

Perhaps the Treasury Department did not hear that the President is concerned about homeland security. Treasury officials may want to call the White House.

SUPPORT OUR MILITARY FAMILIES

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to voice concern over the undue hardship that President Bush is placing on our military families.

At a time when our Nation is asking a tremendous amount from our armed services, the administration has proceeded to deliver blow after blow to our men and women in uniform.

The Bush tax cut failed to extend a child tax credit to nearly 200,000 low-income military personnel. And then, of course, \$200 million has been cut from programs providing assistance to public schools on military bases.

The Bush administration said they would Leave No Child Behind. Well, what is happening to the children of the brave troops who are in Iraq?

The latest tax cut also scraped \$1.5 billion away from military housing. Furthermore, it cuts \$14.6 billion over 10 years from veterans benefits.

During the 2000 campaign, the President vowed to give our Armed Forces better pay, better treatment, and better training. Well, Mr. President, it is time to keep your promise.

PARLIAMENTARY INQUIRY

Mr. HAYES. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. SIMMONS). The gentleman will state it.

Mr. HAYES. Mr. Speaker, a few moments ago, the gentlewoman from California (Ms. LOFGREN) called the President of the United States a liar. My question is, is it too late to ask that her words be taken down? This is inappropriate by our rules.

The SPEAKER pro tempore. The Chair has already ruled on that matter. At the time the Chair ruled that the gentlewoman was out of order.

Mr. HAYES. Thank you, Mr. Speaker. It bothers me. I appreciate the ruling.

AMERICA'S SENIOR CITIZENS DESERVE PRESCRIPTION DRUG BENEFIT UNDER MEDICARE

(Mr. HAYES asked and was given permission to address the House for 1 minute.)

Mr. HAYES. Mr. Speaker, I rise today in support of legislation that is vitally important to our Nation's seniors: a prescription drug benefit for Medicare.

We know that treating diseases with prescription medications can help re-

duce the chance of costly hospital stays and expensive medical procedures. I urge my colleagues to work together to ensure a fair and responsible Medicare plan that lowers the cost of prescription drugs now so that senior citizens can better afford the medicines they need to live healthier lives and to improve their quality of life.

No American should be forced to choose between food, shelter, or prescription drugs. Last August, I toured the eighth district of North Carolina with a petition gathering signatures of seniors who agreed that we need that prescription drug benefit now. At each stop, seniors told me of their disappointment of promises that were made, but not kept. The time is long overdue for us to make good on this promise.

Medicare is a program that has been helping millions of older Americans meet their health care needs since that first day back in 1965. We can and should strengthen Medicare to make it even better for our seniors. One critical way we can make this program better is by adding a prescription drug benefit.

Our seniors deserve no less.

PROVIDING FOR CONSIDERATION OF H.R. 660, SMALL BUSINESS HEALTH FAIRNESS ACT OF 2003

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 283 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 283

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 660) to amend title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees. The bill shall be considered as read for amendment. The amendment recommended by the Committee on Education and the Workforce now printed in the bill shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except—

(1) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce;

(2) the further amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Kind of Wisconsin or his designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and

(3) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Florida (Mr. LINCOLN DIAZ-BALART) is recognized for 1 hour.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. LINCOLN DIAZ-BALART of Florida asked and was given permission to revise and extend his remarks.)

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, House Resolution 283 is a rule that provides for the consideration of H.R. 660, the Small Business Health Fairness Act of 2003. The resolution makes in order a minority party substitute that provides ample opportunity to discuss this important legislation before us, while addressing certainly the concerns of our colleagues on the other side of the aisle.

The rule provides 1 hour of general debate, evenly divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce.

This is a bipartisan bill. In fact, the legislation has 162 cosponsors on a bipartisan basis, and many, many groups that are interested in this issue are supporting this legislation.

H.R. 660 was introduced by the gentleman from Kentucky (Mr. FLETCHER). It has the strong support of the Speaker, of the Committee on Small Business chairman, the gentleman from Illinois (Mr. MANZULLO), and the Subcommittee on Employer-Employee Relations chairman, the gentleman from Texas (Mr. SAM JOHNSON).

Association Health Plans, or AHPs, allow access to needed health insurance for many who do not have health insurance. The House, I believe, Mr. Speaker, must act now to pass this long overdue legislation.

Really, the Nation is at a crossroads. We currently have over 40 million Americans without health insurance, approximately 60 percent of whom work or depend on small employers who often cannot afford these very important and needed benefits. This bill will help small business, in turn, help working families.

Mr. Speaker, H.R. 660 will allow for small businesses across the country to band together through established and respected trade or professional organizations to lower health care costs. This same model already works for large companies. We believe that small businesses should also be allowed to benefit from it.

Estimates predict that anywhere from 350,000 to 8 million uninsured workers will receive health care benefits through these AHPs even at the lowest projection, and that means positive progress for many currently uninsured men and women.

Now, we may hear all sorts of arguments concerning, for example, state-by-state regulations. We have already, however, seen many large companies provide health insurance because they

are allowed these procedures. These same benefits will now be obtainable through collective bargaining by the AHPs while, at the same time, reducing burdensome administration fees, precisely by having to comply with only one set of Federal regulations and not 50 individual sets of State regulations.

This bill also ensures that AHPs adhere to the important regulations in the Health Insurance Portability and Accountability Act of 1996, meaning that coverage cannot be denied based on health or claims experience.

I am very pleased that the Committee on Rules did a fine job in providing a full and fair process of debate through, among other things, permitting a Democrat substitute that addresses many of the points brought out through testimony in the Committee on Rules.

Mr. Speaker, H.R. 660 is a good bill and House Resolution 283 is a fair rule. It is very important to the over 40 million uninsured Americans and the vitality of small business in the United States. Through this legislation, the House of Representatives continues its work to relieve many of the existing burdens on American families.

I would like to thank the gentleman from Ohio (Mr. BOEHNER) and the gentleman from Texas (Mr. SAM JOHNSON) for their leadership on this issue, and I urge my colleagues to support this rule and the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. FROST. Mr. Speaker, I yield myself such time as I may consume.

(Mr. FROST asked and was given permission to revise and extend his remarks.)

Mr. FROST. Mr. Speaker, I support the idea behind the association health plans. Helping small businesses has been a priority of mine for a long while. At the same time, I strongly believe that we have a moral obligation to help every American get the health coverage they and their families need.

So I am glad that the Democrats on the Committee on Education and the Workforce, particularly the gentleman from Wisconsin (Mr. KIND) and the gentleman from new Jersey (Mr. ANDREWS), have written the Democratic substitute. It is a sensible and affordable plan to ensure health coverage for small businesses and their employees that is at least as good as Federal employees get. If you think small businesses deserve the same health coverage that Members of Congress get, then the Democratic plan is for you.

