

and 2024, taxpayer subsidies to buy ObamaCare health plans will total \$855 billion, making taxpayers unwittingly, wherever they live, complicit in abortion.

GAO has also found that even an accounting trick embedded in ObamaCare requiring premium payers to be assessed a separate, monthly abortion surcharge is being completely ignored. The surcharge would have added some modicum of transparency so individuals would know whether they are purchasing a pro-life or pro-abortion health insurance plan.

Senator Ben Nelson of Nebraska summed up the plain meaning—the absolutely plain meaning—of the law when he said that you have to write two checks, one for the abortion coverage and one for the rest of the premium.

According to the GAO, none of the 18 insurance companies they interviewed are billing the abortion surcharge separately. None. So much for the rule of law.

Last year, Members of Congress and some staff were barred from any further participation in the Federal Employees Health Benefits plan, the FEHB, and compelled on to ObamaCare exchanges.

After months of misinformation, obfuscation, and delay, I finally learned that, of the 112 plans offered on the exchange for my family, 103 of those plans pay for abortion on demand, a clear violation of the Smith amendment, a Hyde-like amendment that I first sponsored on the floor back in 1983 and has been the law of the land for all of these years, except for 2 years during the Clinton administration.

Madam Speaker, Americans throughout the country have raised very serious questions that they find it nearly impossible to determine whether the plan that they are purchasing finances or subsidizes the killing of unborn children—there is little or no transparency—hence the request by several Members of Congress, including our distinguished Speaker, Speaker BOEHNER, that the Government Accountability Office investigate.

As the November 15 open enrollment approaches for ObamaCare, we have no reason now to believe that the President's promise of this most transparent government in history will give consumers basic information about the abortion coverage.

First, we were told it wouldn't be in there—again, a promise made right from this podium, Madam Speaker—and then by way of executive order; and, now, we can't even find out, clearly and unmistakably, which plans include abortion and which do not.

To end President Obama's massive new funding of abortion on demand, Madam Speaker, last January, the House of Representatives passed my bill—a totally bipartisan bill—overwhelmingly known as the No Taxpayers Funding for Abortion and Abortion Insurance Full Disclosure Act.

Madam Speaker, when our friend and colleague on the other side of this building, HARRY REID, was a Member of the House, he was as pro-life as Henry Hyde. Now, as a majority leader, he refuses to even allow H.R. 7 and its companion bill offered by Senator WICKER to come up for a vote.

With respect to the distinguished Senator and on behalf of the weakest and the most vulnerable, the unborn children and those who will be hurt by abortion—their moms—I respectfully ask that he reconsider and post the legislation for a vote.

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

UNITED STATES TAX CODE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Georgia (Mr. WOODALL) for 30 minutes.

□ 2100

Mr. WOODALL. Madam Speaker, I appreciate the recognition. I appreciate you staying with me into the evening tonight.

I wish I could tell you I was bringing you good news, but I am bringing you some bad news. It is bad news that you have already heard. I have the most recent Tax Foundation rankings of international tax competitiveness.

We talk so much about jobs and the economy. We talk about how to make a difference in the lives of middle class families. We talk about jobs that are moving overseas. We talk about whether or not we are going to grow this economy. This is the ranking of the most competitive Tax Codes in this country.

I want you to think about, Madam Speaker, what those things are that we can do to be more competitive in this country.

We could lower everyone's wages. That would make it cheaper to build things in this country. I think that is an awful idea.

We could ignore environmental regulations. That would make things easier and cheaper to build in this country. That is an awful idea.

One of the things we could do, though, is deal with our tax system, a tax system that, so says the Tax Foundation, is the 32nd worst tax system of the 34 OECD countries—32nd worst in tax competitiveness.

Now, they are looking at everything. They are looking at individual taxes. They are looking at corporate taxes. You go way over here on the end, Madam Speaker, you get to the international tax rules rank. That is how well we work with the rest of the world with our tax system. America ranks dead last.

