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ONE HUNDRED FOURTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

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

August 1, 2016

The Honorable Karen Haas
Clerk of the U.S. House of Representatives
U.S. Capitol, Room H154
Washington, D.C. 20515

Dear Madam Clerk,

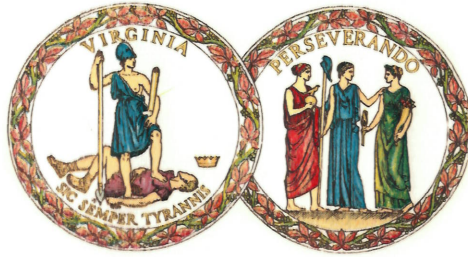
Pursuant to section 3(c) of House Resolution 5 (114th Congress), I hereby designate the attached Memorial from the Commonwealth of Virginia, received by the House of Representatives in the year 1977, as purporting to be an application of the State legislature calling for a convention for proposing amendments to the Constitution of the United States pursuant to Article V, and request that you make it publicly available.

Sincerely,



Bob Goodlatte
Chairman

COMMONWEALTH OF VIRGINIA



GENERAL ASSEMBLY

I, Joseph H. Holleman, Jr., Keeper of the Rolls of the State, do hereby certify that the following and hereto attached instrument of writing is a true copy taken from the records of this office:

HOUSE JOINT RESOLUTION NO. 168

Agreed to by the House of Delegates February 15, 1977

Agreed to by the Senate March 3, 1977



A TRUE COPY, TESTE: March 16, 1977

Joseph H. Holleman Jr.
Clerk of the House of Delegates and
Keeper of the Rolls of the State

HOUSE JOINT RESOLUTION NO. 168

APPLYING TO CONGRESS TO CALL A CONVENTION FOR THE PURPOSE OF AMENDING THE CONSTITUTION OF THE UNITED STATES TO PROVIDE THE PRESIDENT WITH THE POWER TO VETO ANY PARTICULAR ITEM OR ITEMS OF ANY APPROPRIATIONS BILL.

WHEREAS, over the past thirty years, the federal government has frequently made appropriations of funds substantially in excess of revenue collections, thereby amassing considerable deficits and necessitating extensive borrowing; and

WHEREAS, deficit spending by the federal government has been a major cause of and contributor to the inflation of our national currency; and

WHEREAS, inflation imposes the heaviest financial burden on those least able to bear it, and deficit spending imposes the funding of federal debts on future generations of Americans who have had no voice in the incurring of such debts; and

WHEREAS, the inflationary consequences of federal budgetary deficits have impaired the credit of the United States and undermined the value of its currency, and have contributed to financial and other difficulties and dislocations for state and local governments; and

WHEREAS, the President of the United States could more effectively deal with this problem were he able to exercise an item veto when considering any appropriation bill passed by the Congress; and

WHEREAS, there has not been, nor does it appear that there will be, any initiative on the part of the Congress to amend the Constitution of the United States so as to provide the President with such item veto; and

WHEREAS, in the event of Congressional inaction, Article V of the Constitution of the United States grants to the states the right to initiate constitutional change through application by the legislatures of two-thirds of the several states to the Congress, calling for a constitutional convention; and

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

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

"1. The President shall have the power to veto any particular item or items of an appropriation bill, but the veto shall not affect the item or items to which he does not object. The item or items objected to shall not take effect except in the manner heretofore provided in this Constitution as to bills which fail to receive the President's approval."

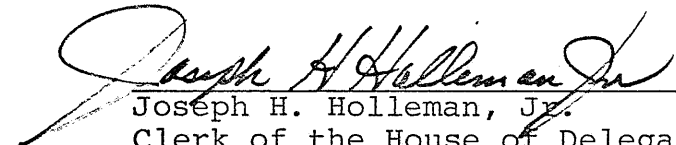
AND BE IT RESOLVED FURTHER, That unless rescinded by the General Assembly of Virginia, this application shall constitute a continuing application for such convention pursuant to Article V, until the legislatures of two-thirds of the states shall have made like applications and such convention shall have been called by the Congress of the United States.

RESOLVED FURTHER, That since this method of proposing amendments to the Constitution has never been completed to the point of calling a convention and no interpretation of the power of the states in the exercise of this right has ever been made by any court or any qualified tribunal, if there be such, and since the exercise of the power is a matter of basic sovereign rights and the interpretation thereof is primarily in the sovereign government making such exercise, and since the power to use such right in full also carries the power to use such right in part, the General Assembly of Virginia interprets Article V to mean that if two-thirds of the states make application for a convention to propose an identical amendment to the Constitution for ratification, with a limitation that such amendment be the only matter before it, that such convention would have power only to propose the specified amendment, 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.

RESOLVED FINALLY, That certified copies of this resolution be presented forthwith to the President of the Senate and the


Speaker of the House of Representatives of the United States
and to the legislatures of each of the several states, attest-
ing the adoption of this resolution by the General Assembly of
Virginia.

Agreed to By
The House of Delegates
February 15, 1977



Joseph H. Holleman, Jr.
Clerk of the House of Delegates

Agreed to By
The Senate
March 3, 1977



J. T. Shropshire
Clerk of the Senate