

was introduced by the very fine chairman of the Subcommittee on Labor, Health and Human Services, Education and Related Agencies. The chairman offered the bill, and it was the House position for the purpose of the conference negotiations. That bill included \$8 billion for IDEA part B State grants, \$500 million less than the Bush IDEA request and \$846 million less than the amount ultimately that was enacted into law.

In 2002, we had a bipartisan year. Democrats and Republicans supported a healthy increase for special education: \$186 million over the final conference level of \$7.5 billion.

In 2001, the House Republican Labor-HHS bill was a shocking \$850 million below what was the \$6.3 billion included in the grants and in the conference agreement.

In 2000, the House Republican bill was \$179 million below the final conference level of \$5 billion for special education.

In 1999, the House bill provided the same amount, \$4.3 billion, which was ultimately enacted into law.

In 1998, another bipartisan year, House Republicans initially proposed \$3.4 billion for IDEA grants, \$375 million below the final amount secured by the Democrats in the Labor-HHS conference agreement, which provided a total of \$3.8 billion.

In 1997, the House Republican bill would have frozen IDEA at \$2.3 billion, \$279 million below the request, and a whopping \$784 million below the final conference agreement.

In fiscal year 1996, House Republicans proposed to freeze the special education grant at \$2.3 billion. That was the amount ultimately enacted into law, a cut of \$88 million below the Clinton request.

In summary, Mr. Speaker, a careful examination of the Republican record on IDEA funding paints a less rosy picture than my colleagues would like to portray. In 5 of the last 8 years, the House Republicans have provided less than the amount actually enacted into law for IDEA part B State grants.

Democrats insisted that we provide those increases. Democrats want to fulfill our commitments to the 6.7 million special needs children before we begin to provide super-sized tax cuts to the Nation's well-off and wealthiest citizens.

Under a funding scenario of \$1 billion per year, as is in the Republican Labor-HHS bill, we will never, never meet the goal of fully funding for IDEA. It was the majority party, once again, that promised a \$2.2 billion increase this year for IDEA. 216 Republicans voted for the increase in the 2004 budget resolution; 217 Republicans voted again for the increase in the IDEA reauthorization bill.

Democrats say this evening, on the issue of special education for our youngsters, a moral obligation which we have committed to, which we have committed our States to, what Demo-

crats say this evening is keep your promises to those 6.7 million children who, without the proper funding, will not ever realize their dreams, their aspirations for opportunity for their future and a way in which they can hold on to the American Dream of education.

Mr. Speaker, I urge my colleagues to vote for this motion to instruct.

Mr. CASTLE. Mr. Speaker, it would be disingenuous, and plain false, for anyone to suggest that this Congress has not been dedicated to the needs of our nation's special education students. In the past year we have recognized the importance reform has on the program when we reauthorized IDEA. Rather than to throw money at IDEA this body passed a reauthorization bill that will enhance efficiencies ultimately resulting in increased services for special education students. In the past year we have also voted to increase funding for IDEA, at a record level. There should be no doubt that this Congress is consistently focused on the needs of these students.

In the past eight years we have more than tripled funding for special education. In 1975 the Congress said it would pay 40 percent of the per pupil cost to educate special education students. We are making great strides toward meeting the 40-percent goal. Since 1996 we have increased this contribution from 7.3 percent to almost 20 percent this year. We all deserve to be proud of this and we all should be dedicated to continuing this progress.

Having said that, we must not forget that we have also seen historic increases in funding for all of our education programs. Last week we passed a motion to support funding increases for programs under the No Child Left Behind Act and today we could potentially be taking those away. Look at the big picture. For fiscal year 2004, with the guidance of Chairman REGULA, this House is continuing our efforts in providing unprecedented increases for No Child Left Behind, Head Start, Higher Education and especially IDEA. This year's \$1 billion increase for IDEA represents the single largest dollar increases in the bill and one of the largest funding increases for IDEA ever. This Congress and this Administration are without a doubt dedicated to all students.

I have always prioritized adequate funding for education programs as well as fiscal conservatism. Given other expenses we have across the country and the world, I believe the House Labor, Health and Human Services and Education Appropriations Act represents a delicate balance between increased funding for federal education programs and fiscal restraint. I encourage Members, on both sides of the aisle, to take an unbiased and honest look at what we are doing for students, and particularly our special education students.

