

NAYS—214

Aderholt	Gilchrest	Paul
Akin	Gillmor	Pearce
Bachus	Gingrey	Pence
Baker	Goode	Peterson (PA)
Ballenger	Goodlatte	Petri
Barrett (SC)	Goss	Pickering
Bartlett (MD)	Graves	Pitts
Bass	Green (WI)	Platts
Beauprez	Greenwood	Pombo
Bereuter	Gutknecht	Porter
Biggett	Harris	Portman
Bilirakis	Hart	Pryce (OH)
Bishop (UT)	Hastings (WA)	Putnam
Blackburn	Hayes	Quinn
Blunt	Hayworth	Radanovich
Boehlert	Hensarling	Ramstad
Boehner	Herger	Regula
Bonner	Hobson	Rehberg
Bono	Hoekstra	Renzi
Boozman	Hostettler	Reynolds
Bradley (NH)	Houghton	Rogers (AL)
Brady (TX)	Hulshof	Rogers (KY)
Brown (SC)	Hunter	Rogers (MI)
Brown-Waite,	Hyde	Rohrabacher
Ginny	Isakson	Ros-Lehtinen
Burns	Issa	Royce
Burr	Istook	Ryan (WI)
Burton (IN)	Jenkins	Ryan (KS)
Buyer	Johnson (CT)	Saxton
Calvert	Johnson (IL)	Schrock
Camp	Jones (NC)	Sensenbrenner
Cannon	Keller	Sessions
Cantor	Kelly	Shadegg
Capito	Kennedy (MN)	Shaw
Chabot	King (IA)	Shays
Chocola	King (NY)	Sherwood
Coble	Kingston	Shimkus
Cole	Kirk	Shuster
Collins	Kline	Simmons
Cox	Knollenberg	Simpson
Crane	Kolbe	Smith (MI)
Crenshaw	LaHood	Smith (NJ)
Cubin	Latham	Smith (TX)
Culberson	LaTourette	Souder
Cunningham	Lewis (CA)	Stearns
Davis, Jo Ann	Lewis (KY)	Sullivan
Davis, Tom	LoBiondo	Sweeney
Deal (GA)	Lucas (OK)	Tancredo
DeLay	Manzullo	Tauzin
DeMint	McCotter	Taylor (NC)
Diaz-Balart, L.	McCrery	Terry
Diaz-Balart, M.	McHugh	Thomas
Doolittle	McInnis	Thornberry
Dreier	McKeon	Tiahrt
Duncan	Mica	Tiberi
Dunn	Miller (FL)	Toomey
Ehlers	Miller (MI)	Turner (OH)
Emerson	Miller, Gary	Vitter
English	Moran (KS)	Walden (OR)
Everett	Murphy	Walsh
Feeney	Musgrave	Wamp
Flake	Myrick	Weldon (FL)
Fletcher	Nethercutt	Weldon (PA)
Foley	Neugebauer	Weller
Forbes	Ney	Whitfield
Fossella	Northup	Wicker
Franks (AZ)	Norwood	Wilson (NM)
Frelinghuysen	Nunes	Wilson (SC)
Galleghy	Nussle	Wolf
Garrett (NJ)	Osborne	Young (AK)
Gerlach	Ose	Young (FL)
Gibbons	Otter	

NOT VOTING—18

Barton (TX)	Ferguson	Klecza
Berkley	Gephardt	Linder
Berman	Granger	Millender-
Bonilla	Hefley	McDonald
Burgess	Janklow	Oxley
Carter	Jefferson	
Dooley (CA)	Johnson, Sam	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 2357

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MAKING IN ORDER AT ANY TIME CONSIDERATION OF H.R. 2754, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2004

Mr. HOBSON. Mr. Speaker, I ask unanimous consent that it be in order at any time for the Speaker, as though pursuant to clause 2(b) of rule XVIII, to declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 2754) making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes, which shall proceed according to the following order:

The first reading of the bill shall be dispensed with.

All points of order against consideration of the bill are waived.

General debate shall be confined to the bill and shall not exceed 1 hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations.

After general debate the bill shall be considered for amendment under the 5-minute rule.

The amendment I have placed at the desk shall be considered as adopted in the House and in the Committee of the Whole.

Points of order against provisions in the bill, as amended, for failure to comply with clause 2 of rule XXI are waived except for section 310.

During consideration of the bill for further amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the CONGRESSIONAL RECORD designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read.

At the conclusion of consideration of the bill for amendment, the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

And I ask unanimous consent that the amendment that I have placed at the desk be considered as read.

