

**Opposing emails to HJR14 and HCR4**

***Received by Representative Lynn's Office – but these emails were sent to all committee members too.***

**Oppose HCR4 and HJR14**

Marshall, Catherine

Miles, Patricia

Redfern, Tom

Jamerson, Paul and Long, Sue

Nightingale Sr, William

Long, Sue

Mann, Mary Weaver

Lucas, Betty and Bill

Salomon, Richard

Huldah, Publius

Sanders, Robert

McCoy, Sean

## Nancy Manly

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**From:** Catherine Marshall <catherineannmarshall@hotmail.com>  
**Sent:** Tuesday, March 17, 2015 7:50 AM  
**To:** Rep. Bob Lynn  
**Subject:** PLEASE OPPOSE HJR 14 (A5) and HCR 4 (Delegate Instructions)

**Measures seeking to penalize wayward delegates to an Article V Convention admit such dangers are real. However, Congress calls the Convention according to Article V. Entities which call conventions make the rules. Further, how can a delegate be penalized after his last vote on the last day of Convention?**

**PLEASE DO NOT BELIEVE THE RHETORIC THAT A CONVENTION CAN BE 'LIMITED'. THERE IS ONLY ONE CONVENTION MENTIONED IN THE CONSTITUTION. Black's law dictionary defines a constitutional convention as "A duly constituted assembly of delegates or representatives of the people of a state or nation for the purpose of framing, revising, or amending its constitution."**

**Arthur Goldberg , Associate Justice of the U.S. Supreme Court:** “As we look forward to celebrate the bicentennial of the constitution, a few people have asked, why not another constitutional convention. I would respond that one of the most serious problems Article 5 poses is a runaway convention. There is no enforceable mechanism to prevent a convention from reporting wholesale changes to our constitution and Bill of Rights. Moreover, the absence of any mechanism to ensure representative selection of delegates could put a runaway convention in the hands of single issue groups whose self-interest may be contrary to our national well- being.”

**Former Chief Justice of the Supreme Court Warren Burger:** “I have also repeatedly given my opinion that there is no way to limit or muzzle the actions of a constitutional convention. The convention could make its own rules and set its own agenda. Congress might try to limit the convention to one amendment or one issue, but there is no way to assure that the convention would obey. After a Convention begins it will be too late to stop the convention if we do not like its agenda.”

“Whatever gain might be hoped for from a new constitutional convention could not be worth the risk involved. A new convention could plunge our nation into constitutional confusion and confrontation at every turn with no focus on the subject needing attention. I have discouraged the idea of a Constitutional convention. And I am glad to see states rescinding their previous resolutions requesting a convention. In these bicentennial years we should be celebrating its long life, not challenging its very existence.”

**Rex E. Lee , former Law School Professor, later President of Brigham Young University:**

“In short, if the question is whether a runaway convention is assured, the answer is no, but if the question is whether it is a real and serious possibility, the answer is yes. In our history we have only one experience with a constitutional convention, and while the end result was good, the convention itself was a definite runaway.”

“This is in response to your letter of December 12 in which you asked for my opinion concerning whether under Article 5 of the U.S. Constitution, a constitutional convention called to consider a particular issue could be limited either by congressional directive or otherwise to that single issue. The only safe statement that could be

made on this issue is that no one knows, but the only relative precedent would indicate that the convention could not be so limited. Anyone who purports to express a definitive view on this subject is either deluded or deluding.”

**Charles Allen Wright: Professor of Law at the University of Texas at Austin:**

“I feel quite certain that even opening the door to the possibility of a constitutional convention would be a tragedy for the country.”

**Christopher Brown, Professor of Law, at the University of Maryland School of Law:**

“In my view, the plurality of ‘amendments’ opens the door to constitutional change far beyond merely requiring a balanced federal budget.”

**Gerald Guenther – Professor of Law at Stanford University:**

“There is no denying the fact, that if the present balanced budget campaign succeeds in eliciting the necessary applications from 34 state legislatures, the convention call will be triggered by inadequately considered state applications for the vast preponderance of the legislative applications rest on an entire absence of consideration of the risk of a convention route. In my view that constitutes a palpable misuse of the Article 5 convention process. The convention route, as I have said, is legitimate when it is deliberately and knowingly invoked. The ongoing campaign, by contrast, has produced a situation whereby inattentive, ignorant, at times cynically manipulated state legislative action threatens to trigger a congressional convention call. I cannot support so irresponsible an invocation of constitutional processes.”

“The fear that a constitutional convention could become a runaway convention and propose wholesale changes in our constitution is by no means unfounded. Rather this broad view of authority of a convention reflects the consensus of most constitutional scholars who have commented on the issue.”

“A convention once called would be in the same position of the only other convention we have had in our history - the 1787 constitutional convention that proposed the constitution that we live under today and whose bicentennial we celebrated so recently. The Philadelphia Convention too was in effect a runaway convention.”

