

deadline and facilitate acceptance in the aviation community.

# RECESS

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

Accordingly (at 10 o'clock and 23 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1252

# AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. GILLMOR) at 12 o'clock and 52 minutes p.m.

## PROVIDING FOR CONSIDERATION OF H.R. 5121, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2003

Mr. DIAZ-BALART. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 489 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 489

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5121) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2003, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read through page 61, line 16. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: beginning with "Provided" on page 11, line 4, through line 9; page 16, line 21, through page 21, line 17. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph. No amendment to the bill shall be in order except the amendment printed in the report of the Committee on Rules accompanying this resolution and except pro forma amendments offered by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate. The amendment printed in the report may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendment as may have been adopted. The previous question shall be considered as ordered on the bill and the amendment thereto to final passage without intervening motion except one mo-

tion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Florida (Mr. DIAZ-BALART) is recognized for 1 hour.

Mr. DIAZ-BALART. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from New York (Ms. SLAUGHTER); pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for purposes of debate only.

(Mr. DIAZ-BALART asked and was given permission to revise and extend his remarks.)

Mr. DIAZ-BALART. Mr. Speaker, House Resolution 489 is a structured rule providing for the consideration of H.R. 5121, the Legislative Branch Appropriations Act for fiscal year 2003. The rule provides for 1 hour of general debate evenly divided and controlled by the chairman and ranking minority member of the Committee on Appropriations.

The rule further provides that the amendment offered by the ranking minority member of the subcommittee, the gentleman from Virginia (Mr. MORAN), be made in order.

This is a fair rule that will allow all Members ample opportunity to debate the important issues associated with this bill. I want to point out again, Mr. Speaker, that the gentleman from Virginia had an amendment that he wished to make in order with regard to the issue of the Joint Committee on Taxation reducing some funds, I believe it is \$590,000, and even though this is a structured rule, we made it in order in the interest of absolute fairness.

The underlying legislation funds many important programs that work to keep our government functioning. Some of these programs include \$219 million for the Capitol Police, \$422 million for the Library of Congress, \$86 million for the Congressional Research Service, and \$457 million for the General Accounting Office.

At this time I think it is important we highlight a particular item of this bill. Since September 11, the Capitol Police have worked incredibly, tirelessly, to ensure that we, the Members and all the staff here, and the Capitol itself be safe. Their efforts have allowed us to do our jobs without any safety concerns and worries, and I would like to take this opportunity to commend the Capitol Hill Police, all of the officers in that distinguished body, for their courage and their dedication.

I would also like to thank the Committee on Appropriations for ensuring that the brave men and women of the Capitol Police will receive pay at least equal to other Federal law enforcement agencies.

I would also like to thank the chairman of this subcommittee, the gentleman from North Carolina (Mr. TAYLOR), and all the members of the subcommittee. Mr. Speaker, this bill gives us the tools to serve our constituents

in an effective and efficient manner, and I urge my colleagues to support both the rule and the underlying legislation.

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

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume, and I thank my colleague for yielding me the customary half hour.

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, I rise in opposition to this rule. The measure leaves unprotected a provision of the underlying bill authored by my colleague, the gentleman from Virginia (Mr. MORAN). The unprotected provision withholds the release of \$590,000, the amount the Joint Committee on Taxation requested above its fiscal 2002 budget until the Joint Committee releases its Report on Expatriates.

My colleagues may remember this report. It was requested by one of our former chairs, Mr. Archer, in 1999, to study the scope and the impact of wealthy U.S. taxpayers who renounce their citizenship to avoid paying their U.S. taxes.

In the wake of recent corporate scandals and in the wake of assertions by members of the majority leadership that corporations moving their corporations abroad do it only to avoid taxes, which was the fault of our Tax Code and not of the corporations, the report has taken on an added importance.

Earlier this year, the Wall Street Journal ran a story suggesting the report was largely completed. But despite repeated requests, the report has yet to be released. Last night, the Committee on Rules could easily have removed this potential roadblock to obtaining this report, but it chose not to.

Mr. Speaker, this, unfortunately, has become a pattern with the majority leadership. Reports in recent days have suggested that the majority leadership is joining forces with corporations who abuse tax avoidance schemes in an effort to kill our attempts to close major tax loopholes, with the help of the Treasury.

Specifically, the GOP leadership attempted earlier this week to strip out a provision passed by Democrats in the Committee on Appropriations that would prohibit government contracts from being issued to companies that have reincorporated overseas specifically to avoid paying taxes.

□ 1300

Accenture, formerly Andersen Consulting, is spearheading a lobbying campaign, as their \$43 million contract with the IRS could be affected. Accenture recently moved its headquarters to Bermuda to avoid paying U.S. taxes. The amendment to curtail this practice is the first in a campaign by the Committee on Appropriations to force the majority to confront corporate wrongdoing, worker pension

raids by executives, and stockholder deception. It is my hope that the majority will stop blocking the efforts to address these reform efforts.

In other respects, however, the underlying bill is noncontroversial and provides funds for all aspects of operating the House of Representatives, including staff and committee salaries and expenses, mail and security. It also covers congressional agencies such as the Library of Congress, the General Accounting Office, and the Botanical Gardens.

I would like to highlight the bill's provisions designed to improve Capitol Police recruitment and retention. Since September 11, the hours and pressures of protecting staff and Members and the visiting public have increased dramatically. It is imperative that we take steps to ensure that the Capitol Police have the resources to maintain this level of commitment. With this in mind, the bill contains a 5 percent merit pay raise for Capitol Police officers, as well as a 4.1 percent cost-of-living increase.

