time high, and the dollar is losing value overseas. but, more importantly, he did not respond to the charge of Dan Ratachzak who said that real income of Americans has fallen, which means that, while one may be making more, than their actual spending power has fallen. Perhaps, if the President and the Democrat Party acknowledged this, then they would join the Republican Party in working for a middle-class tax cut because, after all, cutting taxes is not Congress sending Government money to the people. It is just that we are not going to take the people's money in the first place.

I hope that we will get some bipartisan support on this much needed tax cut.

DEDUCTION FOR HEALTH INSURANCE SHOULD GO TO EMPLOYEES OF THE SELF-EMPLOYED TOO

(Ms. PELOSI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PELOSI. Mr. Speaker, just when we thought we had seen it all in attempts by the Republicans in Congress to give tax breaks to their wealthy friends, they have gone beyond the pale. It is hard to imagine, but today the Republicans will bring a conference report on H.R. 831, a bill to provide a 25-percent deduction for health insurance for the self-employed. That is good. But they rejected the opportunity, the amendment, that would have allowed that tax deduction to go for the employees of the self-employed. Instead in the bill they insisted that the conferees drop a Senate provision that would have closed a tax loophole for billionaires. Under current law the wealthiest Americans can take advantage of a tax loophole by renouncing their citizenship, thereby avoiding taxes on gains made while they were U.S. citizens. These people made their money benefiting from our country, from the security, from the democracy, from the work force, and, yes, even from the tax laws in this country. Now they are given to give up their citizenship. They are given a tax break at the expense of the employees of the self-employed.

Mr. Speaker, this is an outrage, this is a shame, this is downright unpatriotic.

THE CLINTON ADMINISTRATION'S CONSISTENT POLICY TO KILL JOBS

(Mr. MICA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MICA. Mr. Speaker, it is fitting that President Clinton has proposed the bulk of his new cuts in NASA and the Small Business Administration. I say that it is fitting because President Clinton wants to be consistent. He wants to ensure that we continue to produce low-paying and part-time jobs, the cornerstone of this administration's approach to economic development.

This week President Clinton tells Congress to cut NASA. He wants to kill thousands of high paying research and development jobs, destroy America's lead in the next frontier and cripple our chances for future high tech employment. This week our President recommends to this Congress to gut the Small Business Administration, another great choice to kill even more jobs. Small business is the greatest creator of jobs in our country and the largest employer in our Nation. Then he goes to Atlanta—read here in today's newspaper, where he says we need to create more jobs and talks about job creation. This is after he has made two bad choices this week in his consistent policy to kill jobs, darken our children's future and promote a welfare state.

WAIVING CERTAIN POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 831, PERMANENT EXTENSION OF THE HEALTH INSURANCE DEDUCTION FOR THE SELF-EMPLOYED

Mr. QUILLEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 121 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 121

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 831) to amend the Internal Revenue Code of 1986 to permanently extend the deduction for the health insurance costs of self-employed individuals, to repeal the provision permitting nonrecognition of gain on sales and exchanges effectuating policies of the Federal Communications Commission, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore (Mr. GOODLATTE). The gentleman from Tennessee [Mr. QUILLEN] is recognized for 1 hour.

Mr. QUILLEN. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Texas [Mr. FROST], and, pending that, I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. QUILLEN asked and was given permission to revise and extend his remarks, and to include extraneous material.)

Mr. QUILLEN. Mr. Speaker, this is an extremely simple rule. It waives all points of order against the conference report to accompany H.R. 831, the bill to permanently and retroactively extend the tax deduction for health insurance for the self-employed, which the House passed on February 21. The rule also provides that the conference report be considered as read.

It is my understanding that the only points of order that lie against the conference report are the 3-day layover requirement and scope violation. There are also a few technical points of order under the Budget Act that are being waived, but I want to emphasize that the conference report is deficit neutral over the 5-year period.

Mr. Speaker, I believe that we should only waive the 3-day layover requirement when absolutely necessary, but this is one of those times. It is imperative that H.R. 831 be enacted into law before the 1994 tax filing season ends on April 15. Millions of self-employed Americans are depending on us to restore the tax deduction that allows them to keep themselves and their families covered by health insurance. This bill provides a 25-percent deduction for 1994 and 30-percent deduction thereafter. We have left them dangling in uncertainty for months now, and we must pass this conference report now to ensure that this tax deduction will be available to the millions of farmers, small businessmen, and other self-employed Americans who are counting on it.

Mr. Speaker, I urge the adoption of this resolution.

THE AMENDMENT PROCESS UNDER SPECIAL RULES REPORTED BY THE RULES COMMITTEE,[1] 103D CONGRESS V. 104TH CONGRESS

[As of March 29, 1995]

Rule type	103d Congress		104th Congress	
	Number of rules	Percent of total	Number of rules	Percent of total
Open/Modified-open [2]	46	44	19	76
Modified Closed [3]	49	47	6	24
Closed [4]	9	9	0	0
Totals:	104	100	25	100

[1] This table applies only to rules which provide for the original consideration of bills, joint resolutions or budget resolutions and which provide for an amendment process. It does not apply to special rules which only waive points of order against appropriations bills which are already privileged and are considered under an open amendment process under House rules.

[2] An open rule is one under which any Member may offer a germane amendment under the five-minute rule. A modified open rule is one under which any Member may offer a germane amendment under the five-minute rule subject only to an overall time limit on the amendment process and/or a requirement that the amendment be preprinted in the Congressional Record.

[3] A modified closed rule is one under which the Rules Committee limits the amendments that may be offered only to those amendments designated in the special rule or the Rules Committee report to accompany it, or which preclude amendments to a particular portion of a bill, even though the rest of the bill may be completely open to amendment.

[4] A closed rule is one under which no amendments may be offered (other than amendments recommended by the committee in reporting the bill).

