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# DAN KNODL

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STATE REPRESENTATIVE • 24<sup>TH</sup> ASSEMBLY DISTRICT

## **Assembly Joint Resolution 9**

Public Testimony

Assembly Committee on Constitution and Ethics

March 3, 2021

Thank you Chairman Wichgers and members of this committee for holding this hearing on Assembly Joint Resolution 9.

This proposal would add Wisconsin to the 15 other states that have already submitted an Article V application to Congress regarding the Convention of States Project. This application would restrict such a convention to three main points:

1. Imposing fiscal restraints on the federal government
2. Limiting the power and jurisdiction of the federal government; and
3. Limiting the terms in office for federal officials and members of Congress

When we first introduced this resolution less than two years ago, the debt stood at \$22.5 trillion. Today, the federal debt is nearly \$28 trillion and growing.

While our Founders gave us a remarkably durable Constitution, over time we have experienced the federal government and the administrative state creep into every corner of our lives. It is time we reassert the rights we have as a state and reaffirm the age old tradition of federalism. Proposals such as a balanced budget amendment and federal term limits enjoy broad public support and deserve the due diligence that an Article V convention would provide.

The process outlined in Article V of the U.S. Constitution requires the applications of 34 states in order to call a convention. Be advised that simply because an item is included within the scope of such a convention does not mean that the convention must ultimately pass that amendment to the states for ratification. Furthermore, any amendments proposed at a convention would require the approval of 38 state legislatures in order to be ratified. As you can see, these hurdles are extremely high by design.

A balanced budget is not a radical thing to require of our federal government. We are constitutionally required to balance our state budget in Wisconsin, along with 49 other states that either have a similar constitutional or statutory requirement.

Our state passed an Article V application relating to a balanced budget amendment during the 2017 session. There are two reasons why we need to pass this resolution as well. The first is that all applications for Article V conventions must be uniform across the states, so it will do us well to have both resolutions passed. The second is that the language of the 2017 resolution comes short of fixing the problems we face as a nation. The added language of restraining the power of the federal government in this resolution would allow us to prevent the possibility of Washington simply passing along unfunded mandates to the states to avoid addressing the true cost of their fiscal irresponsibility.

Thank you for your time and attention to this matter, and I would be happy to take any questions.

Judi Caler  
[judicaler@hotmail.com](mailto:judicaler@hotmail.com)

March 3, 2021

To Chair Chuck Wichgers, Vice-Chair Jeremy Thiesfeldt, and Honorable Members of the Assembly Committee on Constitution and Ethics:

Re: Opposition to AJR9 (Convention of States)

My name is Judi Caler, and I'm President of Citizens Against an Article V Convention. Thank you for the opportunity to send in written testimony in opposition to **AJR9**.

You aren't being told the truth by the Convention of States Project (COS). Nothing in Article V limits the convention to the subject(s) of the application. No matter how good the subject(s) sounds, all applications asking Congress to call an Article V convention jeopardize our Constitution and endanger our Liberty.

Delegates to the federal convention, as sovereign Representatives of "We the People," have the inherent right "to alter or to abolish" our "Form of Government," as expressed in the Declaration of Independence, para. 2. Neither "faithful Delegate" laws, like Wisconsin passed in 2017, nor the language of the Article V convention application itself, can control convention Delegates. In fact, the Delegates would have the power to dissolve State Legislatures **and** Congress! And we have no idea who they'd be or how they'd be selected. For more information, see the attached **FLYER**.

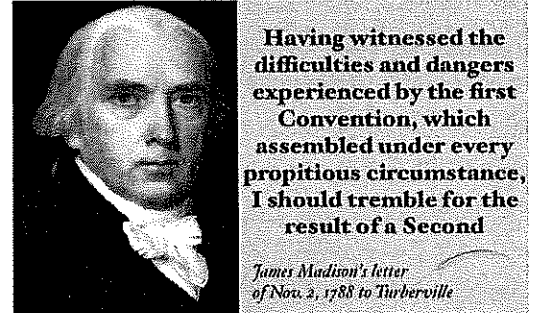
COS claims they have a solution that's "bigger than the problem." They actually have a "solution" that has nothing to do with the problem! There's nothing wrong with the Constitution we have now. We can always dust it off and decide to enforce it, that is, if it's still legally in place. Defend it, don't amend it!

**PLEASE VOTE "No" on AJR9** and any other applications for an Article V convention. Thank you for your consideration.

## What the Convention Lobby isn't telling you about our Declaration of Independence

Article 5 of the U.S. Constitution provides two ways of amending our Constitution: (1) *Congress proposes amendments* and sends them to the States for ratification (this was done with our existing 27 Amendments); or (2) *Congress calls a convention* for proposing amendments if 2/3 of the State Legislatures apply for it.

Congress has never called a convention under Article V - *they are dangerous!*



But today, various factions are lobbying State Legislators to ask Congress to call an Article V convention. They use various "hooks" - proposed amendments on such appealing subjects as "congressional term limits", "balancing the federal budget", "taking money out of politics", or "limiting the power and jurisdiction of the federal government". But nothing in Article V limits the convention to subjects specified by State legislatures [\[link\]](#). So the subject of a state's application for a convention is nothing more than *bait* designed to attract specific groups of people to get them to support an Article V convention.

**Moreover, the phrase, "a Convention for proposing Amendments", which appears within Article V, doesn't restrict the Delegates to the Convention to proposing Amendments! That's because our Declaration of Independence recognizes that a People have the "self-evident Right" "to alter or to abolish" their government and set up a new government.<sup>1</sup> We've already invoked that Right twice: In 1776 we invoked it to throw off the British Monarchy; and in 1787, James Madison invoked it to throw off our *first* Constitution, the Articles of Confederation, and set up our current Constitution which created a new Form of Government.**

This is what happened:

There were defects in the Articles of Confederation, so on Feb. 21, 1787 [\[link\]](#), the Continental Congress called a convention to be held in Philadelphia

**"for the sole and express purpose of revising the Articles of Confederation"**

**But the Delegates *ignored their instructions* from Congress and similar instructions from the States [\[link\]](#) and wrote a new Constitution which created a new Form of Government.** Furthermore, the new Constitution included its own new and easier mode of ratification: Whereas amendments to the Articles of Confederation had to be approved by the Continental Congress and all of the then 13 States;<sup>2</sup> the new Constitution provided at Article VII thereof, that it would be ratified when only 9 States approved it.