**Richard B. Morris, Author, :**

“The delegates at the convention were sober realists. They knew the greatest battles lay ahead. The Convention had overstepped its instructions. It had scrapped the articles instead of amending them. Having defied Congress the convention decided to pursue what amounted to a revolutionary course by declaring the ratification by nine states sufficient ‘for the ratification of the constitution between the states so ratifying the same.’ In other words the constitution was being submitted directly to the people through ratifying conventions. Not even Congress, which had summoned the convention, would be asked to approve its work. Still, Congress, after acrimonious debate, and without endorsement or disavowal, did submit the constitution to the state

legislatures, to be submitted in turn to conventions in accordance with Article 7 of the constitution, providing that once 9 states had ratified the constitution, it would go into effect between the affirming states.

**SC Justice Antonin Scalia:**

“I certainly would not want a constitutional convention. Whoa! Who knows what would come out of it?”

**Some Legal Scholars who agree no one can mandate a limited issue Convention under Article V:**

Warren E. Burger, Chief Justice of the US Supreme Court

Arthur J. Goldberg, Associate Justice of the U.S. Supreme Court

Bruce Van Sickle, U.S. District Judge, North Dakota

Robert Bork, Judge, United States Court of Appeal, Washington DC, SC Justice nominee

Alexander Alienkoff, University of Michigan Law School

Florian Bartosic, University of California at Davis

Charles L. Black, Yale Law School

C. Christopher Brown, University of Maryland Law School

Neil Cogan, Southern Methodist University Law School

Walter E. Dellinger, Duke University Law School

Thomas Emerson, Yale Law School

Jefferson B. Fordham, University of Utah Law School

Gerald Gunther, Stanford University Law School

Rex E. Lee, Brigham Young University Law School, President of Brigham Young University

Betsy Levin (Dean), University of Colorado Law School

Forrest McDonald, Scholar, National Endowment for the Humanities

Arval A. Morris, University of Washington Law School

Charles E. Rice, Notre Dame Law School

Terrance Sandalow, (Dean) University of Michigan Law School

Robert L. Schwartz, University of New Mexico Law School

Lawrence H. Tribe, Harvard Law School

Charles Alan Wright, University of Texas at Austin Law School

## Nancy Manly

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**From:** Patricia Miles <triciamiles68@gmail.com>  
**Sent:** Tuesday, March 17, 2015 6:13 AM  
**To:** Rep. Bob Lynn; Rep. Wes Keller; Rep. David Talerico; Rep. Liz Vazquez; Rep. Louise Stutes; Rep. Max Gruenberg; Rep. Jonathan Kreiss-Tomkins  
**Subject:** Please Vote NO on HJR 14 (A5) and HCR 4 (Delegate Instructions)

Dear Honorable Members of the Alaska House State Affairs Committee:

Please oppose the above-referenced bills. Contrary to many claims, once called, the states will not have any control over an Article V Convention. It may not even be one state-one vote. In all likelihood, representation to the convention will be based on the number of electoral college votes a state has, and the states may not even have the ability to choose their delegates to the convention. Congress could appoint them! According to the Congressional Research Service (CRS), the authoritative source that Congress uses for accurate information, Congress will make all the rules for an Article V Convention. Also, the precedent for changing the rules on the fly was set with the convention that was called to amend the *Articles of Confederation*. *The Articles*, instead of being amended, were scrapped altogether, giving us *The Constitution* we have today. However, back then, we had statesmen like George Washington, George Madison, Benjamin Franklin, Thomas Jefferson, etc. Who do we have now? Certainly not the same caliber of people!

As for delegate instructions, how can a delegate be penalized for ignoring instructions on last vote of last day of convention? Further, Congress "calls" the convention under Article V and will therefore set convention rules.

Although I don't reside in your state, if such a convention is called, the whole country will be affected. I pray you will vote against these dangerous bills.

Respectfully,

Patricia H. Miles  
P. O. Box 424  
Port Haywood, VA 23138

## Nancy Manly

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**From:** redferniii9@aol.com  
**Sent:** Tuesday, March 17, 2015 4:31 AM  
**To:** Redferniii9@aol.com  
**Subject:** OPPOSE HJR14 and HCR4 and All Article V Resolutions/Applications

*Dear Legislator and Member of State Affairs Committee,*

Please **OPPOSE HJR14 and HCR4**, and any other related Article V Convention resolutions/applications.

**The Constitution is not the problem, it's that those sworn to support and defend it don't, and the citizens don't hold them accountable. Do we really think that they will start obeying new amendments?**

It's only been in recent decades that many applications have tried to dictate what the convention will and can do, citing various and sundry topics. For the bulk of our history, it was understood that the applications were for a general convention that would, in fact, "propose amendments."

Beyond that, we run the risk that our last experience in looking at our government document through a Convention resulted in a brand new document (1787).

Politically, this is a toxic event. The so-called "conservative" side is split on it. Those who support enforcement of the Constitution cite that Congress will "make all laws" regarding a convention per the "necessary and proper clause". States apply and Congress "shall call a convention for proposing amendments." In the 70's and 80's many applications were filed in the states, and, in preparation, the Congress introduced 41 bills as to how they'd set up a potential convention. These bills generally included quite specific standards for delegate apportionment formulas and delegate qualifications, and that apportionment of convention delegates among the states was generally set at the formula provided for the electoral college.

