## 112TH CONGRESS 1ST SESSION

## H. J. RES. 56

Proposing an amendment to the Constitution of the United States relative to balancing the budget.

## IN THE HOUSE OF REPRESENTATIVES

APRIL 7, 2011

Mr. Walsh of Illinois (for himself, Mr. Buchanan, Mr. Huelskamp, Mr. Bishop of Utah, Mr. Chaffetz, Mr. Stutzman, Mrs. Hartzler, Mr. Marino, Mr. Rehberg, Mrs. McMorris Rodgers, Mr. Brooks, Mr. Franks of Arizona, Mr. Lance, Mr. Heller, Mr. Labrador, and Mr. Marchant) introduced the following joint resolution; which was referred to the Committee on the Judiciary

## **JOINT RESOLUTION**

Proposing an amendment to the Constitution of the United States relative to balancing the budget.

- 1 Resolved by the Senate and House of Representatives
- 2 of the United States of America in Congress assembled
- 3 (two-thirds of each House concurring therein), That the fol-
- 4 lowing article is proposed as an amendment to the Con-
- 5 stitution of the United States, which shall be valid to all
- 6 intents and purposes as part of the Constitution when
- 7 ratified by the legislatures of three-fourths of the several
- 8 States:

1	"ARTICLE —
2	"Section 1. Total outlays for any fiscal year shall
3	not exceed total receipts for that fiscal year, unless two-
4	thirds of the duly chosen and sworn Members of each
5	House of Congress shall provide by law for a specific ex-
6	cess of outlays over receipts by a roll call vote.
7	"Section 2. Total outlays for any fiscal year shall
8	not exceed 18 percent of the gross domestic product of
9	the United States for the calendar year ending before the
10	beginning of such fiscal year, unless two-thirds of the duly
11	chosen and sworn Members of each House of Congress
12	shall provide by law for a specific amount in excess of such
13	18 percent by a roll call vote.
14	"Section 3. Prior to each fiscal year, the President
15	shall transmit to the Congress a proposed budget for the
16	United States Government for that fiscal year in which—
17	"(1) total outlays do not exceed total receipts;
18	and
19	"(2) total outlays do not exceed 18 percent of
20	the gross domestic product of the United States for
21	the calendar year ending before the beginning of
22	such fiscal year.
23	"Section 4. Any bill that imposes a new tax or in-
24	creases the statutory rate of any tax or the aggregate
25	amount of revenue may pass only by a two-thirds majority

- 1 of the duly chosen and sworn Members of each House of
- 2 Congress by a roll call vote. For the purpose of deter-
- 3 mining any increase in revenue under this section, there
- 4 shall be excluded any increase resulting from the lowering
- 5 of the statutory rate of any tax.
- 6 "Section 5. The limit on the debt of the United
- 7 States shall not be increased, unless three-fifths of the
- 8 duly chosen and sworn Members of each House of Con-
- 9 gress shall provide for such an increase by a roll call vote.
- 10 "Section 6. The Congress may waive the provisions
- 11 of sections 1, 2, 3, and 5 of this article for any fiscal year
- 12 in which a declaration of war against a nation-state is in
- 13 effect and in which a majority of the duly chosen and
- 14 sworn Members of each House of Congress shall provide
- 15 for a specific excess by a roll call vote.
- 16 "Section 7. The Congress may waive the provisions
- 17 of sections 1, 2, 3, and 5 of this article in any fiscal year
- 18 in which the United States is engaged in a military conflict
- 19 that causes an imminent and serious military threat to
- 20 national security and is so declared by three-fifths of the
- 21 duly chosen and sworn Members of each House of Con-
- 22 gress by a roll call vote. Such suspension must identify
- 23 and be limited to the specific excess of outlays for that
- 24 fiscal year made necessary by the identified military con-
- 25 flict.

- 1 "Section 8. No court of the United States or of any
- 2 State shall order any increase in revenue to enforce this
- 3 article.
- 4 "Section 9. Total receipts shall include all receipts
- 5 of the United States Government except those derived
- 6 from borrowing. Total outlays shall include all outlays of
- 7 the United States Government except those for repayment
- 8 of debt principal.
- 9 "Section 10. The Congress shall have power to en-
- 10 force and implement this article by appropriate legislation,
- 11 which may rely on estimates of outlays, receipts, and gross
- 12 domestic product.
- "Section 11. This article shall take effect beginning
- 14 with the fifth fiscal year beginning after its ratification.".

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