Acknowledging the Elephant in the Room: The Congressional Obstacle to the Balanced Budget Amendment Task Force’s Effort to Achieve a Convention Call
By Jeffrey A. Kimble, JD

Introduction

The Balanced Budget Amendment Task Force (“BBATF”) claims that 27 states have adopted resolutions which can be aggregated toward the 34 needed in order to trigger Congress’s duty to call a convention of the states. In making this claim, the BBATF ignores that the 27 resolutions are diverse and, in many cases, irreconcilable with one another. As a result, Congress will not aggregate all 27 resolutions together for purposes of considering whether the states have made an application under Article V for a convention to propose a balanced budget amendment. The purpose of this paper is to explain this situation in further detail and to demonstrate other approaches toward an Article V convention which do not suffer from the same deficiency.

Quick Review of Article V

Article V of the U.S. Constitution establishes two methods of amendment. The first provides for Congress to initiate the process by proposing an amendment for the states to consider. The second allows for the states to initiate the process by making application to Congress to call a convention of the states for the purpose of proposing and considering amendments. In either case, any proposed amendment must be ratified by ¾ of the states in order to take legal effect. All 27 amendments to the Constitution were induced by Congress through the first method. Although there has never been a convention of the states called by Congress as a result of a successful effort by the states to induce a constitutional amendment, there is currently a substantial and growing interest among the states in just that prospect. Article V states in pertinent part as follows:

The Congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of the several states, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress...

(emphasis added).

The Aggregation Problem

In light of this recent interest and the fact that there is no direct experience to call upon in the event one or more such efforts succeed, the manner in which
the states would make “application” and Congress’s role in “calling a convention” bears scrutiny. In order to meet the two thirds requirement to call a convention, 34 states must join in “the application.” There are currently at least three distinct efforts underway to consolidate states in an effort to reach the two thirds required for the call of a convention. All three are working toward an application which would seek a limited, rather than general, convention. In other words, to one degree or another, all three of these efforts seek to limit the scope of the ultimate convention by virtue of the applications the states would make.¹

**Convention of States Approach**

The Convention of States project seeks a broad, but still limited convention, “limited to proposing amendments to the Constitution of the United States that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress.”² Hence, the Convention of States application would limit the convention to addressing fiscal restraints, limiting federal power and imposing term limits. Though broad, the text of the application would exclude for the convention’s consideration any amendment which does not fit within those broad parameters.

**Compact for America Approach**

The Compact for America project seeks the most narrow convention conceivable; one limited to the consideration and proposal of a specific, pre-drafted balanced budget and taxing amendment which would not be subject to revision or amendment by the convention.³ Both the Compact for America and the Convention of States are attempting to consolidate a sufficient number of states to call the limited conventions they seek by having participating state legislatures adopt a pre-drafted resolution which is identical in all important aspects from one state to the next. If either achieves a sufficient number of resolutions, there will be no question as to whether the states have collectively made “application” because they will have all asked for exactly the same convention, under the same terms.

**The BBATF Aggregation Problem**

In contrast, the Balanced Budget Amendment Task Force (BBATF) seeks to take advantage of a hodgepodge of existing applying resolutions adopted by various states and dating back to 1976 seeking a balanced budget or a limited spending amendment.⁴ The BBATF wants to aggregate some 27 varying resolutions to constitute an application for the purpose of calling a convention to consider and propose a balanced budget or limited spending amendment. The 27 resolutions the BBATF seeks to aggregate are attached in the appendix. The supposed advantage of the BBATF approach exists in the notion that there are already 27 resolutions and thus, only 7 more are said to be needed to achieve the two thirds threshold required to trigger Congress’s call of the convention. What the advocates of this approach ignore is that the applying resolutions are distinct, many of them seeking by their express terms conventions which are mutually exclusive of one another. As a result, they cannot be aggregated together in order to constitute “the application.”

Unlike the Compact for America and the Convention of States projects, there was no persistent effort to make the resolutions identical or even consistent with one another. Only in the past few years has the BBATF encouraged newly participating states to adopt consistent resolutions. Accordingly, some of the resolutions vary substantially. This diversity raises a crucial question that should not be overlooked by anyone who seriously hopes to champion the cause of any state induced amendment. Pursuant to Article V, it is “the application” which triggers Congress’s constitutional obligation to call the convention. “The Congress...on the application of the legislatures of two thirds of the several states, shall call a convention for proposing amendments.” It is, therefore, Congress which must determine whether “the application” has been made, thus triggering its duty to call the convention.⁵ In order to determine whether
two thirds of the states have made “the application,” Congress must analyze the various applying resolutions to determine if they collectively in fact make “application” for the same convention to consider the same subject matter.

As constitutional scholar, Robert G. Natelson, has stated, “there is a risk that conflicting conditions among state applications otherwise covering the same subject may prevent Congress from aggregating them toward the two-thirds threshold.” Further, even where states have sought a convention on the same subject matter, the question of aggregation is made more difficult if the language of their respective resolutions is fundamentally inconsistent with one another. Where applications seem to address the same subject, but some are inherently inconsistent with others, Natelson opines that “both contract principles and common sense dictate that applications with fundamentally inconsistent terms should not be aggregated together.” Accordingly, it is no answer to say that two-thirds of the states have made such an application by virtue of the sole fact that they have each sent Congress a resolution seeking any convention on any subject matter. The resolutions must each seek essentially the same convention in order that 34 of them can be deemed to have made a single, unified application on behalf of all the involved states. Moreover, they must not be inconsistent or mutually exclusive of each other.

For example, in its applying resolution, Delaware asked Congress “to call a convention for the proposing of the following amendment…‘The costs of operating the Federal Government shall not exceed its income during any fiscal year, except in the event of declared war.’” Congress cannot count this application as one of the two thirds necessary to constitute an application of at least 34 states for any purpose other than the consideration of Delaware’s specifically identified amendment. This resolution cannot be aggregated with a resolution for a convention to consider and adopt an unspecified, as yet undrafted balanced budget amendment because any deviation from Delaware’s specified amendment language would result in a convention different than the convention Delaware requested. If two states submit resolutions to Congress seeking conventions to consider amendments for different purposes, or even with different criteria for addressing the same subject matter, they cannot be aggregated together in order to achieve the 34 state threshold.

The reason is fundamental to the Constitution’s structure and the federalism it so carefully institutes. Article V allows both the central government and the state governments a method of initiating amendments. The method we are discussing is the method designed for the states, exercising their sovereignty jointly, to initiate amendments. Congress may not disregard the express terms of the applying resolutions in order to cobble together a false “application” of 34 states in order to call a convention. Were Congress permitted to disregard the specific terms and conditions the states expressed in their applying resolutions, the method intended by the founders to be under the control of the states acting in true concert would become in actuality a tool of Congress to call a convention it would otherwise have no power to call. The practical result of such a scenario would be the states rendered wary of exercising their authority to induce an amendment in the future for fear that Congress might choose again to improperly aggregate distinct resolutions. Hence, the unintended consequence of Congress’s aggregation of irreconcilable resolutions would be a weakening of state sovereignty generally and their ability to induce Article V amendments more specifically.

Almost all of the resolutions the BBATF wants to aggregate contain specific language to limit the request for a convention to the subject matter as stated in the particular resolution. Included are provisos limiting the request for a convention to the “sole and exclusive purpose” (3 states), the “specific and exclusive purpose” (13 states), the “exclusive purpose” (1 state), and “a convention limited to proposing an amendment…” (7 states). Two other states have adopted resolutions with no specific limiting language but which request a convention for consideration of a specific predrafted amendment the text of which
is included in the resolution. In all, 26 of the 27 resolutions include language which overtly limits the request for a convention to the purpose as stated in the resolution. Nine of those 26 states go even further to ensure that any convention called is limited to the subject matter of their respective resolutions. For example, five states (Iowa, Missouri, New Hampshire, Alaska and Colorado) included provisions that their respective resolutions are “null and void,” “rescinded,” or of no “force or effect” in the event the convention is not limited to the “specific” and/or “exclusive” purpose stated in their resolutions. Another (Nevada) conditions its request on Congress establishing restrictions on the convention “limiting the subject matter of the convention called...to the subject matter of this resolution.” Two states (Ohio and Utah) limit the authority of their delegates to the convention to debate and vote only on a proposed amendment as described in its resolution. Finally, one state (North Carolina) provides that its resolution is “rescinded in the event that the convention is not limited to the subject matter of this application.”

In short, nearly all of the states that have adopted resolutions the BBATF wishes to aggregate into an application have included language which limits their request to a convention to consider only an amendment as they have described in their respective resolutions. To the extent that these states have described the amendments differently and in a mutually exclusive way, they cannot be aggregated for purposes of constituting an “application” for a convention.

Because Congress will presumably be seeking to avoid calling a convention for purposes of limiting its power to borrow and spend, it is likely that Congress will seize upon every cogent argument not to aggregate resolutions for purposes of constituting “the application.” In the remainder of this paper, I will demonstrate the most obvious arguments Congress might use to leverage the distinctive nature of the various application resolutions in order to thwart aggregation and thus, justify refusal to call a convention. It is important to note that there are other arguments that can be made against aggregation based upon somewhat less obvious distinctions and contradictions in the language of the various resolutions. My intention is to present only the most obvious distinctions and incongruities in order to demonstrate the ease with which Congress will be able to justify its refusal to aggregate.

Finally, it is not my purpose to ascertain the correct or best legal argument concerning the aggregation issues presented. Rather, my goal is merely to present the most obvious arguments Congress might be expected to make in order to avoid aggregation. That such arguments might ultimately be judicially determined to be wrong does not detract from the ultimate point – that Congress’s role in determining aggregation poses a substantial obstacle to the timely calling of a convention.

The unintended consequence of Congress’s aggregation of irreconcilable resolutions would be a weakening of state sovereignty.

The Mutual Exclusivity Problems of the 9 Application Types of the BBATF

To aid in analysis, it is helpful to categorize the similar applying resolutions. I have grouped them into 9 groups or “Types.” Below, I describe each Type, identify which states have adopted resolutions with respect to each Type, and offer the most obvious arguments for why they are or are not capable of being aggregated with one another.

Type 1; Iowa (1979), Missouri (1983), New Hampshire (2012). The resolutions of Iowa and Missouri call for a convention “for the specific and exclusive purpose of proposing an amendment...to require a balanced federal budget and to make certain exceptions with respect thereto.” New Hampshire’s
resolution calls for a convention “for the specific and exclusive purpose of proposing an amendment...requiring, with certain exceptions, that for each fiscal year the president of the United States submit and the Congress of the United States adopt a balanced budget.” Though they employ different language, all three call for a balanced budget with “certain exceptions” presumably left to convention delegates to determine.

Type 2; North Carolina (1979). This resolution calls for a convention “for the exclusive purpose of proposing an amendment...to require a balanced Federal budget in the absence of a national emergency.”

Type 2 calls for a balanced budget in the absence of a national emergency. Because the Type 1 resolution contemplates the convention delegates making “certain exceptions” to any proposed amendment, the Type 1 states clearly anticipate that the convention delegates will not be limited in considering these exceptions. Because Type 2 would require a balanced budget in any event other than a national emergency, it cannot be aggregated with Type 1 as it would prevent delegates from considering such other “certain exceptions.”

Type 3; Alabama (2011). This resolution calls for a convention “for the specific and exclusive purpose of proposing an amendment...requiring that, in the absence of a national emergency (as determined by the positive vote of such members of each house of Congress as the amendment shall require), the total of all federal appropriations made by Congress for any fiscal year not exceed the total of all federal revenue for that fiscal year.”

Types 1 and 2 call for an amendment requiring a balanced budget. By definition, budgets are forward looking estimates with respect to both revenues and expenditures. Type 3 seeks a convention to consider an amendment requiring that “the total of all federal appropriations...not exceed the total of all federal revenue for that fiscal year.” Accordingly, Type 3 calls for an amendment that disallows deficit spending in fact, not merely as a matter of budgeting and planning. Where amendments falling within Types 1 and 2 would only require the forward looking estimates of expenses not exceed estimates of revenues, Type 3 would require that actual expenses not exceed actual revenue. Further, though one would assume Congress and the President would normally produce a balanced budget in working to accomplish the Type 3 ultimate objective of not spending more than actually taken in, they would not strictly speaking, be required to do so.

Because of the limiting language in Type 3 to the effect that the resolution is “for the specific and exclusive purpose” of proposing an amendment that would require actual appropriations not to exceed actual revenues, it cannot be made to fit the parameters of Types 1 and 2 and cannot be aggregated with them, for purposes of constituting an “application.”

Type 4; Kansas (1979), Indiana (1979), Nevada (1980) Alaska (1982). These resolutions call for a convention for the “sole and exclusive purpose,” the “specific and exclusive purpose,” or call for a convention “limited to proposing” an amendment which would require that, “in the absence of a national emergency” the total of all appropriations for any fiscal year not exceed the total of all estimated federal revenues for that year. Type 4 is a hybrid of sorts, requiring that the “total of all (actual) appropriations...not exceed the total of all estimated federal revenues.” These resolutions cannot be aggregated with Types 1 and 2 which require only that estimated expenses not exceed estimated revenues. Nor can Type 4 be aggregated with Type 3 which requires that actual revenues not exceed actual expenses.
Type 5; Ohio (2013), Florida (2014), Louisiana (2014), Michigan (2014), Tennessee (2014), South Dakota (2015), North Dakota (2015), Utah (2015). These resolutions call for a convention limited to the same general description as Type 4 with the added provision, “together with any related and appropriate fiscal restraints.”

Accordingly, Type 5 contemplates that the convention delegates will have authority to propose and consider unspecified fiscal restraints, presumably at the discretion of the delegates to the convention. Type 4 resolutions do not contain this provision. Thus, Type 5 resolutions authorize the convention to do more than the Type 4 resolutions would permit. They, therefore, cannot be aggregated. Moreover, Type 5 resolutions cannot be aggregated with Types 1 through 3 for all of the same reasons that Type 4 could not.

Each of the Type 5 resolutions contain a provision directing that it should be considered as covering the same subject matter, and aggregated with “outstanding balanced budget applications” previously adopted by other states. The states expressly identified in this regard by one or more of the Type 5 applying resolutions are: Alabama, Alaska, Arkansas, Colorado, Delaware, Florida, Georgia, Indiana, Iowa, Kansas, Louisiana, Maryland, Michigan, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, Ohio, Pennsylvania, South Dakota, Tennessee, and Texas. However, the Type 5 states cannot unilaterally override the specific language of the resolutions of other states to the extent those states adopted resolutions seeking a different “Type” of amendment. Congress might interpret this provision to warrant disregarding the “together with any related and appropriate fiscal restraints” language in order to aggregate Type 5 with Type 4 but a Congress presumably seeking to defeat the aggregation of 34 states would not likely be inclined to do so. Congress is more likely to conclude that the statement expressing a desire to be aggregated with resolutions of other types is contradictory to the other provisions of Type 5 requesting a convention on the limited terms expressed therein. If so, Congress should be expected to err on the side of the limitation rather than the aggregation provision.

Type 6; Georgia (2014). Georgia’s resolution is the least limited of all the resolutions. It simply calls for a convention and “recommends that the convention be limited to consideration and proposal of an amendment requiring that in the absence of a national emergency the total of all federal appropriations made by Congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year.” Because there is no express limitation to the convention stated, only a recommendation, Congress could aggregate Georgia’s resolution with any other Type if is so desired. However, it is most clearly capable of being aggregated with Type 4 because the scope of the convention Georgia’s resolution “recommends” mirrors the Type 4 resolutions.

Type 7; Arkansas (1979), Nebraska (1979), New Mexico (1979), Pennsylvania (1979), Texas (1979). These resolutions are identical to Type 4 insofar as they call for a convention “for the specific and exclusive purpose of proposing an amendment...requiring in the absence of a national emergency that the total of all federal appropriations made by the Congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year.” The distinction is that Type 7 applications first propose that Congress prepare and submit to the states such an amendment and make the request for a limited convention only in the alternative. Congress, seeking any plausible excuse to avoid aggregation, may take the position that because Congress could still prepare and submit a balanced budget amendment to the states at any time, these states’ alternative requests for a convention are not ripe. In the event Congress cedes this argument and aggregates Type 7 with Type 4, the result would be 9 resolutions.
Delaware’s proposed amendment is as follows: “The costs of operating the Federal Government shall not exceed its income during any fiscal year, except in the event of declared war.” This resolution is similar to Type 3 which requires that all actual appropriations for any fiscal year not exceed the total of all actual revenue for that fiscal year, but Type 3 does not include the additional provision excepting its application in the event of declared war. Type 3 cannot, therefore, be aggregated with Delaware’s resolution. It is also similar to Type 8 which prohibits deficit spending, except that Type 8 has a broader exception, “except under conditions specified in such amendment.” As discussed earlier, Type 8’s exception contemplates the convention delegates making a determination as to what the “conditions specified in such amendment” shall be. Delaware’s resolution cannot be aggregated with Type 8 because it would refuse the convention delegates this authority to consider conditions when the amendment would not apply.

Maryland’s proposed amendment is as follows:

Congress could seek any plausible excuse to avoid aggregation.

Type 8; Colorado (1978). This resolution calls for a convention “for the specific and exclusive purpose of proposing an amendment...prohibiting deficit spending except under conditions specified in such amendment.” Though it employs different language, Colorado’s resolution is very similar to Alabama’s Type 3 resolution because in application, they both essentially prohibit spending more than actually taken in. There is, however, a crucial difference. Type 8 contemplates that the convention delegates have discretion to consider and adopt conditions pursuant to which the amendment would not apply. In contrast, the Type 3 resolution contemplates a single exception to when the amendment would apply; in the event of a “national emergency (as determined by the positive vote of such members of each house of Congress as the amendment shall require).” Type 3’s “national emergency” exception is far more restrictive than Type 8’s contemplation of delegates having the broad authority to adopt undefined “conditions” on the application of the amendment’s terms. Thus, Type 8 and Type 3 cannot be aggregated.

