

112TH CONGRESS
1ST SESSION

S. J. RES. _____

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

IN THE SENATE OF THE UNITED STATES

Mr. HATCH (for himself, Mr. LEE, Mr. CORNYN, Mr. KYL, Mr. MCCONNELL,
Mr. TOOMEY, Ms. SNOWE, Mr. RISCH, Mr. RUBIO, Mr. DEMINT, Mr.
PAUL, Mr. VITTER, and Mr. ENZI) introduced the following joint resolution which was referred to

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.

13 “SECTION 11. This article shall take effect beginning
14 with the fifth fiscal year beginning after its ratification.”.