I would also note that the measure provides language clarifying the structure of the Capitol Police Board and authorizing the Chief of Police to appoint an executive director of the board. Moreover, it authorizes the chief to hire officers at a rate higher than the minimum rate associated with that position. The bill also includes language authorizing the Capitol Police to run their own payroll services as opposed to having the House and Senate pay some of the officers out of their systems.

We owe it to law enforcement to ensure that they and their families are provided for in this new and uncertain environment. We also owe it to the thousands of visitors to the Capitol each year so that they have confidence that they are being protected to the utmost of our ability.

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

Mr. DIAZ-BALART. Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, I am frankly not quite sure what to say on this rule. I think we need to explain what is involved in our opposition to it. Last week the Committee on Appropriations expressed the fact that we were fed up with corporations who, having received support services from our communities, law enforcement services, highways, transportation, police protection and the like, we simply got fed up with corporations who were ostensibly moving their legal locations from the United States of America to other more exotic countries in order to avoid paying taxes.

We adopted the DeLauro amendment in committee, which I was pleased to cosponsor, to try to say that if you are a company and you walk out on your obligation to pay your fair share of

taxes in this country, then you cannot expect to get contracts with the government of the country that you are abandoning.

At the same time, the gentleman from Virginia (Mr. MORAN) tried to point out in this bill that there is a study pending in the Joint Committee on Taxation which relates to the same nefarious practices, only those practices are being engaged in apparently by individuals rather than corporations. So the gentleman from Virginia (Mr. MORAN) tried to see to it that that Joint Committee on Taxation study being done was released because it has been held up.

Now what the Committee on Rules has done is to eliminate the protection under the rules for the Moran amendment so that the House can hide from this issue by having somebody move to strike that language on a point of order.

I do not know what the majority is trying to hide, and I do not know why after the steady stream of revelations that we have had about the nefarious conduct of corporations by hiding the true nature of their balance sheets, I do not know why the House is continuing to coddle individuals who are engaging in those practices; but evidently the House seems compelled to do that.

As long as that is the case, we feel compelled to vote against this rule because we feel that language should have been protected. It would be funny if it were not so sad.

What I am reminded of, with apologies to the gentleman from Massachusetts (Mr. FRANK), I was reminded yesterday by the gentleman of the lyrics of a song done by the Beach Boys years ago. Part of those lyrics go as follows:

Aruba, Jamaica, ooo I wanna take you, To Bermuda, Bahama come on pretty mama, Key Largo, Montego, baby why don't we go. Ooo I wanna take you down to Kokomo.

Mr. Speaker, that seems to be the motto of the people in this House who are hiding the activities of the jet set, both individual and corporate. To me it is a pretty sad day in the House.

So we will be voting against this rule, not because of our objections to the core bill itself, but because sooner or later we believe that the majority party leadership ought to join us in pursuing the public's right to know which individuals and which corporations are welching on their obligations to support the government that has given them the opportunities to make all of that money that they are now trying to hide and protect.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, we had an opportunity to pass a rule in a nonpartisan fashion. This should have been a good bill that we could have all agreed on and passed within a few minutes. Unfortunately, because of the rule, we have a problem with this bill.

We tried to help out. Three years ago there was a request by Chairman Bill Archer of the Committee on Ways and Means to give Congress a report on the amount of money that expatriates are sheltering overseas so they can avoid their Federal income taxes. That was 3 years ago. We have been waiting for this report, and we have not gotten it. We were not even getting a response from the committee.

So what we tried to do is in the most constructive way possible just suspend the increase on the Joint Committee on Taxation; and as soon as we got the report, they would get their increase. But the rule did not make that in order. So now we are going to have an amendment that we are going to have to fight over. It is unfortunate.

We do not know the specifics of what is in this report, but we certainly cannot figure out why the other side of the aisle would not want that information to be made public when the Federal taxpayer is paying for the Joint Committee's activities. That is the big issue. The Committee works for us and we work for American citizens.

There was another issue that was not made in order, and again we were trying to do the right thing. We put in a provision that allowed the chief of the Capitol Police to have more direct control over his troops. It was something that people who understand the issue in terms of management felt was called for. So we put that in. It was something that the Committee on House Administration should do and they did not do. We understood that it was something that they wanted us to do. We did it, and now it is not made in order.

There is a provision for student loans, to be able to pay off student loans by working for the legislative branch in the same way the executive branch provides incentive so we can acquire and retain the best personnel working for us. The Committee on House Administration has not brought it up. We put it in this bill knowing we were doing the right thing.

We tried to be constructive. We tried not to be controversial. We certainly would not want to demagogue an issue like this, but here we are in a situation where we have a rule that did not make in order two very constructive provisions. That is why we have to object to the rule, unfortunately.

Ms. SLAUGHTER. Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Mr. Speaker, since September 11, Congress has been considering many issues related to terrorism and homeland security: detection of biological and chemical agents, development of new vaccines and therapeutic drugs, aviation security, biometric technologies for border security, communications systems for the public health system, the psychological effects of terrorism, and cybersecurity.

I ask Members, particularly on the Republican side, do they feel confident

in their ability to analyze these technical issues? Can they name anyone on their staff, on their committee staff or personal staff, who is capable of analyzing these issues? I can tell Members, the answer for these technical issues and other technical issues in transportation, health care, agriculture, energy is no.

