Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velazquez
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (FL)

NAYS—50

Akin
Bartlett (MD)
Berry
Chabot
Coble
Collins
Cubin
Davis, Jo Ann
Deal (GA)
Duncan
Everett
Feeney
Flake
Forbes
Franks (AZ)
Garrett (NJ)
Goode
Goodlatte
Graves
Gutknecht
Hall
Hayes
Hefley
Herger
Hostettler
Hulshof
Jones (NC)
King (IA)
Lucas (OK)
Manzullo
McInnis
Miller (FL)
Musgrave
Norwood
Otter
Paul
Petri
Pitts
Pombo
Rahall
Rohrabacher
Ryun (KS)
Sensenbrenner
Smith (MI)
Stearns
Tancredo
Tanner
Taylor (MS)
Taylor (NC)
Toomey

NOT VOTING—14

Berkley
Bishop (UT)
Clay
Ferguson
Ford
Gephardt
Hyde
Jenkins
Kind
Matsui
Pastor
Sullivan
Waters
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GILLMOR) (during the vote). Members are advised that 2 minutes remain in the vote.

□ 0141

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

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

Ms. SOLIS. Mr. Speaker, subject to rule XXII, clause 7(c), I hereby announce my intention to offer a motion to instruct on H.R. 1308, the Child Tax Credit Bill. The form of the motion is as follows:

Mr. Speaker, I move 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 preceeding provisions of this instruction, not later than the second legislative day after adoption of this motion.

The SPEAKER pro tempore. The gentlewoman's notice will appear in the RECORD.

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

Mr. BISHOP of New York. Mr. Speaker, I offer a privileged motion.

The SPEAKER pro tempore (Mr. HAYES). The Clerk will report the motion.

The Clerk read as follows:

Mr. Speaker, I move 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 provision 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 preceeding provisions of this instruction, not later than the second legislative day after adoption of this motion.

□ 0145

The SPEAKER pro tempore (Mr. HAYES). Pursuant to the rule, the gentleman from New York (Mr. BISHOP) and a Member of the majority party each will control 30 minutes.

The Chair recognizes the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. Mr. Speaker, I yield myself such time as I may consume.

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. This Friday, Uncle Sam will drop checks in the mail to millions of families who will benefit from the child tax credit. However, if the House would simply put an end to stalling tactics over the Senate bill and act to extent the child tax credit, 4 million additional families would receive a much-needed check in the mail, and 2.5 million families would enjoy a larger check than they are currently scheduled to receive.

Earlier this year, this Congress passed a $350 billion tax cut bill that failed to provide families of low-income children with a child tax credit. The Senate acted in early June to extend the child tax credit to include low-income families. The Senate bill was deficit neutral, as its costs were offset by other revenues. The House responded to this $9.5 billion deficit-neutral Senate bill with a bloated $82 billion plan, every dime of which adds to a deficit that is already of staggering proportions. Why?

It is difficult to resist the conclusion that the House leadership chose this response to the Senate bill precisely because they knew it would be completely unacceptable to the Senate. This is perfect, right? Give the illusion of responding to a real problem when in fact the response makes the solution even more elusive.

Now, the House continues to stall, unwilling to give an inch so that low-income families can receive the same $1,000 child tax credit other families are expecting. We have an opportunity to call off the stonewalling and follow the Senate's lead in passing meaningful relief for low-income families and we should do it.

Refusing to take the time before Congress goes on vacation to provide low- and middle-income families with a child tax credit is nothing short of an assault on the working poor. At the present time, when our economy has taken a nose dive and families are forced to cut their budgets left and right, it defies logic to engage in such a blatant form of class warfare.

Any Member who thinks it is acceptable to leave town to go on vacation and to push off the urgent business of 6.5 million hardworking families is sending an unmistakable message about misplaced priorities. This kind of attitude may be acceptable in Washington, but it is not okay in my district. I am ashamed to return home to Long Island as the representative of a Federal Government that has turned a blind eye to the needs of the 20,000 families in my district estimated to lose out if we deny them their benefits without a fight.

If this House sees wisdom in giving millionaires alone a $90 billion tax break, certainly we can give families making between $10,500 and $26,000 a small break. That is $10,500 to $26,000.

Yet there is a great resistance to offsetting the cost of extending the child tax credit by reducing the dividend and capital gains relief flowing to millionaires by a remarkably trivial amount.

