

month and they cannot pay that and they have to make that decision of what drug they take that month or that week or that day as versus whatever other expenses they might have, we are also costing this system millions of dollars every day because we let them out of the hospital after we have stabilized them and then we, 2 months later, find them back in the same situation as we left them before. And we are thinking to ourselves, we want to make the solvency of the Medicare program, we want to continue the program. The only thing we can do, contrary to whatever anybody else says is, this has got to be a Medicare program. It has got to be done under the Medicare program. It is good for the solvency and it is good for the patient.

I think we really have to take all of these things into account. I would love to talk to my pharmacist, the gentleman from Arkansas (Mr. BERRY), and thank all of us for being here tonight. This is a good debate and it needs to be had in this country.

Mr. PALLONE. I yield to the gentleman from Arkansas.

Mr. BERRY. Like many of you, I know that many of you have held public forums and senior meetings and all of those things over and over again, into the hundreds. I hear a lot of criticism about a lot of things, about the government. We all do. I have never had anyone tell me, "You ought to do away with Medicare." I do not understand. Our seniors like Medicare. It is a good program. It works. It is successful. It is what they need. They just need a prescription drug benefit to go along with it. I just simply do not understand why Governor Bush and the Republicans are so determined to destroy it. Why would they want to do that to our seniors when we know this is the only way we can provide decent health care protection for our senior citizens, and it is absolutely a mystery to me why they would engage in this attempt, this shameful attempt, to destroy Medicare that has been such a wonderful thing, and will continue to be if we add a prescription drug benefit to it.

Mr. PALLONE. Mr. Speaker, I want to thank everyone for participating in this tonight and make the point that this is our first day back in session, but we are going to keep at this. We are going to keep demanding that the Republicans take action and that the Republican leadership allow the Democratic proposal to be considered and that we pass a prescription drug program under Medicare that really is meaningful because that is what the people need. It has to be addressed. It should be addressed between now and when we adjourn, not next year.

#### DEATH TAX

The SPEAKER pro tempore (Mr. SCARBOROUGH). Under the Speaker's announced policy of January 6, 1999, the

gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes.

Mr. MCINNIS. Mr. Speaker, good evening colleagues.

I note that I am kind of outnumbered here five to one. The gentlewoman from Florida (Mrs. THURMAN), whom we just heard, said we have had a good debate here. I wish that my colleagues would understand that we have only heard one side of the debate. In fact, what we have heard are five individuals who are highly, in my opinion, speaking the partisan tone and presenting one side of the case.

Now, my remarks tonight really are going to center on the death tax, but I cannot go without at least rebutting some of the comments that were made. I refer to the gentleman from Arkansas (Mr. BERRY), the pharmacist. This is a closest I have ever come, colleagues, to asking that the words be stricken from the RECORD after I listened to the gentleman from Arkansas over here.

This gentleman from Arkansas (Mr. BERRY), the pharmacist, in my opinion, has totally mislead the public when he says that the Republicans or the Democrats or any elected politician wants to do away with Medicare. It is exactly what the gentleman said, that the Republicans want to do away with Medicare.

Now, tell me, colleagues, tell me one elected official on this House floor, Democrat, Republican, eastern, western, northern, southern, show me one elected Congressman that wants to do away with Medicare. That is about the grossest misrepresentation that I have heard on the RECORD on Special Orders.

I want to continue to go on. I mean, the only way that we are going to be able to help the senior citizens of this country and not, by the way, just the senior citizens but a lot of other people who also face high prescription services, is to work as a team, and not to develop highly partisan comments late at night, late into the hour when most of our colleagues are off the floor, not to use the tactics of fear, which seem to be the tactics that some of these previous speakers have used: the senior citizens are going to be trashed, the senior citizens Medicare program is going to be destroyed by the Republicans, all the Republicans care about are the pharmaceuticals.

We can sure tell we are about to come up to a national election, can we not? That is not how we are going to resolve this problem, and you know it is not how we are going to resolve this problem, so do my colleagues that have conveniently just left the House floor.

What team do they want to be on? Do they want to be on a team that really can go out and help people with high prescription medical services or prescriptions?

Mr. PALLONE. Would the gentleman yield?

Mr. MCINNIS. The gentleman had 1 hour totally unrebuted, and I intend to rebut it with the next hour.

Mr. Speaker, I have control of the floor. I have control of the House.

Mrs. THURMAN. The gentleman does not want to debate.

Mr. MCINNIS. Mr. Speaker, I say to the gentlewoman I love to have a debate that is not one sided. That is why I am taking time away from the death tax, which I intend to talk about.

Mr. PALLONE. Mr. Speaker, does the gentleman from Colorado want to hear from us? I am just asking.

