

VETO MESSAGE OF H.R. 4810, THE MARRIAGE TAX
RELIEF RECONCILIATION ACT OF 2000

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

HIS VETO OF H.R. 4810, THE "MARRIAGE TAX RELIEF
RECONCILIATION ACT OF 2000"



SEPTEMBER 6, 2000.—Message and accompanying papers referred to the
Committee on Ways and Means and ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

To the House of Representatives:

I am returning herewith without my approval H.R. 4810, the "Marriage Tax Relief Reconciliation Act of 2000," because it is poorly targeted and one part of a costly and regressive tax plan that reverses the principle of fiscal responsibility that has contributed to the longest economic expansion in history.

My Administration supports marriage penalty relief and has offered a targeted and fiscally responsible proposal in our fiscal year 2001 budget to provide it. However, I must oppose H.R. 4810. Combined with the numerous other tax bills approved by the Congress this year and supported by the congressional majority for next year, it would drain away the projected surplus that the American people have worked so hard to create. Even by the Congressional Budget Office's more optimistic projection, this tax plan would plunge America back into deficit and would leave nothing for lengthening the life of Social Security or Medicare; nothing for voluntary and affordable Medicare prescription drug benefits; nothing for education and school construction. Moreover, the congressional majority's tax plan would make it impossible for us to get America out of debt by 2012.

H.R. 4810 would cost more than \$280 billion over 10 years if its provisions were permanent, making it significantly more expensive than either of the bills originally approved by the House and the Senate. It is poorly targeted toward delivering marriage penalty relief—only about 40 percent of the cost of H.R. 4810 actually would reduce marriage penalties. It also provides little tax relief to those families that need it most, while devoting a large fraction of its benefits to families with higher incomes.

Taking into account H.R. 4810, the fiscally irresponsible tax cuts passed by the House Ways and Means Committee this year provide about as much benefit to the top 1 percent of Americans as to the bottom 80 percent combined. Families in the top 1 percent get an average tax break of over \$16,000, while a middle-class family gets only \$220 on average. But if interest rates went up because of the congressional majority's plan by even one-third of one percent, then mortgage payments for a family with a \$100,000 mortgage would go up by \$270, leaving them worse off than if they had no tax cut at all.

We should have tax cuts this year, but they should be the right ones, targeted to working families to help our economy grow—not tax breaks that will help only a few while putting our prosperity at risk. I have proposed a program of targeted tax cuts that will give a middle-class American family substantially more benefits than the Republican plan at less than half the cost. Including our carefully targeted marriage penalty relief, two-thirds of the relief will go to the middle 60 percent of American families. Our tax cuts will also help to send our children to college, with a tax deduction

or 28 percent tax credit for up to \$10,000 in college tuition a year; help to care for family members who need long-term care, through a \$3,000 long-term care tax credit; help to pay for child care and to ease the burden on working families with three or more children; and help to fund desperately needed school construction.

And because our plan will cost substantially less than the tax cuts passed by the Congress, we'll still have the resources we need to provide a Medicare prescription drug benefit; to extend the life of Social Security and Medicare; and to pay off the debt by 2012—so that we can keep interest rates low, keep our economy growing, and provide lower home mortgage, car, and college loan payments for the American people.

This surplus comes from the hard work and ingenuity of the American people. We owe it to them to make the best use of it—for all of them, and for our children's future.

Since the adjournment of the Congress has prevented my return of H.R. 4810 within the meaning of Article I, section 7, clause 2 of the Constitution, my withholding of approval from the bill precludes its becoming law. The *Pocket Veto Case*, 279 U.S. 655 (1929). In addition to withholding my signature and thereby invoking my constitutional power to “power veto” bills during an adjournment of the Congress, to avoid litigation, I am also sending H.R. 4810 to the House of Representatives with my objections, to leave no possible doubt that I have vetoed the measure.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *August 5, 2000.*

H. R. 4810

**One Hundred Sixth Congress
of the
United States of America**

AT THE SECOND SESSION

*Began and held at the City of Washington on Monday,
the twenty-fourth day of January, two thousand*

An Act

To provide for reconciliation pursuant to section 103(a)(1) of the concurrent resolution
on the budget for fiscal year 2001.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

(a) **SHORT TITLE.**—This Act may be cited as the “Marriage Tax Relief Reconciliation Act of 2000”.

(b) **SECTION 15 NOT TO APPLY.**—No amendment made by this Act shall be treated as a change in a rate of tax for purposes of section 15 of the Internal Revenue Code of 1986.

SEC. 2. ELIMINATION OF MARRIAGE PENALTY IN STANDARD DEDUCTION.

(a) **IN GENERAL.**—Paragraph (2) of section 63(c) of the Internal Revenue Code of 1986 (relating to standard deduction) is amended—

(1) by striking “\$5,000” in subparagraph (A) and inserting “200 percent of the dollar amount in effect under subparagraph (C) for the taxable year”;

(2) by adding “or” at the end of subparagraph (B);

(3) by striking “in the case of” and all that follows in subparagraph (C) and inserting “in any other case.”; and

(4) by striking subparagraph (D).

(b) **TECHNICAL AMENDMENTS.**—

(1) Subparagraph (B) of section 1(f)(6) of such Code is amended by striking “(other than with” and all that follows through “shall be applied” and inserting “(other than with respect to sections 63(c)(4) and 151(d)(4)(A)) shall be applied”.