The Convention of States (COS) people are selling it that Congress can be "bypassed", and, among other things, Congress can "only set the date, time, and location" for a convention, that it would be a one-state, one-vote convention, and, furthermore, that only "good" amendments could possibly be ratified by the requisite 38 states. A century ago, the 16<sup>th</sup> (Income Tax) and the 17<sup>th</sup> Amendments (no longer would the states put the people in the U.S Senate) were properly ratified; were these "good" amendments? Remember, according to the COS people, that can't happen today. Really?? The Balanced Budget Amendment people are selling it on people believing that Congress will magically reduce spending, when they are spending now on many unconstitutional programs. A balanced budget amendment (convention or no) will, in effect, legitimize unconstitutional spending, and give legislators the excuse that we have to raise taxes, because the Constitution made me do it!

On the "liberal" side, there are many organizations in support of an Article V convention

States are using the Tenth Amendment to stand up to federal overreach, and these efforts increase across the land. State legislators need to stand up to unconstitutional federal government edicts.

In 2004, another state (Virginia) overwhelmingly passed a resolution (HJR 194) to withdraw all previous state applications for a convention. The wording was "..... **the operations of a convention are unknown and the apportionment and selection of delegates, method of voting in convention, and other essential procedural details are not specified in Article V .....the prudent course requires the General Assembly to rescind and withdraw all past applications for a convention to amend the Constitution of the United States.....**"

**The Constitution is not the problem, it's that those sworn to support and defend it don't, and the citizens don't hold them accountable. Do we really think that they will start obeying new amendments, or a new constitution?**

Tom Redfern

Citizens to Save our Constitution (SOC)

## Nancy Manly

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**From:** Dorothy and Paul <pjamer7227@aol.com>  
**Sent:** Tuesday, March 17, 2015 2:45 AM  
**To:** Rep. Bob Lynn; Rep. Wes Keller; Rep. David Talerico; Rep. Liz Vazquez; Rep. Louise Stutes; Rep. Max Gruenberg; Rep. Jonathan Kreiss-Tomkins; Sen. Bill Stoltze; Sen. John Coghill; Sen. Charlie Huggins; Sen. Lesil McGuire; Sen. Bill Wielechowski  
**Subject:** Oppose SJR 15, HJR 14, HCR 4 and any other creative legislation that may have holding a constitutional convention added as a rider.

Honorable Legislators All,

Subject: A constitutional convention and any Balanced Budget Amendment

I am asking you to Oppose SJR15, HRJ 14, HCR 4 and any U.S. Constitution application for a convention of the states .

And any other creative legislation that may have holding a constitutional convention added as a rider.

Do not be an accessory to the special interest parties' drive to opening our *U.S. Constitution* to be amended, altered or destroyed by unknown delegates with unlimited powers over U.S. citizens!

Below is an article by Sue Long That explains why you need to vote no.

Sincerely  
Paul Jamerson

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A constitutional convention and a Balanced Budget Amendment

There are those who support a Balanced Budget Amendment (BBA) who are quite thoughtful and sincere and we applaud their concern about out-of-control spending. However, there are aspects that need to be considered.

If a BBA were in effect, and spending could not be agreed upon, then it would be mandatory to raise revenue – either by raising taxes or printing more money. In VA we have a BBA, but we also have greater spending and higher taxes. (\*Please note the possible loopholes by John F. McManus listed below.)

There is no guarantee that a large number of states calling for a convention for a BBA would result in Congress being coerced into passing a balanced budget or a BBA. That is a risk not worth taking.

A BBA could increase the power of the federal government as most of the amendments do, other than the first ten. As it is now, spending by Congress is restricted by the Constitution to fund only the enumerated powers. With a BBA the only restriction would be the cost. Criminals don't obey the laws on the books – so should we change the laws to make them legal?

The same is the case with a balanced budget amendment. Congress doesn't obey the Constitution when they authorize money for things not listed as authorized by the Constitution. The Balanced Budget Amendment would limit spending not by what the Constitution authorizes but only by the amount of the cost- thus legalizing what is now unconstitutional.

There is no guarantee that ratification would be required by 3/4ths of the states. The 1787 convention reduced the number of states needed for ratification required by the Articles of

Confederation and a present day one could do so as well. The number could be reduced to half the states or even none.

The solution? State nullification and an informed electorate\*\* that will vote into office, local and state legislators that will not take federal grants and at the federal level, legislators that will abide by their oath of office and abide by the Constitution which would then result in a balanced budget.

- Some BBAs include a provision that allows 60 percent in Congress to override it. When it comes to protecting favored spending measures, obtaining the support of 60 percent should not be too difficult. Most deficit spending bills are already passed by more than 60 percent majorities.

- Some BBAs call for increases in taxes if the budget isn't balanced, even steering the taxing power to the Executive Branch where it has never been and should never be.
- Some say that the budget doesn't have to be balanced if the nation is at war (even an undeclared war). Would there be some in Congress who would favor a war or a "limited military response" non-war rather than cut their favorite federal expenditures? Sadly, there likely are more than a few.

