

Dan Marks Okays House Committee Review; Gohmert Notified

By Bill Walker

In a [two page letter](#) to Kirk Boyle, legal counsel for the United States House of Representatives, Dan Marks of Article V.org took a historic, if little noticed step, regarding an Article V Convention call. Mr. Marks approved the request of Mr. Boyle to refer Mr. Mark's letter to the House Judiciary Committee for its "consideration."

To summarize events thus far: in April, 2013, Dan Marks of Article V.org sent a letter of request regarding the official count of applying states to Karen Haas, Clerk for the United States House of Representatives. In that letter he included [42 of the 746 applications from 49 states](#) collected by FOAVC. In June, 2013, Mr. Kirk Boyle, legal counsel for the United States House of Representatives informed Dan Marks that the official count of applications by Congress was zero as Congress had never consented to obey Article V by appointing or designating someone empowered to count the applications—therefore Congress was under no obligation to do so. He offered to send Mr. Marks letter to the House judiciary committee for its "consideration." In July, this year, Mr. Marks agreed to Mr. Boyle's proposal and wrote a letter to Karen Haas to that effect.

As a result of this decision, I notified [the office of](#) Congressman Louis Gohmert (R-TX). Congressman Gohmert has [spoken in favor of](#) an Article V Convention on the House floor and is a member of the judiciary committee. The letter, together with all related supporting matter, was faxed to his office Saturday, August 10, 2013.

As I have noted before in a [response letter](#) to Mr. Boyle his position is incorrect to say the least. The Constitution is plain in text and unequivocal in meaning..."Congress shall call a convention for proposing amendments...on the application of the legislatures of two thirds of the several states..." To hold that because Congress has refused to obey this plain language and has not designated someone to count the applications and therefore the matter can be ignored is ludicrous. I noted sending Mr. Marks' letter to the judiciary committee for its "consideration" is obvious political suicide. As far as a convention call is concerned [the Republican Party is officially against the Constitution](#). It is fair to say this refusal of obedience on the part of Congress is the original sin of all other grievances against the government for other constitutional violations given the fact the states satisfied the Constitution as far as two thirds submissions over a century ago

Moreover the sending of the letter and applications to committee violates the direct instructions of the Founders. The author of Article V, James Madison made an explicit statement in Congress saying there was to be no vote, debate *or committee* involved in the convention process *as it would suggest Congress had the right to ignore the applications and refuse to call the convention*; just as they are doing now.

As of this time there is no word yet from the [United States Senate](#) as to Dan Marks' similar request for a count of applications by that legislative body. Events will be reported as they occur.