poses grave constitutional problems. Immigration laws long made a distinction between those aliens seeking admission to the U.S. and those who are already within the U.S., regardless of the legality of their entry. In Zadvydas v. Davis, the Supreme Court held ''once an alien enters the country, the legal status changes, for the Due Process Clause applies to all 'persons' within the United States, including aliens, whether their presence here is lawful, unlawful, temporary or permanent.''

Because there is no check or review of expedited removal decisions, there is no due process. This policy should not be expanded. It should be left where it is as my amendment would do.

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

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

Mr. Chairman, I rise in opposition to this amendment which would strike the provision added by the bill the gentleman from California (Mr. DANIEL E. LUNGREN), mandating expedited removal for other than Mexican aliens apprehended after entering illegally within 14 days and 100 hundred miles of entry.

Unlike what the gentleman from New York (Mr. NADLER) said, the Lungren provision in this bill applies to land borders only, and it would not apply to asylum seekers who ask for asylum at the time they enter through a port of entry.

The provision that this amendment would strike is crucial to ending the current practice of catch and release of aliens along the southern border. While nationals of Mexico who are apprehended along the southern border can be returned to Mexico, the nationals of other countries cannot. Rather these aliens, known as OTMs, must be placed in removal proceedings which is a process that can take months. Because of a lack of detention space, most are released on the promise that they will show up for their adjudication.

Experience has shown that if OTMs are released to attend their removal proceedings, they will likely disappear. Of the 8,908 notices to appear at the immigration court at Harlingen, Texas, issued last year to OTMs, 8,767 failed to show up for their hearings, according to the statistics compiled by the Justice Departments's Executive Office of Immigration Review.

The fact that these aliens were able to enter illegally, be released and then disappear into society has encouraged even more OTMs to illegally enter. Arrests of non-Mexicans along the U.S.-Mexico border, which total 14,935 in 1995 and 28,598 in 2000, rose to 65,814 in fiscal year 2004.

As nationals of these countries have entered with impunity, they have encouraged others to do so also. The Lungren provision addresses the problem of catch and release by requiring DHS to remove these OTMs who are apprehended within 14 days of entry and 100 miles of the border through expedited procedures. This codifies DHS's current practices. By limiting the amount of time that aliens are in proceedings, these procedures allow DHS to use its limited detention space more effectively. This in turn ensures that more aliens can be detained, which discourages other aliens from attempting to enter illegally.

I urge my colleagues to oppose this amendment.

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

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

Mr. Chairman, the real question here is due process. We all want to deport illegal aliens. We all want to deport people who are not here legally. But the question is because the Border Control agent thinks that someone may not be here legally, because he thinks that the passport is fake, should there be no appeal? Should there be no ability to show facts? Should there be no due process?

This country is built on due process. This country is built on a foundation of liberty and proper process.

The Department of Homeland Security states that expedited procedures currently cannot be applied to the nearly 1 million aliens who are apprehended annually on the southwest border, where it can legally be applied, as it is not possible to initiate formal removal proceedings against all the aliens.

So you cannot use it in too many of the cases where it is legal now, so let us expand it so we cannot use it in millions of more cases.

Mr. Chairman, I realize that we have to talk about the principle of due process. I also realize that not passing this amendment is going to result in a fiction, the fiction of having this policy where we cannot use it for millions of people. So I am not sure what the practical impact of that will be.

I recognize there is no point to spending more time on this. I wanted to make the point about due process, and I hope the Senate will listen.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The Acting CHAIRMAN (Mr. CULBERSON). Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SENSENBRENNER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HAYES) having assumed the chair, Mr. CULBERSON, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4437) to amend the Immigration and Nationality Act to strengthen enforcement of the immigration laws, to enhance border security, and for other purposes, had come to no resolution thereon.

APPOINTMENT OF CONFEREES ON S. 1932, DEFICIT REDUCTION ACT OF 2005

Mr. NUSSLE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1932) to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95), with a House amendment thereto, insist on the House amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the Senate bill.

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

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. SPRATT

Mr. SPRATT. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. Spratt moves that, to the maximum extent possible within the scope of the conference, the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the House amendment to the bill S. 1932 be instructed to recede to the Senate by eliminating House provisions reducing eligibility for food stamps (sections 1601 and 1603 of the House amendment), and reducing funding for child support enforcement (sections 8319 and 8320 of the House amendment), and repealing the Continued Dumping and Subsidy Offset (the ''Byrd Amendment'' (section 8701 of the House amendment)) and modifying the Mining Law of 1872 (sections 6201 through 6207 of the House amendment); such managers be instructed to recede to the Senate by eliminating the sections of the House amendment that reduce Medicaid benefits and allow increases in beneficiary costs (sections 3111, 3112, 3113, 3114, 3115, 3121, 3122, 3123, 3124, 3125, 3134, and 3147 of the House amendment) and by reducing to the maximum extent possible increases in interest rates and fees paid by student and parent borrowers on student loans contained in sections 2115, 2116, and 2117 of the House amendment, and by adopting the Senate provisions concerning Pell grants (sections 7101 and 7102 of S. 1932); and such managers be instructed to recede to the Senate by adopting the Senate provision eliminating the stabilization fund that makes payments to Medicare Advantage Regional Plans (section 6112 of S. 1932), adopting the Senate provision on Medicare Advantage risk adjustment (section 6111 of S. 1932), and adopting the Senate provision on Medicare physician payments (section 6105 of S. 1932).

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from South Carolina (Mr. SPRATT) and the gentleman from Iowa (Mr. NUSSLE) each will control 30 minutes.

The Chair recognizes the gentleman from South Carolina.

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

Mr. Speaker, I would like to lay out now the basics of the motion to instruct conferees for the budget reconciliation bill going to conference.

First of all, we would move to preserve the safety net. This motion instructs the conferees to eliminate House provisions that would cut food stamps by $697 million and to reject

Medicaid cuts of even more, $11 to $12 billion in the House bill.

In addition, we would move to protect higher education. Because the budget bill as now written on the House side calls for substantial changes in interest rates and fees, by our calculation raising the cost of student loans by as much as $5,800.

Next we would support personal responsibility. The motion instructs the conferees to eliminate House cuts of $4.9 billion in Federal spending on child support enforcement programs that are run by the States but partially subsidized by the Federal Government. This is the most misguided fiscal savings in this whole bill.

This motion instructs the conferees to eliminate the House provision that would prevent hundreds of companies also that are hurt by unfair foreign trade known as dumping through the continued Dumping and Subsidy Offset Act which the budget reconciliation bill would eliminate.

This motion also instructs the House conferees to accept the Senate conferees' provisions that cut subsidies to Medicare private insurance plans by as much as 4.4 percent beginning January 1 and to prevent the planned 4.4 percent cut in physician payments by taking funds instead out of the Medicare Stabilization Program, the Medicare Stabilization Fund, which is part of the Medicare advantage and Medicare modernization bill which was the prescription drug-Medicare bill.

This motion instructs conferees to protect taxpayer-owned property as well and the environment by eliminating House provisions that would sell huge tracts of Federal land at below market value and expose them to purchase commercial and mining development.

These are the instructions we would give to our conferees going into this conference as to where the House should stand with respect to positions it has previously taken and with respect to positions the Senate has taken. I will say more about them later.