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS

[As of March 29, 1995]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 38 (1/18/95)	O	H.R. 5	Unfunded Mandate Reform	A: 350–71 (1/19/95).
H. Res. 44 (1/24/95)	MC	H. Con. Res. 17	Social Security	A: 255–172 (1/25/95).
		H.J. Res. 1	Balanced Budget Amdt	
H. Res. 51 (1/31/95)	O	H.R. 101	Land Transfer, Taos Pueblo Indians	A: voice vote (2/1/95).
H. Res. 52 (1/31/95)	O	H.R. 400	Land Exchange, Arctic Nat'l. Park and Preserve	A: voice vote (2/1/95).
H. Res. 53 (1/31/95)	O	H.R. 440	Land Conveyance, Butte County, Calif	A: voice vote (2/1/95).
H. Res. 55 (2/1/95)	O	H.R. 2	Line Item Veto	A: voice vote (2/2/95).
H. Res. 60 (2/6/95)	O	H.R. 665	Victim Restitution	A: voice vote (2/7/95).
H. Res. 61 (2/6/95)	O	H.R. 666	Exclusionary Rule Reform	A: voice vote (2/7/95).
H. Res. 63 (2/8/95)	MO	H.R. 667	Violent Criminal Incarceration	A: voice vote (2/9/95).
H. Res. 69 (2/9/95)	O	H.R. 668	Criminal Alien Deportation	A: voice vote (2/10/95).
H. Res. 79 (2/10/95)	MO	H.R. 728	Law Enforcement Block Grants	A: voice vote (2/10/95).
H. Res. 83 (2/13/95)	MO	H.R. 7	National Security Revitalization	PQ: 229–100; A: 227–127 (2/15/95).
H. Res. 88 (2/16/95)	MC	H.R. 831	Health Insurance Deductibility	PQ: 230–191; A: 229–188 (2/21/95).
H. Res. 91 (2/21/95)	O	H.R. 830	Paperwork Reduction Act	A: voice vote (2/22/95).
H. Res. 92 (2/21/95)	MC	H.R. 889	Defense Supplemental	A: 282–144 (2/22/95).
H. Res. 93 (2/22/95)	MO	H.R. 450	Regulatory Transition Act	A: 252–175 (2/23/95).
H. Res. 96 (2/24/95)	MO	H.R. 1022	Risk Assessment	A: 253–165 (2/27/95).
H. Res. 100 (2/27/95)	O	H.R. 926	Regulatory Reform and Relief Act	A: voice vote (2/28/95).
H. Res. 101 (2/28/95)	MO	H.R. 925	Private Property Protection Act	A: 271–151 (3/1/95).
H. Res. 104 (3/3/95)	MO	H.R. 988	Attorney Accountability Act	A: voice vote (3/6/95).
H. Res. 103 (3/3/95)	MO	H.R. 1058	Securities Litigation Reform	
H. Res. 105 (3/6/95)	MO			A: 257–155 (3/7/95).
H. Res 108 (3/6/95)	Debate	H.R. 956	Product Liability Reform	A: voice vote (3/8/95).
H. Res 109 (3/8/95)	MC			PQ: 234–191 A: 247–181 (3/9/95).
H. Res 115 (3/14/95)	MO	H.R. 1158	Making Emergency Supp. Approps.	A: 242–190 (3/15/95).
H. Res 116 (3/15/95)	MC	H.J. Res. 73	Term Limits Const. Amdt	A: voice vote (3/28/95).
H. Res 117 (3/16/95)	Debate	H.R. 4	Personal Responsibility Act of 1995	A: voice vote (3/21/95).
H. Res 119 (3/21/95)	MC			A: 217–211 (3/22/95).

Codes: O-open rule; MO-modified open rule; MC-modified closed rule; C-closed rule; A-adoption vote; PQ-previous question vote. Source: Notices of Action Taken, Committee on Rules, 104th Congress.

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

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

Mr. Speaker, this rule ruins an otherwise acceptable conference report.

Republicans have taken a good idea—letting people deduct their health care costs—and thrown in a big juicy bone for a few very wealthy people and this bone will cost this country $3.6 billion over 10 years.

Mr. Speaker, I cannot understand why Republicans would refuse to provide welfare benefits to people who enter this country legally but would wink at billionaires who renounce their American citizenship in order to avoid paying taxes.

That's right, this conference report deletes a Senate provision to require a few billionaires to pay their taxes. And all the while, everyone else will do their taxpayer duty this and every April 15.

Mr. Speaker, $3.6 billion is a lot of money to throw away, especially with all this talk of balancing the budget and cutting school lunches. In fact the money the Republicans are losing the Treasury by giving the rich a tax break could buy almost 3 billion school lunches.

Now, do not get me wrong. I strongly support the main provisions of this conference report. I think hard-working, self-employed Americans should be allowed to deduct some of the cost of their health insurance. This conference report will do that.

For that reason I will support the conference report itself.

But I do not support giving about 2 dozen billionaires a huge tax break while socking it to children.

Today's rule gives us a little preview of what is to come. Next week we will vote on a Republican proposal to give more tax breaks to the very wealthy—those tax breaks will be paid for by cuts in school lunches for America's school children.

Mr. Speaker, two nights ago the House missed a chance to make the very very wealthy who renounce their American citizenship pay their taxes on income they earned as citizens of this great country when it rejected Mr. GIBBONS' motion to instruct conferees by a vote of 193 to 224.

Now, I would like to offer my colleagues another chance to do the right thing. I urge my colleagues to defeat the previous question so that we can make rich ex-patriots pay their taxes.

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

FLOOR PROCEDURE IN THE 104TH CONGRESS

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 1	Compliance	H. Res. 6	Closed	None.
H. Res. 6	Opening Day Rules Package	H. Res. 5	Closed; contained a closed rule on H.R. 1 within the closed rule	None.
H.R. 5	Unfunded Mandates	H. Res. 38	Restrictive; Motion adopted over Democratic objection in the Committee of the Whole to limit debate on section 4; Pre-printing gets preference.	N/A.
H.J. Res. 2	Balanced Budget	H. Res. 44	Restrictive; only certain substitutes	2R; 4D.
H. Res. 43	Committee Hearings Scheduling	H. Res. 43 (OJ)	Restrictive; considered in House no amendments	N/A.
H.R. 2	Line Item Veto	H. Res. 55	Open; Pre-printing gets preference	N/A.
H.R. 665	Victim Restitution Act of 1995	H. Res. 61	Open; Pre-printing gets preference	N/A.
H.R. 666	Exclusionary Rule Reform Act of 1995	H. Res. 60	Open; Pre-printing gets preference	N/A.
H.R. 667	Violent Criminal Incarceration Act of 1995	H. Res. 63	Restrictive; 10 hr. Time Cap on amendments	N/A.
H.R. 668	The Criminal Alien Deportation Improvement Act	H. Res. 69	Open; Pre-printing gets preference; Contains self-executing provision	N/A.
H.R. 728	Local Government Law Enforcement Block Grants	H. Res. 79	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 7	National Security Revitalization Act	H. Res. 83	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 729	Death Penalty/Habeas	N/A	Restrictive; brought up under UC with a 6 hr. time cap on amendments	N/A.
S. 2	Senate Compliance	N/A	Closed; Put on suspension calendar over Democratic objection	None.
H.R. 831	To Permanently Extend the Health Insurance Deduction for the Self-Employed.	H. Res. 88	Restrictive; makes in order only the Gibbons amendment; waives all points of order; Contains self-executing provision.	1D.
H.R. 830	The Paperwork Reduction Act	H. Res. 91	Open	N/A.
H.R. 889	Emergency Supplemental/Rescinding Certain Budget Authority	H. Res. 92	Restrictive; makes in order only the Obey substitute	1D.
H.R. 450	Regulatory Moratorium	H. Res. 93	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 1022	Risk Assessment	H. Res. 96	Restrictive; 10 hr. Time Cap on amendments	N/A.
H.R. 926	Regulatory Flexibility	H. Res. 100	Open	N/A.
H.R. 925	Private Property Protection Act	H. Res. 101	Restrictive; 12 hr. time cap on amendments; Requires Members to pre-print their amendments in the Record prior to the bill's consideration for amendment, waives germaneness and budget act points of order as well as points of order concerning appropriating on a legislative bill against the committee substitute used as base text.	1D.
H.R. 1058	Securities Litigation Reform Act	H. Res. 105	Restrictive; 8 hr. time cap on amendments; Pre-printing gets preference; Makes in order the Wyden amendment and waives germaness against it.	1D.
H.R. 988	The Attorney Accountability Act of 1995	H. Res. 104	Restrictive; 7 hr. time cap on amendments; Pre-printing gets preference	N/A.
H.R. 956	Product Liability and Legal Reform Act	H. Res. 109	Restrictive; makes in order only 15 germane amendments and denies 64 germane amendments from being considered.	8D; 7R.