Why do I bring that up, Madam Speaker? I bring it up because I am reading from our Treasury Secretary, Jack Lew, his comments at the Urban Institute last week. He's talking about

American corporations moving their headquarters overseas. Not moving a factory overseas, but moving their international headquarters overseas. And he says this:

This practice allows the corporation to avoid their civic responsibilities while continuing to benefit from everything that makes America the best place in the world to do business.

Worst place in the world to do business, that is what the Tax Foundation tells us.

I read on from Jack Lew's speech. He said:

The best place in the world to do business: our rule of law, our intellectual property rights, our support for research and development, our universities, our innovative and entrepreneurial culture, our skilled workforce.

Again, speaking about the practice of moving your headquarters overseas, he says:

This may be legal, but it is wrong, and our laws should change. By effectively renouncing their citizenship, these companies are eroding America's corporate tax base.

That means all other taxpayers will have to shoulder their responsibility.

I go again to a Tax Foundation chart, Madam Speaker. It is a chart of what the rate is. And you can't see what the individual corporate tax rates are, but what you can see is the green lines here. That is the average corporate tax rate. Around the world, it is 25 percent.

You see another green line, that is the weighted average by the size of the economy. That of course gives more weight to the larger economies on the planet. That goes up to 29 percent.

And at the bottom of this chart, Madam Speaker, you see in red the United States of America, with the absolute highest corporate tax rate in the world. By our own design—and I say "our own." I have not gotten to vote on a corporate Tax Code, Madam Speaker, since I have been in this Chamber for 3½ years, but by our design as a nation we have created the absolute worst place to do business on the entire planet.

Our Treasury Secretary calls companies who observe that and make changes because of that so that our grandmothers and our grandfathers and our pension programs and everyone who relies on the success of those companies in order to meet their fixed income demands so that those companies can succeed, he calls that a shirking of civic responsibility.

I am on the floor tonight, Madam Speaker, to suggest that it is not those companies that observed that America is the worst on the planet and move elsewhere that are shirking their responsibilities. It is those of us in this Chamber, those of us on Capitol Hill, those of us in Washington, D.C., who are responsible for this corporate tax road, it is we who are shirking our civic responsibilities because we can do better.

I know it is getting late, Madam Speaker, and I hate to take you

through the math, but when we talk about tax codes and why they are so bad, it is the math that matters. This is the tax liability for a corporation doing business in the United States of America.

Let's say you earned \$1,000. You are going to pay a 35 percent rate. You are going to add State taxes to that rate as well. It is going to be about 39.1 percent, on average, about \$391 out of every \$1,000. So at the end of the day, you are going to be able to take home \$609 to pay your salaries, to invest in your business, to grow your company—\$609. That is an American company doing business in America.

How about a Canadian company doing business in Canada? Same \$1,000 worth of income. They are paying a 15 percent tax rate at the national level. They are also having a provincial tax rate added to that, totals to about 26.5 percent, \$265. They are taking home \$735.

You earn \$1,000 worth of income as an American company doing business in America, you take home \$609. You earn \$1,000 in income in a Canadian company doing business in Canada, you take home \$735.

I know what you are thinking, Madam Speaker. You are thinking that's apples to oranges. One is doing business in America; one is doing business in Canada. Let's look further.

Let's say we take those same two companies, that one American company, that one Canadian company, and let's say they are both doing business in the United States of America. They earn \$1,000. They pay \$391 in taxes. They are at the highest corporate tax rate in the world. That American company takes home \$609.

Go to the Canadian company doing business in America. They earn that same \$1,000. They pay that same highest corporate tax rate that America has, the highest in the world. They take home \$609. Whether you are the U.S. company or the Canadian company, you do business in America, you pay the same tax.

I know what you are thinking, Madam Speaker. You are saying, Well, what is the argument here? What is the issue that we have to come together and solve? It is this issue right here, Madam Speaker.

Let's say you are not doing business in America. Let's say you are doing business in Canada. We are going to take that same American company, we are going to take that same Canadian company, and we are going to look at what happens when they are doing business in Canada.

That American company earns \$1,000. It pays the Canadian Government \$265. The Canadian company raises \$1,000, and they pay the Canadian Government \$265. But it is what happens next that makes America one of the worst tax codes in the world.

