

Hal Shurtleff
Camp Constitution

Dear Members of the Committee:

My name is Harold Shurtleff. I am a U.S Army Veteran, co-founder and director of Camp Constitution, and a member of the Sons of the American Revolution.

I come before you to urge you to vote no on resolutions HP 0438 - and HP 0467 which are applications for an Article V Convention. There are many good people on both sides of the ideological spectrum who are supporting such a convention. I believe them to be well meaning and sincere, but wrong on this issue.

I oppose an Article V Convention for the following reasons:

While our founders put the convention in the Constitution, it has never been used. People from James Madison, and John Hancock, to modern day scholars on the Right and Left have come out against an Article V Convention. Madison said that he "trembled" at the idea due to the political climate of his day. I suggest that the climate is much worse that it was in 1789.

A Convention cannot be limited to one amendment or one issue. A reading of Article V verifies that. It reads that a convention will be called to "propose amendments." There is nothing in the Constitutional which limits the scope of a convention.

There are no laws guiding a convention and ever if there were, they would be hard if not impossible to enforce. This position was held by the late Judge Robert Bork.

State legislators have been told that "unreasonable" amendments do not have a chance to pass since it will still take 3/4ths of the state legislature to approve any of the proposed amendments coming out of a convention. But under Article V, Congress can change the mode of ratification to "ratifying conventions." Let me add that the word "unreasonable" is subjective, and some will say that the 17th and 18th Amendments were unreasonable, but they got passed by 3/4 of state legislators.

We have no idea who the delegates will be. Will they be subject to pressure from lobbyists? Will members of Congress serve as delegates to a convention?

A Pro Article V group, Convention of the States, claims that they want amendments that will limit the reach off the federal government, but at the same time, they call for "restructuring" of the Constitution.

Wolf PAC wants an amendment to end corporate personhood, the taxpayer support of "legitimate" candidates, and getting big money out of politics. These amendments, if passed, would be a power grant to the federal government and restrict not just big corporations but small corporations as well.

You have been told that state have constitutional conventions all the time with no problem. Well, a state convention and a federal convention are two entirely different events. But if we take a close look at the history of these state conventions we will see just the opposite. Let me site just two examples: PA disenfranchised blacks from voting at their 1840s convention, and Montana wrote a new constitution at their 1972 convention. Just a few days ago, 86% of the New York voters said no to a state convention.

Finally, I want to address the concept of a "runaway" convention. Wolf PAC lobbyists have testified that it is an absurd notion that an Article V Convention can run away, but that is not what its founder, Cenk Urgur and Harvard Law Professor Larry Lessig believe. Here is a link to a short video I did while at the 2011 Conference on the Constitutional Convention:

<https://www.youtube.com/watch?v=mEJWeLab8Ao&list=PL8EC8BC307CBF3FC0&index=4>

Thank you.

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