

Proposed Rules submitted for AVC Applications

By Bill Walker

[A petition](#) for the commence of rule making activities by the National Records and Archives Administration (NARA) related to the compilation, display and presentation of state Article V applications currently in the custody of the NARA was recently submitted by Bill Walker of Friends of the Article V Convention (FOAVC) to the office of the Federal Register. Submission of the proposed regulations to the Federal Register is the first step in adopting the proposed rules for the NARA.

In addition, [other government officials](#) were sent copies of the petition which is intended to establish a series of federal regulations regarding state applications currently held by the NARA. The government officials were requested to use their offices to facilitate and resolve other problems associated with state applications that lie outside the jurisdiction of the NARA.

In addition, Mr. Walker sent a [proposed convention call](#) to these officials. “In combination,” said Mr. Walker, “the proposed NARA regulations and proposed call emphatically disproves the tired argument that no rules exist regarding a convention or that they cannot be written.” Walker went on to point out that the basis of this call and proposed regulations are supported by numerous Supreme Court rulings as well as numerous federal statutes and regulations. “The fact is that those who say no regulations can be written fail to understand a fundamental point—that in any question regarding the Constitution, all the Constitution must be satisfied and therefore all the Constitution must be applied to any constitutional question,” said Walker.

Walker stated too often those who have not properly studied the issue of an Article V Convention simply assume because operational issues such as election of delegates, convention agenda and so forth are not mentioned in Article V, that the Constitution simply does not supply any answer about these questions. “This is entirely false,” said Walker. “The courts have repeatedly ruled on many issues regarding the operational aspects of a convention. It simply requires a little bit of digging on the part of the individual to locate the answers. Most people do not this. Therefore they are susceptible to false statements by convention opponents or political groups who rely on this ignorance to further their political agenda.”

The overall purpose of the proposed regulations is to establish a reliable, verifiable catalogue of state applications available for constitutional use by Congress in calling conventions as well as being available for public review.

“The fact is despite federal law and regulations which mandate such a catalogue the NARA has done nothing to present state applications in a manner allowing for their use. It has given Congress an excuse not to call a convention when mandated. These regulations will fix this oversight.”