Type 9; Delaware (1976), Maryland (1977), Mississippi (1979). These resolutions call for a convention for the purpose of proposing a specific, pre-drafted amendment. The three applying resolutions which fall into this category each specify a different amendment for consideration by the convention. Thus, they cannot be aggregated with each other, nor can they be aggregated with any of the other Types because none of the other Types require only the consideration of a pre-drafted amendment. However, it might be the case that one or more of Types 1 through 8 can be aggregated with one or more of the Type 9 resolutions if the pre-drafted amendment proposed does not run afoul of the more general language of the previously discussed Types. In order to make this determination, we’ll need to consider each of the pre-drafted Type 9 resolutions as compared to the Types discussed thus far.

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, excluding any revenues derived from borrowing; and this prohibition extends to all Federal appropriations and all estimated Federal revenues, excluding any revenues derived from borrowing. 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, excluding any revenues derived...
from borrowing, and two-thirds of all Members elected to each House of the Congress so determined by Joint Resolution, the total of all Federal appropriations may exceed the total estimated Federal revenues for that fiscal year.

Maryland’s resolution is similar to Type 4 which calls for the consideration of an amendment which would require that in the absence of a national emergency, the total of all appropriations for any fiscal year not exceed the total of all estimated federal revenues for that year. The only substantive difference is that Maryland’s resolution contains additional provisions to (a) explicitly state that the President and Congress must comply and (b) proscribing how the question of whether a “national emergency” exists is to be determined. These additional provisions do not run afoul of Type 4’s requirement that the convention must be for the “sole and exclusive purpose,” the “specific and exclusive purpose,” or that the convention be “limited to proposing” such an amendment. Accordingly, Type 4 resolutions could be aggregated with Maryland’s for a convention to consider and propose Maryland’s pre-drafted amendment. If Congress cedes the argument that Type 7 cannot be aggregated with Type 4 due to Type 7 making the request for a convention in the alternative to the request that Congress propose such an amendment, then Type 7 can also be aggregated for the purpose of calling a convention to consider Maryland’s pre-drafted amendment.

Mississippi’s resolution states as follows:

Section 1. Except as provided in Section 3, the Congress shall make no appropriation for any fiscal year if the resulting total of appropriations for such fiscal year would exceed the total revenues of the United States for such fiscal year.

Section 2. There shall be no increase in the national debt and such debt, as it exists on the date on which this article is ratified, shall be repaid during the one-hundred-year period beginning with the first fiscal year which begins after the date on which this article is ratified. The rate of repayment shall be such that one-tenth (1/10) of such debt shall be repaid during each ten-year interval of such one-hundred-year period.

Section 3. In time of war or national emergency, as declared by the Congress, the application of Section 1 or Section 2 of this article, or both such sections, may be suspended by a concurrent resolution which has passed the Senate and the House of Representatives by an affirmative vote of three-fourths (3/4) of the authorized membership of each such house. Such suspension shall not be effective past the two-year term of the Congress which passes such resolution, and if war or an emergency continues to exist such suspension must be reenacted in the same manner as provided herein.

Section 4. This article shall apply only with respect to fiscal years which begin more than six (6) months after the date on which this article is ratified.

Mississippi’s resolution calls for actual appropriations not to exceed actual revenues. It is, therefore, most similar to Type 3 and Type 8. However, Type 3 limits its focus to the “sole and exclusive” purpose of proposing an amendment requiring that, “in the absence of a national emergency,” total appropriations may not exceed total revenues. Type 3 does not expressly provide for an exception “in time of war.” Because Type 3’s scope is limited by its terms to the “sole and exclusive” purpose stated, it is not capable of being aggregated with Mississippi’s resolution. Similarly, Type 8 limits its focus to “the specific and exclusive purpose” of prohibiting deficit spending “except under conditions specified in such amendment. The Type 8 resolution contem-
plates that convention delegates will have discretion to consider and propose conditions under which the amendment will not apply. Because Mississippi’s resolution does not provide for the convention delegates to consider and propose such conditions, Type 8 is not capable of being aggregated with Mississippi’s resolution. Furthermore, neither Type 3 nor Type 8 would otherwise be capable of aggregation with Mississippi’s resolution due to the fact that it includes a provision scheduling the payment of the existing debt which exceeds the “sole and exclusive” purpose of Type 3 and “the specific and exclusive purpose” of Type 8.

Conclusion: Differences Abound

In summation, all resolutions within a “Type” may be consolidated together, with the exception of the three resolutions in Type 9. Because Georgia’s Type 6 resolution only “recommends” a convention with a limited scope, it could be aggregated with any other resolution. The only other Types which can clearly be aggregated with one another are Types 4 and possibly 7 (depending upon whether Congress decides to rely on the argument that Type 7 resolutions are not ripe for a convention call because it is still possible for Congress to propose an amendment first). If aggregated, Types 4 and 7 would result in an aggregation of 10 resolutions if Georgia’s Type 6 is included as well. These 10 resolutions could also be aggregated along with Maryland’s to call a convention to consider Maryland’s pre-drafted amendment.12 Again, I have only presented the most obvious distinctions and incongruities with respect to these resolutions and it should be expected that anyone attempting to defeat aggregation will argue for further divisions based upon other, less obvious differences and perhaps less compelling arguments.

This analysis has far reaching implications for those advocating the BBATF approach. In the event Congress takes the position outlined in this paper, many citizens will be greatly disappointed having been led to believe that a convention to consider and propose a balanced budget amendment was so close at hand. Many of the state legislatures which have bought into the BBATF approach will be chagrined that they have participated in an effort which has led to a dead end. Many individuals and national politicians who have lead the effort will likely be embarrassed that their efforts have failed to deliver the promised result. Any effort to revive the project would require revisiting state legislatures in an attempt to obtain revised resolutions, political efforts to persuade Congress to reconsider its position on aggregation, or litigation over the aggregation question. None of these alternatives are attractive. All of them imply extensive delay.

Those interested in advancing the cause of a state induced amendment would be wise to focus their efforts on an approach that involves the adoption of identical applying resolutions from the participating states such as the Compact for America and the Convention of States. Both of these efforts are employing an effective strategy to avoid any question as to whether the participating states’ resolutions are properly aggregated in order to constitute an “application” for the limited convention they seek. By creating an application which is truly a joint product of the states that participate acting in concert, rather than an awkwardly conjoined montage of distinct and often unrelated resolutions, both of these efforts eliminate an obvious obstacle which Congress could otherwise emplace to defeat the convention call.

Jeffrey A. Kimble is an attorney in private practice in West Virginia and is a member of Robinson & McElwee PLLC. He completed a two year term as a member of the firm’s Board of Directors at the end of 2015. While his practice focuses on commercial and corporate defense litigation and real property litigation including eminent domain, he commits substantial personal time to efforts in support of constitutionalism, the rule of law and individual liberty.
Endnotes

1. It is argued by some that Article V does not permit states to apply for a “limited convention”. Those making this argument assert, among other things, that the strict text of Article V does not necessarily imply a right of the states to apply for anything less than a general convention constituted for the purpose of proposing any amendments the convention desires. For purposes of this paper, I will assume that the states are constitutionally entitled to make application for a limited convention for three reasons. First, the arguments in favor of the constitutionality of a limiting application are more persuasive. See Michael B. Rappaport, The Constitutionality of a Limited Convention: An Originalist Analysis, 81 Const. Comm. 53 (2012), (http://ssrn.com/abstract=2035638); Michael Stern, Reopening the Constitutional Road to Reform: Toward a Safeguarded Article V Convention, 78 Tenn. L. Rev. 765 (2011), (http://ssrn.com/abstract=1904587); Natelson, Robert G., State Initiation of Constitutional Amendments: A Guide for Lawyers and Legislative Drafters (April 6, 2014), (http://constitution.i2i.org/files/2014/11/Compendium-3.01.pdf). Second, all three of the most serious efforts to make application for a convention involve limited applications. Finally, the point of this paper is to illustrate one potential problem with a limited application which can easily be avoided. Were the limited application ultimately found to be unconstitutional, the primary point of this paper would be moot.

2. See, Convention of States “Application for a Convention of the States under Article V of the Constitution of the United States”; https://d3n8a8pro7vhmx.cloudfront.net/conventionofstates/pages/142/attachments/original/1410009563/Application-for-a-Convention-of-States-v.5.pdf?1410009563

3. See, Compact for America website; http://www.compactforamerica.org/#!solution/c1flq

4. See, Balanced Budget Amendment Task Force website; http://www.bba4usa.org/bba-in-the-

8. Natelson, supra, p. 60.
9. The resolutions are provided, grouped by Type, in the Appendix.
10. Utah’s resolution differs from the others in that it requires that all actual expenses not exceed all estimated revenues for a “specific period” rather than for a “fiscal year.” An argument could be made that Utah’s resolution therefore permits more flexibility than the other Type 4 or 5 resolutions and should be a Type unto itself. However, in keeping with the stated intention of offering only the most obvious distinctions and incongruities, I have included Utah’s among the Type 5 resolutions.

11. Congress’s refusal to aggregate Type 5 with Type 4 for the consideration of a Type 4 amendment is a position which seems obviously subject to legal challenge. Again, the delay occasioned by such litigation is itself an obstacle to the timely calling of a convention under the BBATF approach.

12. Because the BBATF has been advancing the Type 5 resolution in its recent efforts to sign on additional states, the BBATF advocates would likely prefer a convention based on a Type 5 resolution rather than a convention focused on Type 4. They would obviously like to aggregate Type 5 and Type 4 if Congress will agree. Otherwise, BBATF advocates would likely use the eight Type 5 resolutions along with the Type 6 resolution and wait for an additional 25 states to adopt a Type 5 resolution rather than seek aggregation of 33 Type 4 (and Type 7) resolutions. Though beyond the scope of this paper, the utilization of Type 5 resolutions to accomplish a convention raises many questions. How would the amendment’s language prevent Congress from over estimating revenues in order to justify increased spending? What will prevent Congress and/or the President from declaring a constant state of “national emergency” in order to circumvent the amendment’s requirements? How

10 COMPACT FOR AMERICA EDUCATIONAL FOUNDATION
will the convention close all loopholes to ensure the intended result of the amendment is realized?
Appendix
Type 1
June 18, 1979

CONGRESSIONAL RECORD—SENATE

June 18, 1979, pursuant to request of Senator Nunn, the following discussion was published:

"Whereas, the cost of repaying a defective catalytic converter with a new one is upwards of three hundred dollars ($300.00) per installation; and

"Whereas, effective alternative technologies have been developed to reduce the emission of harmful pollutants and..."

14 COMPACT FOR AMERICA EDUCATIONAL FOUNDATION
CONGRESSIONAL RECORD—SENATE
July 21, 1933

POM-322. A concurrent resolution adopted by the General Assembly of the State of Missouri to the Committee on the Judiciary:

"Whereas, each passing year this nation becomes more deeply in debt as its expenditures grossly and repeatedly exceed available revenue, so that the public debt grows more pressing, unrelenting, and insatiable; and

"Whereas, the annual federal budget continuously demonstrates an unwisdom or inability of both the legislative and executive branches of the federal government to limit the growth of federal spending and taxes and balance the budget; and

"Whereas, unified budgets do not reflect actual spending because of the exclusion of special outlays which are not included in the federal budget; and

"Whereas, knowledgeable planning, fiscal prudence, and common sense require that the budget reflect all federal spending and be in balance on a regular basis; and

"Whereas, believing that fiscal irresponsibility at the federal level, with the inflation which has resulted from this policy, is the greatest threat which faces our nation, we firmly believe that constitutional restraint is necessary to bring the fiscal discipline needed to restore financial responsibility; and

"Whereas, the federal deficit in Fiscal Year 1992 was $110.7 billion, nearly double the deficit in Fiscal Year 1991; and

"Whereas, the Congressional Budget Office projects a deficit for Fiscal Years 1993 and 1994 of $150 billion and $200 billion, respectively; and

"Whereas, the United States Senate approved a proposed balanced-budget amendment in reaction to the efforts of the thirty-one state legislatures which have requested a limited convention on this subject, and its conviction about the need for a convention existent upon Congress' fiscal authority; and

"Whereas, the Reagan Administration has indicated that the budget will not be balanced by 1994; and

"Whereas, under Article V of the Constitution of the United States, amendments to the Federal Constitution may be proposed by the Congress whenever two-thirds of both houses deem it necessary, or on the application of the legislatures of two-thirds of the several states, the Congress shall call a constitutional convention for the purpose of proposing amendments which shall be valid for all intents and purposes when ratified by three-fourths of the several states, believing such action to be vital; and

"Now, therefore, be it resolved by the Senate of the Eighty-second General Assembly of the State of Missouri, the House of Representatives concurring therein, that the Missouri General Assembly proposes to the Congress of the United States that procedures be instituted in the Congress to add a new article to the Constitution of the United States, and that the Missouri General Assembly requests the Congress to prepare and submit to the several states before January 1, 1994, an amendment to the Constitution of the United States, requiring a balanced federal budget and to make certain exceptions with respect thereto; and

"Be it further resolved that if, by January 1, 1994, the Congress has not proposed and submitted to the several states such an amendment, this body respectfully makes application to the Congress of the United States for a convention to be called under Article V of the Constitution of the United States for the specific and exclusive purpose of proposing an amendment to the Constitution of the United States to require a balanced federal budget and to make certain exceptions with respect thereto; and

"Be it further resolved that effective January 1, 1994, this resolution constitutes a continuing application in accordance with Article V of the Constitution of the United States until the time has arrived when at least two-thirds of the several states have made similar application pursuant to Article V, but if the Congress proposes an amendment to the Constitution identical in subject matter to that amendment in the resolution of the United States Senate and application and petition for a constitutional convention shall no longer be of any force or effect; and

"Be it further resolved that this application shall be deemed null and void, rescinded and of no effect in the event that such convention not be limited to such specific and exclusive purpose; and

"Be it further resolved that this body also proposes that the measures of each of the several states comprising the United States which have not yet made similar applications apply to the Congress requesting the enactment of an appropriate amendment to the federal constitution, and making application to the Congress to call a constitutional convention for the purpose of proposing such an amendment to the federal constitution; and

"Be it further resolved that copies of this resolution be sent by the Secretary of the Senate and the Chief Clerk of the House of Representatives to each member of Congress representing Missouri; and

"Be it further resolved that the Secretary of the Senate and the Chief Clerk of the House of Representatives of this state be directed to send copies of this resolution to the Secretary of State and the Governor of each of the other states in the Union, the Clerk of the United States House of Representatives, Washington, D.C. and the Secretary of the United States Senate, Washington, D.C.;

POM-324. A joint resolution adopted by the legislature of the State of California to the Committee on the Judiciary:

"Whereas, Reinhart Arlen Specter has been introduced in the Congress of the United States; 2, the Justice Assistance Act of 1988, which is legislation of vital importance to the safety and security of the people of California and throughout the United States; and

"Whereas, this comprehensive federal legislation encomposes local assistance programs in such essential prevention, criminal law enforcement, victim services, offender rehabilitation, drug treatment, and justice personnel training, management, and technical assistance; and

"Whereas, In the amendment made by 53 to Section 402(a) of the Omnibus Crime Control and Safe Streets Act of 1966, the Director of the Office of Justice Assistance is authorized to make grants to the states for these purposes; and

"Whereas, It is particularly significant that one of the major components of the Justice Assistance Act of 1988 is to be ceased the Omnibus Crime Control and Safe Streets Act of 1966 (Section 409(a)(5)) to provide community and neighborhood programs that enable citizens and police to undertake initiatives to prevent and control neighborhood crime; and

"Whereas, the legislation also establishes a Justice Assistance Board, which includes representatives of neighborhood and community-based organizations and representatives of local and state governments and
HCR 40 – FINAL VERSION

2012 SESSION

12-2819

05/09

HOUSE CONCURRENT RESOLUTION 40

A RESOLUTION for the purpose of petitioning the Congress of the United States to adopt an amendment to the Constitution of the United States, for submission to the states, to require, with certain exceptions, that the federal budget be balanced; or, in the alternative, to call a convention for the sole and exclusive purpose of proposing a federal balanced budget amendment for submission to the states for ratification.


COMMITTEE: State-Federal Relations and Veterans Affairs

ANALYSIS

This resolution urges the United States Congress to adopt a balanced budget amendment to the Constitution of the United States or to call a constitutional convention for the purpose of proposing a federal balanced budget amendment for ratification by the states.

12-2819

05/09

STATE OF NEW HAMPshire

In the Year of Our Lord Two Thousand Twelve

A RESOLUTION for the purpose of petitioning the Congress of the United States to adopt an amendment to the Constitution of the United States, for submission to the states, to require, with certain exceptions, that the federal budget be balanced; or, in the alternative, to call a convention for the sole and exclusive purpose of proposing a federal balanced budget amendment for submission to the states for ratification.