When you try to bring that \$735 you have left over back to America, you pay American taxes on top of what you have already paid Canada.

So the U.S. corporation doing business in Canada earns \$1,000; they end up with \$650 at the end of the day. The Canadian company doing \$1,000 worth of business in Canada pays their taxes, ends up with \$735 at the end of the day. That is why companies are moving overseas. They do exactly the same business in exactly the same place as all of their international competitors, but simply because their headquarters is based in America, they pay more.

The power to tax is the power to destroy. And because of the way we have chosen to tax our companies, a methodology that has been rejected by most of the rest of the world, we punish every single company that chooses to stay in America employing Americans.

We have been talking about it in terms of Burger King and Tim Hortons. I don't know if you are a Burger King fan, Madam Speaker. I don't know if you are a Tim Hortons fan. I love them both. I love them both. And the suggestion has been made that when Burger King and Tim Hortons are going to get together and the headquarters is going to be located in Canada instead of America, that that is somehow an unpatriotic decision being made by Burger King.

I want you to see the revenue by category that this new Burger King-Tim Hortons merger is going to have. This acquisition by Burger King is going to have about 20 percent of the revenue coming from America, about 67 percent of the revenue coming from Canada, about 13 percent coming internationally.

I go back to this chart, Madam Speaker, where I said, What if you are doing business in Canada? If you are an American company, you take home less, not a little less, but more than 10 percent less. If you are a Canadian company, you take home more. Same amount of business, same country of business location, but because your headquarters is somewhere different, you take home less money.

Well, if you are Burger King and you are in this Tim Hortons acquisition, you are making most of your money in Canada, so what are you supposed to do?

If I ask the White House, they would tell me I am supposed to stay in America and put up with the absolute worst Tax Code the country has ever seen, this country has ever seen, but also the worst tax code anywhere on the planet.

This is America for Pete's sakes. We can do better.

It is not that Burger King is choosing to leave America; it is that America is running Burger King out. And that, that responsibility lies with us here in this Chamber.

It is an arcane issue called a worldwide tax system versus a territorial tax system. When you are in a worldwide tax system—and there are only seven countries left in the world that do this—you double-tax your companies. You charge them a tax based on the country in which they earned the

money, and then if they bring that money back to America, you charge them another tax on top of that.

Most nations on this planet, most nations with First World economies, they use what is called a territorial tax system. That means whatever country you raise the money in, you pay the tax in; and when you bring that money back to your home country, you are not double-taxed one more time.

This is the issue we ought to be talking about. We shouldn't be talking about patriotism. We should be talking about common sense as it relates to having America compete in a global economy.

I ask you, Madam Speaker, if we have the absolute worst tax code in the world, if we have the absolute highest corporate tax rate in the world, if we have the least competitive international tax system in the world, what do you think is going to happen to international businesses when they make their decision about whether or not to locate in America? They decide no. They decide no.

Madam Speaker, I want to talk just a little bit about what President Obama has said. It is called corporate inversion. When you move your headquarters from America, you acquire a different company overseas, you make that your international headquarters, it is called a corporate inversion. You may have seen that in the news. Here is what President Obama's has had to say about it:

Even as corporate profits are higher than ever, there is a small but growing rube of big corporations that are fleeing the country to get out of paying taxes.

Fleeing the country to get out of paying taxes.

President Obama goes on. He says,

I say "fleeing the country," but they are not actually doing that. They are not going anywhere. They are keeping their business here, but they are moving their headquarters. They don't want to give up the best universities, the best military, the advantages. They just don't want to pay for it, so they are technically renouncing their U.S. citizenship.

Well, that sounds very similar to what I read from Jack Lew a little bit earlier. That is the party line coming out of the White House.

I go on. President Obama says:

These businesses are playing by the rules, but these companies are cherry-picking the rules and it damages our Nation's finances. It makes it harder to invest in things like job training.

He says:

I am not interested in punishing these companies, but I am interested in economic patriotism.

As a government, we have crafted the most punishing tax code on the face of this Earth. We have created the longest list of disincentives to locate your business in our country that is available anywhere on the planet today. And the question the President is asking is: I don't want to punish these companies, but where is their economic patriotism?