□ 0000

The SPEAKER pro tempore (Mr. GINGREY). The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 6, strike "*Provided further*," and all that follows through line 17 and insert the following:

Provided further, That funds appropriated in this Act for the preservation and restoration of the Florida Everglades shall be made available for expenditure unless (1) the Sec-

retary of the Army, not later than 30 days after the date of enactment of this Act, transmits to the State of Florida and the Committees on Appropriations of the House of Representatives and the Senate a report containing a finding and supporting materials indicating that the waters entering the A.R.M. Loxahatchee National Wildlife Refuge and Everglades National Park do not meet the water quality requirements set forth in the Consent Decree entered in United States v. South Florida Water Management District, (2) the State fails to submit a satisfactory plan to bring the waters into compliance with the water quality requirements within 45 days of the date of the report, (3) the Secretary transmits to the State and the Committees a follow-up report containing a finding that the State has not submitted such a plan, and (4) either the Committee on Appropriations of the House of Representatives or the Senate issues a written notice disapproving of further expenditure of the funds: *Provided further*, That the Secretary of the Army shall provide the State of Florida with notice and an opportunity to respond to any determination of the Secretary under the preceding proviso before the determination becomes final.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1472

Ms. HART. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1472.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1472

Mr. WELLER. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1472.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1472

Mr. PORTMAN. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1472.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

MOTION TO INSTRUCT CONFEREES ON H.R. 1308, TAX RELIEF, SIMPLIFICATION, AND EQUITY ACT OF 2003

Mr. BELL. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. BELL moves that the managers on the part of the House in the conference on the disagreeing votes of the two Houses on the

House amendment to the Senate amendment to H.R. 1308 be instructed as follows:

One. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment not included in the House amendment that provides immediate payments to taxpayers receiving an additional credit by reason of the bill in the same manner as other taxpayers were entitled to immediate payments under the Jobs and Growth Tax Relief Reconciliation Act of 2003.

Two. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment not included in the House amendment that provides families of military personnel serving in Iraq, Afghanistan, and other combat zones a child credit based on the earnings of the individuals serving in the combat zone.

Three. The House conferees shall be instructed to include in the conference report all of the other provisions of the Senate amendment and shall not report back a conference report that includes additional tax benefits not offset by other provisions.

Four. To the maximum extent possible within the scope of conference, the House conferees shall be instructed to include in the conference report other tax benefits for military personnel and the families of the astronauts who died in the *Columbia* disaster.

Five. The House conferees shall, as soon as practicable after the adoption of this motion, meet in open session with the Senate conferees; and the House conferees shall file a conference report consistent with the preceding provisions of this instruction, not later than the second legislative day after adoption of this motion.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. BELL) and the gentleman from Florida (Mr. FOLEY) for the majority party each will control 30 minutes.

The Chair recognizes the gentleman from Texas (Mr. BELL).

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

Mr. Speaker, if we listen closely around Capitol Hill, we can hear many of my Republican colleagues often touting the slogan "No Child Left Behind." Recently President Bush thought it was important enough to sign a new law that would provide tax cuts of \$93,500 to the 200,000 taxpayers making over \$1 million per year. And what I would ask, Mr. Speaker, and what the American people want to know is while the fat cats are getting fatter, what happened to the children?

Mr. Speaker, I will tell the Members, they got left behind with the Bush tax cut along with the rest of America. In fact, 53 percent of all taxpayers are going to get less than \$100 under the GOP law that was just passed, and this is just another example of Republican leadership choosing the wealthiest Americans over America's working families.

But what about those children? Why did they get left behind, Mr. Speaker? After it was all said and done, Republican leadership chose not to expand the child tax credit to working class families. These are the families that have to work the hardest, take home the least, and need help the most.

When the American people voiced their anger over this and the pressure

was on, the Republican leadership finally buckled, but did they put forward the child tax credit bill already passed by the Senate and approved by the President as America wanted? No, Mr. Speaker, they did not. The House leadership chose politics over good policy. They chose politics over the needs of hard-working families. They put forward a bill they knew would not pass in the other body. The House leadership thumbed their noses at the American people and put forward a bill they knew would never be passed into law, and they did it intentionally.

Mr. Speaker, we have an opportunity to fix that. Today my Republican colleagues have the opportunity once again to put the compassion back into being conservative and to ensure that no more children get left behind by the Republican House leadership.

The other body has passed a bipartisan bill that is actually good policy for America. It is a bill that President Bush has already said he will sign into law. It is a bill that will provide immediate relief to the working families of America, much in the same way the House Republican leadership saw fit to provide immediate relief to those long-suffering millionaires out there with their tax cut.

The Senate version of the tax credit bill will help military families pay the bills. The House version does not. These families are made up of the very same men and women that we in this House sent into combat just a couple of months ago to defend our freedom, and these are the men and women that the House leadership have chosen to just leave behind. In fact, the Republican bill actually penalizes military mothers and fathers who serve in combat. If they fight for America, they get a lower child tax credit.

