

Dan Marks Sends Application Request Letter To Senate;

A Response to Mr. Boyle

By Bill Walker

Following [rejection of his request](#) for an official count of applications by [Kirk D. Boyle, Legal Counsel for the United States House of Representatives](#), Dan Marks has sent a [similar letter](#) to Elizabeth MacDonough, Parliamentarian for the Senate of the United States. As of the date of this publication, Mr. Marks has not received a response from that office other than a brief email indicating his letter had been received and was being addressed.

Events will be reported as they transpire.

In the meantime I have sent my own [letter of response](#) to Mr. Kirk Boyle. In sum, I point out Mr. Boyle is wrong. He suggests in his letter to Mr. Marks that because Congress has not consented to obey Article V in the form of creating a rule or law mandating it do so, Congress nor any member or employee in it are in any obligated to obey the Constitution and count the applications as requested by Mr. Marks. He then suggests Mr. Marks permit his letter to be forwarded to a house committee for their “consideration.”

First of all Congress does not have the right of sovereign consent when it comes to obeying the Constitution. Whether it has passed a rule, law or whatever does not make one twit of difference regarding their oath of office and obligation to count, tabulate and then issue a convention call. This equally applies not only to members of Congress but their staff as well. In other words, as I point out, there is nothing in rule or law that forbids the clerk from counting the applications. Instead the law in question favors her counting the applications despite the fact Congress has never acted as Mr. Boyle asserts. The clerk is responsible for obeying her own oath of office and the consequences that can follow should she not. Therefore as I point out in my letter any refusal on her part bear on her, not Congress.

Second, the House of Representatives is controlled by the Republican Party. That party has, as a party platform, declared direct opposition to obeying Article V and calling a convention. It should be obvious to all therefore that Mr. Marks has no chance of his letter being considered objectively and fairly in a Republican controlled committee as basic political survival dictates those members reject the matter out of hand—or risk losing all party support at the next election.

Any response to my letter will be reported when available.