

baby boomers if we do not do something. This Congress, both sides of the aisle, have laid aside \$400 billion to deal with this issue. I want to commend the leaders of this House, including the gentleman from Florida (Mr. BILIRAKIS) for his attempts to reform Medicare and bring those issues to the floor of the House and try to get a bill that we can get the President to sign.

The thing that I want to encourage, though, is that we have got to keep the provisions of the current Medicare system that work. One of the key components of the current Medicare system is that it is a defined benefit. When you reach eligibility age, everybody qualifies for it. I do not care what the situation is, if you live rural America, urban America, you qualify because it is a defined benefit, and everybody receives that. We have some Medicare+Choice-type programs within Medicare now that try to set up HMOs or insurance incentive programs to deliver prescription drugs to folks, and they do not work. They do not work in rural areas. My constituents do not get them because the insurance companies cannot make enough money on them, so they go to the larger communities, the urban communities, the big cities, where they can make money.

Mr. Speaker, I just would encourage us to keep those provisions that work, and one of them is the defined benefit, the fall-back provision which the gentleman from Hawaii (Mr. CASE) is stressing here.

The House bill fails to meet the needs of one-fourth of the Medicare beneficiaries of this country that live in rural areas. The Senate bill addresses this problem by establishing a guaranteed fall-back provision. Again, we need reform, but I would encourage the leadership and the conference committee to include the fall-back provision.

Mr. BILIRAKIS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

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

Mr. Speaker, in closing, this has been a good but all-too-short discussion which has highlighted some of the principal differences between the majority and the minority on the issue of Medicare.

I would like to respond to some of the points made by the gentleman from Florida (Mr. BILIRAKIS). I agree with my colleagues on the minority side that the gentleman from Florida (Mr. BILIRAKIS) does care about Medicare. In fact, he reminds me of a country doctor, nice, calm, reassuring presence. And if I was the majority party, I would want a nice, calm person to stand up and talk about Medicare, and I have no doubt about his sincerity.

But I will say that in terms of the positions which have been taken by his party, the positions that have been advocated by this administration and the positions that are now pending in Congress, actions speak louder than words.

Perception is not reality. We would not be standing here bringing this fourth motion, and we bring this fourth motion because we care about rural America. We care about health care in rural America, and we believe that it is at risk, serious risk right now.

□ 1330

We want people to know that so that in the 16 days remaining before the largest health care reform initiative in decades, if you want to call it reform, comes up to us for a final yes or no vote, the people of this country can weigh in. That is why we keep on bringing this motion and we will keep on bringing this motion.

I want to highlight some of the things that were said here today. First of all, much has been said about affordability. Affordability is a matter of priorities. Affordability is a matter of where you put your money. You ask any rural hospital, rural clinic, any senior living in rural America where they think that the resources of this country should be devoted and they will tell you health care, and they will be right.

So this is a box that the majority has put itself in. It has decided that there are these limits and that is all that we are going to give to this problem and then we are going to live within these limits.

When we on this side say, those limits are not accurate, those limits are not good, they say, well, you are trying to get out of the box. You bet we are trying to get out of that box. That box does not work for America.

Reforming Medicare is one thing. We all agree that Medicare needs reforming. We all agree that Medicare needs fixing, but reforming it should not be destroying it, and that is what is at risk here.

There are good ingredients in both the House and the Senate versions. All we are asking in this motion is to take the best of both the House and the Senate provisions, homogenize them, do not duplicate them. We are not asking for things to be duplicated and run up; we are saying take the best. Guarantee a prescription drug coverage where the private sector is not going to provide it if, in fact, the effort to privatize Medicare is successful. Make sure that our rural areas have basic hospitals.

We do not want a country where everybody has to take a train, plane, boat or other means of transportation to get to some big city that has some big hospital. That is not the answer to health care in this country. That is what we care about.

I would close by saying again that this motion, this issue, is not just about Medicare. It is not just about health care. It is not just about seniors. It is about rural America. And when it is about rural America, it is about the America that we live in and that we want to preserve.

I urge my colleagues to support this motion. It is a simple motion. Just

take the best. Do what is necessary for rural America. Put rural America first.

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

The SPEAKER pro tempore (Mr. BASS). All time has expired.

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 Hawaii (Mr. CASE).

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

Mr. CASE. 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 and the Chair's prior announcement, further proceedings on this motion will be postponed.

