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104TH CONGRESS, 1st Session | HOUSE OF REPRESENTATIVES | REPORT 104–4

PROVIDING FOR THE CONSIDERATION OF HOUSE CONCURRENT RESOLUTION 17, RELATING TO THE TREATMENT OF SOCIAL SECURITY UNDER A BALANCED BUDGET AMENDMENT; AND HOUSE JOINT RESOLUTION 1, THE BALANCED BUDGET CONSTITUTIONAL AMENDMENT

JANUARY 24, 1995.—Referred to the House Calendar and ordered to be printed

Mr. SOLOMON, from the Committee on Rules, submitted the following

REPORT

[To accompany H. Res. 44]

The Committee on Rules, having had under consideration House Resolution 44, by a record vote of 9 to 4, report the same to the House with the recommendation that the resolution be adopted.

BRIEF SUMMARY OF PROVISIONS OF RESOLUTION

The resolution first makes in order the consideration in the House of H. Con. Res. 17, a concurrent resolution relating to the treatment of Social Security under any balanced budget constitutional amendment. The resolution is subject to one hour of debate divided equally between the majority and minority leaders or their designees. The previous question is considered as ordered to final adoption without intervening motion.

The text of H. Con. Res. 17 reads as follows: "That, for the purposes of any constitutional amendment requiring a balanced budget, the appropriate committees of the House and the Senate shall report to their respective Houses implementing legislation to achieve a balanced budget without increasing the receipts or reducing the disbursements of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund to achieve that goal."

Following the disposition of the concurrent resolution, the rule provides for the consideration in the Committee of the Whole of H.J. Res. 1, proposing a balanced budget amendment to the Constitution of the United States.

The rule waives clause 2(g)(3) of rule XI against the consideration of the joint resolution. That clause requires a committee to schedule hearings at least a week in advance unless the committee determines there is good cause to begin a hearing sooner.

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The rule provides three hours of general debate divided equally between the chairman and ranking minority member of the Committee on the Judiciary.

The rule first makes in order the committee amendment in the nature of a substitute printed in the joint resolution, subject to one-hour of debate equally divided between Representative Barton of Texas and an opponent. The amendment is not subject to amendment.

Following the disposition of the committee amendment, the rule makes in order consideration of the amendments listed in section 3 of the resolution by their sponsors' names and the numerical designations as printed in the Congressional Record. The amendments may be offered notwithstanding the adoption of a previous amendment in the nature of a substitute. The amendments may only be offered in the order specified, by the named proponent or a designee, are subject to one hour of debate each divided between the proponent and an opponent, and are not subject to amendment.

The amendments listed in section 3 of the resolution by Member and Congressional Record numerical designation are as follows: (a) The amendment numbered 4 by Representative Owens of New York; (b) the amendment numbered 1 by Representative Wise of West Virginia; (c) the amendment numbered 25 by Representative Conyers of Michigan; (d) the amendment numbered 29 by Representative Gephardt of Missouri; and (e) the amendment numbered 39 by Representative Schaefer of Colorado.

If more than one amendment is adopted, then only the amendment receiving the most affirmative votes is considered as finally adopted. In the case of a tie for the most affirmative votes, then the last such amendment adopted is considered as finally adopted unless one such amendment is the committee amendment, in which case the committee amendment is considered as finally adopted.

Finally, the rule provides for one motion to recommit, with or without instructions.

SUMMARY OF AMENDMENTS MADE IN ORDER BY THE RULE

Below is a brief summary of the six amendments in the nature of a substitute made in order by the resolution:

JANUARY 24, 1995—RULE PROVIDING FOR THE CONSIDERATION OF H.J. RES. 1, THE BALANCED BUDGET CONSTITUTIONAL AMENDMENT

(Amendments made in order)

Committee amendment in the nature of a substitute (one-hour, non-amendable)

Barton: Congress shall adopt a statement of receipts and outlays which are in balance: the President shall propose a balanced budget: 3/5ths vote requirement for deficit spending, increases in the debt limit, and increases in tax revenues; a majority of each House may waive the provisions in case of war of a serious military threat declared in a joint resolution which becomes law.