SPEAKER pro tempore. The gentleman from Colorado has the hour.

Mr. MCINNIS. Mr. Speaker, the key here is my colleagues can come across the party aisle, Democrats and Republicans come across the party aisle, George W. Bush ought not to be criticized in the late hour of the House of Representatives by a very partisan team who are out strictly to destroy any kind of proposal that George W. Bush comes up with. Now look, my colleagues may not agree with everything that George W. Bush says, but is the whole concept, every line of it intended to destroy Medicare? Of course it is not. It is just the same as GORE and Clinton, they have come up with some ideas. But should my colleagues just in blank say because it was GORE or because it was Clinton that it ought to be destroyed? No.

I think my colleagues owe it to the people that we are elected to represent, to go on a very constructive fashion, as I intend to do here in a few minutes talking about the death tax and talk about the pluses and the minuses, talk about the details of it, talk about the fine print.

I saw an excellent article today. I pulled it out of the newspaper, The Washington Post, it says 12 questions to ask about the proposals of AL GORE. "If the projected budget surpluses on which you are basing your spending plans do not materialize or come up short, which promises will you put on hold?"

The reason I bring these questions up to my colleagues on the Democratic side is, look, I realize that it is an election season, it is the time for promises. It is almost if you are a teacher telling all your kids whatever wishes you want to come true, I will grant them, just as long as I get my contract renewed.

Look, somewhere you are going to have to face these voters and you are going to have to tell them how you are going to pay for this. If you want to talk about socialized medicine, talk about it as socialized medicine, be upfront with our constituents. They are not dummies. In fact, they elected us to come back up here so we will speak frankly to them, so that we will talk to them. This is what it is going to cost you.

Take a look at your tallies. Just in today's Washington Post, GORE promises another \$300 billion, the Medicare program, the pharmaceutical program. Some of these are needs that we have to address. But as we begin to address them and as we begin to critique other people's programs, we ought to keep a little cost tally on the right-hand side to see if we can afford them.

It is kind of like going to the car dealership and saying all right I promised my son this car and I promised my daughter this car, my other daughter this car, my other son this car and my wife promised me this car, and I promised her that car. At some point the salesman is going to stop and say, Congressman MCINNIS, can you afford what you are promising all of this family? Are you really serious? Are you really going to deliver the money to provide these cars for your four, five children and your wife and your wife for you, or are you just talking? Are you just trying to get me excited as a salesman?

I am afraid that is what the previous hour just did. It is an effort to get people excited about this upcoming election by giving them, in my opinion, distorted and inaccurate information. That is pretty strong terminology, but do you think that the gentleman who is a pharmacist, the gentleman from Arkansas (Mr. BERRY), the Congressman here, can fairly stand up in front of my colleagues and say that George W. Bush's plan and the Republican plan their whole intent is to destroy Medicare? Give me a break.

As I said earlier, there is nobody on this floor, nobody in an elected office, not a county commissioner, not a city councilman, not a governor, not anywhere in the country that wants to destroy Medicare; and using that kind of fear tactic on our senior citizens is unjustified.

Constructive criticism is welcome. That is exactly what this House floor is for, constructive criticism. But to come up here and patently mislead, in my opinion, is very unfortunate, and that is really frankly what gives people kind of a bad taste in their mouth about politics in this country.

Let me move on to something which I intended to speak about the entire time. My wife and I have faced it, many of our young people in this country, the young people, I am talking about the people in their 20s, the people that are going to college for an education, the young people of our country that have dreams, I am talking about the next generation in their mid-40s such as myself. That generation has been able to realize a part of their dreams, and then I am talking about the generation ahead of me that have realized their dreams, but their biggest dream is to see what they can do for the generation that is behind them or the generations that are behind them.

I cannot think of a more fundamental question in front of all of us to decide whose team you are on then to vote tomorrow. The vote we have on this House floor tomorrow is a vote to override the Presidential veto on our bill that passed this House. By the way, I think it was 65 Democrats. So some of the Democrats, not the leadership, but some of the mainstream Democrats more conservative Democrats crossed the party aisle and voted to eliminate the death tax.

The President, by the way, this year in his budget did not call for elimi-

nation of the death tax, did not call for the status quo of the death tax, in other words, keep the death tax absolutely the same. Instead, the President this year in his budget which was submitted to this Congress actually increases the death tax by \$9.5 billion. Again, the President does not eliminate the death tax. The President does not keep the death tax neutral. The President increases the tax by \$9.5 billion. No wonder he vetoed this House of Representatives' and the U.S. Senate's proposal to eliminate the death tax.

