

## FRIENDS OF THE ARTICLE V CONVENTION

*One Friend At A Time . . .*



### What is the Stivers Rule?

The Stivers Rule refers to a change in the House of Representatives governing rules proposed by Congressman Steve Stivers (R-OH) entitled “[Separate Orders Providing for Transparency with Respect to Memorials submitted pursuant to Article V of the Constitution of the United States.](#)” The Stivers Rule created Section 3(c) of House Rule VII. The rule was approved on January 6, 2015 and reaffirmed in 2017.

The rule established for the first time in the history of Congress a formal means for counting applications by the states for an Article V Convention.

Under the rule actual counting is done by the House Judiciary Committee which has [posted approximately 140](#) of the [550+ applications submitted by the states](#) since 2015. Late in 2016 the committee [counted the first set of applications](#) necessary for a convention call.

The lack of a formal count by Congress is the sole reason conventions have not been called. As discussed [on the floor of the Senate in 1977](#), Congress has flagrantly violated the Constitution in its failure to properly record and act on the applications as required by the Constitution when the proper number of applications to cause a convention call was submitted. The result is applications have accumulated resulting in the need [for 11 convention calls](#) in order to satisfy the demands of the Constitution.

A bill by Congressman Luke Messer (R-IN) to have the National Archives and Records Administration (NARA) gather all applications from the national archives and post them electronically is pending in Congress. The Messer bill would speed up the process of gathering the applications from the national records.