Whereas, with each passing year this nation becomes deeply in debt as its expenditures grossly and repeatedly exceed available revenues so that the public debt now exceeds $12 trillion; and

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

Whereas, the annual federal budget repeatedly demonstrates the unwillingness or inability of both the legislative and executive branches of the federal government to curtail spending to conform to available revenues; and

Whereas, the unified budget does not reflect actual spending because of the exclusion of special outlays which are not in the budget; and

Whereas, knowledgeable planning and fiscal prudence require that the budget reflect all federal spending and that the budget be in balance; and

Whereas, believing that fiscal irresponsibility at the federal level is one of the greatest economic threats which faces our nation, we firmly believe that constitutional restraint is necessary to bring the fiscal discipline needed to reverse this trend; and

Whereas, the mounting debt level is putting our country not only at economic security risk, but it is opening our country up to a national security risk as our debt level restricts our capacity to act and shows weakness to our enemies; and

Whereas, under Article V of the Constitution of the United States, amendments to the United States Constitution may be proposed by the Congress whenever two-thirds of both Houses deem it necessary, or on the application of the legislatures of two-thirds of the several states the Congress shall call a constitutional convention for the purpose of proposing amendments; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring:

That the New Hampshire general court hereby petitions the Congress of the United States of America to adopt an amendment to the Constitution of the United States, for submission to the states for ratification, requiring, with certain exceptions, that for each fiscal year the president of the United States submit and the Congress of the United States adopt a balanced federal budget; or

That pursuant to Article V of the Constitution of the United States, the New Hampshire general court makes application to the Congress of the United States of America to call a convention for the specific and exclusive purpose of proposing an amendment to the Constitution of the United States, for submission to the states for ratification, requiring, with certain exceptions, that for each fiscal year the president of the United States submit and the Congress of the United States adopt a balanced federal budget; and

That if Congress adopts, within 90 days after the legislatures of two-thirds of the states have made application for such convention, an amendment to the Constitution of the United States similar in subject matter to that contained in this resolution, then this application for a convention shall no longer be of any force or effect; and

That this application and request be deemed null and void, rescinded, and of no effect in the event that such convention not be limited to the aforementioned specific and exclusive purpose of a Federal Balanced Budget Amendment; and

That this application shall be deemed null and void, rescinded, and of no effect in the event the United States Supreme Court rules that a convention cannot be limited to the subject stated in 34 such applications; and

That this application by the New Hampshire general court 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 application for a similar convention pursuant to Article V or Congress has proposed an amendment to the Constitution of the United States similar in subject matter to that contained in this concurrent resolution; and

That certified copies of this concurrent resolution be transmitted by the house clerk to the President of the United States Senate, to the Speaker of the United States House of Representatives, to each member of the New Hampshire delegation to the Congress, and to the presiding officer of each house of each state legislature in the United States.

Approved May 16, 2012
Type 2
NORTH CAROLINA GENERAL ASSEMBLY  
1979 SESSION  
RESOLUTION 5  
SENATE JOINT RESOLUTION 1

A JOINT RESOLUTION APPLYING TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION TO PROPOSE AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES TO REQUIRE A BALANCED FEDERAL BUDGET.

Whereas, believing that inflation is the most serious problem facing the people of the United States, and the primary cause of inflation is unchecked federal spending; and

Whereas, the State of North Carolina is required by its Constitution to have a balanced budget, and has long operated on a sound fiscal basis which the federal government would be well-served to emulate; and

Whereas, under Article V of the Constitution of the United States, amendments to the federal Constitution may be proposed by the Congress whenever two-thirds of both houses deem it necessary, or on the application of the legislatures of two-thirds of the several states, the Congress shall call a Constitutional Convention for the purpose of proposing amendments which shall be valid when ratified by the legislatures of three-fourths of the several states or by conventions in three-fourths thereof;

Whereas, by Resolution 97 of the General Assembly, ratified July 1, 1977, the Congress was requested to submit an amendment to the states to require a balanced federal budget, but the Congress has failed to act;

Now, therefore, be it resolved by the Senate, the House of Representatives concurring:

Section 1. That the Congress of the United States is requested to propose and submit to the states an amendment to the Constitution of the United States which would require that, in the absence of a national emergency, the federal budget be balanced each fiscal year within four years after the amendment is ratified by the various states.

Sec. 2. That, alternatively, this body respectfully petitions the Congress of the United States to call a convention for the exclusive purpose of proposing an amendment to the Constitution of the United States to require a balanced federal budget in the absence of a national emergency.

Sec. 3. 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, or until this application is rescinded by the General Assembly of North Carolina; but if Congress proposes an amendment to the Constitution identical in subject matter to that contained in this joint resolution before January 1, 1980, this petition for a Constitutional Convention shall no longer be of any effect.

Sec. 4. That this application and request be deemed rescinded in the event that the convention is not limited to the subject matter of this application.

Sec. 5. That since 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 United States Congress be officially noted and duly entered upon their
General Assembly of North Carolina

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.

Sec. 6. That copies of this resolution be sent to the Secretaries of State, presiding officers of all state legislatures in the Union, the Clerk of the United States House of Representatives, the Secretary of the United States Senate, and each member of the North Carolina Congressional delegation.

Sec. 7. This resolution is effective upon ratification.

In the General Assembly read three times and ratified, this the 29th day of January, 1979.
Type 3
The Alabama Legislature
SJR100

SJR100

ENROLLED, SJR100,

URGING CONGRESS TO PROPOSE A FEDERAL BALANCED BUDGET
AMENDMENT.

WHEREAS, the reluctance of the federal government to
incur debt and other obligations was established early in
American history, with deficits occurring only in relation to
extraordinary circumstances such as war; yet for much of the
20th century and into the 21st, the United States has operated
on a budget deficit, including the 2010 budget year, which
surpassed an astounding $1,300,000,000,000, an annual deficit
that exceeded the entire gross state product of many of the
states; and

WHEREAS, an exception to this pattern was at the
turn of the 21st century; in FY 2001, America enjoyed a $128
billion budget surplus; and

WHEREAS, since FY 2001, America has been burdened
with 10 consecutive years of deficits, to-wit:

FY 2002: $158 billion deficit
FY 2003: $377 billion deficit
FY 2004: $413 billion deficit
FY 2005: $318 billion deficit
SJR100

FY 2006: $248 billion deficit
FY 2007: $161 billion deficit
FY 2008: $459 billion deficit
FY 2009: $1.4 trillion deficit
FY 2010: $1.3 trillion deficit
FY 2011: $1.5 trillion deficit (estimated); and
WHEREAS, as of January 2011, America's accumulated
national debt exceeded $12 trillion now estimated at over $13
trillion; and
WHEREAS, the Congressional Budget Office projects
that, if current trends continue under the White House's
proposed budget, each of the next 10 years has a projected
deficit exceeding $600 billion; and
WHEREAS, the budget deficits of the United States of
America are unsustainable and constitute a substantial threat
to the solvency of the federal government as evidenced by the
comments of Standard and Poor's on April 18, 2011, regarding
the longer term credit outlook for the United States; and
WHEREAS, Congress has been unwilling or unable to
address the persistent problem of overspending and has
recently increased the statutory limit on the public debt and
enacted a variety of legislation that will ultimately cause
the federal government to incur additional debt; and
WHEREAS, the National Commission on Fiscal
Responsibility and Reform in its report The Moment of Truth

Page 7
SJR106

includes recommendations to reduce the federal deficit that
have not been considered by the United States Congress; and

WHEREAS, the consequences of current spending
policies are far-reaching; United States indebtedness to
governments of foreign nations continues to rise; costly
federal programs that are essentially unfunded or underfunded;
mandates to states threaten the ability of state and local
governments to continue to balance their budgets; moreover,
future generations of Americans inevitably face increased
taxation and a weakened economy as a direct result of the
bloated debt; and

WHEREAS, many states have previously requested that
Congress propose a constitutional amendment requiring a
balanced budget, but Congress has proven to be unresponsive;
anticipating situations in which Congress at times could fail
to act, the drafters of the United States Constitution had the
foresight to adopt the language in Article V that establishes
that on application of the Legislatures of two-thirds of the
several states, Congress shall call a convention for proposing
amendments; and

WHEREAS, in prior years the Alabama Legislature has
called on Congress to pass a Balanced Budget Constitutional
Amendment, many other states have done the same, all to no
avail; and
WHEREAS, a balanced budget amendment would require the government not to spend more than it receives in revenue and compel lawmakers to carefully consider choices about spending and taxes; by encouraging spending control and discouraging deficit spending, a balanced budget amendment will help put the nation on the path to lasting prosperity; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature of the State of Alabama hereby respectfully urges the Congress of the United States to propose and submit to the states for ratification a federal balanced budget amendment to the United States Constitution.

BE IT FURTHER RESOLVED, That, in the event that Congress does not submit a balanced budget amendment to the states for ratification on or before December 31, 2011, the Alabama Legislature hereby makes application to the United States Congress to call a convention under Article V of the United States Constitution for the specific and exclusive purpose of proposing an amendment to that Constitution requiring that, in the absence of a national emergency (as determined by the positive vote of such members of each house of Congress as the amendment shall require), the total of all federal appropriations made by Congress for any fiscal year
not exceed the total of all federal revenue for that fiscal year.

BE IT FURTHER RESOLVED, That, unless rescinded by a succeeding Legislature, this application by the Alabama Legislature constitutes a continuing application in accordance with Article V of the United States Constitution until at least two-thirds of the Legislatures of the several states have made application for a convention to provide for a balanced budget.

BE IT FURTHER RESOLVED, That, in the event that Congress does not submit a balanced budget amendment to the states for ratification on or before December 31, 2011, the Alabama Legislature hereby requests that the legislatures of each of the several states that compose the United States apply to Congress requesting Congress to call a convention to propose such an amendment to the United States Constitution.

BE IT FURTHER RESOLVED, That this application is rescinded in the event that a convention to propose amendments to the United States Constitution includes purposes other than providing for a balanced federal budget.

BE IT FURTHER RESOLVED, That the copies of this resolution be provided to the following officials:

1. The President of the United States.

2. The Speaker of the United States House of Representatives.
3. The President of the United States Senate.

4. All members of the Alabama Delegation to Congress with the request that this resolution be officially entered in the Congressional Record as an application to the Congress of the United States of America for a convention to propose an amendment to provide for a federal balanced budget in the event that Congress does not submit such an amendment to the states for ratification on or before December 31, 2011.

BE IT FURTHER RESOLVED, That copies of this resolution be provided to the Secretaries of State and to the presiding officers of the Legislatures of the other states.
SJR100

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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

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By: Senator Orr

Alabama Secretary Of State

Act Num....: 2011-400
Bill Num....: SJR-100

Recv'd 06/08/11 10:18amTLW

Page 7
Type 4
on the application of the legislatures of two or more of the several states, calling a convention for proposing amendments which shall be valid to all intents and purposes when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the case of the other modes of ratification may be proposed by the Congress, now, therefore, be it resolved by the Legislature of the State of Florida:

That the Legislature of the State of Florida hereby makes application to the Congress of the United States pursuant to Article V of the Constitution of the United States to call a convention for the sole purpose of proposing an amendment to the Constitution of the United States to require a balanced federal budget and to make certain exceptions with respect thereto. Do I further resolve that a copy of this memorial be transmitted to the presiding officers of the Senate and the House of Representatives of Congress, the members of the Constitutional convention from the State of Florida and to the presiding officers of each house of the several state legislatures.

A RESOLUTION (Georgia)

Applying to the Congress of the United States to call a convention for the sole purpose of proposing an amendment to the Constitution of the United States; and for other purposes.

Be it resolved by the General Assembly of Georgia:

That this body respectfully petitions the Congress of the United States to call a convention for the sole and exclusive purpose of proposing an amendment to the Constitution of the United States to require a balanced federal budget and to make certain exceptions with respect thereto.

Be it further resolved that this application by the General Assembly of the State of Georgia 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, but if Congress proposes an amendment to the Constitution of the United States which would require that, within five years after its ratification by the various states, in the absence of a national emergency, the total of all appropriations made by the Congress for a fiscal year shall not exceed the total of all estimated federal revenues for such fiscal year, and:

Be it further resolved: That, alternatively, the Legislature of the State of Kansas hereby makes application to the Congress of the United States to call a convention for the sole and exclusive purpose of proposing an amendment to the Constitution of the United States which would require that, in the absence of a national emergency, the total of all appropriations made by the Congress for a fiscal year shall not exceed the total of all estimated federal revenues for such fiscal year. If the Congress shall propose such an amendment to the Constitution, this application for any force or effect; and

Be it further resolved: That the legislature of each of the other states in the Union is hereby urged to request and apply to the Congress in pursuance of Article V of the Constitution of the United States for a convention for the sole and exclusive purpose of proposing such an amendment to the Constitution.

A CONCURRENT RESOLUTION (Nevada)

A concurrent resolution requesting and applying to the Congress of the United States to propose, or to call a convention for the purpose of proposing, an amendment to the Constitution of the United States which would require that, in the absence of a nationally declared emergency, total federal appropriations shall not exceed total estimated federal revenues in a fiscal year.

A CONCURRENT RESOLUTION (New York)

A concurrent resolution requesting and applying to the Congress of the United States to propose, or to call a convention for the purpose of proposing, an amendment to the Constitution of the United States which would require that, in the absence of a nationally declared emergency, total federal appropriations shall not exceed total estimated federal revenues in a fiscal year.

A CONCURRENT RESOLUTION (Oregon)

A concurrent resolution requesting and applying to the Congress of the United States to propose, or to call a convention for the purpose of proposing, an amendment to the Constitution of the United States which would require that, in the absence of a nationally declared emergency, total federal appropriations shall not exceed total estimated federal revenues in a fiscal year.

A CONCURRENT RESOLUTION (Washington)

A concurrent resolution requesting and applying to the Congress of the United States to propose, or to call a convention for the purpose of proposing, an amendment to the Constitution of the United States which would require that, in the absence of a nationally declared emergency, total federal appropriations shall not exceed total estimated federal revenues in a fiscal year.
CONGRESSIONAL RECORD—SENATE

May 1, 1979

This page contains a resolution and a bill. The resolution is titled "Resolved, That the Massachusetts General Court respectfully urges the President and the Congress of the United States to take all necessary investigative and prosecutorial steps to collaborate with the governments of dope-producing countries to wipe out all dope traffic. The bill is titled "H.R. 379: A bill to authorize the President of the United States to present a gold medal to President Ben Alvarado, Maizo Anderson, and Harry W. Moses of the Republic of Mexico for their assistance in the fight against drug traffic in the United States."
CONGRESSIONAL RECORD—S. 333

January 29, 1980

To the Congress of the United States:
I transmit herewith the Annual Report of the National Advisory Council on Adult Education for Fiscal Year 1979, as required by Section 316(d) of the Adult Education Act (Public Law 99-325) signed by JIMMY CARTER.

JIMMY CARTER,

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:


EC-2864. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, five reports of violations of the Anti-Deficiency Act (Section 316(d), Revised Statutes), and of Department of Defense regulations and orders on the subject of illegal programs and activities.

EC-2865. A communication from the Assistant Director for Legislative and Public Affairs, United States International Development Agency, transmitting, pursuant to law, a report on the progress made in carrying out section 312(b) of the FY 1978 Foreign Assistance Appropriations Act; to the Committee on Appropriations.

EC-2866. A communication from the Director, Defense Security Assistance Agency, reporting, pursuant to law, the Department of the Air Force's proposed Letter of Offer to Israel for Defense Articles estimated to cost in excess of $22 million; to the Committee on Armed Services.

EC-2867. A communication from the Director, Defense Security Assistance Agency, reporting, pursuant to law, the Department of the Army's proposed Letter of Offer to Morocco for Defense Articles estimated to cost in excess of $25 million; to the Committee on Armed Services.

EC-2868. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, international agreements other than treaties entered into by the United States, within sixty days after the execution thereof; to the Committee on Foreign Relations.

EC-2869. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the Board's sixth annual report on activities as well as its review and evaluation of the operation and mission of Radio Free Europe/Radio Liberty, for the period October 1, 1978 through September 30, 1979; to the Committee on Foreign Relations.

EC-2870. A communication from the Deputy Assistant Secretary of Defense, transmitting, pursuant to law, a report on a new system of records; to the Committee on Governmental Affairs.

EC-2871. A communication from the Mayor, the District of Columbia, transmitting, pursuant to law, a report on a new system of records; to the Committee on Governmental Affairs.

EC-2872. A communication from the Comptroller General of the United States, transmitting, pursuant to law, the 1979 annual report of the General Accounting Office; to the Committee on Governmental Affairs.

EC-2873. A communication from the President and Chairman, Export-Import Bank of the United States, transmitting, pursuant to law, the 1979 annual report of the General Accounting Office; to the Committee on Governmental Affairs.

EC-2874. A communication from the Chairman, Council of Economic Advisers, transmitting, pursuant to law, that the President, via the Office of Management and Budget, has indicated that Act S-148, the University of the District of Columbia and the Anacostia Waterfront Redevelopment Act of 1979, should be regarded as a "pocket vetoed" measure; to the Committee on Environmental Affairs.

EC-2875. A communication from the Secretary of Commerce, transmitting, pursuant to law, an interim report on the progress of the planning and construction of facilities for the 1980 Winter Olympic Games; to the Committee on Commerce, Science, and Transportation.


EC-2877. A communication from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, the second annual report on drug abuse, prevention, treatment and rehabilitation; to the Committee on Labor and Human Resources.

EC-2878. A communication from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, the third interim report on the activities carried out under the Rehabilitation Act of 1973, as amended; to the Committee on Labor and Human Resources.

EC-2879. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Water Supply Should Not Be An Obstacle to Meeting Energy Development Goals," January 30, 1980; to the Committee on Energy and Natural Resources and the Committee on Environmental and Public Works.