Congress used to have scientific expertise at its disposal. The Office of Technology Assessment was established in 1972 because lawmakers recognized a need for the legislative branch to have its own source of technical analysis. The OTA was defunded in 1995. During its existence, the OTA provided Congress with unbiased technical analysis.

In analyzing technical issues, OTA adopted an interdisciplinary approach. It resulted in reports that were excellent and are still regarded as excellent. And to ensure a balanced approach, a bipartisan 12-member technology assessment board comprised of six House and six Senate members, both Republicans and Democrats equally represented, governed the OTA.

The OTA should not have been abolished, but we can debate that. But no, we cannot debate that because this rule does not allow it. In 1995, Congress voted to dissolve the OTA in a misguided attempt to institute government reform.

I presented to the Committee on Rules yesterday a very clean amendment. Members will not find a cleaner amendment. This amendment would have provided \$4 million to refund the OTA, which is still authorized. There would be no legislating done here in the appropriations bill. The \$4 million would be taken without an offset against any other program, nobody's ox is gored, except perhaps the memory of a former Speaker of the House. But no. This clean amendment was not ruled in order.

The Office of Technology Assessment could be revived, but because Republicans since 1995 have been denying this body unbiased technical analysis, they would rather depend on biased sources for their scientific advice.

Mr. Speaker, this should not have happened. The Republican leadership certainly has given up any claim to want to have informed decisions on technical issues here in this Congress.

□ 1315

This was an appropriate amendment, a simple amendment. It could have been debated. Perhaps they would like to defend their abolition of the Office of Technology Assessment in 1995. Fine. Let us have that discussion. But do not pretend that you have here on Capitol Hill at your disposal the technical analysis to deal with biological and chemical agents, vaccines, aviation security, biometrics, public health communication and so forth.

Mr. Speaker, I will vote against the rule for this reason and I urge my colleagues to do the same.

Mr. DIAZ-BALART. Mr. Speaker, I yield myself such time as I may consume.

I was of the impression that our friends on the other side of the aisle perhaps had listened too much to the Beach Boys and had a few too many margaritas after hearing their arguments this afternoon until I heard the gentleman from Wisconsin's rendition of the Beach Boys song. I think maybe a couple of more margaritas would improve the rendition.

But in all seriousness, Mr. Speaker, I am somewhat confused. The main allegation being made is that the Committee on Rules is not permitting the gentleman from Virginia's issue to be discussed. This is a structured rule that required us to make in order any amendments, and the Committee on Rules made in order an amendment by the gentleman from Virginia (Mr. MORAN) precisely dealing with the issue that the gentlewoman from New York (Ms. SLAUGHTER) and he brought up. The amendment is made in order. I kind of wish we had not made it in order, but we did. In the interest of full fairness and the opportunity to debate issues, knowing the passion which the gentleman from Virginia feels on this issue, that amendment was made in order.

Maybe it is too many margaritas, I am not sure what, but I wanted to reiterate that the amendment was made in order and that we look forward as we proceed, since we did make it in order, to debate on the gentleman from Virginia's amendment and obviously then on the underlying legislation.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 15 seconds to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, I just want to respond to my friend from Florida. Our problem is that we did not want to have to cut the funding for the Joint Committee on Taxation. We just wanted to suspend the money until we get the report. That is the issue. We really do not want to be punitive and cut the funding. You only gave us the option of cutting the funding. That is our problem with the decision of the Committee on Rules.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, on November 12, 2001, President Bush signed permanent legislation which permits Federal agencies at their discretion to use appropriated funds to assist their lower income employees with the high cost of quality child care. In order to qualify, the total family income of the employee parent cannot exceed \$60,000. Additionally, the children cannot exceed the age of 13, 18 if disabled, and must be placed in licensed day care, home care or after-school care. Employees meeting these criteria could have had from 20 percent to 50 percent of their total child care

cost covered. Employees qualifying for this benefit must be working in the United States.

I attempted to have an amendment included that would have provided for a study to determine the feasibility of providing child care services to low-income employees of the legislative branch. Unfortunately, that rule was not included. We need to create an affordable child care plan for legislative branch employees. I could not understand and still cannot understand why such an amendment could not have been included so that those individuals could have the possibility of receiving benefits that would assist them to have their children in licensed day care programs.

For that reason, I too must vote against this rule because I think it could have allowed certainly this amendment which would have done no harm to anything or anybody.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. RANGEL).

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

Mr. RANGEL. Mr. Speaker, I am resisting and voting against the rule because it does not allow the House of Representatives an opportunity to work its will. We have in this bill a provision that would allow us to hold back the fundings of the Joint Committee on Taxation until such time that they release to the Committee on Ways and Means, and the House of Representatives, information which they have that would tell us with some degree of accuracy the cost to the United States for companies that have decided to leave the United States and to go abroad in order to avoid paying United States taxes. I want to thank the gentleman from Virginia (Mr. MORAN) for using this vehicle for us to get what we are entitled to get.

