SENATE RECORD VOTE ANALYSIS

104th Congress — February 16, 1995, 10:31 a.m.

1st Session — **Vote No. 74** — Page S-2778 Temp. Record

BALANCED BUDGET AMENDMENT/Cloture

SUBJECT: **A Resolution Proposing a Balanced Budget Amendment to the Constitution of the United States . . . H.J. Res. 1. Dole motion to close debate.**

ACTION: CLOTURE MOTION REJECTED, 57-42

SYNOPSIS: Pertinent votes on this legislation include Nos. 62-63, 65-73, and 75-98.

As passed by the House, H.J. Res. 1, a resolution proposing a Balanced Budget Amendment to the Constitution, is virtually identical to the balanced budget constitutional amendment that was considered last year by the Senate (see 103d Congress, second session, vote Nos. 47-48). The resolution: will require a three-fifths majority vote of both Houses of Congress to deficit spend or to increase the public debt limit; will require the President's annual proposed budget submission to be in balance; and will require a majority of the whole number of each House to approve any bill to increase revenue. Congress will be allowed to waive these requirements for any fiscal year in which a declaration of war is in effect. Congress will enforce and implement this amendment by appropriate legislation. The amendment will take effect in fiscal year 2002 or with the second fiscal year beginning after its ratification, whichever is later. The States will have 7 years to ratify the amendment.

On February 14, 1995, Senator Dole sent to the desk, for himself and others, a motion to close debate on the resolution.

NOTE: A three-fifths majority (60) vote is required to invoke cloture.

Those favoring the motion to invoke cloture contended:

We started this debate 18 days ago. During these days the national debt has continued to grow. America is now $15 billion deeper in debt. Of course, this debate has been going on for far longer than 18 days. Balanced budget proposals have been made every year for the past several decades, and a few times have even made it to the Senate floor. We know this issue is extremely important, but in previous floor debates we have finished consideration in 11 days at most. After several decades of debate and study, we are confident that Senators understand the issues. We remind our colleagues that the clock is ticking. Had we acted to pass this

(See other side)

YEAS (57)			NAYS (42)		NOT VOTING (1)	
Republicans (52 or 100%)		**Democrats (5 or 11%)**	**Republicans (0 or 0%)**	**Democrats (42 or 89%)**	**Republicans (1)**	**Democrats (0)**
Abraham	Hutchison	Campbell		Akaka	Kassebaum-[2]	
Ashcroft	Inhofe	Heflin		Baucus		
Bennett	Jeffords	Kohl		Biden		
Bond	Kempthorne	Pell		Bingaman		
Brown	Kyl	Simon		Boxer		
Burns	Lott			Bradley		
Chafee	Lugar			Breaux		
Coats	Mack			Bryan		
Cochran	McCain			Bumpers		
Cohen	McConnell			Byrd		
Coverdell	Murkowski			Conrad		
Craig	Nickles			Daschle		
D'Amato	Packwood			Dodd		
DeWine	Pressler			Dorgan		
Dole	Roth			Exon		
Domenici	Santorum			Feingold		
Faircloth	Shelby			Feinstein		
Frist	Simpson			Ford		
Gorton	Smith			Glenn		
Gramm	Snowe			Graham		
Grams	Specter			Harkin		
Grassley	Stevens			Hollings		
Gregg	Thomas			Inouye		
Hatch	Thompson			Johnston		
Hatfield	Thurmond			Kennedy		
Helms	Warner			Kerrey		
				Kerry		
				Lautenberg		
				Leahy		
				Levin		
				Lieberman		
				Mikulski		
				Moseley-Braun		
				Moynihan		
				Murray		
				Nunn		
				Pryor		
				Reid		
				Robb		
				Rockefeller		
				Sarbanes		
				Wellstone		

EXPLANATION OF ABSENCE:
1—Official Buisiness
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

Compiled and written by the staff of the Republican Policy Committee—Don Nickles, Chairman

amendment when it was first proposed, we would not have $3.5 trillion in debt. If we had passed this resolution 18 days ago, we would not have watched another $15 billion be added to the burden on future generations. How high will our colleagues let the debt climb before they have had enough days or years of debate?

The Minority Leader, in arguing against this motion, made two unfortunate assertions. First, he said that there is no filibuster taking place on H.J. Res. 1. We concede that a filibuster may be in the eyes of the beholder, but, as Members who have participated in a few filibusters in our days in the Senate, we are confident in labeling the tactics that have been employed on this resolution as efforts to delay its consideration. The facts that there have been few quorum calls and a steady stream of amendments proves nothing--for example, we remember an occasion last year when certain Democratic Senators accused Republicans of attempting a filibuster-by-amendment.

Second, the Minority Leader has said that holding this cloture vote implicitly suggests that there is a Democratic filibuster underway. No such implicit suggestion is made--all one needs to do is look at the votes that have been held so far to see that the prevailing side on each vote has had Members from both parties. In fact, the motion to table one amendment, the Johnston amendment, was only agreed to because it had the support of 9 Democratic Senators. The tabling of that particular amendment also no doubt disappointed the 9 Republican Senators who voted in its favor. Our point is that a filibuster is underway, but it is unjust to imply that there is an intention to characterize it as a Democratic filibuster, because support for a balanced budget amendment has always been bipartisan.

The result of the Minority Leader's regrettable assertion that this debate has been partisan will be to make this a partisan vote. Many Democratic Senators who support this balanced budget amendment will be pressured by their party to vote against the motion to invoke cloture. Rather than being a meaningful effort to close debate on perhaps the most important matter this Congress will consider, this vote will be merely a pointless vote on party loyalty. We urge all Senators who support this resolution to vote for cloture, though we understand that we will fall short of the 60 votes needed, and though we know that failing to invoke cloture at this point will probably not affect the final disposition of this resolution.

Those opposing the motion to invoke cloture contended:

We regret that we are about to vote on this cloture motion. The signal that will be sent by this vote is that there is an attempt underway by Democratic Senators to filibuster this resolution. No such filibuster is underway. The debate has been detailed and constructive over the course of the consideration of H.J. Res. 1. There have been no dilatory tactics, and virtually no quorum calls. Democratic Senators have offered numerous constructive amendments. Unfortunately, those amendments have been tabled on nearly party-line votes. For some Senators, the substance of these amendments seems to be of little concern; they are being summarily rejected.

Democrats deserve better treatment. The minority party in the Senate should always have the right to have its ideas be given due consideration. More importantly, the Constitution deserves better treatment. Any proposal to alter this fundamental, defining document of our republic merits sober, detailed examination. Partisanship should not enter into the deliberations.

Unfortunately, we believe that it has. An effort is being made to stampede this resolution through the Senate without due consideration of opposing views. We oppose this effort, and, at the risk of being labeled obstructionists, we oppose this motion to invoke cloture.