



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, SECOND SESSION

Vol. 146

WASHINGTON, TUESDAY, FEBRUARY 1, 2000

No. 6

House of Representatives

The House met at 9:30 a.m. and was called to order by the Speaker pro tempore (Mr. COOKSEY).

□

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

February 1, 2000.

I hereby appoint the Honorable JOHN COOKSEY to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,

Speaker of the House of Representatives.

□

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 19, 1999, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to 5 minutes.

The Chair recognizes the gentleman from Illinois (Mr. WELLER) for 5 minutes.

□

UNFAIRNESS IN TAX CODE: MARRIAGE TAX PENALTY

Mr. WELLER. Mr. Speaker, it is a great day here and today we are, of course, responding to an important question that we have asked in this well of the House over the last several years and that is a pretty basic fundamental question. That is: Is it right, is it fair that under our Tax Code married working couples pay more in taxes than an identical couple in an identical situation living together outside of marriage? It is just wrong that under

our Tax Code 28 million married working couples pay, on average, \$1,400 more in higher taxes just because they are married.

Mr. Speaker, is it right that under our Tax Code that couples are punished, that they are penalized when they choose to participate in society's most basic institution?

That is the fact today. I represent a diverse district on the south side of Chicago. In the south suburbs in Cook and Will Counties, in Joliet and the bedroom and farm communities they all ask the same question. They wonder why for 30 years now Washington has punished marriage and no one has gone back to fix it.

I am pleased that under the leadership of the Speaker of the House, the gentleman from Illinois (Mr. HASTERT), this House has made it a top priority to eliminate and wipe out the marriage tax penalty suffered by 28 million married working couples. The Speaker has said that the elimination of the marriage tax penalty will be fast out of the box and on a fast track through the Senate and to the President, wiping out the marriage tax penalty and stopping the Tax Code from punishing marriage.

The marriage tax penalty really results from our very complicated Tax Code. And, unfortunately, because we have a progressive Tax Code, if couples get married, they get punished. That is just wrong.

Mr. Speaker, here is how the marriage tax penalty works. Here is how it ends up. Say there is a machinist and a school teacher in Joliet, Illinois. A machinist who works at Caterpillar at the local plant. The machinist makes that heavy equipment, the big bulldozers and cranes and earth-moving equipment. He makes \$31,500 a year. If he is single, he pays taxes in the 15 percent tax bracket.

Now, Mr. Speaker, if he meets a tenured public school teacher in the

Joliet Public School System with an identical income, as long as she is single she pays in the 15 percent tax bracket. But if this school teacher and machinist choose to get married, when they are married they file jointly and add together their income. What happens then is their combined income is \$63,000 and that pushes them into the 28 percent tax bracket, and they are punished with an almost \$1,400 marriage tax penalty. If they chose to stay single and live together outside of marriage, they would avoid that marriage tax penalty.

In this case, because this machinist and school teacher chose to live in holy matrimony, society's most basic institution, they are punished under our Tax Code. I find most Americans, whether they live in the city or the suburbs or the country, think it is just wrong and they want Congress and the President to do something about it.

That is why I am so pleased, because I have a another couple from Joliet, Illinois, two public school teachers, Shad and Michelle Hallihan. They came and told me they suffered a marriage tax penalty of \$1,000. They just had a baby. Michelle told me, "Congressman, tell your colleagues in the Congress that \$1,000 average in marriage tax penalty is 3,000 diapers." Of course, they point out that \$1,400, the average marriage tax penalty, is one year's tuition in the local community college.

Well, House Republicans are going to do something about this. We are going to work to eliminate the marriage tax penalty and the Speaker has put it on a fast track. This Wednesday, tomorrow, the House Committee on Ways and Means will have committee action on legislation that will essentially wipe out the marriage tax penalty for a majority of those who suffer it. We double the standard deduction for joint filers to twice that of singles, which will not only help 3 million couples who will no longer have to itemize

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Printed on recycled paper.

their taxes, but will essentially wipe out their marriage tax penalty for those who do not itemize.

Of course, many homeowners itemize. In order to help homeowners and those who itemize from suffering the marriage tax penalty, we widen the 15 percent bracket so that joint filers can earn twice as much as single filers and still pay in the 15 percent bracket. And for low-income families who benefit from the Earned Income Tax Credit, we also provide marriage tax relief for poor families and low-income families who suffer from the marriage tax penalty.