- Some BBAs claim that a national security threat (real or imagined) would be reason enough not to have a balanced budget. Would some in Congress point to a small or large conflagration in some portion of the globe, and say the disturbance threatens our nation? Some BBAs say that once it is added to the Constitution, its provisions would not take effect for five years. Therefore, there would be five more years of trillion dollar deficits that would speed the nation toward collapse.

- Some say the way to get around all of the deficits and the bloated budgets is to declare some expenditures "off budget."

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In 1820, Thomas Jefferson stated in a letter to William Charles Jarvis:

"I know of no safe depository of the ultimate powers of the society but the people themselves; and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them but to inform their discretion by education.

This is the true corrective of the abuses of constitutional power."

By Sue Long

The Committee for Constitutional Government  
Post Office Box 972  
Gloucester, VA 23061  
[4theconstitution@va.metrocast.net](mailto:4theconstitution@va.metrocast.net)

## Nancy Manly

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**From:** William Nightingale Sr. <wnsrbill@gmail.com>  
**Sent:** Tuesday, March 17, 2015 12:37 AM  
**To:** Rep. Bob Lynn; Rep. Wes Keller; Rep. David Talerico; Rep. Liz Vazquez; Rep. Louise Stutes; Rep. Max Gruenberg; Rep. Jonathan Kreiss-Tomkins  
**Subject:** Vote No HJR and HCR 4  
**Attachments:** The Danger of a.docx

We have had 17 amendments to the Constitution without a convention. please consider the attached before you vote

William nightingale Sr

## **The Danger of a Constitutional Convention**

**The Constitutional convention is a conspiracy to destroy our republic: nothing more and nothing less.**

**The real question about Constitutional Convention is this:**

**Do we need to give the power to write a new constitution to the very people who have been ignoring, usurping, and trying to destroy the constitution that we have now?**

**The video below is made specifically for state legislators, by a state legislator.**

**Constitutional Convention is explained.**

**Beware Article V**

[http://www.youtube.com/watch?v=za8\\_pdJ1dPo&feature=channel\\_page](http://www.youtube.com/watch?v=za8_pdJ1dPo&feature=channel_page)

**Beware Article V (part 1 of 4)**

[http://youtube.com:80/watch?v=za8\\_pdJ1dPo](http://youtube.com:80/watch?v=za8_pdJ1dPo)

**Beware Article V (part 2 of 4)**

<http://www.youtube.com/watch?v=flHJrcdfbBg&feature=related>

**Beware Article V (part 3 of 4)**

<http://www.youtube.com/watch?v=ly1Lh3bqtYM&feature=related>

**Beware Article V (part 4 of 4)**

<http://www.youtube.com/watch?v=Z5jKA1gvCgg&feature=related>

**A Constitutional Convention is not a procedure for making a small change.**

**A Constitutional Convention is not a procedure for enforcing an existing law.**

**A Constitutional Convention is a procedure for giving us an ENTIRELY NEW Constitution.**

**THERE IS NO WAY TO "LIMIT" a Constitutional Convention TO ONE ISSUE.**

**If you want one amendment, then you present an amendment.**

**You do not put the ENTIRE Constitution at risk for one amendment.**

**The only reason that Constitutional Convention is being promoted as the solution TO JUST ONE problem, is that the hidden agenda would be considered to be outrageous.**

**Unbelievably, one outlandish argument for writing a new constitution, is the fact that government has ignored the constitution that we have. We are supposed to assume that the government could not possibly ignore any newly written constitution.**

**If government ignores the constitution, and usurps power now, what would the government do if we let them write a new constitution?**

**Maybe then the government would stop ignoring the constitution, and usurping power, because then they would have a new constitution that they do not need to ignore. That would be because that new constitution says that the government has all the power that there is.**

**A Constitutional Convention is not a procedure for enforcing existing law. If the problem is the ignoring of the constitution then ignoring of the constitution is what needs to be fixed.**

**What would you do if a physician suggested a heart transplant because you have an **upset stomach**?**

**What would you do if a mechanic said to replace the motor when your car is simply out of gas?**

*These arguments are so stupid that we have to wonder if this is something more sinister than mere stupidity.*

**THERE IS NO SUCH THING as a Constitutional Convention "for a balanced budget".**

**THERE IS NO SUCH THING as a Constitutional Convention "to return power to the states."**

**THERE IS NO SUCH THING as a Constitutional Convention "to stop illegal aliens."**

**THERE IS NO SUCH THING as a Constitutional Convention "to restore the right to keep and bear arms".**

**THERE IS NO SUCH THING as a Constitutional Convention "to limit terms".**

***THERE IS only one kind of Constitutional Convention.***

**THE only kind of Constitutional Convention; that can be convened is a Constitutional Convention to write a new Constitution.**

**A Constitutional Convention is a legislative body; which operates ABOVE the limitations of the Constitution.**

**This makes it more powerful, and MORE DANGEROUS, than any other legislative body.**

**This is not an opinion, but it is a fact of law.**

**A Constitutional Convention is a means of DESTROYING the American Republic. A Constitutional Convention is opening a "Pandora's box" for RADICAL change. Once the "genie is out of the bottle" no one can control it.**