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

□ 1715

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

Mr. Speaker, we have an opportunity just now to look at this motion to instruct conferees, and let me first remind my colleagues that this is a nonbinding symbolic vote. This is not substantive; this is symbolism. It was interesting today that the minority had a big press conference to celebrate Christmas and celebrate the end of the session, and they promised a Christmas present to the American people and that was a big box, and on the box it said the Democrats were going to give the American people a Democratic Congress.

The rest of the story, of course, is that, if you looked inside the box, there was not anything in there. If you opened the box, if you unwrapped it and you looked inside, what you would find is a lot of that little popcorn matter that you get that gets messy all over your house, but no substance whatsoever. Again, today no substance. In fact, interestingly enough, today once again the minority party here in this House brings forward a motion that equates the amount of money you spend in America with your level of compassion; not substance, not results, not is the program working, not are people being helped by the policies that have been put forth. But, if you spend more money, you must care. If you do not spend enough money, or the amount of money we are willing to spend, you must be scrooge at Christmastime.

We had people come here to protest what was happening in this budget bill. And what was their protest? Spend more money. Not get better results, not help more people, not make sure that people who are starving get the food stamps they deserve, but spend more money.

At the holidays we should recognize this probably better than at any other time, that it is not the size of the gift, it is not the fancy paper on the outside of the box, it is not the amount of money you spend that determines your love, your compassion, whether or not you are a true brother and sister to your fellow man; but it is whether or not that gift actually has the results that are intended.

Time and time again we have demonstrated through hearings at the Budget Committee, through hearings at all of the authorizing committees how these programs are just eating up more money, they are spending more money, we are hiring more bureaucrats; but we are using the same old system designed oftentimes back in the 1960s before man even walked on the Moon; and we assume that today in 2005 those programs do not need any reform, do not need any help, do not need any oversight. Just let them keep going. Oh, and spend more money at the same time.

Well, we have an opportunity, and it is an opportunity to reform. It is a plan that we have put out very carefully throughout this year. Today is not the first time we rush to the floor with a piece of paper about what we are going to do. All year long we have been working to try and make sure that food stamps were working better, that the services to the poor and the indigent were effective in getting the results that they truly need.

Instead, what we have today is the opportunity to vote for this symbolic motion to instruct conferees to basically rip out all those savings, to not do anything about reforming those programs but just spend more money. Spend more money.

Let me tell you that, as colleagues, the answer to the most vexing problems in our country today will not be solved by just spending more money. They will be solved when we take responsibility for the job that we have been given to ensure that these programs that people work hard, that people pay taxes to us in order to invent and implement, that they are truly working, that they are helping the people who deserve it the most, and that they ensure that we get results. Not just the rhetoric of reform, but results from reform.

We have the opportunity today to go to conference to work out our differences on a whole host of very important issues. I will tell my colleagues that, if you are worried about this vote, come down and vote for it. Go ahead, vote for it; it is symbolic. If you want to vote for an empty popcorn-filled box of Christmas presents under the tree, go ahead and vote for it. I do not think there is any reason why you cannot.

The real vote will be when the conference meets to talk about reform. The real vote will be when we have an opportunity to talk about truly helping people, not just handing out more money and saying, go ahead, get away from us, do not bother us any more, we have given you more money.

I have seen time and time again how Members of this body have gone home with press releases saying, we have increased the funds for this program. You should not be complaining, we have increased the money to this policy. We have put more money into this bureaucracy. Why are you complaining?

The reason they are complaining is because throwing more money at it does not work.

If you want to measure compassion at this very important time on the calendar by just spending more money, then I have no doubt you will find a way to do that. But if you want to ensure that these programs and these policies are truly helping the people in need, then we need to meet as a conference, we need to put all of those policies on the table to discuss, and we need to reform those policies to ensure that they are truly helping the people intended.

The difference here today is that we have a plan. It does achieve savings, but it delivers a better product for the people intended. The difference on the other side is that they have rhetoric, they have empty promises, and they have the age-old adage of throw more money at it and just hope and pray and assume that it will get fixed. I do not think the American people sent us here to throw more money at it. I think what they have sent us here to do, particularly at this time, is to show compassion, is to get to work, serious work about the reform of these programs so that they truly help the people in need.

Go ahead and vote for this motion to instruct if you feel so moved to throw money at the problem. It is nonbinding; it will not affect the outcome of the conference. We will meet, we will negotiate and discuss these important reforms, and we will bring back to

this body an important package of reforms in a plan that will achieve savings for the American people.

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

Mr. SPRATT. Mr. Speaker, I yield 6 minutes to the gentleman from New York (Mr. RANGEL), the distinguished ranking member of the Ways and Means Committee.

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

Mr. RANGEL. Mr. Speaker, there certainly was a lot of emotion in the speech given by the chairman; but I suspect in this time of the year where so many people are concerned about our sick, our poor and our disabled, that rather than being moved by the rhetoric of the Republicans, we might take a deep breath and find out who is on our side as Democrats.

I know that the poor and the aged and disabled do not have much of a political voice, but somehow in this holiday season the spiritual leaders probably understand this a little better than some of us. These are the charitable organizations that reach out, Catholic Charities, the Jewish Council Against Poverty, the Protestant Council. Each and every day they run soup kitchens and try to assist people, especially mothers that have no one in the household to assist them in raising their children.

Any specialist will tell you, if you do not give a kid the right start, you do not give them a chance to get to school, and cut the resources from under him to get an education, it is not just why can they not do it my way or why did he not get an inheritance. It is a question of where do these kids end up.

They first end up not paying much taxes since they do not have the talents to get a job; but worse than that, in New York we spend $84,000 for every kid who gets in trouble who finds himself on Ryker's Island, and I do not think you have to be a health specialist to know that when you cut the ability of people to get access to health care, they do not necessarily die right away. More often than not, they end up at the most expensive of expenditures, and that is in our hospitals.

I do not know what the poor and the disabled have ever done to the majority or, indeed, what the moral majority, why they would wait until Christmastime to show just how mean they can get. Even if they cannot control this meanness, why would they do it at a time when they have given hundreds of billions of dollars of tax cuts to the very wealthy?

I am not that good spiritually, but know my friends on the other side of the aisle that are so concerned with the Bible and biblical phrases, there is one thing somewhere, and I do not know all of the facts as is properly recorded, but it deals with a bunch of rich people that could not get in heaven because they had not treated the lesser of Jesus' brothers and sisters the way he would want. I have never seen a more classic example of the violation of that spirit than what I have seen in the last couple of weeks on this floor.

So you can raise your voice all you want, you can scream about spending, but it just seems to me that there are no religious leaders that I can think of that feel they have an obligation to take care of those people who are in the hospital, who are hungry, who are without clothes, who are without food, and certainly the children who are really the least powerful of all, if you had to do it, why do you not just do what you do in conference and come out and say that we authorized it? But to have this heavy blow at a time when you are reducing the taxes on the very rich is not only wrong, but it smacks of being immoral.

This is the wrong thing to do. This is the wrong time to do it, and it is something that I am confident is not in accord with the moral teachings or the spiritual beliefs of anyone in this body.

What you are doing is saying that you have to cut spending. Why can Iraq not get on that list of not wanting to spend? Why can we not just slow down the rebuilding of Baghdad and rebuild the health of some of our people and the schools of some of our people? Why can we not invest in Americans and make them the most productive people that we can make? Why do you pick on the most vulnerable in Medicare, which the other side is probably going to hit as badly as we hit Medicaid?