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

Mr. DAVIS of Alabama. Mr. Speaker, I offer a motion to instruct.

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

The Clerk read as follows:

Mr. DAVIS of Alabama, 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:

1. 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.

2. 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.

3. 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.

4. 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.

5. 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.

Mr. DAVIS of Alabama (during the reading). Mr. Speaker, I ask unanimous

consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Alabama (Mr. DAVIS) and the gentleman from Minnesota (Mr. RAMSTAD) each will control 30 minutes.

The Chair recognizes the gentleman from Alabama (Mr. DAVIS).

Mr. DAVIS of Alabama. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, periodically when I go back to my district, one of the questions I get most frequently asked is, why do we keep turning on our C-SPAN television in the afternoon and hearing this debate on the child tax credit? Why do we keep seeing these motions brought to the floor?

I suppose the best answer that I can give, Mr. Speaker, the best answer I can give my colleagues is a very simple one. The reason that this side of the aisle continues to press this issue, the reason that this side of the aisle continues to implore our colleagues to act is because more than any other issue, any other debate we have encountered this year, this question speaks to the fundamental difference between our parties.

We continue to make these points because it speaks for, frankly, why we stand on the Democratic side as opposed to the Republican side. And while we may do this every few days, it is always helpful to look at the history of how we got here.

Late in the evening of the night that the Republican-inspired tax cut passed this body, there was a relentless effort to get inside the \$350 billion number, and for all of the efforts of all of the geniuses that we have on the other side and all of the efforts that were expended on getting inside this limit, there were \$3.5 billion outside of \$350 billion.

One would wonder, if you had to save \$3.5 billion at the last minute of a long debate, where would you turn? You might turn to the various corporations who are using offshore accounts in the Bahamas. You might turn to people who are earning over a million dollars a year and getting a tax cut. You might turn to some of the obvious examples of waste and fraud that could have been found. But rather than turn to any of those places, the Republican leadership decided to literally reach into the pockets of families earning between \$10,000 and \$26,000 a year, the very weakest people in our society.

We have learned just in the last few weeks that the number of children living in poverty has grown by 1 million in the last year. We have learned in just the last few weeks that after a decade of people moving from poverty to the middle class, that the trend is now in the other direction. Every single month, different numbers of fami-

lies fall below the statistical line that separates deprivation in this country from some measure of success.

For all of the differences and all of the debates that we have on this floor, I can confidently say that my party would never reach into the pockets of the most vulnerable families in this country to satisfy a \$350 billion tax cut number. We need to, and frankly it is nothing less than shameful, Mr. Speaker, that in the last months we have not managed to, find a way to make this simple, corrective step.

We have heard some on the other side of the aisle say, well, why give a tax credit to families earning between \$10- and \$26,000 a year or why expand the tax credit for them? A lot of them do not pay taxes, we have heard. Or a lot of them do not pay a lot of taxes. The reality is, of course, these individuals do pay State income taxes and in many of our States in this time of tough budget woes, those individual State tax burdens are rising.

We also know, frankly, that there has never been any controversy around the child tax credit applying to low-wage-earning families. There has never been any controversy over whether the original \$600 credit applied. The controversy over this credit arose only when the majority needed to save \$3.5 billion.

It is interesting that the President wants to fix this. It is striking that the U.S. Senate has voted almost unanimously to fix it, but for some reason, the Republican leadership in the House continues to be unmoved on this question. To put the cynicism in some context, H.R. 1308, the bill that was brought to this floor that purports to fix the gap in the child tax credit does not even allow the tax credit to kick in for these families until sometime next year.

There is another basic point, Mr. Speaker. We are experiencing a stagnant, slow, jobless recovery. We are experiencing a recovery where companies are saving costs by cutting back on health insurance and laying off workers. It is a very stale recovery for a lot of our people.

So the President talks about stimulus. The President talks about providing a jolt to this economy. What better way to put some life in this economy, what better way to put some energy and some spending power into this economy than by giving this credit to families who are struggling by the margins every single day to survive, the families earning between \$10- and \$26,000? If stimulus is the rationale for this tax cut, there is no reason that this credit should not be extended to these families.

Mr. Speaker, I certainly look forward to this debate today. I certainly invite my colleagues to finally do the right and simple thing, to spend \$3.5 billion to fix a problem of fundamental fairness.