Other amendments in the nature of a substitute (one-hour each, non-amendable

(a) Owens (#4): Congress shall adopt a statement of receipts and outlays which balances; the President shall propose a balanced budget; contains a ⅗ths vote requirement for raising the debt ceiling and deficit spending; allows the provisions to be waived during times of war, military conflict as declared by law, or for any fiscal year for which the President notifies the Congress (and the Congress passes a joint resolution that becomes law) that the national unemployment rate is projected to exceed 4 percent.

(b) Wise (#1): The Operating Budget shall be in balance; the President shall propose a balanced budget for Operating Funds; establishes a Capital Budget and takes it off-budget; takes the Social Security Trust Fund off-budget; allows Congress to waive the balance budget provisions in times of war, or military conflict or recession as declared by law; contains no vote requirements for tax increases, deficit spending, or debt limit increases.

(c) Conyers (#25): Congress shall adopt a statement of receipts and outlays which balances; the President shall propose a balanced budget; takes Social Security Trust Fund (and any successor fund) off-budget; requires a specific budget plan to be passed before balanced budget requirement takes effect; requires a whole-number majority vote for deficit spending; provisions may be waived by majority of each House in case of war or a serious military threat as declared by law.

(d) Gephardt (#29): Congress shall adopt a statement of receipts and outlays that shall balance; the President shall propose a balanced budget; takes the Social Security Trust Fund off-budget; requires a whole number majority vote for deficit spending; majority of each House may waive provisions in case of war or a serious military threat declared in a joint resolution which becomes law; contains no special vote requirements for tax or debt limit increases.

(e) Schaefer (#39): The President shall propose a balanced budget; requires a ⅗ths vote for deficit spending and to increase the debt limit; requires a whole-number majority to increase revenue; provisions may be waived in case of war, or serious military threat as declared by law.

COMMITTEE VOTES

Pursuant to clause 2(l)(2)(B) of House rule XI, the results of each rollcall vote on an amendment or on the motion to report, together with the names of those voting for and against, are printed below:

RULES COMMITTEE ROLL CALL NO. 9

Date: January 24, 1995.

Measure: Rule for H.J. Res. 1, Balanced Budget Amendment.

Motion By: Mr. Moakley.

Summary of Motion: To report an open rule.

Results: Rejected, 4 to 8.

Vote by Member: Quillen—Nay; Dreier—Nay; Goss—Nay; Linder—Not voting; Pryce—Nay; Diaz-Balart—Nay; McInnis—Nay;

Waldholtz—Nay; Moakley—Yea; Beilenson—Yea; Frost—Yea; Hall—Yea; Solomon—Nay.

RULES COMMITTEE ROLL CALL NO. 10

Date: January 24, 1995.
Measure: Rule for H.J. Res. 1, Balanced Budget Amendment.
Motion By: Mr. Moakley.
Summary of Motion: Make in order Conyers Amendment #23 from Record.
Results: Rejected, 3 to 9.
Vote by Member: Quillen—Nay; Dreier—Nay; Goss—Nay; Linder—Nay; Pryce—Nay; Diaz-Balart—Nay; McInnis—Nay; Waldholtz—Nay; Moakley—Yea; Beilenson—Yea; Frost—Yea; Hall—Not voting; Solomon—Nay.

RULES COMMITTEE ROLL CALL NO. 11

Date: January 24, 1995.
Measure: Rule for H.J. Res. 1, Balanced Budget Amendment.
Motion By: Mr. Moakley.
Summary of Motion: Strike language that provides for the substitute with most vote wins and insert language to provide that the last substitute adopted wins.
Results: Rejected, 4 to 9.
Vote by Members: Quillen—Nay; Dreier—Nay; Goss—Nay; Linder—Nay; Pryce—Nay; Diaz-Balart—Nay; McInnis—Nay; Waldholtz—Nay; Moakley—Yea; Beilenson—Yea; Frost—Yea; Hall—Yea; Solomon—Nay.

