



PHOENIX CORRESPONDENCE COMMISSION
FEDERALISM AT WORK

"The States are separate and independent sovereigns. Sometimes they have to act like it."
Chief Justice John Roberts

Executive Committee

Ken Ivory
President
(State Representative, UT)

March 25, 2025

To: The US Senators and Congressional Representatives of the Several States

David Guldenschuh
Secretary
(Delegate, GA)

From: The State Delegates of the Phoenix Correspondence Commission

Re: Urgent Action Request:

Jerry Hertaus
Treasurer
(State Representative, MN,
ret.)

It has come to our attention from very credible sources that the States in aggregate have submitted over 34 of the required state call resolutions (either plenary or specific to a fiscal integrity/balanced budget amendment) to Congress to hold an Article V Amending Convention of the States as early as 1979, but that Congress has failed to call that convention as required in Article V of the US Constitution.

Mark Lepak
Executive Member
(State Representative, OK)

If this is accurate as there is good reason to believe, either intentionally or unintentionally Congress has thwarted the will of the States and therefore of the People.

Rex Rice
Executive Member
(State Senator, SC)

Our two fold request is that Congress immediately confirm their receipt of state call resolutions and if the 34 minimum threshold has been achieved, to call for such an amending convention.

Jim Stalzer
Executive Member
(State Senator, SD)

And, our request to you, individually and collectively, is to resolve these questions by working in concert with the Phoenix Correspondence Commission, a government body created by the States to work directly with Congress on these and other such matters (<https://Phoenix-Correspondence-Commission.gov>).

Summary Background

A balanced budget requirement is a feature common among fiscally responsible states with prosperous economies and a focus on long-term economic health. Unfortunately, the same cannot be said for the United States government. Year after year, our federal leaders fail to cut spending, or balance their budget, preferring instead to use, continuing resolutions, debt, and the threat of a government shutdown to leverage issues of the day, all with an eye towards the next election cycle.

As a result, our fiscal problems are never resolved. Our country now faces a peacetime federal debt load that has reached once unthinkable levels, where interest payments alone on our debt now exceed our expenditures for national defense.

Fortunately, Article V of the U.S. Constitution provides the mechanism whereby states may

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call for a convention for proposing amendments, in this case, to address Congress's fiscal irresponsibility. There is credible research that the requisite number of states (34) have applied to Congress for such a convention. Congress has a duty to count those applications, and if enough can be aggregated to such a purpose (balanced budget/fiscal responsibility), to call a convention. To our knowledge, the applications have not even been counted. This lack of action subverts the states' equal right to propose constitutional amendments.

We are our respective states' delegates to the Phoenix Correspondence Commission, created via a convention of states in 2017, where states met to propose rules in preparation for an eventual convention to propose amendments. Its purpose is to provide a means for state legislators to communicate on related matters. You are our Senators, Congressmen and Congresswomen, and we appeal to you to move your colleagues to action, and to answer a few simple questions:

- 1) Have the applications been counted? If not, why not, and when will they be?*
- 2) If so, have at least thirty four been received?*
- 3) If that threshold has been met, when will Congress call for an amending constitutional convention of states?*

The language of Article V must not be rendered meaningless by Congress's inaction. If Congress is unwilling to discipline itself in fiscal matters, then allow the states to solve the problem by coming together to propose solutions via amendment for consideration by the states. The Founding Fathers created Article V for this purpose. As per James Madison, *"The final resort within the purview of the Constitution lies in an amendment of the Constitution, according to a process applicable by the states."*

We look forward to your prompt reply and to your accounting on these matters. Correspondence can be directed to our Executive Director, W. Bruce Lee, at PO Box 1862, Loomis, CA 95650 or Bruce.Lee@Phoenix-Correspondence-Commission.gov.

Respectfully,

Ken Ivory
State Representative, UT

David Guldenschuh
Delegate, GA

Jerry Hertaus
State Representative (rtd), MN

Mark Lepak
State Representative, OK

Rex Rice
State Senator, SC

Jim Stalzer
State Senator, SD

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State Representative, LA

Calvin Bahr

Calvin Bahr
State Senator, MN

Carl Bearden

Carl Bearden
State Senator (rtd), MO

Mike Beltran

Mike Beltran
State Representative (rtd), FL

Kay Christofferson

Kay Christofferson
State Representative, UT

Ken Bogner

Ken Bogner
State Senator, MT

Billy Garrett

Billy Garrett
State Senator, SC

Cris Dush

Cris Dush
State Senator, PA

Jason Elliot

Jason Elliot
State Senator, SC

Bill Gustoff

Bill Gustoff
State Representative, IA

Mike Gabbard

Mike Gabbard
State Senator, HI

Ray Garofalo, Jr.

Ray Garofalo, Jr.
State Representative (rtd), LA

Dodie Horton

Dodie Horton
State Representative, LA

Shelley Hughes

Shelley Hughes
State Senator, AK

Karen Hurd

Karen Hurd
State Representative, WI

Dan Knodl

Dan Knodl
State Senator, WI

Dan Laursen

Dan Laursen
State Senator, WY

Riordan McClain

Riordan McClain
State Representative, OH

Arthur Orr

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State Senator, AL

Dennis Paul

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State Representative, TX

Dennis Powers

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State Representative, TN

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State Representative, RI

Bill Ridenour

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Dan Roberts

Dan Roberts
State Senator, AL

Jordan Redman

Jordan Redman
State Representative, ID

Bill Taylor

Bill Taylor
State Representative, SC

Kelly Townsend

Kelly Townsend
State Senator (rtd), AZ

Patricia Rucker

Patricia Rucker
State Senator, WV

Neal Schuerer

Neal Schuerer
State Senator (rtd), IA

Daniel Singh

Daniel Singh
State Representative, WY

Jordan Ulery

Jordan Ulery
State Representative, NH

Steve Vick

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Phil Fortunato

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State Senator, WA

Josh Hoover

Josh Hoover
State Representative, CA

Jeff Wasserburger

Jeff Wasserburger
State Senator (rtd), WY

Jesse Green

Jesse Green
State Senator, IA

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Junie Joseph

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