Madam Speaker, where is our economic patriotism? The Tax Code is something we created. Do you believe for a moment if the 435 of us in this Chamber got together to write the Tax Code today we would write the absolute worst tax code available anywhere on planet Earth? I don't think so. If we designed this Tax Code from scratch, we would have done something very different, but this is where we would have ended up.

I will close with this from the President:

Now, the problem is this loophole. They are using it in our tax laws, but it is actually legal. My attitude is I don't care if it is legal; it is wrong.

I don't care if it's the law of the land, I don't care if it's the law, they shouldn't do it anyway.

□ 2115

When I think about the law, Madam Speaker, I don't know where you go, but I go to the courts for answers. And it is interesting that this idea of economic patriotism—this isn't the first time we have heard it—it has been argued in court time and time again.

I quote from the Second Circuit, affirmed by the Supreme Court:

Anyone may so arrange his affairs that his taxes shall be as low as possible; he is not bound to choose that pattern which best pays the Treasury. There is not even a patriotic duty to increase one's taxes.

We have had the suggestion: economic patriotism, you should pay more, you should pay more. It is not our fault, it is the Congress; it is not our fault, it is the government; it is your fault as the job creator out in America, you should be doing something different.

We saw this again, another Second Circuit case:

Over and over again the courts have said that there is nothing sinister in so arranging one's affairs as to keep taxes as low as possible. Everybody does so, rich or poor alike, and all do right. For nobody owes any public duty to pay more than the law demands. Taxes are enforced extractions, not voluntary contributions. To demand more in the name of morals is mere cant. Taxes are extractions, not voluntary contributions.

Madam Speaker, I want to say to all of my colleagues, everybody in the administration: If you don't believe you are paying enough in taxes, we can give you an address to the Treasury Department where you can mail your check. Taxes are extractions. If you are interested in a voluntary contribution, I can tell you where to mail your check.

Tax law exists to provide certainty, not just certainty to employers, but also to investors, also to entrepreneurs, also to families, also to employees, to those folks who show up to work day in and day out. The law provides us with certainty.

We, as a government, have created the worst tax environment on the planet in which to do business, and the leader of our government wants to blame the companies that have stuck with us day in and day out for the last

50 years. The wonder isn't that companies are leaving us today, Madam Speaker; the wonder is that companies didn't leave us long ago. It is a punishing environment to do business in America.

So what is the solution? Because, Madam Speaker, you know I am not going to come down here and identify a problem and not talk to you about how to solve it. But before I get to my solutions, I want to talk to you about President Obama, whom I have quoted tonight; what Secretary of Treasury Jack Lew, whom I quoted tonight, what they have to say about the solution, and it is this: the best way to level the playing field is through tax reform that lowers the corporate tax rate, closes wasteful loopholes, and simplifies the Tax Code for everybody. I am with him 100 percent—with him 100 percent. What the President has said here, I support 100 percent.

That is not what he is saying on the campaign trail. On the campaign trail he is saying: any business that tries to do what is best for its employees, what is best for its shareholders, and what is best for its customers is unpatriotic. If they choose to try to improve the lot of their customers, their shareholders, and their employees that somehow there is an obligation to subject yourself to what this Congress and this White House, this country, has created, a monstrosity of a tax code.

Maybe Jack Lew had a different idea as Treasury Secretary. He says:

Only tax reform can solve the problems in our Tax Code that lead to inversions.

I know what you are thinking, Madam Speaker. You are wondering if I brought the wrong slides to the floor tonight. You are wondering if I made some sort of terrible mistake. Because I have been talking about how President Obama said it was unpatriotic, how he said it was their fault, how he said they ought to fix it, they ought to stay. And Jack Lew said it is their fault, they have a duty, they ought to fix it, and they ought to stay.

No. These are the very same men saying something entirely different. Because they know, not on the campaign trail, but in the serious rooms where they are talking about serious policy, that the only way to take America into this next century, the only way to make us the most competitive Nation on the planet, the only way to get those jobs back in America, back from overseas, is fundamental Tax Code reform.