We were sent to Congress by people we represent to make choices. When the original conferees excluded families making from $10,500 to $26,000 from sharing in the benefit of the expanded tax credit, they had several options available to them. The cost of extending the child tax credit to these families is $3.5 billion, or one percent of the total cost of the bill. Surely somewhere in the remaining 99 percent of the bill, the conferees could have found $3.5 billion in adjustments, but they chose not to. Instead, they chose to remain within the $350 billion limit of the bill, arbitrary and illusory as it is, by telling these families, these working poor, that it was more important to assist millionaires than it was to assist them. That is the choice they made.

The tax cut is cleverly referred to as the Jobs and Growth Tax Relief Reconciliation Act of 2003. If the real goal of this tax cut bill, as stated in its title, is to create jobs and growth, I believe we would not be here tonight having this debate. If we were really interested in job growth, we would not be so concerned about a negligible decrease in the refund going to the wealthiest Americans who hold the largest pool of discretionary money and who are probably going to use this tax cut to bolster their savings accounts. If we were really interested in job growth, we would not hesitate to invest in lower-income working families who are going to immediately reinvest the money from the tax cuts in the economy.

Any observer of spending patterns will tell my colleagues that putting money into the pockets of those who need it the most will provide an immediate and welcome shot of adrenaline to our damaged economy.

Close to 12 million children nationwide and 43,000 children in my district stand to benefit from an expansion of the child tax credit to lower-income families. If these families receive their checks this summer, certainly our economy will benefit from an immediate economic stimulus. Their money is not going to go to savings accounts. Rather, their money will be reinvested because it will go to families in my district just in time to purchase back-to-school supplies for children.

One need not be a Nobel Laureate in economics to figure this out. If we put money in the hands of people who live paycheck to paycheck, and certainly families making $20,000 a year live paycheck to paycheck, they are going to spend it immediately on the necessities of life. Conversely, when we add to the income of those whose discretionary income is already generous, their spending and purchasing patterns are likely to be affected modestly or not at all. Where is the economic benefit? How many jobs will we really create?

I am here in the wee hours of the morning because I believe that Congress must not fail the American people by leaving town without extending the child tax credit to low-income families who so desperately need it. Earlier I mentioned the failure to provide relief to struggling families as emblematic of misplaced priorities. This is only the latest in a long line of misplaced priorities, and I find it very troubling.

Our government seems to think it is okay to crack down on low-income children in the school lunch program, children and families who make less than $23,000 a year, while Congress refuses to address the issue of offshore tax havens. It is ludicrous to spend time taking sandwiches away from low-income children while continuing to allow large corporations a free pass on offshore tax havens costing taxpayers billions of dollars a year.

Similarly, it makes no sense to devote government resources to crack down on filers of the earned income tax credit who earn less than $33,000 per year, while we are giving millionaires billions of dollars in tax breaks; and it is certainly counterintuitive to keep a child tax credit out of the hands of working families who will use it to care for the immediate needs of their family and boost our economy. This is more class warfare; and if we have any decency as a Nation, we will see to it that it stops.

President Bush has urged us to do right by these families, and I urge my colleagues to do the same. We should put an end to these delaying tactics and deliver immediate tax relief to our Nation's neediest children.

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

Mr. HULSHOF. Mr. Speaker, I am opposed to the motion to instruct, and I claim the time in opposition.

The SPEAKER pro tempore. The gentleman from Missouri (Mr. HULSHOF) is recognized.

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

The hour is indeed late, Mr. Speaker. The majority of Americans, save a few insomniacs, are, in the words of my 3-year-old daughter, fast asleep. In fact, I see the yawns being stifled by staff members that have put in a good, long legislative day here today. I do not expect to use the entirety of the time allotted to me.

I want to applaud the gentleman from New York. I certainly share the gentleman's stated desire, at least the stated desire tonight to reduce the tax burden on working families in America. I wish the gentleman would have had his vote in favor of tax relief earlier, but that is another debate for another day.

When we think about the average worker's day in a couple of hours and the amount of taxes that that individual will have to have put forth, let me just give you a quick example. When the electric alarm clock goes off in a couple of hours, whether you hit the snooze button or turn it off, you are paying an electricity tax. When you get up and brush your teeth and take a shower, you are paying a water tax. If you drive to the convenience store to get your cup of coffee, you are paying a sales tax. When you drive on to work, you are paying a gasoline tax. If you use the phone during the day, you pay a phone tax. Obviously the day's work, you are paying an income tax, as well as a payroll tax.