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<sup>1</sup> The Declaration of Independence is the Fundamental Act of Our Founding and is part of the "Organic Law" of our Land [\[link\]](#). The provision regarding altering or abolishing existing governments and setting up a new one is [here](#).

<sup>2</sup> See ART. 13 of the Articles of Confederation [\[link\]](#).

**And in *Federalist No. 40*, James Madison, who was a Delegate to the Federal “amendments” Convention of 1787, invoked the Declaration of Independence as justification for the Delegates’ ignoring their instructions and writing a new Constitution which created a new Form of Government.<sup>3</sup>**

If we have a convention today, the Delegates will have that same power to get rid of our *second* Constitution and impose a *third* Constitution. **New Constitutions are already prepared or in the works!** One of them, the Constitution for the Newstates of America [[link](#)], is ratified by a national referendum (Art. XII, §1). *The States are dissolved and replaced by regional governments answerable to the new national government.* And we are to be disarmed under this proposed Constitution (Art. I, Part B. §8).

**So why was the convention method added to Article V?** The Anti-federalists at the Convention wanted another convention so they could get rid of the Constitution just drafted [[link](#)]. **Madison & Alexander Hamilton went along with adding the convention method because they understood that a people always have the right to meet in convention and draft a new constitution whether the convention method were in Article V or not.** And when, shortly after the Convention, the Anti-federalists started clamoring for another convention, Madison, Hamilton and John Jay promptly started warning against it [[link](#)].

So now we can see the real agenda of those (primarily George Soros and the Kochs) who are financing the push for a convention: <sup>4</sup> A convention provides the opportunity (*under the pretext of merely seeking amendments*) to replace our existing Constitution with a new constitution which moves us into a completely new system of government, such as the North American Union (NAU). Under the NAU, Canada, the United States, and Mexico are politically integrated and a Parliament and combined militarized police force are set up over them. <sup>5</sup>

This War over our Constitution isn’t between “Conservatives” and “Liberals”. It is between the Globalists and those of us who want to maintain our existing Constitution and national sovereignty. Of the 4 US Supreme Court Justices who warned against another convention, two were Liberals and two were Conservatives [[link](#)].

When convention supporters insist that the Framers meant for State Legislatures to use the convention method of amending the Constitution to rein in an out-of-control federal government, *they are making stuff up*. Please don’t pass any more applications for an Article V convention; and please rescind the applications your State has already passed.

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<sup>3</sup> In *Federalist No. 40* (15<sup>th</sup> para), James Madison says the Delegates knew that reform such as was set forth in the new Constitution was necessary for our peace and prosperity. They knew that sometimes great and momentous changes in established governments are necessary – and a rigid adherence to the old government takes away the “transcendent and precious right” of a people to “abolish or alter their governments as to them shall seem most likely to effect their safety and happiness,” ... “and it is therefore essential that such changes be instituted by some **INFORMAL AND UNAUTHORIZED PROPOSITIONS, made by some patriotic and respectable citizen or number of citizens...**” [capitals are Madison’s].

<sup>4</sup> As to the funding behind the push for another convention, see, e.g., [link](#) and [link](#) and [link](#).

<sup>5</sup> **For the Love of God, our Country and our posterity, READ the Council on Foreign Relations’ Task Force Report on the NAU [[link](#)].** This is what the Globalist Elite want *and can get* with a convention!

**Lafayette County**  
**Republican Party Resolution**  
**February 27, 2021**

A resolution in support of the state-led process prescribed in Article V of the U.S. Constitution, whereby two-thirds of the states may call for a convention for proposing amendments specifically limited to those that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for federal officials and members of Congress.

*Whereas*, the Founders of our Constitution empowered State Legislators to be guardians of liberty against future abuses of power by the federal government;

*Whereas*, the federal government has created a crushing national debt through improper and imprudent spending;

*Whereas*, the federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, most of which are unfunded to a great extent;

*Whereas*, the federal government has ceased to govern under a proper interpretation of the Constitution of the United States; and

*Whereas*, it is the solemn duty of the States to protect the liberty of our people by proposing Amendments to the Constitution of the United States through a Convention of the States under Article V for the purpose of restraining these and related abuses of power;

*Now, therefore, be it resolved* that the Lafayette County Republican Party fully support the state of Wisconsin in the passage of **Resolutions AJR 9 and SJR 8** – applying to Congress, under the provisions of Article V of the Constitution of the United States, for a convention for proposing amendments to the Constitution that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for Congress and federal officials.

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David A. Certa, Chairman, Republican Party Lafayette County, WI

Testimony of Matt Rothschild  
Executive Director  
Wisconsin Democracy Campaign  
**In opposition to Assembly Joint Resolution 9**  
March 3, 2021

Chair Wichgers and Members of the Committee,

My name is Matt Rothschild, and I'm the executive director of the Wisconsin Democracy Campaign, a nonprofit, nonpartisan watchdog group that's been around since 1995. We track and expose big money and dark money in our politics, and we advocate for clean and transparent government and a democracy where everyone has an equal voice.

We strongly oppose this joint resolution. It is overly vague and broad, and it would invite a wholesale rewrite of our founding document, thus jeopardizing our fundamental rights.

The vagueness, and the broadness, of the joint resolution is obvious in the following places:

At the very top, it says "Relating to: convention of the States for one or more Constitutional amendments." "One or more?" We don't even know how many amendments the Convention would be considering!

Toward the end of the whereas clauses, it says, "Whereas, the federal government has ceased to live under a proper interpretation of the Constitution of the United States." Now, that's a sweeping claim if ever I heard one, and what exactly is the "proper interpretation"? It's not spelled out.

And then the last whereas clause says the purpose of the Convention of the States is for "restraining these and related abuses of power." What "these abuses" are is unclear, except for a reference to the size of the national debt and to "unfunded mandates" -- and what the "related abuses of power" are is anybody's guess.