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

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

Mr. Speaker, I believe the Members of the body are very familiar with the issues at stake in this motion to instruct conferees, for I believe this is the 13th time now that this body has debated the motion.

Let me say at the outset, Members on both sides of the aisle want to provide for immediate increased refundability of the child credit. That is exactly what the bill that passed the House would provide to many low-income families. But let me remind my colleagues of the families who would be disadvantaged by this motion to instruct conferees and this goes really to the heart of this debate, Mr. Speaker.

Under the motion brought by my friend from Alabama, the same low-income families who would benefit from the increased refundability of the child credit would see their credit actually drop in the year 2005, after the elections. By contrast, the House-passed bill would ensure that the child credit remains at \$1,000 per child through the year 2010. Will low-income families need this crucial tax relief any less in the year 2005? Of course not.

Under the motion brought by my friend from Alabama, the marriage penalty in the child credit would be eliminated only in the year 2010. By contrast, the House-passed bill immediately eliminates the marriage penalty, which is unfair and unconscionable and discriminates against people who are married, taxpayers who are married, and denies millions of children the full benefit of the child credit simply because their parents are married. Why should a married couple anywhere, let us say a teacher and a firefighter, be denied this crucial tax relief for their children?

Under the motion also brought by my friend from Alabama, families would actually receive less tax relief, those families in the military. Let me repeat that. Military families would actually receive less tax relief under the motion brought by my friend from Alabama.

Under the House-passed bill, the child credit is not denied to military families. Military families, including those serving so bravely abroad, are already receiving a refundable child credit and will continue to receive this credit under the House-passed bill. This 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. At the same time, the motion to instruct would deny over \$800 million in tax relief to military families. That is a lot of money and that is real money to those troops serving us so bravely and so well.

The House bill contains the military tax relief that has passed this body a number of times. By contrast, the bill passed by the other body, which this motion to instruct would have us adopt, does not contain this essential

tax relief for the brave men and women defending our country.

Mr. Speaker, let me remind my colleagues of the military tax relief that is missing, that is absent from the other body's bill. Our House-passed tax relief bill ensures that members of the Armed Forces and Foreign Service are not denied the very important capital gains exclusion on home sales if they cannot meet the 5-year residency test because they are transferred away from home on official extended duty, which happens obviously frequently to members of both the Armed Forces and the Foreign Service.

Our bill ensures that the full \$6,000 death gratuity payment received by survivors of military personnel is tax-free. Only half of the payment is tax-free under current law.

Our bill furthermore ensures that payments received by members of the Armed Forces under the home owners assistance program are tax-free. These payments compensate our men and women of the military for a drop in home values resulting from military base closures or realignments.

Moreover, our bill extends the combat zone filing rules to individuals serving in contingency operations so they are given more time to file tax returns and meet other deadlines. As I have heard from many military families who have loved ones in combat zones currently, this provision is also very important.

Further, Mr. Speaker, our bill modifies the definition of a qualified veterans organization to make it easier for veterans organizations to retain their tax-exempt status. This is very important, as members of the American Legion and VFW and the other veterans organizations have told me repeatedly.

Also, Mr. Speaker, our bill clarifies that dependent care assistance provided under a military dependent care assistance program is tax-free.

□ 1345

Further, the House-passed bill ensures that families are not hit with that dreaded 10 percent penalty for withdrawals from their Qualified Tuition Plans from Section 529 Plans or the Coverdell Education Savings Account if their children are appointed to military academies. This practice is simply wrong, and we correct that. This is the same treatment given to families whose children receive scholarships.

Finally, Mr. Speaker, our House-passed bill provides an above-the-line deduction for up to \$1,500, \$1,500 of training expenses incurred by members of the National Guard and Reserve who serve more than 100 miles away. I am proud to say, Mr. Speaker, that this provision is based on legislation I sponsored with the help of many others on both sides of the aisle.

So let me conclude, Mr. Speaker, by saying this, and this really is the bottom line: The House-passed bill pro-

vides more tax relief to more families. The House-passed bill provides more tax relief to more members of our military. I urge my colleagues to defeat this motion.

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

Mr. DAVIS of Alabama. I yield myself such time as I may consume.

I certainly agree with my friend from Minnesota that we need to correct the disparity of military families being left out of this relief. We need to correct all the omissions regarding military families, and for that reason this motion to instruct would provide coverage for families of military personnel serving in Iraq, Afghanistan, and other combat zones as an essential and critical of part this conference report.