**The last time that we had a Constitutional Convention was in 1787, when we got the Constitution that we now have.**

**That Constitutional Convention was convened to make some small changes in the Articles of Confederation. Instead we got a new Constitution.**

**We were LUCKY that time.**

**Those who were at that Constitutional Convention were the leaders of a freedom movement; which had just defeated a tyranny.**

**There is a claim that we would be safe because *our current constitution* says that ratification would be required by three fourths of the states. What if the new constitution does not say that?**

**The last time that we had a constitutional convention one of the first things that they did was change the rules for ratification that were in place under the Articles of Confederation. That is why ratification now requires three fourths of the states.**

**So here is the only precedent that we have for a constitutional convention:**

**They initially met to make a few limited changes in the Articles of Confederation.**

**Then they threw out the Articles of Confederation and started over. They included changing the rules for ratification.**

**Now we are being told that the only thing that has ever happened previously, is what cannot happen!**

**Go down to your State House and talk with your current elected officials. Can you consistently pass legislation that protects you from unconstitutional usurpation now? What is to stop them from again throwing the whole thing out, and again changing the rules for ratification?**

**Our problem has NOTHING to do with the constitution.**

**Our problem has to do with the IGNORING OF THE constitution.**

**Those who ignore the constitution would like nothing better than to make their usurpation legal, by throwing out the constitution, at a Constitutional Convention.**

**It was ILLEGAL usurpation that has enabled an "elite" class to hijack our nation.**

**It is that "elite" class; who want to con foolish people into destroying the constitution.**

**The constitution is the best document for the protection of freedom, that has ever been written.**

**We only need to adhere to it.**

**The act of calling for a Constitutional Convention will be presented as permission of the people. This is not a theory about their plans. It comes from their actual statements:**

## **Here is what they have to say:**

**"The framers of the U.S. constitution have simply been too shrewd for us. They have outwitted us. They designed separate institutions that cannot be unified by mechanical linkages, frail bridges, tinkering. If we are to 'turn the Founders upside down' — we must directly confront the constitutional structure they erected." (a quote from "The Power to Lead," by James McGregor Burns, 1984, one of many promoting one world government.)**

**Reforming American Government: The Bicentennial Papers of the Committee on the Constitutional System (Paperback) ~ Donald Robinson**

**<http://americanistbookstore.com/books/reforming-american-government/>**

**In this book, those who want to destroy that American constitution train their followers. But we can read it too.**

**YES, The Founding Fathers saw a possibility of a situation,  
where a need might arise for COMPLETELY SCRAPING THE  
CONSTITUTION.  
That is not what has happened TODAY.**

**The only thing that has happened is that there is now a cabal of *would be tyrants*;**

**who are getting tired of OCCASIONALLY having to adhere to the constitution.**

**These *would be tyrants* would like to con enough ignorant people into letting them DESTROY THE CONSTITUTION,  
so that they can usher in totalitarianism.**

**Having a Constitutional Convention would be like letting your worst enemy give you a heart and lung transplant, and a castration, as a cure for hiccups.**

**Having a Constitutional Convention would be like burning the house down as a means of accomplishing pest control.**

**Article V of The Constitution lays out the only two ways to change The Constitution:**

- 1. The Amendment process: A specific, and clearly defined, change that is limited to what is written in the amendment.**
- 2. The Constitutional Convention: A process to scrap the entire constitution and replace it with something else. ANY type of amendment can be considered.**

## **The Constitution of the United States of America:**

<http://americanistbookstore.com/books/constitution-of-the-united-states-of-america/>

## Nancy Manly

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**From:** suemlong3@va.metrocast.net  
**Sent:** Monday, March 16, 2015 10:31 PM  
**To:** ;  
**Subject:** Please vote NO to on HJR 14 and HCR 4.

Dear Legislator,

These bills would result in petitioning Congress to call a constitutional convention aka an Article V Convention, Convention of States etc.

Some things you should know.

Once convened by Congress ( not the states by the way) it is anyone's guess as to what would happen.

At the only constitutional convention that has been held, and that was in 1787, although called for the express purpose of amending the then constitution, the Articles of Confederation, they totally scrapped the Articles. The same could happen today. Our Constitution could be totally replaced .

And, the convention could reduce the number of states needed for ratification to half or none.

Term limits? We already have that. It's called an election. But if the constituents want a certain type to represent them, they will just vote for another such person. No change will come of it.

Balanced Budget? These amendments are not based on limiting spending to the authorized powers listed in the Constitution. To do so is to legitimize the unconstitutional spending.

And, even if something good did come out of a convention, why think that the same people who totally disregard the Constitution as it stands today, would abide by an altered one?

May I depend on you to vote NO to these bills calling for a convention.

Thank you,  
Sue Long  
"Abide By The Constitution, Not Change It!"

## Nancy Manly

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**From:** Mary W. Mann <mary.w.mann@gmail.com>  
**Sent:** Monday, March 16, 2015 7:50 PM  
**Subject:** Don't open a can of worms! Please vote no on HJR 14 and HCR 4!