At the end of the day, we are not asking anyone to vote up or down. All we are saying is that when a committee that has been formed for the purpose of providing information for us to work our will based on that information, that we should have it. And whether we are under Democratic leadership or Republican leadership, the ability to stop a legitimate committee from reporting that information is against the best interests of the committee, the Congress and, indeed, our country. When that flag is up and waving as a result of the terrorists' cowardly attack on the United States of America, it would seem to me that all of us have to find some sense of responsibility as to what do we owe this great Republic, this great country of ours. And even though I have not reached the position that it is a privilege to pay taxes, I do reach the position it is a responsibility to pay taxes in order to appreciate the rights and the privileges that we have in this great country. When someone decides that they do not want to pay taxes here, that they do not like our

tax laws, what they should be doing is petitioning this Congress to change those laws, but not flee the jurisdiction of the United States and take the jobs with them abroad just for the sole purpose that they do not want to do it.

We are asking for information, and when we get so partisan that we do not like the reports, that we tell the employees we do not want to hear it, then it is up to us to say that we do not fund that type of activity. And when we are able to persuade the committee to put it in there, then the least that you can expect from the Committee on Rules is that they would protect us, because it is not Moran, it is not Democrats, it is not Republicans, it is the integrity of this great House.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. NEAL).

(Mr. NEAL of Massachusetts asked and was given permission to revise and extend his remarks.)

Mr. NEAL of Massachusetts. Mr. Speaker, the gentleman from Florida said that the issue was too many margaritas. The issue really is too few opportunities to vote on Bermuda. I am in opposition to this rule today. I am going to continue to be in opposition to these rules until there is an opportunity for this full House to vote on the issue of runaway corporations moving offshore to avoid American taxes in a time of war. The President has requested \$48 billion more for national defense, \$38 billion for homeland security, and these corporations in the dark of night are sneaking out of the country without ample opportunity for this body to take a vote on stopping it. Whether it is Stanley Tools running off to Bermuda to avoid taxes or J. Paul Getty's grandson turning in his U.S. citizenship to avoid individual income taxes, the American taxpayer wants us to act to stop these tax dodgers.

We have known that these penalties are insufficient for those who renounce U.S. citizenship for tax purposes, but since 1996 we have had no opportunity to do anything about it. These expatriates still visit, work and even live here while avoiding U.S. income taxes. The Republicans have stopped this vote from coming up, and now they even stop the report on individual expatriates from coming to the House floor. We deserve a vote and I will predict what I have said all along. Give us a vote on the Bermuda tax dodge, what these corporate traitors are doing in the dark of night, and 300 Members of this body at a minimum will vote to do something about it.

Stop blocking this opportunity. We need the report to find out what is happening with these billionaires and our tax revenues. Let me say this. We can stand here and hold hands and sing "God Bless America," but part of the blessings that we enjoy in this country are paying for the benefits that we have as well. Give us a vote on the Bermuda tax dodge.

Mr. DIAZ-BALART. Mr. Speaker, I yield 5 minutes to the gentleman from Tennessee (Mr. WAMP).

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

Mr. WAMP. Mr. Speaker, I rise to engage Chairman Taylor in a colloquy.

Mr. Chairman, in the Southeast we are facing a major problem with a veterans' health care system that is outdated and no longer able to meet the needs of those who have placed their lives on the line to preserve our freedom. We have seen a recent trend of veterans moving southward, yet the medical facilities that are in place in these States seeing the greatest influx are not sufficient to meet their needs.

In July of 2000, the Veterans' Administration entered into a contract in my district with Erlanger Hospital in Chattanooga, Tennessee that created a pilot project to provide quality medical service to our veterans closer to home. There are currently veterans in my district who are forced to wait months for appointments in Murfreesboro or Nashville when by utilizing services at Erlanger Medical Center, our regional safety net public hospital, they can reduce their wait time as well as their travel.

Since the inception of the program in July 2000, I believe that the VA never truly committed to this contract. In the first year of this pilot program, there were only 24 referrals to Erlanger from the VA. When Erlanger renewed for a second year, we negotiated contract changes to increase the volume of veterans eligible to be referred to Erlanger. However, the second year of the program saw only a meager increase in referrals to 34. Despite the fact that Erlanger is being reimbursed at the Medicare rate, the VA refuses to refer the vast majority of the veterans in the area and instead forces them to make the long trip to the veterans' hospital 2 hours away. The current contract is set to expire next month, August 31, and the VA received zero bids for their requests for proposals.

Mr. Chairman, I want to thank you for agreeing to join me in sending a letter to the GAO requesting a study of this pilot project and the reasons for its failure. We have asked the GAO to undertake a study of the VA Tennessee Valley Health Care System-Erlanger Medical Center contract in Chattanooga, Tennessee. The focus of the study should be for the GAO to evaluate the 2-year contract, the volume of referrals, system for referring veterans, the funding allocated to the contract and the total amount expended. The study should also focus on the specific reasons for contract termination, adjustments of future contracts, diagnosis and medical services list, like surgery, the number of veterans that qualified under the terms of the contract that were not referred, and the cost estimate to continue this contract with the focus on quality care closer to home for veterans.

Furthermore, we would like the GAO to review and update an inspector general's report on the Chattanooga outpatient clinic. This update should include wait times for appointments, referral times to a VA hospital, staffing issues and physical capacity to accommodate increasing patient load, specialty care provided by the Chattanooga outpatient clinic, and report back to the subcommittee and me as soon as possible.

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

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

Mr. TAYLOR of North Carolina. Mr. Speaker, I do share the gentleman's sentiments about the accessibility of quality care for our Nation's veterans. North Carolina has also experienced an influx of veterans in recent years and the failure of this VA pilot program is a setback in our efforts to provide all veterans with quality and convenient health care. I am pleased to work with you on this matter and look forward to receiving and reviewing the GAO study.