Mr. Speaker, I yield 2 minutes to the gentleman from the great State of Texas (Mr. HINOJOSA) whose district includes so many families who would be deeply affected by this motion to instruct and who has been such a consistent advocate for children living in poverty in this country.

Mr. HINOJOSA. Mr. Speaker, I thank the gentleman from Alabama (Mr. DAVIS) for yielding me this time.

Mr. Speaker, for 109 days now, we have demanded fairness for the 6.5 million families that were denied their equitable share of the child tax credit provisions in the Jobs and Growth Tax Relief Reconciliation Act. These families, headed by workers who pay taxes from their paychecks and on their purchases as well as paying property taxes and excise taxes, represent 12 million children. Those families include rural families. The 12 million children are more than half of the sons and daughters of rural farmers and farm workers. They are one out of every four children of nurses and nurses' aids. They are more than half of the children of janitors, maids, and cooks. The children left out are one in ten children of teachers and teachers' aids. More than 120,000 of these children are the dependents of active military personnel.

Just as we must not leave children behind in the classroom, we cannot ignore working families and their children when the Treasury Department mails out checks. We have said it again and again and again: Tax relief for families should be fair and equitable. We must come together and provide a refundable credit to demonstrate our commitments to all working families.

Mr. Speaker, I support the Davis motion to instruct, and I urge everyone else to vote in favor of this motion.

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

Mr. DAVIS of Alabama. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia (Mr. BISHOP). The gentleman from Georgia has distinguished himself in this institution not just as a voice for fiscal prudence and fiscal sanity as a conservative Democrat, but he has also distinguished himself as a distinguished advocate for the families who are left behind in this country. His

district, like mine, includes large numbers of rural families and large pockets of children living in poverty.

Mr. BISHOP of Georgia. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker I rise today in support of the gentleman from Alabama's (Mr. DAVIS) motion to instruct conferees on H.R. 1308, the child tax credit, and I thank the gentleman for this very important motion because tax relief and tax fairness are the very core of what we in Congress should be doing to improve the lives of Americans in each and every community across this Nation.

Mr. Speaker, let me take a moment to recognize the bipartisan work of the United States Senate which has already voted 94 to two to provide Americans with real and meaningful tax relief in the form of a child tax credit. The Senate knew that this was the right thing to do, and they made no bones about coming together for hard-working American families. In fact, the President of the United States, through his press secretary, said that we ought to pass this legislation, legislation that has been held hostage in this House by the Republican leadership for 111 days. This is wrong, Mr. Speaker, and it ought not to happen in America because tax relief for American families, a real child tax credit, is not a Democrat issue, not a Republican issue. It is a children issue.

The relief it provides is targeted to parents who need it the most, those earning between 10,000 and \$26,000 a year, about 6.5 million families and 12 million children. They await relief while the Republican leadership in the House stalls on this bill.

The House version of the child tax credit also shortchanges our servicemen and women and particularly those who are putting their lives on the line in Iraq. The House Republican leadership insisted that the calculation of the allowable child tax credit be based on taxable income, that is, wages in excess of personal exemptions and deduction, rather than on total earned income. This accounting gimmick adversely affects our military personnel who are in combat because, while in combat, their pay is not treated as taxable income. For example, a stateside grade E-6 serviceman or woman earning \$29,000 a year, supporting a spouse and two children, would enjoy the full \$1,000 child tax credit for each of their two children. But if that servicemember is deployed in Iraq for as much as 8 months, he or she could lose the entire child tax credit. That is because two-thirds of his or her income would not be taxable and the remaining one-third would fall below the \$10,500 threshold at which the refundable portion of the child tax credit begins to be calculated. In fact, some 260,000 children, one in five children of the military, in 200,000 active duty military families would be left out of this unfair House version while the

Senate version avoids this problem entirely.

Last month the census released new figures showing that the number of families and children living between below the poverty line rose by 1.3 million last year, 1.3 million more families than there were last year. Times are really tough. They need help, Mr. Speaker, and they need it now. I would like to say that help is on the way, but the truth be told, Mr. Speaker, help is going away. Our fiscal priorities are not in touch with real needs.

A recent House Committee on the Budget staff analysis reveals that the true cost of the war in Iraq and the postwar reconstruction effort will be more than \$178 billion and could exceed \$400 billion during the period 2003 to 2013. That is pretty big money. Who pays that bill? Hard-working Americans and their families, including the servicemen and women who have been disproportionately disadvantaged by the unfair tax policy in America today.

