

Dear Senator,

There are some huge misconceptions by those asking State legislatures to ask congress to call an Article V (convention of states) convention. Convention of States folks will call this a “*convention of states*” and will tell you it is somehow different from an Article V convention, or a Constitutional Convention or an Amendments convention. Call the convention what you like, the fact of the matter is, this convention, applied for by 34 States when called, will be a Federal convention, not a State convention. Then, after the delegates are seated, they will, as the delegates to the 1787 amendments convention did, assume plenipotentiary powers as representatives of the people. (See Federalist #40)

Since Congress calls any such convention, what do they (congress) think their role will be? To see all you have to do is look at the latest report on this subject by the Congressional Research Service of April 2014, entitled The Article V Convention to Propose Constitutional Amendments, Contemporary Issues for Congress:

To see what Congress thinks, go to page 4, read the first two paragraphs:

“First, Article V delegates important and exclusive authority over the amendment process to Congress. As noted earlier in this report, first among these are the right to propose amendments directly to the states for their consideration on the vote of two-thirds of the Members of the House of Representatives and the Senate and the responsibility for summoning a convention for consideration of amendments on application of the legislatures of two-thirds of the states and submitting any amendments proposed by an Article V Convention to the states for their consideration.”

“Second, while the Constitution is silent on the mechanics of an Article V convention, Congress has traditionally laid claim to broad responsibilities in connection with a convention, including (1) receiving, judging, and recording state applications; (2) establishing procedures to summon a convention; (3) setting the amount of time allotted to its deliberations; (4) determining the number and selection process for its delegates; (5) setting internal convention procedures, including formulae for allocation of votes among the states; and (6) arranging for the formal transmission of any proposed amendments to the states.”

The State’s role in the Article V amendments convention process seems to be limited to applying to Congress and asking them to call a convention or as Article V states:

“The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress;”

Article V says nothing about any role for the States except saying they shall apply to Congress.

Article V is part of the “law of the land” and it gives Congress the primary role of “calling the convention”. Article 1 Section 8 Clause 18 commonly called the “*necessary and proper clause*” says that Congress shall have the enumerated power to:

“To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States,”

Article V certainly vests in Congress the power to “*call*” the convention, therefore Article 1, Section 8, Clause 18 vests in Congress the power to make **all** laws, rules, and regulations necessary to run this FEDERAL convention.

If a convention is called, Congress will be calling the shots on its constitution and operation, **not** the States. It is a federal convention, once a State sends their delegation, the representatives are free to propose anything they want.

State control over a federal convention, the main talking point for CoS proponents, is a fairy tale. Every argument they put forth is discredited and struck down by the actual words of the U. S. Constitution.

Which do you choose to believe?

Finally, what did the Founder’s say about holding another convention to amend the Constitution and what the purpose of amendments were supposed to be?

Here is exactly what James Madison said in a letter to George Lee Turberville, written on 2 November 1788:

*“If a General Convention were to take place for the avowed and sole purpose of revising the Constitution, **it would naturally consider itself as having a greater latitude than the Congress appointed [them]** to administer and support as well as to amend the system...an election into it would be courted by the most violent partizans on both sides...would no doubt contain individuals of insidious views, who under the mask of seeking alterations popular in some parts but inadmissible in other parts of the Union might have a dangerous opportunity of sapping the very foundations of the fabric. Having witnessed the difficulties and dangers experienced by the first Convention which assembled under every propitious circumstance, I should tremble for the result of a Second, meeting in the present temper of America and under all the disadvantages I have mentioned.”*

In Federalist No. 49, James Madison said a convention is:

“neither proper nor effective to restrain government when it encroaches.”

In Federalist No. 85 (last para), Hamilton said he:

“dreads the consequences of another convention because the enemies of the Constitution want to get rid of it.”

During April 1788, our future 1st US Supreme Court Chief Justice John Jay wrote that:

“another convention would run an extravagant risque.”

In Federalist No. 85 (13th para), Hamilton said:

*“useful amendments would address the “organization of the government, **not...the mass of its powers”**”*

Throughout Federalist No. 49, Madison warned against a convention for proposing amendments, and showed that a convention is neither proper nor effective to restrain government when it encroaches.

There hasn't been an amendment's convention held in this country since 1787, you know how that one turned out. The assurances given to you by the convention lobby aren't based on the Constitution, the facts, the words of the Founders or the words of many brilliant men across the span of time.

You must really think through these issues. Does Article V of the Constitution support what the convention lobby is saying or what those of us who oppose an Article V convention say?

If you aren't sure of that answer, are you willing to risk our Republic on a gamble? Supporters of this legislation say our country is at such a low point that we **HAVE** to take this gamble and try anything!

Why then don't we try the remedy the Founders told us to try instead of trying the remedy the Founders said **NOT** to try?

I have attached a paper that explains the Founders recommended method.

Our Constitution is not broken, just neglected. Let the State's enforce the Constitution created by them, not add amendments to the Constitution.

If the members of the federal government are already ignoring the Constitution, what in the world makes you think they will obey amendments to it?

Please say **NO** to any legislation that supports asking congress to call an Article V convention to amend the Constitution.

I have attached some supporting documentation for you to read please along with a brief description of each.

"An Article V Convention Made Easy" shows why Delegates to an Article V Convention have the power to throw off the Constitution we have and set up a new one, with a new and easier mode of ratification. "COS" Board Member Robert P. George has **co-drafted** a new constitution which grants massive new powers to the new federal government and which imposes severe gun control with red flag confiscations!

The "*States have no Power to Control Delegates to an Article V Convention*" (flyer) shows that those who promise that State Legislators will select and control the Delegates are making stuff up! Delegates have the self-evident Right "*to alter or to abolish*" the existing state & federal governments. Thus no one has power over Delegates.

The "*Phony Petitions & Polls*" flyer describes how Meckler's "COS" organization showcases unverified data to deceive legislators into believing their constituents are demanding a "*convention of states*". But as the flyer shows, Meckler can't guarantee his signatures are valid.

"Dark Money—Not the Grassroots—Is Behind the Convention of States Organizations (COS)" proves that almost 2/3 of the money driving Meckler's effort to get States to apply to Congress for a constitutional convention under Article V of the US Constitution, is coming from major donors giving Meckler's "COS" organization \$5,000 to \$2,000,000. **Why are multi-millionaires and billionaires trying to get their hands on our Constitution?**

The "*Brilliant Men*" flyer shows that James Madison, Alexander Hamilton, four US Supreme Court Justices, and other jurists and scholars warned that Delegates to an Article V convention can't be controlled.

PLEASE consider all of these things very carefully before supporting such a dangerous step as SJR4 supports!

Thank you for your time and attention.