Mr. Speaker, is this patriotic? Is this America? We owe it to the working people of America to pass a child tax credit that is good policy, not just good politics, and certainly we owe it to the fighting men and women of America, many of whom live in poverty, to give their children the tools they need to have a chance at the American dream.

In the future, I hope my Republican colleagues will remember that the best kind of politics is the kind that helps the people we have all been elected to serve. That is why I am asking my colleagues to support my motion to instruct the conferees to pass the Senate version of the child tax credit bill.

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

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

I rise in objection to the Democratic motion to instruct. Let me first state that if it is such a politically expedient way in which to do things, why do they drop the date of allowing this credit to continue? The Democrats actually have a window. It is right after the election of 2004 where the \$1,000 credit drops to \$700. I do not know why we would frame a bill that has such an ex-

piration date. If it is such a great idea, let us continue to give this credit past the election of 2004 to many families who desperately need this help in raising their children.

As a result of their bill, millions of low- and middle-income families will receive a smaller child tax credit right after the election. The House-passed bill ensures that the child credit remain at the \$1,000 level throughout the decade. The Democratic motion to instruct does not eliminate the marriage penalty and the child credit until 2010. And even then it only does so for 1 year. Under the Democratic motion, millions of children will be denied the child credit simply because their parents are married.

The House bill benefits middle-income families by eliminating the child credit immediately. The House bill does not deny that credit to military families. Military families, including those who are deployed abroad, are already receiving a refundable child credit and will continue to receive a refundable child credit under the House-passed bill. The Democratic motion to instruct would only increase the refundable child credit for some military families by allowing them to take into account tax-free income when they compute their refundable credit. The House-passed bill provides more tax relief to military families because it includes \$806 million of military tax benefits that were not passed by the other Chamber. These provisions passed the House on numerous occasions, and they are waiting action in the Senate.

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

Mr. BELL. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California (Ms. PELOSI), minority leader.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding me this time, and I also thank him for his leadership in bringing this motion to instruct to the floor this evening.

Mr. Speaker, it is just after midnight in Washington, D.C., and once again the Democrats have come to the floor to fight for the children of working families in America. It has been about 43 days since the Senate passed the expanded child tax credit and 33 days since the House passed a bill. The President says he wants to sign a bill quickly. It is too late for quickly. Let us move on to soon. Let us hope the President can sign the bill soon.

All it would require would be for the Republican leadership in the House to go to conference with the Senate conferees and agree on the Senate language. What is holding it up? The Republican leadership in the House. The House Republicans are the only ones standing between 12 million children and the extended tax credit. Those children include 250,000 children of our men and women in uniform.

On a regular basis around here, we come to the floor to honor our men and women in uniform, to pay tribute to

their patriotism, their courage, and the sacrifices they are willing to make for our country; and it is right that we do that. But we dishonor them by saying that their children are unworthy of a tax credit because they do not make enough money.

We are saying to the children of over 6 million families, that would be around 12 million children, that they are not worthy of a tax credit because their parents do not make enough money, because they do not make above \$26,000 a year. Many of these families have two wage earners, both making the minimum wage. They still do not earn enough money to receive this tax credit. We could raise the minimum wage, but of course the Republican majority would resist that as well.

So all this is, is about fairness to our children. The Republicans say that people making \$26,000 a year do not pay taxes, so, therefore, they should not get the tax credit. I would like to know anyone who pays a payroll tax who does not think that he or she is paying taxes, and I would like to know anyone who is paying sales tax every day does not think he or she is paying taxes.

The sadness of it is, is that some of these families make in 1 year what Members of Congress make in 1 month, and we can be sure that the children of the Members of Congress who are of that age will receive the expanded tax credit. So when Members of Congress leave here they will be soon be receiving a check in the mail for their children. But if they make under \$26,000, the Republican majority says their children are unworthy of that tax credit.

This is also good for the economy, Mr. Speaker, because we are giving checks to people who need the money for necessities, and when they spend that money on necessities, they will be injecting demand into our economy, creating jobs, growing the economy. It is fair. It is fiscally sound, as opposed to what the Republicans want to do in the House, and it is fast acting in terms of stimulating the economy.

Time is running out for the children of America's working families and military families. The Republican leadership must step aside and allow the vote.

Just in case anybody missed the particulars on this, remember the great night when the Republican leadership put forth a tax credit giving an \$88,000 tax cut to families making over \$1 million a year. In that bill, there was an expansion of the tax credit for children, and that was good, except for children of working families who did not make over \$26,000 a year. No less a figure than the Vice President of the United States presided over that decision to cut out children of working families and the military in favor of giving a tax cut to the wealthiest in our country.