The PRESIDING OFFICER. Without objection, it is so ordered.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table, as indicated:

P05-535. A joint resolution adopted by the Legislature of the State of Nevada to the Committee on the Judiciary:

"SNAKE JOURNEY RESOLUTION NO. 8

"Whereas, Nevada's population, fiscal prudence and common sense require that the federal budget include all federal spending and be balanced, therefore be it

"Resolved, That the annual federal budgets continuously reflect the unconscionability or unacceptability of the defective and executive branches of the Federal Government to balance the budget;

"Whereas, The national debt now amounts to hundreds of billions of dollars and is increasing enormously each year as federal expenditures exceed federal revenues; and

"Resolved, That the inflexible and other results of the fiscal irresponsibility of the Federal Government demonstrate the need for a constitutional restraint upon excessive spending; and

"Resolved, Article V of the Constitution of the United States provides that on the application of two-thirds of the states, Congress shall call a convention for proposing amendments to the Constitution; and

"Resolved, That the Senate and Assembly of the State of Nevada respectfully request the Congress of the United States to convene a convention limited to proposing an amendment to the Constitution of the United States which would provide, in the absence of a two-thirds majority of the states, that the total of all federal appropriations for any..."
CONGRESSIONAL RECORD — SENATE

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. McGovern (for himself and Mr. Pasarella):
S. 2220. A bill to authorize the planning and development of the WEB pipeline project in South Dakota; to the Committee on Agriculture, Nutrition, and Forestry.
By Mr. Riehoff (by request):
S. 2221. A bill to amend chapter 29 of title 14, United States Code, to reaffirm the membership of the National Archives Trust Fund Board, and for other purposes; to the Committee on Armed Services.
By Mr. Cranston:
S. 2223. A bill to permit the Forest Service to acquire lands outside the boundaries of the Los Padres National Forest in California; to the Committee on Energy and Natural Resources.
By Mr. Stevenson:
S. 2234. A bill to provide for notification to the Department of Health, Education, and Welfare by certain persons conducting research in the United States; to the Committee on Armed Services.
By Mr. Levin (for himself and Mr. Kasten):
S. 2235. A bill to authorize the Secretary of the Army to convey to the Michigan Job Development Authority the lands comprising the Michigan Army Missile Plant in Sterling Heights, Macomb County, Michigan; to the Committee on Armed Services.
By Mr. Blyth (for himself, Mr. Cranston, Mr. Mansfield, Mr. Hatton, Mr. Biaggi, Mr. J. L. Bunn, and Mr. S. J. Robb):
S. Res. 135. A joint resolution to provide for designation of the first Friday of May as "Teacher Day, United States of America"; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. McGovern (for himself and Mr. Pasarella):
S. 2230. A bill to authorize the planning and development of the WEB pipeline project in South Dakota; to the Committee on Agriculture, Nutrition, and Forestry.

WEB PIPELINE PROJECT

Mr. McGovern. Mr. President, today my colleagues from South Dakota (Senator Pasarella and I) are introducing legislation authorizing planning and development of the WEB Water Development Association's pipeline concept for the State of South Dakota.

The WEB pipeline is a project to serve domestic and livestock needs of 12,000 residents of South Dakota, living on farms in my State and another 18,000 residents in 51 South Dakota communities.

It will consist of a main trunkline and smaller "feeder" systems spanning 9 north central South Dakota counties, including Campbell, Deuel, Edmunds, Faulk, Brown, Spink, and Day Counties. Additionally, it will deliver water to the border with the State of North Dakota to serve a few hundred North Dakotans nearby. The water will be treated centrally.

The WEB Water Development Association, comprised of a Board of Directors and membership from the affected counties, has secured a feasibility study of this concept using local "interest fees" from the potential beneficiaries—including the municipal utilities—money from the Federal Conservation Subdistrict, and if they can eventually fulfill their commitment to go the U.S. Department of the Interior.

Various alternative options were explored by the WEB Association's consulting engineer—joint ventures with Bartlett and West, and Boyle Engineering. The WEB Association board of directors has chosen a concept that is more expensive and extensive than the cheapest alternative, but scaled down from the most expensive option. They are recommending to the general membership of the association for a vote to adopt a $5.7 million gallon per day, $69 million system.

The legislation which Senator Pasarella and I am sponsoring would provide a mechanism allowing for money to be appropriated to the Department of the Interior for construction of the pipeline, with the money then to be transferred to the Department of Agriculture so it can be granted or loaned under provisions of the Consolidated Farm and Rural Development Act by the Farmers Home Administration. As my colleagues will recall, that legislation provides that rural water systems can be constructed using a maximum of 75 percent grants and 25 percent loans.

This bill specifically requests that these grants be expressed as "specie", or the regular dollar limit. The committee has requested that, if the money were not come from the usual FmHA account for that purpose, this being one of the most expensive and expensive rural water systems ever constructed under FmHA authority.

Mr. President, my colleagues may well ask why this legislation is structured in the manner it is. Some explanation is warranted.

Many of my colleagues may recall that the legislation which is to foster water resource development in the Missouri River Basin States is known as the Pick-Sloan Missouri Basin program, authorized by the Flood Control Act of 1944. Under that development "umbrella" there have been various water resource projects such as the Initial Stage, Oahe Unit—a multiple purpose irrigation, municipal-industrial water supply, flood control, recreation and wildlife conservation project—were to be constructed to meet the 1944 development needs in the basin states.

That project, the Initial Stage, Oahe Unit was rejected by the states through their elected board of directors serving on the Oahe Conservation Subdistrict and the Spink County Irrigation
HOUSE JOINT RESOLUTION NO. 38

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE KELLER

Introduced: 2/20/12
Referred: State Affairs

A RESOLUTION

1 Requesting the United States Congress to call a Constitutional Convention to propose an
2 amendment to the Constitution of the United States requiring approval of a majority of
3 state legislatures to increase the federal debt limit.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS, in 1982, the Twelfth Alaska State Legislature passed Legislative
Resolve No. 1, expressing concern that the public debt of the United States exceeded
hundreds of billions of dollars and making application to the United States Congress, under
Article V of the Constitution of the United States, for a constitutional convention for the
purpose of proposing amendments to the Constitution of the United States requiring that in
the absence of a national emergency, the total of all appropriations made by the United States
Congress for a fiscal year shall not exceed the total of all estimated federal revenue for that
fiscal year; and

WHEREAS, in 1997, the Twentieth Alaska State Legislature passed Legislative
Resolve No. 20, expressing ongoing concern that a balanced budget amendment to the United
States Constitution continued to be necessary to control the national deficit and to control
national government spending and urging the United States Congress and the President to
support a resolution proposing a balanced budget amendment to the Constitution of the United
States, and urging the legislature of each state of the nation to ratify the amendment; and

WHEREAS, because paying the nation's bills by simply raising the federal debt limit
has proven a failed policy, and the rapidly rising federal debt limit and rapidly increasing
federal debt compel the need for an urgent call for a balanced budget amendment to the
Constitution of the United States; and

WHEREAS it is increasingly critical to the national interest for the federal
government to live within its means and not to continue to authorize appropriations for a
current fiscal year that exceed the total estimated revenue fund by increasing the federal debt
limit; and

WHEREAS, in 2012, the United States continues to move more deeply into debt as
its expenditures exceed its available revenue, and, with recent increases, the federal debt limit
now exceeds $15 trillion; and

WHEREAS the federal budget has increased in size at a rate that is out of control and
unsustainable in relation to available revenue; and

WHEREAS the goal of controlling the unsustainable growth of the federal debt limit
and federal government spending must be achieved to protect the economic and political
stability of the United States for current and future generations; and

WHEREAS Article V of the Constitution of the United States provides authority for a
convention to be called by the Congress of the United States for the purpose of proposing
amendments to the Constitution of the United States upon application of two-thirds of the
legislatures of the several states—an amendments convention;

BE IT RESOLVED that the Alaska State Legislature wishes to remind the United
States Congress of the Alaska State Legislature's 1982 call for a convention to be called by
the United States Congress for a balanced budget amendment to the Constitution of the
United States, that this call was and remains a continuing call for an amendments convention,
and that the Alaska State Legislature continues strongly to urge the separate states to join in
this call; and be it

FURTHER RESOLVED that the Alaska State Legislature makes an additional and
urgent call for a convention to be called by the United States Congress under Article V of the
Constitution of the United States for the proposal and ratification of an amendment to the
Constitution of the United States that provides that an increase in the federal debt limit
requires approval from a majority of the legislatures of the separate states; and be it

FURTHER RESOLVED that the amendments convention requested by this
resolution be limited to the subject matter of proposing for ratification an amendment to the
Constitution of the United States providing that an increase in the federal debt requires
approval from a majority of the legislatures of the separate states; 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 application for an equivalently limited
amendments convention; and be it.

FURTHER RESOLVED that the Alaska State Legislature urges the legislatures of
the other 49 states to make the same application.

COPIES of this resolution shall be sent to the Honorable Barack Obama, President of
the United States; the Honorable Joseph R. Biden, Jr., Vice-President of the United States and
President of the U.S. Senate; the Honorable Daniel K. Inouye, President pro tempore of the
U.S. Senate; the Honorable John Boehner, Speaker of the U.S. House of Representatives; the
Honorable Nancy Erickson, Secretary of the U.S. Senate; the Honorable Karen L. Haas, Clerk
of the U.S. House of Representatives; the Honorable Lisa Murkowski and the Honorable
Mark Begich, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of
the Alaska delegation in Congress; and the presiding officers of the legislatures of each of the
other 49 states.
March 23, 1982

Congressional Record—Senate

MESSAGES FROM THE HOUSE

ENROLLED BILL ADDED

At 12:32 p.m., a message from the House of Representatives, delivered by Mr. Gorry, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

"Further resolved that, alternatively, this body makes application and requests that the Congress of the United States call a convention for the sole and exclusive purpose of proposing an amendment to the Constitution of the United States which would require that, in the absence of a national emergency, the total of all appropriations made by Congress for a fiscal year shall not exceed the total of all estimated federal revenues for that fiscal year, and for other purposes.

Further resolved that if Congress properly such an amendment to the Constitution this application shall no longer be of any force or effect and be of no further resolution."

The foregoing resolution was received in the Senate on February 24, 1862, and was referred to the Committee on the Judiciary on that day.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. PACKWOOD, from the Committee on Commerce, Science, and Transportation:

James Eugene Burnett, Jr., of Arkansas, to be Chairman of the National Transportation Safety Board.

Reed Adan, Wayne E. Caldwell, U.S. Coast Guard, to be the Commander, U.S. Coast Guard, Atlantic Area with the grade of vice admiral while so serving; and

Reed Adan, Charles E. Elin, U.S. Coast Guard, to be the Commander, U.S. Coast Guard, Pacific Area with the grade of vice admiral while so serving.

The above nominations were reported from the Committee on Commerce, Science, and Transportation with the recommendation that they be confirmed, subject to the nominees' commission to appear and testify before any duly constituted committees of the Senate.

By Mr. GARLIN, from the Committees on Banking, Housing, and Urban Affairs:

Preston Martin, of California, to be a member of the Board of Governors of the Federal Reserve System for a term of 14 years from February 1, 1982.

Preston Martin, of California, to be Vice Chairman of the Board of Governors of the Federal Reserve System for a term of 4 years.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. MILLER:

S. 2937. A bill to amend the Poultry Product Inspection Act to increase the number of turkeys which may be slaughtered and processed without inspection under such act, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.
Type 5
(130th General Assembly)
(Amended Senate Joint Resolution Number 5)

JOINT RESOLUTION

Urging the Congress of the United States to propose a balanced budget amendment to the United States Constitution and applying to the Congress, pursuant to Article V of the United States Constitution, to call a convention for proposing a balanced budget amendment.

Be it resolved by the General Assembly of the State of Ohio:

The General Assembly of the State of Ohio urges the Congress of the United States to propose a balanced budget amendment to the United States Constitution and hereby applies to the Congress, under the provisions of Article V of the United States Constitution, for the calling of a convention of the states limited to proposing an amendment to the United States Constitution requiring 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 all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints; and

It is the intention of the General Assembly that matters shall not be considered at the convention that do not pertain to an amendment requiring 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 all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints; and be it further

RESOLVED, The Secretary of State is hereby directed to transmit copies of this application to the President and Secretary of the Senate and to the Speaker and Clerk of the House of Representatives of the Congress, and copies to the members of the Senate and House of Representatives from the State of Ohio; also to transmit copies of this application to the presiding officers of each of the legislative houses of the several states, requesting their cooperation; and be it further

RESOLVED, This application is to be considered as covering the balanced budget amendment language of the presently outstanding balanced budget applications from other states, including previously adopted applications from Alabama, Alaska, Arkansas, Colorado, Delaware, Florida,
Indiana, Iowa, Kansas, Maryland, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, Pennsylvania, and Texas. This application shall be aggregated with those other applications for the purpose of attaining the two-thirds of states necessary to require the calling of a convention for proposing a balanced budget amendment, but shall not be aggregated with any applications on any other subject; and be it further

RESOLVED, If the convention called by the Congress is not limited to considering a balanced budget amendment, then any delegates, representatives, or participants from the State of Ohio asked to participate in the convention are authorized to debate and vote only on a proposed amendment or amendments to the United States Constitution requiring 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 all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints; and be it further

RESOLVED, This application constitutes a continuing application in accordance with Article V of the United States Constitution until the legislatures of at least two-thirds of the several states have made applications on the same subject or the Congress has proposed an amendment to the United States Constitution equivalent to the amendment proposed in this resolution. This application supersedes all previous applications by the General Assembly of the State of Ohio on the same subject.
Am. S. J. R. No. 5

130th G.A.

Speaker _______________ of the House of Representatives.

President _______________ of the Senate.

Adopted ___________________, 20__
Senate Memorial

A memorial to the Congress of the United States,
applying to Congress to call a convention for the sole
purpose of proposing an amendment to the Constitution
of the United States which requires a balanced federal
budget.

WHEREAS, the Legislature of the State of Florida passed
Senate Concurrent Resolution 10 on April 21, 2010, and
WHEREAS, Senate Concurrent Resolution 10 made application
to Congress to call a convention for proposing amendments
pursuant to Article V of the Constitution of the United States
for two purposes: to achieve and maintain a balanced federal
budget and to control the ability of Congress and federal
executive agencies to dictate to states requirements for the
expenditure of federal funds, and
WHEREAS, the Legislature of the State of Florida desires to
conform to the single subject applications from Alabama, Alaska,
Arkansas, Colorado, Delaware, Indiana, Iowa, Kansas, Maryland,
Michigan, Mississippi, Missouri, Nebraska, Nevada, New
Hampshire, New Mexico, North Carolina, Ohio, Pennsylvania, and
Texas and limit its application to Congress for the sole purpose
of proposing an amendment to the Constitution of the United
States to require a balanced federal budget, NOW, THEREFORE,

Be It Resolved by the Legislature of the State of Florida:

(1) That the Legislature of the State of Florida hereby
applies to Congress, under Article V of the Constitution of the
United States, to call a convention limited to proposing an amendment to the Constitution requiring 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 all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints.

(2) That this application is to be considered as covering the same subject matter as the presently outstanding balanced budget applications from other states and is to be aggregated with the applications from those states for the purpose of attaining the two-thirds number of states necessary to require the calling of a convention, but may not be aggregated with applications on any other subject calling for a constitutional convention under Article V of the United States Constitution.

(3) That this application constitutes a continuing application in accordance with Article V until the legislatures of at least two-thirds of the states have made applications on the same subject and supersedes all previous applications by this Legislature on the same subject.

BE IT FURTHER RESOLVED that copies of this memorial 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 Florida delegation to the United States Congress.
HLS 14RS-2384

Legislature of Louisiana
Regular Session, 2014

HOUSE CONCURRENT RESOLUTION NO. 70

BY REPRESENTATIVE HARRISON

U.S. CONSTITUTION: Applies to congress under U.S. Const. Art. V to call a convention of the states to propose a U.S. constitutional amendment to require a balanced budget

A CONCURRENT RESOLUTION

To apply to the Congress of the United States to call a convention pursuant to Article V of the Constitution of the United States for the sole and exclusive purpose of proposing an amendment to the Constitution of the United States, for submission to the states for ratification, that would provide for a balanced budget.

WHEREAS, the failure of the federal budget process has produced an enormous federal budget deficit, and growing national debt presently burdens the American people and threatens to burden their descendants for generations to come; and

WHEREAS, the congressional practice of deficit spending and repeated raising of the ceiling on the federal debt has had the effect of endangering the jobs, incomes, retirement security, welfare, and future of American citizens; and

WHEREAS, such debt diverts scarce resources from crucial programs to pay interest on the national debt, constricts the ability of the federal government to address long-standing national problems and to respond to new needs, and increases pressures to raise taxes on the American people; and

WHEREAS, Article V of the Constitution of the United States provides that an amendment to the constitution may be proposed by congress, or on the application of the legislatures of two-thirds of the states, congress is required to call a constitutional convention for the purpose of proposing an amendment, which, in either case, shall become part of the constitution when ratified by three-fourths of the several states.
THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
make application to the Congress of the United States to call a convention pursuant to
Article V of the Constitution of the United States of America for the specific and exclusive
purpose of proposing an amendment to the Constitution of the United States, for submission
to the states for ratification, to require that in the absence of a national emergency the total
of all federal outlays made by Congress for any fiscal year may not exceed the total of all
estimated federal revenues for that fiscal year, together with any related and appropriate
fiscal restraints.

BE IT FURTHER RESOLVED that this application is to be considered as covering
the same subject matter as the presently outstanding balanced budget applications from other
states, including but not limited to previously adopted applications from Alabama, Alaska,
Arkansas, Colorado, Delaware, Florida, Georgia, Indiana, Iowa, Kansas, Maryland,
Mississippi, Missouri, Nebraska, Ohio, Nevada, New Hampshire, New Mexico, North
Carolina, Pennsylvania, Tennessee, and Texas; and that this application shall be aggregated
with such applications for the purpose of attaining the two-thirds of states necessary to
require the calling of a convention but shall not be aggregated with applications on any other
subject.

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution
be transmitted by the secretary of state to the president and the secretary of the United States
Senate, to the speaker and clerk of the United States House of Representatives, to each
member of this state's delegation to the Congress, and to the presiding officer of each house
of each state legislature in the United States, requesting their cooperation.

BE IT FURTHER RESOLVED that this application by this Legislature supersedes
all previous applications by this Legislature on this same subject matter and that this
application constitutes a continuing application in accordance with Article V of the
Constitution of the United States until the legislatures of at least two-thirds of the several
states have made application for a similar convention pursuant to Article V.
ENROLLED SENATE
JOINT RESOLUTION V

A JOINT RESOLUTION to petition the congress of the United States to call a convention to propose amendments to the constitution of the United States to require a balanced federal budget.

