

"Only about 1% of Americans are subject to the death tax, but according to CTJ's numbers, you are twice as likely (as that) to be forced to pay the tax if you are a farmer and three times as likely if you own a small business," Robbins said.

Robbins also notes that farmers and small-business owners are usually asset rich and cash poor. That makes the death tax a tougher burden on those who must pay it.

For many, he argues, the only way to settle the estate tax obligation to the IRS is to sell off assets or land—parts of the businesses that are critical to keep those family operations viable.

A law that forces people to sell their farms and businesses when a family member dies: How did we get to this point?

In the early 1900s, politicians became concerned about the growing concentration of money in a few families. Lawmakers called for a "progressive tax" on rich families to prevent them from passing down their wealth from one generation to the next.

In 1916, the estate tax was enacted; it was meant to fund national emergencies. Then in 1924, Congress passed the first gift tax, after people started giving away their estates so their heirs could avoid paying the estate tax.

From 1932 to 1941, as part of the New Deal, estate tax rates were raised to help pay for the new spending programs. At that time, estate taxes reached records, accounting for as much as 9.7% of federal tax revenue.

Here's how the estate tax is now assessed: Estates valued up to \$10 million pay taxes on a graduated scale: rates range from 37% to 55%. The first \$650,000 is exempt—and not indexed for inflation.

Estates valued between \$10 million and \$21 million are taxed at a 55% rate, plus a 5% surcharge. As the value of an estate approaches \$21 million, the surcharge effectively phases out the \$650,000 exemption.

Estates valued at more than \$21 million face a tax rate of 55% with no exemption.

The 60 Plus Association, a lobbying group whose rallying cry is "dying should not be a taxable event," says the estate tax is an ineffective way to raise money.

"Federal revenue raised from death taxes as a percentage of total revenue has been on a steady decline since 1940," said Jim Martin, president of 60 Plus.

"The death tax now brings in about 1% of total federal revenue, and it costs the government 65 cents for every dollar raised for enforcement and compliance costs," he said.

"Taxes are a necessary evil, but a tax should have some sort of socially redeeming value," Martin added. "The death tax just sets up an industry of lawyers, accountants and insurance brokers to help people protect their after-tax assets."

Some lawyers counter that the estate tax is really voluntary. It's paid by people who can't afford legal or accounting services or who don't realize the IRS will consider them rich at the time they inherit estates.

"That's just what the American people want to hear—hire more lawyers so you can keep out of trouble," said Rep. Jennifer Dunn, R-Wash., one of the estate tax's most forceful opponents.

"The cost of compliance is extraordinarily high for the death tax," Dunn said. "For the amount of money that is raised by the Federal Government, an equal amount is spent on hiring CPAs, lawyers and so forth. . . . This is money that should be spent much more wisely, and would be, if families did not have to spend so much money on compliance."

House Majority Leader Dick Armey, R-Texas, agrees.

"I've seen time and time again sons and daughters whose grief has been ameliorated by the thought of keeping their parents' leg-

acy alive," he said. "And when that family is forced to sell off Mom and Dad's business that they spent their entire life building to meet the needs of the tax man, you can hardly call that voluntary or just."

GOP pollster Kellyanne Fitzpatrick says most people think the estate tax is unfair—even though it hits mainly people the IRS considers wealthy.

In a poll she did for 60 Plus, 77% considered the tax unfair. The tax was unpopular among many groups. For example, 86% of women age 18 to 34 who don't have kids said the tax is unfair; so did 84% of 55- to 64-year olds, 82% of Protestants and 82% of Republican women.

"You don't have to be directly affected by (the tax's) unfairness or unjustness to oppose it," Fitzpatrick added.

Getting rid of the estate tax could have an unintended consequence: protecting the environment.

Dunn says some environmental groups are warming to the notion of repealing the estate tax.

Those who oppose suburban sprawl complain that many family farmers who have to pay estate taxes must sell at least part of their land, often to developers who may not be as friendly to the environment.

That brings us back to tree farmer Chester Thigpen. He has spent more than 55 years building his family business. He has won a number of awards for his sound environmental stewardship.

In 1995, Thigpen was named Mississippi Tree Farmer of the Year. The next year, he was National Tree Farmer of the Year. He received that award for his exceptional management practices, including reforestation, taking care of his timberland and maintaining wildlife habitat.

In addition, in 1998 the National Arbor Day Foundation gave Thigpen its Good Steward award.

"He (Thigpen) is commended for a lifetime of agricultural and forestry work, as exemplified in his conversion of 850 depleted acres of soil into a lush area of tree farms," said an Arbor Day Foundation press release.

If Clinton vetoes the GOP's tax plan and leaves the estate tax in place, the Thigpen family may not be able to maintain that sound stewardship after Chester dies. Family members say they may be forced to clear-cut several stands of timber and sell the lumber just to pay the estate tax.

As they say, money, especially when it's meant to pay the tax collector, doesn't grow on trees.

