

## THE U.S. CONSTITUTION: THE AMENDMENT PROCESS

Article V of the Constitution establishes a two-step process for adding a constitutional amendment. Each step has two variations, but all amendments must go through a variation of both steps.

### Step 1

**THEN**

### Step 2

One of the two variations below is required.

Three-fourths (3/4) of the states must ratify the proposed amendment in order for it to become part of the Constitution. Any given state may choose either one of the two variations below unless Congress specifies which variation must be used. Thus, if Congress doesn't specify which variation must be used, some states may choose variation 1 and others may choose variation 2 for a given amendment.

*Variation 1:* Each house of Congress must propose the amendment by a two-thirds (2/3) supermajority vote.

*To date this is the only variation that has been used to amend the Constitution.*

*Variation 1:* The state legislature may ratify the proposed amendment.

*OR*

*OR*

*Variation 2:* If two-thirds (2/3) of the states petition Congress for a constitutional convention, Congress must call such a convention, which may then propose one or more amendments.

*To date this variation has never been used; despite hundreds of petitions from states to Congress, Congress has refused to call a constitutional convention. This refusal is possibly unconstitutional and is probably motivated by a congressional fear of loss of its power and control over the amendment process.*

*Variation 2:* The state may call a convention to consider the proposed amendment, and this convention decides whether or not to ratify it.