FLOOR PROCEDURE IN THE 104TH CONGRESS—Continued

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 1158	Making Emergency Supplemental Appropriations and Rescissions	H. Res. 115	Restrictive; Combines emergency H.R. 1158 & nonemergency 1159 and strikes the abortion provision; makes in order only pre-printed amendments that include offsets within the same chapter (deeper cuts in programs already cut); waives points of order against three amendments; waives cl 2 of rule XXI against the bill, cl 2, XXI and cl 7 of rule XVI against the substitute; waives cl 2(e) od rule XXI against the amendments in the Record; 10 hr time cap on amendments. 30 minutes debate on each amendment.	N/A.
H.J. Res. 73	Term Limits	H. Res. 116	Restrictive; Makes in order only 4 amendments considered under a ''Queen of the Hill'' procedure and denies 21 germane amendments from being considered.	1D; 3R
H.R. 4	Welfare Reform	H. Res. 119	Restrictive; Makes in order only 31 perfecting amendments and two substitutes; Denies 130 germane amendments from being considered; The substitutes are to be considered under a ''Queen of the Hill'' procedure; All points of order are waived against the amendments..	5D; 26R

** 78% restrictive; 22% open.

**** Restrictive rules are those which limit the number of amendments which can be offered, and include so called modified open and modified closed rules as well as completely closed rules and rules providing for consideration in the House as opposed to the Committee of the Whole. This definition of restrictive rule is taken from the Republican chart of resolutions reported from the Rules Committee in the 103rd Congress.

**** Not included in this chart are three bills which should have been placed on the Suspension Calendar. H.R. 101, H.R. 400, H.R. 440.

□ 1100

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

Mr. Speaker, for the past 40 years those on that side of the aisle had every opportunity to do away with what they are talking about today, and I do not see the sudden rise of opposition to this rule, when they have carried the ball for some 40 years.

Mr. Speaker, I would like to request that the gentleman from Texas [Mr. FROST] tell us how many speakers he has.

Mr. FROST. Mr. Speaker, we have five speakers, and we may have more. This is a very interesting thing that the Republicans have done in protecting billionaire expatriates, and I have a feeling some more Members may come to the floor.

Mr. QUILLEN. Mr. Speaker, I do not see why anyone could object to allowing the 25-percent credit on health insurance for the self-employed. That side of the aisle is trying to use smoke and mirrors to defeat the rule, but this is a good rule.

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

Mr. FROST. Mr. Speaker, for purposes of debate only, I yield 1½ minutes to the gentleman from New York [Mr. RANGEL].

Mr. QUILLEN. Mr. Speaker, I yield 30 seconds to the gentleman from New York.

The SPEAKER pro tempore (Mr. GOODLATTE). The gentleman from New York [Mr. RANGEL] is recognized for 2 minutes.

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

Mr. RANGEL. Mr. Speaker, I rise to oppose the rule. That has nothing to do with whether or not we will get an opportunity to vote to allow those who are self-employed to make the dedication. Changing the rule only gives the Members of the House of Representatives an opportunity to raise the revenue to pay for what should be done, and that is to encourage people to be self-insured for health.

It just seems to me that when we had American citizens running off to Canada to avoid their national obligations to their country, their draft obligations to the military, we scolded these people for being unpatriotic, as we should have done. What the devil is the difference when we find billionaires, super-wealthy people, taking advantage of America's free market system, taking advantage of our educated employees, taking advantage of their legacy and all of the opportunities this great Republic has given to them, and just when they have been able to make the profit, decide that America is no good? How can we possibly say that we are going to reject this notion because the Democrats in 40 years did not repair it? These people found the loophole, and we are trying to stop it before there is a hemorrhage and we lose billions of dollars.

So all we are saying is let us support the self-insured, let us give them the deduction, but let us reverse the rule so we have an opportunity to get the funds, the revenues, to pay for it.

Mr. QUILLEN. Mr. Chairman, will the gentleman yield?

Mr. RANGEL. I yield to the gentleman from Tennessee.

Mr. QUILLEN. I would ask my friend from New York, did he sign the conference report?

Mr. RANGEL. Yes, Mr. Speaker, I did.

Mr. QUILLEN. Has the gentleman changed his mind?

Mr. RANGEL. Let me make it clear to the gentleman: I signed the conference report to get the issue before the House of Representatives and to make certain the American people know what we have done. When I go to conference, I go into conference on behalf of the Committee on Ways and Means, and the Republicans control it. So I am not there to fight in conference. I am here to fight on this floor for a rule that allows the voters of the House of Representatives to do the right thing.

Mr. QUILLEN. I am not being critical.

Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska [Mr. CHRISTENSEN].

Mr. CHRISTENSEN. Mr. Speaker, it is just like liberals to talk about something that is not even in this bill. Let us quit talking about the diversionary tactics on this issue and let us talk about what is in the conference report. This bill is yet another step to reform health care reform.

A few weeks ago we passed sweeping legal reforms capping non-economic damages in all health care liability cases. That will result in greater access to health care and lower health care costs for all Americans.

Now we are taking the next step. Rather than the Government takeover proposed by my friends on the left, we are reforming health care by giving the American people what they wanted, the ability to help themselves. This bill will restore permanently the 25-percent tax deduction for health insurance for the self-employed, but now it goes one step better. For tax year 1995 and beyond, the deduction goes up to 30 percent. Over 3 million hard-working Americans will find health care more affordable, thanks to this bill. This tax deduction is for farmers, for ranchers, for shopkeepers, and for small business owners, providing them with the strong incentive to purchase health care insurance.

It is what is fair, it is what is right, and I commend Chairman ARCHER for swift action in getting this bill out of conference and onto the floor so the taxpayers can take advantage for the 1994 tax year.

Mr. Speaker, we need to continue to focus on what is important in this bill, and that is treating self-employed individuals and business owners like the major corporations, and this is a good start. What we need to do is we need to pass this bill, and we need to quit talking about the diversionary tactics that the liberal left always wants to keep bringing up.

Mr. FROST. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, the gentleman from Nebraska is engaged, as his other colleagues, in a legislative shell game. The pea is under one shell, but it is not under the other shell. The Senate Republicans were willing to tax expatriate billionaires; Republicans in the House were not willing to tax expatriate billionaires. They went to conference, and, lo and behold, the Republicans in the House who want to forgive taxes for expatriate billionaires prevailed.

Of course it is not in the bill. It is not in the bill because your side knocked it out in conference.

Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. MATSUI].

Mr. MATSUI. Mr. Speaker, I thank the gentleman.

Mr. Speaker, it is very interesting that the gentleman from Nebraska makes the statement that this is a shell game, that this has nothing to do with the main issue, that is, the deductibility of insurance premiums. This has a lot to do with it. If we would have left this provision in the legislation, we could have gotten 35 percent for the average American small business instead of 25 percent or 30 percent. We could have gotten more deductibility on this thing if we would have followed the other body, Senator DOLE, Senator DASCHLE, and all the Republican Senators who supported this legislation. It is extreme in this body here that we would actually try to throw this provision out, what we did in the House-Senate conference, because the Republican leadership did not want it.

For those of you who do not know what this is, an American citizen who earned his wealth here could renounce his citizenship and not pay taxes. He will go to a small Caribbean country that has no taxes and then what he will end up doing is avoiding taxation. That means all other Americans, those wage earners, will have to pay more taxes.

