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ONE HUNDRED FIFTEENTH CONGRESS

Congress of the United States House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225–3951 http://www.house.gov/judiciary

October 31, 2017

The Honorable Karen Haas Clerk of the U.S. House of Representatives U.S. Capitol, Room H154 Washington, D.C. 20515

Dear Madam Clerk,

Pursuant to section 3(c) of House Resolution 5 (114th Congress), I hereby designate the attached Memorial from the State of Texas, received by the House of Representatives in the year 2017, as purporting to be a rescission of a prior application of the State legislature calling for a convention for proposing amendments to the Constitution of the United States pursuant to Article V, and request that you make it publicly available.

Sincerely,

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Bob Goodlatte Chairman JOHN CONYERS, JR., Michigan RANKING MEMBER

JERROLD NADLER, New York
ZOE LOFGREN, California
SHEILA JACKSON LEE, Texas
STEVE COHEN, Tennessee
HENRY C. "HANK" JOHNSON, JR., Georgia
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S.J.R. No. 38

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1	SENATE JOINT	RESOLUTION

- 2 rescinding certain applications made by the Texas Legislature to
- 3 the United States Congress to call a national convention under
- 4 Article V of the United States Constitution for proposing any
- 5 amendment to that Constitution.
- 6 WHEREAS, Over the years, the Texas Legislature has approved
- 7 resolutions officially applying to the Congress of the United
- 8 States to call a convention, under the terms of Article V of the
- 9 Constitution of the United States, to offer various amendments to
- 10 that Constitution; and
- 11 WHEREAS, While no Article V amendatory convention has yet
- 12 taken place thus far in American history, nevertheless, there is a
- 13 very real possibility that one, or more than one, could be triggered
- 14 at some point in the future; and
- WHEREAS, Regardless of their age, such past applications from
- 16 Texas lawmakers remain alive and valid until such time as they are
- 17 later formally rescinded; now, therefore, be it
- 18 RESOLVED, That the 85th Legislature of the State of Texas,
- 19 Regular Session, 2017, hereby officially rescinds, repeals,
- 20 revokes, cancels, voids, and nullifies any and all applications
- 21 from Texas legislators prior to the 85th Legislature, Regular
- 22 Session, 2017, other than the application provided by H.C.R.
- 23 No. 31, Acts of the 65th Legislature, Regular Session, 1977, that
- 24 apply to the United States Congress for the calling of a convention,

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- 1 pursuant to Article V of the United States Constitution, regardless
- 2 of how old such previous applications might be, and irrespective of
- 3 what subject matters such applications pertained to; and, be it
- 4 further
- FESOLVED, That the 85th Legislature of the State of Texas,
- 6 Regular Session, 2017, hereby declares that any application to the
- 7 United States Congress for the calling of a convention under
- 8 Article V of the United States Constitution that is submitted by the
- 9 Texas Legislature during or after this Regular Session shall be
- 10 automatically rescinded, repealed, revoked, canceled, voided, and
- 11 nullified if the applicable convention is not called on or before
- 12 the eighth anniversary of the date the last legislative vote is
- 13 taken on the application; and, be it further
- 14 RESOLVED, That, in a manner which would furnish confirmation
- l5 of delivery and tracking while en route, the Texas secretary of
- 16 state shall transmit properly certified copies of this joint
- 17 resolution of rescission, pursuant to the Standing Rules of the
- 18 United States Senate (namely, Rule VII, paragraphs 4, 5, and 6), to
- 19 the vice president of the United States (in his capacity as
- 20 presiding officer of the United States Senate and addressed to him
- 21 at the office which he maintains inside the United States Capitol
- 22 Building); to the secretary and parliamentarian of the United
- 23 States Senate; and to both United States senators representing
- 24 Texas; accompanied by a cover letter to each addressee drawing
- 25 attention to the fact that it is the 85th Texas Legislature's
- 26 courteous, yet firm, request that the full and complete verbatim
- 27 text of this joint resolution be duly published in the United States

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- 1 Senate's portion of the Congressional Record as an official
- 2 memorial to the United States Senate, and that this joint
- 3 resolution be referred to whichever committee or committees of the
- 4 United States Senate that would have appropriate jurisdiction in
- 5 this matter; and, be it further
- 6 RESOLVED, That, in a manner which would furnish confirmation
- 7 of delivery and tracking while en route, the Texas secretary of
- 8 state shall likewise transmit properly certified copies of this
- 9 joint resolution of rescission, pursuant to the Rules of the United
- 10 States House of Representatives (namely, Rule XII, clauses 3 and
- 11 7), to the speaker, clerk, and parliamentarian of the United States
- 12 House of Representatives; and to all members of the United States
- 13 House of Representatives who represent districts in Texas; likewise
- 14 accompanied by a cover letter to each addressee drawing attention
- 15 to the fact that it is the 85th Texas Legislature's courteous, yet
- 16 firm, request that the substance of this joint resolution be
- 17 accurately summarized in the United States House of
- 18 Representatives' portion of the Congressional Record as an official
- 19 memorial to the United States House of Representatives, and that
- 20 this joint resolution be referred to whichever committee or
- 21 committees of the United States House of Representatives that would
- 22 have appropriate jurisdiction in this matter.

President of the Senate

Speaker of the House

I hereby certify that S.J.R. No. 38 was adopted by the Senate on February 28, 2017, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 11, 2017, by the following vote: Yeas 31, Nays 0.

Secretary of the Sonate

<u>I hereby certify</u> that S.J.R. No. 38 was adopted by the House, with amendment, on May 3, 2017, by the following vote: Yeas 125, Nays 20, one present not voting.

Chief Clerk of the House

FILED IN THE OFFICE OF THE SECRETARY OF STATE

3:12 AM O'CLOCK

MAY 1 6 2017

Secretary of State