

106TH CONGRESS  
1ST SESSION

# H. J. RES. 74

Proposing a spending limitation amendment to the Constitution of the United States.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 2, 1999

Mr. SMITH of Michigan (for himself, Mr. BARTON of Texas, and Mr. ROHR-ABACHER) introduced the following joint resolution; which was referred to the Committee on the Judiciary

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## JOINT RESOLUTION

Proposing a spending limitation 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 (two-*  
3   *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 within seven years after the date of its submission*  
9   *for ratification:*

1 “ARTICLE —

2 “SECTION 1. Except as provided in this article, total  
3 outlays of the United States Government in any fiscal year  
4 shall not exceed 19 per centum of the gross domestic prod-  
5 uct in the last calendar year ending before the fiscal year  
6 for which this limitation is being calculated.

7 “SECTION 2. Before each fiscal year, the President  
8 shall transmit to Congress a proposed statement of outlays  
9 for such fiscal year consistent with the provisions of this  
10 article.

11 “SECTION 3. Following the declaration of an emer-  
12 gency by the President, Congress may authorize, by a two-  
13 thirds vote of both Houses, a specified amount of emer-  
14 gency outlays in excess of the limit for the current fiscal  
15 year.

16 “SECTION 4. For each of the first 4 fiscal years be-  
17 ginning after ratification of this article, total grants to  
18 States and local governments shall not be a smaller frac-  
19 tion of total outlays than the average of the 3 fiscal years  
20 before the ratification of this article.

21 “SECTION 5. The Congress shall have power to en-  
22 force this article by appropriate legislation.

23 “SECTION 6. This article may be enforced by one or  
24 more Members of Congress or by the President in an ac-  
25 tion brought in the United States District Court for the

1 District of Columbia, and by no other person. The action  
2 shall name as defendant the Treasurer of the United  
3 States, who shall have authority over outlays by any unit  
4 or agency of the Government of the United States when  
5 required by a court order enforcing the provisions of this  
6 article. The order of the court shall not specify the par-  
7 ticular outlays to be made or reduced. Changes in outlays  
8 necessary to comply with the order of the court shall be  
9 made no later than the end of the first full fiscal year  
10 following the court order.

11       “SECTION 7. This article shall take effect for the first  
12 fiscal year beginning after its ratification.”.

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