Tomorrow, every one of us is going to have an opportunity to cast our vote on that tally board up there as to whether or not we think fundamentally the death tax is a fair tax to have in this system.

Now, I have heard on the August recess, I heard some of the rhetoric coming out to justify a death tax in this country: Well, it is only for the wealthy; well, it is only just for a few people in this country. Well, it is selfish for you to think of doing away with the death tax. Every one of those defenses, every one of those items of rhetoric avoids the basic question, and the basic question is should a government based, as a democratic government of the United States is based, should it have a tax based simply on the event of a death?

It is not based on what you have earned. It is not an income tax. It is not based on a Social Security-type of tax. It is not based on a you-sell-some-land-for-a-huge-profit, a capital-gains type of tax. This tax is based strictly on the event of your death; that is the only justification for that tax. You died, the Government gets to tax you.

By the way, take a look at how this goes. Let us give you an idea who qualifies for this. Let us say you are a rancher or a farmer, and I was appalled, by the way, when I was driving in a car in my district out there in Colorado listening to the newscast about President Clinton vetoing this death tax, and I was appalled to hear some professor, I do not know where he came from, but some professor say, well, there has never been a family farm in America lost because of the death tax.

I about drove off the road. I feel like getting that person, that professor, getting him out of the ivory tower, grabbing him by his necktie and say why could you not come out to the rural parts of this country and see what this death tax does to us. Take a look at the impacts to the community and take a look at the impacts generation after generation.

You know what it takes to qualify? Let us say a young person, they are 20 years old, 25 years old, they just get out of college or they just get out of some type of technical school and they want to start a construction company; and let us say they buy on credit, they buy a truck, they buy a bulldozer, they buy a backhoe and maybe they buy some other type of equipment, say a cable layer or maybe a smaller type of

piece of equipment. The day they pay those pieces of equipment off, more likely than not, they will be in that bracket that the President calls the special privileged.

How about for farming? If you own a tractor, a combine and a few cows and your pickup truck, watch out, because you are now in the category of what the President and the Secretary of Treasury called the elite few, only those 2 percent. Not only that, as I started to point out earlier, let us say that you have an estate that is hit by the death tax, and you pay the taxes on that. So you pay them here. Let us say your father or your grandfather paid for that in 1970, then that same piece of property, although it has already been taxed, and by the way, almost all of the death tax is a tax on property that has already been taxed. You already paid income tax on it. You already paid capital gains on it. You already paid any other type of tax, with the exception of some IRAs.

What happens here? Here is property that is already taxed. It gets taxed when your grandfather died. Your grandfather, let us say, was fortunate enough to be able to pass some of it on to your father, and when your father dies, this same property that was already taxed 30 years ago gets taxed again, generation after generation. In other words, every generation that comes on to the farm, one of their highest priorities is not how do you grow better potatoes, how do we get more production out of our cattle, how do we grow better wheat, how do we do this or do that better?

□ 2200

The first question of this generation of young people that want to go into small business or want to go into a farming operations their first question is, Gosh, how do I make enough money to pay for the day when mom or dad die and I have to pay for the estate tax or I get kicked off the farm?

That is the wrong place. The United States of America should not be the country where the first question you ask is how do I pay the government taxes for the event of death? In our country, the reason we are such a great country is because the first question in history we have always asked is how can we do it better? What can we do to increase proficiency on this farm or proficiency in this small business?

Well, tomorrow we are going to get a chance, and the American public, colleagues, are going to see where you are, which side of the team you are on. Either you want a death tax, either you support the government being able to go to every citizen in this country who has been successful and qualifies. What you are supporting tomorrow if you do not vote to override Clinton, in other words if you go along with Clinton, what you are supporting is a tax on the event of death that is punitive.

Those of us, and I stand here very proudly to tell you I am going to be

one of the first votes to cast an override on the presidential veto, those of us, and I am confident we will pass it out of here, with Democrats across the party aisle, those of us who vote to eliminate the death tax stand on the other side of the team.

I have listened to some arguments, some other rhetoric that has come up, but before I get into that, let me point out something else. The rhetoric has as its base a focus on the 2 or 3 or 4 or 5 or 6 percent of the people impacted by the estate tax. Now, remember the death tax, and I should correctly call it the death tax, not estate tax, the death tax, got its beginnings in the early 1900s. It was a way to go get the robber barons, to go after who they alleged to be the robber barons, to go after the Carnegies, to go after the Rockefellers, to go after those type of families. That is why that tax was devised. Hey, let us get them on their death. Let us get that money back into the hands of the people.