What are these programs? The programs are listed as SSI. What does it mean, you have to be blind, disabled or aged? Medicare, you have to be old and sick? Medicaid, you have to be poor and sick? The programs are designed to bring the moneys to the mothers who have been abandoned or just for children, and the other one is education.

Is there anyone that you missed, the sick, the poor, the young? Is there anyone else that you want to include that programs should be cut? I might also add, with capital gains tax cuts and corporate dividend tax cuts, is there anyone that is rich that you missed in terms of not giving a tax cut?

What a combination package you have given to the American people and what a time to do it. So whether you call it Christmas or holiday seasons or Chanukah or whether you call it Kwanzaa, you sure picked the right time to hit the wrong people at this time of the year.

Mr. CRENSHAW. Mr. Speaker, I ask unanimous consent to control the time of the gentleman from Iowa (Mr. NUSSLE).

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

There was no objection.

Mr. CRENSHAW. I yield 2 minutes to the gentleman from North Carolina (Mr. MCHENRY), a distinguished member of the Budget Committee.

□ 1730

Mr. MCHENRY. Mr. Speaker, I thank my colleague from Florida for yielding me this time.

Ladies and gentlemen, I say Merry Christmas to you. We are presenting you a budget that the American people can be proud of. To the Democrats, I say, happy holidays. But I will tell you, ladies and gentlemen of the House, my colleagues, what we are doing here is right for the American people.

My colleague from New York asks, have we touched everyone in America? Well, yes. If you live in a $2 million house, you will not qualify for aid to the poor. Under this budget, we pass that reform; that if you live in a million dollar house, if you live in a $2 million house, if, heaven forbid, you live in a $10 million house, you would not be eligible for Medicare. You would not be eligible for the government paying for your nursing home. That is the type of reform that we have in this budget. It is the right thing to do.

Beyond that, if you are a student in college today, if you are a student in college today, you will be eligible for that student loan next year under this budget. You will be eligible for that same loan you got today. The only difference would be that the Federal Government would not be paying that loan giver, that company that provides the loan, we would not be paying them 9.5 percent interest. We would go back to a market-based interest, which we all know is somewhere around 5 percent today. That alone would save $13 billion over 5 years.

So, ladies and gentlemen of the House, if you vote for this motion to instruct, you are voting against reform; you are voting against savings; you are voting against positive changes that will help more Americans. And it is the right thing to do.

Look, Mr. Speaker, this motion to instruct is something that Mr. Grinch would be proud of. So, ladies and gentlemen, I bid you merry Christmas, and ask that you vote against this motion to instruct and vote for our conservative, realistic, reform-based budget.

Merry Christmas to all.

Mr. SPRATT. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. GEORGE MILLER), the ranking member of the Education and Workforce Committee.

Mr. GEORGE MILLER of California. Mr. Speaker, I thank the gentleman for yielding me this time.

Maybe the gentleman who was just in the well preceding me is proud of this budget. I noticed he talked about student loans and how the students will get the same loan they got this year. They may get that loan, but it is going to cost them more. In fact, what we see in the estimates are that this budget bill will raise the average cost to those students or those families who are paying off those loans. The average student who borrows $17,500, and that is what, unfortunately, the average student borrows today, this will raise

their cost by $5,800, almost $6,000 in additional costs. That is what comes with this bill.

The $13 billion is the largest cut in the student loans accounts in this history of this Congress. That $13 billion rebounds back onto these parents and to these students to the tune of $6,000 over the life of their loans. If that is your idea of a Christmas gift, have at it, but I do not think America's families are going to understand.

At a time when we understand how important it is for young people to be able to get an AA degree, to be able to get a B.A. degree, to get a Masters Degree or to get a Ph.D. so that they can fully participate in the American economy of the future, a globalized world economy, what is it the Republican budget is doing? It is raising the barriers. It is raising the barriers for millions of young students, for millions of families as to whether or not they will be able to afford this college education.

Students are going deeper into debt today than at any time in history. The cost of a college education is rising faster than the average working family's ability to pay for it. And what is the answer to that crunch that these families and these students are finding themselves in? The answer in this budget is to increase their costs by $6,000.

For 50 years, the idea was to try to make college more accessible, less expensive, so that the vast majority of people who were qualified to go to college would have the opportunity to do so. This year, they changed the course of this Nation. This year, they changed the course of this House. This year, they changed the course of the Congress. Because on a partisan basis, on a partisan basis, they decided that what they would do to the crunch and the cost of college for American families is they would increase the cost of college to America's families by charging parents more to borrow money, by putting origination fees on the direct student loan, which is the least expensive way people can borrow money.

You are raising the cost of the direct student loans by mandating insurance on all of the borrowers, whether it is necessary or not. You are very fond of telling us when you put these taxes and these costs on the business communities they are passed on. Well, that is exactly what is going to happen to the tune of about $6,000. These costs are going to be passed on.

We should vote to support the motion to instruct so we can prevent these costs from falling on these families and these students not only at Christmas time but for the next 5, 6, 7, 8, 10 years.

Mr. CRENSHAW. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. HENSARLING), a member of the Budget Committee.

Mr. HENSARLING. Mr. Speaker, I rise today and urge my colleagues to defeat this motion to instruct. All of us know that America still faces a number of fiscal challenges, although under our economic policies, we have made a lot of great strides. With over 4 million new taxpaying jobs created and the deficit coming down, we have made a lot of great progress, but there is a lot of work to be done.

This really comes down to a debate about two different visions for America's fiscal future. Our colleagues on the other side of the aisle believe that we have a fiscal challenge because the American people are undertaxed. We believe our Nation faces a fiscal challenge because Washington spends too much and too unwisely.

Now, Mr. Speaker, during this debate, we have already heard a lot about cuts and compassion. Well, let us talk a little about those. I believe, Mr. Speaker, that everybody is entitled to their own opinion, but they are not entitled to their own facts. If one would look up the word ''cut'' in Webster's Dictionary, one would discover it means to reduce an amount. Yet under this modest, very modest, set of reforms, we see that total Federal outlays will grow by an average of 4.3 percent a year. What we call mandatory spending will grow 6.3 percent a year. Medicaid will grow 7.5 percent a year. TANF and other welfare programs will grow at 8.5 percent a year. And the list goes on and on and on.

Mr. Speaker, it is not how much money you spend in Washington that counts; it is how you spend the money. When we talk of cuts, we need to realize that every time we increase some program, some budget in Washington, by definition, we are cutting some family budget. This money has to come from somewhere. So when we feed the Federal budget, we cut the family budget.

We have a modest set of proposals that over 5 years would save us approximately $45 billion over what we call the baseline. I mean, that is almost 2 million down payments for homes for the American people. It is almost a million 4-year college educations. That is who is being cut if we follow this motion to instruct; it is the family budget.

And let us talk about compassion, compassion for the least of these. I submit to you, Mr. Speaker, that the least of these are those who are too young to vote and those who have not yet been born. If we follow the Democrat plan, let us look at what the General Accountability Office has said; if, right now, we do not change the spending patterns that we have in order to balance the budget, in just one generation, we are going to have to double taxes on the American people.

Where is the compassion there, Mr. Speaker, in taking away their jobs, in taking away their hope, taking away their opportunities? We would be the first generation perhaps in American history to leave our children a lower standard of living than we enjoy. There is no compassion there, Mr. Speaker.