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

The SPEAKER pro tempore (Mr. PEARCE). 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 gentlewoman from Connecticut (Ms. DELAURO).

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

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

The yeas and nays were ordered.

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

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

Mr. BECERRA. Mr. Speaker, I offer a motion to instruct.

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

The Clerk read as follows:

Mr. BECERRA moves that the managers on the part of the House in the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to H.R. 1308 be instructed as follows:

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

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

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

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

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

Mr. BECERRA (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from California (Mr. BECERRA) and the gentleman from Wisconsin (Mr. RYAN) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. BECERRA).

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

Mr. Speaker, let me give my colleagues a few numbers and see if we can find the connection in these numbers: 25, 161, 6.5 million, zero, and

93,500. If it does not seem readily apparent, let me connect the dots for my colleagues.

Twenty-five represents the number of times that this motion that we are about to debate has come before this House of Representatives in an effort to try to do what the Senate did months ago, which is to try to do what the President said he supported, which was to try to give a number of working, tax-paying families, many of them military families, the same type of child tax benefit that we gave to many other American families, those families having already received checks in the mail for that child tax credit. Twenty-five times. This is the twenty-fifth time we are trying to get the House to do what the Senate did on a vote of 98 to 2.

The number 161, that is how many days we have left out all of these American families with children from being able to benefit from the child tax credit that other American families, neighbors, in fact, of many of them, many of them right now, fathers and mothers in our military in Afghanistan and Iraq, 161 days they have gone without the benefit through the law that was passed 161 days ago, that many of their fellow Americans received in the mail.

□ 1930

Mr. Speaker, 6,500,000? That is the number of families in America that have been excluded. 6½ million. Among those 6½ million families you have 12 million children. So we are not talking about trying to help one or two of America's families because they were left out. When Congress passed and the President signed a tax cut bill that cost \$350 billion, that excluded the 6½ million families and their 12 million children.

We are talking about quite a few American families throughout this country. Among those families, more than 262,000 of the people that I am talking about are children of our military personnel who were left out. And I should mention of our 200,000 or so men and women in uniform who are in Afghanistan and Iraq and throughout this world in combat zones, the result of not having extended the child tax credit expansion to them means that many of these men and women in uniform with kids are actually going to see a tax increase as a result of the action taken by this House in not moving forward to match the Senate on a 98 to 2 vote to provide the expanded child tax credit to these 6½ million families.

The number zero? I have already mentioned it. That is how much money the 6½ million families are getting at the same time that their neighbors and friends were receiving an average of about \$600, \$615 in a child tax credit. Zero.

The final number I mentioned, \$93,500, that is the amount that this year many of America's millionaires will receive in reduced taxes as a result

of the tax cut bill that passed in late May, 161 days ago, in tax breaks. Zero for 6½ million working families. And, by the way, these working families are not rich working families. We are talking about families that have incomes somewhere between \$10,500, let me say that again, \$10,500 annual salary to about \$26,625 annual salary. We are not talking about wealthy families, but we are talking about working and tax paying and military families that are among those who earn between \$10,500 and \$26,625. 6½ million families. 12 million children within those 6½ million families.

The tax bill did give to millionaires in America an average tax cut this year of \$93,500. In this child tax credit expansion provision, it gave zero to those 6½ million families.

What many of us have been trying to say in the 24 other times, including this, the 25th time we put this motion before the House is let us do what the President said we should, let us do what the Senate already did, in voting 98 to 2, and let us do what most American families thought we had done, until they realized that they did not get a check in the mail as well, including our military families.

Mr. Speaker, let us be just. They work, they pay taxes, and certainly for the several hundred thousand of our men and women in uniform who have kids, it is the right thing to do.

Now, it would not be so difficult to talk about this if it were not for the fact that within that tax cut bill and within additional legislation that has come before this House there have been measures to actually expand the scope of the child tax credit to more families. In fact, in this House my friends in the majority were willing to expand the number of families who could qualify for the tax credit by increasing the income limits, so that families with well over \$150,000 could qualify for the child tax credit. Yet, in the same legislation, we cannot see how we can just do what we need to do for those families that are making somewhere between \$10,500 and \$26,500. It goes on and on and on in terms of the irony that we see here.

I look back at some of the Tax Code and I think to myself are we doing something that is unfair, something that these folks do not deserve? Some will say, well, they do not pay that much in income taxes. They are getting off and we should not give them money. Well, they pay taxes. They do not pay that much income taxes probably due to the fact that they do not earn very much income, but they pay payroll taxes, they pay sales taxes, they pay property taxes, they pay excise taxes. You name it, they pay it.