I might just mention one other thing which is very interesting about this. After this was passed in the Senate, last week my office got a contact. It got a contact from a New York lobbyist, and this New York lobbyist gave me a document. The document says these are seven talking points we can use in order to make an argument to eliminate this provision.

He talks about this will destroy Jackson-Vanik. That is ridiculous. But he said this will destroy Jackson-Vanik.

He said this is a human rights issue. Justin Dart's family can leave the United States, renounce his citizenship, to avoid U.S. taxes. That is a human rights issue? That is ridiculous.

Then the real outrageous provision in this document here is that on the second page that this lobbyist gave me, he cites Soviet law. Comparing what Senator DOLE, Senator BRADLEY, and Senator DASCHLE wanted to do on the Senate side to the Soviet Union and their immigration policies is outrageous. It is unpatriotic. Those that make that argument owe the Members of Congress an apology. They owe Senator DOLE and Senator BRADLEY and Senator DASCHLE an apology.

Mr. FROST. Mr. Speaker, for purposes of debate only, I yield 2 minutes to the gentleman from Michigan [Mr. LEVIN].

Mr. LEVIN. Mr. Speaker, the more I have looked into this, the more outraged I have become. This is not a question of smoke and mirror. The smoke is coming from the majority side that does not want us to see what is behind their opposition to changing the rules so the very wealthiest cannot escape taxation simply by renouncing citizenship. That is where the smoke is coming from.

I am for the 30 percent. I would like it to be 80 percent. As the gentleman from California [Mr. MATSUI] has said, we could raise it another 5 percent by keeping this provision in.

Why have you taken it out? That is the issue, and all the arguments that have been raised are shams, pure shams, comparing it to the Soviet Union. Nobody believes it. It is a free country here. The question is, can people escape taxation by leaving?

Look, I am not in favor of soaking the rich at all. I do not want the very wealthiest to soak the United States of America. That is what the issue is here.

Give us a reason. Give us a reason why 12 to 24 families, that is the average that has been happening, get out of taxation by renouncing citizenship, and then they come back here and they can keep $600,000 bucks that is not subject to taxation. They can keep their multimillion-dollar home. All we are saying is on gains other than that they should pay their taxes.

I say this to the side of the gentleman from Tennessee [Mr. QUILLEN]. Let us get the names of these people. Let the gentleman from Texas [Mr. ARCHER] request the appropriate authorities to give us the names, and let us do it right now. We have an obligation to low and middle income families, and indeed to high income families, that the very wealthiest not use the artifice of renunciation of citizenship and become jet setters, come back here and live, while the rest of America works hard and they escape legitimate taxation.

Mr. Speaker, I support the position of the gentleman from Texas [Mr. FROST]. It is eminently reasonable. Let us find out the truth here. Do not cover it up.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I must say every time I think I have seen everything I am surprised. And today I must say I really am surprised. Let us review the play.

The Senate Republicans said we ought to close this loophole. This is a loophole that a few fancy tax lawyers with well-heeled clients discovered a couple years ago, so these mega billionaires could bail out of the United States after they lived here and enjoyed the protection of the United States, sold things to U.S. citizens, and did whatever they could in this wonderful country. Now they want to bail so they do not have to pay their fair share.

Now, this was recently discovered. We know many families have begun to do this. We know one of the families was the man who owns the Campbell soup thing. So every time you buy a jar of soup, think of that can of soup and the guy living in Ireland, thumbing his nose at American taxpayers. That is what this is about.

The Senate wanted to close that loophole. They wanted to close it, and they wanted to give self-employed people a little higher percentage that they could write off their taxes for buying their own insurance. But the House said no. Almost every Republican in this body said no.

So today we are forced with lowering the deduction that the average self-employed person can have for self-insuring themselves on health care so that we can continue to allow billionaires to bail on this country.

I find that shocking. I was elected to represent the people who are working in this country, and I think anybody who has worked in this country who has made their fortunes in this country, who has benefited by the largesse of this country, to be able to have a loophole that we all know about and not close it is unconscionable. It also means that you tax much higher the citizens who are staying in this country. That is further unconscionable. I hope we defeat this rule.

□ 1115

Mr. FROST. Mr. Speaker, for purposes of debate only, I yield 2 minutes to the gentleman from Hawaii [Mr. ABERCROMBIE].

Mr. ABERCROMBIE. Mr. Speaker, the other night I came on this floor and indicated that I had come over because I thought there was to be a vote taken virtually immediately, because I expected the instruction on this would be accepted by the Republican side.

Now, for those who are not familiar with all of the ins and outs of what goes on on this floor or for those who are here today witnessing democracy in action and are sitting in the gallery for the Close Up Foundation, young people that come here, for the men and women who work hard and pay taxes and believe in their citizenship and raised their kids to believe in America, that someone like myself to come from Buffalo, NY, 36 years ago, can go to Hawaii and represent Hawaii today in a multi-cultural, multi-ethnic, multi-racial society, a rainbow of people, a plurality of people that make up the United States of America, the most unique and special country in the history of the world because we take immigrants in from all over the world and say, you can be Americans and you can achieve your dreams, I am standing here today because of that.

My ancestors emigrated to the United States, proud to be Americans. And we have people today who say, I do not want to pay taxes, much of it on inherited wealth, people who have not earned anything but just took money out of the economy, they do not want to pay taxes and they renounce their citizenship. We are celebrating the end of World War II, some of you young people that are listening in and some of your parents and grandparents, commemorating World War II where people fought and died for freedom, and we have people who take advantage of

that, renounce their citizenship not to pay taxes. And the Republican side goes to the Senate and makes them drop this provision.

That is what this is all about. This is whether or not you are for the rich people to denounce their citizenship or whether you are going to be for the ordinary working man and woman in this country, proud to be an American.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GOODLATTE). Members are advised to address their remarks to the Speaker and not to address the gallery.

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

I would like to remind my colleagues that this rule passed unanimously in the committee by voice vote. There were no negative votes. And now they come to the floor, I do not know whether it is a dream or whether it is just delaying tactics or what.

I would like to remind the gentleman that this rule provides for a motion to recommit the conference report with instructions, if that is the will of the House.

I do not know why all the argument on the rule when they have every avenue to accomplish their goal, if they offer the motion to recommit.

In the Committee on Rules, the Democrats were a little bit confused anyway. We spent several minutes, probably 15 or longer, for a group who had the wrong idea about the conference report.

Now, I do not know whether they are confused again, but apologies were made to the Members. We accepted that apology.

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

Mr. QUILLEN. I yield to the gentleman from California.

Mr. MATSUI. Mr. Speaker, I do not believe the Democratic members of Committee on Rules were confused at all.

Mr. QUILLEN. We were not confused, but you and your group were confused.

Mr. MATSUI. Mr. Speaker, if the gentleman will continue to yield, you indicated they might have been confused. I do not think they were confused at all.

Let me say this, the language that I read in that document was a House offer. That was not incorporated in the conference report document itself. However, I will say this, I read the transcript last night, the entire transcript of the conference last night, to the gentleman from Tennessee. And that language that I recited was in fact adopted but it was not incorporated in the conference report document itself. Both Senator PACKWOOD and the gentleman from Texas, Mr. ARCHER, agreed to that language, including that date that was incorporated in that agreement.

Mr. QUILLEN. I am not being critical of the gentleman from California. I just think that there is a lot of confusion going on here in the discussion of the rule that is absolutely unnecessary.