When you get home, and thankfully about two-thirds of Americans actually own their own home, you of course pay a property tax.

When you kiss your spouse good night, you think that is free. Not so says Uncle Sam and the Internal Revenue Code because there is a marriage tax, and then if you build and you save and you invest and you risk and you sweat and you survive and you have a family business, yes, there is Uncle Sam at death's door taking up to half of your family business in something called the death tax.

So I share the gentleman's idea that the average working family in America is overtaxed, and there are a number of ways that we have tried in this Congress, in fact over the past couple of Congresses, to ease that burden, that heavy tax burden on America's working families.

The reason that I stand in opposition to the motion being offered by the other side proffered by the gentleman from New York is that the motion is deficient in several respects.

First of all, the motion that is offered by the gentleman from New York allows the child credit to drop from $1,000 to $700 shortly at the end of 2004. As a result, many of those low- and middle-income families that the gentleman talked about will receive a smaller child tax credit right after, as it turns out, next November's elections.

The House-passed bill that is currently awaiting a conference, and I would say to the gentleman I do not share the pessimism expressed here on the House floor because if he reads some of the publications, it appears that House and Senate conferees are beginning to work and move this package forward, but at least the House-passed version ensures that the child credit remains at the $1,000 level throughout the decade; and I would say simply to all Members of the House, if it is good policy now, if it is good policy through 2004, surely it is good policy beyond 2004. That is one reason that I strongly oppose this motion to instruct.

Secondly, the motion being offered by the gentleman from New York does not eliminate the marriage penalty in the child credit until the year 2010, and even then under this motion only does that for one measly, meager year. Under the Democratic motion, millions of children will be denied the child credit simply because their parents are married, and we are talking about those on the socioeconomic scale that

we have been encouraging the institution of marriage. So on the one hand we are encouraging them to enter into a state of matrimony. At the same time we say, but there is a penalty, again a marriage penalty for those of you single parents coming together who have children because we are denying you at least under the Democratic alternative this child credit through the marriage penalty.

So for those two reasons and others that perhaps we will have a chance to discuss later I think the gentleman's motion should fail.

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

□ 0200

Mr. BISHOP of New York. Mr. Speaker, I yield myself such time as I may consume, and I want to thank the gentleman from Missouri and commend him for being here with us this evening. This is certainly a very important subject and it deserves full and complete debate.

He is quite right that the subject of our votes on the tax bills that have come before us is a matter for discussion at another time. I would say simply that I would be delighted to vote for a tax cut package that is properly targeted to the families that need it the most and is not obscured by a package that provides tax relief to people who need it the least.

Mr. Speaker, I am pleased to yield 6 minutes to the distinguished gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in strong support of this motion. I want to thank my colleague from New York, as well as my other colleagues who are here this evening. I think the test of this issue is the staying power on the issue, and I have been here most nights for the last week and a half.

I might say that the preponderance of the discourse and the preponderance of the effort to address the issue of the child tax credit has come from the Democratic side of the aisle. We are committed to making sure that those hard-working, albeit low-wage income people, people who make between $15,500 a year and $26,625 a year, that these folks in fact do get the benefit of a child tax credit, a benefit that was in the tax bill and yanked out in the middle of the night in order to provide a dividend tax cut to 184,000 millionaires, providing them with a $93,000 tax break.

If my colleague from Missouri was so enthusiastic about making sure this was $1,000, we could have done it in the first go-round of this effort. But that $350 billion piece had to be held inviolate because the Senate would not accept anything else, so these vulnerable people were yanked out in the middle of the night. And, in fact, it was not much, 1 percent. One percent is what we were talking about, $3.5 billion to people who were making $93,000 a year in a tax cut. My colleagues could have done it then but decided not to.

So what did you do? You came up with this construct for $82 billion because you knew the Senate was not going to accept it, and it was the majority leader of this House who said, ''Ain't nothing gonna get done on this issue.'' And it was the Wall Street Journal who had an editorial that commended the majority leader and said, Amen, you did the right thing by making sure that this issue would go nowhere, because the Senate would not accept $82 billion.