Mr. WAMP. I commend and thank our distinguished chairman for working with me on this important issue for our veterans in the Southeast. The recent migratory trends in our veteran population affect much of the South and I know that the chairman shares my concern about the medical attention that they are being provided.

□ 1330

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I thank the gentlewoman for yielding me this time.

I am going to support the underlying bill, as I know the ranking member and certainly the chairman will. I will speak at greater lengths on the substance of the bill, which is excellent, and I appreciate the gentleman from North Carolina (Mr. TAYLOR) working with us.

Mr. Speaker, we are in an environment that is very dangerous. It is an environment in which secrecy in the marketplace has undermined the confidence of investors. It has undermined the confidence of the investors to the extent that the market has plummeted, and millions of people have lost very substantial amounts in their 401(k)s, their Keoughs, and other savings plans.

One might say, well, that is interesting. What does it have to do with this bill? What it has to do with this bill is that we ought to be in an environment of making sure that investors, in this case taxpayers who invest in America, know what is happening with their tax dollars, and know what is happening with those around them in terms of contributing to the war on terrorism, to homeland security, to education, to health care, to the welfare and greatness of this Nation. That

is what the Moran amendment seeks to do.

Very frankly, self-respect, if nothing else, should compel us to adopt the Moran amendment. Self-respect to the extent that the House says to one of its committees, produce a report, in this case, the Republican chairman of the Committee on Ways and Means, not a Democrat. Notwithstanding that request, and notwithstanding the fact that the Joint Committee on Taxation conducted a study about tax absconders, tax dodgers, that report is being kept secret.

Mr. Speaker, we ought to oppose this rule and put the Moran amendment back in this bill.

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

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

Mr. LEVIN. Mr. Speaker, there is just one basic issue relating to this rule: Why is the Republican majority hiding a report on individuals who flee America and give up their citizenship, in a sense, in name, in order to avoid paying American taxes? Why are our Republican colleagues hiding it? They should use some of their time to answer that question.

In 1999, the gentleman from New York (Mr. RANGEL) tried to address this, and in order to avoid it, the Republican majority said there will be a study with a report back by 2000. As far as I know, this is the year 2002.

Why are all other provisions that have some legislating in them, why are they all protected except this one? I yield any remaining time to the gentleman from Florida to respond.

Ms. SLAUGHTER. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, what does it mean to be an American? We all have our personal reflections, sometimes finding an answer in a school child's essay, a veteran's speech, or a visit to the Lincoln Memorial. Most Americans understand that freedom is not free, and that the price of being a part of the greatest Nation in the history of the world is accepting the responsibility to pay for our security at home and abroad.

But some of our wealthiest Americans have shirked their responsibility and fled to foreign shores. These individual ex-patriots, just like their corporate cousins at Stanley Works, have elected personal gain over patriotism.

More than three years have passed since the Joint Committee on Taxation was first asked to evaluate whether existing rules for these ex-patriots were being applied as we intended them here in Congress. It only took *Forbes Magazine* a short while. Three years ago, in three words they concluded, "It ain't working." And it is still not.

Now, some cynics suggest that the Joint Committee on Taxation has stonewalled and delayed this report be-

cause they want to thwart the efforts of Democrats to ensure that billionaires are paying their fair share. As I said, in 1995, when this issue was up, Newt Gingrich and the Republicans had as their agenda a "pattern of protection of plutocrats" in what they called the "Contract on America."

Today, though, I offer a more humble suggestion. Perhaps the Joint Committee on Taxation is simply short-handed and understaffed, because too many of its staff members have moved on to greener, indeed, much greener pastures. Ken Kies, who was the chief of staff of this very same committee from 1995 to 1998 under the Republicans, left to join Pricewaterhouse Coopers where, in 2000, he lobbied on behalf of the same Section 877 Coalition to weaken the already modest limitations on these billionaires, who renounce America. The Coalition members, of course, like this Joint Committee report, remained secret because he never revealed the clients, who were paying for the lobbying in his official lobbyist disclosure reports.

Pricewaterhouse Coopers Consulting has since itself renounced America, re-emerged and reincorporated abroad to dodge taxes under the unusual name "Monday."

Nor did Ken Kies devote all of his time in this manner. He took time out in March of this year, according to a solicitation from the National Republican Congressional Committee, to meet with contributors, together with the chairman of the Committee on Ways and Means, the gentleman from California (Mr. THOMAS), to, according to this solicitation, instruct those who were invited "how to cut your taxes and stimulate your business." No doubt this was a most insightful presentation.

Nor is Ken Kies the only former staff member of this particular committee to find greener pastures elsewhere. Barbara Angus, who served on this Joint Committee on Taxation, moved over to Price Waterhouse and joined the same coalition fighting on behalf of the billionaire ex-patriots. That, of course, is not where Republican Barbara Angus is today. Today, President Bush has appointed her as the international tax counsel for the United States Department of Treasury, where she is undoubtedly seeking to ensure that her former clients pay their fair share.

To protect the public Treasury, the Bush Administration supported by its allies here in Congress, is anointing lapdogs instead of appointing watchdogs. The same reason why the Republicans bar the public from reading this report is why they are obstructing the legislation I have introduced on abusive tax shelters and to end this Bermuda tax dodge. Their watchword is "friends do not let friends pay taxes," or, in the memorable words of Leona Helmsley, "taxes are for the little people."