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

Mr. QUILLEN. I yield to the gentleman from Hawaii.

Mr. ABERCROMBIE. Mr. Speaker, perhaps, I do not want to add to the confusion, but I understood you, maybe you misunderstood my remarks. My remarks were addressed to the question of whether or not the Senate position would be sustained, instruction or not, with respect to this, to closing this loophole for these billionaires being able to escape fair taxation by renouncing their citizenship.

My understanding was that the House requested and succeeded in getting this provision dropped from the Senate bill.

Mr. QUILLEN. I was not confused at all in regard to your statement, I will advise the gentleman from Hawaii.

Mr. ABERCROMBIE. So I am correct that the Senate did acknowledge or acquiesce to the House position to drop this particular provision?

Mr. QUILLEN. There was no objection at all in the Committee on Rules bringing this rule to the floor.

Mr. ABERCROMBIE. We are not discussing that.

Mr. QUILLEN. This all developed after the rule was presented.

Mr. ABERCROMBIE. The discussion is who is responsible for having these billionaires being able to escape taxation.

Mr. QUILLEN. Reclaiming my time, Mr. Speaker, I yield to the gentleman from New York [Mr. RANGEL].

Mr. RANGEL. Mr. Speaker, there is no one that I have more respect for in this House than the gentleman from Tennessee. We have enjoyed that friendship over a number of years. There are times, however, when committees think that they are working their will or the will of the party when they are in the Committee on Rules and sometimes we do the same thing in the Committee on Ways and Means.

If there was no objection by the Democratic Members when the rule was perfected, well, those things happen. But we do not have to accept that rule on the House floor when we see that.

Mr. QUILLEN. Mr. Speaker, reclaiming my time, I yield 7 minutes to the gentleman from California [Mr. THOMAS].

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

Mr. THOMAS. Mr. Speaker, I would be very pleased to shed some light on this discussion since some folks seem to be knocking about in the dark. I was on the conference committee, and I will tell you what happened, not somebody's supposition of what happened, but what happened.

On the floor of the House the minority party offered a motion to instruct. You lost. The House then went to the conference and made a proposal to the Senate. The proposal to the Senate was to remove the Senate provision on expatriation based upon the vote on the floor of the House.

The Senate accepted the House position. It was the Senate that made the decision to drop that provision. And the chairman of the conference, the gentleman from Oregon, Senator PACKWOOD, said, ''Thank you. In my bones, I believe the Senate acted hastily.''

Now, notwithstanding the agreement of the conferees to drop this section, the section that had been added by Senator BRADLEY, which was not President Clinton's proposal as presented to the Congress but, rather, a distortion of that proposal, which created a situation in which citizens of the United States would be treated differently than noncitizens and that the citizens would be subjected to harsher treatment than noncitizens, that was the Senate's position that Senator PACKWOOD said, ''In my bones, I believe we acted too hastily.''

Now, what did this conference agree to? In the language of the conference report, we agreed to not include the Senate amendment. But then we went on in 11 specific areas indicating to the joint tax committee, we want an examination in this area. We want a study of the issues presented by any proposals to affect the tax treatment of expatriation, including an evaluation of, one, the effectiveness and enforceability of current law; two, the current level of expatriation for tax avoidance; three, any restrictions imposed by any constitutional requirement; four, the application of international human rights principles to the taxation of expatriation; five, the possible effects of any such proposals on the free flow of capital; six, the impact of any such proposals on existing tax treaties; seven, the operation of any such proposals, on and on and on, to be reported back by June 1, 1995.

Every one of the arguments that were presented by your side and our side on the floor of the House on the vote to instruct conferees is included in this study to be given to us by June 1, 1995 so we can make an informed decision about what we do in this area. You are back to rush to judgment, regardless of the fact that the Senate has said they probably acted too hastily, regardless of the fact that the conference report says by June 1 we will provide an answer to all the concerns on both sides on this question so that we can make an informed decision.

And then lastly, let me say, a number of harsh words were presented on the floor the other night about the question of citizens and whether or not citizens of the United States should be treated similarly to citizens in Germany or any other country. Frankly, I do not think we should compare ourselves to any other country. Citizenship in the United States is something special. And that if an individual decides on their own they want to make a choice about that citizenship, we

should not have the Government of the United States and especially those of you on this side of the aisle institute some kind of a punitive action unless it violates the law, as we will examine and restructure it.

I was very, very comforted by my mail this morning, in a letter dated March 30, on paper with the letterhead Harvard Law School, Professor Abram Chayes, the Felix Frankfurter Professor of Law Emeritus wrote me and said, ''Dear Congressman Thomas, I am writing to express my concern about the current proposal to impose a tax on persons leaving the United States who renounce their citizenship. I am the Felix Frankfurter Professor of Law emeritus at Harvard Law School where I teach international law. From 1961 to 1964, I was the legal advisor to the Department of State.''

That is the President Kennedy, President Johnson era, 1961–64.

''In my opinion,'' says the Felix Frankfurter Professor of Law Emeritus of Harvard Law School, ''in my opinion, the proposed expatriation tax raises serious questions under the Constitution and international law involving the fundamental right of voluntary expatriation and immigration.''

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

Mr. THOMAS. Mr. Speaker, I would like to finish my statement. Does the gentleman mind if I finish reading the letter? May I have the courtesy of finishing the letter, if the gentleman does not mind?

Mr. MATSUI. Do not yield.

Mr. THOMAS. I thank the gentleman very much for allowing me to finish the letter.

Excuse me. I did not hear the gentleman. I will yield to the gentleman to repeat the statement that he just made. I will yield to the gentleman for the purpose of repeating the statement he just made. I yield only for the purpose of repeating the statement he just made.

What was the statement you just made?

Mr. MATSUI. Pardon me?

Mr. THOMAS. What was the statement that you just made?

Mr. MATSUI. That this body should calm down.

Mr. THOMAS. A cop-out on the part of the gentleman from California. I will finish the letter.

The Felix Frankfurter Professor of Law Emeritus says, ''The proposed tax has serious human rights implications and is inconsistent with the longstanding U.S. policies with respect to the right of free emigration expressed in the Jackson-Vanick Amendment to the Trade Act of 1974 and elsewhere. Indeed, this policy was the centerpiece of our effective opposition to the Soviet Union during the 1970s and the 1980s. If the United States now adopts this restrictive approach, it will give oppressive foreign governments an excuse to retain or erect barriers to expatriation and immigration.''

□ 1130

If Members want to assist oppressive foreign governments, in the opinion of the Dr. Felix Frankfurter, professor of law emeritus, shame on you. A cheap political stunt, repeated twice now, in the face of the conference committee responsibly investigating ways to change this law. Shame on you.

You really ought to learn how to be the minority better than this. Pick your shots where you can be responsible and positive in trying to make change. Do not create a situation which would reinforce oppressive governments based upon the way in which Congress treats citizens of the United States. Shame on you.

Mr. FROST. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan [Mr. BONIOR].

Mr. BONIOR. Mr. Speaker, let us be clear on what the debate is focused on this morning. We are talking probably about 12 to 24 very, very wealthy American citizens who may choose to give up their citizenship in order to avoid paying taxes. That is what this is about.

The previous speaker had come to the well to shame us about this issue. We have nothing to be ashamed about. The shame rests with trying to compare these 24 individuals of enormous wealth with Jews in Russia trying to emigrate freely to express their views and live a life of independence and without repression.

