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ONE HUNDRED FOURTEENTH CONGRESS

# Congress of the United States

## House of Representatives

COMMITTEE ON THE JUDICIARY

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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 State of New Hampshire, received by the House of Representatives in the year 2016, as purporting to be an application of the State legislature calling for a convention for proposing amendments to the Constitution of the United States pursuant to Article V, and request that you make it publicly available.

Sincerely,



Bob Goodlatte  
Chairman

**STATE OF NEW HAMPSHIRE**  
**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.**

**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

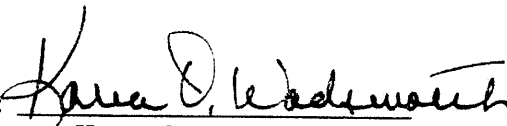
**That** this application shall be deemed null and void, rescinded, and of no effect in the event the United States Supreme Court rules that a convention cannot be limited to the subject stated in 34 such applications; and

**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

Attest:



Karen O. Wadsworth  
Clerk of the House