And, fortunately, we have a progressive tax structure that says in terms of income taxes if you are making \$10,500 in a year, in a year, not in a month, because some of my colleagues may have misunderstood me, in a year, then, by God, I hope we are doing something to make sure that the \$10,500 does not go to just pay taxes.

But to deny them, then, the expansion of the child tax credit simply because they do not pay enough of a certain type of tax I think is un-American. But that is where we are. Then I thought to myself, well, do we do some things that give others some kind of tax break? Then I realized, wait a minute, my father worked for about 40 years in road construction, he worked canning tomatoes at Campbells Soups, he worked cleaning the hulls of ships, and every day he worked, he ate lunch when he had time. As far as I know, he ate lunch with his colleagues, his co-workers.

Well, today if there is someone out in America in the business world who decides to go have lunch, and then follow that up with a nice dinner, and take out a business associate, and really try to cater to that business associate to try to, perhaps, gain some new business, and chauffeurs that business associate around in a limousine, and has a martini, then takes the associate to a nightclub to enjoy the evening and says, you know, we had a really rough night, maybe we should just stay at this hotel, all of that can be deducted to the tune of 50 percent. But somehow we could not find it in our powers within a \$350 billion tax cut bill to give 6½ million Americans who work and earn about \$10,500 to \$26,500 a tax credit for their kids. The cost of doing that? \$3½ billion. \$350 billion tax cuts that went mostly to wealthy folks. \$3½ billion, 1/100th of the cost of that tax bill would have corrected this problem for those 6½ million families. Could not do it.

We still can. We have not finished the section. That is why we are here today. I am hoping the 25th time is the charm and we will get to it.

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

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

Mr. BECERRA. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. SANDLIN).

Mr. SANDLIN. Mr. Speaker, I thank my colleague from California (Mr. BECERRA) for bringing this to our attention.

Mr. Speaker, this is merely an issue of priorities. If we want to stand for our military, if we want to stand for our working families, if in this House we want to stand up for the children of America, if that is our priority, then we need to thank the gentleman from California (Mr. BECERRA) for advancing this motion, and we need to support and vote for the Becerra motion to instruct.

Let us accept the bipartisan, the bipartisan Senate-passed child tax credit bill, and let us just get this bill done once and for all. Let us tell America what is important to the U.S. House of Representatives and that is our working families and that is the children of those working families.

As Members know, Mr. Speaker, right now American working families are facing many challenges. We have

record job losses in the country, and the current administration will be only the second administration in the history of this country to show a net loss of jobs during the administration. The other administration being the Herbert Hoover administration, which certainly is not very comfortable company.

And those people in America that are lucky enough to have a job face challenges of their own. No health insurance, no prescription drugs, increasing education costs.

Now, Mr. Speaker, on the other hand if an American working family, if you can call them that, is comprised of millionaires, the current tax scheme of the Republican majority may be a benefit to them. But heaven help the American worker, Mr. Speaker, if he or she earns between \$10,500 and \$26,625. Because, Mr. Speaker, if you earn over a million a year, you will save \$93,500 in taxes in 2003 alone, nearly 100 grand. But, if you earn between \$10,500 and \$26,625, you are the target, as my colleagues know, Mr. Speaker, of the Republican scheme because you were deliberately and purposely excluded from the \$350 billion tax law of the Republicans. There is no child tax credit for you. That is the message.

Now, who does this affect? The Republicans, under their plan, say no child tax credit, no relief, no tax relief to the fighting men and women in Iraq, no relief for you, no relief to school teachers, no relief to policemen, no relief to firefighters, no relief to first responders, no relief to anyone making \$10,500 to \$26,625 a year. And, Mr. Speaker, that is a lot of people in this country. That is probably most of the people in my congressional district.

And it is funny, Mr. Speaker, in these times of challenge, fiscal challenges, we have plenty of money for millionaires but none for the clerk down at the drugstore. We can give \$93,500 for 1 year to the millionaire but nothing to the man fighting in Iraq or the woman fighting in Iraq.

And what is funny, in a way, Mr. Speaker, is the administration has admitted this. You know Ari Fleischer, if you remember him, he was the White House Press Secretary when this went to conference initially, this is what he had to say: "Everybody was aware in the conference of what was in and what was out. So that was all very well known to the conferees and the White House."

