

113TH CONGRESS
1ST SESSION

H. R. 371

To increase the statutory limit on the public debt by \$1,000,000,000 upon the adoption by Congress of a Balanced Budget Constitutional Amendment and by an additional \$1,000,000,000 upon ratification by the States of that Amendment.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 23, 2013

Mr. BROOKS of Alabama (for himself, Mr. BACHUS, Mr. WILSON of South Carolina, Mr. SOUTHERLAND, Mr. STUTZMAN, Mr. MCKINLEY, and Mr. JONES) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To increase the statutory limit on the public debt by \$1,000,000,000 upon the adoption by Congress of a Balanced Budget Constitutional Amendment and by an additional \$1,000,000,000 upon ratification by the States of that Amendment.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting America’s
5 Solvency Act of 2013”.

1 **SEC. 2. INCREASE IN THE STATUTORY LIMIT ON THE PUB-**
2 **LIC DEBT.**

3 (a) ADOPTION.—Effective upon the adoption by the
4 Congress of a Balanced Budget Constitutional Amend-
5 ment with the provisions described in section 3, below, the
6 statutory limit on the public debt set forth in section
7 3101(b) of title 31, United States Code, is increased by
8 \$1,000,000,000.

9 (b) RATIFICATION.—Effective upon the ratification
10 by the States of the Balanced Budget Constitutional
11 Amendment with the provisions described in section 3,
12 below, the statutory limit on the public debt set forth in
13 section 3101(b) of title 31, United States Code, is in-
14 creased by an additional \$1,000,000,000.

15 **SEC. 3. REQUIRED PROVISIONS OF A BALANCED BUDGET**
16 **CONSTITUTIONAL AMENDMENT.**

17 A Balanced Budget Constitutional Amendment, to
18 comply with the requirements of section 2, above, must
19 include the following provisions:

20 (1) Total outlays of the United States for any
21 fiscal year shall not exceed total receipts for that fis-
22 cal year. Total receipts shall include all receipts of
23 the United States except those derived from bor-
24 rowing. Total outlays shall include all outlays of the
25 United States except those for repayment of debt
26 principal. The United States shall have no fiscal

1 year deficits except pursuant to the terms of the
2 Amendment.

3 (2) The fiscal year deficit prohibition described
4 herein may be suspended by a majority of the mem-
5 bership of both houses of Congress, by rolleall vote,
6 for any fiscal year in which the United States is ac-
7 tively engaged in military conflict pursuant to a war
8 declared by Congress pursuant to article I, section
9 8, or may be suspended by four-fifths of the mem-
10 bership of Congress, by rollcall vote, for any other
11 fiscal year.

12 (3) In any fiscal year in which Congress does
13 not suspend the Amendment pursuant to its terms
14 and in which total outlays will or may exceed total
15 receipts, the President shall take such steps as are
16 necessary to ensure total outlays for that fiscal year
17 do not exceed total receipts. The President may not
18 order any increase in taxes or other revenue meas-
19 ures to enforce the Amendment. A President's fail-
20 ure to prevent a prohibited fiscal year deficit is an
21 impeachable offense.

22 (4) Any Member of Congress and any Governor
23 or Attorney General of any State shall have standing
24 and a cause of action to seek judicial enforcement of
25 the Amendment. No court of the United States or

1 of any State may order any increase in taxes or
2 other revenue measures to prevent or reduce fiscal
3 year deficits.

4 (5)(A) The Amendment shall be phased in be-
5 ginning with the first fiscal year commencing six or
6 more months after ratification of the Amendment by
7 the States.

8 (B) Within three months after ratification, the
9 President shall calculate the total outlays, the total
10 receipts, and the resulting deficit of the United
11 States for the fiscal year in which the Amendment
12 was ratified. This deficit is the “Base Deficit”.

13 (C) Fiscal year deficits shall be phased-out as
14 follows:

15 (i) The deficit for the first fiscal year com-
16 mencing six or more months after ratification
17 by the States of the Amendment shall not ex-
18 ceed eighty percent of the Base Deficit.

19 (ii) The deficit for the first fiscal year
20 commencing eighteen or more months after
21 ratification by the States of the Amendment
22 shall not exceed sixty percent of the Base Def-
23 icit.

24 (iii) The deficit for the first fiscal year
25 commencing thirty or more months after ratifi-

1 cation by the States of the Amendment shall
2 not exceed forty percent of the Base Deficit.

3 (iv) The deficit for the first fiscal year
4 commencing forty-two or more months after
5 ratification by the States of the Amendment
6 shall not exceed twenty percent of the Base
7 Deficit.

8 (v) There shall be no deficit for any fiscal
9 year commencing fifty-four or more months
10 after ratification by the States of the Amend-
11 ment.

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