

Exhibits to Presentation before the Special Committee on the Article V Convention (February 13, 2020)

Submitted by Joanna Martin, J.D.

To Chairman Thomas E. Pope and Honorable Members of this Distinguished Committee:

1. The Flyers

The Chart which illustrates our Declaration of Independence, Constitution, federal structure, & lists the enumerated powers is [HERE](#).

What the convention lobby isn't telling you about our Declaration of Independence is [HERE](#).

Truthful Answers to False Claims made by "Convention of States Project" (COS) are [HERE](#).

The Nightmare Amendments from "Convention of States Project's" (COS) simulated convention are [HERE](#).

The Rescission Flyer is [HERE](#). It also shows that COS has been *misrepresenting* what George Mason (and the other Framers) actually said at the federal convention of 1787.

Warnings of Brilliant Men (Madison, Hamilton, 4 US Supreme Court Justices, and other jurists and scholars) against an Article V convention are [HERE](#).

What Supporters of a Balanced Budget Amendment aren't telling you is [HERE](#).

2. Proposed New Constitutions

[HERE](#) is the proposed **Constitution for the Newstates of America**. Article XII, §1 provides for **ratification by national referendum**. The States are to be dissolved and replaced by regional governments answerable to the new national government. Pursuant to Article I, Part B, §8, *we are to be disarmed*.

Read [HERE](#) about the proposed **Constitution for the New Socialist Republic in North America**. It was prepared by **the Revolutionary Communist Party, USA**. [HERE](#) is the text of their proposed Constitution.

Read [HERE](#) about The Constitution 2020 movement funded by George Soros and supported by Marxist law professors, Cass Sunstein, Eric Holder, etc. They want a Marxist Constitution in place by the year 2020.

Read [HERE](#) **the Council on Foreign Relations' Task Force Report on the North American Union (NAU)**. **Canada, the US, and Mexico are to integrate politically and a Parliament & a militarized and unified police force are to be set up over the three countries.** *Read it and tremble for your Country.*

3. Who is really behind the push for an Article V convention?

Some of the COS people who approach Legislators to support the COS application for an Article V convention may believe that the purpose of a convention is to get amendments to "limit the power and jurisdiction of the federal government"; **but it is the globalists, primarily the Kochs and George Soros, who are funding the push for an Article V convention.** See, e.g.,

- [Kochs Bankroll Move to Rewrite the Constitution](#)
- [George Soros assault on U.S. Constitution](#)
- [Citizens for Self-Governance](#) [this goes into detail about the funding and expenditures for one of Mark Meckler’s organizations, “Citizens for Self-Governance” – see the tax returns set forth in the article.]
- [Koch brothers from Conservapedia](#)

The **Council on Foreign Relations** and the establishment elite of both political parties support the NAU. But our existing Constitution is *preventing* the political integration of the three Countries. So the globalists need a new Constitution which transforms the United States *from* a sovereign nation *to* a member state of the NAU. To get a new Constitution, they need a convention.

For more information on the takeover of our Country by the globalists, see [The USMCA "Trade Agreement" violates our Constitution and sets up Global Government](#), and [USMCA 'Trade Agreement,' the North American Union, an Article V convention, and Red Flag Laws: Connecting the dots](#)

4. Our Framers *did not say* the purpose of amendments is to rein in the fed gov’t if it usurps powers not delegated

What our Framers *actually* said is:

- The “novelty & difficulty of the experiment requires periodical revision” (Gerry at the federal convention on [June 5, 1787](#));
- **“The plan now to be formed will certainly be defective, as the Confederation [Articles of Confederation] has been found on trial to be. Amendments therefore will be necessary, and it will be better to provide for them, in an easy, regular and Constitutional way than to trust to chance and violence. It would be improper to require the consent of the Natl. Legislature, because they may abuse their power, and refuse their consent ...The opportunity for such an abuse, may be the fault of the Constitution [i.e., a defect] calling for amendmt.” (Geo. Mason at the federal convention on [June 11, 1787](#));**
- amendments remedy *defects* in the Constitution (Hamilton at the federal convention on [Sep. 10, 1787](#));
- useful amendments would address the “organization of the government, not ... the mass of its powers” (Hamilton in [Federalist No. 85](#), 13th para);
- “amendment of errors” & “useful alterations” would be suggested by experience (Madison in [Federalist No. 43 at 8.](#))

See also: [What the Framers *really* said about the purpose of amendments to our Constitution](#)

5. Amendments proposed by the convention lobby *increase* the powers of the fed gov't!

When governments usurp powers not delegated, *they are ignoring the existing limitations on their powers.*

So amendments can't control a gov't which already ignores the Constitution. And the amendments proposed by the pro-convention lobby don't restrain the fed gov't. They do the opposite – they *increase* the powers of the fed gov't by legalizing powers the fed gov't has already usurped or by delegating new powers:

- The text of Michael Farris' "parental rights" amendment is [HERE](#).
- To see how six of Mark Levin's "liberty amendments" also do the opposite of what he claims, go [HERE](#).
- Roman Buhler's "Regulation Freedom Amendment" *legalizes* rulemaking by federal executive agencies – including all the regulations restricting our arms and ammo promulgated by the Bureau of Alcohol, Tobacco, Firearms and Explosives! See [THIS](#).
- The amendments proposed at COS's simulated convention grant new powers to the fed gov't, including new dictatorial powers over Americans, and legalize powers the feds have already usurped. See, in addition to "Nightmare Amendments" Flyer, [COS Project's "simulated convention" dog and pony show and what they did there](#).