Then in the "Resolved" section of the Joint Resolution, it says the purpose of such a Convention of the States is to "impose fiscal restraints on the federal

government, limit the power and jurisdiction of the federal government, and limit the terms of office.”

All three of those are vague:

What would those “fiscal restraints” be?

How would it “limit the power and jurisdiction of the federal government”?

And what would the term limits be?

Please note that the second question really lets the horses out of the barn door. By calling a Convention of the States to “limit the power and jurisdiction of the federal government,” you’ve invited a top-to-bottom redrafting of our Constitution because the entire Constitution deals with the power and jurisdiction of the federal government.

So you shouldn’t pretend that somehow this Convention of the States would somehow be self-limiting.

As to the proposed purpose to “impose fiscal restraints on the federal government,” let me simply point out that such fiscal handcuffing is economic idiocy and would risk imperiling our economy in times of a downturn. The only reliable medicine for bringing large economies like ours out of a recession is deficit spending. It’s like the economy has cancer and you won’t give it radiation or chemotherapy. It’s like the economy has diabetes, and you won’t give it insulin. You’ll just let the economy die.

Had “fiscal restraints” been in place in 1933, we would never have gotten out of the Great Depression or been able to win World War II. Had they been in place in 2009, we would never have gotten out of the Great Recession, which would have turned into another Great Depression, with millions more lives ruined.

At the Wisconsin Democracy Campaign, let me note that we also don’t believe in term limits. We believe that the people should be able to decide for themselves who should represent them.

Let me also note that we are not categorically opposed to amending the Constitution. In fact, we strongly favor a constitutional amendment that would say, “Corporations aren’t persons, and money isn’t speech.” But we believe the Article V route for amending the Constitution is a reckless one.

We believe the Constitution should be amended the old-fashioned way, by having Congress pass, by a two-thirds margin in the House and the Senate, any legislation to amend it, and that three-quarters of the state legislatures must approve it. This is a cleaner, safer way to go about the amendment process.

Once you go down the Article V route, there is no telling what the delegates might tamper with, including our fundamental freedoms as described in the Bill of Rights and successive amendments to the Constitution.

This concern for protecting our cherished rights that are enshrined in the Constitution is why one of the most conservative U.S. Supreme Court Justices of the last century, Antonin Scalia, opposed the Article V route. Here's what he said in 2014: "I certainly would not want a Constitutional Convention. Whoa! Who knows what would come out of it? ... A Constitutional Convention is a horrible idea."

It is surprising to me that so many conservatives are ignoring the prudent advice of one of their patron saints.

Thank you for hearing me out.



# Danger: Loss of Constitution by This Congress

  
with tacit Supreme Court  
approval!

Wayne Sedlak, Ph.D., M.Div., B.A.<sup>1</sup>

## Introduction

This position paper is designed to alert people to the dangers of the new assault of the Constitutional Convention. This new Article V “Con Con” will aid the “Left” in its efforts to REPLACE THE CONSTITUTION OF THE UNITED STATES through one of the two Amendment Processes of Article V of the Constitution...a Constitutional Convention (“Con Con”). This Convention will be “reported” by the media as providing necessary “amendments” to the Constitution. But, the powers of this kind of Article V Amendment process has “deep pockets” in that it can REPLACE the whole Constitution by “amending it.” All jurists agree. But, even THAT is not the full scope of the dangers involved. You’ll see. But first, what got us here?

### 1. The New “Jehovah”

The most powerful jurist-professor to influence modern Supreme Court interpretation over the last century was Harvard Law School Dean, Roscoe Pound. He produced more Supreme Court justices – and through them new theories of court interpretation than perhaps any other writer-juristic “influencer” in United States history. He wrote:

We are back to the State as the unchallengeable authority behind legal precepts. The State takes the place of Jehovah handing the tablets of the law to Moses. – Roscoe Pound, 1924

Undoubtedly, the “New Left” rose out of the ashes of corrupt judicial “interpretations” of the Constitution. No one doubts that the Supreme Court has led the nation for nearly a century

as the militant herald of “Sociological Jurisprudence.” Meaning? The needs of the group, defined by the “collective-state,” supersedes the protections/freedoms of the individual.<sup>2</sup> It was Roscoe Pound who pioneered this radical interpretation, according to the Encyclopedia Britannica.<sup>3</sup> Pound taught activist judges whose decisions would eventually necessitate an end of the Constitution itself. The activist judges wrought havoc to our nation through radical, alien interpretations. The judges “allowed” the laws to be broken concerning runaway budgets bringing the nation to runaway spending and inflation. They defended abortion, bringing havoc to the streets, courts ...and ...70 million wombs. Election fraud, burned American flags, wage and price distortions, mortgage fraud,<sup>4</sup> criminal defense absurdities, medical ethics, election finance, term limits, feminism, alternative sexual mores, parental loss of control, alternative marriage rights, transgender “rights,” executive decrees, educational havoc, civil rights bitterness, taxation without limitation, Christianity mocked in the public forum... The list is endless. Crisis after crisis was engineered by the Judiciary. Now, to solve the massive (and contrived) crisis, the Constitution is to be put on the chopping block.

NOTE: All of these issues can be used to gain support for the Con Con. Christians SHOULD NOT BE deceived into supporting Con Con by being convinced a “Pro Life Amendment” can be passed. This 117<sup>th</sup> Congress is solely in charge of the agenda by ARTICLE V of the Constitution itself. *Neither the Congress nor the Con Con itself are bound to accept ANY amendment suggestions from the states.* They can. But, they are NOT bound... false media propaganda to the contrary. The only thing binding from the states upon the Congress is the “application” for a Con Con. That’s it!

**Despite the ongoing erosion of the Constitution, the “Left” has a morbid fear of the Constitution. Why? Because there are laws and powers “begotten” by the great Constitutional heritage they fear may RETURN...and fall upon their collective heads! One especially comes to mind: “Void Judgment.”**

### 2. Void Judgments and Void Legal enactments

Void Judgments are invoked when a court case is revisited by a judge and the court finds that the evidence involved in deciding an earlier decision was falsified. That means the judgement was procured by “fraud upon the court.”

