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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

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

August 1, 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 Tennessee, received by the House of Representatives in the year 1977, 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

HOUSE JOINT RESOLUTION NO. 21

Jud

By Wallace, Fuqua, Lanier, Naifeh

A RESOLUTION to make application to the Congress of the United States to call a convention for the purpose of proposing an amendment to the Constitution of the United States.

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BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETIETH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, That pursuant to Article V of the Constitution of the United States, application is hereby made to the Congress of the United States to call a convention for the purpose of proposing an amendment to the Constitution of the United States to make the federal judiciary more accountable to the citizenry by requiring (1) that judges of all United States courts be subject to appointment for a fixed term, such as six years or eight years, at the end of which their continuance in office would be subject to the results of balloting by the voters of the geographical jurisdiction served by such judges, with the voters voting yes or no on the question: "Shall (name of justice or judge) be retained in office as (justice or judge) of the (name of court)?" and (2) that judges of all United States courts be required to retire at age seventy (70) and no person who has attained that age would be eligible for appointment as a justice or judge.

BE IT FURTHER RESOLVED, That this application shall constitute a continuing application for such convention under Article V of the Constitution of the United States until the legislatures of two-thirds (2/3) of the several states shall have made like applications and such convention shall have been called and held in conformity therewith, unless the Congress itself propose a similar amendment within the time and the manner herein provided.

BE IT FURTHER RESOLVED, That proposal of a similar amendment by the Congress and its submission for ratification to the legislatures of the several states in the form of the article hereinabove specifically set forth, at any time prior to the sixty (60) days after the legislatures of the two-thirds (2/3) of the several states shall have made application for such convention, shall render such convention unnecessary and the same shall not be held; otherwise such convention shall be called and held in conformity with such applications.

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THE SPEAKER'S ROOMS
U.S. HOUSE OF REPRESENTATIVES

BE IT FURTHER RESOLVED, That as this application under Article V of the Constitution of the United States is the exercise of a fundamental power of the sovereign states under the Constitution of the United States, it is requested that receipt of this application by the Senate and the House of Representatives of the Congress of the United States be officially noted and duly entered upon their respective records, and that the full context of this resolution be published in the official publication of both the Senate and the House of Representatives of the Congress.

BE IT FURTHER RESOLVED, That certified copies of this Resolution be transmitted forthwith to the Senate and the House of Representatives of the Congress of the United States, to each Senator and Representative in the Congress from this state, and to each house of the legislature and to the Secretary of State of each of the several states, attesting the adoption of this resolution by the legislature of this state.

HOUSE JOINT RESOLUTION NO. 21

ADOPTED: March 24, 1977

Ned R. McWhorter
SPEAKER OF THE HOUSE OF REPRESENTATIVES

John Smider
SPEAKER OF THE SENATE

APPROVED this 30th day of March 19 77

Ray Blanton
GOVERNOR