

111TH CONGRESS
1ST SESSION

S. J. RES. 22

Proposing an amendment to the Constitution of the United States relative to requiring a balanced budget and granting the President of the United States the power of line-item veto.

IN THE SENATE OF THE UNITED STATES

DECEMBER 15, 2009

Mr. LEMIEUX introduced the following joint resolution; which was read twice and referred to the Committee on the Judiciary

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States relative to requiring a balanced budget and granting the President of the United States the power of line-item veto.

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 by the Congress:

3 “ARTICLE —

4 “SECTION 1. Total outlays for any fiscal year shall
5 not exceed total receipts for that fiscal year, unless two-
6 thirds of the whole number of each House of Congress
7 shall provide by law for a specific excess of outlays over
8 receipts by a rollcall vote.

9 “The limit on the debt of the United States held by
10 the public shall not be increased, unless three-fifths of the
11 whole number of each House shall provide by law for such
12 an increase by a rollcall vote.

13 “Prior to each fiscal year, the President shall trans-
14 mit to Congress a proposed budget for the Federal Gov-
15 ernment for that fiscal year in which total outlays do not
16 exceed total receipts.

17 “No bill to increase revenue shall become law unless
18 approved by a majority of the whole number of each House
19 by a rollcall vote.

20 “Congress may waive the provisions of this section
21 for any fiscal year in which a declaration of war is in ef-
22 fect. The provisions of this section may be waived for any
23 fiscal year in which the United States is engaged in mili-
24 tary conflict which causes an imminent and serious mili-
25 tary threat to national security and is so declared by a

1 joint resolution, adopted by a majority of the whole num-
2 ber of each House, which becomes law.

3 “Congress shall enforce and implement this section
4 by appropriate legislation, which may rely on estimates of
5 outlays and receipts.

6 “In this section, total receipts shall include all re-
7 ceipts of the Federal Government except those derived
8 from borrowing and total outlays shall include all outlays
9 of the Federal Government except for those for repayment
10 of debt principal.

11 “SECTION 2. The President may, with respect to any
12 bill or joint resolution that has been signed into law pursu-
13 ant to section 7 of Article I, cancel in whole any dollar
14 amount of discretionary budget authority, any item of new
15 direct spending, or any limited tax benefit. The President
16 shall notify Congress of such cancellation by transmitting
17 a special message within 5 calendar days (excluding Sun-
18 days) after the enactment of the law providing the dollar
19 amount of discretionary budget authority, item of new di-
20 rect spending, or limited tax benefit that was canceled.
21 Such special message shall be treated in the same manner
22 as a bill which the President returns without signing
23 under section 7 of Article I.

24 “Congress shall not transmit a bill or joint resolution
25 to the President that purports to or does require executive

1 compliance with spending guidance contained in any re-
2 port or other document that is beyond the text of the bill
3 or joint resolution. Under this clause, the President shall
4 retain the right to disregard any or all guidance in such
5 accompanying reports or documents.

6 “SECTION 3. This article shall take effect beginning
7 with the first fiscal year after its ratification.”.

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