Unfortunately, Mr. Speaker, the Republican Party controls the House of Representatives. That gives them the power to block important priorities, and they have no problem using it.

For instance, they are still blocking tax relief for millions of military and working families. Six times Democrats have tried to give the child tax credit to these families because we believe that they deserve at least a fraction of

the tax breaks that Republicans gave to millionaires last month. But six times, House Republicans have used their power to deny these families. Today, Mr. Speaker, the Republican leadership is using their power and this restrictive rule to undermine patient protections.

Now, perhaps Republicans will say that we should not be surprised. More than 90 percent of the rules in this Congress have been restricted, a shameful record of stifling democracy and blocking critical American priorities. But the rule on the floor today perfectly illustrates how the Republican majority has operated during this Congress.

In the Committee on Rules, Democrats offered 14 amendments on issues that are critical to the health of the people who might participate in these plans, but the Committee on Rules Republicans voted down all but one of them, the Democratic substitute.

Consider patients' rights, for example. Republicans have successfully blocked a national Patients' Bill of Rights for the past several years, and the base bill would undermine the patient protections that various States have passed, making it a kind of anti-Patients Bill of Rights.

So the gentleman from Massachusetts (Mr. TIERNEY) and the gentleman from Maryland (Mr. VAN HOLLEN) went to the Committee on Rules with an amendment to ensure that these new association health plans comply with State patient protections, like prohibitions on doctor gag rules and access to emergency rooms, OBGYNs, and specialists. But Republicans on the Committee on Rules defeated their amendment on a party-line vote.

Or take prostate cancer and breast cancer. The gentlewoman from New York (Mrs. McCARTHY) tried to ensure that these new health plans cover screenings for these deadly diseases, but Republicans refused to allow the House to vote on her amendments.

The gentleman from Wisconsin (Mr. KIND) and the gentleman from Ohio (Mr. KUCINICH) each tried to protect Americans with autism.

The gentlewoman from Minnesota (Ms. MCCOLLUM) tried to ensure maternity and well-child benefits continue to be covered in States that require this coverage.

□ 1030

And the gentleman from New Jersey (Mr. ANDREWS) tried to protect small businesses and their employees from discrimination based on race, gender or age. Each of these is an important issue when you are creating a new system that could affect the health of millions and millions of Americans. But Republicans refuse to allow the House to even vote on their amendments. As a result, Mr. Speaker, if the Republican-based bill passes the House, millions of Americans will lose out on important patient protections, and that is just one example of how Americans are harmed by what the Republican leadership does on the Committee on Rules.

Of course, none of these amendments would have been necessary in the Republican bill were they not so deficient, but it is. In fact, the Republican plan is opposed by more than 475 organizations representing State governors, insurance commissioners, attorneys general and State legislators, as well as physician groups, consumer organizations, Chambers of Commerce, farm bureaus and small business associations. The American Nurses Association, for example, wrote that it "would undermine the protections provided by State laws while doing little to provide coverage for the uninsured."

The nonpartisan Congressional Budget Office found that premiums would increase for 80 percent of small employers, while as many as 100,000 of the sickest people would lose coverage altogether.

In my home State of Texas, more than 1.5 million people would pay higher premiums if the Republican bill passes, according to an analysis of a report by the nonpartisan Congressional Budget Office.

Despite this, Mr. Speaker, the Republican leadership refused to allow votes on the Democratic amendments to fix their bill. That means that the Democratic alternative is the only way to protect patients and increase coverage for small business employees.

It sets up a Small Employer Health Benefits Plan that would work like health plans that now cover Federal employees. It covers all small businesses and their employees, offers affordable premiums, and ensures that people get coverage at least as good as what Members of Congress gets. And unlike the Republican bill, it preserves State patient protections.

To pass the Democratic alternative and provide affordable and comprehensive health coverage to small businesses, we need Republicans to stand up to their leadership and vote "yes" on the Democratic alternative. But before that, Republicans have yet another opportunity to stop blocking tax relief for millions of military and working families. To do that, all they have to do is stand up to the Republican leadership on the important parliamentary vote on the previous question. If we defeat the previous question, the Democrats can amend the rule to allow the House to vote on the child tax credit and the Armed Forces Fairness Act. The President could sign both of these bills tomorrow if only Republicans would finally stop standing in the way.

Mr. Speaker, I urge the Republicans to put the American people above their leadership today.

Mr. Speaker, I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the legislation that we are bringing to the floor today, what it does is that it gives small businesses the ability to come together and have

the purchasing power and the leverage, if you will, that currently only large corporations have with the concept, with the goal of bringing down health care costs and offering products, offering health insurance, to those workers who work the overwhelming majority of workers in the United States who work for small businesses. That is what we are trying to do.

I heard my friend on the other side of the aisle say that they have other ideas. Well, we granted the Democrats the ability to bring forth to the floor today their substitute, and so let the debate begin. And if the membership believes that concerns are better addressed in their substitute, the membership may be swayed to support the substitute. We happen to believe our legislation is better. But that is why we will have this debate. So we granted the substitute. And we strongly believe that small businesses should have that ability to come together across State lines and acquire much more leverage and much more purchasing power when they are trying to provide health insurance for their workers. That is what we are trying to do today.

So we hear all sorts of things because we live in a wonderful democracy and everything can be brought out under the sun. But that is what we are trying to do. We are trying to lower health care costs. We are trying to provide health insurance to more people in this country by permitting small businesses to come together. That is what we are trying to do today. Democrats say they have a better idea. That is why we granted their substitute. We do not happen to believe they have a better idea, but we allowed the debate.

After hearing all sorts of confusing things, I wanted to, in case somebody is listening to the debate, get back to what we are actually trying to do, Mr. Speaker.

We think it is a fair rule. We think it is fair in this case to provide the opportunity to debate by making in order the minority party's substitute and we think we have a good product. A lot of Members have worked hard on this product. So we want to get to the debate and we would urge support for the rule by the membership.

Mr. Speaker, I reserve the balance of my time.

Mr. FROST. Mr. Speaker, I yield 5 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished gentleman from Texas (Mr. FROST), the ranking member, for yielding me time.

My good friend from Florida, I believe, has in some way characterized the dilemma that we face continuously in this body. Where there are opportunities for us to come together around both a common good and a common cause, leave it to the majority to throw a stinker in the mix. This bill has a number of co-sponsors and I know why. Because all of us have small businesses and have heard from them repeatedly

about a very important concept and that is to be allowed to join together to promote good health plans for their employees.