Let us defeat this motion to instruct.

Mr. SPRATT. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. DINGELL).

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

Mr. DINGELL. Mr. Speaker, I rise in strong support of the Spratt motion to instruct the conferees on H.R. 4241, the Reconciliation Spending Cuts Act.

This motion wisely provides that the House would give up its harshest and most hateful cuts. Just 1 week after passing $100 billion in new tax cuts, benefiting mostly the wealthy in our country, our Republican colleagues are now seeking to cut spending on those who have the greatest need of assistance.

For example, one of the programs hardest hit by this legislation, Medicaid, provides health care to working families. Three-quarters of the cuts in the Medicaid program come directly from the families who depend on it, either by raising their payments, by making health care unaffordable or by not paying for needed treatments when they do seek care.

The House bill seeks to raise health care premiums for individuals who depend on Medicaid. According to the Congressional Budget Office, one-quarter of the savings from the premiums would be imposed on beneficiaries, including children, coming from families losing their health insurance coverage. There are more than 45 million uninsured in this Nation, and the House bill would add more to that number. The Senate Bill does not do that.

Five-and-a-half million children face increases in the amount their parents would pay for them to go to the doctor, according to the Congressional Budget Office. Eighty percent of the savings from higher cost-sharing will come from individuals, including children, foregoing services and not from the actual payment of the higher cost-sharing.

I want my colleagues to listen to this, because I think this is a real scandal: Five million Americans will find themselves unable to pay for certain kinds of treatments, such as for cancer, because such treatments will, under this legislation, no longer be covered. Under the House proposal, half of these will be children who will lose access to services such as dental care, vision coverage, mental health care and therapies. The Senate Bill does not do this.

Finally, the House should also recede to the Senate on matters concerning Medicare HMO payments and Medicare physician payments. HMO payments, already too high, are being increased by better than 4 percent this year. And in 2 weeks, physicians will see their payments cut 4.8 percent. This is going to hurt our seniors' access to needed health care, and it is going to assure that very shortly there will be no physicians participating in Medicare. I look forward to hearing the explanations of my colleagues when this event transpires.

I urge my colleagues to support the Spratt motion. It is fair, decent and humane. The proposal before us is not.

Mr. CRENSHAW. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Mississippi (Mr. WICKER), a member of the Budget Committee.

Mr. WICKER. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, my friend from California asked just a few moments ago, what is it that Republican budgets do? I will tell you what Republican budgets do, and I will tell you what this Republican budget does. It provides a plan to give savings to the American people. It provides a plan to slow the growth rate of some of the most important programs that we have in the United States of America so that we can save those programs, programs mentioned in the motion to instruct conferees, such as food stamps, funding for child support enforcement, Medicaid benefits, and student loans.

Republicans acknowledge, as most Americans acknowledge, that these are important and valuable programs. But, Mr. Speaker, we must slow the growth rate of these programs; not cut them, but slow the growth rate in order to preserve those programs.

What do Republican budgets do? Republican budgets also keep intact those tax policies that have grown this economy for 10 straight quarters, a growth rate of 4.1 percent in our GDP currently.

Now, what do Democrat budgets do? They consistently advocate increased spending, increases in discretionary spending, that done by the Appropriations Committee; and higher spending on the entitlement programs that we are talking about in this motion to instruct conferees. Also, Democrat budgets consistently call for higher taxes on the American people.

It is just a difference of philosophy. But that is what Democrat budgets do, and that is contrasted to what our responsible and reasonable Republican budget does today.

Now, I will mention one program, if I have the time, and that is Medicaid. Democrat Governors from around the country, Republican Governors from around the country have come to Congress and said, please, implement Medicaid reforms so that we can protect our budgets, so that Medicaid will not completely eat up State budgets in the 50 States, so that we can continue to provide this valuable service for our citizens.

□ 1745

The Democrat motion would allow Medicaid to grow. The Republican budget, our budget plan, would allow Medicaid to grow just a little slower, at just a little less of a growth rate than the Democratic plan.

Slowing the growth rate of Federal entitlement programs, which is what our Republican plan does, is not a cut in these programs. It is a way to acknowledge the value of these programs, it is a way to say we should preserve them, and it is a way to provide an additional means to protect the tax cuts and the tax policy that have been so successful in having our economy grow the way it has. I urge my colleagues to vote against the motion to instruct.

Mr. SPRATT. Mr. Speaker, I yield myself 30 seconds to respond.

When the tax reconciliation bill with tax cuts is put side by side with the spending reconciliation bill, these two reconciliation bills add $52 billion to the deficit. That is the total outcome of the budget package that you are putting before us over the next 5 years; and that is not all, as I will show in a minute.

Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN. Mr. Speaker, I want to take the language we have heard from the Republicans in the last few minutes and apply it to child support.

CBO says this budget will result in $24 billion less in child support over the next 10 years. That is the Congressional Budget Office. All right, one of you said Washington spends too much, too unwisely. Cutting child support payments by $24 billion?

You also said not how much, but how it is spent. Yes, it is spent in administrative expenditures to collect money for children.

Oh, and one of you said it is the family budget that is at stake. Absolutely, families with kids who are entitled to child support, and you are going to reduce what is collected by $24 billion over the next 10 years.

And then the lingo we hear, ''slow the growth rate.'' Under this formula, the money goes to the States and to the counties to collect money that is owed to children. I spent some time out in Macomb County talking to the people who administer this program, and I wish I could bring just one of the children who will be harmed by what you are doing and put them on this table, and have you look them in the eye and repeat your language. I do not think you would dare do it.

Mr. CRENSHAW. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. RYAN), a member of the Budget Committee.

Mr. RYAN of Wisconsin. Mr. Speaker, let us talk about the fact that that same CBO report did say that child support payments will increase, yes, increase.

Mr. Speaker, what are we doing with child support payments? What we are simply saying is that we have a Federal Government match. What the Federal Government match is spending on child support with State governments is 50 percent for food stamps, for Medicaid, that is what we are proposing here.

When we passed welfare reform, we increased the match for child support to 66 percent. What happened: child support collections went way up; welfare case loads way down. Yet we still have a higher match than normal even though our case loads are way down. What we are simply trying to do is reform government to save money and still meet the needs of the people.

What about Medicare. This motion to instruct says let us gut the Medicare Advantage Program. What is the Medicare Advantage Program? Do you ever hear that line when you do a town hall meeting with senior citizens that say we on Medicare ought to get the same health care you in Congress get? That is the Medicare Advantage Program. We are simply saying to seniors, if you want to have comprehensive health insurance like we have in Congress, like other Federal employees have, you should get that.

What does this motion to instruct do? It compromises that entire program.

Mr. Speaker, what about all these issues? Food stamps, Medicaid, Medicare, child support, all of that spending is increasing in this bill. What does this budget do? This budget proposes to increase spending over 6.3 percent but not 6.4 percent, the current projection.

Let me say it another way. We are proposing to save $45 billion out of a $15 trillion budget over the next 5 years. We are proposing to increase spending 6.3 percent instead of 6.4 percent, and that sounds like a draconian cut.