ALL that occurred in the election and the multitude of court cases in which the Constitution and other laws were twisted by falsified evidence (Obama’s credentials come to mind) are to be revisited and declared as VOID (not Voidable!). If so, those decisions are to be overturned.

As far as the election is concerned, ANY acts of willful fraud that helped determine Court decisions, Void the results. It is

<sup>1</sup> Dr. Wayne Sedlak has spent 47 years as a pastor, historian and as a missionary on two continents. He is currently a graduate school professor for educational training of indigenous (tribal) students in Africa and worldwide...

<sup>2</sup> J. A. Stormer. Betrayed by the Bench. (Liberty Bell Press: Florissant Missouri, 2005), 64

<sup>3</sup> Ibid., 67

<sup>4</sup> Mickey Paoletta, Universal Bankruptcy and Economic Bondage: The Science and Threat of the Federal Reserve (copyright October, 2018 Mickey Paoletta), 19-51

NOT necessary to determine whether a difference in the count of votes or electors was made. The result is fraud.

The same thing occurs with falsified governors' enactments, legislative decisions, administrative enactments ... if based upon fraudulent evidence which is deemed "Material" (evidence necessary to reach a decision), then the acts are to be deemed fraud, therefore, void or even "unconstitutional."

### 3. Republicans: The Secret Weapon of Democrats

**"If power corrupts, then being out of power corrupts absolutely."** The Democrat-Marxist alliance owns the political arena through Fraud. Now they must legalize and strengthen their power base.

An old '60s political "saw" bears repeating... **"The Democrats drive it down the field. The Republicans put it in the end zone."** The Republicans in many of the 50 states lead a massive movement to help this radical Congress do what the Democrats cannot do without Republican help. Of course, that implicates some like "agent provocateur"<sup>5</sup> leader Republican Robin Vos of Wisconsin, who either lead the movement as advocates or act as willfully inept alleged "opposition."

However, ANY legal act utilizing fraudulent evidence and passed into law by decree or judicial action is VOID *ab initio* (Void from its inception). The current Democrats came to power through admitted fraud and the Supreme Court refused to hear ANY election cases. The election fraud **invites a NEW alleged "constitutional crisis"**...and the Republicans, gobs of them, refuse to allow the election fraud to be exposed!

The Supreme Court refused to hear the Pennsylvania Election Fraud lawsuit and MANY other state lawsuits as well. In his dissent, Justice Thomas argued that *mass* mail-in voting was used in Pennsylvania for the first time in the 2020 presidential election. He wrote that such an act ALSO coalesced with last minute rewritten rules making elections prone to fraud.<sup>6</sup>

One wonders what this Court waits for. We failed to settle this dispute before the election, and thus provide clear rules. Now we again fail to provide clear rules for future elections. The decision to leave election law hidden beneath a shroud of doubt is baffling. By doing nothing, we invite further confusion and erosion of voter confidence.<sup>7</sup>

Note: "lack of public confidence" ("erosion of voter confidence.") in "Constitutional" government. THIS IS THE CREATION OF CONSTITUTIONAL CRISIS, begging an alleged need for a Con Con. Since this fraudulently elected Administration and Democrats have majorities in BOTH Houses of Congress, the Supreme Court's nod of approval in refusing to hear election fraud cases puts our Constitution at risk by a new "crisis." After all, it is alleged, we are too

divided as a nation so we must "do something." The Court sent the message of "looking the other way" thus creating a constitutional crisis!

### 4. Do you want the Bad News... the Really Bad News or the REALLY REALLY Bad News... First?

**Right now in Wisconsin, for example, the Con Con is in committee. (They are NOT calling it that. You need to call to find out about Wisconsin's application to Congress to Amend the Constitution). The media is being VERY quiet about this so as NOT to alarm people.**

**First, the Bad News:** Article V gives 34 states the power to apply to Congress for a Constitutional Convention to amend our Constitution. They are NOW only about 6 states short. The states will all have Amendments to demand. But, as Chief Justice Burger – and all jurists of repute (to date) state... neither the Congress nor Con Con need honor any state amendment demands. All legal experts of repute agree.

**Now the REALLY Bad News:** The Con Con need not keep the Constitution at all. They can Amend the entirety of the Constitution, giving us a whole new document (and full forgiveness of all their criminal transgressions under the old Constitution!). That's called a "Runaway Constitutional Convention" (and the new Constitution is already written, patterned after the UN and Soviet "Constitutions").

**Now for the REALLY, REALLY Bad news:** The Deep State "engineers" of Con Con are poised to give us "privileges" (NOT RIGHTS!). A privilege is a power you must APPLY to receive from the government. It is NOT guaranteed. Congress has already shown its "hand" in the current bill, H.R. 127:

"A BILL To provide for the licensing of firearm and ammunition possession and the registration of firearms, and to prohibit the possession of certain ammunition."

There it is! They declare a right of Constitutional Law (2<sup>nd</sup> Amendment) as only a licensing privilege. You must now apply for a license to own a gun...EACH gun...with the government's RIGHT to deny you (Cost of the license: \$800). Severe penalties are invoked, including *decades* of jail time!

But, the Supreme Court still could invoke the 2<sup>nd</sup> Amendment. State Legislatures CAN resist it state by state. Local county and city officials can – and should – RESIST enforcement by employing the Doctrine of Interposition of the Lesser Magistrate. The Marxist-Democrats want Con Con to rewrite all levels of government UNDER Federal control. Want to stop them? Contact us at 262-597-2030; [support@visionviewpoint.com](mailto:support@visionviewpoint.com); Visit [VisionViewpoint.com](http://VisionViewpoint.com) **This position position is offered for educational and informational purposes only and is not offered as legal advice for any particular case(s).**

<sup>5</sup> See position paper "The Agent Provocateur" by this author.

<sup>6</sup> Katie Pavlich. Justice Thomas: SCOTUS Refusal to Hear Pennsylvania Election Cases Is 'Inexplicable.' [Townhall.com](http://Townhall.com), Copyright © [Townhall.com/Salem](http://Townhall.com/Salem) Media February 22, 2021 Online article archived and

accessed by Dr. Wayne C Sedlak, 2/25/2021; <https://townhall.com/tipsheet/katiepavlich/2021/02/22/three-supreme-court-justices-believe-pennsylvania-election-case-should-be-review-n2585115>

<sup>7</sup> *Ibid.* (Donations are needed but are NOT tax exempt.)