6. The convention lobby's claim that state legislatures have control over Delegates to an Article V convention is false

The [April 11, 2014 Report of the Congressional Research Service](#) shows that Congress also sees Article V as delegating to Congress *exclusive authority* over setting up the convention. The CRS Report exposes as *false* the assurances that the States would be in control of a convention. The Report says:

"First, Article V delegates important and exclusive authority over the amendment process to Congress..." (page 4)

"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).

"Article V itself is silent on membership in an Article V Convention, so it is arguable that Congress, in summoning a convention to consider amendments, might choose to include the District of Columbia and U.S. territories as either full members at a convention, or possibly as observers. As noted previously, some versions of the Article V Convention procedures bills introduced in the late 20th century did provide for delegates representing the District of Columbia, although not for U.S. territories . . ." (page 42)

Page 40 of the Report shows there doesn't seem to be any ". . . constitutional prohibition against [U.S.] Senators and Representatives serving as delegates to an Article V Convention. . . "

So! 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.

7. Historical Primary Source Documents

HERE are the **Articles of Confederation**, our first Constitution. **Article XIII required approval of amendments by the Continental Congress and by every State.**

HERE is the Resolution of the Continental Congress dated Feb. 21, 1787, to call a convention to be held at Philadelphia,

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

HERE are the Credentials of the Delegates to the Federal Convention of 1787 and instructions from their States. These Instructions encompassed:

- **"alterations to the Federal Constitution which, when agreed to by Congress and the several States, would become effective"**: Virginia, Pennsylvania, Delaware, Georgia, S. Carolina, Maryland, & New Hampshire.
- **"for the purpose of revising the Federal Constitution"**: Virginia, Pennsylvania, North Carolina, Delaware, and Georgia;
- **"for the sole and express purpose of revising the Articles of Confederation"**: New York, Massachusetts, and Connecticut.
- **"provisions to make the Constitution of the federal Government adequate"**: New Jersey

Rhode Island boycotted the convention.

HERE is Federalist Paper No. 40. At the 15th paragraph, **James Madison, who was a Delegate to the federal "amendments" convention of 1787, specifically invoked that "transcendent and precious right" of a people to throw off one gov't and set up another gov't (recognized in our Declaration of Independence) as justification for the Delegates' ignoring their instructions and writing a new Constitution instead of proposing amendments to the Articles of Confederation.**

The new Constitution also had a new and easier mode of ratification: Whereas Art. 13 of the Articles of Confederation provided that amendments to the Articles had to be approved by the Continental Congress and by ALL of the then 13 States before they were effective; the new Constitution provided at Article VII thereof that it would go into effect [as to the ratifying States] when only 9 States have approved it.

8. Miscellaneous Links

James Madison's Journal of the Federal Convention of 1787 shows that [on May 29, 1787](#), the Delegates to that convention voted to make their proceedings secret. Delegates to an Article V convention today could also vote to make their proceedings secret.

[HERE](#) is where James Madison said our Constitution depends on the people having the "virtue and intelligence to select men of virtue and wisdom" to office. [see text at 223]

[HERE](#) is the Pew Report: At the "select a state" box, you can find out what percentage of your State government's revenue was from federal funds. And that's a pittance compared to the additional federal funds poured into your State to local gov'ts, NGOs, research grants, price supports, welfare programs, social security, Medicare, etc., etc., etc.

To see - *on one page* - proof of the original intents of the "interstate commerce", "general welfare", and "necessary and proper" clauses, go [HERE](#).

9. The Remedy our Framers actually proposed when the fed gov't usurps powers not delegated

Since the States *created* the federal government, they are **the final authority** on whether their "creature" has violated *the constitutional compact* the States made with each other. **Those are our Framers' words:**

[Nullification: The Original Right of Self-Defense](#). See also [What Should States Do When the Federal Government Usurps Power?](#)

10. The applications for an Article V convention already on file with Congress

Congress has the power, pursuant to **Article V** and **Article I, §8, last clause**, US Constitution, to judge and count the various applications from the States for an Article V convention. Congress has the power to aggregate all the various applications and count them together. If Congress does that, we are close to Congress' calling an Article V convention.

[HERE](#), from an unofficial source, is a list of the applications for an Article V convention already submitted to Congress.

Be a Berean! Look at my Exhibits and links to see if what I told you is true. And demand that COS produce original source documents to support *their* claims, assertions, and promises. Ha!

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("PH")