Now, Mr. Speaker, Mr. Fleischer told the truth. No wonder he is out of the White House. They could not stand that candor anymore. Now, the chairman of the Committee on Ways and Means summarized the Republican attitude best when he said in response to a question regarding this matter, he said, quote, "There are worse things than it not happening." Now, that charming statement was echoed by the majority leader when he stated bluntly in regard to the passage of the Senate child tax credit, "Ain't gonna happen."

Now, this was entirely consistent with his previous opinions, of course. Earlier he said there is a lot of things more important than that. There are a lot of things more important than that? Like what? I mean, like what, Mr. Leader?

Mr. Speaker, under the Republican plan, as you know, over 12 million children are left with no benefits, none; 178,000 of those kids are children in farming families; 567,000 are children of nurses and orderlies; 337,000 are children of school teachers charged with educating our kids.

And, Mr. Speaker, embarrassingly, the Republican plan hits minority children in particular by leaving out 2.4 million African American children and 4.1 million Hispanic children. Leaves them out.

So, Mr. Speaker, we need to get our priorities straight and decide who we are standing for. If we can help out millionaires, and that is not always a bad thing, but if we can help out millionaires and we have the \$93,000 to give to a millionaire in 2003 alone, then we have enough money for a child tax credit to working men and women in this country, especially to our military.

Mr. Speaker, I urge my colleagues to vote for the Becerra motion to instruct.

Mr. BECERRA. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Mr. Speaker, I thank the gentleman from California (Mr. BECERRA). And I just listened to the gentleman from Texas (Mr. SANDLIN) and the gentleman from California (Mr. BECERRA), and the gentleman from Wisconsin (Mr. RYAN) is going to speak later.

I was reminded, as I see what this House has continued to do, to deny the child tax credit to the working families, to the families who have children, but families who are working families, I thought a lot about a meeting I had about a month ago in Akron in my district, where I met with 25 families who had loved ones, sons, daughters, husbands, wives, nieces, nephews, whatever in Iraq. We talked a lot about shared sacrifice.

□ 1945

And I heard a lot from the President about sacrifice and shared sacrifices in this country. When you look at it with this war in Iraq tied to what the gentleman from California (Mr. BECERRA) is trying to do tonight, to help those children in working families who are not making a lot of money, but in working families get some piece of the pie, you realize that this shared sacrifice that the President is asking about is a very limited shared sacrifice. The sacrifice in this country, it is not in the "leave no millionaires behind" program. They are getting \$93,000 back in their taxes.

The people making sacrifices in this country are the service men and women in Iraq; the families of the serv-

ice men and women in Iraq; the veterans who are getting their veterans benefits, education and health care benefits cut because of the leave no millionaires behind program that George Bush has implemented; the students who are not getting the education funding; the seniors who are not getting the prescription drug benefit they should have; and now, ultimately, children in working-class families whose families are making 10 or 15 or \$20,000. Those are the people who, unfortunately, are sacrificing in this shared sacrifice program of the President.

So we are subscribing to the leave no millionaire behind program where the average millionaire gets about \$93,000 back in their taxes. Half of my constituents, half of Ohioans get zero back in their taxes. These children of working families who are not making a lot of money get zero. So when I hear the President talk about sacrifice, the men and women in Iraq, the families of the men and women in Iraq who are dealing with the anguish and their anxiety of having their loved ones in Iraq and are dealing with budget and financial problems as a result, and especially those children that President Bush just has somehow lost his focus on, makes this motion to instruct from the gentleman from California (Mr. BECERRA) so very, very important.

I ask my colleagues to support the Becerra motion to instruct.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself such time as I may consume.

Let me take a few moments to comment on the past speakers. First, I would like to fill in the gaps in the history that was rendered earlier here.

My information says that this is the 17th motion to instruct, not the 25th. We will see. We will have to look into the CONGRESSIONAL RECORD to find that out. Nevertheless, I get a great sense of déjà vu right now. But all joking aside, Mr. Speaker, one thing that the speakers who just spoke failed to mention was that on June 12 of this year, the House did pass legislation making the child tax credit immediately refundable going back this year for these families in question.

So one gets the impression from having listened to these speakers that we did not do anything, that we did not pass anything. That is not true.