Burger King can't do fundamental Tax Code reform, only the Congress can. Tim Hortons can't do fundamental Tax Code reform, only the Congress can. Warren Buffett can't do fundamental tax reform, only this Congress can. We can and we should. In fact, our Ways and Means chairman, DAVE CAMP, Madam Speaker, has tried.

Let me go on and just get the other side of the issue from folks here on Capitol Hill. I quoted folks in the White House and the administration.

House Speaker JOHN BOEHNER says this, talking about all these statements about unpatriotic behavior:

Instead of dividing people for political advantage, the President can endorse our push for comprehensive tax reform or convince Senate Democrats to act. Let's solve the real problem here.

Because it is the real problem here: the worst tax code on the planet. We have done this to ourselves.

House Ways and Means chairman, DAVE CAMP:

Everyone agrees that tax reform is the only solution that will both keep companies from moving their headquarters out of the United States and, more importantly, encourage more businesses to grow, hire, and increase wages for American workers.

Folks, that is what it is about: grow, hire, increase wages for American workers. It is not about passing a mandatory minimum wage. That is going to kill jobs. It is going to increase some people's salaries at the expense of others. It is not about doing away with environmental protections. We support environmental protections.

Obviously, there are some regulations that make no sense, but those regulations that protect us, we need those. It is not going back to the time when rivers were on fire and our environment was at risk. The answer is in fundamental Tax Code reform so that we can grow, so that we can hire, so that we can increase American wages.

And over on the Senate side, Chairman RON WYDEN, Democratic Senate Finance Committee Chairman RON WYDEN, says this:

America should not be part of a race to the bottom. It is clear that America must establish a more efficient and competitive corporate tax rate.

People wonder why it is we can't get things done here, Madam Speaker. You and I wonder why it is we can't get more done. It is because when folks are on the campaign trail, they tell one story. They tell a story that divides us. They tell a story that tells us who to blame. They tell a story about the big corporations who happen to provide a lot of jobs to a lot of American families. But that is not the story they tell. They tell the story of greed and perversion in the Tax Code.

But when they get down to serious policy conversations, when they get off the campaign trail and start talking about what really makes a difference, they all agree fundamental tax reform makes the difference.

Now, how are we going to get there? We have seen the shenanigans that go on that prevent us from going there, we have seen the desperate need that requires that we get there. How are we going to get there?

Well, Madam Speaker, the President's Council on Jobs and Competitiveness has been clear on this topic. This is President Obama's Council on Jobs and Competitiveness:

We have to view our corporate tax rates as part of our national package for attracting job-creating investment.

I will give you a hint, Madam Speaker. If you want your corporate tax rates to be part of a package for attracting jobs in national investment, you don't want them to be the worst in the world, you want them to be the best in the world. The President's Council knows this.

Our system of corporate taxation hurts business competitiveness and American workers and it cries out for reforms. The President's Council says our corporate Tax Code hurts American workers and business competitiveness. They don't conclude that businesses are evil and greedy and out to stick it to American taxpayers. They conclude that businesses are struggling and trying, but it is our Tax Code that is the albatross around their neck:

A growing body of research also shows that in a world of mobile capital, workers bear a rising share of the burden of the corporate income tax in the form of reduced employment opportunities and lower wages.

Madam Speaker, I am going to read that again, because we don't have that conversation enough. These are not my words, these are the words of the President's Council on Jobs and Competitiveness:

A growing body of research also shows that in a world of mobile capital, workers bear a rising share of the burden of the corporate income tax in the form of reduced employment opportunities and lower wages.

The United States of America, worst international competitiveness anywhere on the planet, worst international tax code anywhere on the planet. The United States of America, highest corporate tax rate anywhere on the planet, largest disincentive to do business anywhere on the planet.

The President's Council on Jobs and Competitiveness:

These giant corporate tax rates don't punish corporations, they punish American workers.

My friends, Madam Speaker, we don't have corporations that pay taxes, we have corporations that raise prices. We don't have corporations that pay taxes, we have corporations that lower wages. We don't have corporations that pay taxes, we have corporations that lower return on capital. Corporations don't pay taxes, they collect taxes. They collect them from the people who buy their products, they collect them from their employees in those lower wages, they collect them in lower returns to capital—their shareholders, our seniors on those fixed incomes. High corporate tax rates don't punish corporations, they don't punish employers, they punish employees, they punish middle class American families.

