

So the amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore, Mrs. UNSOELD, pursuant to clause 2(d) of rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration, pursuant to House Resolution 331, of the joint resolution (H.J. Res. 103) proposing an amendment to the Constitution to provide for a balanced budget for the United States Government and for greater accountability in the enactment of tax legislation.

Mr. SKAGGS, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

¶25.10 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment in the nature of a substitute submitted by Mr. WISE:

Strike all after the resolving clause and insert the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution if ratified by the legislatures of three-fourths of the several States within seven years after its submission to the States for ratification:

“ARTICLE

“SECTION 1. Total outlays of the operating funds of the United States for any fiscal year shall not exceed total receipts to those funds for that fiscal year.

“SECTION 2. The Congress may waive the provisions of this article for any fiscal year in which a declaration of war is in effect. The provisions of this article may be waived for any fiscal year in which the United States is engaged in military conflict which causes an imminent and serious military threat to national security and is so declared by a joint resolution, adopted by a majority of the whole number of each House of Congress, that becomes law. If real economic growth has been or will be negative for two consecutive quarters, Congress may by law, passed by a majority of the whole number of each House of Congress, waive this article for the current and next fiscal year.

“SECTION 3. Not later than the first Monday in February in each calendar year, the President shall transmit to the Congress a proposed budget for the United States Government for the fiscal year beginning in that calendar year in which total outlays of the operating funds of the United States for that fiscal year shall not exceed total receipts to those funds for that fiscal year.

“SECTION 4. Total receipts of the operating funds shall exclude those derived from net borrowing. Total outlays of the operating funds of the United States shall exclude those for repayment of debt principal and for capital investments that provide long-term economic returns but shall include annual principal and interest payments for borrowing on capital investments. The receipts (including attributable interest) and outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund shall not be counted as receipts or outlays for purposes of this article.

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

“SECTION 6. This section and section 5 of this article shall take effect upon ratifica-

tion. All other sections of this article shall take effect beginning with fiscal year 2001 or the second fiscal year beginning after its ratification, whichever is later.”.

It was decided in the { Yeas 111 negative } Nays 318

¶25.11 [Roll No. 64] AYES—111

- Ackerman Hall (OH) Pomeroy
Andrews (ME) Hamilton Price (NC)
Andrews (NJ) Harman Reed
Applegate Hefner Regula
Barca Hilliard Reynolds
Barcia Hoagland Richardson
Barrett (WI) Hochbruckner Roemer
Billray Holden Rogers
Bishop Hoyer Romero-Barcelo
Bonior Jefferson (PR)
Borski Johnson (SD) Rose
Boucher Kaptur Sawyer
Brown (OH) Kennedy Schenk
Bryant Kleczka Schroeder
Byrne Kopetski Schumer
Cantwell Lambert Scott
Carr Lancaster Sharp
Chapman Lantos Shepherd
Clinger Long Skaggs
Clyburn Maloney Smith (IA)
Coleman Mann Spence
Cooper Markey Strickland
Costello McCloskey Stupak
Danner McNulty Sweet
DeLauro Meehan Tejada
Deutsch Miller (CA) Thornton
Duncan Mineta Thurman
Durbin Mink Torres
Engel Moran Torricelli
Eshoo Murphy Volkmer
Fazio Neal (MA) Washington
Fields (LA) Oberstar Wheat
Fingerhut Obey Whitten
Ford (MI) Olver Williams
Frost Ortiz Wise
Furse Pallone Yates
Gejdenson Pastor
Gibbons Peterson (MN)