## Testimony in opposition to AJR 9 application for Congress to call Article V Convention

Wisconsin Committee on Constitution and Ethics

By Joanna Martin, J.D.

(Hearing on March 3, 2021)

Mr. Chairman Wichgers, Vice Chairman Thiesfeldt, and Honorable Members of the Committee:

I submit this testimony as a private Citizen; but work with a number of organizations which are devoted to protecting our Constitution. I'm a retired litigation attorney, and have an undergraduate degree in philosophy where I specialized in political philosophy. I write under the pen name, Publius Huldah, on the genuine meaning of our federal Constitution and the false remedy of an Article V convention.

Those who don't know how we got *from* our first Constitution (Articles of Confederation) *to* our present Constitution can be deceived by those who falsely assure them that Delegates to an Article V convention are limited to proposing the amendment(s) described in the States' applications sent to Congress for Congress to call a convention. The convention lobby falsely assures State Legislators that Delegates can do nothing except propose an amendment for a "balanced budget amendment", "term limits", "free & fair elections", "limit the power and jurisdiction of the federal government", or whatever else is set forth in States' applications to Congress.

But as our *sole* historical precedent shows, the Delegates cannot be controlled and have that "self-evident Right", described in **our Declaration of Independence**<sup>1</sup> to throw off the Constitution we now have and write a new Constitution which creates a new Form of Government. The flyer **HERE** shows that Delegates have the power to propose a new Constitution *with its own new mode of ratification* – and this is precisely what was done at the federal "amendments" convention of 1787 which replaced the Articles of Confederation with the Constitution we now have.

New Constitutions are already prepared or waiting in the wings for a convention. The "**How to get a new Constitution under the pretext of proposing amendments**" Flyer **HERE**, shows that **our Framers understood that the purpose of amendments is to correct defects in the Constitution; and the purpose of a Convention is to get another Constitution!** The Flyer also links to several of the proposed new constitutions. One of them, the Constitution for the Newstates of America, is *ratified by a national referendum* [please think about the voting machines.]

Furthermore, it's impossible to rein in the federal government with amendments because when the federal government usurps powers not delegated, they are ignoring the existing constitutional limits on their powers. Our existing Constitution limits the federal government to a small handful of enumerated powers: **This one page chart** lists the powers. Our problems are caused by a century of *ignoring the existing constitutional limits* on federal power.

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<sup>1</sup> The Declaration of Independence is part of the Organic Law of our Land [[link](#)].

Accordingly, the “Convention of States Project” (COS), cannot produce even one amendment which would fix the federal government’s violations of our Constitution. The 6 amendments approved at COS’s “simulated convention” would INCREASE the powers of the federal government by granting new powers (some Stalinist) to the federal government or by legalizing powers already usurped. This paper, *COS Project's "simulated convention" dog and pony show and what they did there* [[LINK](#)], exposes the amendments approved at COS’s simulated convention.

**The simple Truth is that no amendment on the face of this Earth can make those who ignore the Constitution obey the Constitution.** But Americans haven’t been educated in Civics; and constitutionally illiterate people can be deceived. Hirelings of the globalists who are funding the push for a convention are exploiting this constitutional illiteracy.

The Globalists want to complete their coup against us by getting a new Constitution which *legalizes* the totalitarian oligarchy they plan to set up over us. James Madison, Alexander Hamilton, four US Supreme Court Justices, and other eminent jurists and scholars warn against another convention: **James Madison** "trembled" and warned that persons of “insidious views” would be at a convention; **Alexander Hamilton** felt "dread"; and our first **Supreme Court Chief Justice John Jay** said another convention would run an "extravagant risque". Supreme Court **Justices Arthur Goldberg** and **Warren Burger** warned that the convention can't be controlled. **Justice Scalia** said, "I certainly would not want a constitutional convention. I mean whoa. Who knows what would come out of that?" For their words and links to where they said it, see the "Brilliant Men" flyer [HERE](#).

Appendix A shows that COS’s assurances to State Legislators that *they* will control a convention are *contradicted* by the US Constitution! Furthermore, the referenced **Congressional Research Service Report** shows that **Congress is fully aware that it alone has the power to decide the issues which COS falsely assures State Legislators that they will control.**

[HERE](#) is a Legal Policy paper by prominent constitutional litigators and law professors William J. Olson & Herbert W. Titus, who show additional reasons that COS’s "false assurances" are "reckless in the extreme".

So please oppose AJR 9 application for an Article V convention. Instead, please rescind the eleven (11) applications for a Convention Wisconsin has already sent to Congress since 1903 [[link](#)]!

Joanna Martin, J.D.  
Cookeville, TN  
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**Appendix A is below**

The US Constitution & Congressional Research Service Report show that COS's assurances that State Legislatures will control a convention are "false" and "reckless in the extreme"



Spokesmen for the "Convention of States Project" (COS) present a long list of assurances which *they say* show exactly how a convention called by Congress pursuant to Article V of the Constitution, will work. But they never present any *Evidence* to support their assurances.<sup>2</sup>

To *this* old lawyer, the above is astonishing. In trials, we are required to present Evidence. A lawyer who attempted to conduct a trial in the way COS presents to State Legislative Committees, would soon be interrupted by the Judge saying, "Counselor, do you plan to put on any evidence today?" And if the lawyer said, "Oh, no – you are supposed to just believe me"; the lawyer would lose the case.

So State Legislators must be like the Bereans<sup>3</sup> and demand that COS prove their assurances.

But *COS cannot prove their assurances because their assurances are false*. They are contradicted by the Constitution. They are also contradicted by the Congressional Research Service Report which shows that Congress understands that the Constitution grants *to Congress* extensive powers to organize a convention. The only power the States have is to "apply" to Congress *for Congress* to "call" the convention.

## 1. Two Constitutional provisions respecting an Article V Convention

Article V, US Constit., says:

*"The Congress, whenever two thirds of both Houses shall deem 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..."* [italics added]

Article I, §8, last clause, US Constit., says Congress shall have the Power...