Dear Legislator,

While I certainly agree that DC is out of control in their spending, I do NOT believe that a COS is the right answer.

In 1967, Senator Sam Ervin was so intrigued by Article V that he thoroughly researched the subject and came to the conclusion:

[A]s We the People are the true de jure sovereign of these states, We the People cannot be held by anyone to any single issue once we convene our convention. If we so choose, the entire Constitution could be rewritten.

—Los Angeles Times, 1-15-92

[http://www.freedomfirstsociety.org/home/images/Con-Con\\_Special\\_Action\\_Report-Final-Ir.pdf](http://www.freedomfirstsociety.org/home/images/Con-Con_Special_Action_Report-Final-Ir.pdf)

There are so many reasons not to!

### TWENTY QUESTIONS ABOUT A CONSTITUTIONAL CONVENTION

1. How would Delegates be selected or elected to a Constitutional Convention?
2. What authority would be responsible for determining the number of Delegates from each state?
3. What authority would be responsible for electing the Delegates to the convention?
4. Would Delegates be selected based on Population, number of Registered Voters, or along Party lines?
5. Would Delegates be selected based on race, ethnicity or gender?
6. What authority would be responsible for organizing the convention, such as committee selection, committee chairs and members, etc.?
- 7. How would the number of Delegates serving on any committee be selected and limited?  
(how would the race, ethnicity, age, religion, etc. of delegates be decided?)  
I don't think we will get any more the equal in education and God-fearing to our Founding Fathers!)**
8. How would the Chair of the Convention be selected or elected?
9. What authority will establish the Rules of the Convention, such as setting a quorum, how to proceed if a state wishes to withdraw its delegation, etc?
10. What authority would be responsible for selecting the venue for the Convention?
11. Would proposed amendments require a two-thirds majority vote for passage?
12. How would the number of votes required to pass a Constitutional Amendment be determined?
13. What would happen if the Con Con decided to write its own rules so that 2/3 of the states need not be present to get amendments passed?
14. Could a state delegation be recalled by its legislature and its call for a convention be rescinded during the convention?
15. Would non-Delegates be permitted inside the convention hall?
16. Will demonstrators be allowed and/or controlled outside the convention hall?

17. Would congress decide to submit Con Con amendments for ratification to the state legislatures or to a state constitutional convention as permitted under Article V of the constitution?

18. Where would the Convention be held?

**19. Who will fund this Convention?**

**--this is a big one!**

**20. If these questions cannot be answered (and they CANNOT!), then why would any state legislator even consider voting for such an uncertain event as an Article V Constitutional Convention?**

**VOTE NO ON ANY BILLS TO CALL A CON CON AND VOTE TO RESCIND ANY PREVIOUS CALL(S).**

**VOTE NO**

**on HJR 14 and HCR 4.**

**<http://www.eagleforum.org/topics/concon/>**

Sincerely,

Mary

--

Mary Weaver Mann



"God doesn't require us to succeed, he only requires that we try."

"Not all of us can do great things, but we all can do small things with great love."

~Blessed Teresa of Calcutta

## Nancy Manly

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**From:** Betty Lucas <efi@bettyandbill.com>  
**Sent:** Monday, March 16, 2015 6:21 PM  
**To:** Betty Lucas  
**Subject:** Urgent: Oppose HJR14, HCR4, and All Other Article V Resolutions

Honorable Representative:

With all due respect, this is NOT the only way! Oppose HJR14, HCR4, and All other Article V resolutions.

The U.S. Constitution is NOT broken...our legislators are. Those who vote for *unconstitutional acts* must be replaced.

In 2004, Virginia Delegate Lingamfelter said, after Virginia *rescinded* all Article V constitutional convention resolutions, “...*the operations of a convention are unknown and the apportionment and selection of delegates, method of voting in convention, and other essential procedural details are not specified in Article V...the prudent course requires the General Assembly to rescind and withdraw all past applications for a convention to amend the Constitution...*”

They understood the dangers of opening up our *U.S. Constitution* “to unelected, special interest, self-serving individuals”.

Article V, also, provides for a method of amending the United States Constitution, whereby 2/3rds vote of both houses of the US Congress propose amendments, which are then

ratified by 3/4ths of the State Legislatures. This method has *safely* served our Nation for over 200 years. You need to adhere to this *safe* method to add amendments.

*Please, watch this 36min video to a gain a clear understanding of the serious danger our U.S. Constitution will face if it is opened up to enemies within and outside America...<http://www.jbs.org/videos/mediaitem/406-beware-of-article-v> [Video] You will gain an understand of *why many citizens are OPPOSED* to the Article V constitutional convention method of solving our nation’s many problems.*

Respectfully,

Betty and Bill Lucas

Mechanicsville, VA

804-212-1165



This email is free from viruses and malware because avast! Antivirus protection is active.