NOES—318

- Abercrombie Collins (MI) Franks (NJ)
Allard Combest Gallegly
Andrews (TX) Condit Gekas
Archer Conyers Gephardt
Army Coppersmith Geren
Bacchus (FL) Cox Gilchrist
Bachus (AL) Coyne Gillmor
Baesler Cramer Gilman
Baker (CA) Crane Gingrich
Baker (LA) Crapo Glickman
Ballenger Cunningham Gonzalez
Barlow Darden Goodlatte
Barrett (NE) de la Garza Goodling
Bartlett de Lugo (VI) Gordon
Barton Deal Goss
Bateman DeFazio Grams
Becerra DeLay Greenwood
Beilenson Dellums Gunderson
Bentley Derrick Gutierrez
Bereuter Diaz-Balart Hall (TX)
Berman Dickey Hancock
Bevill Dicks Hansen
Bilirakis Dingell Hastert
Blackwell Dixon Hayes
Bliley Dooley Hefley
Blute Doolittle Herger
Boehlert Dornan Hinchey
Boehner Dreier Hobson
Bonilla Dunn Hoekstra
Brewster Edwards (CA) Hoke
Brooks Edwards (TX) Horn
Browder Ehlers Houghton
Brown (CA) Emerson Huffington
Brown (FL) English Hughes
Bunning Evans Hunter
Burton Everett Hutchinson
Buyer Ewing Hutto
Callahan Faleomavaega Hyde
Calvert (AS) Inglis
Camp Fawell Inhofe
Canady Fields (TX) Inslee
Cardin Filner Istook
Castle Fish Jacobs
Clay Flake Johnson (CT)
Clayton Foglietta Johnson (GA)
Clement Ford (TN) Johnson, E.B.
Coble Fowler Johnson, Sam
Collins (GA) Frank (MA) Johnston
Collins (IL) Franks (CT) Kanjorski

- Kasich Molinari Shuster
Kennelly Mollohan Sisisky
Kildee Montgomery Skeen
Kim Moorhead Skelton
King Morella Slattery
Kingston Murtha Slaughter
Klein Myers Smith (MI)
Klink Nadler Smith (NJ)
Klug Neal (NC) Smith (OR)
Knollenberg Norton (DC) Smith (TX)
Kolbe Nussle Snowe
Kreidler Orton Solomon
Kyl Owens Spratt
LaFalce Oxley Stark
LaRocco Packard Stearns
Laughlin Parker Stenholm
Lazio Paxon Stokes
Leach Payne (VA) Studds
Lehman Pelosi Stump
Levin Penny Sundquist
Levy Peterson (FL) Swift
Lewis (CA) Petri Synar
Lewis (FL) Pickett Talent
Lewis (GA) Pickle Tanner
Lightfoot Pombo Tauzin
Linder Porter Taylor (MS)
Lipinski Portman Taylor (NC)
Livingston Poshard Thomas (CA)
Lloyd Pryce (OH) Thomas (WY)
Lowey Quillen Thompson
Machtley Quinn Torildsen
Manzullo Rahall Towns
Margolies-Ramstad Traficant
Mezvinsky Rangel Tucker
Martinez Ravenel Underwood (GU)
Matsui Ridge Unsoeld
Mazzoli Roberts Upton
McCandless Rohrabacher Valentine
McCollum Ros-Lehtinen Velazquez
McCrery Rostenkowski Vento
McCurdy Roth Visclosky
McDade Roukema Vucanovich
McDermott Rowland Walker
McHale Roybal-Allard Walsh
McHugh Royce Waters
McInnis Rush Watt
McKeon Sabo Waxman
McKinney Sanders Weldon
McMillan Sangmeister Wilson
Meek Santorum Wolf
Menendez Sarpalius Woolsey
Meyers Saxton Wyden
Mfume Schaefer Wynn
Mica Schiff Young (AK)
Michel Sensenbrenner Young (FL)
Miller (FL) Serrano Zeliff
Minge Shaw Zimmer
Moakley Shays

NOT VOTING—9

- Farr Green Manton
Gallo Hamburg Natcher
Grandy Hastings Payne (NJ)

So the amendment in the nature of a substitute was not agreed to.

After some further time, The SPEAKER resumed the Chair.