What this motion to instruct is encouraging is passage of an inferior tax bill from the Senate. What do I mean when I say inferior, Mr. Speaker? They want the child tax credit to go up to \$1,000 for these families and then they want to take it away after the next election. It will go up for this year. It will go up for next year, and then the bill that they are advocating to take it away after the next election.

The bill we passed on this floor not only gives these families the full \$1,000-per-child tax credit this year, next year but also for the rest of the decade. On top of that, Mr. Speaker, we also do

away with the marriage tax penalty, which the bill they are advocating does not address. So I just want to fill in the full story as to what is occurring here.

Now, the other issue that we are hearing about is that we are not doing anything for the military, the kids whose parent are in the military. Now, the most recent history on this issue goes back to about 1 hour ago when we just passed a bill unanimously off the floor of this House to give \$1.2 billion in tax cuts to our men and women in uniform who are serving and fighting for us overseas. We just passed the Military Tax Fairness Act probably not even an hour ago off of this floor, and it is now going to the President's desk to be signed into law. So to suggest that the men and women in the military are all of the sudden being left out of tax relief is just not true, it is not accurate; and an hour ago we just fixed those problems. So that is an issue I just also thought would be important to fill in the gaps of the historical rendition that we have been hearing today.

Now, as to the issue of, and this is an accuracy that I think needs to be pointed out, as to the issue of whether or not these families are paying the taxes and they deserve the tax credit or not, these families, mind you, Mr. Speaker, do not pay Federal taxes. Their FICA taxes are offset by the earned income credit. They do not pay income taxes. Nevertheless, Mr. Speaker, the bill the House passed on June 12 did give these families, regardless of the fact that they do not pay FICA taxes which are offset by the EIC or income taxes, a cash benefit or bonus in the form of a refundable tax credit to the tune of \$1,000. Again, not this year and next year, but for the rest of the decade.

Now, the other issues that have been brought to the floor were more general issues about the tax bills. You have heard the things about tax cuts for the wealthy and that tax cuts hurt the economy. Let us go back into the revision of history that we just heard about the tax law that passed earlier this summer.

Now, it is important to note that two-thirds of the top income tax bracket, the people who filed those taxes are not millionaires sitting on their yachts sipping champagne. Two-thirds of the top income tax bracket are small businesses who are the driving force of job creation in this economy. Seventy percent of the jobs we get out of this economy come from small businesses. Two-thirds of that tax bracket are small businesses. We were taxing small businesses at a tax rate higher than what we taxed large corporations in America. So before the last tax bill went into place on July 1, we taxed small businesses at a rate of about 40 percent, when we taxed IBM and General Motors and Chrysler and all these other companies at 35 percent. That was ridiculous.

Why should we be taxing small businesses in this country who are the en-

gine of economic growth and jobs in this country at a higher tax rate than we are taxing the largest corporations in America? That is why we cut the tax across the board on individual income taxes. That was good. That is a good thing to do. It is not a tax cut for people who own yachts. It is a tax cut for people who have jobs and provide jobs in this economy.

Now, what has happened since that tax bill passed? Many of the speakers have been saying it is driving a hole in the deficit; it is actually hurting the economy. That tax bill passed on July 1. The third quarter of this economy started on July 1 and ended on September 30. What happened immediately after that tax bill passed? The economy grew at 7.2 percent. I repeat: during that period, the third quarter, the economy grew at 7.2 percent. That is the fastest economic growth quarter in this country in 19 years, in 19 years, Mr. Speaker.

Our economy grew right after this tax cut passed into law in the fastest quarterly growth in 19 years. That creates jobs. What happened to the deficit at that period, Mr. Speaker? The deficit went down by \$80 billion. So what we see when that happened was when we cut taxes, not only did the economy grow, not only did a lot of wealth that was lost in the stock market come back because the stock market grew, but because the economy grew because people are going back to work because 72,000 people got jobs last month, people are paying taxes. The economy is growing and more remedies are coming into the Federal Government and the deficit is going down.

So just look at the facts and you can tell that tax relief works, that tax relief across the board, especially on small businesses, works; and the proof is in the statistics. The economy is growing. It is growing very fast. Jobs are being created. Jobs are coming back, and people are paying taxes who otherwise were not paying taxes and the deficit is going down.

Now, we have got to keep that going. And the last thing we want to do is roll back these tax cuts. What this motion to recommit is suggesting to do is pass these tax cuts and then yank them out from under the taxpayers after the election. The last thing we want to do in this economy is in the year 2005 raise taxes on people. Take the child tax credit down by \$500 and stop that tax payment to all of these families.