Resolved by the Senate and House of Representatives of the state of Michigan, That pursuant to article V of the constitution of the United States, the legislature of the state of Michigan petitions the congress of the United States of America, at its session, to call a convention of the states limited to proposing an amendment to the constitution of the United States requiring that in the absence of a national emergency, including, but not limited to, an attack by a foreign nation or terrorist organization within the United States of America, the total of all federal appropriations made by the congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints.

Resolved further, That this application is to be considered as covering the balanced budget amendment language of the presently outstanding balanced budget applications from other states, including, but not limited to, previously adopted applications from Alabama, Alaska, Arkansas, Colorado, Florida, Indiana, Iowa, Kansas, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, Pennsylvania, and Texas; and this application shall be aggregated with those applications for the purpose of attaining the two-thirds of states necessary to require the calling of a convention for proposing a balanced budget amendment, but shall not be aggregated with any applications on any other subject.

Resolved further, That this application constitutes a continuing application in accordance with article V of the constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject. It supersedes all previous applications by this legislature on the same subject.

Resolved further, That certified copies of this joint resolution be transmitted by the secretary of state to the president of the United States Senate, to the speaker of the United States House of Representatives, and to each member of this state's delegation to the congress and that printed copies be sent to each house of each state legislature in the United States.
I hereby certify that on the twenty-sixth day of March, two thousand fourteen, the foregoing joint resolution was agreed to by the Senate, by a majority vote of the Senators elected and serving.

Carol Mosey Viventi
Secretary of the Senate

I hereby certify that on the twentieth day of March, two thousand fourteen, the foregoing joint resolution was agreed to by the House of Representatives, by a majority vote of the Representatives elected and serving.

Gary E. Randall
Clerk of the House of Representatives
General Assembly of the State of Tennessee

HOUSE JOINT RESOLUTION 548

By Powers

A RESOLUTION to make application to the Congress of the United States pursuant to Article V of the United States Constitution to call a constitutional convention for the sole purpose of proposing a balanced budget amendment and other related fiscal restraints.

WHEREAS, Article V of the United States Constitution requires the United States Congress to call a constitutional convention upon application of two-thirds of the legislatures of the several states for the purpose of proposing amendments to the United States Constitution; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED EIGHTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE

CONCURRING, that the Congress of the United States is directed to call a constitutional convention limited to proposing an amendment to the Constitution of the United States requiring 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 all estimated Federal revenues for that fiscal year, together with any related and appropriate fiscal restraints.

BE IT FURTHER RESOLVED, that this application is to be considered as covering the same subject matter as the presently-outstanding balanced budget applications from other states, including, but not limited to, previously-adopted applications from Alabama, Alaska, Arkansas, Colorado, Delaware, Florida, Indiana, Iowa, Kansas, Maryland, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, Pennsylvania, and Texas; and that this application shall be aggregated with such applications for the purpose of attaining the two-thirds of states necessary to require the calling of a convention, but shall not be aggregated with any applications on any other subject.
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 applications for similar relief pursuant to Article V.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the Honorable Joseph R. Biden, Jr., Vice President of the United States and President of the U.S. Senate, Washington, D.C.; the Honorable John Boehner, Speaker of the House of Representatives, Washington, D.C.; to each member of the United States Senate and House of Representatives from Tennessee; and to the Archivist of the United States.

BE IT FURTHER RESOLVED, that copies of this resolution also be sent to the presiding officers of the other state legislative bodies in the United States, with the request that the other states join Tennessee in applying to Congress to call a constitutional convention for the limited purpose proposed in this resolution.
A JOINT RESOLUTION, Making formal application to Congress to call an Article V convention of the states for the sole purpose of proposing a federal balanced budget amendment.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF SOUTH DAKOTA, THE SENATE CONCURRING THEREIN:

WHEREAS, the Legislature of the State of South Dakota hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing an amendment to the Constitution of the United States requiring that in the absence of a national emergency, the total of all federal appropriations made by Congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints; and

WHEREAS, this application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject. It supersedes all previous applications by this Legislature on the same subject:

NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Ninetieth Legislature of the State of South Dakota, the Senate concurring therein, that the State of South Dakota does hereby apply to the Congress of the United States to call an amendment convention pursuant to Article V of the United States Constitution limited to proposing an amendment to the United States Constitution requiring that in the absence of a national emergency, the total of all federal appropriations made by Congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints; and

BE IT FURTHER RESOLVED, this application is to be considered as covering the same subject matter as the presently outstanding balanced budget applications from other states, including previously-adopted applications from Alabama, Alaska, Arkansas, Colorado, Delaware, Florida,

HJR No. 1001
Georgia, Indiana, Iowa, Kansas, Louisiana, Maryland, Michigan, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, Ohio, Pennsylvania, Tennessee, and Texas. This application shall be aggregated with same for the purpose of attaining the two-thirds of states necessary to require the calling of a convention for proposing a balanced budget amendment but may not be aggregated with any applications on any other subject; and

BE IT FURTHER RESOLVED, that the other states be encouraged to make similar applications for an amendment convention pursuant to Article V of the Constitution of the United States; and

BE IT FURTHER RESOLVED, that this application constitutes a continuing application for such amendment convention pursuant to Article V of the Constitution of the United States until the legislatures of two-thirds of the states have made such applications and such convention has been called by the Congress of the United States; and

BE IT FURTHER RESOLVED, that the secretary of state transmit copies of this resolution to the President of the United States, the Speaker and the Clerk of the United States House of Representatives, the President and the Clerk of the United States Senate, the members of the South Dakota congressional delegation, and the legislatures of each of the several states, attesting the adoption of this resolution by the Legislature of the State of South Dakota.

HJR No. 1001
Making formal application to Congress to call an Article V convention of the states for the sole purpose of proposing a federal balanced budget amendment.

I certify that the attached Resolution originated in the

HOUSE as Joint Resolution No. 1001

______________________________
Chief Clerk

______________________________
Speaker of the House

Attest:

______________________________
Chief Clerk

______________________________
President of the Senate

Attest:

______________________________
Secretary of the Senate

STATE OF SOUTH DAKOTA, ss.
Office of the Secretary of State

Filed ____________ , 20__
at _______ o'clock ___ M.

______________________________
Secretary of State

By ________________________
Asst. Secretary of State

House Joint Resolution No. 1001
File No. ______
Chapter No. ______
HOUSE CONCURRENT RESOLUTION NO. 3015

A concurrent resolution making a formal application to Congress to call a convention for the sole purpose of proposing an amendment to the Constitution of the United States which requires a balanced federal budget.

WHEREAS, Article V of the Constitution of the United States mandates that upon the application of the legislatures of two-thirds of the states, Congress shall call a convention for proposing amendments; and

WHEREAS, this application is to be considered as covering the balanced budget amendment language of the presently outstanding balanced budget applications from other states; and

WHEREAS, this application shall be aggregated for the purpose of attaining the two-thirds necessary to require the calling of a convention for proposing a balanced budget amendment, but shall not be aggregated with any applications on any other subject; and

WHEREAS, this application is a continuing application until the legislatures of at least two-thirds of the states have made applications on the same subject; and

WHEREAS, the North Dakota Legislative Assembly deems an amendment to the Constitution of the United States requiring a balanced federal budget to be necessary for the good of the American people.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Sixty-fourth Legislative Assembly urges Congress of the United States to call a convention of the states limited to proposing an amendment to the Constitution of the United States requiring 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 all...
Sixty-fourth
Legislative Assembly

1 estimated federal revenues for that fiscal year, together with any related and appropriate fiscal
2 restraints.
3 BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution
4 to the President and Secretary of the Senate and the Speaker and Clerk of the House of
5 Representatives of the Congress, to each member of the United States Congressional
6 Delegation, and also to transmit copies to the presiding officers of each of the legislative houses
7 in the United States, requesting their cooperation.
Enrolled Copy

H.J.R. 7

JOINT RESOLUTION CALLING FOR A BALANCED
BUDGET AMENDMENT TO THE U.S. CONSTITUTION

2015 GENERAL SESSION
STATE OF UTAH

Chief Sponsor: Kraig Powell
Senate Sponsor: Curtis S. Bramble

Cosponsors: Brian M. Greene Dixon M. Pitcher
Stewart Barlow Stephen G. Handy Paul Ray
Melvin R. Brown Timothy D. Hawkes Scott D. Sandall
Scott H. Chew Gregory H. Hughes Mike Schultz
Kay J. Christopherson Ken Ivory V. Lowry Snow
Kim Coleman John Knotwell Jon E. Stanard
Bruce R. Cutler Bradley G. Last John R. Westwood
Rebecca P. Edwards David E. Lifferth Brad R. Wilson
Steve Eliason Merrill F. Nelson
Justin L. Fawson Jeremy A. Peterson

LONG TITLE

General Description:

This joint resolution of the Legislature calls for an Article V convention to propose a balanced budget amendment to the United States Constitution.

Highlighted Provisions:

This resolution:

- applies to Congress for the calling of a convention of the states, limited to proposing an amendment to the United States Constitution requiring that, in the absence of a national emergency, the total of all federal appropriations made by Congress for a specified period not exceed the total of all estimated federal revenues for that period, together with any related and appropriate fiscal restraints;
H.J.R. 7

requests that this application be considered as covering the same subject matter as
the presently outstanding balanced budget applications from other states;
requests that this application be aggregated with the outstanding balanced budget
applications from the other states for the purpose of attaining the two-thirds of states
necessary to require the calling of a convention, but not be aggregated with any
applications on any other subject;

intends that the application made in this resolution constitute a continuing
application, in accordance with Article V of the United States Constitution, until the
legislatures of at least two-thirds of the several states have made applications on the
same subject; and

intends that this application supersedes all previous applications by the Legislature of
the state of Utah on the same subject.

Special Clauses:

None

Be it resolved by the Legislature of the state of Utah:

WHEREAS, under Article V of the Constitution of the United States, "The Congress,
whenever two thirds of both houses shall deem it necessary, shall propose amendments to this
Constitution, or, on the application of the legislatures of two thirds of the several states, shall
call a convention for proposing amendments, which, in either case, shall be valid to all intents
and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of
the several states, or by conventions in three fourths thereof"; and

WHEREAS, the Legislature of the state of Utah has determined that calling for a
balanced budget amendment to the United States Constitution is in the best interest of the
citizens of Utah and the citizens of the United States of America:

NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, by
this resolution, and under the provisions of Article V of the United States Constitution, applies
to Congress for the calling of a convention of the states limited to proposing an amendment to

-2-
Enrolled Copy

H.J.R. 7

the Constitution of the United States requiring that, in the absence of a national emergency, the
total of all federal appropriations made by Congress for a specified period may not exceed the
total of all estimated federal revenues for that period, together with any related and appropriate
fiscal restraints.

BE IT FURTHER RESOLVED, it is the intent of the Legislature of the state of Utah
that the delegates to such convention are prohibited from considering any other amendment or
change to the Constitution of the United States.

BE IT FURTHER RESOLVED that the Legislature of the state of Utah respectfully
requests that this application be considered as covering the same subject matter as the presently
outstanding balanced budget applications from other states, including, but not limited to,
previously adopted applications from Alabama, Alaska, Arkansas, Colorado, Delaware,
Florida, Georgia, Indiana, Iowa, Kansas, Louisiana, Maryland, Michigan, Mississippi,
Missouri, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, Ohio,
Pennsylvania, South Dakota, Tennessee, and Texas.

BE IT FURTHER RESOLVED that the Legislature of the state of Utah respectfully
requests that this application be aggregated with the applications from those states for the
purpose of attaining the two-thirds of states necessary to require the calling of a convention, but
not be aggregated with any applications on any other subject.

BE IT FURTHER RESOLVED that the Legislature of the state of Utah intends that this
application constitute a continuing application in accordance with Article V of the Constitution
of the United States until the legislatures of at least two-thirds of the several states have made
applications on the same subject; provided, however, that the Legislature retains the authority
to rescind this resolution and thereby cancel this application at any time for any reason.

BE IT FURTHER RESOLVED that the Legislature of the state of Utah reserves the
right to withdraw its application in the event that Congress attempts to do anything other than
call the convention as dictated by Article V of the United States Constitution.

BE IT FURTHER RESOLVED that the Legislature of the state of Utah intends that
once the convention of the states applied for herein has been convened, the Legislature retains
H.J.R. 7

full authority, at its sole discretion, to immediately rescind and thereby cancel this application
for convention, for any reason, including but not limited to, if the convention moves to
consider or propose any amendment or change to the United States Constitution other than the
amendment identified in this resolution.

BE IT FURTHER RESOLVED that the Legislature of the state of Utah intends that this
application supersede all previous applications by the Legislature on the same subject.

BE IT FURTHER RESOLVED that copies of this resolution be sent to the Vice
President of the United States, as President of the United States Senate, and to the Majority
Leader of the United States Senate, the Speaker of the United States House of Representatives,
and the members of Utah's congressional delegation.
Type 6
Senate Resolution 371
By: Senators Cowert of the 46th, Shafer of the 48th, Chance of the 16th, Hill of the 32nd, Loudermilk of the 14th and others

A RESOLUTION

1 Making renewed application to the Congress of the United States to call for a convention for
2 the purpose of proposing an amendment to the Constitution of the United States; and for
3 other purposes.

4 WHEREAS, in 1976, by House Resolution 469-1267, Resolution Act No. 93 (Ga. L. 1976,
5 p. 184), the Georgia General Assembly applied to the Congress to call a convention for the
6 specific and exclusive purpose of proposing an amendment to the Constitution of the United
7 States to require a balanced federal budget and to make certain exceptions with respect
8 thereto; and

9 WHEREAS, in 2004, by House Resolution No. 1343, Act No. 802 (Ga. L. 2004, p. 1081),
10 the Georgia General Assembly rescinded and repealed all prior applications for constitutional
11 conventions, including but not limited to said 1976 application; and

12 WHEREAS, the need for such a balanced budget amendment remains and has become far
13 more apparent and urgent.

14 NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF
15 GEORGIA that this body hereby applies again to Congress, under the provisions of Article
16 V of the Constitution of the United States, for the calling of a convention for proposing an
17 amendment to the Constitution of the United States and recommends that the convention be
18 limited to consideration and proposal of an amendment requiring that in the absence of a
19 national emergency the total of all federal appropriations made by the Congress for any fiscal
20 year may not exceed the total of all estimated federal revenues for that fiscal year.

21 BE IT FURTHER RESOLVED that the Secretary of the Senate is authorized and directed
22 to transmit appropriate copies of this application to the President and Secretary of the United
23 States Senate, the Speaker and Clerk of the United States House of Representatives, and
24 members of the Georgia congressional delegation and to transmit appropriate copies also to

S. R. 371
- 1 -
the presiding officers of each of the legislative houses of the several states, requesting their cooperation.

BE IT FURTHER RESOLVED that this application is to be considered as covering the same subject matter as the presently-outstanding balanced budget applications from other states, including but not limited to previously adopted applications from Alabama, Alaska, Arkansas, Colorado, Delaware, Florida, Indiana, Iowa, Kansas, Maryland, Mississippi, Missouri, Nebraska, Nevada, New Mexico, North Carolina, Pennsylvania, and Texas, and this application should be aggregated with same for the purpose of reaching the two-thirds of states necessary to require the calling of a convention, but should not be aggregated with any applications on any other subject.

BE IT FURTHER RESOLVED that this application shall constitute a continuing application in accordance with Article V of the Constitution of the United States until:

(1) The legislatures of at least two-thirds of the several states have made applications on the same subject and Congress has called for a convention for proposing an amendment to the Constitution of the United States;

(2) The Congress of the United States has in accordance with Article V of the Constitution of the United States proposed an amendment to said Constitution which is consistent with the balanced budget amendment referenced in this application; or

(3) January 1, 2020,

whichever first occurs.
Type 7
CONGRESSIONAL RECORD — SENATE

March 8, 1979

WHEREAS, It has been estimated that any national emergency shipment from the Louisiana salt dome would take approximately sixty-three days to reach Hawaii and that the shipment of Louisiana oil would have only limited use in Hawaii because of its high sulfur content; and

WHEREAS, the storage of only three million barrels of oil in Hawaii would result, therefore, in a serious shortage of energy for Hawaii in the event of another disruption of oil supplies as experienced in the Arab embargo of 1974; and

WHEREAS, plans for a three million barrel, $12 million capacity oil storage in Hawaii have been deleted from the Carter Administration budget; and

WHEREAS, while the threat of an oil embargo for the continental United States is only partial because of its domestic crude oil, coal, natural gas, shale oil, hydroelectric and nuclear power, and its interconnecting electric grids and oil and gas distribution systems, the threat to the Inland State of Hawaii which has none of the aforementioned backup resources, is total; now, therefore,

Be it resolved by the House of Representatives of the State of Maine, that the more reasonable of the two alternatives that the United States Department of Energy is required by law to give to the Inland State of Hawaii is the following:

WHEREAS, the industrial northeast is the backbone of the American economy; and

WHEREAS, American industry and homes are extremely dependent on a continued flow of oil; and

WHEREAS, a Mexican oil and natural gas pact is essential to the economic livelihood of the State of Maine; and

WHEREAS, the Maine Senate and the Congress of the United States have a special interest in this developing energy sector; and

WHEREAS, the annual federal budget continues to demonstrate an unwisdom of both the legislative and executive branches of the Federal government to curtailing spending to conform to available revenues; and

WHEREAS, unfunded budgets do not reflect actual spending because of the exclusion of special outlays which are not included in the Federal budget and are not subject to the legal public debt limit; and

WHEREAS, knowing knowledge planning, fiscal prudence, and plain good sense require that the budget reflect all Federal spending and be in balance; and

WHEREAS, believing that fiscal irresponsibility at the federal level, with the initiation which results from this policy, is the greatest threat which faces our Nation, we firmly believe that constitutional restraint is necessary to bring the fiscal discipline needed to restore financial responsibility; and

WHEREAS, under Article V of the Constitution of the United States, Amendments to the Federal Constitution may be proposed by the Congress whenever two-thirds of both Houses deem it necessary, or on the application of the legislatures of two-thirds of the several States the Congress shall call a constitutional convention for the purpose of proposing amendments. We believe such action vital;

NOW, THEREFORE, be it resol... - 4372

POM-77. A joint resolution adopted by the Legislature of the State of Massachusetts, to the Committee on Foreign Relations:

RESOLVING: WHEREAS, The industrial northeast is the backbone of the American economy; and

WHEREAS, American industry and homes are extremely dependent on a continued flow of oil; and

WHEREAS, A Mexican oil and natural gas pact is essential to the economic livelihood of the State of Maine; and

WHEREAS, The Maine Senate memorializes the President and the Congress of the United States to secure an oil and natural gas pact with Mexico; and be it further.