We want to give tax cuts. We know it is possible to give tax cuts that are fis-

cally sound, fair, and fast acting to grow the economy, because that is exactly what the Democratic stimulus package did.

□ 0015

But is it fair to say to these children, you do not deserve a tax cut because we do not pay enough in the minimum wage to have your parents reach a certain plateau?

So this is just part of what I call the trifecta that the Republicans have as their assault on America's children this week, within one week. Last week they cut \$9 billion out of the Leave No Child Behind bill, \$9 billion drastically affecting children from disadvantaged areas, teacher training, every kind of after-school program, across the board, a cut that affected the quality of education of America's children, especially children of working families in America who make below this figure. So the children took it in the chops on the Leave No Child Behind bill; the Republican version left millions of children behind.

We have this refusal, resistance, this obstacle to giving a tax credit to the children of working families in our country on the part of the Republicans in the expanded tax credit refusal; and the third, of course, is the unraveling of Head Start, which is a part of the Republican agenda against the children of America. So this is part of a pattern. It is part of their trifecta against the children. It is so important that children get a different message about their value and their worth to us, all children, not just children of families over a certain income level in our country.

So I salute the gentleman from Texas (Mr. BELL) for his leadership in bringing this bill to the floor at this hour. Usually the majority allows us to bring them at a time when most people are not watching television, to find out what the Republicans are up to. This is absolutely outrageous. It has a moral undertone to it as well. So for every reason, because it is right, because it is fair, because it is good for the economy, it is important for the gentleman's motion to instruct be accepted by this body.

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

Let me first state, and I want to be emphatic here about the payroll tax provisions. Payroll taxes are there for the purposes of ensuring the solvency of Social Security and Medicare. The payroll taxes that are contributed by those workers earning \$26,000 and below are there for their future, to protect them in their old age, to provide health care benefits, and to provide a retirement payment month by month. Those payroll taxes that are paid by those workers earning less than \$26,000 and the payments they receive once they retire are proportionally higher than those paying a higher amount of money. We have blended the system to allow those taxpayers who have been

struggling with incomes to retire at least with a check that gives them some security and safety.

I have heard a lot of talk around here about getting rid of payroll taxes; let us suspend payroll taxes. And yet, at the same time, I hear from the same people advocating that we have to preserve and protect Social Security and Medicare. I agree we need to preserve those. But sometimes I hear the arguments made by the other side of the aisle, and it really does not wash with common sense. If somebody goes to McDonald's and there are two burgers for a dollar, they cannot go to the window and say, you know what, I earn so little money, give me the burger and I am not going to give you the dollar. We are clearly taking care of people in the lower rungs who are working hard by earned income tax credits and other devices. There are things offered in the school programs such as free and reduced lunches. We have community centers set up for families for health care benefits. In so many of our bills we are providing community health services for those who are either disenfranchised or do not have insurance. We have worked hard in a bipartisan fashion to provide for the vulnerable in our society. And this constant harangue, if you will, that we are so mean-spirited on this side of the aisle, strikes me as just a political attack, rather than a sensible debate on public policy. If their tax credit is so good, why do they not extend it past 2004? Maybe there are some Senators who need to vote for reelection. Let us give it and let us take it away after we have been successfully reelected.

So as we debate this, let us continue to discuss this, and I agree with the gentlewoman from California. Those people that are making \$26,000 or below are paying sales tax. Regrettably, we cannot afford to deduct sales taxes from our income tax. If one lives in a city or a county or a State that has an income tax, you can deduct that income tax against your liabilities for Federal income tax purposes. So if we are going to have this conversation, maybe we should get into the discussion of sales tax deductibility.

So I continue to assert that we have provided for particularly military personnel, and I continue to rise in objection to the Democratic motion to instruct.

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

Mr. BELL. Mr. Speaker, I yield myself 30 seconds, because I want to point out to the American people the opportunity that they have this evening to hear, once again, the Republican double-speak on this particular issue, on the one hand suggesting to the American people how terribly concerned they are about working families in America and the desire to provide tax relief, and then proceeding to criticize everything about the child tax credit and what it would do for those very same working families that they express such great concern about.

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

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I would like to thank the distinguished gentleman from Texas (Mr. BELL) and cite his unique and special experience as a former member of the Houston city council grappling with city budget issues and seeing firsthand the number of citizens who would come to city hall who were extremely vulnerable, either having lost their job or needing some particular assistance from the city. It is because of that that I join my colleague this evening and thank him for his leadership on this issue, and frankly respond to my good friend, the gentleman from Florida, which I know is pointed, but hopefully questioning perspective.

This lopsided tax cut of \$550 billion is simply a flop. Our friends on the other side of the aisle do not want to admit it and are obviously, in many instances, believing that it is going to come, and that is this investment in the economy, this infusion of an economic engine that will see this economy move forthrightly and provide opportunities for all. Right now, juxtaposed to why we are here on the floor of the House tonight because of the need of a child tax credit, is the rising unemployment rate and millions of Americans out of work.