Any of us who have large numbers of constituents who are small business owners or have come to this floor at any time, we have remarked that small business is the backbone of America. And so the idea of associated health plans is a reasonable idea, Mr. Speaker. But what is unreasonable is the very fact that we could not have a common agreement around the idea that we do not want to banish the sickest of the group. We do not want to disenfranchise them from being able to join in these plans.

We do not want women in Maryland or women in Texas who, under their regulated plans, can get mammograms and then find that this plan is subject to the management of the Department of Labor without any regulations, that they would, if you will, disallow or give permission that you do not have to grant the mammogram provision or the prostate cancer testing provision in these plans. That is what we are arguing about.

That is why the Democratic substitute stands more worthy of our consideration. And that is why I am concerned about this legislation because I, frankly, believe it should be 435 to zero helping small businesses. But I have great difficulty with looking at this legislation, I was considering co-sponsoring it, inasmuch as it takes away the regulatory arm, and I do not know why we are here running away from regulations when we have regulated things to the positive.

We have helped to save lives with regulations in this country; but yet now we want to pass legislation that leaves small businesses, of all groups, the very nature of their size means that they need extra help, the Small Business Administration. So we want to take away the regulations and give them plans that may be, at best, unhelpful to their employees who will get sick and very sick, and then give them simply a plan that maybe 2 or 3 of their 10-person business could be able to be associated with.

Mr. Speaker, we can do better than this, and I would ask my colleagues to defeat the rule on the previous rule question so that we can get back to the drawing board of making this a better bill.

I would add something else, Mr. Speaker, that while we are doing this and fixing problems, can I get the attention of my colleagues on the other side and ask the question why we cannot pass the low income tax credit for children? It was passed by the Senate more than 2 weeks ago. It is a \$10 million plan. It will help 19 million children, 2,129,000 in the State of Texas. I have that embossed in my brain, if you will, literally, in my brain and the reason is because I see these people all the time.

I do not know if any Members, that Fort Hood in Texas sent more troops to

Iraq than we sent in World War II. Many of these young people are in Iraq as we speak. Many of those people are in Iraq as we speak and the way the tax laws, Mr. Speaker, are configurated now, because were they in combat pay, they would not be eligible for the low income tax credit, even though they fall within the salary range, which is \$10,000 to \$26,000, because those young men and women are making somewhere around \$1,000 to \$1,200 a month.

So my concern is that we have it languishing probably with a conference, and if any of us knows what a conference means, there is no way of telling how long that bickering would occur, when we could take the Senate bill sitting at the desk, the Speaker could lift that Senate bill. It could pass. That is the bill, \$3.5 billion is what that bill would cost, and now we have an \$82 billion white whale languishing in the shallow waters of a conference committee, never to be heard from again.

Mr. Speaker, let me close by saying that the Wall Street Journal says that the gentleman from Texas (Mr. DELAY) and others in the House deliberately made their child tax credit bill richer than the Senate version because they knew that the Senate conferees would walk away and pass nothing instead.

Mr. Speaker, let me just say, we have got to do a better job of fixing problems for Americans.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the underlying legislation that we are bringing to the floor today is very important, as I stated before. We believe in small business. We believe in the fact that the overwhelming majority of workers in this country work in small businesses, and we want to incentivize those small businesses in providing health care, health insurance to their workers.

I think it is important to reduce the over 40 million number of workers in this country who do not have insurance. We think we are going to do so in a significant way with this legislation.

With regards to some of the allegations my friend from Texas, the previous speaker, said with regard to the low income tax credit, we passed that last week and we really do not believe, her words were, "a white whale" we passed. We do not think it is a white whale to pass the legislation that we passed. We do not think it is a white whale to include, as we did, tax breaks for military families. We do not think it is a whale to include tax breaks, as we did, for victims of the Shuttle crash tragedy. We do not think it is a whale to extend, as we did last week, in precisely the low income tax credit legislation, the child tax credit until the year 2010. We do not believe that is a whale. We believe it is important legislation.

But back to the point of what we are doing this week, because that we did last week, despite the fact that our

friends on the other side of the aisle voted against it, but it is a free country. What we are doing this week is bringing forth with this rule, that permits the Democratic substitute, legislation that will permit small businesses to come together and pool their resources and increase their leverage so that they can provide, so that they can provide to the millions of workers who work for small businesses and do not have health insurance, health insurance at better rates and with better terms. That is what we are doing.

Mr. Speaker, I reserve the balance of my time.

Mr. FROST. Mr. Speaker, I yield 4 minutes to the gentleman from New York (Mr. CROWLEY).

□ 1045

Mr. CROWLEY. My colleagues, when debate is completed here on the rule, my colleagues on the other side of the aisle will order the previous question. And I would ask my colleagues on the Democratic side of the aisle to vote "no" on the previous question to allow the consideration of the Armed Forces Tax Fairness Act, which is currently pending before the Speaker's desk, and allow for the Senate language for the child tax credit to come before this House. It will allow us to have a vote on that legislation.

Mr. Speaker, I appreciate the fact that under this rule we will have the opportunity to have a substitute, and I do express my appreciation for that. I intend to vote for the substitute and against the majority bill before us. But if I could, I will use this opportunity to speak about what will then be offered later on again today in the IRS substitute, the Rangel substitute, that will once again have a substitute that will include the Senate language on the child tax credit so it will give our colleagues on the other side of the aisle an opportunity to vote up or down on the Senate language.

But I do not think that that substitute will pass at the end of the day. I am a realist. I do not think so because I believe my Republican friends on the other side of the aisle have, unfortunately, shamelessly, brought a sham child tax credit bill before the House this last week, a bill our President opposes, a bill that a Republican-controlled Senate opposes as well. They knew when the House voted on that bill that it would never, and I say never, be enacted. In fact, their own Republican Senate leaders have admitted that it will never be enacted, the House version.

Instead, the Republicans would rather play politics with this issue, politics with the lives of 6.5 million Americans and working families. Yes, they work. They are not on welfare, as some would have you wrongly believe. And they do have children. Believe it or not working people have families, and they do make babies, and they do have expenses to pay for. Playing politics is what is happening with the lives of

260,000 children, their families on active military duty in Iraq who lose this credit under the Republican sham bill.

This Republican scheme is so egregious that even Senator JOHN McCAIN said he did not understand how the Republican leadership and President Bush left enlisted men and women out of this tax package.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMMONS). Members should avoid references to statements made in the Senate.

Mr. CROWLEY. Only in a positive way, Mr. Speaker. Only in a positive way did I make reference to the Senator.

They play politics with the 3.1 million Americans who have lost their jobs since President Bush became President, with even more job losses projected.