RESOLVED, That copies of this resolution be transmitted forthwith by the Clerk of the Senate to the President of the United States and to the presiding officer of each branch of Congress; and copies shall also be transmitted to the Governors of the several states of the Union.

POM-78. A joint resolution adopted by the Legislature of the State of Arkansas, to the Committee on the Judiciary:

"House Joint Resolution 1

WHEREAS, with each passing year this Nation becomes more deeply in debt as its expenditures grow and repeatedly exceed available revenues, so that the public debt now approaches hundreds of billions of current dollars; and

WHEREAS, the annual federal budget continues to demonstrate an unwisdom of both the legislative and executive branches of the Federal government to curtailing spending to conform to available revenues; and

WHEREAS, unfunded budgets do not reflect actual spending because of the exclusion of special outlays which are not included in the Federal budget and are not subject to the legal public debt limit; and

WHEREAS, knowing knowledge planning, fiscal prudence, and plain good sense require that the budget reflect all Federal spending and be in balance; and

WHEREAS, believing that fiscal irresponsibility at the federal level, with the initiation which results from this policy, is the greatest threat which faces our Nation, we firmly believe that constitutional restraint is necessary to bring the fiscal discipline needed to restore financial responsibility; and

WHEREAS, under Article V of the Constitution of the United States, Amendments to the Federal Constitution may be proposed by the Congress whenever two-thirds of both Houses deem it necessary, or on the application of the legislatures of two-thirds of the several States the Congress shall call a constitutional convention for the purpose of proposing amendments. We believe such action vital;

NOW, therefore, be it resolved that copies of this resolution be transmitted forthwith by the Clerk of the Senate to the President of the United States, the Secretary of the Senate of the United States, the Speaker of the House of Representatives of the United States, and to each member of the Congress of the United States, requesting the adoption of this resolution by the Governor of the State of Arkansas.

POM-80. A joint resolution adopted by the Legislature of the State of Utah, for the Committee on Appropriations:

"Joint Resolution

WHEREAS, with each passing year this Nation becomes more deeply in debt as its expenditures grow and repeatedly exceed available revenues, so that the public debt now approaches hundreds of billions of current dollars; and

WHEREAS, the annual federal budget continues to demonstrate an unwisdom of both the legislative and executive branches of the Federal government to curtailing spending to conform to available revenues; and

WHEREAS, unfunded budgets do not reflect actual spending because of the exclusion of special outlays which are not included in the Federal budget and are not subject to the legal public debt limit; and

WHEREAS, knowing knowledge planning, fiscal prudence, and plain good sense require that the budget reflect all Federal spending and be in balance; and

WHEREAS, believing that fiscal irresponsibility at the federal level, with the initiation which results from this policy, is the greatest threat which faces our Nation, we firmly believe that constitutional restraint is necessary to bring the fiscal discipline needed to restore financial responsibility; and

WHEREAS, under Article V of the Constitution of the United States, Amendments to the Federal Constitution may be proposed by the Congress whenever two-thirds of both Houses deem it necessary, or on the application of the legislatures of two-thirds of the several States, the Congress shall call a constitutional convention for the purpose of proposing amendments. We believe such action vital;

NOW, therefore, be it resolved by the House of Representatives that this body hereby urges the Congress of the United States to call a convention for the sole and exclusive purpose of proposing an amendment to the Constitution that would protect the lives of all human beings, including the unborn children, at every stage of their biological development.

Be it further resolved that this application shall constitute a continuing application for such a convention for the purpose of proposing an amendment to the Constitution of the United States until such time as the legislatures of two-thirds of the several States shall have made like applications and such convention shall have been approved by the Congress of the United States.

Be it further resolved that copies of this resolution be transmitted forthwith by the Clerk of the Senate to the President of the Senate of the United States, the Secretary of the Senate of the United States, the Speaker of the House of Representatives of the United States, and to each member of the Congress of the United States, requesting the adoption of this resolution by the Governor of the State of Georgia."
CONGRESSIONAL RECORD—SENATE  February 8, 1979

In accordance with Article V of the Constitution of the United States and at least two-thirds (2/3) of the legislatures of the several states have made similar applications, but if Congress proposes an amendment to the Constitution identical with that contained in this resolution before January 1, 1981, this application for a convention of the several states shall no longer be of any force or effect.

Resolved, That this resolution be immediately transmitted to the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, to each member of the Nevada congressional delegation and to the adjourning officer of each house of the legislatures of the several states, and be in further

Resolved, That this resolution shall become effective upon passage and approval.

LEGISLATIVE RESOLUTION 108  (NEBRASKA)

Whereas, with each passing year this nation becomes more and more in debt as its expenditures grossly and repeatedly exceed available revenue, so that the public debt now exceeds hundreds of billions of dollars; and

Whereas, the annual federal budget continuously demonstrates the unwillingness or inability of both the legislative and executive branches of the federal government to curtail spending to conform to available revenue; and

Whereas, unified budgets do not reflect actual spending because of the exclusion of special purposes not included in the budget nor subject to the legal public debt limit; and

Whereas, knowledgeable planning, fiscal prudence, and plain good sense require that the budget reflect all federal spending and be in balance; and

Whereas, knowledgeable planning, fiscal prudence, and plain good sense require that this resolution pass.

Resolved, That this resolution be immediately transmitted to the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, to each member of the Nebraska congressional delegation and to the adjourning officer of each house of the legislatures of the several states, and be in further

Resolved, That this resolution shall become effective upon passage and approval.

LEGISLATIVE JOURNAL

Whereas, believing that fiscal irresponsibility at the federal level is indicative of the inflation which results from this policy, in the greatest threat which faces our nation, we firmly believe that constitutional restraint is necessary to bring the fiscal discipline needed to restore financial responsibility; and

Whereas, under Article V of the Constitution of the United States, amendments to the Federal Constitution may be proposed by the Congress whenever two-thirds of both houses deem it necessary, or on the application of the legislatures of two-thirds of the several states, the Congress shall call a constitutional convention for the purpose of proposing amendments. We believe such action is vital.

And therefore, be it resolved by the members of the eighty-second Congress of the United States, amendments to the Federal Constitution may be proposed by the Congress whenever two-thirds of both houses deem it necessary, or on the application of the legislatures of two-thirds of the several states, the Congress shall call a constitutional convention for the purpose of proposing amendments. We believe such action is vital.

And therefore, be it resolved by the members of the eighty-fourth Congress of the United States, amendments to the Federal Constitution may be proposed by the Congress whenever two-thirds of both houses deem it necessary, or on the application of the legislatures of two-thirds of the several states, the Congress shall call a constitutional convention for the purpose of proposing amendments. We believe such action is vital.

And therefore, be it resolved by the members of the eighty-third Congress of the United States, amendments to the Federal Constitution may be proposed by the Congress whenever two-thirds of both houses deem it necessary, or on the application of the legislatures of two-thirds of the several states, the Congress shall call a constitutional convention for the purpose of proposing amendments. We believe such action is vital.

And therefore, be it resolved by the members of the eighty-fifth Congress of the United States, amendments to the Federal Constitution may be proposed by the Congress whenever two-thirds of both houses deem it necessary, or on the application of the legislatures of two-thirds of the several states, the Congress shall call a constitutional convention for the purpose of proposing amendments. We believe such action is vital.

And therefore, be it resolved by the members of the eighty-sixth Congress of the United States, amendments to the Federal Constitution may be proposed by the Congress whenever two-thirds of both houses deem it necessary, or on the application of the legislatures of two-thirds of the several states, the Congress shall call a constitutional convention for the purpose of proposing amendments. We believe such action is vital.

And therefore, be it resolved by the members of the eighty-seventh Congress of the United States, amendments to the Federal Constitution may be proposed by the Congress whenever two-thirds of both houses deem it necessary, or on the application of the legislatures of two-thirds of the several states, the Congress shall call a constitutional convention for the purpose of proposing amendments. We believe such action is vital.

And therefore, be it resolved by the members of the eighty-eighth Congress of the United States, amendments to the Federal Constitution may be proposed by the Congress whenever two-thirds of both houses deem it necessary, or on the application of the legislatures of two-thirds of the several states, the Congress shall call a constitutional convention for the purpose of proposing amendments. We believe such action is vital.

And therefore, be it resolved by the members of the eighty-ninth Congress of the United States, amendments to the Federal Constitution may be proposed by the Congress whenever two-thirds of both houses deem it necessary, or on the application of the legislatures of two-thirds of the several states, the Congress shall call a constitutional convention for the purpose of proposing amendments. We believe such action is vital.

And therefore, be it resolved by the members of the ninety-first Congress of the United States, amendments to the Federal Constitution may be proposed by the Congress whenever two-thirds of both houses deem it necessary, or on the application of the legislatures of two-thirds of the several states, the Congress shall call a constitutional convention for the purpose of proposing amendments. We believe such action is vital.
February 8, 1979

CONGRESSIONAL RECORD—SENATE

Section 5. That the Secretary of State of this state is directed to send copies of this Joint Resolution to the Secretary of State and president of each house of the Legislature, the Congress, and of each of the other States in the Union.

WHEREAS, unified budgets do not reflect actual spending because of the exclusion of special outlays which are not included in the budget nor subject to the legal public debt limit.

WHEREAS, knowledgeable planning, fiscal prudence and plain good sense require that the budget reflect all Federal spending and be in balance.

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 constitutional restraint is necessary to bring the fiscal discipline needed to restore financial responsibility.

WHEREAS, under Article V of the Constitution of the United States, amendments to the Federal Constitution may be proposed by the Congress, provided an amendment is deemed necessary, or on the application of the legislatures of two-thirds of the several States, if such application shall be accompanied by a Constitutional Convention for the purpose of proposing amendments. We believe such action vital.

NOW, therefore, by the House of Representatives and the Senate of the State of Oklahoma, in pursuance of the powers vested in us by the Constitution of the United States, we resolve:

Section 1. That this body proposes to the Congress of the United States to call a Constitutional Convention for the purpose of proposing amendments.

Section 2. That this body requests that the Congress of the United States call a Constitutional Convention for the purpose of proposing amendments.

Section 3. That this body requests that the Congress of the United States call a Constitutional Convention for the purpose of proposing amendments.

Section 4. That copies of this resolution be sent to the Secretary of State of this state and to the members of the New Mexico delegation to the Congress of the United States.

Resolution No. 230

Whereas, requesting appropriate action by the Congress, either by amendment of the Constitution of the United States, or by the application of the Constitutional Convention for the purpose of proposing amendments to the Constitution, we request the Congress to act in accordance with Article V of the Constitution of the United States, and the Congress of the United States does hereby request the Congress of the United States to prepare and submit an amendment to the Federal Constitution requiring, with certain exceptions, that the total of all Federal appropriations may not exceed the total of all estimated Federal revenues in any fiscal year.

WHEREAS, this resolution does not reflect actual spending because of the exclusion of special outlays which are not included in the budget nor subject to the legal public debt limit.

WHEREAS, constitutional restraint is necessary to bring the fiscal discipline needed to restore financial responsibility.

WHEREAS, Under Article V of the Constitution of the United States, amendments to the Federal Constitution may be proposed by the Congress of the United States, whereupon this resolution does not reflect actual spending because of the exclusion of special outlays which are not included in the budget nor subject to the legal public debt limit.

WHEREAS, the annual Federal budget currently demonstrates an unwillingness or inability of both the legislative and executive branches of the Federal Government to curtail spending to conform to available revenues.

WHEREAS, knowledge planning, fiscal prudence, and plain good sense require that the budget reflect all Federal spending and be in balance.

WHEREAS, by the House of Representatives and the Senate of the State of Oklahoma, in pursuance of the powers vested in us by the Constitution of the United States, we resolve:

Section 1. That this body proposes to the Congress of the United States to call a Constitutional Convention for the purpose of proposing amendments.

Section 2. That this body requests that the Congress of the United States call a Constitutional Convention for the purpose of proposing amendments.

Section 3. That this body requests that the Congress of the United States call a Constitutional Convention for the purpose of proposing amendments.

Section 4. That copies of this resolution be sent to the Secretary of State of this state and to the members of the New Mexico delegation to the Congress of the United States.

House Joint Memorial 2

WHEREAS, the budget proposal for the next fiscal year would result in a deficit of hundreds of billions of dollars.

WHEREAS, the annual Federal budget currently demonstrates an unwillingness or inability of both the legislative and executive branches of the Federal Government to curtail spending to conform to available revenues that the total of all Federal appropriations made by the Congress for any fiscal year may not exceed the total of all estimated Federal revenues for that fiscal year.

WHEREAS, the budget proposal for the next fiscal year would result in a deficit of hundreds of billions of dollars.

WHEREAS, the annual Federal budget currently demonstrates an unwillingness or inability of both the legislative and executive branches of the Federal Government to curtail spending to conform to available revenues that the total of all Federal appropriations made by the Congress for any fiscal year may not exceed the total of all estimated Federal revenues for that fiscal year.

WHEREAS, the budget proposal for the next fiscal year would result in a deficit of hundreds of billions of dollars.

WHEREAS, the annual Federal budget currently demonstrates an unwillingness or inability of both the legislative and executive branches of the Federal Government to curtail spending to conform to available revenues that the total of all Federal appropriations made by the Congress for any fiscal year may not exceed the total of all estimated Federal revenues for that fiscal year.
CONGRESSIONAL RECORD—SENATE
February 8, 1979

Section 1. Amendment to U.S. Constitution proposed.—The General Assembly of South Carolina proposes to the Congress of the United States that pursuant to Article V of the Constitution of the United States that in the Congress to add a new Article XXVII to the Constitution of the United States, and that the Congress favors and submits to the several states an amendment to the Constitution of the United States requiring in the absence of a national emergency that the total of all federal appropriations made by the Congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year, and be it further

Be it further resolved that copies of this resolution be sent to the members of the Congress from South Carolina; and be it further resolved, that the Chief Clerk of the House of Representatives send copies of this joint resolution to the Secretary of State, for delivery to the legislature of each of the other states in the Union, the Chief or the United States House of Representatives, Washington, D.C. and the Secretary of the United States Senate, Washington, D.C.

CONCURRENT RESOLUTION No. 8, 1979
(South Carolina)

Whereas, with each passing year this Nation becomes more deeply in debt as congressmen appropriate or excess, grossly and excessively available revenues so that the public debt now exceeds a half-trillion dollars; and
Whereas, attempts to limit spending by means of the new constitutional budget committees proved fruitless; and
Whereas, the annual federal budget remains justifiably unbalanced or inability of both the legislative and executive branches of the Federal government to curtail spending to conform to available revenues; and
Whereas, the proposed budget of five hundred billion dollars for fiscal year 1978-79 does not reflect total spending because of the exclusion of special outlays which are not included in the budget nor subject to the legal public debt limit; and
Whereas, believing that fiscal irresponsibility at the Federal level, with the resulting inflation and decline in the Nation's trading position is a growing and corrosive threat to our economy, to the well-being of our people, and to the democratic process, that constitutional restraint is necessary to bring the fiscal discipline needed to reverse this trend. Therefore,
Be it resolved by the Senate, the House of Representatives concurring: That Congress is requested, pursuant to Article V of the United States Constitution, to propose an amendment to the Constitution for the specific and exclusive purpose of proposing an amendment to the Federal Constitution. Be it further resolved that the proposed new amendment read substantially as follows:

"PROPOSED ARTICLE XXVI

The total of all federal appropriations made by the Congress for any fiscal year shall not exceed the total of the estimated federal revenues for that fiscal year, excluding any revenues derived from borrowing, and this prohibition extends to all federal appropriations and all estimated federal revenues, excluding any revenues derived from borrowing. The President in submitting budget estimates and the Congress in enacting appropriation bills shall comply with this rule. The provisions of this article shall be suspended for one year upon the proclamation by the President of an unlimited national emergency. The suspension may be extended but for not more than one year at any one time, if two-thirds of the membership of both houses of Congress so determine by joint resolution."

Be it further resolved that copies of this resolution be sent to the members of the Congress from South Carolina; and be it further resolved, that the Chief Clerk of the House of Representatives send copies of this joint resolution to the Secretary of State, for delivery to the legislature of each of the other states in the Union, the Chief or the United States House of Representatives, Washington, D.C. and the Secretary of the United States Senate, Washington, D.C.

CIVIL RIGHTS ACT OF 1964
(Amendment) [Senate Bill 266] [Mr. DAVIS in the Senate]

Section 1. Amendment to U.S. Constitution proposed.—The General Assembly of South Carolina proposes to the Congress of the United States that pursuant to Article V of the Constitution of the United States, and that the Congress favors and submits to the several states an amendment to the Constitution of the United States requiring in the absence of a national emergency that the total of all federal appropriations made by the Congress for any fiscal year may not exceed the total of the estimated federal revenues, excluding any revenues derived from borrowing, for that fiscal year.

The General Assembly further and alternately requests that the Congress of the United States call a constitutional convention for proposing such an amendment to the federal constitution, to be a new Article XXVII, which shall read substantially as follows:

"ARTICLE XXVI

The total of all federal appropriations made by the Congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year, excluding any revenues derived from borrowing, and this prohibition extends to all federal appropriations and all estimated federal revenues, excluding any revenues derived from borrowing. The President in submitting budget 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, excluding any revenues derived from borrowing, and two-thirds of all members elected to each house of Congress so determine by joint resolution, the total of all federal appropriations may exceed the total estimated federal revenues for that fiscal year."