So that is why this instruction is so very important tonight. This is simply acknowledging that there are people out of work, but there are people struggling while they are working, making some \$26,000 a year and yet, fighting every day to survive. The simplicity of this instruction, the brilliance of this instruction, and I might note the leadership of my good friend and colleague, the gentlewoman from Connecticut (Ms. DELAURO), on this issue, is simply to provide a child tax credit for hard-working Americans making under \$26,000 a year.

And might I say that in that group, is it not a tragedy, is it not shocking that in that group are those individuals who happen to be parents who are overseas on the front lines of Iraq because it does not ensure to those who leave their domestic home and to work overseas.

So this instruction is simple. It is to actually invest in the economy, because those making \$26,000 a year are consumers. They buy the items that are necessary to stimulate the economy. They have to buy the McDonald's, they have to buy the clothing for the children, the books for the children. They have to buy goods and services because they are in need.

We need a real jobs and growth tax bill. And to give this tax credit to these hard-working Americans is actually an opportunity to increase an investment in this country and, as well, to increase the opportunity for more

jobs. The tax cut that has been passed, there is no evidence of more jobs. Mr. Speaker, \$93,000 goes to 200,000 of the richest Americans. Economic pundits will tell us that the richest of Americans, if you will, harbor their funds. They put them in IRAs or they put them in mutual funds or maybe just a plain savings account, but they do not churn the economy with those dollars.

So, Mr. Speaker, I hope that the conferees may be listening to this debate tonight. Do they want to leave out military personnel? What about the tragedy of the Columbia, those astronauts who lost their lives in the service of this country? Those great Americans deserve that commitment. And it is interesting to note that again, as I have said, the investment that was given or allegedly given on the \$550 billion tax cut has been suggested by economic theorists and experts that that, again, does not do what would be done if they had given it to middle- and low-income working Americans, the very Americans that we are talking about.

Let me just simply say that this Congress and this Republican leadership have spent their time this spring, time after time, providing lopsided legislation that interferes with the needs of Americans who work hard every day. So here we go again. The conferees are meeting, and the simple act of providing a child tax credit seems to be beyond their reach. But yet, in this last labor-HHS bill, they could cut monies for community health centers so that our children could not access community health centers in their neighborhoods. They could cut dollars so that States who are suffering from their own budget crises can take 170,000 off of the CHIPs program in my own State of Texas. They could cut job training programs that would help low-income individuals or those who are unemployed seek employment. And yes, the absolute insult: they could cut Head Start and rebuild a program that works.

Mr. Speaker, I will close by simply saying that this is a lopsided tax proposal, but the tax credit instruction that my colleague from Texas is offering today is one that should be listened to and should be voted on successfully for the children of America.

Mr. BELL. Mr. Speaker, I yield myself 45 seconds to also take this opportunity to point out the fraud that is being perpetrated upon the American people. I commented a moment ago about the Republicans' deep desire, or expressed desire to move the child tax credit for the bill that was passed on June 12. But people are not being fooled, Mr. Speaker. The Wall Street Journal recently wrote about this in an editorial and said the gentleman from Texas (Mr. DELAY) and others in the House deliberately made their bill richer than the Senate version because they knew that the Senate conferees would walk away and pass nothing instead. Well, actually, the Senate conferees did not have to walk away, be-

cause they have never even had to meet. Despite the expressed desire to move this bill forward, this tax credit forward, there has been no meeting of the conferees whatsoever.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO), my good friend.

Ms. DELAURO. Mr. Speaker, I thank the gentleman from Texas for yielding me this time, and I thank him for his leadership and my other colleagues who are here this evening. I think it speaks loud and clear of the kind of commitment that our side of the aisle has to the issue of the child tax credit, and I think it is important to put into perspective the facts.

These families were and are eligible for this child tax credit. Those families who make between \$10,500 and \$26,625 a year, tax-paying people, hard-working people, they were in this package. In the middle of the night, our colleagues on the other side of the aisle decided that in their \$350 billion tax package that they put together, they could not find room for these folks. They could not find room for the 200,000 military families, or the 900,000 families of Head Start kids who are in this category, and they yanked them out. All we are saying is put them back.

I think it is also important to note that on June 12 this body voted, we voted for something exactly like this motion to instruct, 205 to 201. It was a bipartisan vote and we succeeded. Yet I think one more time it is important to note for the record and for their constituents to know that there are a number of our Republican colleagues who, in fact, now have decided that they are going to change their vote. They do not think that these families are worthy any longer of a child tax credit, and, in fact, what we ought to do is to make sure that those 184,000 millionaires get their \$88,000 a year in a tax break.