The other body voted 94 to 2 to address this issue, to redress it, and to say we made a mistake, let us address it and make sure that when those checks go out on this Friday that this group of people, these 6.5 million families, these 12 million children get the benefit of a child tax credit. Because as much as the other side of the aisle would like to say that they do not pay taxes, they pay property taxes, they pay sales taxes, they pay payroll taxes, and they work and live paycheck to paycheck. They know what it is to pay taxes. We should walk in their shoes.

Mr. Speaker, we ought to be able to say that they are entitled to a child tax credit the way 25 million other people are, and 184,000 millionaires who are going to get $93,000 a year. In that group of people excluded, I might add, are 200,000 military families, 42,000 families where there are Head Start teachers, 900,000 kids who are in Head Start programs. These are the people who are being excluded from the child tax credit. It is wrong. We ought to do the right thing and provide this kind of assistance to people.

I would just say that in fact we voted on this motion to instruct on June 12, 205 to 201 on a bipartisan vote. We voted to do this, to take up what the other body had done. It was the chairman of the Committee on Ways and Means the other night who said it was not a binding resolution; we do not have to worry about it. It does not make any difference what the majority did in this body.

All we are asking for is that we have a chance to take up what the other body did. We are talking about not a lot of money for people, on average $276. That means potentially health insurance, it means school supplies, it means clothes for kids going back to school. These people deserve it. This is an issue of values. It is an issue of morals.

And I say to the President of the United States, who wanted to get this done, who said let us take up what the Senate did, that since his leadership in the House and the Senate have abdicated their leadership responsibilities, take on this issue, use your moral authority and do what is right by hard-working American families. Bring justice to these families. They deserve it. Let us give them that.

Mr. Speaker, we will continue on this floor every night on this issue.

Mr. HULSHOF. Mr. Chairman, I yield myself such time as I may consume.

What I would say to my colleague and friend from Connecticut is that we have had a number of recorded votes on this issue. And the gentlewoman is correct that on the first occasion that the motion was considered it did in fact pass by a narrow margin. We have had five subsequent votes, if memory serves, and on each of those occasions the motion did not pass.

Ms. DELAURO. Mr. Speaker, will the gentleman yield?

Mr. HULSHOF. I yield to the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Speaker, I would say to the gentleman that that is right, it did not pass, because some people who did vote for it were persuaded by one reason or another, and I will not comment on the nature of the persuasion, but they were persuaded to vote otherwise. Their first instinct was to vote what they believed was the right thing to do. Subsequently it has become a different issue, especially when the majority leader said, ''Ain't nothing gonna happen.''

Mr. HULSHOF. Reclaiming my time, Mr. Speaker, actually what the majority leader said was, when asked will the House take up the Senate bill, the majority leader then made the statement the gentlewoman suggests, and that was that, no, the House would not take up the identical language in the Senate bill. In fact, the House passed H.R. 1308, the All American Tax Relief Act of 2003, which was an amendment to the Senate version.

But I want to say just a couple of things regarding the comments that have been made. The House passed a budget, the Senate did as well. The two Chambers reconciled that budget number, and it was the Senate, of course, that drew the line in the sand, as it were, and said no more tax relief over $350 billion. And so what I think needs to be pointed out is that I think as a member of the Committee on Ways and Means, as we began to mark up the bill and move it through the committee process and bring it to the House floor, I cannot recall ever the discussion being that we needed to have this refundable child credit for low-income wage earners. It was only as an amendment on the Senate side, and then ultimately, of course, again with that $350 billion figure, they were unable to get it done. So, then, we come back and go through the legislative process again, and again I remain optimistic that the two bodies can get together.

What I want to say, though, specifically regarding this continued mantra about the amount of taxes that all Americans pay, as I stated at the outset, I continue to believe that all Americans are overburdened with State and Federal and local taxes. But what I would say to the gentlewoman from Connecticut or the gentleman or anyone else that wishes to make this point, we do not have the authority to bring down the property tax rates in

the State of Connecticut. There are some States that do not have an income tax and, in fact, draw revenue based entirely upon a sales tax. That is not within the purview of Congress. That is left up to the discretion of States legislatures.

We had a recent referendum in my hometown of Columbia, Missouri, whether we should raise the property tax levy for the school districts. We decided as a community that, yes, we should. That is not something, then, that we should collect taxes from someone from the Hamptons, that happens to be in the First Congressional District of the gentleman from New York, to suddenly help redistribute that Federal income tax money to pay for this school referendum that we had at the local level.