And there is a cycle: Draft weak laws. Lobby on behalf of billionaires to

keep them weak, and then return to government to police the same laws.

Mere requests in English to produce this report for three years have been unsuccessful, so we must talk in the only language that these folks understand money: no report, no money. Support the Moran amendment.

Mr. DIAZ-BALART. Mr. Speaker, I would inquire, has all the time on the other side expired?

The SPEAKER pro tempore (Mr. GILLMOR). Yes. All time of the gentleman from New York has expired.

Mr. DIAZ-BALART. I thank the Speaker for the clarification.

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

Mr. Speaker, I want to point out again, because I have been trying to follow the arguments that have been coming from the other side, and I saw in one of the publications here on the Hill today that they have all gotten their orders and they are going to talk on this issue from now until eternity, no matter what the matter at hand is about.

I want to point out that the amendment from the gentleman from Virginia (Mr. MORAN) was requested of the Committee on Rules. We did not impose it on the gentleman. We did not in the Committee on Rules say we are going to force the amendment down onto the gentleman from Virginia (Mr. MORAN). He requested of us, and we made it in order. We have made the Moran amendment in order precisely because of the fervor with which it was made clear that the gentleman from Virginia (Mr. MORAN) wanted it to be heard and discussed.

With regard to the statement of a colleague who got up, I forget who he was, and said that we were hiding something, this report, not only are we not hiding anything, this report is of the Joint Tax Committee. The chairman of the Joint Tax Committee, it is my understanding, is Mr. BAUCUS, a Senator from, I believe it is Montana. I would hope and assume that they would talk with the chairman of the committee that they think is hiding something. It happens to be a member of their party. But I saw in the paper today what the strategy is, and that is part of the process.

But also part of the process is something serious, which is the legislative branch appropriations bill, including the Capitol Police, that we have brought to the floor and, as I said before, with commendations and admiration for the men and women of the Capitol Police. So I would urge my colleagues to pass this rule and pass the underlying legislation, get on with the business, despite what we see in the little papers about strategies and tactics and dreams; everyone is entitled to dreams. Let us get on with the Nation's business, and let us pass the rule.

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

Mr. DIAZ-BALART. I yield to the gentleman from Georgia.

Mr. COLLINS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, if I understand this amendment correctly, it is to reduce the Joint Committee on Taxation's appropriation or budget by some \$590,000, because of a report. That report is not going to change why people expatriated. Mr. Speaker, when they leave this country and go anywhere else in the world to make money, they are going to pay tax. The reason they are doing so is because of a country that has less taxation. The liability is less. That is America: freedom to go wherever you want to. I do not like it. I do not like it because people are leaving.

Stanley Works has been mentioned. If I read right, Stanley Works wants to reincorporate in Bermuda. They would save some \$32 million based on the difference in taxation. Does not that type of movement or reason to move or incentive to move tell us that our tax codes, our tax structure is penalizing people? Now, they are leaving the business here and the jobs here. They are moving taxation. I would rather they stay here. But this \$590,000, we could make it \$1 million, it is not going to change the reason. The reason is the environment.

Mr. Speaker, it bothers me when, based on the current environment in this town, that the word "profit" or "profits" is a bad word. Profits only relate to people who are in business who are greedy, commit fraud and do not do right with their bookkeeping. That is not true. Profits of business, whether it is a one-man operation, one-woman operation or a conglomerate, those profits relate directly to salaries, to income, to retirement, to savings, to health care for their families.

□ 1345

It all comes from profits. And we are penalizing business in this country with the high cost of taxation. All business does is collect it from the private sector through their sales.

I have been into a lot of businesses to buy a product, or even buy a vehicle or a major purchase. I have never been given two bills, one for the purchase that I was making, and the other for the taxes they were making off of the profit they were going to have to pay the government. It is all-inclusive. The end result is the consumer pays the bill.

We have different tax provisions in this country than we will find in other parts of the world. We should look at those areas. Some of the gentlemen who have gotten up and spoken are on the Committee on Ways and Means. They know this as well as I do.

We double-tax dividends that companies pay to their investors. We were talking about the investors a minute ago, the 401(k)s, the IRAs. We double-tax those dividends. Other nations do not do that. European nations do not do that. That is the reason we have several who have located in Europe.

A lot of industrialized nations do not have capital gains tax; we do. I do not

know of another country that has an alternative minimum tax, but we do. Let us talk about those things and what we can do in changing the tax law, or in the regulatory provisions and costs that we impose on a business that will do away with that corrective to move offshore, to reincorporate in Bermuda, to sell out to a company in Europe or Asia.

A plant in my district just sold to a group in China. They are going to leave the plant there, hopefully. They may close it, because they are opening a plant, too, in China. I do not like that, but this is not going to do any changing to it. It will not change it, I say to the gentleman from Virginia (Mr. MORAN), not at all.

I would like to see the report, too. It is forthcoming, I hope. But I hope that this Congress will spit out that bitter taste they have about business and profits and address the real problem, that is, the costs that we impose as a Congress on business, to do business in this country. It directly reflects the individual worker here.

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

Mr. DIAZ-BALART. I yield to the gentleman from Tennessee.

