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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 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,

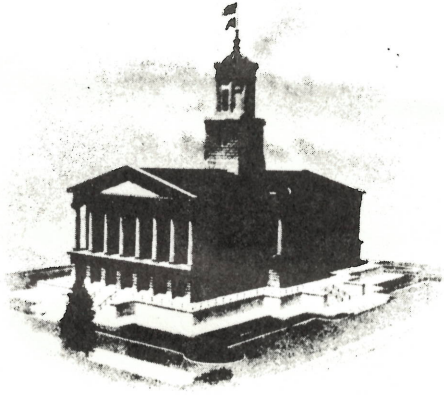
Pursuant to section 3(c) of House Resolution 5 (114th Congress), I hereby designate the attached Memorial from the state of Tennessee, received by the House of Representatives in the year 1978, as purporting to be an application of the State legislature calling for a convention for proposing amendments to the Constitution of the United States pursuant to Article V, and request that you make it publicly available.

Sincerely,



Bob Goodlatte  
Chairman

# State of Tennessee



## Department of State

*To all to whom these Presents shall come, Greeting:*

*I Gentry Crowell, Secretary of State of the State of Tennessee, do hereby certify that the annexed is a true copy of*

HOUSE JOINT RESOLUTION NO. 22

90th GENERAL ASSEMBLY - 1977

*the original of which is now on file and a matter of record in this office.*

*In Testimony Whereof, I have hereunto subscribed my Official Signature, and by order of the Governor affixed the Great Seal of the State of Tennessee, at the Department, in the City of Nashville,*

*this 21st day of June*

*A.D. 1978*

*Gentry Crowell*

*Secretary of State*



**HOUSE JOINT RESOLUTION NO. 22**

**By Wallace, Fuqua, Lanier, Naifeh, Turner, Bishop**

A RESOLUTION to make application to the United States Congress to call a constitutional convention for the purpose of proposing an amendment to the Constitution of the United States to require that the total of all federal appropriations may not exceed the total of all estimated federal revenues in any fiscal year, with a certain exception.

WHEREAS, each year this nation becomes more deeply in debt as its expenditures grossly and repeatedly exceed available revenues so that the legal public debt limit has exceeded 437 billion dollars; and

WHEREAS, attempts to limit spending, including impoundment of funds by the President of the United States, have resulted in strenuous objections that the responsibility for appropriations is the constitutional duty of the Congress; and

WHEREAS, nonetheless, the annual budget repeatedly demonstrates an unwillingness or inability to curtail spending to conform to available revenues; and

WHEREAS, the federal budget never reflects actual spending because of the exclusion of special outlays which are neither included in the budget nor subject to the legal public debt limit; and

WHEREAS, knowledgeable planning requires that the budget reflect all federal spending and that the budget be in balance; and

WHEREAS, believing that fiscal irresponsibility at the federal level, with the inflation which results from this policy, is the greatest threat which faces our nation, we firmly believe that a constitutional restraint is necessary to bring the fiscal disciplines needed to reverse this trend; now, therefore,

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 United States Congress to call a convention for the purpose of considering and proposing an amendment to the Constitution of the United States to require that, in the absence of a national emergency, the total of all federal appropriations made by the Congress for any fiscal year may not exceed the total of the estimated federal revenues for that fiscal year, such amendment to read substantially as follows:

The total of all federal appropriations made by the Congress for any fiscal year may not exceed the total of the estimated federal revenues for that fiscal year; and this prohibition extends to all federal appropriations and all estimated federal revenues without exception. The President in submitting budgetary requests and the Congress in enacting appropriation bills shall comply with this article. If the President proclaims a national emergency, suspending the requirement that the total of all federal appropriations not exceed the total estimated federal revenues for a fiscal year, and two-thirds (2/3) of all members elected to each house of the Congress so determine by joint resolution, the total of all federal appropriations may exceed the total estimated federal revenues for that fiscal year.

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 proposes such amendment within the time and the manner herein provided.

BE IT FURTHER RESOLVED, That proposal of such amendment by the Congress and its submission for ratification to the legislatures of the several states substantially in the form of the article hereinabove specifically set forth, at any time prior to sixty (60) days after the legislatures of 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.



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 Congress from this state, and to each house of the legislature and to the Secretary of State of each of the several states.

HOUSE JOINT RESOLUTION NO. 22

ADOPTED: March 24, 1977

Ned R. McKertea

SPEAKER OF THE HOUSE OF REPRESENTATIVES

John Scudder

SPEAKER OF THE SENATE

APPROVED this 30<sup>th</sup> day of March 19 77

Ray Blanton

GOVERNOR