

# 116<sup>th</sup> House Extends Stivers Rule; Application Count Continues

By Bill Walker

In a surprising political move, House Democrats, whose majority controls the House of Representatives for the 116<sup>th</sup> Congress, extended the Stivers Rule in the House Rules on January 8, 2019. In 2015 Congressman Steve Stivers, (R-OH) introduced a rule change in the House of Representatives ([House Rule Section 3c](#)) which created [a collection of Article V Convention applications](#) through the House Judiciary Committee but not an official list but not an official list of applications on which to base a convention call. This rule was the first in United States history Congress created any process for counting state applications. Before implementation, the official count of state applications by Congress [stood at zero](#). The new version of the rule can be read [here](#). Since the rule was instigated, the committee has gathered 140 applications containing at least one set of applications representing applications by two thirds of the several state legislatures.

The decision of House Democrats is surprising given Democratic opposition to the proposed Messer bills by former Indiana Republican Congressman Luke Messer led to bottling the bill in the House Judiciary Committee. Messer introduced his legislation [H.R. 5306](#) in 2015 and again in 2016 ([H.R. 1742](#)). The purpose of the bill was to provide a permanent methodology for gathering applications sent to Congress by the state legislatures applying for an Article V Convention call. The legislation did not provide a mechanism for issuing an actual call by Congress. Without the Stivers Rule the Judiciary Committee would cease gathering applications effectively preventing any convention call by Congress. With the rule in place, the process continues and now represents bi-partisan support of a convention call.