When Mr. SKAGGS, Chairman, pursuant to House Resolution 331, reported the joint resolution back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the resolving clause and insert:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission to the States for ratification:

“ARTICLE—

“SECTION 1. Total outlays for any fiscal year shall not exceed total receipts for that

fiscal year, unless three-fifths of the whole number of each House of Congress shall provide by law for a specific excess of outlays over receipts by a rollcall vote.

“SECTION 2. The limit on the debt of the United States held by the public shall not be increased, unless three-fifths of the whole number of each House shall provide by law for an increase by a rollcall vote.

“SECTION 3. Prior to each fiscal year, the President shall transmit to the Congress a proposed budget for the United States Government for that fiscal year, in which total outlays do not exceed total receipts.

“SECTION 4. No bill to increase revenue shall become law unless approved by a majority of the whole number of each House by a rollcall vote.

“SECTION 5. The Congress may waive the provisions of this article for any fiscal year in which a declaration of war is in effect. The provisions of this article may be waived for any fiscal year in which the United States is engaged in military conflict which causes an imminent and serious military threat to national security and is so declared by a joint resolution, adopted by a majority of the whole number of each House, which becomes law.

“SECTION 6. The Congress shall enforce and implement this article by appropriate legislation, which may rely on estimates of outlays and receipts.

“SECTION 7. Total receipts shall include all receipts of the United States Government except those derived from borrowing. Total outlays shall include all outlays of the United States Government except for those for repayment of debt principal.

“SECTION 8. This article shall take effect beginning with fiscal year 2001 or with the second fiscal year beginning after its ratification, whichever is later.”

The joint resolution, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, *viva voce*, Will the House pass said joint resolution?

The SPEAKER announced that two-thirds of the Members present having voted in favor thereof, the joint resolution was passed.

Mr. WISE objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present, The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 271
Nays 153

25.12 [Roll No. 65]
YEAS—271

Allard Bishop Clinger
Andrews (NJ) Bliley Coble
Andrews (TX) Blute Collins (GA)
Archer Boehlert Combest
Armye Boehner Condit
Bacchus (FL) Bonilla Cooper
Bachus (AL) Brewster Coppersmith
Baesler Browder Costello
Baker (CA) Brown (OH) Cox
Baker (LA) Bryant Cramer
Ballenger Bunning Crane
Barcia Burton Crapo
Barrett (NE) Buyer Cunningham
Bartlett Callahan Danner
Barton Calvert Darden
Bateman Camp de la Garza
Bentley Canady Deal
Bereuter Carr DeFazio
Bevill Castle DeLay
Bilbray Chapman Derrick
Bilirakis Clement Deutsch

Diaz-Balart King
Dickey Kingston
Dooley Klug
Doolittle Knollenberg
Dornan Kolbe
Dreier Kyl
Duncan Lambert
Dunn Lancaster
Edwards (TX) Lantos
Ehlers LaRocco
Emerson Laughlin
English Lazio
Everett Leach
Ewing Levy
Fawell Lewis (CA)
Fields (TX) Royce
Fingerhut Lightfoot
Fish Linder
Fowler Lipinski
Franks (CT) Livingston
Franks (NJ) Lloyd
Frost Long
Gallegly Machtley
Gekas Mann
Geren Manzullo
Gilchrist Martinez
Gillmor Mazzoli
Gingrich McCandless
Glickman McCloskey
Goodlatte McCollum
Goodling McCrery
Gordon McCurdy
Goss McDade
Grams McHale
Greenwood McHugh
Gunderson McInnis
Hall (TX) McKeon
Hancock McMillan
Hansen McNulty
Harman Meehan
Hastert Meyers
Hayes Mica
Hefley Miller (FL)
Hefner Minge
Herger Molinari
Hoagland Montgomery
Hobson Moorhead
Hoekstra Moran
Hoke Morella
Horn Myers
Houghton Neal (NC)
Hoyer Nussle
Huffington Ortiz
Hunter Orton
Hutchinson Oxley
Hutto Packard
Hyde Pallone
Inglis Parker
Inhofe Paxon
Inslee Payne (VA)
Istook Penny
Jacobs Peterson (FL)
Johnson (CT) Peterson (MN)
Johnson (GA) Petri
Johnson (SD) Pickle
Johnson, Sam Pomo
Johnston Porter
Kasich Portman
Kennedy Poshard
Kim Pryce (OH)