I have also heard speakers say that we are proposing deep tax cuts. Mr. Speaker, here is their definition of deep tax cuts: we are not raising taxes. What we are proposing to do in this budget is to not raise taxes. We are proposing simply to keep taxes where we are today. When we had a recession 2 years ago, when the Dot-com bubble burst, people lost their savings when the market went down. We lost hundreds of thousands of jobs; we had 2 years of economic growth no higher than 1.3 percent, and we cut taxes.

What happened after we cut taxes, 4.5 million jobs were created. The stock market came back. Our stock market savings portfolios, our savings for seniors grew 23 percent. We are averaging 148,000 new jobs being created every month. We created 215,000 just last month alone. Our economy grew 4.3 percent last quarter alone. We raise taxes; we hurt jobs. It is a difference in philosophy.

The Democrats are saying raise taxes and do not do anything to control spending. We do not want to raise taxes; we want to control spending and balance the budget.

Mr. SPRATT. Mr. Speaker, I yield to the gentleman from Michigan (Mr. LEVIN) 1 minute.

Mr. LEVIN. Mr. Speaker, we are not talking about raising taxes. You are dodging the issue.

This is not the formula for Medicaid or other programs; this is a formula in terms of the Federal share for child support. I would like any of you to stand up and deny the estimate of CBO that what you are doing will reduce the

amount collected in child support by $24 billion over the next 10 years.

Mr. RYAN of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. LEVIN. I yield to the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. Does the CBO report also not say that child support payments will go up from one year to the next?

Mr. LEVIN. It will go up. Sure, they are going to go up because there are more kids from families of divorce. But I ask you, does CBO not say because of your change, $24 billion over the next 10 years will not be collected for the children? Yes or no?

Mr. RYAN of Wisconsin. The gentleman just answered my question, child support payments will go up.

Mr. LEVIN. And it is $24 billion less because of you people.

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

Ms. DELAURO. Mr. Speaker, $24 billion will not go to the children of this country, but 53 percent of the tax cuts that this party put together in the last several weeks will go to people who make over $1 million a year. So $24 billion denied to kids in this country to satisfy the wealthiest 1 percent of the wage earners in this Nation. It lays out very clearly the values and the priorities of the majority party here.

Let me just say to you tonight that this Nation has been through a lot in the last several months: the devastation of Hurricane Katrina and a precarious situation in Iraq. This is not the moment for the drastic cuts the Republican budget calls for. This ought to be a moment of clarity where we realize what priorities are and what is important to us as a Nation.

This budget reconciliation, the cuts here, cut access to health care for low-income children and families; college loan assistance, leaving the typical student borrower to pay $5,800 more for college; throws a quarter of a million low-income families off food stamps, working families trying their best to provide this winter.

Those families who make over a million dollars who are going to get the tax cut, they do not need food stamps. They probably have medical bills because they have gout because they are overeating. They are not on food stamps. The American people have had enough.

With this motion, Democrats are calling to reject the most extreme cuts proposed by the majority that impact our most vulnerable citizens, whether it is stripping protections which guarantee more than 5 million children receive the medical services they need, mental health services they need, optical care, hearing aids, cuts to child support we have been talking about, 40 percent.

It eliminates federally funded foster care benefits for grandparents and relatives of abused and neglected children. This bill goes out of its way to make the lives of Americans already living on the margin even more difficult. It is the wrong direction. Vote for the Spratt motion to instruct.

Mr. CRENSHAW. Mr. Speaker, I yield myself 30 seconds to make the following point, and that is what we are talking about here is to try to get a handle on the way we spend money. We are going to spend more money next year than we spent last year, more money for all of the programs that you hear people talking about, railing about cuts being made.

I want everyone to keep in mind that we will spend more money, but we will not spend a whole lot more money. Only in Washington do you hear people say when you spend more money, but you do not spend as much as you want to spend, you call that a cut. People do not say that in the real world. Keep that in mind.

Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. CHOCOLA), a member of the Budget Committee.

Mr. CHOCOLA. Mr. Speaker, I thank the gentleman for yielding me this time.

As we have heard the budget chairman explain, our friends on the other side of the aisle only use as a measurement of success how much we spend, not how well we spend.

Mr. Speaker, every business in America has to use a model of better products at a lower cost. I ask: Which model would we be better off using? Would we be better off if every business in America used as a model of success that if we spend more, we do better? Well, if every business did that, then every business would be in the same financial condition as the Federal Government, and I would argue they could not provide one job to one American in this country.

Or would we be better served if government used the model of better government at a lower cost?

Mr. Speaker, I think it is a little bit ironic that the debate we are having today, those who say we do not spend enough also say the deficit is too big. Mr. Speaker, we can achieve better government at a lower cost, and the first step to achieving that is voting ''no'' on this motion to instruct.

Mr. SPRATT. Mr. Speaker, I yield myself 5½ minutes.

Mr. Speaker, what we are trying to prevent here is an abuse of process, because what has happened is the process known as reconciliation has been taken and stood on its head. The original process of reconciliation was to rein in the deficit, to have an end to the budget process by which Congress was compelled to revisit the goals it set earlier in the year and bring the budget in on the targets that it indicated were acceptable when the budget resolution was passed.

To that end, a budget reconciliation bill was given fast track capacity to go through the Senate so it would not be subject to filibuster, because its purpose was fiscal prudence. Its purpose was to rein in the deficit.

You can see from past history from this chart right here, you can see that in 1990 when we did the Bush budget summit, total reconciliation savings were $482 billion. In 1993 when we did the Clinton budget, total reconciliation savings over 5 years was $443 billion. In 1997 when we finally put the budget into balance for the first time in 30 years, the balanced budget agreement of 1997 provided for reconciliation of $118 billion.

What does this reconciliation bill do? Well, when you put it together, because it has been divorced, separated from the tax cuts in the other reconciliation bill, it increases the deficit. It does not decrease the deficit. It provides for, and we see $108 billion of additional tax cuts all together thus far. I will show you exactly how those add up right here.

One of the things that is going on here is that these fiscal actions get broken into many different fragments in the course of the year. As a consequence, it is hard to put all the small pieces together and figure out exactly what the tab is running up to.

□ 1800

Well, here is what it is running up to. If you just look at the tax cuts that have been taken over the last 6 months, keeping in mind that the budget resolution called for $70 billion in reconciled tax cuts and $106 billion in tax cuts all together, you will see we are on a path to accomplish just that under the budget resolution.

First of all, the transportation bill, $500 million. The Energy Policy Act, $6.9 billion tax cuts. The Katrina Emergency Tax Relief Act, $6.1 billion. The Stealth Tax Relief Act, $31.2 billion. That is the so-called alternative minimum tax, patching it for 1 year so it does not affect more taxpayers. Tax Relief Extension Reconciliation Act, that is the one that is before us in the other bill that I was referring to, the bill that is passing now in the reconciliation itself, and then, finally, $7.1 billion adapted just a week ago for the Gulf Opportunity Zone Act.

Add all of that together, you get $108 billion. But wait a minute. This only has a 1-year fix for the AMT. And we all know that we are fixing it this year for the same reason we will have to fix it next year and the following years and on into time until we finally adjust it so that it does not apply to middle-income taxpayers for whom it was never intended.

So when you recognize that fiscal reality and add to the total, tally a longer-term fix, a 5-year fix, on the AMT, the total amount of tax cuts adopted thus far over 5 years, the total amount is $301 billion, against which you are applying $50 billion in putative tax cuts and putative spending cuts, and how did you get those spending cuts? In the name of deficit reduction, which is a false claim, as can you see, because you are increasing the deficit.

