

Office of the Parliamentarian
U.S. House of Representatives
Washington, DC 20515-6731

September 6, 2017

The Honorable Jared Polis
United States House of Representatives
1727 Longworth House Office Building
Washington, D.C. 20515

Dear Representative Polis-

I am writing in response to your July 14, 2017, letter on House rules and procedures regarding the method of amending the Constitution by convention provided in Article V of the Constitution.

Article V, in pertinent part, provides that "The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments...".

The House of Representatives has in place procedures that address the receipt, referral, and publication of applications from the States submitted pursuant to Article V. There is currently no procedure in the House to tabulate the applications.

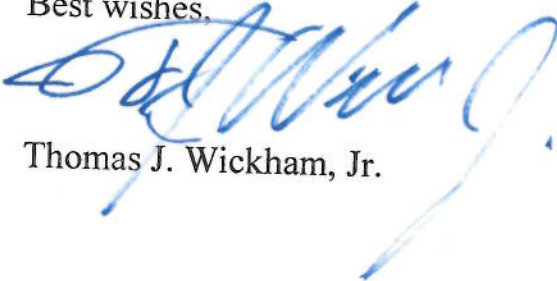
Traditionally, applications from the States are sent to the House and Senate from State Legislatures in the form of memorials. Memorials addressed to the House are delivered to the Clerk and may be presented by the Speaker as well as any other Member. *House Rules and Manual, sec. 818*. Under the terms of rule X and rule XII of the rules of the House, the Speaker refers memorials to the appropriate committees of jurisdiction. Specifically, under clause 1(1)(6) of rule X, the Committee on the Judiciary has jurisdiction over "constitutional amendments." As a result, all memorials containing an application for a constitutional convention

to propose amendments to the Constitution are referred by the Speaker to the Committee on the Judiciary.

In the 114th and 115th Congresses, the House required memorials from state legislatures purporting to call for a constitutional convention pursuant to Article V of the Constitution (or purporting to rescind such call) be made publicly available. 114-1, H. Res. 5, Jan. 6, 2015; 115-1, H. Res. 5, Jan. 3, 2017. Under the terms of those orders, the chair of the Committee on the Judiciary designates for public availability memorials purporting to be an application of the legislature of a State calling for a convention pursuant to Article V (or purporting to rescind such call). The Clerk of the House then makes the designated memorials publicly available. The designated memorials can be found on the Clerk's website at www.clerk.house.gov.

I hope this has been helpful. Please feel free to contact my office if you should require further assistance.

Best wishes.

A handwritten signature in blue ink, appearing to read "Tom Wickham, Jr.", is written over the typed name.

Thomas J. Wickham, Jr.