

## RULE 5.—VOTING

(a) Vote to report a measure or matter.—No measure or matter shall be reported from the Committee unless a majority of the Committee is actually present. The vote of the Committee to report a measure or matter shall require the concurrence of a majority of the members of the Committee who are present.

Any absent member may affirmatively request that his or her vote to report a matter be cast by proxy. The proxy shall be sufficiently clear to identify the subject matter, and to inform the Committee as to how the member wishes his vote to be recorded thereon. By written notice to the Chairman any time before the record vote on the measure or matter concerned is taken, any member may withdraw a proxy previously given. All proxies shall be kept in the files of the Committee, along with the record of the rollcall vote of the members present and voting, as an official record of the vote on the measure or matter.

(b) Vote on matters other than to report a measure or matter.—On Committee matters other than a vote to report a measure or matter, no record vote shall be taken unless a majority of the Committee are actually present. On any such other matter, a member of the Committee may request that his or her vote may be cast by proxy. The proxy shall be in writing and shall be sufficiently clear to identify the subject matter, and to inform the Committee as to how the member wishes his or her vote to be recorded thereon. By written notice to the Chairman any time before the vote on such other matter is taken, the member may withdraw a proxy previously given. All proxies relating to such other matters shall be kept in the files of the Committee.

## RULE 6.—QUORUM

No executive session of the Committee or a Subcommittee shall be called to order unless a majority of the Committee or Subcommittee, as the case may be, are actually present. Unless the Committee otherwise provides or is required by the Rules of the Senate, one member shall constitute a quorum for the receipt of evidence, the swearing in of witnesses, and the taking of testimony.

## RULE 7.—STAFF PRESENT ON DAIS

Only members and the Clerk of the Committee shall be permitted on the dais during public or executive hearings, except that a member may have one staff person accompany him or her during such public or executive hearing on the dais. If a member desires a second staff person to accompany him or her on the dais he or she must make a request to the Chairman for that purpose.

## RULE 8.—COINAGE LEGISLATION

At least 40 Senators must cosponsor any gold medal or commemorative coin bill or resolution before consideration by the Committee.

## EXTRACTS FROM THE STANDING RULES OF THE SENATE

## RULE XXV. STANDING COMMITTEES

1. The following standing committees shall be appointed at the commencement of each Congress, and shall continue and have the power to act until their successors are appointed, with leave to report by bill or otherwise on matters within their respective jurisdictions:

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(d)(1) Committee on Banking, Housing, and Urban Affairs, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Banks, banking, and financial institutions.

2. Control of prices of commodities, rents, and services.

3. Deposit insurance.

4. Economic stabilization and defense production.

5. Export and foreign trade promotion.

6. Export controls.

7. Federal monetary policy, including Federal Reserve System.

8. Financial aid to commerce and industry.

9. Issuance and redemption of notes.

10. Money and credit, including currency and coinage.

11. Nursing home construction.

12. Public and private housing (including veterans' housing).

13. Renegotiation of Government contracts.

14. Urban development and urban mass transit.

(2) Such committee shall also study and review, on a comprehensive basis, matters relating to international economic policy as it affects United States monetary affairs, credit, and financial institutions; economic growth, urban affairs, and credit, and report thereon from time to time.

## COMMITTEE PROCEDURES FOR PRESIDENTIAL NOMINEES

Procedures formally adopted by the U.S. Senate Committee on Banking, Housing, and Urban Affairs, February 4, 1981, establish a uniform questionnaire for all Presidential nominees whose confirmation hearings come before this Committee.

In addition, the procedures establish that:

(1) A confirmation hearing shall normally be held at least 5 days after receipt of the completed questionnaire by the Committee unless waived by a majority vote of the Committee.

(2) The Committee shall vote on the confirmation not less than 24 hours after the Committee has received transcripts of the hearing unless waived by unanimous consent.

(3) All nominees routinely shall testify under oath at their confirmation hearings.

This questionnaire shall be made a part of the public record except for financial information, which shall be kept confidential.

Nominees are requested to answer all questions, and to add additional pages where necessary.●

## ORDER OF BUSINESS

Mr. THOMAS addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming.

(The remarks of Mr. THOMAS pertaining to the introduction of S. 314 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. THOMAS. Mr. President, I thank you for the time. I yield the floor.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

## BALANCED BUDGET CONSTITUTIONAL AMENDMENT AND SOCIAL SECURITY TRUST FUNDS

Mr. REID. Mr. President, hopefully the week we get back, we will be able to start a serious debate on the most important issue relating to the balanced budget amendment, namely whether or not Social Security trust fund moneys should be counted in the constitutional amendment to balance the budget.

There will be an amendment offered, of course, that the Social Security trust fund moneys should be excluded from that. It seems each day that goes by we get added support for our amendment. We have received support over the months from various individuals, and just yesterday we received an opinion from the Congressional Research Service of the Library of Congress that was very important.

There has been some talk in the Chamber today that they have changed their opinion. Nothing could be further from the truth. And that certainly can come from reading the transmission from the American Law Division of the Congressional Research Service today. My friend, the Senator from North Dakota, will discuss this when I complete my remarks. But, Mr. President, all you need to do is read this new document that they put out where it says:

Only if no other receipts in any particular year could be found would the possibility of a limitation on drawing down the Trust Funds arise. Even in this eventuality, however, Congress would retain the authority, under the [balanced budget amendment] to raise revenues—

Of course, if you can get a supermajority.

or to reduce expenditures—

That's very true, you could continue to cut.

to obtain the necessary moneys to make good on the liquidation of securities from the Social Security Trust Funds.

Mr. President, this is certainly the same opinion that they rendered yesterday. The Social Security Trust Fund is the largest money out there, this year, \$80 billion. This is being applied toward the deficit to make it look smaller. And that is all they are saying, that is, in effect, when it comes time to balance the budget, they will look to Social Security. The way the balanced budget amendment is written, if there are not surpluses over and above the Social Security Trust Fund moneys, people simply would not be able to draw their checks.

I will yield the floor—

Mr. DORGAN. I wonder if the Senator will yield?

Mr. REID. I will be happy to.

Mr. DORGAN. Mr. President, I wanted to make an observation and make a point. The Congressional Research Service has sent a second letter. I wanted to make the point the Senator from Nevada made. The second letter says the same as the first letter on the question of whether surpluses in the Social Security Trust Fund can be used in the outyears to be spent for Social Security needs. The answer is, in the first letter from CRS and in the second, the answer is no, unless there is a corresponding tax increase in the same fiscal year, or corresponding spending cuts, equal to those surpluses. And that is the very point we were making.

The second letter from the Congressional Research Service simply says the same thing that they said earlier with slightly different wording. We