Let me tell you what happens to a small community, and I will give you an example. Take a small community in any State. I live in Colorado, so take a small community in the Third Congressional District of the State of Colorado. Let us say that we have an individual there who is a young person in their twenties, and I know many of them, and so do you, colleagues, who had big dreams. As they worked through life, through a lot of hard work, through a lot of risk by the way, a lot of risk, they took risks, through a lot of risks they built a successful business in this small town. By the way, my story is based on facts. It happened in a small community in Southwestern Colorado.

Then they are successful in this business, and, unfortunately, they meet an untimely death, or even if they died in the normal course of things. What happens to the risk and to the business that they built up in that small community?

Here is what happens. If you have a business in a community, a successful individual, in this particular case that I am thinking of it was a man and wife team, they own a construction company, they built it up from scratch. They started out, they worked 16 hour days for most of their life. Up until the day probably about 3 weeks before his death, he was going to the office to work, and what happened is while they were successful in this community, and they had many years of success, they provided funding for the local church, 80 percent of the budget. They provided the majority of funding for things like charities. They provided more jobs than any other employer in town. They provided more opportunity in this small community from an economic standpoint than any other employer in town.

Well, what happened upon their death? What happened upon their death was no more support in the local community. Instead, what happens with

the death tax is that success of that individual, sure, that individual was wealthy by most of our standards, but what happens is they take the money from that individual's estate, they do not leave it in the community and say, look, we are going to require that the estate continue to distribute into this community, the monies to the local church or to the local United Way. No.

What happens is the government takes the money and transfers it out of your community, any community USA, takes it out of your community and transfers it to Washington, DC, where a government bureaucracy takes those dollars and redistributes those dollars throughout the bureaucracy.

The money that the government takes in these death tax cases does not stay in your local community. That is what rubs me wrong. Look, I do not think it is right that you go after somebody because they have been successful and they have made some money. I mean, that is the American way. But I have got a lot more sympathy for the community, which gets that money sucked out of their community, and that money is transferred to Washington, DC. That is where it is unfair.

I have gotten a number of different letters and correspondence. I want to give you some real live examples.

Let me clarify a couple of things first. First of all, as I said earlier at the beginning of my comments, my wife and I, our big dream in life, and my wife's name is Lori, our big dream in life was not have a big house, not to have a big boat, although we would like to have those things. But the fact is we have to list priorities. We did not spend a lot of money on other things like recreational equipment and things, and have no objection to those who do. But our focus was we really wanted to put money away so that our kids would at least get a chance at maybe owning a house some day.

We are not wealthy. My wife and I do not come from a lot of wealth. But, especially early in our marriage, we put money aside. Every time we got a spare penny, we did not put it in a payment for a new car, we did not remodel our house, we put our money in investments so that some day our children when they got married and were starting their young families could maybe have a down payment or maybe own a home. That was our dream.

You know what, I do not think it is a unique dream. I do not think it is a dream just limited to my wife and I. I think it is a dream that most of us on this House floor and most of the people that we represent also dream of, what can we do for our kids?

I know of no higher priority for a family than their children, and one of the focuses of planning for the future of your children is economic, and one of the economic factors is you want to try and give them some kind of opportunity, to either take over the family farm, or get a start in the family busi-

ness, or, as in my wife and my case, because we do not own a business, to at least have a little money for a down payment on a home.

That is the dream that can be trashed by your own government. Who would have ever imagined our forefathers when they wrote that Constitution and when they talked about taxes in that Constitution, that the government would tax the event of death, and, furthermore, they would take that tax from the local community whereupon the death occurred and the person resided and transfer it to the Nation's Capital to feed a very, very hungry bureaucracy?

Now, do not be kidded when people tell you, well, this is one of the tax cuts, those big tax cuts, and we just cannot afford tax cuts right now. Well, that is an argument for another day. But the reality of it is the death tax generates very little tax income revenue for this country, and you know it and I know it.

By the time you are done administering it, and by the way, the wealthiest families, including I would guess the people in the administration, once the administration's job is over in January, I would guess that most of those, including the Secretary of Treasury and the President himself, will go on to very successful and lucrative business careers, and I will bet you money, I will bet the finest dinner in Washington to anyone in here, that in a couple of years the President and the Secretary of Treasury and all the other members of his administration who are voting to keep this death tax in place will have gone out and secured the services of professional tax attorneys and CPAs and trust attorneys so they can avoid or minimize any kind of payment that they themselves say is a justified death tax.

This is nothing but a punishment. This tax is a punishment for success in our country. How can you look at our young people and say we want you to be successful, we want you to work hard, and part of your responsibility, although it seems to be inherent and human nature, part of your responsibility is to provide for your children; but, by the way, if you are too successful, or if you provide for your children a little too much, like giving them an opportunity to come on the family farm, we will punish you and we will destroy you, if that is what is necessary, to take the money that we figure you owe the government, because you died and we are going to transfer that money out to Washington, DC.

