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ONE HUNDRED FOURTEENTH CONGRESS

Congress of the United States
House of Representatives

COMMITTEE ON THE JUDICIARY

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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 Virginia, 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

COMMONWEALTH OF VIRGINIA



GENERAL ASSEMBLY

HOUSE JOINT RESOLUTION NO. 75

Applying to Congress to call a convention for the purpose of amending the Constitution of the United States to provide for limitation on the amount of the national debt.

WHEREAS, it has become the practice of the federal government to make appropriations of funds greatly in excess of revenues collected, thereby requiring extensive borrowing, contributing to the inflation of United States currency and an inequitable burden on those least able to cope with inflation; and

WHEREAS, this policy places the burden of funding the debts thus created on future generations of Americans who have no control over the incurring of such debts; and

WHEREAS, this inflationary practice has impaired the credit of the United States and the standing of its currency, and has made more difficult the financial and other problems of state and local governments; and

WHEREAS, if a new policy of financial responsibility in the operation of the federal government is to be achieved, it appears that action thereon must be taken by the states; and

WHEREAS, in the event of Congressional inaction, 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 Congress of the United States is required by the Constitution to call such a convention upon receipt of such applications; now, therefore, be it

RESOLVED by the House of Delegates of Virginia, the Senate concurring, That pursuant to Article V of the United States Constitution, the General Assembly of Virginia does hereby make application to the Congress of the United States to call a convention for the sole and exclusive purpose of proposing to the several states a constitutional amendment, to-wit:

"1. Except in case of a declaration of war, or a national emergency declared by a two-thirds vote of its members, the Congress shall make no appropriation in excess of the estimated cash revenues for the year for which such appropriation is made. Any deficiency in such revenues shall be paid out of the first revenues received in the ensuing year. Congress may, however, by majority vote contract to meet casual deficits in the revenue, to redeem a previous debt, or in anticipation of the collection of revenues for the current year within the amount of authorized appropriations, provided that any debt so contracted shall mature within two years from the date it is incurred, and shall not exceed one-fifth of the estimated cash revenues for the current year.

2. No obligation incurred by the government, its agents or instrumentalities, including any existing on the effective date of this amendment, and any obligations of others to which the credit of the United States may be committed, shall exceed four times the average government revenues from all sources in the preceding four years.

3. Any obligation hereafter incurred shall be discharged within forty years from the date it is incurred; and any obligation existing on the effective date of this amendment shall be discharged within seventy-five years thereafter."

BE IT FURTHER RESOLVED, That unless rescinded by the General Assembly of Virginia, 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; and

RESOLVED FURTHER, 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 making such exercise and since the power to use such right in full also carries the power to use such right in part, the General Assembly of Virginia 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

FINALLY RESOLVED, That certified copies of this resolution be presented forthwith 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 adoption of this resolution by the General Assembly of Virginia.

Agreed to by the House of Delegates,

Agreed to by the Senate,

March 2, 1972

February 23, 1973

George R. Rich
Clerk.

Louis O. Lucas
Clerk.