□ 0030

But we cannot find anything to do it. So those folks who voted one way on June 12 and now have switched their votes in the last few days, I think it is important to let them know who they are: The gentleman from Ohio (Mr. GILLMOR), the gentleman from New Hampshire (Mr. BASS), the gentleman from Nebraska (Mr. BEREUTER), the gentleman from New York (Mr. BOEHLERT), the gentleman from North Carolina (Mr. BURR), the gentleman from Illinois (Mr. JOHNSON), the gentleman from New York (Mr. MCHUGH), the gentleman from Michigan (Mr. SMITH), and just tonight the gentlewoman from West Virginia (Mrs. CAPITO) turned her back on these 6.5 million families and these 12 million children.

We will continue to let the folks of this country know who was with them and who is not with them.

Mr. BELL. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. Mr. Speaker, I rise today to urge conferees on

H.R. 1308, the Child Tax Credit legislation, to do the right thing and act now to give lower-income families the tax refunds they deserve. Earlier this year we enacted a \$350 million tax cut that lavished tax breaks on millionaires but failed to provide low-income families with a child tax credit.

Last month we attempted to right this wrong by passing a bill that will provide low-income families with the same \$1,000 child tax credit other families will receive. However, the House failed to include an important provision that would put these refund checks into the pockets of low-income families in the same timely way that checks land in the mailboxes of other families.

Conferees should do the right thing by these 12 million children and insist upon the Senate-passed measure that would eliminate the delay and provide rebate checks to these families in the same timely manner provided to other families. This is what the President would like for us to do, and failing to quickly correct this problem is simply wrong.

The Senate-passed measure has the added advantage of not adding to a deficit rapidly escalating out of control, whereas the House-passed version adds \$82 billion to a deficit that is already staggering. If the goal of this tax cut bill is to provide an economic stimulus and we are serious about stimulating the economy, then we should act as quickly as possible to get this money into the hands of families who will immediately spend it.

Tax cuts resulting in an immediate return will result in a welcome shot of adrenalin to our damaged economy. Families nationwide will be receiving their tax credit this summer, just in time to purchase back-to-school supplies for their children. We owe it to low-income families to get their refund check to them in the same timely manner. This is unquestionably the right thing to do.

Conferees should put an end to their delaying tactics and deliver immediate tax relief to our Nation's neediest children by adopting the Senate-passed measure.

Mr. BELL. Mr. Speaker, how much time remains on both sides?

The SPEAKER pro tempore (Mr. GINGREY). The gentleman from Texas (Mr. BELL) has 15¼ minutes remaining. The gentleman from Florida (Mr. FOLEY) has 25 minutes.

Mr. BELL. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. LINDA T. SÁNCHEZ).

(Ms. LINDA T. SÁNCHEZ of California asked and was given permission to revise and extend her remarks.)

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise in support of the motion to instruct conferees on the Child Tax Credit proposed by my colleague, the gentleman from Texas (Mr. BELL).

Mr. Speaker, I am calling on the conferees to immediately adopt the major

aspect of the bipartisan Senate-passed child tax bill. Working families need real relief, especially in these difficult economic times when we are experiencing an unemployment rate that has jumped to 6.4 percent. Amazingly, despite the sluggish economy and our moral responsibility to help working families, House Republicans continue to stall the Senate-passed Child Tax Credit bill in conference.

House Republicans got us into this mess in the first place since they deliberately chose to drop the Child Tax Credit from their millionaire tax cut bill, and they should get us out of it. Starting on July 25, millionaires will be getting their rebate checks. However, 4 million families across the country will not get a single dime, even though they are in the greatest need of a tax break.

One of those 4 million families lives in my district. The Wolfalks are like many families across the country that play by the rules. Mrs. Wolfalk works full time as an administrative assistant, and her husband is disabled. They are raising five children on an annual income of \$25,000. Mrs. Wolfalk told me that any additional money means that her son will not have to wear shoes with holes in the soles. It means that she will be able to buy additional uniforms for her children who currently wear hand-me-downs. With this extra money her children will be able to have new uniforms for school, school supplies and books. Things are tight for her family right now, so she assures me that any additional help would make a huge difference in her family.

It breaks my heart to know that Congress can do something to help these families and Republicans are refusing to provide for families just like the Wolfalks. I urge my colleagues to vote yes on the motion to instruct conferees on the Child Tax Credit. Let us show families like the Wolfalks that they matter as much as millionaires.

Mr. BELL. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. RUPPERSBERGER).

Mr. RUPPERSBERGER. Mr. Speaker, I want to thank the leadership of the gentleman from Texas (Mr. BELL) for working to bring equity to the 6.5 million working families.