In May of this year, this House passed a tax cut, despite the mounting deficit and the cost of the war in Afghanistan and Iraq. I am a big supporter of tax relief, but the last round of tax cuts excluded the full benefit for most working Americans and was fiscally irresponsible.

We have before us today an opportunity to level that playing field for most American families. I hope that we will. I urge my colleagues to stand with us for tax fairness and to vote for the gentleman from Alabama's (Mr. DAVIS) motion to instruct conferees on this very important bill.

Mr. RAMSTAD. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I would just remind the body that the motion to instruct brought by my friend from Alabama would deny over \$800 million in tax relief to members of the military and their families.

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

Mr. DAVIS of Alabama. Mr. Speaker, I yield myself such time as I may consume.

I think we may just simply have a factual disagreement between my friend from Minnesota and myself. The motion to instruct would include those families.

Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE) who has so often come to the well of this House to speak on behalf of our party and to speak on behalf of families in need in this country.

Mr. PALLONE. Mr. Speaker, I thank my colleague from Alabama for yielding me this time.

I want to point out I have been on this floor so many times making the same point which is that my Republican colleagues, including the gentleman from Minnesota, keep talking about the House bill, the House-passed Republican bill, and how that is so much more generous and is going to provide much more tax relief than the

bill that passed the other body. But the bottom line is we know that this House bill will never become law. And the whole purpose of this exercise was to make sure that these kids and their families making between the 10- and 20-something thousand dollars a year annual income would be able to get the same kind of child tax credit or relief as the other families of higher incomes. And so the other body passed a bill that would simply do that and nothing more. It cost, I think, about \$3.5 billion, and it was paid for by some kind of increased customs duty, fully paid for. It does not increase the debt.

What the Republicans in the House do, they come in and say that is not good enough. We have got to pass a much larger bill. I think it is \$80 billion, but there is no money to pay for that. So when our Republican colleagues in this House keep saying they want this larger bill that is going to do all these wonderful things and provide all this additional tax relief, that is just another way of saying we do not want anything because they have not had the conference even meet. The two bodies have not gotten together. The chairman of the House Committee on Ways and Means has made it quite clear that he is really not interested in having any kind of compromise or effort to reach out to the other body on this issue.

So we have a stalemate because the House Republicans refuse to have a conference, refuse to meet, and refuse to simply go along with the bill passed by the other body. So I mean this is becoming increasingly a joke.

The bottom line is the House Republicans have no intention of ever passing anything that is going to pass both houses and go to the President's desk. And unless that happens, it is just a cruel hoax on these families that they are ever going to get any kind of relief. I am not interested in hearing what is going to happen in 2 years or what is going to happen with the people that are not directly impacted by this. We have already had several tax cut bills that have provided money back to taxpayers, mostly at the high end. We just simply want to address this problem for these people in this income bracket who are working, who are paying taxes, and who need some relief. And it is a question of fairness; they should get the same \$400 that everybody else gets.

I have mentioned many times, July came around, I got a \$1,200 check. A Member of Congress, I guess we make about \$150,000 a year. I have three children, so I got \$1,200. But the other person on my block who is at the lower-income scale, still working as hard I am, they did not get the money, and it is not fair. As far as the military is concerned, they can just take up the bill that is at the desk here and provide the relief to the military families. But do not talk to us about this House bill that is more generous, is going to provide more money, provide more tax relief. That is "pie in the sky." We have

a \$500 billion deficit. That is never going to happen.

Mr. RAMSTAD. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I would just remind my friend from New Jersey that this is not a joke to many low-income families. Under the motion brought here today, the same low-income families who would benefit from the increased refundability of the child credit would see their credit actually drop in 2005, coincidentally, right after the elections. By contrast the House-passed bill would ensure that the child credit stays at \$1,000 per child through the year 2010. I challenge anyone to say that low-income families would need this crucial tax relief any less after 2005. This is not a joke. This is serious business.

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

□ 1400

Mr. DAVIS of Alabama. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we do have these debates every few days; and nothing new, frankly, has been said over the course of the last 4 months. That is depressing, in some sense; but I think, again, it speaks to the very fundamental difference between our parties.