Madam Speaker, the President's Council recommended a move to that territorial tax system I talk about. They recommended eliminating this vestige of an older time where capital was not so mobile, a vestige only seven countries in the world still use. We are the largest economy to still use it. It disadvantages us more than it does anybody else. The President's Council

recommends eliminating that territorial tax system, not double-taxing. It says:

The current worldwide system makes investing . . . in the United States more expensive from a tax point of view than reinvesting them abroad, where they are not subject to additional corporate income tax.

Think about the lunacy of that, Madam Speaker. In the name of so-called "helping the American economy" by bringing in more revenue through higher tax rates, what we do to American companies is discourage them from bringing money home and investing it here, and instead encourage them to keep the money overseas and invest there.

I don't know what you are thinking of when you are thinking of investment. I am thinking of building a new factory, I am thinking of expanding productivity of your workers, I am thinking of those things that grow economies.

The President's Council says our Tax Code encourages those things to happen for other people's citizens. I want to encourage those things to happen for our citizens. Corporate tax reform is the answer.

Madam Speaker, I am going to close in a place that makes me happy. I told you I had bad news when I got down here to start. I did have bad news. The bad news is we have tied one arm of the American economy behind America's back. We have burdened ourselves with the worst Tax Code the world has ever seen, and we are demanding that American companies follow our disastrous model or else face the accusation that they are somehow unpatriotic. That has been the White House's solution to a slow economy and rapid job deterioration.

Madam Speaker, what you can't see on this poster is Ronald Reagan's solution to some of those very same challenges. Because when he was elected in 1980, he faced some of those very same economic challenges that we are facing here today. And Ronald Reagan came together with the U.S. House of Representatives, led by Democrats, and passed fundamental tax reform for the last time it was passed in this country—1986—last large tax reform that we had in this country. They said he couldn't do it. They said he couldn't do it, Madam Speaker. They said it was too big.

He did two things that this White House, this administration, has not done, and that I implore them to do, Madam Speaker—two things.

Number one, he didn't just talk about it, he released a proposal of his own. He didn't just release one proposal, his Treasury Department released two proposals. Our Treasury Department giving speeches on why it is a corporation's fault, Ronald Reagan's Treasury Department offering solutions; two entire fundamental tax reform proposals for the Congress to examine, improve, and pass.

Ronald Reagan said this, Madam Speaker. He said:

Just as sure as Ruth could hit home runs and Rose can break records, during this session of the Congress, America's tax plan will become law. But it's going to take all of us and all of you letting the folks in Washington know you that you want this change made.

He led, Madam Speaker. I thank you for your leadership, I ask my colleagues for their leadership, and, together, we can make sure that American jobs come first and the American economy is first in the world.

With that, Madam Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. CAPITO (at the request of Mr. MCCARTHY of California) for today and for the balance of the week on account of a death in the family.

Mr. CONAWAY (at the request of Mr. MCCARTHY of California) for today and for the balance of the week on account of attending a funeral.

Mr. HASTINGS of Florida (at the request of Ms. PELOSI) for today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2651. An act to repeal certain mandates of the Department of Homeland Security Office of Inspector General; to the Committee on Transportation and Infrastructure; in addition, to the Committee on Homeland Security for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 4751. An act to make technical corrections to Public Law 110-229 to reflect the renaming of the Bainbridge Island Japanese American Exclusion Memorial, and for other purposes.

H.R. 4809. An act to reauthorize the Defense Production Act, to improve the Defense Production Act Committee, and for other purposes.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 476. An act to amend the Chesapeake and Ohio Canal Development Act to extend to the Chesapeake and Ohio Canal National Historical Park Commission.

S. 1603. An act to reaffirm that certain land has been taken into trust for the benefit of the Match-E-Be-Nash-She-Wish Band of Pottawatami Indians, and for other purposes.

S. 2154. An act to amend the Public Health Service Act to reauthorize the Emergency Medical Services for Children Program.