TESTIMONY of BARBARA BURKARD
Clearcreek Ohio
GOVERNMENT OVERSIGHT COMMITTEE
OPPOSITION to HJR 2 - Article V Convention

Chairman Hall, Vice Chair Ferguson, Ranking Member Humphrey and distinguished Members of the Government Oversight Committee:

Thanks for this opportunity to give my written testimony in opposition to HJR 2. Although I have many reasons for this opposition I will only focus on a few in this limited time. Let me begin with an illustration:

Back in the 1800's traveling "Medicine Shows" would go from town to town with a salesman promoting cure-all elixirs he said would solve "whatever ails you." Innocent, but gullible people believed the hype and because they wanted a quick cure, eagerly bought the elixirs. At first they felt better but because these elixirs often contained ingredients like alcohol, opium, mercury and even arsenic the good feeling soon disappeared, but illness remained.
Because of the slick high-pressure tactics and misleading claims, these fake medicines became generally known as "Snake Oil."

Today there is a medicine show travelling from state to state also using slick and misleading claims like the Snake Oil salesman of long ago. In today's situation, people are tricked into thinking that often erroneous and simple solutions will fix issues in our government. Here is just a few examples:

1. The name "Convention of States" is a made-up name found NOWHERE in the U.S. Constitution - including Article V.
2. State elected officials should hold a national convention so they can force amendments to our US Constitution and that will solve everything. **TRUTH:** Congress controls a federal convention NOT the states and Art.1 says that "ALL legislative powers herein granted shall be vested in a Senate and House of Representatives." It does not say the States are In charge. Date, time, methods and choice of delegates relating to changes or amendments of our U.S. Constitution are the job of the Congress of the United States. Article V is talks about a FEDERAL Convention for amendments to our FEDERAL Constitution!

The push for amendments sound good, but in reality are simply “carrots” intended to get people to join “the movement.”
For example, do people realize that a Term Limits Amendment creates a **perpetual** Lame Duck Congress which is easily open to fraud and lobbyist influences?
Are people warned that holding a national convention in today’s political climate could seriously put our U.S. Constitution in danger of bad amendments and even worse the possibility of our Constitution being replaced with an inferior one?

How are delegates chosen? How many per state? Are they vetted? How can we be sure their allegiances are for the good of the USA or would they be working on behalf of their party interests or the interest of their activist organizations? This is why the late Supreme Court Justice Antonin Scalia (when asked about holding an Article V convention) replied: “WHOA, who knows what would become of that?”

Another misleading claim of the Pro-Convention lobby is that we don’t need to worry about the outcome of a convention because ¾ of the states would never ratify any bad or radical amendments. Really…BTW I have a bridge to sell you in Brooklyn!
TRUTH - three fourths of State legislators approved both the progressive Income tax (16th Amendment) AND ¾ approved the direct election of U.S. Senators which greatly reduced citizen control of the Senate (17th Amendment). Don’t forget that the convention delegates can change the method of ratification just as they did at the convention in 1787. Delegates have the same plenipotentiary authority to do that today as they did back then.

Please take serious consideration to the dangers of an Article V convention. This issue has been pushed for decades but since the initial Convention of 1787 all 27 of our Amendments were passed by our elected members of Congress considering, debating and publicly voting on proposed amendments. A convention is dangerous AND we don’t want unknown and unelected delegates having the power to add and delete to our founding document.
To add my personal opinion … Almost all of the reasons the Pro-Convention lobby uses to get a convention are being addressed and … solved!
All we needed was a new President!
THANK YOU FOR PROTECTING OUR CONSTITUTION: Vote NO on HJR 2