NAYS—153

Abercrombie DeLauro Hilliard
Ackerman Dellums Hinchey
Andrews (ME) Dicks Hochbrueckner
Applegate Dingell Holden
Barca Dixon Hughes
Barlow Durbin Jefferson
Barrett (WI) Edwards (CA) Johnson, E. B.
Becerra Engel Kanjorski
Beilenson Eshoo Kaptur
Berman Evans Kennelly
Blackwell Fazio Kildee
Bonior Fields (LA) Kleczka
Borski Filner Klein
Boucher Flake Klink
Brooks Foglietta Kopetski
Brown (CA) Ford (MI) Kreidler
Brown (FL) Ford (TN) LaFalce
Byrne Frank (MA) Lehman
Cantwell Furse Levin
Cardin Gejdenson Lewis (GA)
Clay Gephardt Lowey
Clayton Gibbons Maloney
Clyburn Gilman Margolies-
Coleman Gonzalez Mezvinsky
Collins (IL) Gutierrez Markey
Collins (MI) Hall (OH) Matsui
Conyers Hamburg McDermott
Coyne Hamilton McKinney

Quillen Meek
Quinn Menendez
Ramstad Mfume
Ravenel Miller (CA)
Regula Mineta
Richardson Mink
Ridge Moakley
Roberts Mollohan
Roemer Murphy
Rogers Murtha
Rohrabacher Nadler
Ros-Lehtinen Neal (MA)
Roth Oberstar
Roukema Obey
Rowland Oliver
Royce Owens
Sangmeister Pastor
Santorum Pelosi
Sarpalius Pickett
Saxton Pomeroy
Schaefer Price (NC)
Schenk Rahall
Schiff Rangel
Sensenbrenner Reed

Reynolds Thompson
Rose Thornton
Rostenkowski Thurman
Roybal-Allard Torres
Rush Towns
Sabo Trafficant
Sanders Tucker
Sawyer Unsoeld
Schroeder Velazquez
Schumer Vento
Scott Visclosky
Serrano Washington
Skaggs Waters
Slattery Watt
Slaughter Waxman
Smith (IA) Wheat
Stark Williams
Stokes Wise
Strickland Woolsey
Studds Wyden
Stupak Wynn
Swift Yates
Synar
Tejeda

NOT VOTING—9

Farr Green Michel
Gallo Hastings Natcher
Grandy Manton Payne (NJ)

So, two-thirds of the Members present not having voted in favor thereof, the joint resolution was not passed.

A motion to reconsider the vote whereby said joint resolution was not passed was, by unanimous consent, laid on the table.

25.13 REQUESTING CONFERENCE WITH SENATE TO HOUSE AMENDMENT ON S. 636

Mr. MOAKLEY, by direction of the Committee on Rules, called up the following resolution (H. Res. 374):

Resolved, That upon the adoption of this resolution it shall be in order to take from the Speaker's table the bill (S. 636) to amend the Public Health Service Act to permit individuals to have freedom of access to certain medical clinics and facilities, and for other purposes, and to consider the Senate bill in the House. All points of order against the Senate bill and against its consideration are waived. It shall be in order to move to strike all after the enacting clause of the Senate bill and to insert in lieu thereof the provisions of H.R. 796 as passed by the House. All points of order against that motion are waived. If the motion is adopted and the Senate bill, as amended, is passed, then it shall be in order to move that the House insist on its amendments to S. 636 and request a conference with the Senate thereon.

When said resolution was considered.

After debate,

Ms. SLAUGHTER moved the previous question on the resolution to its adoption or rejection.

The question being put, *viva voce*,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. STUDDS, announced that the yeas had it.

On a division demanded by Mr. SENBRENNER, there appeared, yeas—5, nays—16.

Ms. SLAUGHTER objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.