

Written Testimony against HCR5027  
By Judi Caler  
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To Rep. John Barker, Chair; Rep. Tory Marie Amberger, Vice Chair; Rep. Louis Ruiz, Ranking Minority Member; and Members of the House Federal and State Affairs Committee:

My name is Judi Caler, and I'm President of Citizens against an Article V Convention. Thank you for the opportunity to testify against HCR5027.

If you think you're voting on an application asking Congress to call a *limited* convention, you're mistaken.

Proponents for an Article V Convention (A5C) don't believe their own narrative—that 34 states need to pass *the same or similar applications to trigger a convention*; and that the ensuing convention would be limited to the subject(s) of the applications. This is a myth invented by the convention lobby to assure you that the convention can't run away.

The push for an Article V convention is smoke and mirrors designed to get your vote for their applications. The convention lobby knows you're not going to vote for an unlimited convention, where any and all amendments or a new constitution can be proposed, so they invented the myth of a "limited" convention. There's no such thing as a "limited" convention in Article V or the US Constitution.

*Now, let's look at the application you're about to vote upon:*

The Convention of States Project application (HCR5027) includes the subject, "limiting the power and jurisdiction of the federal government." That's what the Constitution is all about! The subject is so broad, it includes "amending" most of the Constitution. But no amendments can be written that are more "limiting" than our current Constitution which grants only enumerated powers to the federal government; and the Tenth Amendment tells us that the powers not delegated to the US by the Constitution, nor prohibited by it to the States, are reserved to the States or to the People.

But even more broad, if possible, are applications that convention lobby strategists and scholars are counting behind the scenes—including Convention of States Project Guru Rob Natelson. The pro-convention scholars have conducted aggregation studies to count previously-passed applications up to 232 years old in order to reach the 34 states necessary to trigger a convention! *They have counted applications on unrelated and obsolete topics such as directly electing US Senators (1901), averting the Civil War (1861), getting a Bill of Rights (1789), and on NO subject at all (plenary)! I call these the “wild card” applications that can be added to anyone’s hand.*

Convention lobby scholars have been creatively counting applications since at least 2018. Meanwhile, their lobbyists who interface with legislators insist that the convention will be limited to the subject of the application you’re voting on!

The Balanced Budget Amendment (BBA) folks have accumulated 26 States in the past 45 years, going up and down with rescissions. But in 2021, they’ve decided the time was right. The Georgia Senate has passed SR 29, a BBA application that includes an aggregation paragraph listing **33** states—purporting them to be states that have passed a “single-subject” BBA application. And yet six of the states listed haven’t passed the BBA at all. They are using wild cards! That application is still pending. Proponents are now testing the waters for South Carolina to be declared the 34<sup>th</sup> State, upon final passage of H 3205 (Convention of States) or S 0141 (BBA), to trigger a “limited” convention; they will have leapfrogged to 34 states overnight.

Is that what Kansas expected when they passed an application for the “[sole and express purpose](#)” of proposing a single-subject Balanced Budget Amendment in 1978?

This promises to be one big free-for-all constitutional convention very soon.

Opponent and proponent strategists and scholars appear to agree: all applications do not have to be the same, or similar, or alike in any way. And the convention will not be limited to the subject of the applications. Opponents are saying this and warning legislators; but proponents are

practicing it, while their lobbyists still falsely assure legislators that a convention called under Article V can't run away.

So why is the convention lobby showing their hand now? We don't have to guess. Their strategists have written about it.

In an Article entitled "[A New Strategy for the Article V Convention of States Movement](#)" on the Hunt For Liberty website, Strategists connected to the conservative American Constitution Foundation, the COS Project, and the BBA, write that the major groups (i.e. Convention of States, BBA, Term Limits, Wolf-PAC) have plateaued; legislators have had their fill of the issue; more states are likely to rescind applications; and their constitutional scholars are concerned that a limited convention, if called, might be stopped by an originalist Supreme Court.

They say timing is everything: the public is outraged at the corruption and dysfunction in D.C. And, they recommend proponents grab whatever applications they have already ("a bird in the hand...") and ask Congress to call a general convention. They say they need to recruit State Attorneys General to sue if necessary to compel Congress to call a convention; their scholars believe that Congress lacks authority under Article V to call a "limited" convention.

If you don't want to lose our Constitution at an unlimited convention, you must reject all new Article V convention applications and rescind every application still on the books from Kansas.

I wrote "[Not the "Limited" Convention You Were Promised](#)" flyer to show that the convention lobby doesn't believe its own talking points. *Why should you?*

**Please Vote "No!" on HCR5027.**