How did you get those cuts, those putative cuts? You went to students

struggling to pay for their college education. You went to the poorest of the poor whose only resort to medical care is Medicaid and cut it by $11 billion. You went to child support enforcement, which is moneys used by the Federal Government to subsidy State efforts to see that parents who are not taking care of their children nevertheless have to pay something in child support and forces it, at $4.9 billion. CBO says it will deprive us of $25 billion for that most essential necessity. You went to foster care. You went to food stamps. You went to the pension insurance fund, PBGC, a false claim. You are claiming that these revenues generated for the PBGC can be applied against your tax cut. In truth, they are encumbered money; they will be needed to pay benefits before you know it.

And then, finally, let me speak up for the doctors. You have not done anything at all about the fact that there are doctors, on January 4, faced with a cut of 4.4 percent due to something called the sustainable growth rate factor. Unless we do something here tonight, this weekend, on the budget reconciliation bill, they are going to suffer that cut.

How do you think that is going to make them feel towards Medicare patients? Less willing than ever. So this is a bad bill. What we are trying to do with the motion to instruct is simply to take, as the gentleman from Michigan (Mr. DINGELL) put it, the harshest and most hateful features out of it.

Mr. CRENSHAW. Mr. Speaker, I yield 3½ minutes to the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Speaker, before I make the comments I rose to make, I do want to comment for those watching this debate, that when you hear the words ''tax cut,'' the great majority of that money, outside of the new tax provisions to encourage rebuilding in New Orleans and the Mississippi coast and those areas so hard hit by Katrina and other storms, pretty much the rest of all of those, quote, ''tax cuts'' are simply tax extensions. In other words, we avoid increasing taxes.

If we did nothing, we would increase taxes. We do not want to increase taxes, because the current tax policy has created a remarkable rate of growth in our economy. And when your economy is growing, not only do your revenues come in well if you are the government, but jobs are created if you are the people, and current jobs are maintained.

So what are now loosely referred to as tax cuts, they appear in our vocabulary and our work as cuts, are not cuts; they are just maintaining current tax policy and avoiding tax increases that would harm our economy, cost jobs, cost taxpayers money they desperately need, as we go into a season of high heating oil costs and so on.

But I want to mention something else about this motion, which I appreciate is presented as part of the process here. It doesn't have the force of law. It gives people something they might like to vote about to tell the negotiators how to negotiate, but you know, there are always big rocks when the sea looks calm. So I just want to tell you about a couple of rocks underneath the sea of the verbiage of this motion to instruct. It is certainly not a motion I would want to vote for.

It wants us to recede to the Senate's position on physician payments. At first blush, that might look like a good idea, because they solve the first year problem by giving a very small increase to physicians. But in the second, not only do they let the 4.4 percent go into effect, but they add a 2 percent additional cut for physicians, for a 6.4 percent cut for physicians. That creates some pool that we are supposed to then pay physicians for performance. But we do not know what measurements are going to be used to determine whether a physician meets the performance standards or not. We do not know whether those measures will be such that a physician who provides health care in an area of the city or of the country where people simply do not come to the doctor until the last minute is going to be eligible for those payments like other physicians who might select patients who were healthier to take care of.

We do not know whether those benefits, those pay-for-performance benefits, will go equally to physicians who run small practices and cannot afford electronic health records as opposed to those who go to big practices.

So I certainly do not want to be instructing our conferees to yield to the Senate's position. Same on stabilization fund. The stabilization fund is explicitly, and we may not need it, but we do not know yet; it is explicitly to overcome one of the two big problems of being a rural physician in America, and that is intellectual isolation and being forced to abandon a patient who needs specialty care.

In the time I have allotted, I cannot enlarge on that, but believe you me, if you care about quality care in rural areas, you do not want to instruct our conferees prematurely to eliminate the stabilization fund.

Mr. SPRATT. Mr. Speaker, I yield myself 2 minutes. Mr. Speaker, I would ask the gentlewoman, if she does not believe that we should do something about the potential cut, getting nearer by the day, of 4.4 percent in physician's reimbursement and in paying for it, what is wrong with going into the so-called Medicare stabilization fund, which is really inducement money to get HMOs and insurance companies that do not otherwise want to participate in Medicare to participate?

The money is available. It comes out of the Medicare program. It would be given to physicians instead of insurance companies. But do you not think there will be adverse consequences if there is an across-the-board cut in physician's pay of 4.4 percent on January 1?

Mrs. JOHNSON of Connecticut. Mr. Speaker, will the gentleman yield?

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

Mrs. JOHNSON of Connecticut. Mr. Speaker, I absolutely do. I think we are facing the possibility of physicians fleeing the Medicare program and creating a real access problem for seniors to physicians of their choice. But acceding to the Senate position is not going to fix it; it is going to exacerbate it.

We need a better fix than the Senate offers. We need one without the threat of a 6 percent cut in the year after that which is absolutely unconscionable.

So the negotiations are about finding better solutions. And that is one area in which we need a better solution, but if you cannot negotiate, if you do not have the latitude, you cannot get to the right answer. And this resolution tells you what the right answer is, when it is not the right answer and abandons the opportunity to negotiate in a number of areas.

Mr. SPRATT. Mr. Speaker, reclaiming my time. So the right answer is to fix the growth rate factor, no question about it. But that fix is not going to be accomplished in the next 2 weeks. So unless we do something adequate, you are going to have perfection be the enemy of the good; you are not going to get anything done.

Mrs. JOHNSON of Connecticut. Mr. Speaker, will the gentleman yield?

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

Mrs. JOHNSON of Connecticut. Mr. Speaker, but we need to do something better than the Senate position, and we certainly need to avoid the additional 2 percent cut that starts every year thereafter.

Mr. SPRATT. Mr. Speaker, reclaiming my time. I do not think the House bill has any money at all for physicians in it. That is the point.

Mrs. JOHNSON of Connecticut. Mr. Speaker, will the gentleman yield?

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

Mrs. JOHNSON of Connecticut. This is a negotiation. And what you are doing is prejudging the negotiation. That is what a motion to instruct does. This motion to instruct is across so many categories that it will do damage to our ability to get the right answer in all of the policy areas that we have responsibility for.

Mr. SPRATT. Mr. Speaker, I yield myself 15 seconds.

Mr. Speaker, that is why we say this is the best opportunity we have got to send the conferees to conference, to sit down with the Senators to come up with a solution to this problem.

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

Mr. CRENSHAW. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I think the issue here is very simply that our friends on the other said of the aisle just do not like the Budget Reduction Act. They do not

want to step in and change the way we do business. They do not want to reform the way we spend money. And so they have opposed that, and now they have a motion to instruct which, if you read it, is pretty much the kitchen sink thrown in to try to tell our conferees this and tell them that. It is kind of a hodge-podge, but basically, they oppose what we are trying to do.

But, Mr. Speaker, I think the American people know that we have got to change the way we do business here in Washington. We have got to change the way that we raise money, because it comes from the American people. And we have got to change the way that we spend money, because we are stewards of the American people when we do that.

And we have taken some giant steps this year, Mr. Speaker, to change the way we do business here in Washington. We started by lowering taxes across the board. People that pay taxes got tax relief. That lets people keep more of what they earn. And when you let people keep more of what they earn, then they get to decide whether they want to spend it, whether they want to save it, whether they want to invest it.