Mr. WAMP. Mr. Speaker, I just want the record to reflect and to be clear, we debated this expatriate issue at the full Committee on Appropriations. An overwhelming bipartisan vote took place against expatriate corporations, and the gentlewoman from Kentucky (Mrs. NORTHUP) and myself led the Republican debate to hold these companies accountable; to say to expatriated companies, they cannot do business with the Federal Government. It was a defense measure, to say they could not contract with defense. I stood to say we should go further. They should not do Medicare, Medicaid business, and should not contract with the Federal Government.

This is not a Democrat or Republican issue. To me, this is an American issue. I said that these corporations are un-American that seek to set up shop in foreign countries to avoid paying taxes. We need to hold them accountable.

This amendment is about joint taxation, where they have connected this issue. I hope we can reach agreement with the authorization committee to accommodate the gentleman from Virginia (Mr. MORAN). But this issue of expatriation, in a bipartisan way I believe people of patriotic fervor will come together to say that we have to say, if you are going to do business in America, be American, pay your taxes, pull your load, do what is right for the workers.

Republicans and Democrats are going to hold corporate America to a standard; we are not going to regulate them into oblivion. The gentleman from Georgia is right, we cannot tax them, regulate them, or litigate them too much or they will be strangled. We want the free enterprise system.

But we have to say to American corporations, they should pay their taxes as they go. We say it with a unified bipartisan voice. We did it in the committee, a bipartisan vote. So before the gentleman makes hay out of this all the way to November, understand we stand together in a bipartisan way to hold American corporations accountable.

Mr. DIAZ-BALART. Reclaiming my time, Mr. Speaker, we have made the amendment of the gentleman from Virginia (Mr. MORAN) in order. I think it is appropriate that we get to the underlying legislation and that we fund the legislative branch, which is what the business of today is. Despite the hay we have heard, they had more than half their time on the floor here.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. GILLMOR). The question is on the resolution.

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

Ms. SLAUGHTER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 219, nays 206, not voting 9, as follows:

[Roll No. 319]

YEAS—219

Aderholt	Culberson	Hart
Akin	Cunningham	Hastings (WA)
Armey	Davis, Jo Ann	Hayes
Bachus	Davis, Tom	Hayworth
Baker	Deal	Hefley
Ballenger	DeLay	Herger
Barr	DeMint	Hilleary
Bartlett	Diaz-Balart	Hobson
Barton	Doolittle	Hoekstra
Bass	Dreier	Horn
Bereuter	Duncan	Hostettler
Biggert	Dunn	Houghton
Bilirakis	Ehlers	Hulshof
Blunt	Ehrlich	Hunter
Boehrlert	Emerson	Hyde
Boehner	English	Isakson
Bonilla	Everett	Issa
Bono	Ferguson	Istook
Boozman	Flake	Jenkins
Brady (TX)	Fletcher	Johnson (CT)
Brown (SC)	Foley	Johnson (IL)
Bryant	Forbes	Johnson, Sam
Burr	Frelinghuysen	Jones (NC)
Burton	Gallegly	Keller
Buyer	Ganske	Kelly
Callahan	Gekas	Kennedy (MN)
Calvert	Gibbons	Kerns
Camp	Gilchrest	King (NY)
Cannon	Gillmor	Kingston
Cantor	Gilman	Kirk
Capito	Goode	Krollenberg
Castle	Goodlatte	Kolbe
Chabot	Goss	LaHood
Chambliss	Graham	Latham
Coble	Granger	LaTourette
Collins	Graves	Leach
Combest	Green (WI)	Lewis (CA)
Cooksey	Greenwood	Lewis (KY)
Crane	Grucci	Linder
Crenshaw	Gutknecht	LoBiondo
Cubin	Hansen	Lucas (OK)



Manzullo	Radanovich	Stearns
McCrery	Ramstad	Stump
McInnis	Regula	Sullivan
McKeon	Rehberg	Sununu
Mica	Reynolds	Sweeney
Miller, Dan	Riley	Tancredo
Miller, Gary	Rogers (KY)	Tauzin
Miller, Jeff	Rogers (MI)	Taylor (NC)
Moran (KS)	Rohrabacher	Terry
Morella	Ros-Lehtinen	Thomas
Myrick	Roukema	Thornberry
Nethercutt	Royce	Thune
Ney	Ryan (WI)	Tiahrt
Northup	Ryun (KS)	Tiberi
Norwood	Saxton	Toomey
Nussle	Schaffer	Upton
Osborne	Schrock	Vitter
Ose	Sensenbrenner	Walden
Otter	Sessions	Walsh
Oxley	Shadegg	Wamp
Paul	Shaw	Watkins (OK)
Pence	Shays	Watts (OK)
Peterson (PA)	Sherwood	Weldon (FL)
Petri	Shimkus	Weldon (PA)
Pickering	Shuster	Weller
Pitts	Simmons	Whitfield
Platts	Simpson	Wicker
Pombo	Skeen	Wilson (NM)
Portman	Smith (MI)	Wilson (SC)
Pryce (OH)	Smith (NJ)	Wolf
Putnam	Smith (TX)	Young (AK)
Quinn	Souder	Young (FL)

