Author: Peter Rykowski
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Support Oklahoma Con-Con Rescission Resolutions HCR 1002 and SCR 14



Members of the Oklahoma Legislature are attempting to pass a resolution that would rescind every live application to Congress calling for a convention to propose amendments, under Article V of the Constitution,

otherwise known as a constitutional convention (Con-Con) or a "convention of states."

House Concurrent Resolution 1002 (HCR 1002) and Senate Concurrent Resolution 14 (SCR 14), authored respectively by Representative Jim Olsen (R-Sallisaw) and Senator Dana Prieto (R-Tulsa), would, if enacted, rescind "rescind, repeal, cancel, nullify, and supersede to the same effect as if they had never been passed, any and all extant applications by the Legislature of the State of Oklahoma to the Congress of the United States of America to call a convention to propose amendments to the Constitution of the United States of America, pursuant to the terms of Article V thereof."

The resolutions correctly note the dangers of an Article V constitutional convention:

> WHEREAS, the Declaration of Independence proclaims that "it is the Right of the People to alter or to abolish" their form of government whenever it fails to secure their rights, which implies that a convention of representatives of the sovereign people in an Article V "convention for proposing amendments" would have the inherent power to propose sweeping changes to the Constitution (also known as a "runaway" convention), any limitations or restrictions purportedly imposed by the states in applying for such a convention or conventions to the contrary notwithstanding, thereby creating an imminent peril to the well-established rights of the citizens and the duties of various levels of government as defined by our present Constitution; and
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> WHEREAS, the Constitution of the United States of America has been amended many times in the history of this nation and may be amended many more times, without the need to resort to an Article V constitutional convention, and has been interpreted for more than two hundred years and has been found to be a sound document which protects the lives and liberties of the citizens; and
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> WHEREAS, there is no need for, rather, there is great danger in, subjecting our form of government, which is based on the Declaration of Independence and the Constitution, to sweeping changes that would undermine its philosophical foundation of instituting government based on the principle of securing God-given rights; and
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> WHEREAS, the best solution for reining in the federal government is an informed electorate which will hold public officials accountable to our existing Constitution with its principles of limited government, rather than risking a runaway Article V convention.

HCR 1002 and SCR 14 are correct. Any Article V convention, no matter how well intentioned, could lead to a runaway convention and reverse many of the Constitution's limitations on government power and interference. In other words, **a Con-Con could accomplish the same goals that many of its advocates claim to be fighting against.** As evidence, both a 2016 and 2023 simulated "Convention of States" resulted in amendments massively increasing the federal government and expanding its spending powers.

Additionally, in the last years of his life, the late Justice Antonin Scalia stood opposed to an Article V convention. Asked about it in a 2015 interview, he remarked that **"This is not a good century to write a constitution."** Furthermore, ***what kind of delegates would Oklahoma send to such a convention? Constitutionalist conservatives or RINO moderates and liberals?***

When speaking to your legislators, emphasize the following irrefutable facts about an Article V convention for proposing amendments:

1. There is no constitutional authority for a limited convention.
2. There is no guidance on how delegates would be selected.
3. There is no guidance on who could qualify as a delegate.
4. There is no guidance on how many delegates each state could send.
5. There is no provision for stopping a runaway convention.

6. There is no provision for how rules would be established.
7. There is no provision for how rules would be enforced.
8. There is no role provided for the people to play in the process.
9. There is no power provided for the people to stop a convention once it starts.
10. There is no description of the ratification conventions Congress could choose to call.
11. There are no rules governing the ratification conventions Congress could choose to call.
12. There is no means provided for either the states or the people to challenge Congress's choice of the method of ratification.
13. There is no test provided for a qualifying application submitted by a state.
14. The acceptance by one Congress of a state application for a convention does not bind subsequent Congresses from accepting that application.
15. Application for a convention submitted by one state legislature does not prevent subsequent state legislatures from revoking the previous application.
16. All these issues would be challenged in court and would take years to be decided.
17. The issues to be addressed at a convention to propose amendments would likely be moot by the time the challenges reached the U.S. Supreme Court for final adjudication.
18. If 100 percent of registered voters opposed an amendment proposed by a convention, but the requisite number of state legislatures or ratifying conventions (according to the process determined by Congress for consideration of proposed amendments) supported it, then that amendment would become part of the Constitution regardless of the will of the people.
19. The same scenario is true if a proposed amendment were approved by 100 percent of registered voters but rejected by the ratification conventions or state legislatures (according to the process determined by Congress for consideration of proposed amendments).

For more facts about convening an Article V convention, The John Birch Society urges you read and distribute copies of our latest 16-page "Article V Convention Brief," written by JBS Constitutional Law Scholar Dr. Joe Wolverton, J.D. Click HERE to download a free PDF of the "Article V Convention Brief," and click HERE to purchase professional print copies for educational distribution.

Rather than passing Article V convention applications, which risk a runaway convention threatening our God-given rights and individual liberty, ***the Legislature should consider Article VI and nullify unconstitutional laws.***

Above all, **urge your state representative and senator to support HCR 1002 and SCR 14, rescind all Article V convention applications, and consider nullification as a safe and constitutional means to limit government instead.**

Robert Brown: The Harsh Reality of a "Convention of States"