Mr. Speaker, it is good, common-sense legislation and deserves overwhelming bipartisan support. There is no excuse to vote against legislation wiping out the marriage tax penalty. The Speaker of the House has also indicated that by Valentine's Day that we are going to pass this through to help couples like Shad and Michelle Hallihan who suffer the marriage tax penalty. And what better Valentine's Day gift to give 28 million married working couples than legislation which will eliminate the marriage tax penalty.

Think in these terms: \$1,400 is a drop in the bucket here in Washington. It is chump change for the Washington bureaucrats and the big spenders here in Washington. But back home in Illinois, a \$1,400 marriage tax penalty is one year's tuition at a local community college; 3 months of day care for Shad and Michelle for their child; it is sev-

eral months' worth of car payments; it is most of the contribution to an IRA for Michelle. It is real money for real people.

House Republicans are making it a priority. We invite the Democrats to join with us. Let us make it a bipartisan effort to eliminate the marriage tax penalty. What better Valentine's Day gift to give 28 million married working couples. I urge my colleagues to pass the legislation with bipartisan support and send it to the Senate and send it to the President.

Mr. Speaker, I rise today to highlight what is arguably the most unfair provision in the U.S. Tax Code: the marriage tax penalty. I want to thank you for your long term interest in bringing parity to the tax burden imposed on working married couples compared to a couple living together outside of marriage.

This month President Clinton gave his State of the Union Address outlining many of the things he will spend the budget surplus on. House Republicans want to preserve 100% of the Social Security surplus for Social Security and Medicare and use the non-Social Security surplus for paying down the debt and to bring fairness to the tax code.

A surplus provided by the bipartisan budget agreement which: cut waste, put America's fiscal house in order, and held Washington's feet to the fire to balance the budget.

While President Clinton parades a long list of new spending totaling \$72 billion in new programs—we believe that a top priority after saving Social Security and paying down the national debt should be returning the budget surplus to America's families as additional middle-class tax relief.

This Congress has given more tax relief to the middle class and working poor than any Congress of the last half century.

I think the issue of the marriage penalty can best be framed by asking these questions: Do Americans feel its fair that our tax code imposes a higher tax penalty on marriage? Do Americans feel its fair that the average married working couple pays almost \$1,400 more in taxes than a couple with almost identical income living together outside of marriage? Is it right that our tax code provides an incentive to get divorced?

In fact, today the only form one can file to avoid the marriage tax penalty is paperwork for divorce. And that is just wrong!

Since 1969, our tax laws have punished married couples when both spouses work. For no other reason than the decision to be joined in holy matrimony, more than 21 million couples a year are penalized. They pay more in taxes than they would if they were single. Not only is the marriage penalty unfair, it's wrong that our tax code punishes society's most basic institution. The marriage tax penalty exacts a disproportionate toll on working women and lower income couples with children. In many cases it is a working women's issue.

Let me give you an example of how the marriage tax penalty unfairly affects middle class married working couples.

For example, a machinist, at a Caterpillar manufacturing plant in my home district of Joliet, makes \$31,500 a year in salary. His wife is a tenured elementary school teacher, also bringing home \$31,500 a year in salary. If they would both file their taxes as singles, as individuals, they would pay 15%.

MARRIAGE PENALTY EXAMPLE

	Machinist	School teacher	Couple	H.R. 6
Adjusted gross income	\$31,500	\$31,500	\$63,000	\$63,000
Less personal exemption and standard deduction	\$6,950	\$6,950	\$12,500	\$13,000 (singles x 2)
Taxable income	\$24,550 (x .15)	\$24,550 (x .15)	\$50,500 (Partial x .28)	\$49,100 (x .15)
Tax liability	\$3682.5	\$3682.5	\$8635	\$7,365

Marriage penalty, \$1,270. Relief, \$1,270.

But if they chose to live their lives in holy matrimony, and now file jointly, their combined income of \$63,000 pushes them into a higher tax bracket of 28 percent, producing a tax penalty of \$1,400 in higher taxes.

On average, America's married working couples pay \$1,400 more a year in taxes than individuals with the same incomes. That's serious money. Millions of married couples are still stinging from April 15th's tax bite and more married couples are realizing that they are suffering the marriage tax penalty.