#### TAXING DEATH—TOP MARGINAL ESTATE TAX RATES

Country	Rate (Percent)
Japan .....	70
U.S. ....	55
Taiwan .....	50
South Korea .....	45
France, Great Britain .....	40
Germany, Sweden .....	30
Belgium .....	28.5
Netherlands .....	27
Chile, Italy .....	25
Denmark, Hong Kong .....	15
Singapore .....	10
Poland .....	7
Brazil .....	6
Argentina, Australia, Canada, China, India, Indonesia, Mexico .....	0

Source: American Council for Capital Formation.

TO HONOR THE THIRTEEN FIREFIGHTERS WHO LOST THEIR LIVES IN THE BOWEN-MERRILL FIRE

### HON. JULIA CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Ms. CARSON. Mr. Speaker, I rise today to pay tribute to the 13 dedicated Indianapolis Fire Department firefighters who lost their lives while bravely and courageously battling a horrific fire at the Bowen-Merrill book house.

The fire started at 3:08 PM on St. Patrick's Day, March 17, 1890. Shortly after the fire began, great streams of fire could be seen shooting from the bookstore located at 16-18 West Washington Street in downtown Indianapolis. To keep the fire from spreading to valuable properties located on Meridian and Illinois Streets, a monumental effort was made to contain the fire.

Eighty-six firefighters battled the giant blaze. Thirteen firefighters lost their lives when the roof to the building collapsed. Posthumously, tributes were extended to: Thomas Black, John Burkhart, Andrew Cherry, George Faulkner, Ulysses Glazier, George Glenn, Albert Hoffman, William Jones, David Lowry, B.F. Plummer, Epsy Stormer, Anthony Voltz, and Henry Woodruff.

On August 13, 1999, the Indianapolis Fire Department paid tribute to their fallen comrades. The clouds rolling through the skies of downtown Indianapolis purposely seemed to keep clear of the area directly above the tribute ceremony. There is no doubt that the 13 fallen heroes had a clear view of the tremendous respect and appreciation that our community has for their sacrifice.

As we approach the twilight of the 20th Century it is abundantly clear that their faithful commitment to duty exemplifies the spirit of the men and women of the Indianapolis Fire Department who heroically serve our community.

Mr. Speaker, it is fitting as we prepare to cross the threshold of the 21st Century that we remember and honor those who selflessly lost their lives at the end of the 19th Century.

#### TWO FIREFIGHTERS PROVIDE EXEMPLARY SERVICE

### HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. GILMAN. Mr. Speaker, I rise to commend two of my constituents, William Herman and Evan DeVries. Mr. Herman and Mr. DeVries are both volunteer firefighters with over fifty years of service in Rockland County.

William Herman began his firematic career by serving in the Federal Fire Service at Camp Shanks in Orangeburg during the Second World War and as a member of the Hook and Ladder Company in Pearl River.

After the War, he joined the Excelsior Fire Engine Company, where he has now served for more than fifty years. He has served as Lieutenant and Captain in Excelsior, and answered more than 8,000 fire calls for assistance from his fellow citizens in his half century career.

William Herman was also the first fire instructor for the county of Rockland, one of the founders of the modern Fire Training Center in Pomona, and a constant advocate for education for firefighters. In his career as an instructor, William Herman has taught more than 10,000 firefighters, and has himself taken more than 5,000 hours of training, to keep himself fully aware of changes in the fire service and fire technology.

At 85 years of age, he is still active in service as an instructor, and as a member of the excelsior Engine Company.

Evan DeVries, now in his seventy first year, has served for fifty years as a volunteer firefighter in the Nyack and Pearl River Fire Departments. After serving as chief in the Pearl River Fire Department from 1974 to 1976, he is an active driver with the Excelsior Fire Engine Company, responding weekly to the hundreds of alarms the company handles every year.

Mr. Speaker, in a day and age when community service is so much out of vogue in some quarters, the example of volunteer fireman, William Herman and Evan DeVries, should be commended. Their century of service to the people of Rockland County and to my Congressional District should be appropriately noted by this Congress.

#### PERSONAL EXPLANATION

### HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 8, 1999*

Mr. ORTIZ. Mr. Speaker, on rollcall No. 389, I was present and voted, but my vote was not recorded correctly. Had my vote been recorded correctly, I would have voted "yea."

#### TRIBUTE TO RALPH CONSELYEA

### HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 8, 1999*

Mr. LEVIN. Mr. Speaker, during our summer recess, a City which I am proud to represent and in which I live, Royal Oak, lost one of its greatest and proudest sons, Ralph Conselyea.

His business activities were centered there. So was his sense of community and they merged to benefit all of the citizens of Royal Oak. Its downtown is today so vital that often forgotten is its days of difficulties in the 60's and 70's. In those days, Ralph Conselyea whipped into action and joined in the purchase and renovation of key properties.

His good works spread beyond downtown into every corner of the City—through the Lions Club, the Goodfellows and many other groups.

Ralph Conselyea for decades was considered "Mr. Royal Oak."

He was always willing to respond to requests for information and advice, and I was among the many who benefitted from his wisdom and kindly spirit.

As we reconvene, it is fitting that we promptly take formal note of the lost felt by so many and to express sincerest condolences to his wife and the entire Conselyea family.