## NAYS—206

Abercrombie	Gonzalez	Millender-
Ackerman	Gordon	McDonald
Allen	Green (TX)	Miller, George
Andrews	Gutierrez	Mink
Baca	Hall (OH)	Mollohan
Baird	Hall (TX)	Moore
Baldacci	Harman	Moran (VA)
Baldwin	Hastings (FL)	Murtha
Barcia	Hill	Nadler
Barrett	Hilliard	Napolitano
Becerra	Hinchey	Neal
Bentsen	Hinojosa	Oberstar
Berkley	Hoeffel	Obey
Berman	Holden	Olver
Berry	Holt	Ortiz
Bishop	Honda	Owens
Blagojevich	Hoolley	Pallone
Blumenauer	Hoyer	Pascarell
Borski	Inslee	Pastor
Boswell	Israel	Payne
Boucher	Jackson (IL)	Pelosi
Boyd	Jackson-Lee	Peterson (MN)
Brady (PA)	(TX)	Phelps
Brown (FL)	Jefferson	Pomeroy
Brown (OH)	John	Price (NC)
Capps	Johnson, E. B.	Rahall
Capuano	Jones (OH)	Rangel
Cardin	Kanjorski	Reyes
Carson (IN)	Kaptur	Rivers
Clay	Kennedy (RI)	Rodriguez
Clayton	Kildee	Roemer
Clement	Kilpatrick	Ross
Clyburn	Kind (WI)	Rothman
Condit	Kleczka	Roybal-Allard
Conyers	Kucinich	Rush
Costello	LaFalce	Sabo
Coyne	Lampson	Sanchez
Cramer	Langevin	Sanders
Crowley	Lantos	Sandlin
Cummings	Larsen (WA)	Sawyer
Davis (CA)	Larson (CT)	Schakowsky
Davis (FL)	Lee	Schiff
Davis (IL)	Levin	Scott
DeFazio	Lewis (GA)	Serrano
DeGette	Lipinski	Sherman
Delahunt	Lofgren	Shows
DeLauro	Lucas (KY)	Skelton
Deutsch	Luther	Slaughter
Dicks	Lynch	Smith (WA)
Dingell	Maloney (CT)	Snyder
Doggett	Maloney (NY)	Solis
Dooley	Markey	Spratt
Doyle	Matheson	Stark
Edwards	Matsui	Stenholm
Engel	McCarthy (MO)	Strickland
Eshoo	McCollum	Stupak
Etheridge	McDermott	Tanner
Evans	McGovern	Tauscher
Farr	McIntyre	Taylor (MS)
Fattah	McKinney	Thompson (CA)
Filner	McNulty	Thompson (MS)
Ford	Meehan	Thurman
Frank	Meek (FL)	Tierney
Frost	Meeks (NY)	Towns
Gephardt	Menendez	Turner

Udall (CO)	Watson (CA)	Woolsey
Udall (NM)	Watt (NC)	Wu
Velazquez	Waxman	Wynn
Visclosky	Weiner	
Waters	Wexler	

## NOT VOTING—9

Bonior	Fossella	McCarthy (NY)
Carson (OK)	Lowey	McHugh
Cox	Mascara	Traficant

## □ 1420

Mr. DELAHUNT and Mr. MEEHAN changed their vote from “yea” to “nay.”

Mr. SIMPSON changed his vote from “nay” to “yea.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

### MAKING IN ORDER PRO FORMA AMENDMENTS DURING CONSIDERATION OF H.R. 5121, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2003

Mr. DIAZ-BALART. Mr. Speaker, I ask unanimous consent that during the consideration of H.R. 5121, pursuant to House Resolution 489, pro forma amendments offered by the chairman and ranking minority member of the Committee on Appropriations or their designees for the purpose of debate may be offered at any time.

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

There was no objection.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested a bill of the House of the following title:

H.R. 5011. An act making appropriations for military construction, family housing, and base realignment and closure for the Department of defense for the fiscal year ending September 30, 2003, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 5011) “An Act making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2003, and for other purposes,” requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mrs. FEINSTEIN, Mr. INOUE, Mr. JOHNSON, Ms. LANDRIEU, Mr. REID, Mr. BYRD, Mrs. HUTCHISON, Mr. BURNS, Mr. CRAIG, Mr. DEWINE, and Mr. STEVENS to be the conferees on the part of the Senate.

### GENERAL LEAVE

Mr. TAYLOR of North Carolina. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend

their remarks on the bill, H.R. 5121, and that I may include tabular and other extraneous material.

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

There was no objection.

### LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2003

The SPEAKER pro tempore. Pursuant to House Resolution 489 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 5121.

## □ 1422

#### 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 consideration of the bill (H.R. 5121) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2003, and for other purposes, with Mr. HANSEN in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from North Carolina (Mr. TAYLOR) and the gentleman from Virginia (Mr. MORAN) each will control 30 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. TAYLOR).

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, today we take up the fiscal year 2003 legislative branch appropriations bill; but before we begin, I would like to thank the hard work of the Members of the subcommittee, especially the gentleman from Virginia (Mr. MORAN), our ranking member.

I would like to note that our subcommittee has taken a reasoned approach to our increased needs in the aftermath of September 11. I am pleased to note that we provided a modest 5 percent overall increase over the current fiscal year in this bill. This is especially reasonable when one realizes that well over 75 percent of our costs are personnel related and the cost-of-living component government-wide this year is 4.1 percent. Price level increases account for 1.8 and almost 2 percent of the government-wide spending increase this year. So, in real terms, we have kept our bill below the rate of inflation and cost increases.

We have provided the necessary and sufficient funding in this bill for our security needs, a police pay increase of 5 percent, in addition to their COLA, and increased management flexibility for our new chief. We provide the police with all the additional manpower that they acknowledge that they can recruit and train in the upcoming year.

We have continued our commitment to digitalization at the Library of Congress and gotten back on track with their building program and storage