I will say this regarding the property tax. Back in 1975, the earned income tax credit was enacted. At that time in 1975 it was a temporary program to return a portion of the Social Security taxes that were paid by lower-income taxpayers. It was made permanent in 1978. In 1990, the program had become a major component of Federal efforts to reduce poverty. Now it is the largest anti-poverty entitlement program.

My friends on the other side talk about this child credit provision, this $3.5 billion over 10-year provision. Actually it is a 2-year provision, and yet every year, every single tax year, income taxpayers collectively put $30 billion of income tax monies into the earned income tax credit for those wage earners on the low-income wage scale, $30 billion for some 19 million Americans, at least tax filers, every year through the earned income tax credit.

Now, yes, we all work hard, we play by the rules, and those individuals that contribute to Social Security, it did a wonderful thing that we have a national retirement system that if you work 40 quarters that entitles you then to Social Security benefits. And that, too, payroll taxes are these dedicated taxes that finance Social Security and Medicare. I think it should be pointed out that Social Security offers a progressive benefit structure that is by design more beneficial to low-income workers.

And lastly, in many instances, the combination of the earned income credit and the current law child credit more than completely offsets this payroll tax liability. And so I think that this Congress has spoken on many occasions as far as the expansion of the earned income tax credit.

I think the child credit, again, is something that we have discussed. I think that the motion to instruct is deficient and would urge a ''no'' vote.

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

Mr. BISHOP of New York. Mr. Speaker, I yield myself such time as I may consume.

There has been some discussion of what the majority leader did or did not say. One thing he was widely quoted as saying with respect to this issue is, he said there were a lot of other things that were much more important for this House to deal with than by expanding this credit. And I think that statement speaks volumes with respect to the order or the level of priority with which the majority treats this issue.

Mr. Speaker, I yield 7 minutes to the distinguished gentleman from North Carolina (Mr. MILLER).

(Mr. MILLER of North Carolina asked and was given permission to revise and extend his remarks.)

Mr. MILLER of North Carolina. Mr. Speaker, I have noticed in reviewing the CONGRESSIONAL RECORD of my remarks earlier that the otherwise very talented people who transcribe do seem to have limited southern proficiency, which I think you would appreciate.

This is the second time, Mr. Speaker, that I have stayed up well past my bedtime to speak on the floor on a motion to instruct conferees on the child tax credit. I cannot recall having stayed up this late this often since I was in college, and it is not because I believe that insomniacs in my district watch C–SPAN. I am staying up tonight, as I stayed up last week, because I think it is important that we adopt a child tax credit.

□ 0215

The gentlewoman from Connecticut spoke a few minutes ago about people being prevailed upon, not voting their instincts. I was very reluctant to vote against the bill, even the bill that came before us, the $82 billion bill. I certainly knew that we could not afford it. We are digging a deep deficit hole that is going to drag down our economy for the foreseeable future and is going to destroy our ability to do the things that really will help working- and middle-class families, like providing a decent education, like reforming our health care system which is just not working for most families and is not working for American business, like making sure that Social Security and the Medicare system are solvent, particularly when my generation starts to retire.

But of all the tax cuts that this House has passed, the only one that helped working- and middle-class families was this one. That is why it is the only one that I really wanted to vote for, and now we know it is the only one that the majority did not really mean. They did not really mean this tax cut when they voted for it. They put the price tag of $82 billion on it to sabotage the tax credit, to make sure it would not really pass. They knew the Senate would not go along. They knew that they would simply dog it when it came time to confer and try to work out a compromise, they would not agree to any kind of compromise, and this would simply die. And they tell the working- and middle-class families who would benefit from the child tax credit that they had voted for it, but somehow nothing had happened. In fact, the conference committee, as I understand it, has never even met, has yet to meet.