*"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, or in any Department or Officer thereof."* [italics added].

So *Congress* calls the convention and makes the laws necessary and proper to organize the convention.

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<sup>2</sup> COS's entire case is based on their **false and absurd claim** that a Convention called by Congress under Article V of the Constitution is the remedy our Framers gave us for use when the fed gov't violates the limits our Constitution places on them. What our Framers actually said is that *the purpose of amendments is to correct defects in the Constitution*; and that *the purpose of a convention is to get another Constitution*. **Madison repeatedly warned that those who secretly want to get rid of our Constitution would push for a convention under the pretext of getting amendments**. The Proof is [here](#).

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## 2. The April 11, 2014 Report of the Congressional Research Service

**The Report** shows that Congress understands that Article V grants to Congress *exclusive authority* to set up a convention. The Report exposes as *false* COS's assurances that the States would be in control of a convention:

“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; ... **(4) determining the number and selection process for its delegates...**” (page 4).

So Congress has the exclusive power to receive and judge the applications; how to count the applications, which ones to count, whether to aggregate the different “flavors” of applications, etc.

***And nothing in the Constitution requires Congress to permit States to select Delegates. Congress “determ[in]es the number and selection process for its delegates”; so Congress is free to select the Delegates. Congress may appoint themselves as Delegates.***<sup>4</sup>

And as the Report states on page 27:

“In the final analysis, the question what sort of convention?” is not likely to be resolved unless or until the 34-state threshold has been crossed and a convention assembles.”

So we'll have to get a convention before we know how it is going to operate. *But by then, it will be too late to stop it.* And if the proceedings are secret, we won't find out anything until they are finished.

## 3. The People have the power to set up or take down Governments

Our Declaration of Independence (2<sup>nd</sup> para) is the Fundamental Act of our Founding and part of the “**Organic Law**” of our Land. It recognizes that The People take down and create governments. When Delegates meet in convention to address a Constitution, they are the Sovereign Representatives of The People. They cannot be controlled by the “creatures” of Constitutions previously ratified – the federal or state governments [[link](#)].

Accordingly, *even if Congress permits States to select Delegates*, State Legislatures have no competent authority to control Delegates at a convention called by Congress pursuant to Article V. The Delegates, as Sovereign Representatives of The People, have the power to *eliminate* the federal & state governments!<sup>5</sup>

## 4. Olson & Titus Legal Policy paper

See also the Legal Policy Paper by conservative constitutional litigators and law professors, William Olson & Herb Titus, which gives additional reasons COS's assurances are “false” and “reckless in the extreme” [[link](#)].

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<sup>4</sup> Page 40 of the Report says there doesn't seem to be any “. . . constitutional prohibition against [U.S.] Senators and Representatives serving as delegates to an Article V Convention. . .”

<sup>5</sup> The proposed [Constitution for the Newstates of America](#) does just that. And Art. XII, §1 provides for **ratification by a national referendum (national popular vote)! Do you trust the voting machines?**

Dear Senators, *members of the committee*

I strongly oppose an Article 5 Constitutional Convention, Convention of the States, or whatever you want to call it.

It would place our Constitutional Protections in great jeopardy.

Please remember your oaths to uphold the Constitution and Vote No ~~on SIBB~~.

There are some well thought out videos easily available on line at:

JBS.org

From the home page of The John Birch Society <https://jbs.org>

Click on the Video tab

Then the Constitution Corner Tab

Then the Constitution Tab

*There* ~~The~~ will be available a 6 part series called

Change It or OBEY It.

Inform yourself.

Is the Constitution the problem or the politicians not obeying it?

Thank you

Dave Kempen, 3401 N Meade St., Appleton WI 920-716-0413

To start, I'd like to read a couple Amendments in the Bill Rights.

If there are any of these enumerated rights you don't want and you are trying to change your form of government then that would be the only reason to open a convention of states. These rights are under attack so it is not hard to figure out which rights would be removed in the NEW government. There is nothing in the Constitution that states that when you call an Article 5 Convention that it is required to take up only the items proposed in the request, so it opens the whole Constitution up. There is already a way to add Amendments through the Congress. For 225 years, amendments have been proposed by Congress and ratified by the states. This has been done at least 16 times. According to Article V, it just takes a 2/3 vote from both houses and ¾ of the states to ratify. And if you are concerned that your proposed amendment won't get through the current Congress, imagine handing that same current Congress a pen to re-write the Constitution. The only reason to open up a Convention of States is to institute new government.

Your bill AJR 9 states, quote, "The calling of a Convention of the States **limited** to proposing amendments *(they will never stay limited to what you want them to, no matter how good your intentions. Never. Ok, back to the bill)* quote, "The calling of a Convention of the States **limited** to proposing amendments to the Constitution of the United States that impose fiscal restraints on the federal government," *(you can do that in a regular amendment process)* "limit the power and jurisdiction of the federal government," *(our Constitution already limits the power and jurisdiction of the federal government)* "and limit the terms of office for its officials and for members of Congress."

Term limits sound good, but really will not help us. The Senator or Congressman that knows he cannot be re-elected has no accountability whatsoever to the American people and can do his dead-level worst in his final years in office. FAR better it is for us to educate our fellow Americans to vote out the corrupt politicians that undermine our wonderful Constitution and our liberties. This is why its imperative each of us has one - and only one - legal vote per US citizen with ID & signature - and hand counted! And America is really waking up to what is happening on a broad scale on many levels, whether its a fair and free election or American's first and second amendment rights. THIS is how we effect change - through the Constitutional process of an informed American people holding their elected officials accountable - or removing them through the ballot box. Thomas Jefferson said, quote, "If a nation expects to be ignorant and free... it expects what never was and never will be."

Again, the advocates of the convention of states are not being honest in the way they are presenting this as a one amendment convention because they are even going back to old requests for a Convention for completely different reasons than were proposed.

If you think the outcome of a con con would be anything desirable with the likes of our current Congress or any of their representatives or appointees to the convention they would send forth, you are misled.