RULES COMMITTEE ROLL CALL NO. 12

Date: January 24, 1995.
Measure: Rule for H.J. Res. 1, Balanced Budget Amendment.
Motion By: Mr. Beilenson.
Summary of Motion: Make in order Franks (NJ) amendment #7 from Record.
Results: Rejected, 4 to 9.
Vote by Member: Quillen—Nay; Dreier—Nay; Goss—Nay; Linder—Nay; Pryce—Nay; Diaz-Balart—Nay; McInnis—Nay; Waldholtz—Nay; Moakley—Yea; Beilenson—Yea; Frost—Yea; Hall—Yea; Solomon—Nay.

RULES COMMITTEE ROLL CALL NO. 13

Date: January 24, 1995.
Measure: Rule for H.J. Res. 1, Balanced Budget Amendment.
Motion By: Mr. Beilenson.
Summary of Motion: Make in order Hoke amendment #8 from Record.
Results: Rejected, 4 to 9.
Vote by Member: Quillen—Nay; Dreier—Nay; Goss—Nay; Linder—Nay; Pryce—Nay; Diaz-Balart—Nay; McInnis—Nay; Waldholtz—Nay; Moakley—Yea; Beilenson—Yea; Frost—Yea; Hall—Yea; Solomon—Nay.

RULES COMMITTEE ROLL CALL NO. 14

Date: January 24, 1995.
Measure: Rule for H.J. Res. 1, Balanced Budget Amendment.
Motion By: Mr. Frost.
Summary of Motion: Make in order Istook amendments #10 & #32 from Record.
Results: Rejected, 4 to 9.
Vote by Member: Quillen—Nay; Dreier—Nay; Goss—Nay; Linder—Nay; Pryce—Nay; Diaz-Balart—Nay; McInnis—Nay; Waldholtz—Nay; Moakley—Yea; Beilenson—Yea; Frost—Yea; Hall—Yea; Solomon—Nay.

RULES COMMITTEE ROLL CALL NO. 15

Date: January 24, 1995.
Measure: Rule for H.J. Res. 1, Balanced Budget Amendment.
Motion By: Mr. Frost.
Summary of Motion: Make in order Schiff amendment #13 from Record.
Results: Rejected, 4 to 9.
Vote by Member: Quillen—Nay; Dreier—Nay; Goss—Nay; Linder—Nay; Pryce—Nay; Diaz-Balart—Nay; McInnis—Nay; Waldholtz—Nay; Moakley—Yea; Beilenson—Yea; Frost—Yea; Hall—Yea; Solomon—Nay.

RULES COMMITTEE ROLL CALL NO. 16

Date: January 24, 1995.
Measure: Rule for H.J. Res. 1, Balanced Budget Amendment.
Motion By: Mr. Frost.
Summary of Motion: Make in order Frank amendment #27 from Record.
Results: Rejected, 4 to 9.
Vote by Member: Quillen—Nay; Dreier—Nay; Goss—Nay; Linder—Nay; Pryce—Nay; Diaz-Balart—Nay; McInnis—Nay; Waldholtz—Nay; Moakley—Yea; Beilenson—Yea; Frost—Yea; Hall—Yea; Solomon—Nay.

RULES COMMITTEE ROLL CALL NO. 17

Date: January 24, 1995.
Measure: Rule for H.J. Res. 1, Balanced Budget Amendment.
Motion By: Mr. Hall.
Summary of Motion: Make in order Nadler amendment #35 from Record.
Results: Rejected, 4 to 9.
Vote by Member: Quillen—Nay; Dreier—Nay; Goss—Nay; Linder—Nay; Pryce—Nay; Diaz-Balart—Nay; McInnis—Nay; Waldholtz—Nay; Moakley—Yea; Beilenson—Yea; Frost—Yea; Hall—Yea; Solomon—Nay.

RULES COMMITTEE ROLL CALL NO. 18

Date: January 24, 1995.
Measure: Rule for H.J. Res. 1, Balanced Budget Amendment.
Motion By: Mr. Hall.