Again, it is shameful to be offering a tax cut to the rich while cutting benefits for working people, cutting benefits for our enlisted personnel and their families, cutting benefits for veterans, cutting benefits for seniors on Medicare, and allowing 3.1 million Americans who have lost their jobs, jobs that have dispersed since President Bush became President and the Republicans began their economic policies 3 short years ago.

Mr. President, you have the power, it is in your hands, to demand the Senate bill be brought before this House for a vote. You can bring the needed pressure to bear on our colleagues on the other side of the aisle for an up or down vote on the Senate bill, and you can have that bill on your desk this evening. Do not let us leave here today, do not let us finish the work of this House this week before demanding that the Senate bill be brought up in this House and passed so that you can sign it, Mr. President, this evening or sometime this week before we leave.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The gentleman is reminded to address the Chair and not the President.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

I think it is important to point out, because my dear friend who just spoke stated that the President of the United States opposed, that is what the gentleman said, the legislation that we here in the House passed last week to provide precisely the low-income child tax credit and, in addition to that, provide tax breaks for military families and for families of the shuttle crash tragedy and extending the child tax credit through the year 2010.

The President supports the legislation. In fact, I am handed here the statement officially put out by the administration in support of the legislation that the House passed. This official statement of administration policy is dated June 12. So I wanted to make that clear on the record.

We are very proud of what we did last week, and we hope and certainly would

encourage those who are now resolving any differences that may exist with our friends in the other body that they get that legislation to the floor of both bodies as soon as possible. That is what we did last week.

What we are doing this week is we are providing incentives for small businesses to provide health insurance to the millions of Americans who work for small businesses in this country and do not have health insurance. We think there are few issues as important as that issue. That is why we want to bring that legislation to the floor as soon as possible, and that is why we have brought a fair rule to the floor to be able to do so, a rule that makes in order the Democratic substitute and makes in order, in addition to that, a Democratic motion to recommit.

So we have been doubly fair in this rule and are very proud of the underlying legislation, the work product of Members that have worked long and hard to reduce the number, those millions of Americans who do not have health insurance and who work for small businesses. We want small businesses to have the same leverage, to have the same opportunities to pool their resources, to come together and do so like large corporations can do so today. That is why we feel so strongly about this legislation and are in support of it, and that is why we have brought it forward under a fair rule.

Mr. Speaker, I reserve the balance of my time.

Mr. FROST. Mr. Speaker, I yield 2 additional minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished gentleman for yielding me this time and for his leadership and his kindness.

Mr. Speaker, I wish to respond to some of the comments that I believe my very, very good friend from Florida has raised, as I think it is important that we understand that that big, big white whale is languishing in shallow waters and that is a very difficult journey for that whale to make. And I do maintain that that whale is languishing.

First of all, I am disappointed that there is now a printed administration position, because it was very clear that we heard on the wings of the passage of the Senate bill, the other body, excuse me, Mr. Speaker, that there was great excitement and we wanted to pass the freestanding child tax credit bill, \$3.5 billion, versus \$82 billion that was going to help our military families immediately.

The reason why I say we are languishing is because, Mr. Speaker, we are. We have a tank of a bill put forward by the Republicans not moving at all, and we have low-income families making \$10,000 to \$26,000 literally suffering because we know that bill is not going to be passed any time soon. The Wall Street Journal today said, "Mr. DELAY and others in the House deliberately made their child tax bill richer

than the Senate version because they knew the Senate conferees would walk away and pass nothing." Nothing. Instead, the whale is languishing.

And with respect to this small business health bill, there is not a soul here who does not advocate for small businesses. But how in the world can we strap them with a health plan that has no regulations and we are going to tell women, who either own small businesses and/or work for them, that there is no room at the inn as relates to mammograms, or men that there is no room at the inn as relates to prostate cancer testing? Devastating diseases.

Mr. Speaker, we do have a problem, and this rule should be defeated so we can get the child tax credit. My friends need to go back to the drawing board and bring us a small business bill that I would like to vote for that protects all of small business in America. I think that is what we need to do.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

First of all, I would tell my dear friend the legislation that we passed last week, number one, is not a whale; and, number two, it is not languishing. And I am informed, I know I am not supposed to mention the other body, but I would wonder how I could get this fact across without doing so, the conference has begun. The conference has begun this morning. Or they have agreed to go to conference. Today there has been the agreement to go to conference precisely on the legislation that is not a whale. And, thus, the whale that is not is not languishing.

Ms. JACKSON-LEE of Texas. Mr. Speaker, will the gentleman yield?

Mr. LINCOLN DIAZ-BALART of Florida. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. That is good news, that they have gone to conference. But how many of the conferees, and you know it takes a majority vote, are agreeing to the \$82 billion package from here as opposed to the unanimous agreement on the \$3.5 billion?

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, reclaiming my time, again I do not know the answer to that, but I would say the following:

I would say to my good friend that, number one, I cannot get into the brain of all the conferees. I think we have to allow them to meet so that there will be a meeting of the minds, number one. But we certainly do not think that it is a whale to increase the child tax credit of \$1,000 per child through the year 2010. We do not think that is a whale. We do not think it is a whale to eliminate the marriage penalty in the child credit. We do not think it is a whale to accelerate the increase in the refundable child credit. We do not think it is a whale to provide tax relief and enhance tax fairness for members of the Armed Forces. We do not think it is a whale to suspend the tax exempt status of designated terrorist organizations or

to provide tax relief for astronauts' families, those who died on the space mission. So we think it is very important what the House did last week.

Now, another statement was made before by one of our friends on the other side of the aisle that the President does not support the measure that the House passed last week. Oh, no, no, no. The President is fully in support of the measure that the House passed last week. So the legislation that we passed last week we are extremely proud of and the President supports it.

But we are also very proud of and we are also strongly in support of what we are trying to do this week, Mr. Speaker. Because we believe that it should not only be the large corporations that have the ability to use their great leverage of numbers to offer health insurance to their workers with the best possible terms. We think small business, which is the backbone of the American economy, and hires the majority, employs the majority of the workers in this country, that small business also should have the opportunity to pool their numbers to acquire leverage in negotiating terms with those insurance companies and bring down the rates and offer the best possible terms to the millions of workers precisely because they work for the backbone of the American economy, small business. That is what we are doing this week.

So, no, what we did last week is not a whale. What we did last week is something we are very proud of, and we have the support of the President of the United States. But what we are doing this week is also very important, Mr. Speaker, and that is why, with all due respect, I tell my friends on the other side of the aisle that we have brought this important piece of legislation to the floor today with a rule that is fair, a rule that provides the minority party a substitute, the opportunity to bring forth any concerns they may have in the form of a substitute; and, in addition, to be doubly fair, we grant our friends on the other side of the aisle the opportunity to present a motion to recommit with any further and additional concerns they may have.