If anyone is interested, I have an amendment I would like to propose for the US Congress to fix the criminal activity that goes on there. Like a lot of big cities where there are many people in close proximity, the crime rate escalates. So with Congress when they are together with nothing to do, the crime level goes up as you see with HR 1 and HR 5. If interested, please talk with me about it.

If someone does not like the freedoms enumerated in our US Constitution, they are free to live in many other countries of tyranny around the world – but not here. This is a Constitutional Republic, and we have a wonderful Constitution. Its the politicians that need to be changed, not the Constitution.



The lie the lobbyists are portraying that the Constitutional Convention is the way to add amendments and fix our current problems is pretty diabolical (there are new constitutions that are already drafted that completely dissolve the states and disarm the people under the new regime). This is very dangerous and will basically eliminate our Constitutional Republic as we know it.

Curtis Uhl  
Mukwonago, WI 53149

I'm just an average American homemaker from Mukwonago, WI that loves our Country. I agree with you that the Federal Government has invaded the legitimate role of the states and is completely overstepping its Constitutional power on several fronts.

And I have always loved these words out of the Declaration of Independence, read from "We hold these truths to be self-evident.... governments long established should not be changed for light or transient causes..."

On a scale of tyranny vs freedom, its quite possible that a Balanced Budget Amendment, though important, may fall more into a "light or transient cause" compared to losing freedom.

I've no doubt some of you have the best intentions, the purest motives, but unfortunately, they aren't going to alter the end results of a Convention.

For over two centuries, American lawmakers have been adding amendments through Congress. You can do the same with your Balanced Budget Amendment.

But if we open this Constitution through a **Convention of States**, for even one amendment, it opens the **WHOLE** Constitution up to institute new government. And lets face it, we do not have the incredible Statesmen of yesteryear that drafted our Constitution, today we have a bunch of DC politicians with special interests that have gotten us in the mess we currently find ourselves in. Our US Constitution is not the *problem*, its the *solution*. Along with turning back to God.

Experience shouts to us that if the majority of the US Congress isn't obeying our Constitution now, they surely won't obey anything new that you - or they - come up with! Who are we KIDDING? Just as we argue that gun-control will never restrict *criminals* from getting guns, but only strips the law-abiding citizens of protection, so also changing our Constitution will never restrict the *criminals* in Congress, but only strip the law-abiding members of Congress & America people of protection.

Some here want to open the Constitution through a Convention just enough to pass their 2 or 3 items and they believe – naively, falsely –

1. that it will make a difference in how the current Congress obeys the law and
2. that they can control Congress and make it behave and to not do anything more to the Constitution than what they have specified in this bill. Unfortunately, that's the realm of make-believe, and NOT the happily every after kind. In reality, there are many on both sides of the aisle that would pounce upon our "slightly" opened Constitution and rip her open, violating her faster than you could ever imagine. We can't open the Constitution even an inch with a Convention and make her vulnerable to the whims of her **proven enemies** in Congress. They are brazen about how they defy her – every time we turn around, they are trying to remove another of our God-given rights protected by our Constitution.

Look, DC can't even agree on what happened in the election, how in the world would they ever come to an agreement on a new form of government? And the new Constitution would never be something you could fit in your pocket or purse that people could study & learn to remain a free people. Why, it could be hundreds of pages long! They could hide a lot in there. And the people couldn't KNOW our Constitution.

Our Founders were SO WISE about that...and about the depravity of man and how much power can corrupt even good men. Absolute power corrupts absolutely. The Bill of Rights is basically the 10

commandments, the “Thou shalt not’s” to the **government**. The Founders sought to protect We the People’s rights from the government, but most of the current lawmakers in Washington seek the reverse – to empower government at the expense of individual liberty.

In closing, I **IMPLORE** you to vote against AJR 9 calling for a Convention of States and inadvertently opening our Constitution to the will of her enemies. The majority of these politicians in the US Congress seek to undermine our freedoms at every turn in exchange for power, wealth, advancing globalism, killing national sovereignty, implementing socialism, controlling every aspect of our lives – these are the very people that would take charge of drafting an entirely new government. I don’t know how to say it any clearer. This would open a Pandora’s box the likes of which we’ve never seen and could never close the lid.

Please realize that the lobbyists have their own agenda and could be using you and your good intentions to get approval for a Convention of States and thus put our Constitution in great peril.

Do not let history look back and name you among those who betrayed liberty through either incorrect information, or miss-channeled good intentions, or because when you realized the truth, you were afraid to stand up to your colleagues and change your vote to no.

If anyone thinks they are doing America or freedom a favor by calling for a Convention of States, or that they will be some sort of Founding Father for their efforts, that couldn’t be further from the truth. If we walk through this Convention of States door, we forever shut the door on free America. I **BEG** everyone to awaken to the reality of how close we are to losing America, the land of the free, the home of the brave!

A first generation US citizen who had fled from his prior communist country stated of his new homeland of America in his beautiful accent, “Don’t lose this place, because you not going to be as lucky as me. Because if you lose this place, you have no place to go.”

Thank you  
Dominique Uhl

Oppose AJR 9

David A Certa

19691 County Rd W

Shullsburg, WI 53586

DOB August 11, 1945

U.S. Marine Corps Aug 1965 to Sep 1969

Viet Nam 1966 -1967

During our working careers, my wife and I bought and paid off our dairy farm in Shullsburg. In retirement rental from our farm was to help supplement our income. Then County Rd W needed to be replaced. The state needed Federal money. To comply with the strings attached to the Federal money, I had to surrender several acres to the state. Of course, I was paid the current price for the acres, but not the 20 or 30 years of rent I would have received. The strings were written by a bureaucrat in Washington, D.C. The state hired road engineer, the County Highway Dept, my state Senator Marklein and Representative Novak all agreed that taking my land was not necessary to ensure the quality or safety of the road. However none had the authority to do anything about it. The authority to accept or modify the strings attached to Federal money belongs here with people familiar with everything Wisconsin, not in Washington, D.C.

