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ONE HUNDRED FOURTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

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<http://www.house.gov/judiciary>

September 27, 2016

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 New York, received by the House of Representatives in the year 1972, as purporting to be an 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,



Bob Goodlatte

Chairman

M

Jud

State of New York
Office of the
Secretary of the Senate
Albany

424

State of New York }
County of Albany } ss:

I, Albert J. Abrams, Secretary of the Senate of the State of New York, do hereby certify that I have compared the annexed copy of an extract from the Senate Journal for the year 1972, with reference to Joint Resolution No. 7 of the Legislature of the State of New York applying to Congress of the United States of America to call a Constitutional Convention for the purpose of proposing an amendment to the Constitution of the United States relative to the use of public funds for secular education-----

with the original thereof on file in my office, and that the same is a true and correct copy thereof, and of the whole thereof relative to said ~~bill~~ resolution.

In Witness Whereof, I have hereunto set my hand and affixed the official seal of the Senate, this twelfth day of September, 1972



Albert J. Abrams

*acc'd 10/2
C.K.H.*

STATE OF NEW YORK

The Legislature

ALBANY

Joint Resolution No. 7

May 8, 1972

Joint resolution of the Legislature of the State of New York applying to the Congress of the United States of America to call a Constitutional Convention for the purpose of proposing an amendment to the Constitution of the United States relative to the use of public funds for secular education

IN SENATE

By: Messrs. Brydges, Caemmerer, Donovan, Ferraro, Flynn, Gioffre, Giordano, Giuffreda, Gordon, Griffin, Knorr, Langley, Lentol, Levy, Lombardi, Murphy, Rolison, Schermerhorn

IN ASSEMBLY

By: Mr. Duryea

Whereas, The Legislature of the State of New York believes that an amendment to the Constitution of the United States will permit the several states to use more direct methods of financing secular education of children in non-public elementary and secondary schools and that Legislatures of the several states will pass resolutions applying to the Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States regarding financing secular education of children; and

Whereas, Article V of the Constitution of the United States grants to the states the right to initiate constitutional change by applications from the Legislatures of two-thirds of the several states to the Congress, calling for a Constitutional Convention; and

Whereas, The Legislature of the State of New York believes it to be best for the interests of the people of the United States that such an amendment be adopted; now, therefore, be it

Resolved, That the Legislature of the State of New York respectfully applies to the Congress of the United States to call a Constitutional Convention for the sole and exclusive purpose of proposing the following amendment to the Constitution of the United States:

"ARTICLE

Section 1. Nothing in this Constitution shall prohibit the United States, or any state or any political subdivision of any state from the expenditure of public funds for the support of secular education of children in non-public elementary and secondary schools. Provided, however, no such expenditure of public funds shall be made for such purpose where the non-public elementary or secondary school discriminates in its admission policies on the basis of race, creed, color or place of national origin or in the conduct of its instruction on the basis of race, color or place of national origin.

Section 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the Legislatures of three-fourths of the several states within seven years from the date of its submission to the states."

And be it further

Resolved, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to June first, nineteen hundred seventy-three, this application for a convention shall no longer be of any force or effect; and be it further

Resolved, That this application shall constitute a continuing application for such convention pursuant to Article V until the Legislatures of two-thirds of the states shall have made like applications and such convention shall have been called by the Congress of the United States unless previously rescinded by the Legislature of the State of New York; and be it further

Resolved, That certified copies of this resolution be presented to the President of the Senate and the Speaker of the House of Representatives of the United States and to the Legislatures of each of the several states attesting the