Particularly if you think of it in terms of: A down payment on a house or a car, one years tuition at a local community college, or several months worth of quality child care at a local day care center.

To that end, U.S. Representative DAVID MCINTOSH and U.S. Representative PAT DANNER and I have authored H.R. 6, The Marriage Tax Elimination Act.

H.R. 6, The Marriage Tax Elimination Act will increase the tax brackets (currently at 15% for the first \$24,650 for singles, whereas married couples filing jointly pay 15% on the first \$41,200 of their taxable income) to twice that enjoyed by singles; H.R. 6 would extend a married couple's 15% tax bracket to \$49,300. Thus, married couples would enjoy an addi-

tional \$8,100 in taxable income subject to the low 15% tax rate as opposed to the current 28% tax rate and would result in up to \$1,215 in tax relief.

Additionally the bill will increase the standard deduction for married couples (currently \$6,900) to twice that of singles (currently at \$4,150). Under H.R. 6 the standard deduction for married couples filing jointly would be increased to \$8,300.

H.R. 6 enjoys the bipartisan support of 223 co-sponsors along with family groups, including: American Association of Christian Schools, American Family Association, Christian Coalition, Concerned Women for America, Ethics and Religious Liberty Commission of the Southern Baptist Convention, Family Research Council, Home School Legal Defense Association, the National Association of Evangelicals and the Traditional Values Coalition.

It isn't enough for President Clinton to suggest tax breaks for child care. The President's child care proposal would help a working couple afford, on average, three weeks of day care. Elimination of the marriage tax penalty would give the same couple the choice of paying for three months of child care—or addressing other family priorities. After all, parents

know better than Washington what their family needs.

We fondly remember that 1996 State of the Union address when the President declared emphatically that, quote "the era of big government is over."

We must stick to our guns, and stay the course.

There never was an American appetite for big government.

But their certainly is for reforming the existing way government does business.

And what better way to show the American people that our government will continue along the path to reform and prosperity than by eliminating the marriage tax penalty.

Ladies and gentlemen, we are on the verge of running a surplus. It's basic math.

It means Americans are already paying more than is needed for government to do the job we expect of it.

What better way to give back than to begin with mom and dad and the American family—the backbone of our society.

We ask that President Clinton join with Congress and make elimination of the marriage tax penalty . . . a bipartisan priority.

Speaker HASTERT and House Republicans have made eliminating the marriage tax penalty a top priority. In fact, we plan to move legislation in the next few weeks.

Last year, President Clinton and Vice President GORE vetoed our efforts to eliminate the marriage tax penalty for almost 28 million married working people. The Republican effort would have provided about \$120 billion in marriage tax relief. Unfortunately, President Clinton and Vice President GORE said they would rather spend the money on new government programs than eliminate the marriage tax penalty.

This year we ask President Clinton and Vice President GORE to join with us and sign into law a stand alone bill to eliminate the marriage tax penalty.

Of all the challenges married couples face in providing home and hearth to America's children, the U.S. tax code should not be one of them.

The greatest accomplishment of the Republican Congress this past year was our success in protecting the Social Security Trust Fund and adopting a balanced budget that did not spend one dime of Social Security—the first balanced budget in over 30 years that did not raid Social Security.

Let's eliminate the marriage tax penalty and do it now!

□

ELIAN GONZALEZ AND WHAT AWAITS HIM IN CUBA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized during morning hour debates for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, the case of Elian Gonzalez cannot be viewed through a prism of normalcy or merely by our views regarding the primacy of family and the rights of parents, because Castro's Cuba is not the United States. The totalitarian communist dictatorship in power since 1959 is not a Democratic government. The regime treats children, by law, as political raw material to be manipulated and exploited by the State.

Children are forced from infancy to prepare for the defense of the country and its regime. Parents who follow their conscience and try to shape their children's values and education are considered enemies of the State and are arrested or persecuted.

Those parents whose love for their children supersedes any individual concern for their safety are punished by the Castro regime, punished for violating Castro's laws. Laws such as the Code of the Child and Youth established by Law Number 16 published on June 30, 1978.