□ 1100

So we are very fair this morning, Mr. Speaker. We are very proud of the legislation that we are bringing to the floor.

Mr. Speaker, I reserve the balance of my time.

Mr. FROST. Mr. Speaker, I yield 5 minutes to the gentlewoman from California (Ms. LORETTA SANCHEZ).

Ms. LORETTA SANCHEZ of California. Mr. Speaker, let us talk about this child tax credit. When we began with the child tax credit, we were thinking about families. We were talking about families. We said in this difficult economic time, it is important for us to hold families together, to help those struggling families which have to educate their children, provide child

care, be good parents, sometimes both parents are working.

It is important to keep families together and to honor the fact that families want to be together and bring children up in a good environment.

But the Republicans proved something when they got to the child tax credit. It was not about all families and keeping all families together and working with all families, there were some families they did not care much about, those were poor families. They did not care if you were a waitress and you had to provide child care for your child and you had financial constraints, and you had to get them to the soccer game. They did not care if you were a maid or a janitor. They did not care if you were making minimum wage trying to afford an apartment so your children had a roof over their heads. They did not care about you, they cut you out. In the dark of the night, they cut you out.

But can Members imagine that they did not care about our men and women overseas in Iraq? They did not care about them either. They did not care about our military families. They said it is great, they are doing a great job. They are so brave, but they did not care about the children, they did not care about those families because they caught cut those families out of the child tax credit also.

So let us say, for example, that I am the wife who is staying home with the two kids while my husband is in Iraq. I have no problems, I have no financial constraints. They are over there, the President declared a victory on that aircraft carrier, but my husband is still in Iraq. By the way, every day someone is killed out there. It could be my husband; but I do not have any problems. I do not have any anxieties. The Republicans did not care about those families. I do not have to get my kids to soccer or worry about their education. I do not have to worry about additional child care or taking them over to my mom or something to take care of because my husband is not here. He is serving his country. He is keeping our freedoms safe. But the Republicans did not care about that kind of family.

Okay, we would anticipate that they would not care about poor families; but could we anticipate that they would not care about military families? I am sitting there as a wife, and I have got no problems. But somebody who makes \$80,000 a year, they got the child tax credit, not me. Not my children, not my husband. And then they said oh, they got caught. People figured it out. So they put it back in, but not all of them. There are still military families cut out because they make too little money. But in order to put some of the families back, they put in more tax cuts for people who make \$100,000 a year and \$150,000 a year and \$3 million a year, but not someone who makes \$10,000 a year or someone who makes \$14,000. Those families do not count. Those children are not important enough.

Mr. Speaker, they have no problems. They have no financial anxiety. Remember why we wanted this child tax credit, to ensure that families could come together and work together and be together. That is why we wanted the child tax credit.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, precisely because we are concerned about and care about the majority of the workers of this country who happen to work for small businesses, that we want to create the possibility that they will be able to have health insurance just like those who work for large corporations have health insurance, so precisely to mention some of the people who were mentioned by my friend, the previous speaker, yes, we think if someone is a janitor or a maid or work in a restaurant or drive a truck or deliver packages, you should also have health insurance, and your employer should be able to pool its resources to acquire the leverage and the purchasing power that large corporations have when they get into the room to negotiate terms and conditions with the insurance companies. That is what we are trying to do today.

I am very pleased that this debate has given us the opportunity to point out to our colleagues and to the American people what precisely the hard-working Members who have brought forth this work product, this legislation today, are allowing the Congress to do for the American people. And that is the majority of workers in this country who work for small businesses should also have the right to have health insurance, should also have the right to have their employer have the purchasing power and the leverage and negotiating terms and conditions for health insurance for the workers of America that the large companies have.

So that is the essence of what we are doing this week with regard to what we did last week, which was to provide the low-income child tax credit and to also provide an increase in the child credit through the year 2010 and eliminate the marriage penalty in the child credit and accelerate the increase in the refundable child credit, provide tax relief and enhanced tax fairness for members of the Armed Forces, suspend the tax-exempt status of terrorist organizations, provide tax relief for the families of astronauts who die on space missions. We think it is important to do that, and that is what we did last week.

They have agreed to go to conference today on that important piece of legislation, but let us not focus on one important piece of legislation to the detriment of another important piece of legislation, which is the one we are bringing forth today, and that is let us allow small business to have the leverage, have the purchasing power to face health insurance like large companies can. That is what we are doing today.

We are proud of it, and we want to get to a debate under a fair rule which provides the Democrats a substitute and a motion to recommit. That is what we are doing today.

Mr. FROST. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I urge Members to vote no on the previous question. If the previous question is defeated, I will offer an amendment to the rule. My amendment will provide that immediately after the House passes the Small Business Health Fairness Act, it will take from the Speaker's table the Senate passed version of H.R. 1307, the Armed Forces Tax Fairness Act.

Additionally, my amendment will add to H.R. 1307 the text of H.R. 1308 as passed by the Senate, which restores the refundable child tax credit that was removed from the Republican tax bill. This will allow the House to combine these two Senate passed bills and immediately send them back to the Senate and then hopefully on to the White House for the President's signature. If this happens, we can begin helping America's low and modest income working families right away and we can give tax relief to those brave members of the military who are in combat overseas.

As my colleagues know, this is the seventh time we have tried to bring the child tax credit to the floor for a clean up or down vote. The reason we have continued to persevere is because this is so important to America's families, particularly those making at or near the minimum wage, families who struggle every day to get by. They have no one else to fight their battle for them. They cannot afford to hire expensive lobbyists, and they cannot afford to be a Bush pioneer. We are here for them and we will keep fighting for their voices to be heard.

Vote no on the previous question so we can finally consider these two Senate passed tax plans, tax plans which will help those most in need of relief. I would like to stress that a no vote will not stop us from considering the Small Business Health Fairness Act. However, a yes vote will once again, for the seventh time, block the House from having an opportunity to vote to restore the child tax credit that was unceremoniously stripped from the Republican reward-the-rich tax bill that was passed last month. Again, vote no on the previous question.

Mr. Speaker, I ask unanimous consent that the text of the amendment and extraneous materials be printed in the RECORD immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. QUINN). Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FROST. Mr. Speaker, I yield back the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we say vote yes. We say vote yes to allowing small businesses

to have the leverage and purchasing power that large businesses have, to increase significantly the number of American workers, the majority of whom work for small businesses, who can have health insurance. We think the issue is that important that we should vote yes. Vote yes on the previous question, vote yes on the rule, and let us get to the underlying legislation, legislation which is as important as the legislation we passed last week.

