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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

(202) 225-3951

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

August 29, 2016

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

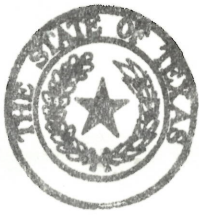
Dear Madam Clerk,

Pursuant to section 3(c) of House Resolution 5 (114th Congress), I hereby designate the attached Memorial from the State of Texas, received by the House of Representatives in the year 1973, 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



The State of Texas
Secretary of State

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I, MARK W. WHITE, JR., Secretary of State of
The State of Texas DO HEREBY CERTIFY that the attached
is a true and correct copy of House Concurrent Resolution
No. 4, 62nd Legislature, Fourth Called Session, 1972 as
signed by the Governor on November 2, 1972 and filed in
the office of Secretary of State on November 2, 1972 at
10:45 a. m.



IN TESTIMONY WHEREOF, I have hereunto
signed my name officially and caused to be im-
pressed hereon the Seal of State at my office in
the City of Austin, this

6th day of April, A. D. 19 73.

Mark W. White, Jr.
Secretary of State

Rec'd 4/19/73

HOUSE CONCURRENT RESOLUTION

RESOLVED by the House of Representatives of the State of Texas, the Senate concurring: _____

That the Legislature of the State of Texas, pursuant to Article V of the Constitution of the United States, hereby makes application to the Congress of the United States to call a convention for proposing the following amendment to the Constitution of the United States: _____

No student shall be assigned to nor compelled to attend any particular public school on account of race, religion, color or national origin; and, be it further _____

RESOLVED, That this application constitutes a continuing application in accordance with Article V of the Constitution of the United States until at least two-thirds of the legislatures of the several states have made similar applications pursuant to Article V. If Congress proposes an amendment to the Constitution identical with that contained in this resolution before January 1, 1974, this application for a state application shall no longer be of any force or effect; and, be it further _____

RESOLVED, That since this method of proposing amendments to the Constitution has never been completed to the point of calling a convention and no interpretation of the power of the states in the exercise of this right has ever been made by any court or any qualified tribunal, if there be such, and since the exercise of the power is a matter of basic sovereign rights and the interpretation thereof is primarily in the sovereign government _____

H.C.R. No. 4

making such exercise and since the power to use such right in full also carries the power to use such right in part the Legislature of the State of Texas interprets Article V to mean that if two-thirds of the states make application for a convention to propose an identical amendment to the Constitution for ratification with a limitation that such amendment be the only matter before it, that such convention would have power only to propose the specified amendment and would be limited to such proposal and would not have power to vary the text thereof nor would it have power to propose other amendments on the same or different propositions; and, be it further _____

RESOLVED, That copies of this Resolution be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Texas delegation to the United States Congress. _____

Ben Barnes

Lieutenant Governor
President of the Senate

Rayford Pine

Speaker of the House

H.C.R. No. 4

I hereby certify that H.C.R. No. 4 was adopted by the House
on October 9, 1972, by the following vote: Yeas 106, Nays 21. _____

Dorothy Hallman
Chief Clerk of the House

I hereby certify that H.C.R. No. 4 was adopted by the Senate
on October 17, 1972. _____

Charles Schuab
Secretary of the Senate

APPROVED:

November 2, 1972

Date

Preston Smith

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:45 AM O'CLOCK

NOV 2 1972
[Signature]
Secretary of State