HONORING THE RETIREMENT OF  
FRED DEARBORN, CIVILIAN EXECUTIVE ASSISTANT, U.S. ARMY  
ROCK ISLAND ARSENAL

### HON. LANE EVANS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 8, 1999*

Mr. EVANS. Mr. Speaker, I rise today to honor the exemplary public service of Mr. Fred Dearborn, who is retiring after serving over 15 years as the Civilian Executive Assistant at the Rock Island Arsenal. As a tireless champion of the Arsenal and its dedicated workforce, Fred deserves the praise that comes with a job that has been well done.

Fred Dearborn is one of the finest public servants I have had the pleasure to work with. He is truly a credit to the U.S. Army and its hardworking civilian employees.

Fred's career in the Army has spanned over 30 years. From his days as an engineer at the Red River Army Depot to becoming the Civilian Executive Assistant at the Arsenal, he has become recognized as one of the best in the business. He is also widely known as being one of the nicest and most honest people in the Army community. These are attributes that in my mind truly sum up Fred as a person. They also reveal why he has become a recognized leader at the Arsenal, in the Army and in the Quad Cities.

These leadership skills were greatly needed over the last two decades as the arsenal went through rapidly changing times. Fred served as the Civilian Executive during the military buildup of the early 80's through the draw-down of our Armed Forces during the last decade. Through his stewardship during these dramatic ups and downs, the Rock Island Arsenal became synonymous with quality and efficient work. Fred should take great pride in his role in helping to establish the Arsenal as perhaps the greatest armaments manufacturing facility in the world. Many of the numerous awards and citations recognizing the Arsenal as one of the premier facilities in the U.S. Army would not have become a reality without his hard work and foresight. Without a doubt, his work has made it a better place.

Fred's contributions to the Arsenal, our community and to the Nation's defense are immeasurable. I am glad that I had his wise council during my service on the House Armed Services Committee. He truly has a knack for making the most complicated and technical issues understandable to a layman as well as the ability to see how the bigger trends in our national security policy affect the arsenal. Without his expertise and his vision, my job in promoting the arsenal and its workforce in Congress would have been much tougher.

Fred's dedication to the Rock Island Arsenal has been an inspiration to those of us who believe in the value of public service. I know that he will be missed by all of those who have had the pleasure of working with him.

While Fred will be retiring, I know that he will still be involved in our efforts to maintain the Rock Island Arsenal and its irreplaceable capabilities. He has chosen to remain in the Quad Cities with his wife Cheri for their hard-earned break. I hope that I will still be able to turn to him for advice in our fight to maintain the best facility in the U.S. Army.

I wish Fred and his family the very best on his retirement.

HONORING KSEE 24 HISPANIC-AMERICAN HERITAGE MONTH HONOREES

### HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 8, 1999*

Mr. RADANOVICH. Mr. Speaker, I rise today to pay tribute to the Hon. Jane Cardoza, Pilar De La Cruz, Gabriel Escalera, Frank C. Franco, and Dr. Cecilio Orozco for being selected as the 1999 Portraits of Success program honorees by KSEE 24 and Companies that Care. In celebration of Hispanic-American Heritage Month for September, these five leaders were honored for their unique contributions to the betterment of their community.

KSEE 24 and Companies that Care launched the 1999 Portraits of Success program to honor five distinguished local leaders in celebration of Hispanic-American Heritage month. Currently in its fifth year, this special project combines specially produced public service announcements, a five-part news series, plus an awards luncheon to publicly recognize the unique contributions of the Hon. Jane Cardoza, Pilar de la Cruz, Gabriel Escalera, Frank C. Franco and Dr. Cecilio Orozco.

Since graduating from law school of 1981, Judge Cardoza started her law career in the Fresno County District Attorney's office, proceeding to the offices of the Fresno City Attorney and State Attorney General, Fresno County Municipal Court and now is the Presiding Judge of Family Law for the Fresno County Superior Court. She is active in the San Joaquin College of Law Board of Trustees, the Fresno Metropolitan Museum Board of Trustees, Fresno Metropolitan Rotary, Fresno City College Puente Project Mentoring Program and Domestic Violence Roundtable.

Pilar de la Cruz began her nursing career in 1969 at Fresno Community Hospital and has moved up the corporate ladder to become vice-president of Education Development at Fresno Community. She has been instrumental in the development of the Jefferson Job Institute, a program to provide training for parents of school children for entry-level jobs in hospital settings. Ms. De la Cruz was named 1998 Volunteer of the Year by the American Heart Association and 1997 RN of the Year by the Central Valley Coalition of Nursing Organizations. She received the Latina Beyond Boundaries Award in Healthcare for 1998.

Gabriel Escalera has been in the field of education for 27 years, as principal of Alta Sierra Intermediate School for five years and is the principal of Gateway High School. His college major was physical education; played football for San Diego State and was an athletic director and coached football and wrestling for 12 years. Mr. Escalera is president of the Fresno chapter of the Association of Mexican-American Educators and is also president of the Fresno chapter of ACSA. He is a member of the Latino Educational Issues Roundtable and numerous professional and service organizations.

Mr. Franco is Business Development Manager for the Fresno County Economic Opportunities Commission and has been with the