The material previously referred to by Mr. FROST is as follows:

PREVIOUS QUESTION FOR H. RES. 283—RULE ON H.R. 660: SMALL BUSINESS HEALTH FAIRNESS ACT OF 2003

At the end of the resolution insert the following new section:

“SEC. 2. Immediately after disposition of the bill (H.R. 660), the House shall be considered to have taken from the Speaker's table the bill (H.R. 1307) to amend the Internal Revenue Code of 1986 to provide a special rule for members of the uniformed services in determining the exclusion of gain from the sale of a principal residence and to restore the tax exempt status of death gratuity payments to members of the uniformed services, and for other purposes, with the Senate amendment thereto, and a motion that the House concur in the Senate amendment with an amendment consisting of the text of the Senate amendment to the text of H.R. 1308 shall be considered as pending without intervention of any point of order. The senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered on the motion to final adoption without intervening motion.”

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. FROST. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 224, nays 198, not voting 12, as follows:

[Roll No. 289]
YEAS—224

Aderholt	Bereuter	Bonner
Akin	Biggert	Bono
Bachus	Bilirakis	Boozman
Baker	Bishop (UT)	Bradley (NH)
Ballenger	Blackburn	Brady (TX)
Barrett (SC)	Blunt	Brown (SC)
Barton (TX)	Boehlert	Brown-Waite,
Bass	Boehner	Ginny
Beauprez	Bonilla	Burgess

Burns	Hefley	Pickering	Kleczka	Mollohan	Schakowsky	Burns	Hefley	Pickering
Burr	Hensarling	Pitts	Kucinich	Moore	Schiff	Burr	Hensarling	Pitts
Burton (IN)	Herger	Platts	Lampson	Moran (VA)	Scott (GA)	Burton (IN)	Herger	Platts
Buyer	Hobson	Pombo	Langevin	Murtha	Scott (VA)	Buyer	Hobson	Pombo
Calvert	Hoekstra	Porter	Lantos	Nadler	Serrano	Calvert	Hoekstra	Porter
Camp	Hostettler	Portman	Larsen (WA)	Napolitano	Sherman	Camp	Hostettler	Portman
Cannon	Houghton	Pryce (OH)	Larson (CT)	Neal (MA)	Skelton	Cannon	Houghton	Pryce (OH)
Cantor	Hulshof	Putnam	Lee	Oberstar	Slaughter	Cantor	Hulshof	Putnam
Capito	Hunter	Quinn	Levin	Obey	Snyder	Capito	Hyde	Quinn
Carter	Hyde	Radanovich	Lipinski	Olver	Solis	Carter	Isakson	Radanovich
Castle	Isakson	Ramstad	Lofgren	Ortiz	Spratt	Castle	Isakson	Ramstad
Chabot	Issa	Regula	Lowey	Owens	Stark	Chabot	Istook	Regula
Chocola	Istook	Rehberg	Lucas (KY)	Pallone	Stenholm	Chocola	Janklow	Rehberg
Coble	Janklow	Renzl	Lynch	Pascrell	Strickland	Coble	Jenkins	Renzl
Cole	Jenkins	Reynolds	Majette	Pastor	Stupak	Cole	Johnson (CT)	Reynolds
Collins	Johnson (CT)	Rogers (AL)	Maloney	Payne	Tanner	Collins	Johnson (IL)	Rogers (AL)
Cox	Johnson, Sam	Rogers (KY)	Markey	Pelosi	Tauscher	Cox	Johnson, Sam	Rogers (KY)
Crane	Jones (NC)	Rogers (MI)	Marshall	Peterson (MN)	Taylor (MS)	Crane	Jones (NC)	Rogers (MI)
Crenshaw	Keller	Rohrabacher	Matheson	Pomeroy	Thompson (CA)	Crenshaw	Keller	Rohrabacher
Cubin	Kelly	Ros-Lehtinen	Matsui	Price (NC)	Thompson (MS)	Cubin	Kelly	Ros-Lehtinen
Culberson	Kennedy (MN)	Royce	McCarthy (MO)	Rahall	Tierney	Culberson	Kennedy (MN)	Royce
Cunningham	King (IA)	Ryan (WI)	McCarthy (NY)	Rangel	Towns	Cunningham	King (IA)	Ryan (WI)
Davis, Jo Ann	King (NY)	Ryun (KS)	McCollum	Reyes	Turner (TX)	Davis, Jo Ann	King (NY)	Ryun (KS)
Davis, Tom	Kingston	Saxton	McDermott	Rodriguez	Udall (CO)	Davis, Tom	Kingston	Saxton
Deal (GA)	Kirk	Schrock	McGovern	Ross	Udall (NM)	Deal (GA)	Kirk	Schrock
DeLay	Kline	Sensenbrenner	McIntyre	Rothman	Van Hollen	DeLay	Kline	Sensenbrenner
DeMint	Knollenberg	Sessions	McNulty	Royal-Allard	Velazquez	DeMint	Knollenberg	Sessions
Diaz-Balart, L.	Kolbe	Shadegg	Meehan	Ruppersberger	Visclosky	Diaz-Balart, L.	Kolbe	Shadegg
Diaz-Balart, M.	LaHood	Shaw	Meek (FL)	Rush	Waters	Diaz-Balart, M.	LaHood	Shaw
Doolittle	Latham	Shays	Meeks (NY)	Ryan (OH)	Watson	Doolittle	Latham	Shays
Dreier	LaTourette	Sherwood	Menendez	Sabo	Watt	Dreier	LaTourette	Sherwood
Duncan	Leach	Shimkus	Michaud	Sanchez, Linda	Waxman	Duncan	Leach	Shimkus
Dunn	Lewis (CA)	Shuster	Millender-	Sanchez, Linda	Wexler	Dunn	Lewis (CA)	Shuster
Ehlers	Lewis (KY)	Simmons	McDonald	Sanchez, Loretta	Woolsey	Ehlers	Lewis (KY)	Simmons
Emerson	Linder	Simpson	Miller (NC)	Sanders	Wu	Emerson	Linder	Simpson
English	LoBiondo	Smith (MI)	Miller, George	Sandlin	Wynn	English	LoBiondo	Smith (MI)
Everett	Lucas (OK)	Smith (TX)				Everett	Lucas (OK)	Smith (TX)
Feeney	Manzullo	Souder				Feeney	Manzullo	Souder
Ferguson	McCotter	Stearns				Ferguson	McCotter	Stearns
Flake	McCrary	Sullivan				Flake	McCrary	Sullivan
Fletcher	McHugh	Sweeney				Fletcher	McHugh	Sweeney
Foley	McInnis	Tancredo				Foley	McInnis	Tancredo
Forbes	McKeon	Tauzin				Forbes	McKeon	Tauzin
Fossella	Mica	Taylor (NC)				Fossella	Mica	Taylor (NC)
Franks (AZ)	Miller (FL)	Terry				Franks (AZ)	Miller (FL)	Terry
Frelinghuysen	Miller, Gary	Thomas				Frelinghuysen	Miller, Gary	Thomas
Galleghy	Moran (KS)	Thornberry				Galleghy	Moran (KS)	Thornberry
Garrett (NJ)	Murphy	Tiahrt				Garrett (NJ)	Murphy	Tiahrt
Gerlach	Musgrave	Tiberi				Gerlach	Musgrave	Tiberi
Gibbons	Myrick	Toomey				Gibbons	Myrick	Toomey
Gilchrest	Nethercutt	Turner (OH)				Gilchrest	Nethercutt	Turner (OH)
Gillmor	Neugebauer	Upton				Gillmor	Neugebauer	Upton
Gingrey	Ney	Vitter				Gingrey	Ney	Vitter
Goode	Northup	Walden (OR)				Goode	Northup	Walden (OR)
Goodlatte	Norwood	Walsh				Goodlatte	Norwood	Walsh
Goss	Nunes	Wamp				Goss	Nunes	Wamp
Granger	Nussle	Weldon (FL)				Granger	Nussle	Weldon (FL)
Graves	Osborne	Weldon (PA)				Graves	Osborne	Weldon (PA)
Green (WI)	Ose	Weller				Green (WI)	Ose	Weller
Greenwood	Otter	Whitfield				Greenwood	Otter	Whitfield
Gutknecht	Oxley	Wicker				Gutknecht	Oxley	Wicker
Harris	Paul	Wilson (NM)				Harris	Paul	Wilson (NM)
Hart	Pearce	Wilson (SC)				Hart	Pearce	Wilson (SC)
Hastings (WA)	Pence	Wolf				Hastings (WA)	Pence	Wolf
Hayes	Peterson (PA)	Young (AK)				Hayes	Peterson (PA)	Young (AK)
Hayworth	Petri	Young (FL)				Hayworth	Petri	Young (FL)