Section 2. Copies to certain persons.—The Secretary of State is directed to forward copies of this resolution bearing the Great Seal of the State to the President and Vice President of the United States, the Speaker of the House of Representatives and each member of the South Carolina Congressional Delegation in Washington.

Section 3. Time effective.—This act shall take effect upon approval by the Governor.

HOMES JOINT Resolution No. 22 [Tennessee]

Whereas, each year this nation becomes more deeply in debt as its expenditures grossly and repeatedly exceed available revenues so that the public debt now exceeds hundreds of billions; and
Whereas, attempts to limit spending have resulted in strenuous objections that the responsibility for these situations is the constitutional duty of Congress; and
Whereas, the annual federal budget repeatedly demonstrates unwillingness or inability of both the legislative and executive branches of the government to curtail spending to conform to available revenues; and
Whereas, this unified budget of over three hundred billion dollars for the current fiscal year does not reflect total spending because of the exclusion of special outlays which are not included in the budget nor subject to the legal public debt limit; and
Whereas, knowledgeable planning and fiscal prudence require 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 constitutional restraint is necessary to bring the fiscal discipline needed to reverse this trend. Therefore,
Be it resolved by this Assembly, That Congress is requested, pursuant to Article V of the United States Constitution, to propose an amendment to the Constitution for the specific and exclusive purpose of proposing an amendment to the Federal Constitution. Be it further resolved that the proposed new amendment read substantially as follows:

"PROPOSED ARTICLE XXVI

The total of all federal appropriations made by the Congress for any fiscal year shall not exceed the total of the estimated federal revenues for that fiscal year, excluding any revenues derived from borrowing, and this prohibition extends to all federal appropriations and all estimated federal revenues, excluding any revenues derived from borrowing. The President in submitting budget estimates and the Congress in enacting appropriation bills shall comply with this rule. The provisions of this article shall be suspended for one year upon the proclamation by the President of an unlimited national emergency. The suspension may be extended but for not more than one year at any one time, if two-thirds of the membership of both houses of Congress so determine by joint resolution."

Be it further resolved that copies of this resolution be sent to the members of the Congress from South Carolina; and be it further resolved, that the Chief Clerk of the House of Representatives send copies of this joint resolution to the Secretary of State, for delivery to the legislature of each of the other states in the Union, the Chief or the United States House of Representatives, Washington, D.C. and the Secretary of the United States Senate, Washington, D.C.
CONGRESSIONAL RECORD—SENATE

March 15, 1979

PRESIDENTIAL APPROVAL

A message from the President of the United States was received on March 7, 1979, that he had approved and signed the following act:

H.R. 2439. An act to rescind certain budget authority contained in the message of the President of January 31, 1979 (H. Doc. 96-48), transmitted pursuant to the Impoundment Control Act of 1974; agrees to the conference requested by the Senate on the disagreeing votes of the two Houses thereon; and that Mr. Witen, Mr. Boland, Mr. Natcher, Mr. Black, Mr. Strick of Iowa, Mr. Yates, Mr. Conte, Mr. Mickey, and Mr. O'Brian were appointed managers of the conference on the part of the House.


EC-848. A communication from the Secretary of Health, Education, and Welfare, transmitting pursuant to law, the 12th report on the Indian health program for the year October 1, 1977, to September 30, 1978, to the Committee on Labor and HumanResources.

EC-850. A communication from the Commissioner of the Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, orders entered in 1,186 cases in which the authority contained in section 235(a)(8) of the Immigration and Nationality Act was exercised in behalf of such aliens; to the Committee on the Judiciary.

EC-851. A communication from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to extend existing appropriations for emergency medical services systems and health information and promotion, and for other purposes; to the Committee on Labor and Human Resources.

PUPPETEERS

The PRESIDING OFFICER laid before the Senate the following communications, together with accompanying reports, documents, and papers, which were referred as indicated:

EC-852. A communication from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend and extend provisions of law concerned with nursing training, and for other purposes; to the Committee on Labor and Human Resources.

EC-853. A communication from the President and national executive director, Girl Scout U.S.A., transmitting, pursuant to law, its annual report for the fiscal year ending September 30, 1978, to the Committee on Labor and Human Resources.

POM-04. A joint resolution adopted by the Legislature of the State of Nevada, to the Committee on Environment and Public Works:

WHEREAS, At the request of the United States Fish and Wildlife Service, the consent of the people of the State of Nevada was obtained to the portions of Lake Tahoe and of the City of Reno in the State of Nevada in the vicinity of the entertainment area; and

WHEREAS, The State of Nevada and the City of Reno have given their consent in reliance upon that representation of purposes; and

WHEREAS, Subsection 4 of H.R. 2095, provides that the consent of the State of Nevada continues so long as Lake Tahoe is used for the purposes for which it was acquired; and

WHEREAS, The United States Fish and Wildlife Service has revised its representation to the State of Nevada by substantially improving the recreational use of Lake Tahoe, now, therefore, be it

Resolved, That the resolution shall become effective upon passage and approval.
INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced during the first and second time by unanimous consent, and referred as indicated:

By Mr. ISAKSON:

S. 670. A bill to amend the Rural Development Act of 1972; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ISAKSON (for himself and Mr. STEWART):

S. 671. A bill to extend for 3 years the authorization of appropriations for carrying out title V of the Rural Development Act of 1972; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ISAKSON:

S. 672. A bill to exempt lands within the Imperial Irrigation District of California from certain sewage limitations of the Federal Reclamation Laws; to the Committee on Energy and Natural Resources.

By Mr. JACKSON (for himself and Mr. SMITH) (by request):

S. 673. A bill to authorize appropriations to the Department of Energy for national security programs for fiscal year 1980 and fiscal year 1981, and for other purposes; to the Committee on Armed Services and the Committee on Energy and Natural Resources, jointly, by unanimous consent.

By Mr. GRAHAM (for himself and Mr. SMITH) (by request):

S. 674. A bill to amend section 103 of title 38, United States Code, to limit the recognition of persons as legally adopted children of veterans if adopted through courts in foreign countries; to the Committee on Veterans’ Affairs.

S. 675. A bill to amend title 38, United States Code, to authorize a pilot program for the treatment and rehabilitation of veterans with alcohol or drug-dependent disabilities, and for other purposes; to the Committees on Veterans’ Affairs.

S. 676. A bill to amend title 38, United States Code, to provide improvements in the administration of justice, greater efficiency in the Federal appellate courts, and more uniform decisions in those courts, and for other purposes; to the Committee on the Judiciary.

By Mr. KENNEDY (for himself and Mr. DEConCINN) (by request):

S. 677. A bill to provide for improvements in the structure and administration of the Federal courts, and for other purposes; to the Committee on the Judiciary.

By Mr. METZENBAUM (for himself, Mr. KENNEDY, and Mr. DOMENICI) (by request):

S. 678. A bill to eliminate the amount in controversy requirement for Federal question jurisdiction, to modify the jurisdictional requirements with respect to diversity of citizenship, and for other purposes; to the Committee on the Judiciary.

By Mr. METZENBAUM (for himself, and Mr. KENNEDY) (by request):

S. 680. A bill to strengthen the rights of citizens to sue in Federal courts for unlawful governmental action; to the Committee on the Judiciary.

By Mr. COHEN (for himself, Mr. Dole, Mr. NICHOLSON, and Mr. Mathias):

S. 681. A bill to amend title XVIII of the Social Security Act to provide for reciprocal agreements for services covered outside the United States to the Committee on Finance.

By Mr. McCLELLAN:

S. 682. A bill entitled the “Historic Coin Privatization Act”; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. COHEN:

S. 683. A bill to establish the North Country National Scenic Trail located in portions of New York, Pennsylvania, Ohio, Michigan, Wisconsin, Minnesota, and North Dakota, as a component of the National Trails System; to the Committee on Energy and Natural Resources.

By Mr. MAGNUSSON:

S. 684. A bill to establish an equitable and comprehensive fee system to regulate the movement of oil by vessel, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. JOHNSTON (for himself, Mr. CARHART, Mr. SMITH, and Mr. GIBBONS):

S. 685. A bill to establish a program for the storage of spent fuel from civilian nuclear powerplants, to establish a Federal policy and initiate a program for the long-term storage of nuclear waste from civilian activities, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KENNEDY (for himself and Mr. Dole) (by request):

S. 686. A bill to amend the Congressional Budget Act of 1974 to require authorizing legislation for tax expenditures, and for other purposes; to the Committee on the Budget and the Committee on Governmental Affairs, jointly, pursuant to order of August 4, 1978.

By Mr. CHAFEE (for Mr. Peralta (for himself and Mr. CHAFEE)):

S. 689. A bill to amend the Rhode Island Indian Claims Settlement Act to provide an exemption from taxes with respect to the settlement lands and amounts received by the State Corporation, and to provide a federal capital gains with respect to the sale of settlement lands; to the Committee on Finance.

By Mr. KAUGER (by request):

S. 690. A bill to authorize appropriations to the Department of Energy for civil programs for fiscal year 1980 and fiscal year 1981, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. TALMADGE (for himself and Mr. CAMPBELL) (by request):

S. 691. A bill to amend title 38, United States Code, to increase the rates of disability compensation for disabled veterans; to increase the rates of dependency and indemnity compensation for their surviving spouses and children, and for other purposes; to the Committee on Veterans’ Affairs.

By Mr. KENNEDY (by request):

S. 692. A bill to amend the Public Health Service Act to extend existing appropriation authorities for emergency medical services systems and health information and promotion, and for other purposes; to the Committees on Labor and Human Resources.

By Mr. DANFORTH:

S. 693. A bill to prohibit the use of appropriated funds to lobby members of state legislatures and legislative bodies of political subdivisions to the Committee on Appropriations.

By Mr. KENNEDY (by request):

S. 692. A bill to amend the Public Health Service Act concerning nurse training, and...
Type 8
February 8, 1976

CONGRESSIONAL RECORD—SENATE

the Congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year.

Further resolved, That the legislature of the several states composing the United States are urged to apply to the Congress requesting the enactment of an appropriate amendment to the Federal Constitution; or requiring the Congress to call a constitutional convention for proposing such amendment to the Federal Constitution.

Further resolved, That the Clerk of the House is directed to send copies of this Joint Resolution to the Secretary of State and presiding officers of both Houses of the Legislatures of each of the other States in the Union, the Clerk of the United States House of Representatives, Washington, D.C., and the Secretary of the United States Senate, Washington, D.C., and to each member of the Alabama Congressional Delegation.

Approved August 18, 1976.

Time: 3:30 P.M.

HOUSE CONCURRENT MEMORIAL 2393

(Arizona)

To the President and the Congress of the United States of America:

Your memorialist respectfully represents: Whereas, with each passing year this nation becomes more deeply in debt as its expenditures grow and repeatedly exceed available revenues so that the public debt now exceeds hundreds of billions of dollars; and

Whereas, attempts to limit spending, including imputation of funds by the President of the United States, have resulted in strenuous objections that the responsibility for the federal debt is the constitutional duty of the Congress; and

Whereas, the annual federal budget repeatedly demonstrates an unwillingness or inability of the legislative and executive branches to curtail spending to conform to available revenues; and

Whereas, unified budgets do not reflect actual spending because of the exclusion of special outlays which are not included in the budget nor subject to the legal public debt limits; and

Whereas, knowledgeable planning, fiscal prudence and plain good sense require that the budget show all federal spending and be in balance; and

Whereas, fiscal irresponsibility at the federal level, the inflation which stems from this policy, is the greatest threat which faces our nation; and

Whereas, constitutional restraint is necessary to bring the fiscal disciplines needed to reverse this trend; and

Whereas, under Article V of the Constitution of the United States, amendments to the constitution may be proposed by the Congress whenever two-thirds of both houses deem it necessary; or on the application of the legislatures of two-thirds of the states the Congress shall call a constitutional convention for the purpose of proposing amendments which shall be valid to all intents and purposes when ratified by the legislatures of three-fourths of the several states; now, therefore,

Be it Further Resolved, That copies of this memorial be sent to the secretary of state and presiding officers of both houses of the legislatures of each of the several states in the union, the clerk of the United States House of representatives, the secretary of the United States Senate, and to each member of the Colorado congressional delegation.

Be it Further Resolved, That this application and request be deemed null and void, and of no effect in the event that such application not be limited to such specific and exclusive purpose.

February 8, 1976

HOUSE CONCURRENT RESOLUTION NO. 36

Be it resolved by the House of Representatives of the 128th General Assembly, the Senate concurring, that the General Assembly of the State of Delaware hereby, and pursuant to Article V of the Constitution of the United States, makes application to the Congress of the United States to call a constitutional convention for the purpose of proposing the following amendment to the Constitution of the United States:

"ARTICLE I.

The States are granted the power to limit the Federal Government to any fiscal year except in the event of declared war."

Be it further resolved that such application by the General Assembly of the State of Delaware constitutes a continuing application in accordance with Article V of the Constitution of the United States until such time as the several states have made similar applications pursuant to Article V.

Be it yet 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 federal rights and the interpretation thereof is primarily in the sovereignty of the states making such use thereof, and since the power to use such right is full also carries the power to use such right in part, the General Assembly of the State of Delaware 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 or would have power to propose other amendments on the same or different propositions.

Be it yet further resolved that a duly enrolled copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, to each member of the Congress from this State, and to each House of each State Legislature in the United States.

SENATE MEMORIAL NO. 234

(Florida)

A memorial to the Congress of the United States making application under Article V of the Constitution of the United States to call a convention for the sole and exclusive purpose of proposing an amendment to the Constitution of the United States to require a balanced federal budget and to make certain exceptions therefrom.

Whereas, it is estimated, as of August, 1976, that the Federal debt at the end of the 1976 fiscal year will be $360,412 billion; and

Whereas, the fiscal year of 1976 will be the largest in our history, between $10 and $60 billion, and

Whereas, the growing debt is a major contributor to inflation, lagging economic investment, excessive interest rates, and the recessionary impact of the national debt;

Whereas, the economic welfare of the United States and its citizens depends on a stable dollar and sound economy; and

Whereas, the National Conference of State Legislatures passed Resolution No. 11 at its Annual Business Meeting, October 10, 1975, urging the Congress to take prompt and affirmative action to limit federal spending; and

Whereas, there is provision in Article V of the Constitution of the United States for amending the Constitution by the Congress,
Type 9
CONGRESSIONAL RECORD—SENATE

February 25, 1976

February 25, 1976

In the area of veterans' health care, I have requested $4.5 billion to assure continued quality care by providing for increases in medical staff and research related to VA health care delivery.

A realistic assessment of the present health care programs and the responsibilities of Federal, State, and local governments fully demonstrates that the reforms I am proposing in Federal health care are needed now. The Medicare Improvement Act of 1975 will be discussed today. I request that the Congress give both these measures the earnest possible consideration.

Senator Bentsen.

Mr. Bentsen.

The White House, February 25, 1976

Mr. Robert C. Byrd subsequently said, "Mr. President, without consent that a message from the President dealing with the subject of health care and Medicare be referred to the Committee on Finance and the Committee on Labor and Public Welfare."

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE HOUSE

At 12:01 p.m., a message from the House of Representatives delivered by Mr. Barry, one of the deligners, announced that the House has passed the joint resolution (H.J. Res. 811) making supplemental appropriations for the legislative branch for the fiscal year ending June 30, 1976, and for other purposes.

HOUSE JOINT RESOLUTION 811

The joint resolution (H.J. Res. 811) making supplemental appropriations for the legislative branch for the fiscal year ending June 30, 1976, for other purposes, was read twice by its title and referred to the Committee on Appropriations.

PETITIONS

The PRESIDENT pro tempore laid before the Senate the following petitions, which were referred as indicated:

House Concurrent Resolution No. 56, adopted by the Legislature of the State of Delaware, to the President on the Judiciary,

"House Concurrent Resolution No. 56—Applying to the Congress for a convention to propose an amendment to the Constitution of the United States..

"As is provided by the Legislature of the State of Delaware, the General Assembly of the State of Delaware, and pursuant to Article V of the Constitution of the United States, makes 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."

Lag amendment to the Constitution of the United States.

"Article—The cost of operating the Federal Government shall not exceed its income during any fiscal year, except in the event of declared war."

"Be it further resolved that this application by the General Assembly of the State of Delaware 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 concurred in the application pursuant to Article V."

"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 within and still the exercise of this right is a matter of basic sovereign rights and the interpretation thereof is prima facie 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 a convention, the General Assembly of the State of Delaware interprets Article V to mean that if two-thirds of the legislatures 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 any 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."

"Be it further resolved that a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, to each member of the Congress of this State, and to each member of each State Legislature in the United States."

A concurrent resolution adopted by the Legislature of the State of South Carolina, to the Committee on the Judiciary,

"A concurrent resolution memorializing Congress to propose an amendment to the Constitution of the United States to provide that the total of all Federal appropriations may not exceed the total of all estimated Federal revenues for any fiscal year, with certain exceptions."

"Whereas, with each passing year the Nation becomes more deeply in debt as its expenditures are repeatedly increased and the available revenues so that the public debt now exceeds hundreds of billions of dollars; and

"Whereas, attempts to limit spending, including impositions of taxes by the President of the United States, have resulted in numerous objections that the responsibility for appropriations is the constitutional duty of the Congress; and

"Whereas, the annual Federal budget repeatedly demonstrates an unwillingness or inability of both the legislative and executive branches of the Federal government to curtail spending to conform to available revenues; and

"Whereas, the unified budget of three hundred and forty-eight billion dollars for the current fiscal year does not reflect actual spending because of the exclusion of special provisions which have not included in the budget but subject to the legal public debt limit; and

"Whereas, as reported by US News and World Report on February 25, 1974, of these nonbudgetary costs in the amount of fifteen and one-half billion dollars, the sum of twelve and nine-tenth billion dollars represents funding of essentially private agencies which provide special service to the Federal government; and

"Whereas, knowledgeable planning and fiscal prudence require 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 such constitutional resolution is necessary to bring the fiscal discipline needed to reverse this trend; and

"Now, therefore, be it resolved by the House of Representatives, the Senate concurring:

"That the Congress be memorialized to add Section 20 to the Constitution of the United States and requests the Congress to prepare and submit to the several states an amendment to the Constitution of the United States requiring in the absence of a national emergency that the total of all Federal appropriations made by the Congress for any fiscal year may not exceed the total of the estimated Federal revenues, excluding any revenues derived from borrowing, for that fiscal year."