Summary of Motion: Make in order Hilliard amendments #30 & #31 from Record.
Results: Rejected, 4 to 9.
Vote by Member: Quillen—Nay; Dreier—Nay; Goss—Nay; Linder—Nay; Pryce—Nay; Diaz-Balart—Nay; McInnis—Nay; Waldholtz—Nay; Moakley—Yea; Beilenson—Yea; Frost—Yea; Hall—Yea; Solomon—Nay.

RULES COMMITTEE ROLL CALL NO. 19

Date: January 24, 1995.
Measure: Rule for H.J. Res. 1, Balanced Budget Amendment.
Motion By: Mr. Hall.
Summary of Motion: Make in order Foglietta amendment #28 from Record.
Results: Rejected, 4 to 9.
Vote by Member: Quillen—Nay; Dreier—Nay; Goss—Nay; Linder—Nay; Pryce—Nay; Diaz-Balart—Nay; McInnis—Nay; Waldholtz—Nay; Moakley—Yea; Beilenson—Yea; Frost—Yea; Hall—Yea; Solomon—Nay.

RULES COMMITTEE ROLL CALL NO. 20

Date: January 24, 1995.
Measure: Rule for H.J. Res. 1, Balanced Budget Amendment.
Motion By: Mr. Hall.
Summary of Motion: Make in order Traficant amendment #43 from Record.
Results: Rejected, 4 to 9.
Vote by Member: Quillen—Nay; Dreier—Nay; Goss—Nay; Linder—Nay; Pryce—Nay; Diaz-Balart—Nay; McInnis—Nay; Waldholtz—Nay; Moakley—Yea; Beilenson—Yea; Frost—Yea; Hall—Yea; Solomon—Nay.

RULES COMMITTEE ROLL CALL NO. 21

Date: January 24, 1995.
Measure: Rule for H.J. Res. 1, Balanced Budget Amendment.
Motion By: Mr. Beilenson.
Summary of Motion: Make in order Waters amendment #20 from Record.
Results: Rejected, 4 to 9.
Vote by Member: Quillen—Nay; Dreier—Nay; Goss—Nay; Linder—Nay; Pryce—Nay; Diaz-Balart—Nay; McInnis—Nay; Waldholtz—Nay; Moakley—Yea; Beilenson—Yea; Frost—Yea; Hall—Yea; Solomon—Nay.

RULES COMMITTEE ROLL CALL NO. 22

Date: January 24, 1995.
Measure: Rule for H.J. Res. 1, Balanced Budget Amendment.
Motion By: Mr. Moakley.
Summary of Motion: Make in order Orton amendments #36 & #37 from Record.
Results: Rejected, 4 to 9.
Vote by Member: Quillen—Nay; Dreier—Nay; Goss—Nay; Linder—Nay; Pryce—Nay; Diaz-Balart—Nay; McInnis—Nay;

Waldholtz—Nay; Moakley—Yea; Beilenson—Yea; Frost—Yea; Hall—Yea; Solomon—Nay.

RULES COMMITTEE ROLL CALL NO. 23

Date: January 24, 1995.
Measure: Rule for H.J. Res. 1, Balanced Budget Amendment.
Motion By: Mr. Beilenson.
Summary of Motion: Make in order Skaggs amendments #41 & #42 from Record.
Results: Rejected, 4 to 9.
Vote by Member: Quillen—Nay; Dreier—Nay; Goss—Nay; Linder—Nay; Pryce—Nay; Diaz-Balart—Nay; McInnis—Nay; Waldholtz—Nay; Moakley—Yea; Beilenson—Yea; Frost—Yea; Hall—Yea; Solomon—Nay.

RULES COMMITTEE ROLL CALL NO. 24

Date: January 24, 1995.
Measure: Rule for H.J. Res. 1, Balanced Budget Amendment.
Motion By: Mr. Frost.
Summary of Motion: Make in order Nadler amendments #33 & #34 from Record.
Results: Rejected, 4 to 9.
Vote by Member: Quillen—Nay; Dreier—Nay; Goss—Nay; Linder—Nay; Pryce—Nay; Diaz-Balart—Nay; McInnis—Nay; Waldholtz—Nay; Moakley—Yea; Beilenson—Yea; Frost—Yea; Hall—Yea; Solomon—Nay.

