

Deputy Archivist of the United States
(Attn: FOIA Appeal Staff), Room 4200
National Archives and Records Administration
8601 Adelphi Road
College Park, MD 20740

Re: Appeal of FOIA Request NGC19-277

Dear Deputy Archivist:

According to your office, I filed a Freedom of Information Act (FOIA) request with the OFR on April 8, 2019, requesting any digital or hard copy material relating to any actions taken by the legislatures of Illinois or Nevada received by the Archivist of the United States with any agent of those respective states and any response by the Archivist's office to the states of Nevada or Illinois relating to actions regarding the Equal Rights Amendments passed by Congress in 1972, and as purportedly extended in 1978. Additionally, I requested any guidance received by the Archivist's office or requested by his office on how to handle any "ratification" made after the original March 22, 1979 deadline through the June 30, 1982 deadline, and similar requests or guidance pertaining to any alleged "ratification" of the ERA after the June 30, 1982 extension deadline.

In a response letter dated April 30, 2019, Jodi Foor, Deputy FOIA Officer with the Office of General Counsel made a full denial under the deliberative process privilege and attorney-client privilege. This letter respectfully appeals the determination of Mrs. Jodi Foor.

The information requested under FOIA must be disclosed because the Archivist of the United States has made public statements within his professional capacity indicating that the Equal Rights Amendment passed by Congress in 1972 and subsequently stopped by an outpouring of opposition from the people of the United States could still be legally ratified. Of course, that is not true at all. ERA died with its expiration in 1979. However, the Archivist giving credence to purported retroactive ratifications by Nevada and Illinois is unconstitutional and far outside the scope of his duties. Furthermore, even the National Archives' own museum in Washington, D.C. give substantive credence to the illegitimate Nevada and Illinois "ratifications." This false view is pervasive throughout NARA. As such, the American people have a right to know what exchanges led to the Archivist making the decision that retroactive ratifications could be valid.

All the best.
Ed Martin
Ed Martin President, Phyllis Schlafly Eagles