

149TH CONGRESS
1ST SESSION

H.J.Res. 05

Providing for allowing emergency deficit spending in accordance to the 40th Amendment of the United States Constitution

IN THE CONGRESS OF THE UNITED STATES

February 2, 2022

Mr. RICCA of Olympia (for himself) introduced the following joint resolution;

A JOINT RESOLUTION

Providing for allowing emergency deficit spending in accordance to the 40th Amendment of the United States Constitution

Whereas, the specification of “specific expenditure” within the 40th Amendment can be theoretically construed to require exact dollar amounts for every dollar spent, within the resolution to declare a state of emergency;

Whereas, on January 24th, 2022, the Bureau of Labor Statistics reported a GDP decrease of 9% and an unemployment rate greater than 9%, heightening national concerns regarding the United States economy;

Whereas, the Economic Relief Act, 2020, provides a framework to sustain workers and businesses in an unemployment crisis;

Whereas, the program has been underfunded due to the stipulations of the Balanced Budget Amendment;

Whereas, keeping American workers on payroll and avoiding further loss of jobs is a key element to avoid a catastrophic worsening of the current economic conditions;

Whereas, Congress holds the responsibility to contribute and act accordingly, in the minimisation of economic damages to the United States:

Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (thirteen-twentieths of each House concurring therein),

That pursuant to Amendment 40, section 2 of the United State Constitution, Congress declares a state of emergency within the United States, due to the cyclical deficit and the current unemployment and GDP figures within the United States. That there are for the purposes of direct payments and general funding of the government, authorised to be appropriated the following values in excess of the limit as per specifications of section 1 of the 40th Amendment to the United States Constitution. This resolution allows deficit spending to the value of \$40,000,000,000 for the funding of the programmes instituted under Economic Relief Act, 2020. The Secretary of Labour shall have the right to assess which specific program, be it the Business Relief Program, the Special Business Relief Program or the Extraordinary Business Relief Program, as deemed more appropriate to alleviate the strains on the US economic system.

Provided that, this resolution shall not be intended as preventing any other, parallel declaration of a state of emergency under the 40th amendment.

Further provided that, this Congress *Resolves that*, were the Secretary to find the sum of \$40,000,000,000 not sufficient, they shall report to the House and the Senate, which reserve themselves the right to expand the allocation of monies with regards to the programmes described in this Resolution.

Further provided that, were any part, sentence, phrase or word of this Resolution to be found in violation of the law, of the Constitution or of its Amendments, this Congress declares that it would pass each part, sentence, phrase or word independently, as long as the general intent of the Resolution is preserved.

This Congress further asks the Court, in adjudicating the legality or constitutionality of this Resolution to, before resorting to severing any part of this Resolution, to adopt the interpretation of it that may render it most compatible with the laws and Constitution of the United States, as long as the general intent of this Resolution is preserved.