

105TH CONGRESS
1ST SESSION

H. J. RES. 45

Proposing a balanced budget amendment to the Constitution of the
United States.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 5, 1997

Mr. WISE (for himself, Mr. ABERCROMBIE, Mr. BORSKI, Mr. BOUCHER, Mr. CLAY, Ms. ESHOO, Mr. HINCHEY, Ms. JACKSON-LEE of Texas, Mr. LIPINSKI, Mrs. MALONEY of New York, Mr. MASCARA, Mrs. MINK of Hawaii, Mr. NADLER, Mr. OBERSTAR, Mr. RAHALL, Mr. SAWYER, Mr. SCHUMER, Mr. SCOTT, Mr. STARK, and Mr. WYNN) introduced the following joint resolution; which was referred to the Committee on the Judiciary

JOINT RESOLUTION

Proposing a balanced budget amendment to the Constitution
of the United States.

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

1 States within seven years after the date of its submission
2 for ratification:

3 “ARTICLE —

4 “SECTION 1. Total outlays of the operating funds of
5 the United States for any fiscal year shall not exceed total
6 receipts to those funds for that fiscal year plus any operat-
7 ing fund balances carried over from previous fiscal years.

8 “SECTION 2. The Congress may waive the provisions
9 of this article for any fiscal year in which a declaration
10 of war is in effect. The provisions of this article may be
11 waived for any fiscal year in which the United States is
12 engaged in military conflict which causes an imminent and
13 serious military threat to national security and is so de-
14 clared by a joint resolution, adopted by a majority of the
15 whole number of each House of the Congress, that be-
16 comes law. If real economic growth has been or will be
17 negative for two consecutive quarters, Congress may by
18 law waive the article for the current and the next fiscal
19 year.

20 “SECTION 3. Not later than the first Monday in Feb-
21 ruary in each calendar year, the President shall transmit
22 to the Congress a proposed budget for the United States
23 Government for the fiscal year beginning in that calendar
24 year in which total outlays of the operating funds of the

1 United States for that fiscal year shall not exceed total
2 receipts to those funds for that fiscal year.

3 “SECTION 4. Total receipts of the operating funds
4 shall exclude those derived from net borrowing. Total out-
5 lays of the operating funds of the United States shall ex-
6 clude those for repayment of debt principal and for capital
7 investments in physical infrastructure that provide long-
8 term economic returns but shall include an annual debt
9 servicing charge. The receipts (including attributable in-
10 terest) and outlays of the Federal Old-Age and Survivors
11 Insurance Trust Fund and the Federal Disability Insur-
12 ance Trust Fund shall not be counted as receipts or out-
13 lays for purposes of this article.

14 “SECTION 5. This article shall be implemented and
15 enforced only in accordance with appropriate legislation
16 enacted by Congress, which may rely on estimates of out-
17 lays and receipts.

18 “SECTION 6. This section and section 5 of this article
19 shall take effect upon ratification. All other sections of this
20 article shall take effect beginning with fiscal year 2002
21 or the second fiscal year beginning after its ratification,
22 whichever is later.”.

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