Mr. Speaker, I think this is the 17th time we have had this motion. Whether it is the 17th time or the 25th time, what we are trying to accomplish is tax relief. We passed the bill. It is a better bill. That is the bill we are trying to get into law. I hope the gentleman who is a good guy, who is my friend on the Committee on Ways and Means, would join us. If we linked arms, we could get all of these things done and make a difference, and these families could have this tax cut for the rest of the decade, not just until the next election.

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

Mr. BECERRA. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore (Mr. PEARCE). The gentleman has 13 minutes remaining.

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

Mr. Speaker, there is a lot of what the gentleman from Wisconsin (Mr. RYAN) just said that I agree with, and I just say that he is one of those Members that I think does a very good job of crystallizing many of the issues. But I have to say we part company in a couple of areas.

First, there was a bill that was proposed in this House by the Republican majority to address the \$3.5 billion exclusion of those 6½ million families that earn between \$10,500 and \$26,625. That is very true. But to get that \$3.5 billion fix, what my friend from Wisconsin forgot to mention is we had to swallow an additional \$79 billion in tax cuts that went unpaid for, that went principally to wealthy individuals. That I think is what makes it tough.

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

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

Mr. RYAN of Wisconsin. Just a point of clarification. The reason that costs much more money is because we make those tax cuts permanent throughout the decade, and we do not yank them back at the end of the election. We actually put these tax cuts, like repealing the marriage penalty and the child tax credit, in place for 10 years. That is why the bill costs so much more money.

Mr. BECERRA. Reclaiming my time, I thank the gentleman for that point of clarification; but again, there was more to the bill than just that. It was not just an expansion of the types of tax cuts that would sound very appealing to America. There were tax cuts, again, unpaid for that went to folks that would benefit to the exclusion of the vast majority of Americans because they went principally to wealthy folks or to large corporations or to businesses that were not necessarily American-owned businesses.

As a result, it was very difficult for many Members, including Republicans, to swallow a tax cut of \$82 billion unpaid for to try to correct the problem of \$3.5 billion. At the time we were being told that the budget deficit might reach more than \$400 billion. That is why the Senate did not take up the House version that would cost \$82 billion and instead did the right thing, did what the President asked, passed a bill that provided tax relief to the folks, the 6½ million families that were excluded in the May tax bill, \$350 billion tax bill that passed.

So do not put apples with oranges. It does not take \$82 billion to correct the injustice, the injustice to the 6½ million families that were excluded from the expanded child tax credit. It takes

only \$3.5 billion, which is quite a bit of money when you are running deficits.

It is true, there is better news. The budget deficit is \$80 billion less than we expected a few months back. So today we are being told the budget deficit for fiscal year 2002 was only \$370 billion, the largest deficit this country has ever had. And that is good because we were lucky. It was supposed to be \$450 billion. Next year we are told it is going to be about 500 billion.

Whoopie, we should be really happy, I guess, that it is not \$450 billion. So on top of the \$350 billion that we have confirmed, that we have in budget deficit for the fiscal year, we should add another \$82 billion to correct a \$3.5 billion problem for folks that make \$10,500 to \$26,500, giving most of the benefits of the \$82 billion in tax cuts to not those 6½ million families, because it only costs \$3.5 billion to fix it for these 6½ million families.

That is not the kind of math that my 8-year-old is learning, and I hope she never learns that kind of math.

Now, the sunset of the \$1,000 tax credit that my friend from Wisconsin mentioned, that is true. Our bill did sunset it because it was your bill that sunset it first. In fact, it was the Republican bill that became law that sunsets the child tax credit at \$1,000 after 2 years.

□ 2000

That was not our doing. That was what the Republican majority chose to do. It was the decision of the majority to make it sunset, to close out, to be yanked away as the gentleman said after 2 years.

If we could find a way to pay for it, we are willing to extend it, but we are not going to continue to give someone today a child tax credit of \$1,000 who makes over \$150,000 and then put the burden of the deficit in the budget over the years and years to come on the shoulders of the people who did not get anything who are earning \$20,000. That is unfair. It is, again, giving to Peter the rich at the expense of Paul of the modest income. That is not fair.