Now, you may think that I am just up here talking about hypothetical situations. The fact is I am not. I am going to spend the next few minutes giving you some real live stories.

Headline, Daily Sentinel, great newspaper, Grand Junction, Colorado. "Owner sells Brookhart's in Grand Junction and in Montrose to a company in Dallas. The pressure of estate taxes," death taxes, "has forced the

owner of Brookhart's Building Centers in Mason and Montrose Counties to sell to a Dallas lumber company, a Brookhart's official said today. Brookhart's owner of Colorado Springs said it is one of the hardest decisions his family has made in 52 years of business. Watts said the current Federal estate taxes forced his father to make this sale. In order to protect our family, in order to protect our current employees, from a forced liquidation upon the death of my father or my mother, we felt the best thing would be now to sell this company."

This letter, dated August 28, 2000, "My grandparents purchased land on the east side of Lake Washington across from Seattle in 1932. People thought they were crazy. It was a very long trip to anywhere, but they were school teachers, just back from helping build an orphanage in Alaska, and they liked the more rural lifestyle along the waterfront next to the duck hunters' cabin.

"They salvaged old bricks from a road that was being torn up, they chipped off the mortar and they built themselves a home. A few years ago grandma died and left the house and the land and some stocks and bonds to my dad, who was 68 years old at the time. It was quite a windfall, because that lakeside lot is now worth more than \$1 million, even though the house is very old and in need of new basic plumbing, wiring, et cetera.

"My dad and his wife plan to live there. Times have been tough and they have no home of their own. The question became one of economics: Would there be enough inheritance to pay the estate or the death tax bought selling that lot that had been in the family, that they had started from scratch?"

Just like many young couples today. This letter reflects 40 years from now if we have this death tax in place what a lot of our young people today that are setting out to have their dreams, and this same kind of letter will apply to those people if we do not do something about it.

"Good news. They got to keep the house. Now it is my worry. Some day I will inherit my grandparents' homestead, but I cannot imagine how we will be able to keep it in the family if we have to pay death taxes. The burden of this tax would force us to sell. Sure, we would be wealthy if we decided to sell the old house to condominium developers, but we would be more interested in preserving the place of family picnics, swims on hot summer days, and green beans fresh from the garden.

"Our family is not amongst the rich. We are middle class Americans, and we are proud of it. We believe in family heritage and in our country. But why would our country want to take away the heritage that my grandparents built one brick at a time?"

Be a hero do it for the country. Vote to override that veto that we vote on tomorrow.

Let me mention one other thing. In Colorado, I am very proud of the State

of Colorado. Obviously I am exceedingly proud of my district, the Third Congressional District. Basically the Third Congressional District covers almost all of the mountains in Colorado. It is a district geographically that is larger than the State of Florida, and we have lots of discovery in that area. A lot of people have discovered how beautiful Colorado is. So we have a lot of people that are moving into our State. We have a lot of threat to open space, open space we never thought would be threatened by development of condominiums and so on.

Do you know what is forcing a lot of that development, to those of you tomorrow who are going to support the President in keeping the death tax and imposing the death tax, and that is what your vote tomorrow will be, you will be imposing the death tax on the American people? You are directly responsible, in my opinion, for the development of much open space in Colorado, because those family farms and ranches cannot afford to keep that open space open if in fact they get hit with the death tax.

□ 2215

They have to sell it, and they are smart to sell it as soon as they can to try to avoid and minimize this death tax.

So for our environment, for our environment this death tax is damaging, and this leads me to other letters.

My name, and I will leave that out. "My family lives in a central part of Idaho. Our family's cattle ranch is 45 miles from Sun Valley. The ranch consists of 2,600 deeded acres, 700 head of cattle. My youngest brother Ross lives with and manages the ranch with my mother.

"Although I am still involved in the ranch, my husband and I also operate a small business in Ketchum. My two brothers, my sister, and I all grew up working alongside my father, my mother, and my grandfather. We worked weekends, we worked holidays, and we worked summer breaks. We moved cattle, we rode the range, and we fixed the fences.

"We didn't have a lot of material things. We didn't have a lot of material things, but we had our family. We had our land and we had our lifestyle.

"On October 5, 1993, my father was accidentally killed when his clothing got caught in farm machinery. He was 71 and he was very healthy. He worked from dawn to dusk, and he loved the land, and he loved his family. We were always a very close-knit family. The hub of our family was my father and the ranch.

"Even though my brother, my sister, and I don't live there anymore, we all go home, along with the grandchildren, to help with the seasonal work. My daughter and I take as much time off in the summer as we can and we work at our summer cow camp moving cattle. My mother puts on a lot of church and community picnics and barbecues down by the swimming hole.