## Nancy Manly

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**From:** Richard Salomon <rsalomon1913@hotmail.com>  
**Sent:** Monday, March 16, 2015 6:00 PM  
**Subject:** Please vote against all Article V legislative initiatives A convention cannot be limited!  
**Attachments:** State Committees to limit the federal budget.docx

As a resident of Virginia I realize how closely connected Virginia is with the heart and sole of the entire Nation. During our legislative session we were able to have the Article V legislation and Balanced Budget Amendment (BBA) attempts withdrawn as the Senate and Houses of Delegates, after learning of the pitfalls associated with any Convention to Consider Amendments.

If I were to have the opportunity to speak with one directly I would implore you to consider the unintended consequences that are laying in wait during a convention to consider AMENDMENTS to the Constitution. Remember, the convention to be called is to consider Amendments; that means that all those that are there can offer their amendment for consideration!.

With regard to the Article V the most significant points seem to be:

1. The congress and executive branch are not listening to the people; they are out of control and exceeding their authority as enumerated in the Constitution. WE HAVE TO DO SOMETHING!
2. Article V is a State remedy and the Feds will have nothing to do with it! The States are in control.

To be exasperated is understandable but to risk all that is good is irrational.

a. It makes no sense to believe that those that are "out of control" Supreme Court? Congress? and Executive Branch will respond to a new set of words that limit their actions! They are outside their enumerated powers in their current actions why will a new amendment (s) make them limit their actions. SO WHY DO WE THINK THAT NEW AMENDMENTS OR A NEW CONSTITUTION WILL BE FOLLOWED AS WRITTEN!

b. The Necessary and Proper clause of the Constitution gives the Congress broad power to promulgate regulations and rules for everything that relates to government. It is not rational to believe that the Congress will not exert their right to set the rules for an Article V convention. [Note: Article V simply gives the States to make the call and tells the Congress to take action to Call the Convention to Consider Amendments when a certain number of legitimate calls are received. Mason was not happy with the Article V language as he knew that the Feds would never limit their own power; that is why he backed away from the Constitution after spending so much of his life to bring it about.

c. Key to this argument seems to be; Intent of the Founders? Well we are 250 years down the road from the founders and their intent has been usurped by the Supreme Court. The body of law interpretation that now gives us the intent of the Constitution. Judge Roberts is a prime example of this with his decision on Obama Care! [Sonia Sotomayor](#), [Stephen G. Breyer](#), [Elena Kagan](#) and [Ruth Bader Ginsburg](#) with Kennedy close behind have clearly stated and acted in a manner that demonstrates that they are empowered to re-write the Constitution when they think it is appropriate! Kennedy, Alito, Roberts seem to be committed to doing this on occasion with only Scalia and Thomas traditionally seeking to interpret the Constitution in a constructionist manner. **Do you**

**think that such a court will choose to interpret the Article V problems that are brought to them in a manner that will likely result in a reduction of their power?**

BTW- the Senate weighed in on this when they Bork (ed) Judge Bork. The Senate Judiciary Committee, lead by Biden, clearly rejected the notion that the Constitution means what it says (constructionist) so they will certainly push to have the Congress in control of any Convention so they can control the Amendments themselves and the outcome of the convention!

The State Committee document; attached, is an outline of what States can do! The States have the power to push back against the Feds; as they have done with the Affordable Care Act suit. The court's ruling on that suit may well demonstrate that States Rights are completely dead! WE will see.

## **VA House of Delegates' Committee to Reign in the Spending of the Federal Government; A Committee to identify Federally funded Programs that usurp the responsibilities and sovereignty of the States.**

1. After reviewing the on version of the proposed VA resolution for VA to formally create a perpetual call, on behalf of VA, for a Constitutional Amendment that requires a balanced budget the folly of that endeavor was readily apparent. The amendment does not provide direction, limits, limitations or guidelines on either the revenue generation or spending sides. If adopted such an amendment would create havoc on taxpayers; certainly creating the potential for a scenario where in the legislature might consider increasing taxes to a point that the revenues equal expenditures, rather than limiting expenditures. .

2. The proposed fix, a balanced budget amendment, is a distraction for public consumption. Such an amendment will not address the problem; the Congress of the United States only spends money in response to the desires of the electorate and the States that receive federal funds. In other words they only spend money that the recipients ask for. Therefore a real solution to the Federal Government's spending of money is to have the recipients refuse the money.

In this regard the State Legislatures have the ability to act.

- a. Determine specific Federal Funds that they refuse to take.
- b. Furnish Leadership to other States to limit their demands for monies from the Federal Treasury. The concept here is to have enough states refuse federal monies so that the Congress will be forced to remove the funds from the budget because they have the votes to do so.
- c. Develop a federalist mindset within our State. Money raised in VA is done to address the needs and desires of Virginians. This practice is more efficient as it is closer to the people and eliminates an entire bureaucracy.

### **3. RECOMMENDATION**

In order to take advantage of the public sentiment; Things are out of control- WE have to do something! The VA House of Delegates should pass a resolution to create a formal **Committee** charged with the responsibility to:

- a. Conduct formal contacts with other State Houses to develop specific language for each of the Amendments that the several states would seek to frame the issues for an Article V Convention to Propose Amendments to the Constitution. (There are different points of view as to the role of the States and the framing of the Amendments; do the People have the power to directly elect representatives to such a Convention or is it the States that set the Amendments and then send delegates to vote as they were directed.) The proposed Committee of Correspondence will be actively framing the

issues on behalf of and in support of the peoples of the State of VA and then communicating this to other states.