Mr. Speaker, if we ever wondered how the Republican Party came to be known as the party of the privileged few, all you have to do is watch this debate this morning. I never thought I would see the day when the Republicans would stand up on the floor of this House and defend the right of billionaires to give up their U.S. citizenship in order to avoid paying us taxes, but that is exactly what they are doing this morning, instead of standing up for fairness.

They are saying ''Let's study it. Let's examine it.'' Instead of standing up for working families, the Gingrich Republicans have chosen to stand with the very wealthiest in our society.

They have chosen to stand up for people like John ''Ippy'' Dorrance III, who made millions in America before running off to the Bahamas to avoid paying taxes. They are the same people that accepted the protection of this country, the security that this country affords, people who made their money off the working men and women of America, but instead of paying their fair share in taxes, these billionaires are skipping the country, and the Gingrich Republicans are standing up here today defending their right to do it.

However, we really should not be surprised. Two days ago Democrats insisted that this loophole for billionaires be closed. We had a vote on it. We offered an amendment. Every Republican, with the exception of five, voted against our amendment which would have closed this loophole. We could have saved $3.6 billion over 10 years by closing this loophole, but when given the chance, all but five on the other side of the aisle said no.

Mr. Speaker, this is not just a debate about tax loopholes. This debate is a symbol of the entire contract on America. The Gingrich Republicans are targeting women and children in order to give tax break to the wealthiest people in America. You can renounce your citizenship. As long as you are a billionaire, the Gingrich Republicans are going to take care of you. You are going to be okay.

Next week we will be dealing with what NEWT GINGRICH called the crown jewel of the contract, the piece de resistance, a bill that gives the overwhelming majority of its tax breaks to the privileged few, a bill that says if you are a Fortune 500 company, you might not have to pay any taxes anymore. This debate today is just a small window on that entire contract.

Mr. Speaker, the Republicans may march in lockstep with NEWT GINGRICH to give tax breaks to the privileged few, but we Democrats are going to continue to stand up and fight for working middle class families in this country.

Therefore, I urge my colleagues, defeat the previous question on this rule. We can support the bill when we get to it, but defeat the previous question. Give us a chance to offer an amendment to correct this outrageous abuse and this outrage loophole in our tax laws. Let us close this loophole and make billionaires pay taxes like the rest of us.

Mr. QUILLEN. Mr. Speaker, I yield 4 minutes to the gentlewoman from Connecticut [Mrs. JOHNSON].

Mrs. JOHNSON of Connecticut. Mr. Speaker, yesterday we had a very long debate on term limits. I opposed the adoption of a constitutional amendment to limit terms, but I acknowledge that the interest in that approach springs from the American people's deep-seated belief that somehow this body is out of touch, that what we talk about is not real. It disappoints me that this debate is becoming an example of exactly that.

This debate is not about Gingrich Republicans defending the wealthiest. That is the most misleading rhetoric, for purely political purposes, that I have heard on the floor.

This debate is about the following: It is about the little people of America. It is about the self-employed person. That person's deduction for their health insurance, and we know how expensive health insurance is, expired, expired in December of 1993. Under the Democrat majority, we could have prevented that, or we could have reinstated it under the Republican majority.

What we are about today is to reinstate that deduction retroactively, and we must do it before April 15 if we want all those little folk out there who establish their own businesses and are self-employed to get that deduction. If

we do not act today, they will not get it, so we want to pass the 30-percent health insurance deduction for little people in America, the people who count, the people who do think we are not listening for exactly the reason of the quality of the debate today.

That is our No. 1 goal, to assure that by April 15 and the tax filing season, self-employed people will again be able to deduct 30 percent of their premiums. They could have done it, remember. They lost this right in December 1993. We are now into 1995. This could have been done any time over the last year and a half and it was not done. It is going to be done. I am proud of that.

That is our No. 1 goal.

The second goal, the second goal is to act on an issue that President Clinton identified. That is those people who are using expatriation to avoid taxes. We agree on that. However, we did not hold a hearing on this matter until we saw it was actually going to come forward.

In that hearing, very significant issues were raised by the proponents. The supporters of it say ''If you do not fix certain provisions it will fall very unfairly, not on those 12 to 24 wealthiest, but on the little people who came from Cuba.'' For example, a woman comes from Cuba or a family comes from Cuba fleeing Castro, build from nothing, from zero, their own business. Then Cuba becomes free, and they want to go back and help. They are going to be subject to this tax, so it had better be fair. That is our obligation.

Even the proponents who testified for it said ''You have to fix two or three provisions.'' I said to them ''How do you fix them?'' They said ''It is complicated. We can do it. We have got working teams preparing it, but we don't have the language for you.'' I said ''How soon can you have it?'' They said ''Three weeks to about two months, because it is tough, and we do not know how much agreement in the tax community we are going to be able to develop.''

We can fix it. We can do exactly what we all agree needs to be done, but we must do it right. I was fascinated by the minority whip's comment that there are 12 to 24 people affected. I asked that from the representative of the Treasury specifically. He did not know how many people were affected. He did not know what the impact would be. All he could tell me was how many people left, gave up their citizenship, each year. That is insufficient information on which to do this.

In the other body, they held no hearing on this provision at all before they acted on it. After they acted on it, they did hold a hearing. Some of these issues were raised. We held at least a hearing before we came to the floor, so we have real information.

Mr. Speaker, it is unfortunate to toy with the interests of all those hard-working Americans who need that deduction, and to pretend that we are not in agreement. We want to strengthen our law to prevent people from leaving America and getting tax benefits as a consequence of citizen renunciation. We are able to do both, and I urge Members' support of a fair rule.

Mr. FROST. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I want to make it very clear what we intend to do. If the previous question is defeated, we will propose a rule which would recede and concur with the Senate amendment with an amendment to reinstate the Senate provision regarding renouncement of citizenship to avoid taxes. This will have the effect of agreeing to the provisions included in section 5 of the Senate amendment, which changed the tax treatment of U.S. citizens who relinquish their citizenship to avoid paying taxes.

This is exactly the same conference report that was filed yesterday, except for this one addition, so we agreed clearly to go forward with taking care of the deductibility issue for insurance. There is no question about that. There is no disagreement on that.

The only thing we want to do by defeating the previous question is reinstate the Senate provision, making sure that people who leave this country and renounce their citizenship are subject to our tax law.

Mr. Speaker, I yield 3 minutes to the gentleman from Missouri [Mr. GEPHARDT], the Democratic leader.

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

Mr. GEPHARDT. Mr. Speaker, I rise to urge Members to vote against the previous question and to try to change this rule to put this provision into this law. This change on trying to get better compliance with our tax laws was suggested by the President earlier this year. It is the subject of a piece of legislation that I presented on request by the President, so we could better enforce our tax laws.

The concern here is one that has been understood for a long time by the Treasury Department, and that is that a few very, very wealthy individuals are able to renounce citizenship, go offshore, and escape the payment of taxes that they owe as a result of being a citizen of the United States. It is believed that over a period of time this change would pick up $3 billion that we could use for deficit reduction.

The Senate adopted it and it was in their bill, and as a result of, I suppose, the majority here voting down our instruction, when they went to the conference, it was taken out. We are simply ascertaining today that it should be put back in.