And that is the way you get the economy moving again. And we got the economy moving again. Everybody knows the good news that has come out of our economy. The economy has been growing for the last 10 quarters. More people are able to buy new homes. It is a wonderful time from the standpoint of the financial wherewithal of this country. So we took that step.

And then this year, as people sometimes do not understand, we wrote a budget this year, and like a lot of people have to do when they write their budget at home, we had to kind of hold the line on spending. The money that we in this Congress get to spend, we wrote a budget that actually reduced the amount of money we spend in the budget. Except for Defense and except for Homeland Security, spending went down. And we are sticking to that. We are pretty much spending the same amount of money we spent last year.

We have not done that since Ronald Reagan was President about 20 years ago. And that is a giant step forward to control the way we spend money. And here we are again now with what we call the Budget Reduction Act. As our chairman said, it is a plan to reform government and to actually save money, because over half of the money we spend here in Washington is kind of on automatic pilot. We do not even get a chance to say how it is being spent or why it is being spent.

And right now, with this Budget Reduction Act, we are going to get a handle on that. We are going to reform the way we spend money. And that is what we are trying to do. And so I would urge my colleagues to vote no on this motion to instruct, even though when you read the motion, you are not very clear exactly what it does other than try to confuse the issue, because I am afraid my friends on the other side, if you listen to them talk, they have an answer for everything; spend a little more money. Where do you get the money? You raise taxes.

All we are saying is we want to reform the way we spend money, because everybody knows this, and I will conclude with this, Mr. Speaker. Everybody knows that we need money to provide services. But right now, the American people are saying to us, you, the people in Washington making this decision, you need to do a better job of the way you spend money. You need to control spending. And that is what we are trying to do.

Sure we need money. But right now, we need the courage up here to make some tough choices, just like every family has to do every year when they sit down and make their budget. They have got to set priorities. They say we cannot do everything. So we have got to make sure that we limit the amount of money we spend.

We need a commitment, a commitment by all of us to say, we are going to decide what is important, and we are going to try to do that, but we cannot do everything. Because if we are ever going to change the way we do business, we have got to start right here among ourselves.

So once again, I would urge my colleagues to vote no on this motion to instruct. Let the conference begin. Let our Members of the conference committee sit down with the Members of the Senate conference committee, work out any differences they have, but at the end of the day, let us come up with a final plan that will save money for the American people.

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

□ 1815

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

Mr. Speaker, it pains me to say it, but Republicans control the House, they control the Senate, they control the White House, and they cannot escape responsibility for the dismal condition our budget is in.

Let me start with the simplest way I know to summarize the last 5 years. When the Bush administration brought us their budget in 2001, they said we will not need to raise the debt ceiling of the United States, the legal limit to which we can borrow, for another 6, 7 years. The next year they were back, hat in hand. They needed a $450 billion increase in the debt ceiling. The next year, just a year later, they came and asked for $984 billion, the biggest increase, single increase, in the national debt ever. As big as the total national debt when Ronald Reagan took office.

One would have thought $984 billion had long legs and would have taken us several years at least, but, no. Within a year they were back, Secretary Snow, hat in hand, saying, I need $800 billion. And in this year's budget resolution as it passed the House, buried in it is a conditional provision to increase the debt ceiling by another $781 billion. If we add all of those up, we come up with $3.015 trillion. That is the net addition to the legal debt of the United States over the last 5 years. That should temper everybody's understanding of the debate we have just been holding.

And look at this chart right here. Kind of complicated, but basically what we have done here is we have gone to the Congressional Budget Office and we have said, we have got your numbers for August and September, the update of the budget and the update of the economy. What you would like to do is make this politically realistic. Let us assume that the Bush administration's agenda is reaffirmed to us in July in the budget update; let us assume it is carried out. What will be the result? CBO came back to us, and they said the deficit of the United States last year, in 2004, in 2005, was $325 billion. That will grow to $640 billion under the assumptions you have given us. As for the debt service of the United States, it was $182 billion. It will grow to $548 billion over the next 10 years. That is the course we are on. And that is what we are discussing tonight. What do we do about it?

There is a process called reconciliation. When we find ourselves in dire straits like this, this is an extraordinary process, reconciliation, which gives special primacy to a bill for this purpose adopted in a budget resolution, and at every other time we have used it since it was invented, it was used to reduce the deficit by big numbers because a lot of the cost growth that has to be dealt with in deficit reduction is in the entitlement programs.

Look what we did in 1990 and 1993 and 1997: big, big reductions due to reconciliation. But what is being done here in the name of deficit reduction is deficit worsening. The deficit gets worse by at least $58 billion according to where the final cuts finally settle out. It gets worse by at least that amount, not better. And if we take a realistic view of what the likely revenue effects of all the tax cut legislation passed in the last 6 months have been, the deficit gets $300 billion worse.

They have taken reconciliation and stood it on its head. We would like to stand it back up, put some of the values back in it. We do not think we should balance the budget on the backs of small children, on the backs of Medicaid beneficiaries. And that is what the purpose of this motion to instruct is.

Ms. PELOSI. Mr. Speaker, today, nine days before Christmas, I rise in strong support of the motion to instruct on the spending reconciliation bill. This motion to instruct would eliminate the most egregious aspects of the House reconciliation bill and would reduce the Republican cuts to less than $20 billion.

This Congress must not go home for the holidays, leaving a lump of coal in the stockings of the most vulnerable children in this country. That is contrary to the spirit of this holiday season and contrary to the values of

this nation. If we adopt this motion, we will send the conferees on this bill a strong message that this should not be the season of ''suffer little children.''

This motion eliminates the cuts from the House bill that would affect the most vulnerable children in this country: It says no to cuts to our child support enforcement program: so that parents have to fulfill their responsibilities to their children. It says no to slashing food stamps: so that low-income children can be properly fed. It says no to cutting health benefits for low-income children: because we want all children to have access to health care in this country.

How can we possibly leave here and as one of our last legislative actions in this Christmas season to be accused of being scrooges to the least among us—poor children?

This motion stops the Republican raid on student aid: It would help make college more affordable, reducing interest rates and fees relating to student loans and increasing Pell Grants.

This motion eliminates the so-called ''mining reform'' in the bill, which is really a massive give-away of public lands to special interests: Selling public lands at fire sale prices. That is why sportsmen and women, environmentalists, and Western governors oppose this outrageous proposal.

This motion ensures that seniors and individuals with disabilities can continue to receive physician services under Medicare: Eliminating the reimbursement cut physicians would receive when treating Medicare recipients.

Two days ago, hundreds of faithful Americans descended on Capitol Hill in peaceful protest to stand up for working Americans, our children, the poor, those still hurting from Hurricane Katrina, and our elderly. In the freezing cold, in prayer and song, they called the Republican budget what it is—a moral failure, devoid of spiritual hope and nourishing resources.

This mean-spirited Republican budget takes food from the mouths of hungry children, cuts housing for Katrina evacuees, reduces support for our veterans, and fails to adequately provide health care for our elderly; all to provide tax cuts for millionaires.

I commend Reverend Jim Wallis and the pastors and church workers from across our country who marched on our Capitol. By adopting this motion to instruct, we would stand with them in the struggle for a budget that lives up to our American values of fairness and opportunity.