NAYS—198

Abercrombie	Cooper	Frost
Ackerman	Costello	Gonzalez
Alexander	Cramer	Gordon
Allen	Crowley	Green (TX)
Andrews	Cummings	Gutierrez
Baca	Davis (AL)	Hall
Baird	Davis (CA)	Harman
Baldwin	Davis (FL)	Hill
Ballance	Davis (IL)	Hinchey
Becerra	Davis (TN)	Hinojosa
Bell	DeFazio	Hoeffel
Berkley	DeGette	Holden
Berman	Delahunt	Holt
Berry	DeLauro	Honda
Bishop (GA)	Deutsch	Hooley (OR)
Bishop (NY)	Dicks	Hoyer
Blumenauer	Dingell	Inslée
Boswell	Doggett	Israel
Boucher	Dooley (CA)	Jackson (IL)
Boyd	Doyle	Jackson-Lee
Brady (PA)	Edwards	(TX)
Brown (OH)	Emanuel	Jefferson
Brown, Corrine	Engel	John
Capps	Eshoo	Johnson, E. B.
Capuano	Etheridge	Jones (OH)
Cardin	Evans	Kanjorski
Cardoza	Farr	Kaptur
Carson (OK)	Fattah	Kennedy (RI)
Case	Filner	Kildee
Clay	Ford	Kilpatrick
Clyburn	Frank (MA)	Kind

NOT VOTING—12

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (Mr. QUINN) (during the vote). Members are advised that 2 minutes remain on this vote.

□ 1133

Messrs. ABERCROMBIE, POMEROY, and DAVIS of Tennessee changed their vote from "yea" to "nay."

Mr. MORAN of Kansas changed his vote from "nay" to "yea."

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. JOHNSON of Illinois. Mr. Speaker, on rollcall No. 289 I was inadvertently detained had I been present, I would have voted "yea".

The SPEAKER pro tempore (Mr. QUINN). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. FROST of Texas. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 224, noes 199, not voting 11, as follows:

[Roll No. 290]

AYES—224

Abercrombie	Cooper	Frost
Ackerman	Costello	Gonzalez
Alexander	Cramer	Gordon
Allen	Crowley	Green (TX)
Andrews	Cummings	Gutierrez
Baca	Davis (AL)	Hall
Baird	Davis (CA)	Harman
Baldwin	Davis (FL)	Harmann
Ballance	Davis (IL)	Hill
Becerra	Davis (TN)	Hinchey
Bell	DeFazio	Hinojosa
Berkley	DeGette	Holden
Berman	Delahunt	Holden
Berry	DeLauro	Holt
Bishop (GA)	Deutsch	Honda
Bishop (NY)	Dicks	Hooley (OR)
Blumenauer	Dingell	Hoyer
Boswell	Doggett	Inslée
Boucher	Dooley (CA)	Israel
Boyd	Doyle	Jackson (IL)
Brady (PA)	Edwards	Jackson-Lee
Brown (OH)	Emanuel	(TX)
Brown, Corrine	Engel	Jefferson
Capps	Eshoo	John
Capuano	Etheridge	Johnson, E. B.
Cardin	Evans	Jones (OH)
Cardoza	Farr	Kanjorski
Carson (OK)	Fattah	Kaptur
Case	Filner	Kennedy (RI)
Clay	Ford	Kildee
Clyburn	Frank (MA)	Kilpatrick

Kind	Mollohan	Schiff
Kucinich	Moore	Scott (GA)
Lampson	Murtha	Scott (VA)
Langevin	Nadler	Serrano
Lantos	Napolitano	Sherman
Larsen (WA)	Neal (MA)	Skelton
Larson (CT)	Oberstar	Slaughter
Lee	Obey	Snyder
Levin	Olver	Solis
Lipinski	Ortiz	Spratt
Lofgren	Owens	Stark
Lowey	Pallone	Stenholm
Lucas (KY)	Pascrell	Strickland
Lynch	Pastor	Supak
Majette	Payne	Tanner
Maloney	Pelosi	Tauscher
Markley	Peterson (MN)	Taylor (MS)
Marshall	Pomeroy	Thompson (CA)
Matheson	Price (NC)	Thompson (MS)
Matsui	Rahall	Tierney
McCarthy (MO)	Rangel	Towns
McCarthy (NY)	Reyes	Turner (TX)
McCullum	Rodriguez	Udall (CO)
McDermott	Ross	Udall (NM)
McGovern	Rothman	Van Hollen
McIntyre	Royal-Allard	Velazquez
McNulty	Ruppersberger	Visclosky
Meehan	Rush	Waters
Meek (FL)	Ryan (OH)	Watson
Meeks (NY)	Sabo	Watson
Menendez	Sanchez, Linda	Watt
Michaud	T.	Waxman
Millender-	Sanchez, Loretta	Wexler
McDonald	Sanders	Woolsey
Miller (NC)	Sandlin	Wu
Miller, George	Schakowsky	Wynn
NOT VOTING—11		
Bartlett (MD)	Hastings (FL)	Smith (NJ)
Carson (IN)	Hunter	Smith (WA)
Conyers	Lewis (GA)	Weiner
Gephardt	Miller (MI)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

1140

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

TAXPAYER PROTECTION AND IRS ACCOUNTABILITY ACT OF 2003

The SPEAKER pro tempore. Pursuant to the order of the House of Wednesday, June 18, 2003, proceedings will now resume on the bill (H.R. 1528) to amend the Internal Revenue Code of 1986 to protect taxpayers and ensure accountability of the Internal Revenue Service.