The gentleman from Missouri has spoken eloquently of the need for this tax credit; but he should talk to his own party's leaders because they have said publicly, for attribution, on the record, that this is not a priority for them. As the gentlewoman from Connecticut pointed out earlier, the editorial board of the Wall Street Journal said that they intentionally made the price tag as big as it was to sabotage it, to kill it, and to make sure that it would not really pass. And certainly if there is one publication in the country that knows the real intentions of the Republican leadership of this House, it is the editorial board of the Wall Street Journal. It is hard to imagine that any writer for the editorial board, for the editorial page of the Wall Street Journal, does not have TOM DELAY and BILL THOMAS on their speed dial. They know exactly what the leadership of this House intended by the package that came before the House and by the vote. It was intended to kill the bill. It was a stunningly cynical maneuver.

Anyone who has ever watched a hospital show, a doctor show, knows what code blue is. They know what it is for a patient to code. But many hospitals have, or have had in the past, what they call privately light code blue. That is when their patient is in their final illness. There is a decision not to resuscitate the patient, not to take extraordinary efforts to keep the patient alive. The patient has agreed to that, the patient's family understands that, but for the peace of mind of the patient's family when the time comes, they still rush around, they still look frantic, they just do not do anything extraordinary to resuscitate the patient. They let nature take its course, and, for whatever reason, the patient's family feels a little better about it rather than simply thinking that their loved one is being allowed to die.

We have seen code blue. We have seen the extraordinary efforts that the leadership of this House goes through to pass the tax cuts that they really mean, the ones they intend to happen, they want to happen, the ones that help the investor class rather than the middle class. The inheritance tax, I am sorry, which you call the death tax, or the cut on the taxes on dividend income, we have seen the extraordinary effort, the rushing around, the moving of heaven and Earth to get those passed. But not this. Not this. This has been at most light code blue. There has been a little bit of activity, a vote on the floor; but it is very clear that they have not meant this. They have not even met. The conference committee has not even met.

This is the tax credit that should happen. This is a tax cut that should happen, that will help working- and middle-class families. Let us hope that

working- and middle-class families, the ones who would benefit from the child tax credit, will see the difference between how the majority acts when they want to pass a tax cut and how they act when they do not.

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

Before the gentleman leaves the floor, let me pose a hypothetical to him because I certainly respect the fact as a newly minted Member of Congress and having to agonize over some of these votes and I think the gentleman was sincere talking about weighing these various tax cut options. The hypothetical I would put to him, if there were in a conference between House and Senate a compromise that would actually increase the child credit to $1,000 per eligible child and maybe make that extension for a 5-year period of time rather than a 10-year period of time and if this hypothetical conference also would eliminate the marriage penalty in the child credit, would the gentleman from North Carolina be so inclined to support such a compromise?

Mr. MILLER of North Carolina. Mr. Speaker, will the gentleman yield?

Mr. HULSHOF. I yield to the gentleman from North Carolina.

Mr. MILLER of North Carolina. The problem with that is that we know that the Senate is not going to do it. There are several problems with that. The first is we simply know the Senate is not going to do it. I wanted to vote for that entire tax package. I wanted to make it permanent. I wanted to extend it down for the people who had been left out, shamefully. It was shameful to leave them out before. I wanted to extend it down the income scale to reach them. I wanted to extend it up. I think that the folks who would have gotten the expanded child tax credit slightly higher up the income scale are still the middle class. It is usually two working parents, working hard, trying to make a life for themselves and for their families. I would like for them to have gotten it. If I could write the tax laws, I would like for working- and middle-class families to get this tax cut and for it to be permanent.

But I also know, one, we are digging a massive hole. We are digging a hole that may take a generation to dig out of. It is going to be a drag on the economy. It is going to eventually certainly, not just eventually, probably already affecting interest rates, and it is going to destroy our Nation's ability to deal with the challenges that we will face, the challenges of education. We are cutting back on basic research; we are losing out economically to the rest of the world. We are in a desperate competition.

Mr. HULSHOF. Mr. Speaker, I am going to reclaim my time. I appreciate the gentleman going on a rhetorical journey about the appropriations bills. I did not mean to put the gentleman on the spot, but I again believe that a compromise is, in fact, achievable.

Just a couple of points, Mr. Speaker, regarding the gentleman and his insinuation that Congress has been derelict in dealing with or in providing relief for working families. I go back to the year 2001 in the previous Congress. That is the first time Congress actually made the child tax credit refundable, which we now are talking about expanding. Also I would point out that the jobs and growth package previously enacted and now signed into law but which originated in our Committee on Ways and Means and then considered by this House accelerated those income tax rate reductions that are now law. The reason that there is more take-home pay in the next month's monthly paycheck is because of those accelerated income tax rate reductions, as well as doubling the standard deduction for married couples to try to at least eliminate to some degree the marriage penalty.