How on Earth can we explain to anyone that we do not want to take necessary, reasonable steps to see that super wealthy individuals who are trying to escape taxation in America are renouncing their citizenship in order to escape that taxation? Why would we not want to do that?

The argument is made that there is a human rights issue. I am speechless about it. I do not even know what to say to that argument. There is an America rights issue involved here. There are the rights of all the taxpayers of our country involved here.

All of us represent hard-working people who go to work every day and pay their taxes by withholding, and now we want to say we cannot figure out how to enforce the tax law on some of the wealthiest people in the country who want to stay wealthy by renouncing their citizenship? This is the most incredible issue that I have encountered since I have been in the House.

Mr. Speaker, if we look at Republican tax policy, taking this position is consistent; 51 percent of the tax bill they hope to bring in the majority next week goes to families who earn over $100,000 a year.

□ 1145

Eighty percent of the capital gains cuts go to families that earn over $100,000 a year. I do not criticize you for having that belief. That is a legitimate belief. I totally disagree with it. But if you believe that it is the right thing to do to invest in the wealthiest people in our society so that it will trickle down to everybody else over a period of time, stand up and argue it, be proud of it, but let us collect the taxes of this country, even against the wealthiest people in this country.

Vote against the previous question.

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

Mr. Speaker, the minority leader had been on the Committee on Ways and Means for years, but he did not do a thing about it, and yet he comes up and preaches tax relief for the wealthy. Oh, how he cries.

Mr. Speaker, we have just read a copy of the substitute rule the minority would offer if they manage to defeat the previous question. Contrary to what the gentleman from Texas said, their rule would kill the conference report and send the bill back to the Senate. This killer rule would kill the ability of the self-employed to file their tax returns on time. Is that not shameful? I think it is a disgrace.

Mr. Speaker, I yield 3 minutes to my friend, the gentleman from Missouri [Mr. HANCOCK].

Mr. HANCOCK. Mr. Speaker, I thank the gentleman for yielding the time.

Mr. Speaker, we just heard the minority leader say stand up and defend the rich people if in fact we believe that they ought to get a break once in a while. I am going to defend them because they are the ones, they are the ones that have worked hard enough and have used the system properly, they have employed people, they have provided the capital. These are the people that create the jobs. I do not think you can go to a pauper and ask him to put you to work.

What we are talking about on that side of the aisle is we are going to tax

the rich people out of existence and then Government is going to provide the work. If that is not a socialist concept I do not know what is. The issue that we are talking about right now, the issue we are talking about right now does not have anything to do with the fact that there are certain people that have found possibly a loophole in the law to preserve their assets by giving up their citizenship. I do not approve of that in any way whatsoever. I do approve of changing the law to where there would be no incentive for those people. They should not have any incentive to give up their citizenship.

I am going to recommend to the people that did not attend the hearing last Monday, there was nobody on the gentleman's side of the aisle that attended the hearing where we went into the details. They could have asked experts questions but they were not there. All of a sudden they show up, and I am going to recommend they read a book called ''The Good and Evil of Taxation.''

Throughout history, people have disappeared from the taxing authority where they felt they were oppressed and that that taxing authority was confiscating their assets.

Let me ask this question: Why should a citizen of a foreign country be able to come into this country, work on a green card and leave with his assets where an American citizen cannot? I do not approve of it. I think that we definitely need to address the law. But I am sick and tired of that side of the aisle talking about the people, the principle that people should not have the opportunity to get wealthy. You stand up and you criticize the wealthy people. Where are the jobs going to come from? I would be considered wealthy today. Forty years ago I had a wife and two kids and the mortgage on a Studebaker Lark, and I worked my fanny off, and I have employed people. And if we continue the tax law that you all are advocating there will not be anybody with any opportunity to become wealthy.

Tax them out of existence and then see how good your social welfare programs are. Where is the money going to come from? Get rid of the rich people, get rid of them, just put them out of business, and then try to operate this country.

Mr. FROST. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, I say to the gentleman from Tennessee [Mr. QUILLEN], I have a copy of the amendment to the rule that we propose to offer in front of me and it does not send this matter back to the conference committee. What it does is simply amend what is before us and send it back to the full Senate for another vote, it does not send it back to the conference committee, it sends it back to the Senate for another vote on their original provision.

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

Mr. FROST. I yield to the gentleman from Tennessee.

Mr. QUILLEN. Mr. Speaker, I am reading it on the seventh line. It says shall be deemed to be rejected.

Mr. FROST. That is correct, and it shall be in order.

Mr. QUILLEN. If it is rejected, it goes back.

Mr. FROST. The gentleman is correct. That is what it says, shall be deemed to be rejected, and it shall be in order to consider in the House a motion, if offered by Representative GIBBONS of Florida or his designee to take from the Speaker's table H.R. 831, with the Senate amendment thereto, and to recede and concur in the Senate amendment with the amendment printed in section 2 of the resolution.

Mr. QUILLEN. Mr. Speaker, if the gentleman will yield, does that not mean it goes back to the Senate?

Mr. FROST. It goes back to the full Senate for another vote, that is correct. That is exactly what it means.

Mr. QUILLEN. So it delays the tax credit for the April 15 filing.

Mr. FROST. The Senate has not voted on the conference report yet. The Senate is going to have to vote anyway, so we are just giving them an opportunity to vote on something that makes some sense.

There is a lot of dust on the other side. They are very nervous. It is obvious they are having to defend something that is almost indefensible.

Let us talk about what is really going on here. We are talking about basic patriotism on the part of Americans and basic fairness.

Let me give a little personal history, and I know the gentleman from Tennessee [Mr. QUILLEN] has a comparable personal history. My great grandfather came to this country from Lithuania on a very dangerous ship, almost died on that trip, came here, was a peddler with a pack on his back, worked a territory in Texas, got enough capital to start a little store on the town square in a small town, made a little money. He would never have renounced his American citizenship. No one in my family, no matter how much money they made, would ever have renounced their American citizenship to get a tax break.

That is incredible, that this side is trying to defend renouncing your American citizenship so you can get a tax break.

Let me give another personal example. My wife was born in Panama of American parents who worked at the Canal Zone. She had dual citizenship until she turned 18. She renounced her Panamanian citizenship. She would never have renounced her American citizenship. This is absolutely extraordinary that they stand here and defend the right of wealthy people to renounce their American citizenship to save dollars. It makes no sense whatsoever. And no wonder they are so nervous on that side, no wonder they are so agitated by a little light that is being shed.

Mr. QUILLEN. Mr. Speaker, I yield 30 seconds to the gentleman from Missouri [Mr. HANCOCK].

Mr. HANCOCK. Mr. Speaker, we are not saying we advocate anybody renouncing their citizenship. What we are saying is we change the tax law to remove the incentive of renouncing the citizenship so citizens get the same treatment that people with green cards get if they come to the United States. That can be done. That can be done.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. LEVIN].

Mr. LEVIN. Mr. Speaker, I say to the gentleman from Missouri [Mr. HANCOCK], I do not know where he gets the notion that people who have green cards have a different taxation provision than those who are citizens.

Mr. HANCOCK. If the gentleman will yield, when it comes to taking their assets when they go back to their country, they would not be subject to what the American citizens would be.

Mr. LEVIN. Here is the point. While they are here, they pay taxes on them. And here is the question. No one is saying do not build up wealth. Build it up. I am in favor of it.