RULES COMMITTEE ROLL CALL NO. 25

Date: January 24, 1995.
Measure: Rule for H.J. Res. 1, Balanced Budget Amendment.
Motion By: Mr. Frost.
Summary of Motion: Make in order Jackson-Lee amendments #45 & #46 from Record.
Results: Rejected, 4 to 9.
Vote by Member: Quillen—Nay; Dreier—Nay; Goss—Nay; Linder—Nay; Pryce—Nay; Diaz-Balart—Nay; McInnis—Nay; Waldholtz—Nay; Moakley—Yea; Beilenson—Yea; Frost—Yea; Hall—Yea; Solomon—Nay.

RULES COMMITTEE ROLL CALL NO. 26

Date: January 24, 1995.
Measure: Rule for H.J. Res. 1, Balanced Budget Amendment.
Motion By: Mr. Beilenson.
Summary of Motion: Make in order Skaggs amendment #14 from Record.
Results: Rejected, 2 to 7.
Vote by Member: Quillen—Nay; Dreier—Not voting; Goss—Nay; Linder—Not voting; Pryce—Nay; Diaz-Balart—Nay; McInnis—Nay; Waldholtz—Nay; Moakley—Not voting; Beilenson—Yea; Frost—Not voting; Hall—Yea; Solomon—Nay.

RULES COMMITTEE ROLL CALL NO. 27

Date: January 24, 1995.

Measure: Rule for H.J. Res. 1, Balanced Budget Amendment.
Motion By: Mr. Beilenson.
Summary of Motion: Make in order Thornton amendment #18 from Record.
Results: Rejected, 3 to 7.
Vote by Member: Quillen—Nay; Dreier—Not voting; Goss—Nay; Linder—Not voting; Pryce—Nay; Diaz-Balart—Nay; McInnis—Nay; Waldholtz—Nay; Moakley—Yea; Beilenson—Yea; Frost—Not voting; Hall—Yea; Solomon—Nay.

RULES COMMITTEE ROLL CALL NO. 28

Date: January 24, 1995.
Measure: Rule for H.J. Res. 1, Balanced Budget Amendment.
Motion By: Mr. Beilenson.
Summary of Motion: Make in order Volkmer amendment #44 from Record.
Results: Rejected, 3 to 7.
Vote by Member: Quillen—Nay; Dreier—Not voting; Goss—Nay; Linder—Not voting; Pryce—Nay; Diaz-Balart—Nay; McInnis—Nay; Waldholtz—Nay; Moakley—Yea; Beilenson—Yea; Frost—Not voting; Hall—Yea; Solomon—Nay.

RULES COMMITTEE ROLL CALL NO. 29

Date: January 24, 1995.
Measure: Rule for H.J. Res. 1, Balanced Budget Amendment.
Motion By: Mr. Moakley.
Summary of Motion: Make in order en bloc Conyers amendment #24, Coleman amendment #2, Jacobs amendment #3, Watt amendment #21, Kleczka amendment #5, Stupak amendment #17, Fattah amendment #26.
Results: Rejected, 3 to 9.
Vote by Member: Quillen—Nay; Dreier—Nay; Goss—Nay; Linder—Nay; Pryce—Nay; Diaz-Balart—Nay; McInnis—Nay; Waldholtz—Nay; Moakley—Yea; Beilenson—Yea; Frost—Not voting; Hall—Yea; Solomon—Nay.

RULES COMMITTEE ROLL CALL NO. 30

Date: January 24, 1995.
Measure: Rule for H.J. Res. 1, Balanced Budget Amendment.
Motion By: Mr. Quillen.
Summary of Motion: To report rule to House.
Results: Adopted, 9 to 3.
Vote by Member: Quillen—Yea; Dreier—Yea; Goss—Yea; Linder—Yea; Pryce—Yea; Diaz-Balart—Yea; McInnis—Yea; Waldholtz—Yea; Moakley—Nay; Beilenson—Nay; Frost—Not voting; Hall—Nay; Solomon—Yea.

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