And so I would take issue with the gentleman's comment that Congress has not been doing its work as far as working families with those prior examples and again would urge a ''no'' vote on the motion to instruct.

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

Mr. BISHOP of New York. Mr. Speaker, I yield 2 additional minutes to the gentleman from North Carolina (Mr. MILLER).

Mr. MILLER of North Carolina. Mr. Speaker, how does the gentleman from Missouri account for the public statements by TOM DELAY that this is not a priority for him and embracing the Senate position ''ain't going to happen,'' the public statement by BILL THOMAS that this is not a priority for them, the editorial in the Wall Street Journal that this was intentionally made rich so that no tax credit bill would pass at all, and how does he explain the fact that the conference committee has yet to meet?

Mr. HULSHOF. Mr. Speaker, will the gentleman yield?

Mr. MILLER of North Carolina. I yield to the gentleman from Missouri.

Mr. HULSHOF. I would say to the gentleman that the leadership on our side, and he referenced a number of leaders, the very fact that we considered on this House floor an expansion of the child credit beyond what is included in the Democratic motion to instruct, the All-American Tax Relief Act of 2003, H.R. 1308, shows the commitment of leadership to move this issue forward.

Mr. MILLER of North Carolina. Is the Wall Street Journal out to lunch in saying that that was intentionally made as rich as it was so that nothing at all would pass? I do not expect that they have the gentleman on their speed dial the way they have BILL THOMAS and TOM DELAY.

Mr. HULSHOF. I would say to the gentleman that at least in some of the publications, at least Congress Daily of yesterday that talked about that there now is some dialogue between Senate conferees and House conferees, again I believe optimistically, and the President of the United States has said this is a priority for him, I believe we are going to have a compromise reached.

I appreciate the gentleman yielding.

Mr. MILLER of North Carolina. I celebrate the power of shame.

Mr. BISHOP of New York. Mr. Speaker, I yield 5 minutes to the distinguished 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. Time is running out for House Republicans to fix this mess. The GOP's irresponsible tax law leaves millions of working Americans out in the cold. It tells them quite frankly that they are simply not a priority for this administration. I am calling upon the conferees to immediately adopt the major aspects of the bipartisan Senate-passed child tax bill. Working and military families need real tax relief, not lip service. Particularly this is the case with the rising unemployment rate and our sluggish economy. The simple fact is that the economy continues to remain stagnant. The national deficit continues to rise at an astronomical rate and the unemployment rate remains at a high 6.4 percent. There seems to be no end in sight to these economic problems. Yet the Republicans continue to give tax cuts and child tax credits to the very wealthy in this country.

I support the Senate-passed child tax credit bill. The bill would immediately help 6.5 million hardworking families, including many military families. In California, for example, expanding the child tax credit would help an additional 21 percent of families. One of the 4 million families that would greatly benefit from the expansion of the child tax credit lives in my district. The Ramirezes are like many families across the country that work hard to make ends meet every day and play by the rules. Mrs. Ramirez works full-time as a teacher's assistant and her husband is a mechanic. Both of them work full-time. They are raising five children on an income of $24,000 a year. I spoke to Mrs. Ramirez and she told me, quote, that any additional money that they would receive through the child tax credit that right now does not apply to them would allow her to buy clothes, school supplies and food for her five children. Times are hard for her family, she told me, so any money that they would receive back in the form of a child tax credit would greatly help them make ends meet.

We must act now to enact the Senate child tax credit bill. Families like the Ramirezes need and deserve our help. They need to be a priority for this administration. Conferees must adopt the Senate-passed child tax credit bill to help these families. Republicans should

stop refusing to provide hardworking families like the Ramirezes with any tax relief whatsoever.

I urge my colleagues to vote ''yes'' on the motion to instruct conferees on the child tax credit. Let us for once show families like the Ramirezes that they matter to this country just as much as the millionaire families do.

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

What I would say to the gentlewoman from California who just spoke is a couple of points. The child credit actually, we phase out for upper-income individuals.

