01172 Yr 1963](#)-OK-Apportionment (continued to: [Page 01173](#))
4. [CR 109 Pg 02281 Yr 1963](#)-ID-Apportionment
5. [CR 109 Pg 02769 Yr 1963](#)-AR-Apportionment
6. [CR 109 Pg 02769 Yr 1963](#)-KS-Apportionment
7. [CR 109 Pg 03854 Yr 1963](#)-MT-Apportionment
8. [CR 109 Pg 04779 Yr 1963](#)-WY-Apportionment
9. [CR 109 Pg 05867 Yr 1963](#)-WA-Apportionment
10. [CR 109 Pg 05868 Yr 1963](#)-MO-Apportionment
11. [CR 109 Pg 09942 Yr 1963](#)-NV-Apportionment
12. [CR 109 Pg 10441 Yr 1963](#)-SC-Apportionment
13. [CR 109 Pg 11530 Yr 1963](#)-TX-Apportionment
14. [CR 109 Pg 14639 Yr 1963](#)-SD-Apportionment
15. [CR 110 Pg 05659 Yr 1964](#)-VA-Apportionment
16. [CR 111 Pg 03061 Yr 1965](#)-AZ-Apportionment
17. [CR 111 Pg 03722 Yr 1965](#)-AL-Apportionment
18. [CR 111 Pg 04320 Yr 1965](#)-UT-Apportionment
19. [CR 111 Pg 05820 Yr 1965](#)-MD-Apportionment
20. [CR 111 Pg 10673 Yr 1965](#)-NC-Apportionment
21. [CR 111 Pg 10673 Yr 1965](#)-MN-Apportionment
22. [CR 111 Pg 12110 Yr 1965](#)-LA-Apportionment
23. [CR 111 Pg 12853 Yr 1965](#)-NH-Apportionment
24. [CR 111 Pg 14163 Yr 1965](#)-FL-Apportionment
25. [CR 111 Pg 15769 Yr 1965](#)-MS-Apportionment (continued to: [Page 15770](#))
26. [CR 111 Pg 19379 Yr 1965](#)-IL-Apportionment
27. [CR 111 Pg 24723 Yr 1965](#)-NE-Apportionment
28. [CR 111 Pg 26073 Yr 1965](#)-KY-Apportionment (continued to: [Page 26074](#))
29. [CR 112 Pg 00199 Yr 1966](#)-NM-Apportionment
30. [CR 112 Pg 00199 Yr 1966](#)-TN-Apportionment (continued to: [Page 00200](#))
31. [CR 113 Pg 06384 Yr 1967](#)-IN-Apportionment
32. [CR 113 Pg 11175 Yr 1967](#)-ND-Apportionment
33. [CR 115 Pg 12249 Yr 1969](#)-IA-Apportionment
34. [CR 124 Pg 01662 Yr 1978](#)-DE-Apportionment; See also: [CR 124 Pg 01292 Yr 1978](#); See: <http://clerk.house.gov/legislative/memorial-pdfs/1978/Memorial-197801-DE.pdf>

Total Number of Applying States: 34--Convention Call Required. Year Required: 1978

Direct Election of Senators

1. [General Annals of Congress 1 \(J. Gales Ed.\) Pg 00029 Yr 1789](#)-NY (general)
2. [General Annals of Congress 1 \(J. Gales Ed.\) Pg 00257 Yr 1789](#)-VA (general)
3. [CR 024 Pg 01603 Yr 1893](#)-NE-Direct Election of Senators
4. [CR 033 Pg 00219 Yr 1899](#)-TX-General Call for an Article V Convention
5. [CR 033 Pg 00930 Yr 1900](#)-PA-Direct Election of Senators
6. [CR 034 Pg 02560 Yr 1901](#)-MN-Direct Election of Senators
7. [CR 035 Pg 00112 Yr 1901](#)-NV-Direct Election of Senators
8. [CR 035 Pg 00117 Yr 1901](#)-MI-Direct Election of Senators
9. [CR 035 Pg 00117 Yr 1901](#)-OR-Direct Election of Senators
10. [CR 035 Pg 00208 Yr 1901](#)-MT-Direct Election of Senators (continued to: [Page 00209](#))
11. [CR 035 Pg 02344 Yr 1902](#)-TN-Direct Election of Senators
12. [CR 037 Pg 00276 Yr 1903](#)-WI-Direct Election of Senators
13. [CR 038 Pg 04959 Yr 1904](#)-IA-Direct Election of Senators
14. [CR 040 Pg 00138 Yr 1905](#)-MO-Direct Election of Senators
15. [CR 041 Pg 02497 Yr 1907](#)-SD-Direct Election of Senators
16. [CR 042 Pg 00164 Yr 1907](#)-IL-Direct Election of Senators
17. [CR 042 Pg 00164 Yr 1907](#)-NJ-Direct Election of Senators
18. [CR 042 Pg 00894 Yr 1908](#)-OK-Direct Election of Senators
19. [CR 042 Pg 00895 Yr 1908](#)-NV-Direct Election of Senators
20. [CR 042 Pg 05906 Yr 1908](#)-LA-Direct Election of Senators
21. [CR 045 Pg 07113 Yr 1910](#)-AR-Direct Election of Senators
22. [CR 045 Pg 07113 Yr 1910](#)-CA-Direct Election of Senators
23. [CR 045 Pg 07113 Yr 1910](#)-CO-Direct Election of Senators
24. [CR 045 Pg 07114 Yr 1910](#)-ID-Direct Election of Senators
25. [CR 045 Pg 07114 Yr 1910](#)-IN-Direct Election of Senators
26. [CR 045 Pg 07115 Yr 1910](#)-KY-Direct Election of Senators
27. [CR 045 Pg 07115 Yr 1910](#)-KS-Direct Election of Senators
28. [CR 045 Pg 07117 Yr 1910](#)-NC-Direct Election of Senators
29. [CR 045 Pg 07119 Yr 1910](#)-UT-Direct Election of Senators
30. [CR 045 Pg 07119 Yr 1910](#)-WA-Direct Election of Senators
31. [CR 046 Pg 04280 Yr 1911](#)-ME-Direct Election of Senators

Total Number of Applying States: 31--Convention Call Required. Year Required: 1911

(Article V mandates a convention call if two thirds of the states in the Union at the time of the triggering application apply. In 1911 there were 46 states in the Union. Two thirds of 46 is 30.666 or 31 states. The fact Congress proposed its own amendment does not relieve Congress of its obligation to call a convention "on the application" of two thirds of the several state legislatures).