"Every June our family enters the local parade with a float representing our ranch." That shows a lot of pride. "All of the other ranchers and families in the Valley do the same exact thing. Last year, the theme for the parade was the heritage ranching, mining, and logging.

"My father's death was the most devastating event that any of us could have ever gone through. The second most devastating event was sitting down with the attorney after his death. I will never forget those attorney's words, and I quote, 'There is no way you can keep this place, absolutely no way.' Still in shock from the accident, I said, 'How can this be? We own this land. We have no debt on the land. We have just lost my father, and now we are going to lose our ranch, too?'"

Our attorney proceeded to pencil out the death taxes that would be due after my mother's death, and we all sat in total shock. It had taken my grandfather and my father their entire lifetimes to build up the ranch and now we can't continue on, and the grandchildren will not have the land and the rich heritage that it provides.

"It has been 3½ years since my father's accident. We still don't know what we are going to do. We only know we will not be able to keep the ranch unless something is done with the estate tax.

"The same scenario is happening to many ranchers in our valley. Eighty percent of the ranches have been owned by the same families for two or three generations. The value of the land on these ranches has risen dramatically in the last 5 years. All of these ranchers live on modest incomes, and most of them can barely educate their children off those incomes. I am certain none of them will be able to pay the death tax."

At the same time while I am reading this letter, keep in mind that the Treasury, the Secretary of Treasury, calls it an act of selfishness to do away with this death tax. The President, the administration, this year proposed not only not doing away with it, as I mentioned earlier, not keeping it the same, but increasing it \$9 billion.

"This community will not be able to survive without the ranching community that has made it. What is happening is these ranches are being bought by wealthy absentee owners who do not run cattle and who fly in only once or twice a year. It has already happened to two neighboring ranches. Both of the owners, both second generations, were killed in accidents. Their families could not pay the death taxes and sold the ranches to wealthy Southern Californians.

"I have heard it said before that the death tax exists to redistribute wealth, to take from the rich, presumably to benefit others less fortunate. Let me tell you, from where I stand now I know that this tax accomplishes exactly the opposite. For my family, the

tax means we will not be able to continue running the ranch that has been our heritage for 60 years.

"This Congress says it is pro-family. However, I know from personal experience that the current death tax is anti-family. The death tax will force us to sell the ranch to a wealthy absentee owner who is unlikely to run cattle or keep the workers employed, or contribute to the community in a way such as my mother and my father and my grandfather have done.

"Surely if Congress does not provide relief from this tax many other families will suffer a similar fate. Ultimately, I wonder if towns like Mackee as we know it today will continue to exist. I urge you to ask yourselves," and I think this is a very pertinent paragraph, "I urge you to ask yourselves, why does this tax exist? Is it worth the great harm it has caused to my family and many others like us? If it is not worth the harm, then the tax shouldn't exist. I hope you will do everything in your power to eliminate the Federal death tax."

I have got example after example. I have a couple more here I want to talk to the Members about. But I think the message is clear: What are we doing here in America taxing death? Why do we look at death as a taxable event?

The Democrat leadership justifies this tax by saying, We are only going after the wealthy. How can they justify going after anybody based on the fact of an untimely death?

I should note how interesting it is. It is kind of like the people here on this floor who talk about public schools and how good public schools are, and oppose any kind of choice. But my understanding is there is not one of us on this House floor, there is not one of us on this House floor who send their kids to public schools in Washington, D.C. They are all in private schools or other schools, but not the public schools in Washington, D.C.

It seems somewhat hypocritical. The same thing here. There are a lot of people who support the death tax because they figured out a way around it, but the fundamental question comes back, and I think it is presented by these letters, what right do we have as Congressmen of the United States, what right does the government have to go upon its citizens and tax them because one of the citizens has died, and to tear apart family farms and ranches?

That professor from that ivory tower that commented and supported President Clinton's veto of the death tax, who said there has never been a family farm in America that has been liquidated or destroyed by the death tax, that person was born with blinders on.

I would be happy, and in fact, I would give that professor frequent flier miles to fly to Colorado and let us go visit these. Let us go up to Idaho, sit down and talk with that family, Mr. Professor. Mr. President, let us get on Air Force One. He took it to Africa, why does he not take it to Idaho? Why does

he not go talk to some of these people and ask them what the death tax is doing to their families, and the heritage of their families?

The President can use that Air Force one for a little domestic travel. Give it a try. It is very moving.

Here is another one, Derrick Roberts. This was a letter to the editor we got.

"My family has ranches in northern Colorado for 125 years. My sons are the sixth generation, the sixth generation to work this land. We want to continue, but the IRS is forcing almost all ranchers and many farmers out of business.