□ 0230

In fact, families that have children that are above a certain income threshold do not qualify. Their children do not qualify. I think what is interesting in all of this debate is night after night when we debate this motion to instruct and we talk about trying to provide for the children that we are only talking about some of the children; that is, children of the successful families do not qualify. But that is neither here nor there, but I wanted to set the record straight that as she talks about tax cuts for the wealthy regarding a child credit, those successful families do not qualify for the child credit.

What I would say to the gentlewoman, too, who just spoke regarding the Ramirez family and the teacher and mechanic with children, under existing law, and again this is sort of back of the envelope calculations, but under existing law, as I understand it, the Ramirez family already is entitled to the refundable child credit; in fact, a family with children whose annual income from salaries and wages is roughly $25,000. Their Federal income tax liability before the child credit is roughly $885. Their tax liability after the child credit is zero. In fact, with the refundable child credit, they get an additional $565, and part of that of course is refundable. The total check from the United States Treasury to the family like the Ramirez family is roughly, again back of the envelope calculation, $2,282. That is an income supplement that goes to good hard-working families like the Ramirez family as described by the previous speaker. So I think that they are already benefiting from actions of Congress, specifically the refundable child credit from 2001.

Again, I would just sum up, Mr. Speaker, and say that the Democratic motion to instruct actually allows the child credit to drop from $1,000 to $700 after the 2004 election. As a result, millions of low- and middle-income families will get under their motion a smaller child credit. The House-passed bill H.R. 1308 ensures that the child credit remains at this $1,000 level that we have decided to be appropriate throughout the decade. Again good policy now, good policy next year, good policy 5 or 7 or 8 years down the road. The Democratic motion to instruct should fail because it does not eliminate the marriage penalty in the child credit until the year 2010 and even then just for a year. So again under their motion millions of children will be denied the child credit because their parents are married. What signal are we sending across the country that we say that again if they do the right thing, work hard, play by the rules, and then choose to raise their family within the institution of marriage but it is going to cost them on their bottom line under the Democratic motion that they do not get this refundability if, in fact, they choose marriage as the course for their family?

The House-passed bill benefits middle-income families, married families, by eliminating the child credit immediately for married couples.

I did want to point out because I know it has been referenced on a couple of occasions the House-passed bill does not deny child credit to military families. Military families, including those that are deployed abroad, are already receiving a refundable credit and will continue to receive a refundable credit under the House-passed bill.

So I think, again, H.R. 1308, which has passed this House, is far superior than the Senate version. So I would urge a no vote on the motion to instruct. In Washington, DC, Mr. Speaker, pessimists are seldom prophets. I happen to believe in the best nature of this institution as well as our counterparts on the other side of the Capitol. I happen to believe that we will be able to find a good workable compromise for all children of working families. So I would urge a no vote on the motion to instruct.

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

Mr. BISHOP of New York. Mr. Speaker, I yield myself such time as I may consume.

The hour is late; so let me say two quick points. One, as a clarification, the House-passed bill does, in fact, deny the child tax credit to military families in combat zones. And, secondly, let me say that if the majority party were as serious about providing this credit to these needy families as they profess to be, then we would be passing the Senate bill now. We can get this done before we go home on Friday or Saturday or whenever it is we are going to go home. It has already passed the Senate 94 to two. It is fair. It provides an immediate benefit, and it does not worsen an already staggering deficit situation for this country that imperils our ability to provide the kinds of services that our people in this country need and deserve out into the future.

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

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from New York (Mr. BISHOP).

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

Mr. BISHOP of New York. 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 are postponed.

□ 0245

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2765, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2004

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 108–230) on the resolution (H. Res. 334) providing for consideration of the bill (H.R. 2765) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2004, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2427, PHARMACEUTICAL MARKET ACCESS ACT OF 2003

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 108–231) on the resolution (H. Res. 335) providing for consideration of the bill (H.R. 2427) to authorize the Secretary of Health and Human Services to promulgate regulations for the reimportation of prescription drugs, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2210, SCHOOL READINESS ACT OF 2003

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 108–232) on the resolution (H. Res. 336) providing for consideration of the bill (H.R. 2210) to reauthorize the Head Start Act to improve the school readiness of disadvantaged children, and for other purposes, which was referred to the House Calendar and ordered to be printed.

TRIBUTE TO JOE D. GUNN

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE of Texas) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in tribute of Joe D. Gunn, the President of the AFL–CIO in Texas. I offer praise and thanks to him for his more than 40 years of service as a labor leader.