The SPEAKER pro tempore (Mr. SHIMKUS). 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 South Carolina (Mr. SPRATT).

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 246, nays 175, not voting 12, as follows:

[Roll No. 652]

YEAS—246

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Bono
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chandler
Clay
Cleaver
Clyburn
Coble
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Dicks
Dingell
Doggett
Doyle
Edwards
Ehlers
Emanuel
Emerson
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fitzpatrick (PA)
Foley
Ford
Frank (MA)
Gerlach
Gilchrest
Gillmor
Gingrey
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Hayes
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Kuhl (NY)
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Neal (MA)
Ney
Oberstar
Obey
Olver
Ortiz
Otter
Owens
Pallone
Pascrell
Pastor
Pelosi
Peterson (MN)
Platts
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Reyes
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Shimkus
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Sweeney
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Wexler
Wilson (NM)
Woolsey
Wu
Wynn

NAYS—175

Aderholt
Akin
Alexander
Bachus
Baker
Bartlett (MD)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Chabot
Chocola
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Deal (GA)
DeLay
Doolittle
Drake
Dreier
Duncan
English (PA)
Everett
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gibbons
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Inglis (SC)
Issa
Jenkins
Jindal
Johnson (CT)
Johnson, Sam
Keller
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCrery
McHenry
McKeon
McMorris
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Northup
Norwood
Nunes
Nussle
Osborne
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Schmidt
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shuster
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf
Young (AK)

NOT VOTING—12

Barrett (SC)
Barton (TX)
Davis, Jo Ann
Diaz-Balart, M.
Hyde
Istook
Kolbe
LaHood
McCarthy
Napolitano
Payne
Young (FL)

□ 1846

Mrs. MYRICK, Ms. PRYCE of Ohio and Messrs. RADANOVICH, WHITFIELD, BACHUS, DANIEL E. LUNGREN of California, MCCAUL of Texas and SESSIONS changed their vote from ''yea'' to ''nay.''

Ms. GINNY BROWN-WAITE of Florida and Mrs. KELLY and Messrs. REGULA, FRANK of Massachusetts, RUSH, BOEHLERT, STUPAK, UPTON, JOHNSON of Illinois, PLATTS, SHIMKUS, LINCOLN DIAZ-BALART of Florida, SIMPSON, REHBERG, COBLE, HAYES, RAMSTAD, GINGREY, FOLEY and SAXTON changed their vote from ''nay'' to ''aye.''

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. PETRI). Without objection, the Chair appoints the following conferees:

For consideration of the Senate bill and the House amendment thereto, and modifications committed to conference: Messrs. NUSSLE, RYAN of Kansas, CRENSHAW, PUTNAM, WICKER, HULSHOF, RYAN of Wisconsin, BLUNT, DELAY, SPRATT, MOORE of Kansas, NEAL of Massachusetts, Ms. DELAURO, Mr. EDWARDS and Mr. FORD.

From the Committee on Agriculture, for consideration of title I of the Senate bill and title I of the House amendment, and modifications committed to conference: Messrs. GOODLATTE, LUCAS and PETERSON of Minnesota.

From the Committee on Education and the Workforce, for consideration of title VII of the Senate bill and title II and subtitle C of title III of the House amendment, and modifications committed to conference: Messrs. BOEHNER, MCKEON and GEORGE MILLER of California.

From the Committee on Energy and Commerce, for consideration of title III and title VI of the Senate bill and title III of the House amendment, and modifications committed to conference: Messrs. UPTON, DEAL of GEORGIA and DINGELL.

From the Committee on Financial Services, for consideration of title II of the Senate bill and title IV of the House amendment, and modifications committed to conference: Messrs. OXLEY, BACHUS and FRANK of Massachusetts.

Provided that Mr. NEY is appointed in lieu of Mr. BACHUS for consideration of subtitle C and D of title II of the Senate bill and subtitle B of title IV of the House amendment.

From the Committee on the Judiciary, for consideration of title VIII of the Senate bill and title V of the House amendment, and modifications committed to conference: Messrs. SENSENBRENNER, SMITH of Texas and CONYERS.

From the Committee on Resources, for consideration of title IV of the Senate bill and title VI of the House amendment, and modifications committed to conference: Messrs. POMBO, GIBBONS and RAHALL.

From the Committee on Transportation and Infrastructure, for consideration of title V and Division A of the Senate bill and title VII of the House amendment, and modifications committed to conference: Messrs. YOUNG of Alaska, LOBIONDO and OBERSTAR.

From the Committee on Ways and Means, for consideration of sections 6039, 6071, and subtitle B of title VI of the Senate bill and title VIII of the House amendment, and modifications committed to conference: Messrs. THOMAS, HERGER and RANGEL.

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

BORDER PROTECTION, ANTITERRORISM, AND ILLEGAL IMMIGRATION CONTROL ACT OF 2005

The SPEAKER pro tempore. Pursuant to House Resolution 621 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4437.

□ 1850

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4437) to amend the Immigration and Nationality Act to strengthen enforcement of the immigration laws, to enhance border security, and for other purposes, with Mr. SHIMKUS (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, amendment No. 11 printed in House Report 109–350 by the gentleman from New York (Mr. NADLER) had been disposed of.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 109–350 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. GOODLATTE of Virginia.

Amendment No. 6 by Mr. STEARNS of Florida.

Amendment No. 7 by Mr. SENSENBRENNER of Wisconsin.

Amendment No. 9 by Mr. NORWOOD of Georgia.

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

AMENDMENT NO. 1 OFFERED BY MR. GOODLATTE

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. GOODLATTE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 273, noes 148, not voting 12, as follows:

[Roll No. 653]

AYES—273

Aderholt
Akin
Alexander
Bachus
Baird
Baker
Barrow
Bartlett (MD)
Bass
Bean
Beauprez
Berman
Berry
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boucher
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Cardoza
Carter
Case
Castle
Chabot
Chandler
Chocola
Coble
Cole (OK)
Conaway
Cooper
Costa
Costello
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Davis (FL)
Davis (KY)
Davis (TN)
Davis, Tom
Deal (GA)
DeFazio
DeLay
Dent
Dicks
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Gene
Gutknecht
Hall
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hobson
Hoekstra
Holden
Hooley
Hostettler
Hulshof
Hunter
Inglis (SC)
Issa
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kuhl (NY)
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Moore (KS)
Moran (KS)
Moran (VA)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Obey
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (MI)
Rohrabacher
Ross
Royce
Ruppersberger
Ryan (WI)
Ryun (KS)
Sabo
Sanders
Saxton
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Snyder
Sodrel
Souder
Spratt
Stearns
Strickland
Sullivan
Sweeney
Tancredo
Tanner
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Turner
Udall (CO)
Udall (NM)
Upton
Visclosky
Walden (OR)
Walsh
Wamp
Waxman
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)

NOES—148

Abercrombie
Ackerman
Allen
Andrews
Baca
Baldwin
Becerra
Berkley
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Brown, Corrine
Butterfield
Cannon
Capps
Capuano
Cardin
Carnahan
Carson
Clay
Cleaver
Clyburn
Conyers
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Dingell
Doggett
Doyle
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Frank (MA)
Gonzalez
Green, Al
Grijalva
Gutierrez
Harman
Harris
Hastings (FL)
Higgins
Hinchey
Hinojosa
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kucinich
Langevin
Lantos
Larsen (WA)