The Clerk read the title of the bill.

The SPEAKER pro tempore. When proceedings were postponed on that day, all time for debate on the bill had expired.

Mr. PORTMAN. Mr. Speaker, the legislation before the Committee contains important improvements in taxpayer rights and IRS accountability. This bill is very similar to legislation approved by the House twice in 2002.

Practically all the taxpayer provisions in the bill are based on recommendations by the Joint Committee on Taxation, the Treasury Department, the IRS, the National Taxpayer Advocate, and on hearings held by the Ways and Means Subcommittee on Oversight during the past several years.

The provisions also are consistent with, and in some cases are a refinement of, the IRS Restructuring and Reform Act of 1998 that enacted important taxpayer protections and reforms of the IRS.

Just to mention some of the provisions in the bill before us today:

1. It encourages greater use of the more efficient electronic filing by taxpayers.

2. It authorizes more support for Low Income Taxpayer Clinics to help provide legal assistance to more low-income citizens involved in disputes with the IRS.

3. It ensures that taxpayers receive the confidentiality they deserve, by reforming the punishment for code of conduct violations by IRS employees, and providing for dismissal of IRS staff who browse tax records without authorization.

4. It adjusts the so-called “ten deadly sins” in other ways to give the Commissioner more discretion.

5. It reforms penalty and interest provisions by raising the safe harbor for failure to pay estimated taxes and allowing taxpayers to enter into installment agreements for less than the full amount of their tax liability, and it includes many other pro-taxpayer provisions.

The bill has a small revenue impact. The Joint Committee on Taxation estimates that it will raise \$607 million over 5 years and lose \$352 million over 10 years.

Our colleagues, Oversight Subcommittee Chairman AMO HOUGHTON and ranking member EARL POMEROY played key roles in constructing this legislation and we appreciate their efforts.

One new provision allows individuals greater access to the healthcare tax credit previously adopted as part of the Trade Act. Individuals would be permitted to waive certain requirements in TAA and thus receive coverage under state based healthcare plans. This is a short transition measure, effective for less than two years, and will increase the availability of qualified health insurance for individuals who would otherwise not have access to such coverage.

Another new provision would extend the joint House-Senate review of the Internal Revenue Service.

Let me provide some details on this provision, as it was not considered in the Ways and Means Committee. This legislation would reauthorization for 5 additional years, the annual joint review of the strategic plans and budget of the IRS. Unlike other federal agencies, the IRS is subject to oversight by six committees of Congress and the Joint Committee on Taxation. The National Commission on Restructuring the IRS, that I co-chaired, recognized that the IRS would be better managed if the committees that share primary jurisdiction over the IRS budget and IRS administration coordinated their efforts. The Joint Review grew out of a recommendation by the National Commission.

While the Joint Review has met the objective of coordinating Congressional oversight of the IRS, the original legislation imposed a burden on the Joint Committee on Taxation to report on every aspect of the IRS's budget and strategic plans on an annual basis, even when the Joint Review hearing has focused on a more narrow set of issues. The reauthorizing language that is included in this legislation therefore allows the JCT to confine its annual report to the issues addressed at the annual Joint Review hearing. It is anticipated that the topics to be addressed at the Joint Review will be decided well in advance of the annual hearing by the JCT Chairman, in consultation with the staff of the JCT and the six participating committees.

I believe it is important to continue the joint review, and this provision will increase the focus on key areas of the IRS that need attention by the relevant committees of Congress.

In summary, Mr. Speaker, this is a good bill. I urge my colleagues to support this legislation that promotes common sense solutions to some of the most frustrating and time-consuming aspects of our tax system.

Mr. BACA. Mr. Speaker, I rise in opposition to H.R. 1528—the Taxpayer Protection and IRS Accountability Act. This bill contains an amendment that will hurt the thousands of workers entitled to the health benefits under the Trade Adjustment Assistance Act. These benefits were created so that workers who lost their jobs to overseas labor could have access to healthcare.

But instead making sure that American workers are protected or that our working families are protected, Republicans are cutting those few benefits workers have to help them during times of unemployment. Don't they care about the hardworking Americans? Why are Republicans passing tax cuts for the wealthy and cutting benefits that help those that need it most?

One of the most devastating effects of job loss is the loss of health care coverage. These health credits pay 65 percent of the cost of health care premiums for unemployed workers. The McCrery amendment allows workers to keep these health credits, but only if they surrender all consumer protections. This is wrong! Workers need consumer protections because the health credits are useless otherwise.

What about the middle-aged welder with a heart condition who will be deemed uninsurable because he has a “pre-existing” condition?

What about the engineer who will have to pay twice as much for his health insurance?

What about the foreman whose routine illness is no longer covered?

This is part of the Republican plan to leave American workers behind. American workers deserve better! They deserve to have jobs available here in America and they deserve access to healthcare!

Mr. Speaker, I urge my colleagues to please join me in opposing this bill unless the McCrery amendment is taken out.

Mr. MOORE. Mr. Speaker, I rise in opposition to H.R. 1528 and in support of the Democratic substitute.

I strongly support the underlying purpose of this bill—protecting taxpayers and increasing the fairness, efficiency and confidentiality of our tax system. I intended to vote in favor of this bill. Unfortunately, the majority party has attached an unrelated provision to this bill that will make it more difficult for thousands of working Americans to obtain health coverage.

Mr. Speaker, under the Trade Adjustment Assistance (TAA) program, workers who lose their jobs as a result of competition from foreign trade can receive a tax credit for 65 percent of health insurance premiums for the taxpayer and his or her family. The TAA program also contains consumer protections designed to ensure that everyone eligible for the tax credit can actually claim it, regardless of age or health status. Like many of my colleagues, I have supported free trade legislation in part because of the protections the TAA program provides for workers who are adversely affected by foreign trade.