"The problem is death taxes. The demand for our land is very high, and 35-acre ranches are selling in this area for as high as 4,500 an acre. We have 20,000 acres. We want to keep it as open space, but the U.S. Government is making it impossible because we have to pay a 55 percent tax on the valuation of this acreage when my parents pass on.

"Ranchers are barely scraping by these days. If we were willing to develop homesites, we could stop the mining, but since we want to save the ranch, we are in trouble. The family has been able to scrape up the death taxes as each generation has died up to now." That was my earlier example.

"This time, however, I think we are done for. Our only other option is to give the ranch to a nonprofit organization, and they all want it, but they won't guarantee they will not develop it, either.

My dad is 90, so we don't have a lot of time left to decide. We are one of only two or three ranchers left around here. Our ranches have been subdivided. One of the last to go was a family that had been there as long as ours. When the old folks died, the kids borrowed money to pay the death taxes. Soon they had to start selling cattle to pay the interest. When they ran out of cattle their 18,000 to 20,000 acre place was foreclosed on and is now being developed. The family now lives on in a trailer in town and the father works as a highway flagman.

"If you want to stop sprawl, you had better ask the U.S. Government to get off the backs of family farms and ranches."

Mr. Speaker, Ron Edwards. "I am writing to bring to your attention an issue of the utmost importance to me," which was the elimination of the death tax. "I urge you to support and pass death tax repeal legislation this year." Well, Ron, we did it. We passed it, by the way, in the House chambers with bipartisan support. We had 65 Democrats join us. I hope tomorrow on this Republican legislation we have 65 Democrats that come across the aisle and join us again to override the veto. So we have passed legislation, but the President vetoed it.

"Family-owned businesses need relief from death taxes now. We are celebrating 66 years in business. My grandfather, Vic Edward, started with a fruit

and vegetable stand in 1933 at our current location, east of Fort Morgan. The business grew into a grocery store and a lawn and garden center. My father, Vic Edward, is 80 years old and in very poor health.

"No business can remain competitive in a tax regime that imposes death taxes as high as 55 percent. Our death taxes should encourage rather than discourage the perpetuation of these businesses."

Of all the letters, Mr. Speaker, that I have read on this issue, and obviously it is a big issue to me and I hope it is a big issue to Members, I cannot think of one sentence that is more pertinent and more outstanding than the sentence I just gave.

Let me repeat that sentence again: "Our tax laws should encourage rather than discourage the perpetuation of these businesses." In other words, the government should go to these farmers, should go to the young people that are starting out with their dreams, and say, we want to encourage family business to go from one generation to the next generation.

We can look at a lot of countries in this world. One of the bonds to strong families is the fact that homes and farms and small businesses have gone from one generation to the next generation to the next generation. In these countries the government encourages, not discourages, as they do in the United States, but encourages the passing from generation to generation of these family businesses.

"Being a member of the House Committee on Ways and Means, I am sure you already know the urgency of the death tax repeal. The economics of the estate tax are not good at all. Family-owned businesses and their employees will continue to suffer until this unfair, unproductive, and uneconomic death tax is abolished.

"My wife, Vicky, and I are very active, and look forward to working with you and your staff to enact some commonsense legislation to preserve and promote", to preserve and promote, "our Nation's family-owned enterprises."

This is a story about a ranch in Aspen, Colorado. We all know about Aspen, which is in my district. I have all the mountain resorts in Colorado. I have Aspen, Telluride, Vail, Beaver Creek. I grew up there. My family has been in Colorado for many generations.

I remember going into Aspen when it was nothing but a coal mining town. One could buy a lot for \$600. I remember stopping in the Vail Valley and all there was was a ranch house.

What has happened is there were a lot of family farms and ranches. Because of the popularity of these communities, those families, those what we call basic salt of the earth kind of people, are seeing that their dreams of passing on their hard work to the next generation are being dashed by the tax policies of this country.

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By the way, not a lot of countries in the world exercise this type of tax policy, but the United States does.

In Aspen, there are a lot of tales to be told with the conversion of former ranches into luxury homes or golf courses throughout this valley. Sometimes it was a simple financial decision, a choice to take advantage of soaring development values in the face of plummeting cattle prices. But for other families, the passing of a parent meant the passing of a life-style.

We have been around for a long time. The Maurin family's roots are deep in Long Capital Creek Road in Old Snowmass. For nearly a century, heritage and hard work, heritage and hard work for nearly a century were enough to sustain those that lived on that 300,000 acre stretch of land, but it all changed in 1976.