This law reiterates the requirement that the young generations must participate in the "construction of socialism," and that "the communist ideological formation of children and youth" must take place "through a coherent system . . . in which the Cuban Communist Party assumes the pivotal role of vanguard and protector of Marxist-Leninism." Those are the exact words.

The upbringing of Cuba's children, in other words, is the responsibility of the Cuban Communist Party. Based on this premise, the Code of the Child and Youth dictates in its first Article that the people, organizations, and institutions which take part in their education are obligated to "promote the formation of the communist personality in the young generations." That is their quote.

Mr. Speaker, if any doubt exists as to the true nature of this Code, Article 3 states that the communist ideological formation of the young generation is a primary goal of the State and, as such, the State works to instill in them, quote, "loyalty to the cause of socialism and communism and loyalty . . . to the vanguard of Marxist-Leninism, the Cuban Communist Party."

By the same token, the State must develop in the children "a sense of honor and loyalty to the principles of proletarian internationalism." Again, these are their words. "And the fraternal relations and cooperation with the Soviet Union and other socialist communist countries."

Absolute adherence to Marxism is the crux of the educational system in Cuba. Article 8, for example, underscores that, "Society and the State work for the efficient protection of youth against all influences contrary to their communism formation."

The regime equates Karl Marx with Cuban independence hero Jose Marti to mask the content of Article 14 of the Code, albeit unsuccessfully. Article 14 condones and advocates child labor as it dictates: "The combination of study and work . . . is one of the fundamentals on which revolutionary education is based. The principle is to be applied from infancy."

In this manner, Cuba's youth "acquire proper labor habits and other aspects of the communist personality are developed." The supremacy of Marxism is irrefutable as evident in Article 33: "The State bestows particular attention to the teachings of Marxism-Leninism for its importance in the ideological formation and political culture of young students."

Is this the totalitarian society, where the communist party and the State dictates the education, the upbringing of every child, is this what our Justice Department, our INS and the National Council of Churches seek to send young Elian Gonzalez back to? What a travesty.

Mr. Speaker, I commend to our colleagues an article published this week in the Wall Street Journal by James Taranto called "Havana's Hostages" which talks about a case of a congressional constituent in my district, Jose Cohen, who has three of his children, Yamila, Isaac and Yanelis, along with his wife back in Cuba, even though they have U.S. exit visas and have been approved for many, many years and Castro will not allow them to come to the United States. This story, Mr. Taranto points out, shows how little

the Cuban dictator cares about family unity and how much his communist code that is in force in Cuba cares about communist ideology and loyalty to the socialist Marxist-Leninist cause and not loyalty to true family unity.

□

CANADIAN HEALTH CARE IS A COLOSSAL FAILURE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentleman from Florida (Mr. STEARNS) is recognized during morning hour debates for 5 minutes.

Mr. STEARNS. Mr. Speaker, back in the 1970s when Canada unveiled its national health care program, it promised its citizens universal and free health care. In fact, in 1984 the Canadian Government promised that it would make available to all its citizens health that would be, "universal, portable, comprehensive and accessible."

Now, we can learn a lesson from Canada because the promises that were made have not been kept. Far from it. Before I elaborate on why I believe it is a mistake for this country to go down the same road, I wish to point out that we have several candidates who are running for president on a national health care program much like Canada's. Of course, they talk about it differently, but basically they want to have the same health care plan that Canada has, even though the Canadians are swarming across the border because the waiting lines are so long in their country.

National health care often results in the rationing of health care itself. In his State of the Union address, the President outlined several new health care spending initiatives that would cost the taxpayers at least \$150 billion. What troubles me about this is that the President's health care plan looks a lot like the plan they proposed several years ago. That plan would have put the Federal Government in charge of our entire health care delivery system.

□ 0945

And, as we remember, this was soundly defeated by the electorate.

By rejecting the Clinton administration's Health Security Act, the American people sent us a message. That message was that they did not want government-run health care. Countries such as Great Britain and Sweden are now moving toward privatizing their health care system because it has resulted in rationing of health care benefits.

Let us review the promises that were made and the reality of Canada's health care system. The Canadian government promised they would provide universal coverage. However, two provinces, British Columbia and Alberta, require that premiums are paid. And, if they are not, then the individual is not covered. In other provinces residents must register to be eligible for coverage. Studies show that in 1997