

**Tom Harmon**

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**In Support of HCR 5027**

February 8, 2022

To the Honorable Chairman and Members of the Federal and State Affairs Committee:

Thank you for your service to our great state and for the sacrifices that you and your family are making. I appreciate your contribution to Kansas.

I am a resident of Gray County, a small business owner, and a concerned citizen. I have come to realize that the status quo is creating a disaster for my business and my children and grandchildren's futures. The Federal Government has grown too big, too powerful, and too greedy to be sustainable. Something needs to change and considering that Congress, the executive branch and the courts will never willingly give up the power they have acquired, it now falls to the states to take that power back. The legal and Constitutional process to do this is to use **Article V** to save both our nation and our Constitution.

There are those who would say that the original Constitutional Convention was a "Run-Away" Convention. They espouse that our founding fathers, that George Washington and James Madison and Ben Franklin and the other thirty-six signers as well as the sixteen delegates that did not sign the Constitution, ignored the orders they were given by their states legislatures and performed an act of treason against their sovereign states and newly founded country by throwing out the Articles of Confederation and creating a whole new government under the US Constitution. Their argument continues by suggesting that because our very founding was illegal and a "Run-Away" Convention that any Article V Convention of the States would naturally do the same and that once started, would be impossible to control.

In my opinion, any red-blooded American patriot should be highly offended by these meritless charges. A simple look at the historical record and any knowledge of the character and integrity of the men in that room, in 1787, will easily debunk these accusations. It is sad that some would stoop to such despicable levels to spread that kind of fear and distrust of the American people. It makes one wonder about the agenda of such groups.

Let's start with historical fact. Of the twelve states that appointed delegates to the Philadelphia Convention, only two limited their delegates to amending the Articles of Confederation, ten

states instructed their delegates “to render the constitution of the Federal Government adequate for the exigencies of the Union.” That means that ten out of twelve were following the directives of their state legislatures. Before voting on or agreeing to any of the new ideas or plans, the remaining delegates, from New York and Massachusetts, were given new commissions from their respective state legislatures to allow them to continue. So, by historical record, there was never a “Run-Away” Convention. Everyone knew before meeting that new ideas were going to be introduced and debated, this was no secret, hence the Virginia Plan and the New Jersey Plan.

Now to address the fear associated with having a “Run-Away” Convention controlled by George Soros that we hear about today. As with Conventions, in America, dating back to 1660, there are rules. Just like Congress follows procedures and the courts follow procedures, there are accepted procedures that must be followed in any meeting or convention. No one makes them up as they go. The idea of having a meeting for one subject and discussing another entirely different subject is simply not allowed. We’ve all been in enough meetings to know that if something is not on the agenda, it’s out of order. That subject will not be entertained.

The fact is that the delegates for any convention will be chosen by the state legislatures. They will be given commissions by the state legislatures with their instructions and limitations. As with hiring a Realtor or Attorney, although these delegates represent their states, the powers they have are limited in scope and they have the duty to follow the wishes of the legislature they represent. If someone should exceed that scope of power, they can be recalled, fired, replaced, and even held legally liable.

You have that power! You lead this Convention and it’s up to you to determine the role Kansas will play. Will Kansas lead? Will you do your unique duty to check the power of the Federal Government?

For the future of my Grandchildren and our posterity, I pray the answer is **YES**.

In Liberty,

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