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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 Delaware, 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

SPONSORS: Sens. Steele, Cordrey,  
Adams, Cook, Berndt,  
Isaacs, Hughes, Martin,  
Cicione, duPont, Jarvis

COMMITTEE \_\_\_\_\_



DELAWARE STATE SENATE  
127TH GENERAL ASSEMBLY  
FIRST SESSION - 1973

SENATE CONCURRENT RESOLUTION NO. 14

APPLYING TO THE CONGRESS FOR A CONVENTION TO PROPOSE AN AMENDMENT TO  
THE CONSTITUTION OF THE UNITED STATES.

1 BE IT RESOLVED by the Senate of the 127th General Assembly,  
2 the House of Representatives concurring therein, that the General Assembly  
3 of the State of Delaware hereby, and pursuant to Article V of the Con-  
4 stitution of the United States, makes application to the Congress of  
5 the United States to call a convention for the proposing of the following  
6 amendment to the Constitution of the United States:

7 "ARTICLE \_\_\_\_\_

8 No student shall be assigned to nor compelled to attend  
9 any particular public school on account of race, religion,  
10 color or national origin."

11 BE IT FURTHER RESOLVED that this application by the General  
12 Assembly of the State of Delaware constitutes a continuing application  
13 in accordance with Article V of the Constitution of the United States  
14 until at least two-thirds of the legislatures of the several states have  
15 made similar applications pursuant to Article V, but if Congress proposes

1 an amendment to the Constitution identical with that contained in this  
2 resolution before January 1, 1974, this application for a state appli-  
3 cation shall no longer be of any force or effect.

4 BE IT YET FURTHER RESOLVED that since this method of proposing  
5 amendments to the Constitution has never been completed to the point of  
6 calling a convention and no interpretation of the power of the states in  
7 the exercise of this right has ever been made by any court or any quali-  
8 fied tribunal, if there be such, and since the exercise of the power is  
9 a matter of basic sovereign rights and the interpretation thereof is  
10 primarily in the sovereign government making such exercise and since the  
11 power to use such right in full also carries the power to use such right  
12 in part the General Assembly of the State of Delaware interprets Article  
13 V to mean that if two-thirds of the states make application for a con-  
14 vention to propose an identical amendment to the Constitution for ratifi-  
15 cation with a limitation that such amendment be the only matter before it,  
16 that such convention would have power only to propose the specified amend-  
17 ment and would be limited to such proposal and would not have power to  
18 vary the text thereof nor would it have power to propose other amendments  
19 on the same or different propositions.

20 BE IT YET FURTHER RESOLVED that a duly attested copy of this  
21 resolution be immediately transmitted to the Secretary of the Senate of  
22 the United States, the Clerk of the House of Representatives of the United  
23 States, to each member of the Congress from this State and to each House  
24 of each State Legislature in the United States.