Mr. Speaker, I rise today in support of the motion to instruct conferees on H.R. 1308, the Child Tax Credit bill. I am disappointed that we are still here one month after that bill passed both the House and the Senate asking yet again for this motion to instruct. Frankly, time is running out.

The Treasury Department will send out millions of checks to American families qualifying for the child tax credit provision on July 25. Unless my calendar is off, those checks go out next Friday, the same day the House leaves for recess; and when those checks are placed in the mail, 6.5 million working and military, military families will be left out, families from every district across the country, in-

cluding my own, Maryland's Second Congressional District.

The bill as it stands now ignores families already coping with financial problems in this troubled economy through no fault of their own. It denies tax relief that would help military families with loved ones serving in Iraq, Afghanistan, and around the world fighting to protect our freedoms. Congress has the ability to correct this situation this week, today, right now.

Let the conferees debate the details but let the voice of those 6.5 million families be heard in the discussion. These American families deserve a seat at the table, and I support this motion to instruct because it will give them just that.

Mr. BELL. Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina (Mr. MILLER).

Mr. MILLER of North Carolina. Mr. Speaker, when the House passed an \$82 billion child tax credit bill a few weeks ago, I was a problem child among the Democrats. I wanted to vote for the bill. I wanted to give the tax credit to the working families who were left out by the House before. And to the gentleman from Florida (Mr. FOLEY), I wanted to extend it. I wanted to make it permanent for all the families who got that child tax credit. I knew we could not afford it, but we cannot afford any of tax cuts we have passed this year. And of all the tax cuts passed by this House, only the child tax credit really helped the middle class.

I want to give the middle class some tax relief; and if we are going to dig a deeper and deeper deficit hole, why not let a couple of the shovelfuls help the middle class?

I ultimately voted against the bill because I knew that what the middle class, what working families would have to do without would hurt middle class and working families far more than the tax credit would help them, like funding for education, the health care reform we so desperately need, a solvent Medicare and Social Security system and on and on.

But I was very puzzled at the time by the explanation I heard from others who had been in Washington longer than I had for why the leaders of this House were passing, actually passing so generous a tax relief package for the middle class when nothing else done by this House this year has helped the middle class at all.

I heard that they really were sabotaging the child tax credit by making the price so great that they knew the Senate would not go along; and when the Senate did not go along, they would just run out the clock rather than compromise and the working families would not really get tax relief.

By voting against the tax credit bill, the argument went, we supported a compromise with the Senate that would make it possible to pass a tax credit right away and give immediate help to middle-class families. I am new

here, but I thought I had fallen through the looking glass. The Republicans voting for the tax credit were actually against it. The Democrats voting against it were actually for it. Only in Washington, I thought does yes mean no and no mean yes.

We have seen the Republican leadership move Heaven and Earth to pass tax cuts that they really want. The inheritance tax, oh, I am sorry, the death tax; the tax on dividend income. They did not get everything they wanted. They did not get an outright repeal of the dividend income tax, but they compromised and they got something because they were very intent upon getting tax relief for the investor class. But tax relief for the middle class, not so much.

In a sense that bill passed a few weeks ago. We have seen absolutely no objection. We have not seen any effort to find a compromise and provide real relief. The leadership of this House has not budged, and they have been openly nonchalant about the need to pass this bill.

The gentleman from Texas (Mr. DELAY), the majority leader, said that of the Senate bill or agree to the provision of the Senate bill, "Ain't gonna happen." And he said, "There's a lot of other things that are more important than that."

The chairman of the Committee on Ways and Means, the gentleman from California (Mr. THOMAS), said, "There are worse things than it not happening," the child tax credit bill.

And the gentleman from Texas (Mr. BELL) mentioned a few minutes ago, the Wall Street Journal, the editorial page of the Wall Street Journal, certainly a publication that knows very intimately the real motivations of the Republican leadership of this House, the private thoughts of the leaders of this House, they said, "Mr. DELAY and others in the House deliberately made their bill richer than the Senate version because they knew the Senate conferees would walk away and pass nothing instead."

I very much want to hear the gentleman from Florida's (Mr. FOLEY) explanation of these public statements by your party's leaders because they stand in stark contrast to what you have said tonight on the floor of this House for why the House should not adopt this motion to instruct.

Now, the earlier vote on the child tax credit was a little hard to understand. Yes meant no; no meant yes. But this motion is pretty easy to understand, and you can understand it without the assistance of magic mushrooms. If you really want to give tax relief to working families, vote yes. And if you just want to play cynical political games at the expense of working families, vote no.

Mr. Speaker, I will vote yes.

Mr. BELL. Mr. Speaker, how much time remains?

The SPEAKER pro tempore. The gentleman from Texas (Mr. BELL) has 5/4 minutes remaining.