"Be it further resolved that Congress is requested to call a joint convention for the specific and exclusive purpose of proposing an amendment to the Federal Constitution."

"Be it further resolved that the proposed new article read substantially as follows:

"Section 20. (a) 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, excluding any revenues derived from borrowing, and this prohibition extends to all Federal appropriations and all estimated Federal revenues, excluding any revenues derived from borrowing, for any fiscal year, including any revenues derived from borrowing, and two-thirds of all members elected to each House of the Congress, on its adoption 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 copies of this resolution be forwarded to the President of the United States and the President of the United States House of Representatives and to each member of Congress from South Carolina."

COMUNICATIONS TRANSMITTED AND RECEIVED BY THE SECRETARY OF THE TREASURY

The Secretary of the Senate reported the transmission of the receipt of the following communications:

February 15, 1976

HQ. Mary K. Moynihan
Director of the Office of Budget
Department of State
Washington, D.C.

Dear Ms. Secretary: I am forwarding hereewith Senate Resolution 96, adopted by the Senate on February 17, 1976. It will be appreciated if you will forward this to the President of the Senate.

Sincerely,

Francis B. Vankat
Secretary of the Senate.
Congressional Record—Senate

January 28, 1977

PETITIONS

The PRESIDENT OF THE UNITED STATES, in Congress assembled,

Whereas, Each year this Nation becomes more heavily in debt, primarily due to expenditures grossly and repeatedly exceeded by the public's ability to meet their tax obligations, and the total estimated Federal revenues for the current fiscal year do not exceed the total estimated Federal expenditures for the fiscal year, excluding any revenues derived from borrowing; and

Whereas, The Congress in enacting appropriation bills shall comply with this Article;

Resolved, That the proposed new Article XXVII (or whatever numeral may then be appropriate) read as follows:

Proposed Article XXVII

"The total of all Federal appropriations made by Congress in any fiscal year may not exceed the total of the estimated Federal revenues for that fiscal year, excluding any revenues derived from borrowing: and this prohibition extends to all Federal appropriations, whether made by direct legislation or by order of the President of the United States, and the total estimated Federal revenues for a fiscal year, excluding any revenues derived from borrowing, may not exceed the total estimated Federal revenues for a fiscal year, excluding any revenues derived from borrowing."

And be it further

CONGRESSIONAL RECORD—SENATE

January 28, 1977

By Mr. JACKSON (for himself and Mr. Haman) (by request):
S. 499. A bill to provide for the addition of certain lands in the State of Alaska to the National Park, National Wildlife Refuge, National Forest, National Wild and Scenic Rivers System, and other purposes; and for other purposes;

By Mr. BELLMON (for himself and Mr. Pellan)
S. 401. A bill for the relief of Grace McDougall Anderson; to the Committee on the Judiciary;

By Mr. PELL:
S. 496. A bill for the relief of Manuel Martinez de París, to the Committee on the Judiciary;

By Mr. McCLURE (for himself, Mr. Domenici, Mr. Bellmon, Mr. Byrd, Mr. Summert, Mr. Clark, Mr. Mansfield, Mr. Loeb, Mr. Blandy, Mr. Bayh, and Mr. Byrd)
S. 500. A bill to adopt manpower wage reductions for individuals and businesses to the Committee on Labor and Public Welfare;

By Mr. McCLURE:
S. 504. A bill to provide for permanent tax in order to expand both job opportunities and competitive industrial development in the private economic economy; to the Committee on Finance;

By Mr. HUMPHREY:
S. 506. A bill to amend the Rehabilitation Act of 1973 to provide for a program of wage supplements for handicapped individuals; to the Committee on Labor and Public Welfare;

By Mr. PROMKIRK:

By Mr. CHURCH:
S. 508. A bill to prohibit trading in potatoes on commodity exchanges; to the Committee on Agriculture and Forestry;

By Mr. CHURCH (for himself, Mr. Parti, Mr. Hollings, Mr. Mansfield, Mr. Talmadge, and Mr. Harris) (by request):
S. 509. A bill to amend the Substance Abuse Act so as to make unlawful the recovery of a controlled substance from a regulated pharmacy; to the Committee on the Judiciary;

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DOMENICI (for himself, Mr. Byrd, and Mr. Hevener)
S. 491. A bill to amend the Agriculture Act of 1977 to remove the 85-year age limitation to the Committee on Agriculture and Forestry;

By Mr. DOLE:
S. 497. A bill to amend the Federal Crop Insurance Act and for other purposes; to the Committee on Agriculture and Forestry;

By Mr. STEVENSON:
S. 498. A bill to amend the Federal Aviation Act of 1958 to provide improved notice to the public of changes in air carrier fares; to the Committee on Commerce;
February 8, 1979

CONGRESSIONAL RECORD — SENATE

Resolved, That the proposed new Article XXVII (or whatever numeral may then be appropriate) read substantially as follows:

PROPOSED ARTICLE XXVII


Resolved, That under the Great Seal of the State of Maryland, the Secretary of State is directed to add a new Article XXVII to the Constitution of the United States, and that the General Assembly of Maryland shall proceed to submit to the people of the United States the proposal for the purpose of initiating a proposal to amend the Constitution of the United States in substantially the form proposed in this Joint Resolution of the General Assembly of Maryland.

HOUSE CONCURRENT RESOLUTION No. 81

Whereas, the general welfare public debt is inimical to the general welfare of the people of the United States; and

Whereas, the national debt is already dangerously high and any further increases will be harmful and costly to the people of the United States; and

Whereas, a continuous program of deficit financing by the Federal Government is one of the greatest threats to the inflationary conditions presently existing in this country and therefore has been the chief factor in reducing the value of the American currency; and

Therefore, payment of the increased interest required by the ever-increasing debt would impose an undue hardship on those with fixed incomes and those in lower income brackets; and

Whereas, it is not in the best interest of either this or future generations to continue such a practice of deficit spending particularly since this would possibly deplete our supply of natural resources for future generations; and

Whereas, by constantly increasing deficit financing the Federal Government has been allowed to allocate considerable funds to material and military purposes and nonbeneficial public programs; and

Whereas, by limiting the Federal Government's spending to those revenues that are estimated will be collected in a given fiscal year, except for certain specified emergencies, such plan would result in greater selectivity of Federal Government programs for the benefit of the public and which would depend upon the willingness of the public to pay additional taxes to finance such programs; and

Whereas, there is provision in Article V of the Constitution of the United States for altering the Constitution, on the basis of the application of the legislatures of two-thirds of the States; or in the case of the five remaining States, by a convention for proposing amendments which shall be valid to all intents and purposes as though they had been proposed in each State by its conventions or by conventions in three-fourths of the States, or by conventions in three-fourths (3/4) thereof, as the one or more of the States may direct by ratification, and be it further proposed by the Congress:

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MARYLAND, AND THE SENATE CONCURRING THERIN, That we do hereby, pursuant to Article V of the Constitution of the United States, application to the Congress of the United States to call a convention of the several States for the purpose of ratifying the following amendments to the Constitution of the United States:

"ARTICLE —

Section 1: Except as provided in Section 3, the Congress shall make no appropriation for any fiscal year if the resulting total of all such appropriations does not exceed the total revenues of the United States for such fiscal year.

Section 2: There shall be no increase in the national debt and such debt, as it exists on the date of its assumption, shall be repaid during the one-hundred-year period beginning with the first fiscal year which begins after the date on which this article is ratified. The rate of repayment shall be such that one-tenth (1/10) of such debt shall be paid during each ten-year interval of such one-hundred-year period.

Section 3. In time of war or national emergency, as declared by the Congress, the application of Section 1 or 2 of this article, or both such sections, may be suspended by a concurrent resolution which has passed the Senate and the House of Representatives by an affirmative vote of three-fourths (3/4) of the authorized membership of each such house. Such suspension shall not be effective past the two-year term of the Congress which passes such resolution, and at the end of such period such laws shall be reenacted in the same manner as provided herein.

This article shall apply only with respect to fiscal years which begin more than thirty (30) months after the date on which this article is ratified."
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; but if Congress proposes an amendment to the Constitution similar to that containing the United States Constitution before January 1, 1981, this application for a convention of the several states shall no longer be of any force or effect.

Be it Further Resolved, That a duly attested copy of this resolution be immediately transmitted to the Senate of the United States, the Clerk of the House of Representatives of the United States, to each member of Congress from this state, and to each house of each state legislature in the United States.

SENATE JOINT RESOLUTION No. 22
(Nevada)

Whereas, The national debt now amounts to hundreds of billions of dollars and is increasing enormously each year as federal expenditures grossly exceed federal revenues; and

Whereas, Payment of the increased interest on this ever-expanding debt imposes a tremendous burden on the taxpayers of this country; and

Whereas, Continuous deficit financing by the Federal Government means an insidious drain on programs which in many instances have proved to be wasteful and unbeneficial to the public; and

Whereas, Limiting federal expenditures in each fiscal year to revenues available in that year, except during national emergencies, will result in greater selectivity of federal programs to the benefit of the public; and

Whereas, The annual federal budgets continue to reflect the unwillingness or inability of both the legislative and executive branches of the Federal Government to balance the budget and demonstrate the ascendency for a constitutional restraint upon deficit financing; and

Whereas, Under Article V of the Constitution of the United States, the Congress is required to call a convention for proposing amendments to the federal Constitution on the application of the legislatures of two-thirds of the several states; now, therefore, be it

Resolved, That the legislature of the State of Nevada proposes that the legislatures of each of the several states apply to the Congress to call a constitutional convention for the exclusive purpose stated in this resolution; and be it further

Resolved, That this application by the legislature of the State of Nevada 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, but if Congress proposes an amendment to the Constitution similar to that containing the United States Constitution before January 1, 1981, this application for a convention of the several states shall no longer be of any force or effect."

Resolved, That a copy of this resolution be immediately transmitted by the legislative council to the President of the Senate and the Speaker of the House of Representatives of the United States, to each member of the Nevada congressional delegation and to the presiding officer of each house of the legislatures of the several states; and be it further

Resolved, That this resolution shall become effective upon passage and approval.

LEGISLATIVE RESOLUTION 108
(NEBRASKA)

Whereas, with each passing year this national debt grows more deeply in debt as its expenditures grossly exceed its available revenue, so that the public debt now exceeds hundreds of billions of dollars; and

Whereas, The annual federal budget continually demonstrates an unwillingness or inability of both the legislative and executive branches of the Federal Government to curtail spending to conform to available revenue; and

Whereas, Inflated budgets do not reflect actual spending because of the exclusion of special outlays which are not included in the budget but exceed the legal public debt limit; and

Whereas, Knowledgeable planning, fiscal prudence, and plain good sense require that the budget reflect all federal spending and be in balance.

LEGISLATIVE JOURNAL
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 constitutional restraint is necessary to bring the fiscal discipline needed to restore financial responsibility; and

Whereas, Under Article V of the Constitution of the United States, amendments to the Federal Constitution may be proposed by the Congress whenever two-thirds of both houses thereof, or on the application of the legislatures of two-thirds of the several states, the Congress shall call a constitutional convention for the purpose of proposing amendments, We believe such action is vital.

Now, Therefore, be it resolved by the members of the eighty-fourth legislature of Nebraska, second session:

1. That this body proposes to the Congress of the United States that procedures be instituted in the Congress to add a new article to the Constitution of the United States, and that the State of Nebraska requests the Congress to prepare and submit to the several states an amendment to the Constitution of the United States, requiring in the absence of a national emergency that the total of all federal appropriations made by the Congress for any fiscal year shall not exceed the total of all estimated federal revenue for that fiscal year.

2. That, alternatively, this Legislature makes application and requests that the Congress of the United States call a constitutional convention for the specific and exclusive purpose of proposing an amendment to the Constitution of the United States requiring in the absence of a national emergency that the total of all federal appropriations made by the Congress for any fiscal year shall not exceed the total of all estimated federal revenue for that fiscal year.

WHEREAS, under Article 5 of the Constitution of the United States, amendments to the Federal Constitution may be proposed by the Congress whenever two-thirds of both houses thereof, or on the application of the legislatures of two-thirds of the several states, the Congress shall call a constitutional convention for the purpose of proposing amendments, We believe such action is vital.

Now, Therefore, be it resolved by the legislature of the State of New Mexico that this body proposes to the Congress of the United States that procedures be instituted in the Congress to add a new article to the Constitution of the United States, and that the legislature of the State of New Mexico requests the Congress to prepare and submit to the several states an amendment to the Constitution of the United States, requiring in the absence of a national emergency that the total of all federal appropriations made by the Congress for any fiscal year shall not exceed the total of all estimated federal revenue for that fiscal year.

WHEREAS, under Article 5 of the Constitution of the United States, amendments to the Federal Constitution may be proposed by the Congress whenever two-thirds of both houses thereof, or on the application of the legislatures of two-thirds of the several states, the Congress shall call a constitutional convention for the purpose of proposing amendments, We believe such action is vital.

Now, Therefore, be it resolved by the legislature of the State of New Mexico that this body proposes to the Congress of the United States that procedures be instituted in the Congress to add a new article to the Constitution of the United States, and that the legislature of the State of New Mexico requests the Congress to prepare and submit to the several states an amendment to the Constitution of the United States, requiring in the absence of a national emergency that the total of all federal appropriations made by the Congress for any fiscal year shall not exceed the total of all estimated federal revenue for that fiscal year.

WHEREAS, under Article 5 of the Constitution of the United States, amendments to the Federal Constitution may be proposed by the Congress whenever two-thirds of both houses thereof, or on the application of the legislatures of two-thirds of the several states, the Congress shall call a constitutional convention for the purpose of proposing amendments, We believe such action is vital.

Now, Therefore, be it resolved by the legislature of the State of New Mexico that this body proposes to the Congress of the United States that procedures be instituted in the Congress to add a new article to the Constitution of the United States, and that the legislature of the State of New Mexico requests the Congress to prepare and submit to the several states an amendment to the Constitution of the United States, requiring in the absence of a national emergency that the total of all federal appropriations made by the Congress for any fiscal year shall not exceed the total of all estimated federal revenue for that fiscal year.

WHEREAS, under Article 5 of the Constitution of the United States, amendments to the Federal Constitution may be proposed by the Congress whenever two-thirds of both houses thereof, or on the application of the legislatures of two-thirds of the several states, the Congress shall call a constitutional convention for the purpose of proposing amendments, We believe such action is vital.

Now, Therefore, be it resolved by the legislature of the State of New Mexico that this body proposes to the Congress of the United States that procedures be instituted in the Congress to add a new article to the Constitution of the United States, and that the legislature of the State of New Mexico requests the Congress to prepare and submit to the several states an amendment to the Constitution of the United States, requiring in the absence of a national emergency that the total of all federal appropriations made by the Congress for any fiscal year shall not exceed the total of all estimated federal revenue for that fiscal year.

WHEREAS, under Article 5 of the Constitution of the United States, amendments to the Federal Constitution may be proposed by the Congress whenever two-thirds of both houses thereof, or on the application of the legislatures of two-thirds of the several states, the Congress shall call a constitutional convention for the purpose of proposing amendments, We believe such action is vital.

Now, Therefore, be it resolved by the legislature of the State of New Mexico that this body proposes to the Congress of the United States that procedures be instituted in the Congress to add a new article to the Constitution of the United States, and that the legislature of the State of New Mexico requests the Congress to prepare and submit to the several states an amendment to the Constitution of the United States, requiring in the absence of a national emergency that the total of all federal appropriations made by the Congress for any fiscal year shall not exceed the total of all estimated federal revenue for that fiscal year.

WHEREAS, under Article 5 of the Constitution of the United States, amendments to the Federal Constitution may be proposed by the Congress whenever two-thirds of both houses thereof, or on the application of the legislatures of two-thirds of the several states, the Congress shall call a constitutional convention for the purpose of proposing amendments, We believe such action is vital.

Now, Therefore, be it resolved by the legislature of the State of New Mexico that this body proposes to the Congress of the United States that procedures be instituted in the Congress to add a new article to the Constitution of the United States, and that the legislature of the State of New Mexico requests the Congress to prepare and submit to the several states an amendment to the Constitution of the United States, requiring in the absence of a national emergency that the total of all federal appropriations made by the Congress for any fiscal year shall not exceed the total of all estimated federal revenue for that fiscal year.

WHEREAS, under Article 5 of the Constitution of the United States, amendments to the Federal Constitution may be proposed by the Congress whenever two-thirds of both houses thereof, or on the application of the legislatures of two-thirds of the several states, the Congress shall call a constitutional convention for the purpose of proposing amendments, We believe such action is vital.

Now, Therefore, be it resolved by the legislature of the State of New Mexico that this body proposes to the Congress of the United States that procedures be instituted in the Congress to add a new article to the Constitution of the United States, and that the legislature of the State of New Mexico requests the Congress to prepare and submit to the several states an amendment to the Constitution of the United States, requiring in the absence of a national emergency that the total of all federal appropriations made by the Congress for any fiscal year shall not exceed the total of all estimated federal revenue for that fiscal year.
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Compact for America Educational Foundation, Inc.
www.CompactforAmerica.org
2323 Clear Lake City Blvd.
Suite 180-190
Houston, TX 77062
281-235-8311
dth: 281-946-8177