(2) Paragraph (4) of section 63(c) of such Code is amended by adding at the end the following flush sentence:

“The preceding sentence shall not apply to the amount referred to in paragraph (2)(A).”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to taxable years beginning after December 31, 1999.

SEC. 3. PHASEOUT OF MARRIAGE PENALTY IN 15-PERCENT BRACKET.

(a) **IN GENERAL.**—Subsection (f) of section 1 of the Internal Revenue Code of 1986 (relating to adjustments in tax tables so that inflation will not result in tax increases) is amended by adding at the end the following new paragraph:

“(8) **PHASEOUT OF MARRIAGE PENALTY IN 15-PERCENT BRACKET.**—

H. R. 4810—2

“(A) IN GENERAL.—With respect to taxable years beginning after December 31, 1999, in prescribing the tables under paragraph (1)—

“(i) the maximum taxable income in the lowest rate bracket in the table contained in subsection (a) (and the minimum taxable income in the next higher taxable income bracket in such table) shall be the applicable percentage of the maximum taxable income in the lowest rate bracket in the table contained in subsection (c) (after any other adjustment under this subsection), and

“(ii) the comparable taxable income amounts in the table contained in subsection (d) shall be $\frac{1}{2}$ of the amounts determined under clause (i).

“(B) APPLICABLE PERCENTAGE.—For purposes of subparagraph (A), the applicable percentage shall be determined in accordance with the following table:

“For taxable years beginning in calendar year—	The applicable percentage is—
2000	170
2001	173
2002	178
2003	183
2004 and thereafter	200.

“(C) ROUNDING.—If any amount determined under subparagraph (A)(i) is not a multiple of \$50, such amount shall be rounded to the next lowest multiple of \$50.”.

(b) TECHNICAL AMENDMENTS.—

(1) Subparagraph (A) of section 1(f)(2) of such Code is amended by inserting “except as provided in paragraph (8),” before “by increasing”.

(2) The heading for subsection (f) of section 1 of such Code is amended by inserting “PHASEOUT OF MARRIAGE PENALTY IN 15-PERCENT BRACKET,” before “ADJUSTMENTS”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1999.

SEC. 4. MARRIAGE PENALTY RELIEF FOR EARNED INCOME CREDIT.

(a) IN GENERAL.—Paragraph (2) of section 32(b) of the Internal Revenue Code of 1986 (relating to percentages and amounts) is amended—

(1) by striking “AMOUNTS.—The earned” and inserting “AMOUNTS.—

“(A) IN GENERAL.—Subject to subparagraph (B), the earned”; and

(2) by adding at the end the following new subparagraph:

“(B) JOINT RETURNS.—In the case of a joint return, the phaseout amount determined under subparagraph (A) shall be increased by \$2,000.”.

(b) INFLATION ADJUSTMENT.—Paragraph (1)(B) of section 32(j) of such Code (relating to inflation adjustments) is amended to read as follows:

“(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined—

H. R. 4810—3

“(i) in the case of amounts in subsections (b)(2)(A) and (i)(1), by substituting ‘calendar year 1995’ for ‘calendar year 1992’ in subparagraph (B) of section 1(f)(3), and

“(ii) in the case of the \$2,000 amount in subsection (b)(2)(B), by substituting ‘calendar year 1999’ for ‘calendar year 1992’ in subparagraph (B) of section 1(f)(3).”.

(c) **ROUNDING.**—Section 32(j)(2)(A) of such Code (relating to rounding) is amended by striking “subsection (b)(2)” and inserting “subparagraph (A) of subsection (b)(2) (after being increased under subparagraph (B) thereof)”.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall apply to taxable years beginning after December 31, 1999.

SEC. 5. ALLOWANCE OF NONREFUNDABLE PERSONAL CREDITS AGAINST REGULAR AND MINIMUM TAX LIABILITY.

(a) **IN GENERAL.**—Subsection (a) of section 26 of the Internal Revenue Code of 1986 (relating to limitation based on tax liability; definition of tax liability) is amended to read as follows:

“(a) **LIMITATION BASED ON AMOUNT OF TAX.**—The aggregate amount of credits allowed by this subpart for the taxable year shall not exceed the sum of—

“(1) the taxpayer’s regular tax liability for the taxable year reduced by the foreign tax credit allowable under section 27(a), and

“(2) the tax imposed for the taxable year by section 55(a).”.

(b) **CONFORMING AMENDMENTS.**—

(1) Subsection (d) of section 24 of such Code is amended by striking paragraph (2) and by redesignating paragraph (3) as paragraph (2).

(2) Section 32 of such Code is amended by striking subsection (h).

(3) Section 904 of such Code is amended by striking subsection (h) and by redesignating subsections (i), (j), and (k) as subsections (h), (i), and (j), respectively.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

SEC. 6. ESTIMATED TAX.

The amendments made by this Act shall not be taken into account under section 6654 of the Internal Revenue Code of 1986 (relating to failure to pay estimated tax) in determining the amount of any installment required to be paid before October 1, 2000.

SEC. 7. COMPLIANCE WITH BUDGET ACT.

(a) **IN GENERAL.**—Except as provided in subsection (b), all amendments made by this Act which are in effect on September 30, 2005, shall cease to apply as of the close of September 30, 2005.

H. R. 4810—4

(b) SUNSET FOR CERTAIN PROVISIONS ABSENT SUBSEQUENT LEGISLATION.—The amendments made by sections 2, 3, 4, and 5 of this Act shall not apply to any taxable year beginning after December 31, 2004.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*

