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 Delaware, received by the House of Representatives in the year 1976, 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
I, Robert H. Reed, Secretary of State of the State of Delaware, do hereby certify that the above and foregoing is a true and correct copy of House Concurrent Resolution No. 36 entitled "APPLYING TO THE CONGRESS FOR A CONVENTION TO PROPOSE AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES.", passed by the first session of the 128th General Assembly and approved by the Governor June 23, 1975.

In Testimony Whereof, I have hereunto set my hand and official seal at Dover this Twenty-sixth day of February in the year of our Lord one thousand nine hundred and Seventy-six.

[Signature]
Robert H. Reed
Secretary of State

[Signature]
Asst Secretary of State
State of DELAWARE
Office of SECRETARY OF STATE

J. Glenn C. Kenton Secretary of State of the State of Delaware, do hereby certify that the above and foregoing is a true and correct copy of House Concurrent Resolution No. 36 which was signed by the Governor on June 23, 1975.

In Testimony Whereof, I have hereunto set my hand and official seal at Dover this 9th day of June in the year of our Lord one thousand nine hundred and seventy-eight.

Glenn C. Kenton, Secretary of State

Assistant Secretary of State
APPLYING TO THE CONGRESS FOR A CONVENTION TO PROPOSE AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES.

BE IT RESOLVED by the House of Representatives of the 128th General Assembly, the Senate concurring therein, 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 convention for the proposing of the following amendment to the Constitution of the United States:

"ARTICLE ___

The costs 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 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 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 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 nor would it have power to propose other amendments on the same or different propositions.

BE IT YET 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 from this State and to each House of each State Legislature in the United States.