- b. Ascertain the specific elements within the State of VA's Federal Revenue stream that the State will refuse to take. The Committee will then work with other States' committees to develop a consensus on these elements so that a significant number of States can all refuse the same "elements".**
- c. Sponsor communications to the citizens of VA to inform them of the purpose and goal of this effort, to reduce the Federal Government's runaway spending and borrowing through Federalism. (Virginia being directly responsible to its citizens as it relates to things that the State can provide. Local taxes being levied for local issues and beneficiaries)

When there are a sufficient number of States that had determined that they will not accept Federal Programs, with or without funding, because they are rightfully under the purview of the States each of these States will impress upon their Federal Representatives that such programs should no longer be funded in the Federal Budget.

Or in other words, the people of VA pay for the "program" through State monies and they are not willing to support the continuation of the Federal Program (s) being supported by Federal Tax Revenues. The simple logic behind this approach is clear: One size fits all programs that meet the needs of New York, Los Angeles, Chicago, etc. may not be applicable to VA's cities or the other communities around the Nation. Federal solutions to providing health care to the poor in these large urban areas are not necessarily applicable to VA's cities. (States could choose to enact tort reform, use voluntary clinic services of medical professionals, the solutions relative to health care are only limited by the imagination of those working the problem.)

## Nancy Manly

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**From:** ThePubliusHuldah . <publiushuldah@gmail.com>  
**Sent:** Monday, March 16, 2015 8:43 AM  
**To:** Rep. Bob Lynn; Rep. Wes Keller; Rep. David Talerico; Rep. Liz Vazquez; Rep. Louise Stutes; Rep. Max Gruenberg; Rep. Jonathan Kreiss-Tomkins  
**Subject:** Vote no on HJR 14 and HCR 4 and any other Resolutions applying for a convention

Dear Representative:

James Madison, Father of our Constitution, "trembled" at the prospect of an Article V convention because he understood that if there were a convention, "the most violent partizans" and "individuals of insidious views" would have "a dangerous opportunity of sapping the very foundations of the fabric" of our Country.

If you will read this linked paper, you will see the terrible danger explained (with links to original source documents): <http://www.renewamerica.com/columns/huldah/150119>

I beg you - do not be taken in by the celebrities who are pushing for a convention. This is the most dangerous period of our history - because if there is a convention, we will get a new Constitution. As shown in the linked Article, new Constitutions are already prepared - all they need is a convention to impose them.

A terrible deception is being played on us and many have been deceived - please do not *you* be one of the deceived. We will all pay dearly for it.

Very truly yours,  
Publius Huldah

<http://publiushuldah.wordpress.com/>

## Nancy Manly

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**From:** Convention Of States Action <info@mail132-22.atl131.mandrillapp.com> on behalf of  
Convention Of States Action <info@cosaction.com>  
**Sent:** Wednesday, March 11, 2015 7:04 AM  
**To:** Rep. Bob Lynn  
**Subject:** Convention of States Call-To-Action

**Follow Up Flag:** Follow up  
**Flag Status:** Completed



**Dear Representative Lynn,**

Almost everyone knows that our federal government is on a dangerous course. The unsustainable debt combined with crushing regulations on states and businesses is a recipe for disaster.

I am proud that my state legislature has done its part to implement the process our Founders gave us in Article V of the U.S. Constitution to allow the states to act as a final check on Washington, D.C., by proposing needed amendments to the Constitution. I support the approach led by Citizens For Self-Governance's Convention or States Project, of calling an Article V Convention to propose only amendments that would impose fiscal restraints on the federal government, limit its power and jurisdiction, and impose term limits on its officials.

If you were one of the legislators who helped to pass this resolution in our state, thank you. If not, please visit <http://conventionofstates.com> to learn more about Article V and the Convention of States Project.

Going forward, I ask that you continue to study the momentous problems we face as a nation and that you begin to consider and explore various amendments that our state might propose at an Article V Convention. I also ask for your support at the ratification stage of the process when you may have the opportunity to vote on amendments that will restore meaningful limitations on the federal government.

Thank you for your service to the people of our district.

Respectfully,

Robert Sanders  
11661 Rockridge Dr, Anchorage, AK, 99516-2456

## Nancy Manly

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**From:** Convention Of States Action <info@mail11.wdc04.mandrillapp.com> on behalf of  
Convention Of States Action <info@cosaction.com>  
**Sent:** Friday, March 06, 2015 8:02 AM  
**To:** Rep. Bob Lynn  
**Subject:** Convention of States Call-To-Action

**Follow Up Flag:** Follow up  
**Flag Status:** Completed



**Dear Representative Lynn,**

Almost everyone knows that our federal government is on a dangerous course. The unsustainable debt combined with crushing regulations on states and businesses is a recipe for disaster.

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Thank you for your service to the people of our district.

Respectfully,

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usahockeylife@yahoo.com  
907-744-4406  
9499 Brayton Dr, Anchorage, AK, 99507-4000