I am a combat veteran. I have been in fire fights. I know fear. Please do not let fear of doing something in this political climate paralyze you to do nothing. You have the power of the Constitution, the power of your constituents and the power of history to stand up and reestablish the sovereignty of our great state against an overbearing Federal Government

*David A Certa*

## Testimony in opposition to AJR 9 application for Congress to call Article V Convention

Wisconsin Committee on Constitution and Ethics

By Joanna Martin, J.D.

(Hearing on March 3, 2021)

Mr. Chairman Wichgers, Vice Chairman Thiesfeldt, and Honorable Members of the Committee:

I submit this testimony as a private Citizen; but work with a number of organizations which are devoted to protecting our Constitution. I'm a retired litigation attorney, and have an undergraduate degree in philosophy where I specialized in political philosophy. I write under the pen name, Publius Huldah, on the genuine meaning of our federal Constitution and the false remedy of an Article V convention.

Those who don't know how we got *from* our first Constitution (Articles of Confederation) *to* our present Constitution can be deceived by those who falsely assure them that Delegates to an Article V convention are limited to proposing the amendment(s) described in the States' applications sent to Congress for Congress to call a convention. The convention lobby falsely assures State Legislators that Delegates can do nothing except propose an amendment for a "balanced budget amendment", "term limits", "free & fair elections", "limit the power and jurisdiction of the federal government", or whatever else is set forth in States' applications to Congress.

But as our *sole* historical precedent shows, the Delegates cannot be controlled and have that "self-evident Right", described in **our Declaration of Independence**<sup>1</sup> to throw off the Constitution we now have and write a new Constitution which creates a new Form of Government. The flyer **HERE** shows that Delegates have the power to propose a new Constitution *with its own new mode of ratification* – and this is precisely what was done at the federal “amendments” convention of 1787 which replaced the Articles of Confederation with the Constitution we now have.

New Constitutions are already prepared or waiting in the wings for a convention. The “**How to get a new Constitution under the pretext of proposing amendments**” Flyer **HERE**, shows that our Framers understood that the purpose of amendments is to correct defects in the Constitution; and the purpose of a Convention is to get another Constitution! The Flyer also links to several of the proposed new constitutions. One of them, the Constitution for the Newstates of America, is *ratified by a national referendum* [please think about the voting machines.]

Furthermore, it's impossible to rein in the federal government with amendments because when the federal government usurps powers not delegated, they are ignoring the existing constitutional limits on their powers. Our existing Constitution limits the federal government to a small handful of enumerated powers: **This one page chart** lists the powers. Our problems are caused by a century of *ignoring the existing constitutional limits* on federal power.

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<sup>1</sup> The Declaration of Independence is part of the Organic Law of our Land [**link**].

Accordingly, the “Convention of States Project” (COS), cannot produce even one amendment which would fix the federal government’s violations of our Constitution. The 6 amendments approved at COS’s “simulated convention” would INCREASE the powers of the federal government by granting new powers (some Stalinist) to the federal government or by legalizing powers already usurped. This paper, *COS Project’s “simulated convention” dog and pony show and what they did there* [[LINK](#)], exposes the amendments approved at COS’s simulated convention.

**The simple Truth is that no amendment on the face of this Earth can make those who ignore the Constitution obey the Constitution.** But Americans haven’t been educated in Civics; and constitutionally illiterate people can be deceived. Hirelings of the globalists who are funding the push for a convention are exploiting this constitutional illiteracy.

The Globalists want to complete their coup against us by getting a new Constitution which *legalizes* the totalitarian oligarchy they plan to set up over us. James Madison, Alexander Hamilton, four US Supreme Court Justices, and other eminent jurists and scholars warn against another convention: **James Madison** “trembled” and warned that persons of “insidious views” would be at a convention; **Alexander Hamilton** felt “dread”; and our first **Supreme Court Chief Justice John Jay** said another convention would run an “extravagant risque”. Supreme Court **Justices Arthur Goldberg** and **Warren Burger** warned that the convention can’t be controlled. **Justice Scalia** said, “I certainly would not want a constitutional convention. I mean whoa. Who knows what would come out of that?” For their words and links to where they said it, see the “Brilliant Men” flyer [HERE](#).

Appendix A shows that COS’s assurances to State Legislators that *they* will control a convention are *contradicted* by the US Constitution! Furthermore, the referenced **Congressional Research Service Report** shows that **Congress is fully aware that it alone has the power to decide the issues which COS falsely assures State Legislators that they will control.**

[HERE](#) is a Legal Policy paper by prominent constitutional litigators and law professors William J. Olson & Herbert W. Titus, who show additional reasons that COS’s “false assurances” are “reckless in the extreme”.

So please oppose AJR 9 application for an Article V convention. Instead, please rescind the eleven (11) applications for a Convention Wisconsin has already sent to Congress since 1903 [[link](#)]!

Joanna Martin, J.D.  
Cookeville, TN  
[publiushuldah@gmail.com](mailto:publiushuldah@gmail.com)

**Appendix A is below**

The US Constitution & Congressional Research Service Report show that COS's assurances that State Legislatures will control a convention are "false" and "reckless in the extreme"



Spokesmen for the "Convention of States Project" (COS) present a long list of assurances which *they say* show exactly how a convention called by Congress pursuant to Article V of the Constitution, will work. But they never present any *Evidence* to support their assurances.<sup>2</sup>

To *this* old lawyer, the above is astonishing. In trials, we are required to present Evidence. A lawyer who attempted to conduct a trial in the way COS presents to State Legislative Committees, would soon be interrupted by the Judge saying, "Counselor, do you plan to put on any evidence today?" And if the lawyer said, "Oh, no – you are supposed to just believe me"; the lawyer would lose the case.

So State Legislators must be like the Bereans<sup>3</sup> and demand that COS prove their assurances.

But *COS cannot prove their assurances because their assurances are false*. They are contradicted by the Constitution. They are also contradicted by the Congressional Research Service Report which shows that Congress understands that the Constitution grants *to Congress* extensive powers to organize a convention. The only power the States have is to "apply" to Congress *for Congress* to "call" the convention.

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*And nothing in the Constitution requires Congress to permit States to select Delegates. Congress “determ[in]es the number and selection process for its delegates”; so Congress is free to select the Delegates. Congress may appoint themselves as Delegates.*<sup>4</sup>

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