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ONE HUNDRED FOURTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-3951

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

February 19, 2015

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

Dear Madam Clerk,

Pursuant to section 3(c) of House Resolution 5 (114th Congress), I hereby designate the attached Memorial from the State of Alabama, received by the House of Representatives in the year 2014, 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

JIM BENNETT
SECRETARY OF STATE

ALABAMA STATE CAPITOL
MONTGOMERY, AL 36130

STATE OF ALABAMA

I, Jim Bennett, Secretary of State of the State of Alabama, having custody of the Great and Principal Seal of said State, do hereby certify that

The attached SJR 100 now known as Act 2011-400, is a true and correct copy of the original, and was signed by the Governor on June 7, 2011 and is filed and of record in this office.



In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State, at the Capitol, in the City of Montgomery, on this day.

May 27, 2014

Date

Jim Bennett

Secretary of State

ACT No. 2011 - 400

1 SJR100
2 130391-2
3 By Senators Orr, Scofield, Sanford, Holtzclaw, Williams,
4 McGill and Beason
5 RFD:
6 First Read: 26-APR-11



1 SJR100

2
3
4 ENROLLED, SJR100,

5 URGING CONGRESS TO PROPOSE A FEDERAL BALANCED BUDGET
6 AMENDMENT.

7
8 WHEREAS, the reluctance of the federal government to
9 incur debt and other obligations was established early in
10 American history, with deficits occurring only in relation to
11 extraordinary circumstances such as war; yet for much of the
12 20th century and into the 21st, the United States has operated
13 on a budget deficit, including the 2010 budget year, which
14 surpassed an astounding \$1,300,000,000,000, an annual deficit
15 that exceeded the entire gross state product of many of the
16 states; and

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

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

22 FY 2002: \$158 billion deficit

23 FY 2003: \$377 billion deficit

24 FY 2004: \$413 billion deficit

25 FY 2005: \$318 billion deficit

1 FY 2006: \$248 billion deficit

2 FY 2007: \$161 billion deficit

3 FY 2008: \$459 billion deficit

4 FY 2009: \$1.4 trillion deficit

5 FY 2010: \$1.3 trillion deficit

6 FY 2011: \$1.5 trillion deficit (estimated); and

7 WHEREAS, as of January 2011, America's accumulated
8 national debt exceeded \$12 trillion now estimated at over \$13
9 trillion; and

10 WHEREAS, the Congressional Budget Office projects
11 that, if current trends continue under the White House's
12 proposed budget, each of the next 10 years has a projected
13 deficit exceeding \$600 billion; and

14 WHEREAS, the budget deficits of the United States of
15 America are unsustainable and constitute a substantial threat
16 to the solvency of the federal government as evidenced by the
17 comments of Standard and Poor's on April 18, 2011, regarding
18 the longer term credit outlook for the United States; and

19 WHEREAS, Congress has been unwilling or unable to
20 address the persistent problem of overspending and has
21 recently increased the statutory limit on the public debt and
22 enacted a variety of legislation that will ultimately cause
23 the federal government to incur additional debt; and

24 WHEREAS, the National Commission on Fiscal
25 Responsibility and Reform in its report The Moment of Truth

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

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

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

21 WHEREAS, in prior years the Alabama Legislature has
22 called on Congress to pass a Balanced Budget Constitutional
23 Amendment, many other states have done the same, all to no
24 avail; and

1 WHEREAS, a balanced budget amendment would require
2 the government not to spend more than it receives in revenue
3 and compel lawmakers to carefully consider choices about
4 spending and taxes; by encouraging spending control and
5 discouraging deficit spending, a balanced budget amendment
6 will help put the nation on the path to lasting prosperity;
7 now therefore,

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

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

1 not exceed the total of all federal revenue for that fiscal
2 year.

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

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

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

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

- 23 1. The President of the United States.
- 24 2. The Speaker of the United States House of
25 Representatives.

1 3. The President of the United States Senate.

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

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

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Kay Ivey

President and Presiding Officer of the Senate



Speaker of the House of Representatives

SJR100

Senate 26-APR-11

I hereby certify that the within Senate Joint Resolution originated in and was adopted by the Senate.

Patrick Harris
Secretary

House of Representatives
Adopted: 01-JUN-11

By: Senator Orr

APPROVED *June 7, 2011*
TIME *10:18 a.m.*
Robert Bentley
GOVERNOR

Alabama Secretary Of State
Act Num....: 2011-400
Bill Num...: SJR-100

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