Military family tax relief, just about every one of us today, just as the gentleman mentioned, voted for that tax relief bill for our military families, but why did it not include this provision that we are debating right now on the child tax credit? It did a lot of good things. That is why a lot of us voted for it, and we have been waiting for months for that to get through because the military families have been waiting for some of those benefits that are in that bill that passed, but why did it exclude this provision which could have put money in the pockets of the spouses who are today waiting for their spouses to come back from combat in Iraq or Afghanistan? Probably no more than \$600, \$500 for families making \$20,000 or less. Why could we not have put that in the bill? That again was excluded not by our choice.

I agree, small businessmen and -women do not typically go out on a

yacht and sip champagne, and I would be willing to join with my colleague right now and say that all of those small businessmen and -women who do not have yachts and sip champagne on those yachts deserve to get some tax relief, absolutely, but that is not who we are talking about, because the tax relief that was given in the \$350 billion tax bill of May of this year gives some of those millionaires enough to put a good down payment on a yacht. When a person gets \$93,500 in tax cuts that is enough to put probably, I do not know, I am not sure how much a yacht costs, but it is probably enough for a sizeable down payment on a yacht.

Job numbers. Great to see that the economy may be getting better, may be getting better, but I hope this is not one of those economic recoveries without jobs. A jobless recovery will not do anyone any good. We have lost more than 3 million jobs in the last 3 years, and we have seen too many American workers lose all of their money through Enron-type scandals with their pension funds, and it is time for us to do something differently.

Mr. Speaker, with more than 146,000 jobs in the last quarter gone in our payrolls, it is hard for anyone to believe that America is today now turning the corner, and when we look at our States, whether it is my State of California, which has 880,000 families who were excluded from the child tax credit relief by this legislation, by the acts of the House majority leadership, or whether it was Wisconsin, which has 74,000 families that were excluded from relief, among those 143,000 Wisconsin children, about 11 percent of the families with children under 17 in Wisconsin excluded from child tax credit relief as a result of the inaction in the House to match the Senate.

We are seeing families continue to suffer. When we talk about 3 million people who have already lost their job in the last 3 years, and here we have 6½ million families that are willing to work rather than give it up, and say I am going to go on welfare, I can probably make just as much on welfare than the \$10,500 I make on a yearly basis at this job, instead of trying to give them a reward, an incentive to continue that, we are saying no to them. Yes, to the guys that make over \$150,000 to get a child tax credit expansion. Yes, to millionaires who get more than \$93,500 in tax relief out of the \$350 billion tax cut bill that went mostly to the wealthy, but no, to these 6½ million families. It just does not make sense.

Mr. Speaker, I could give my colleagues numbers for every one of the 50 States in America that has several hundreds of thousands of families who will not benefit, who did not benefit from the passage of the tax bill that excluded relief in the expansion of the child tax credit, for these working, tax paying and, in many cases, military families, but I would be repeating what has been said at least 24 other times.

I believe it is time, Mr. Speaker, that we move and match the Senate, and by the same numbers that the Senate did it, by a 98 percent margin vote in favor of giving a child tax credit to those 6½ million families, so those 12 million children know they are as wanted in America as the other children in America who did qualify for the child tax credit expansion, and we can do it without breaking the budget and do it in a way that relieves this economy of its doldrums and gets us back to work.

With that, Mr. Speaker, I would hope that we could reach across the aisle, work together, pass a bill that would cost only \$3.5 billion, not \$80 billion, match the Senate, get it passed, let the President sign what he said he wanted to sign, and then give those families what they deserve for a long time.

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

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

There was no objection.

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

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

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

The yeas and nays were ordered.

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

#### MOTION TO INSTRUCT CONFEREES ON H.R. 1, MEDICARE PRESCRIPTION DRUG AND MODERNIZATION ACT OF 2003

Mrs. CAPPS. Mr. Speaker, I offer a motion to instruct.

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

The Clerk read as follows:

Mrs. CAPPS of California moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill, H.R. 1, be instructed as follows:

1. To reject the provisions of Subtitle C of title II of the House bill.

2. To reject the provisions of section 231 of the Senate amendment.

3. Within the scope of the conference, to increase payments for physician services by an amount equal to the amount of savings attributable to the rejection of the aforementioned provisions.

4. To insist upon section 601 of the House bill.

Mrs. CAPPS (during the reading). Mr. Speaker, I ask unanimous consent that the motion to instruct be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XX, the gentleman from California (Mrs. CAPPS)