No one has yet to come to the well of this House, and today only one speaker even bothered to come down to debate this issue from the other side; no one has yet to come to the well of this House from the Republican side of the aisle to explain why we leave behind families earning between \$10,000 and \$26,000 when it would not cost us more than \$3.5 billion. No one has explained why we leave out of a stimulus package the families who are most in need of having their economic fortune stimulated.

The gentleman from New Jersey (Mr. PALLONE) is exactly right. The very leadership that brought this bill to the floor, and actually, to be perfectly correct about it, it is not a bill. The Republican leadership, rather than actually bringing a bill to the floor, brought a rule to the floor and invoked a rare procedural maneuver to take this measure directly to conference, rather than to bring it forward as a bill. Putting that aside, the very leadership that brought this rule to the floor announced a day beforehand that the child tax credit was dead. That had no intent, they have no intent, and they will have no intent to ever create this expanded relief for the families in our country who are working so hard.

I close on this note, Mr. Speaker. We wonder sometimes why so few low-income people participate in the voting process in this country. We wonder sometimes why so many low-income families feel left out and feel locked out. We wonder why they feel disengaged. When we have our town hall meetings, they do not even bother to come. We have an answer to that question with the way this issue has been

handled: because these individuals who are locked out of so many things in life turn on their television and they hear that tax relief is being passed for millionaires, they hear that tax relief is being passed for the owners of large corporations, and they hear that wider and broader and additional tax relief is contemplated. Yet they hear that they are not worthy of additional relief at all. They are told, as some of my colleagues on the other side have said, that they are welfare cases who really do not contribute to the system and really do not pay taxes anyway, so why get any kind of benefit.

We ought to recognize as elected officials, Mr. Speaker, that we cannot leave people out of the system and expect them to continue to have faith in the system. That may be a small cost to my colleagues on the other side of the aisle, because a lot of these folks are not a big part of their voter base, but they are part of the America that we have. This party that I speak for today will always be proud to speak for these families, because the kids in this country who live in families earning at the edge of the poverty line and slightly above it, they cannot come to this city and have fly-in week. They cannot hold \$50,000 fund-raisers. They cannot hold thousand-dollar-a-head events. Somebody has to speak for them. Somebody has to take the time to come to this floor to speak for their needs and advocate for their cause. The ones of us who do that represent the Democratic Party in America, and those of us on this side of the aisle will always be proud to be part of the party that speaks for those who have been left behind, who lack any other voice.

So with that said, I urge my colleagues to vote for this motion to instruct and to finally fix this fundamental unfairness in what was purported to be a tax fairness bill earlier this year.

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

The SPEAKER pro tempore (Mr. BASS). Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Alabama (Mr. DAVIS).

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

Mr. DAVIS of Alabama. 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 motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 4 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1535

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. TERRY) at 3 o'clock and 35 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to instruct conferees previously postponed.

Votes will be taken in the following order:

Motion to instruct on H.R. 2691, de novo;

Motion to instruct on H.R. 1, by the yeas and nays;

and motion to instruct on H.R. 1308, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic votes will be conducted as 5-minute votes.

MOTION TO INSTRUCT CONFEREES ON H.R. 2691, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2004

The SPEAKER pro tempore. The pending business is the de novo vote on the motion to instruct conferees on H.R. 2691.

The Clerk will designate the motion.

The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct conferees offered by the gentleman from Washington (Mr. DICKS).

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

Mr. DICKS. 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.

The vote was taken by electronic device, and there were—yeas 259, nays 165, answered "present" 1, not voting 9, as follows:

[Roll No. 527]

YEAS—259

Abercrombie	Boehlert	Conyers
Ackerman	Boswell	Cooper
Alexander	Boucher	Costello
Allen	Boyd	Cramer
Andrews	Brady (PA)	Crowley
Baca	Brown (OH)	Cummings
Baird	Brown, Corrine	Davis (AL)
Baldwin	Burr	Davis (CA)
Ballance	Burton (IN)	Davis (FL)
Bass	Buyer	Davis (IL)
Beauprez	Cannon	Davis (TN)
Becerra	Capps	Davis, Jo Ann
Bell	Capuano	DeFazio
Berkley	Cardin	DeGette
Berman	Cardoza	Delahunt
Berry	Carson (IN)	DeLauro
Bishop (GA)	Carson (OK)	Deutsch
Bishop (NY)	Case	Dicks
Bishop (UT)	Clay	Dingell
Blumenauer	Clyburn	Doggett

