

99-006

**112TH CONGRESS**  
*REPORT*  
**HOUSE OF REPRESENTATIVES**

*1st Session*

112-117

--BALANCED BUDGET CONSTITUTIONAL AMENDMENT

JUNE 23, 2011- Referred to the House Calendar and ordered to be printed  
*Mr. SMITH of Texas, from the Committee on the Judiciary, submitted the following*

**R E P O R T**  
*together with*  
**DISSENTING VIEWS AND**  
**ADDITIONAL DISSENTING VIEWS**

[To accompany H.J. Res. 1]

**ADDITIONAL DISSENTING VIEWS**

The discussion about this proposed amendment to the Constitution has totally been about the title of the amendment and not about its provisions. Incredibly, the provisions of this amendment do not require a balanced budget and actually will make it more difficult for future Congresses to balance the budget.

Every budget considered by the House earlier this year, and in fact nearly every budget over the last decade, was not balanced in the first fiscal year. Each of these budgets would have required a three-fifths majority to pass the House and the Senate under the provisions of this amendment. Commonsense would suggest that a meaningful deficit reduction plan would be more difficult to pass with a supermajority rather than a simple majority, and therefore the enactment of the Balanced Budget Amendment would make it more difficult to the balance budget. Other than the title, there is nothing in this amendment which makes it more likely that Congress will pass a fiscally responsible budget instead of a fiscally irresponsible budget. In fact the supermajority requirement to raise revenues will obviously make it more difficult to balance the budget. The December 2010 extension of the Bush-era tax cuts added \$800 billion to the deficit and easily passed both houses of Congress. If this amendment had been in effect, its provisions would not have prevented Congress from adding \$800 billion to our deficit, because tax cuts could be passed with a simple majority.

Furthermore, a two-thirds requirement to pass a spending plan over 18% of our nation's Gross Domestic Product (GDP) would jeopardize Social Security and Medicare. Total outlays of the federal government have not been below 18% of GDP since the passage of Medicare. An 18% spending cap would put immediate pressure on Congress to make significant cuts to Medicare and Social Security. Under the provisions of the amendment, Congress could drastically cut Medicare and Social Security by a simple majority to meet the 18% of GDP threshold but in order to save these important programs with either new taxes or spending above 18% of GDP would require a two-thirds majority in the House and the Senate.

In conclusion, we should be debating the provisions of the amendment, not just the title. The amendment does not require a balanced budget, and in fact will make it more difficult to balance the budget. Furthermore, the amendment jeopardizes Medicare and Social Security by allowing cuts in these programs with a simple majority while requiring a supermajority to save these programs with new taxes. Balancing the budget requires tough choices; the Balanced Budget Amendment will make it less likely that those tough choices will be made.

Robert C. 'Bobby' Scott.