

**Luke Messer**  
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Committee on Financial Services

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November 6, 2015

The Honorable David S. Ferriero  
Archivist of the United States  
National Archives and Records Administration  
700 Pennsylvania Avenue, NW  
Washington, D.C. 20408

Dear Mr. Ferriero,

It has come to my attention that Mr. Bill Walker of the state of Washington recently submitted a petition to NARA for the commencement of rulemaking for the preservation and presentation of state applications for an Article V Convention call submitted to Congress.

As you know, Article V of the U.S. Constitution provides two methods for amending our founding document. The first authorizes the proposal of amendments to the states by Congress. The second requires Congress, "on the Application of the Legislatures of two thirds of the several States," to call a convention for proposing amendments. Therefore, adequate recordkeeping of state applications submitted pursuant to Article V are absolutely essential for Congress to follow the Constitution.

The current recordkeeping process for these state applications appears to be wholly inadequate, lacking the transparency of presentation that would be needed to determine how many valid state applications exist. In crafting the Constitution, the Founders intended for the amendment process to be difficult, but not impossible. Without an official count of how many valid state applications exist, it is virtually impossible for the states to effectuate this provision in the Constitution.

I request NARA to undertake an inspection of the recordkeeping status of these applications pursuant to 36 CFR 1239.20 and report to Congress on the inspection in accordance with 44 U.S.C. 2904. If it is found that violations in recordkeeping procedure have occurred, I request NARA make recommendations for its correction pursuant to 44 U.S.C 2115.

I appreciate your prompt consideration of this matter. Should you have any questions, please do not hesitate to contact John Huston on my staff at 202-226-5539 or at [john.huston@mail.house.gov](mailto:john.huston@mail.house.gov).

Sincerely,



Luke Messer  
Member of Congress

Cc: Mr. John Hamilton  
Director of Congressional Affairs  
National Archives and Records Administration  
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Mr. Bill Walker  
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