Dooley (CA)	Larsen (WA)	Price (NC)
Doyle	Larson (CT)	Quinn
Dunn	Leach	Rahall
Edwards	Lee	Rangel
Emanuel	Levin	Rehberg
Emerson	Lewis (GA)	Renzi
Engel	Lewis (KY)	Reyes
Etheridge	Lipinski	Rodriguez
Farr	LoBiondo	Rogers (KY)
Fattah	Lofgren	Ross
Ferguson	Lowe	Rothman
Filner	Lucas (KY)	Royal-Allard
Fletcher	Lynch	Ruppersberger
Forbes	Majette	Rush
Ford	Maloney	Ryan (OH)
Frank (MA)	Manzullo	Sabo
Frelinghuysen	Markey	Sanchez, Linda
Frost	Marshall	T.
Galleghy	Matheson	Sanchez, Loretta
Gibbons	Matsui	Sanders
Gonzalez	McCarthy (MO)	Sandlin
Goodlatte	McCarthy (NY)	Saxton
Gordon	McCollum	Shakowsky
Green (TX)	McCotter	Schiff
Green (WI)	McDermott	Scott (GA)
Grijalva	McGovern	Scott (VA)
Gutierrez	McInnis	Serrano
Hall	McIntyre	Sherman
Harman	McKeon	Simpson
Hastings (FL)	McNulty	Skelton
Hastings (WA)	Meehan	Smith (NJ)
Hayworth	Meek (FL)	Smith (WA)
Hefley	Meeks (NY)	Snyder
Herger	Menendez	Solis
Hill	Michaud	Spratt
Hinche	Millender-	Stenholm
Hinojosa	McDonald	Strickland
Hoeffel	Miller (NC)	Strickland
Holden	Miller, George	Stupak
Holt	Mollohan	Sweeney
Honda	Moore	Tancredo
Hooley (OR)	Moran (VA)	Tanner
Hoyer	Murtha	Tauscher
Inslee	Musgrave	Taylor (MS)
Israel	Nadler	Thompson (CA)
Jackson (IL)	Napolitano	Thompson (MS)
Jackson-Lee	Neal (MA)	Tierney
(TX)	Nethercutt	Towns
Janklow	Ney	Turner (TX)
Jefferson	Oberstar	Udall (CO)
Jenkins	Obey	Udall (NM)
John	Olver	Van Hollen
Johnson, E. B.	Ortiz	Velazquez
Jones (NC)	Osborne	Visclosky
Jones (OH)	Ose	Walden (OR)
Kanjorski	Otter	Wamp
Kaptur	Owens	Waters
Kennedy (RI)	Pallone	Watson
Kildee	Pascrell	Watt
Kilpatrick	Pastor	Waxman
Kind	Payne	Weiner
Klecza	Pearce	Weldon (PA)
Kolbe	Pelosi	Wexler
Kucinich	Peterson (MN)	Wilson (NM)
LaHood	Peterson (PA)	Woolsey
Lampson	Pombo	Wu
Langevin	Pomeroy	Wynn
Lantos	Porter	

NAYS—165

Aderholt	Castle	Gerlach
Akin	Chabot	Gilchrest
Bachus	Chocola	Gillmor
Baker	Coble	Gingrey
Ballenger	Cole	Goode
Barrett (SC)	Collins	Goss
Bartlett (MD)	Cox	Granger
Barton (TX)	Crane	Graves
Bereuter	Crenshaw	Greenwood
Biggert	Cubin	Gutknecht
Bilirakis	Culberson	Harris
Blackburn	Cunningham	Hart
Blunt	Davis, Tom	Hayes
Boehner	Deal (GA)	Hensarling
Bonilla	DeLay	Hobson
Bonner	DeMint	Hoekstra
Bono	Diaz-Balart, L.	Hostettler
Boozman	Diaz-Balart, M.	Houghton
Bradley (NH)	Doolittle	Hulshof
Brown (SC)	Duncan	Hunter
Brown-Waite,	Ehlers	Isakson
Ginny	English	Istook
Burgess	Everett	Johnson (CT)
Burns	Feeney	Johnson (IL)
Calvert	Flake	Johnson, Sam
Camp	Foley	Keller
Cantor	Fossella	Kelly
Capito	Franks (AZ)	Kennedy (MN)
Carter	Garrett (NJ)	King (IA)