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

It is now almost 12:45 here, 12:45 a.m. here in the Nation's capital. And I salute my colleagues who have been willing to stand with me and talk about this incredibly important issue that is not going away, and I think the silence from the other side, the silence from the other side speaks absolute volumes. If we are so wrong, why have we not heard nary a word from the other side of the aisle for almost 20 minutes now?

Because I think they know that we are right. And if they know we are right, then they should join with us and instruct the conferees to do the right thing and pass the child tax credit as put forth by the other body.

□ 0045

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

Mr. FOLEY. Mr. Speaker, does the gentleman have any further speakers?

Mr. BELL. No, I do not, just myself, and I reserve the right to close.

Mr. FOLEY. Mr. Speaker, I yield myself such time as I may consume. I will proceed immediately to allow the gentleman to have the remainder of his time, Mr. Speaker.

I want to thank my colleagues for their courteous debate. Obviously, we know the hour is late. I know the people in Hawaii probably enjoy us speaking, but those who are working for the House chamber certainly need to get home to their families, and I certainly want to congratulate the Members for caring about all American families.

There is no question people are struggling at all ends of the spectrum: teachers, police officers, married couples, single individuals. We hope to find balance in the tax bills, and we certainly think we have found balance in most of them. We can disagree on certain provisions, but I do again appreciate them taking time to come to the floor and addressing their concerns, and as we continue to negotiate these bills, I am certain we will reach some reasonable compromises that will benefit all of society.

Mr. Speaker, I yield back the balance of our time.

Mr. BELL. Mr. Speaker, I yield myself as much time as I may consume.

Let there be no mistake about what is going on here, what we are talking about, where the Democratic party stands on this particular issue regarding a child tax credit and where the Republican party stands, and I am going to repeat the quote that pretty much spells it out for everyone. My colleague the gentleman from North Carolina (Mr. MILLER) referred to it, but it summarizes this debate so succinctly that it bears repeating.

When originally asked about the child tax credit, the majority leader, the gentleman from Texas (Mr. DELAY), said, "There is a lot of other things more important to me than that. To me, it is a little difficult to give tax relief to people who do not pay

income taxes," and we have heard a little bit more about that here this evening from the gentleman from Florida.

This is clear evidence of where the Republican priorities lie, and they do not include the poorest children in America. They do not include the children of working families across the United States.

I have to ask, what happened? What happened to No Child Left Behind? It is a very catchy slogan. It is harder to live by it. Even the least compassionate conservative it would seem, even the least compassionate conservative ought to understand that working parents at the bottom of the ladder spend money, pay bills, pay property taxes, pay sales taxes and have to raise their children just like I do, just like the rest of us do.

The gentleman from Florida used the clever example of McDonald's, and I believe he said that if a person has not bought any hamburgers from McDonald's then they are certainly not entitled to another hamburger or a free hamburger from McDonald's, but I wonder, does he believe that the person who owns the McDonald's should get a lot more hamburgers? Are they the only ones who are entitled to the hamburgers or are the people out there banging on the door, starving, entitled to a little relief themselves?

I guess we can all use clever examples in this debate, but it really does not come down to clever examples. It comes down to doing the right thing, and the Republican leadership has consistently dragged their feet in passing this legislation, and all evidence suggests that they really do not care and they do not have any intention of passing this legislation. They can come here and debate for maybe 5 minutes and sing the same old verses from the same old song book, but they do not have any intention of doing anything.

Let us look at the facts. This child tax credit they knew would go nowhere because they knew the other body would never accept it. It was passed on June 12. Here we are a month later. We have already adjourned for the July 4 recess without getting tax relief for the American families, without the conference committee meeting once, and the gentleman from Florida (Mr. FOLEY) suggests that a reasonable compromise can be reached, but to reach a compromise, the conferees would have to meet. And if there was any desire to reach a compromise, then they would have already met.

No, that is not what is going on here at all. Legislation was passed on June 12 to hoodwink the American people, to make them believe that the individuals on the other side of the aisle actually cared about tax relief for working men and women and the children of this great country, but they knew that it would not be accepted, and they knew that it would go nowhere, and that is precisely what has happened.

You act on everything else President Bush wants you to act upon, why do

you not act upon what he wants you to act upon now? President Bush has said he wants the House to pass this bill as soon as possible, and he has requested immediate action. His spokesperson also said the President believes what the Senate has done is the right thing to do, it is a good thing to do and he wants to sign it. So why do you not follow your leader? Why do you not follow what the President of the United States has requested and instruct the

conferees to pass the Senate version of the bill?

Please do the right thing.

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

The SPEAKER pro tempore (Mr. GINGREY). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct

offered by the gentleman from Texas (Mr. BELL).

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

Mr. BELL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this are postponed.