Here is the issue. Should someone be able to renounce their citizenship to avoid paying taxes on the realization of gains from that wealth? It is a question not of building wealth, but of paying fair taxes.

I will put it this way. You have two people who have made the same amount of money; one stays a citizen and one avoids it by renouncing it. Why should the person of the same wealth who renounced his citizenship pay less taxes than the American who stays here, who stays a citizen and who continues to work here? That is the issue.

Mr. HANCOCK. The gentleman is exactly right and we agree on that.

Mr. LEVIN. Then vote with us.

Mr. HANCOCK. If the gentleman will yield, the question is, should it be done in the tax law or should it be done here? This is not the vehicle.

Mr. QUILLEN. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Speaker, let me just say I think that the minority has a point and this will be corrected, I believe, in the tax law before this session is over. That is my view.

But let me just say that we are not nervous. We are in the majority for the first time in 40 years and we are not nervous. What I think the Democrats are nervous about is that they really do not have any program as an alternative to the Contract With America.

I have heard all this day this class warfare theology that you espouse all the time, and that is that the rich are going to get richer and the poor are going to get poorer because of the disparity in our tax proposals. Let me point out a couple of things. We have a

deficit; we have to deal with it; and are going to try to cut spending to deal with that. But in addition, we have to bring more revenue to the Treasury. How do you do that without a tax increase?

John F. Kennedy, when he was President, proposed and got passed through the Democratic Congress a capital gains tax cut. This is John F. Kennedy. And you know what happened after they cut the capital gains, the tax revenues went up because of the tax cut.

We had another capital gains tax cut during the Ronald Reagan years. You know what happened? Tax revenues went up over 30 percent, and because we stimulate growth by a capital gains tax we are advocating, if you use a dynamic model, it will increase tax revenues and help reduce the deficit. So let us cut this class warfare stuff.

If we cut capital gains, regardless of who gets a benefit, the low income, middle income, or high income, it is going to stimulate more capital investment, $2 to $3 trillion in new capital investment once assets are sold and recycled, and it is going to create economic growth and more tax revenues. So let us cut the baloney about tax warfare. It just will not wash with the American people.

Mr. FROST. Mr. Speaker, how much time is remaining on each side?

The SPEAKER pro tempore. The gentleman from Texas [Mr. FROST] has 3 minutes remaining, and the gentleman from Tennessee [Mr. QUILLEN] has 1½ minutes remaining.

Mr. FROST. Mr. Speaker, to close debate, I yield myself such time as I may consume. I do not intend to use all of the time.

Mr. Speaker, it is very clear what is going on here. The other side wants to talk about anything else other than what is at issue here. They want to talk about capital gains, they want to talk about other issues, they want to talk about the rights of citizens. They want to talk about green cards. They do not want to talk about what is really going on here, the fact that they are trying to protect one dozen, two dozen people who are renouncing their citizenship to avoid taxes.

□ 1200

These people are no longer citizens. Why should we treat them with kid gloves when they renounce their citizenship? Why should we say give them special privileges when they walk away from this country and say they do not want to be a citizen of this country anymore even through it is the laws of this country that have permitted them to amass the fortune that they have made and they now want to pick up and walk out the door with it?

Mr. Speaker, this is very clear. This is, as the minority leader commented, probably the most outrageous thing that I have seen since I have been here in Congress.

Reject this rule. Reject the previous question. Let up put the original Senate provision before the House, and let us take care of this problem. Let us close this loophole.

Vote against the previous question.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. QUILLEN. Mr. Speaker, I yield 15 seconds to the gentleman from Missouri [Mr. HANCOCK].

Mr. HANCOCK. Mr. Speaker, you know, the next step, I expect to hear form the minority party, is that when a citizen of New York decides to go to Florida because of the difference in the tax structure to save on his taxes, he is going to have to pay an exit tax from the State of New York to go down to Florida.

The free flow of capital is essential to our system.

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

Mr. Speaker, I have heard all the colloquy. I did not hear any of it in the Committee on Rules.

The gentleman from Texas was there. It passed unanimously, and somehow the basket was opened and all of the chatter came out and has been exemplified on the floor of the House.

We all know that if this conference report is referred to the Senate that it is a round robin event, that we have to consider it again.

April 15 is the filing date.

I urge that the previous question be ordered. I think that it should be ordered.

I think we should go forward with this conference report.

Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. GOODLATTE). The question is on ordering the previous question.

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

Mr. FROST. 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.

Pursuant to the provisions of clause 5 of rule XV, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of adoption of the rule.

The vote was taken by electronic device, and there were—yeas 224, nays 201, not voting 9, as follows:

[Roll No. 278]

YEAS—224

Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gutknecht
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—201

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bishop
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Costello
Coyne
Cramer
Danner
de la Garza
Deal
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Duncan
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hayes
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson-Lee
Jacobs
Jefferson
Johnson (SD)
Johnson, E. B.

Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Laughlin
Levin
Lewis (GA)
Lincoln
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Mollohan
Montgomery
Moran
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Poshard
Rahall
Rangel
Reed
Richardson
Rivers
Roemer
Rose
Roth
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stark
Stenholm
Stokes
Studds
Tanner
Tauzin
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Tucker
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NOT VOTING—9

Allard
Brown (FL)
Clay
Gibbons
Gunderson
Moakley
Pomeroy
Reynolds
Stupak

□ 1220

Mr. BRYANT of Texas and Mr. CONYERS changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

Mr. FROST. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Members are reminded that this is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 244, noes 178, not voting 12, as follows:

[Roll No. 279]

AYES—244

Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bevill
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Montgomery
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Peterson (MN)
Petri
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—178

Abercrombie
Ackerman
Andrews
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bishop
Bonior
Borski
Boucher
Brown (CA)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Costello
Coyne
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson-Lee
Jacobs
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lincoln
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Mollohan
Moran
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Pickett
Poshard
Rahall
Rangel
Reed
Richardson
Rivers
Roemer
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Skaggs
Slaughter
Spratt
Stark
Stenholm
Stokes
Studds
Tanner
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Tucker
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NOT VOTING—12

Brown (FL)
Chenoweth
Dicks
Forbes
Gibbons
Gunderson
Hyde
Moakley
Pomeroy
Reynolds
Serrano
Stupak

□ 1229

The Clerk announced the following pair:

On this vote:

Mr. Forbes for, with Mr. Moakley against.

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.

REQUEST FOR PERMISSION FOR COMMITTEE ON SCIENCE TO FILE REPORT ON H.R. 655, THE HYDROGEN FUTURE ACT OF 1995

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the Committee on Science have until 5 p.m., Thursday, March 30, 1995, to file a late report on H.R. 655, The Hydrogen Future Act of 1995.

Mr. Speaker, this has been checked with the minority; it is all right with them.

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

Mr. MATSUI. Reserving the right to object, Mr. Speaker, this has apparently not been cleared. Will the gentleman be kind enough to withdraw this until minority staff members have an opportunity to review it?

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

Mr. MATSU. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Speaker, I am happy to do that. I had just talked to the staff on our side, and it was cleared by the committee.

Mr. MATSUI. Apparently our staff is currently trying to reach the gentleman's side to further discuss it. I do not believe there is a problem, but at least we need to review it. I say to the gentleman, ''You have to excuse us.''

Mr. WALKER. Mr. Speaker, I withdraw my request.

The SPEAKER pro tempore. The gentleman's request is withdrawn.