Until Dwight's father's death, each generation presided over a working cattle ranch that was both the life-blood and livelihood of our clan. His later years were lean years for Dwight's father, but the fate of the ranch was not at risk until the Internal Revenue Service showed up.

The tax bill on this ranch was to \$750,000, and what it took to pay the bill was to cut the ranch in half. No longer could the Maurin cattle migrate in winter months. It would be 10 years after cutting the ranch in half and selling off half of it, it would be 10 years of installments before the death tax could be paid.

What those taxes took was something very vital, the ability of our family to support the families by working the land that has so long been theirs. Maurin now works full time as a mechanic for the Roaring Fork School District, then helps with the ranch when he gets home at night. He does not mind the long hours he puts in.

What does get under his skin is the memory of an IRS agent overseeing his father's taxes either did not recognize that devastation was about to occur or did not care. It was just pay us, or we will seize everything. If anything is left over, we will keep it. If you cannot make ends meet on what is left, you can find work elsewhere.

We have no intention of selling the remaining 640 acres, but what happens to our daughters when we die? What choice will they have with only half of the land to graze. The ranch itself is only making enough to cover its operating costs and its annual property taxes.

It is Maurin's day job at the school district that pays the doctor bills, the car insurance, the grocery bills, and everything else. There is always hope that things will change before our daughters need to make a decision about the ranch.

But I wonder if people really think about the permanent changes that take place when a ranch is sold. It is not just a loss to the family, it ripples much wider. There are movements in

the right direction, but are they moving quickly enough? Because once it is sold to developers this ranch is gone forever.

Real quickly, "I Am a Businessman". So I am telling my colleagues this is not just families, farms and ranches.

I am a businessman. My business is all about what a small business is. I have 42 people employed, and we are in our second generation. I am all too familiar with the death tax, as my father passed away 2 years ago. My mother, my sister and I have been through the experience of paying estate taxes at 50 percent-plus rate. Let me explain how we were fortunate enough to get into this bracket.

My father left school after the 8th grade in 1938 and did odd jobs until serving for 3 years in World War II. Afterward, he purchased a small diner and built a 12-unit motel in a small town in Pennsylvania. He and mom worked 16 hours a day 7 days a week for 12 years before migrating to the restaurant supply business. That was better business. But it was not an easy task either.

I can remember him saying for many years that he hoped Monday's mail would have enough money to cover the payroll costs he had written on the previous Friday.

You can ask in this country, why would anybody start a business? There are obviously still Americans that are willing to risk everything to be in control of their lives. The satisfaction of proving that you can do better is still a motivator in our country. The key word is "risk". People are willing to take this risk, provide the jobs and tax base that makes this country grow.

Only by taxes from those who take risk does the government even exist. This is why when I see our Secretary of Treasury write about the repeal of the estate tax I can become exorcised. He seems to think that this money is the Treasury's money to dispense as it pleases.

Maybe it appears to be a simple view of fairness and equity if you spent your life in academia and never had to worry about making a payroll. But I resent like hell being told that I am selfish to want to keep what I and my family have earned and already paid taxes on.

In effect, the government is saying to businessmen, and I am skipping, by the way, some paragraphs, in effect, the government is saying to businessmen, since you worked harder and longer and were more successful, we will use your estate to pay for programs which we take political credit.

The original purpose of this death tax was to catch a handful of robber barons from the early industrial America. Now it reaches into the most productive parts of America. Is not the fact that 5 percent of our citizens now pay 50 percent of the tax bill evidence that there is more than enough progressivity in the Tax Code.

This was an article written in the Washington Post dated Friday, July

14th, 2000. I have other cases, more samples.

The key is this, Mr. Speaker, tomorrow we face on this floor a very significant vote. The President of the United States of America has made a decision that the death tax in this country should stand. The President of the United States of America has submitted to the U.S. House of Representatives in his budget a proposal, not only to let the death tax stand, but to increase it by \$9.5 billion.

The President of this country has vetoed a bipartisan bill. In other words, Republicans and Democrats sent to the President a piece of legislation saying, Mr. President, enough is enough. Get rid of this death tax. It fundamentally will not alter the revenues to this country. It is not a big revenue producer. Get rid of it. The President of the United States vetoed that bill, and tomorrow the President of the United States sends up to us on this House floor his veto message, and we have the opportunity to override it.

I am confident that we in these chambers and that the Democrats will come across the aisle and that, as a team, we will stand up and be counted and say that the death tax is not justified in this country, that the role of our government should be to encourage, not discourage the passing of business or property from one generation to the next generation.

Tomorrow we will stand, and we will take that vote. I am not sure how the result is going to be in the Senate, but I hope they vote to override it, too.

During my entire term in Congress, I cannot think of something that would be more pro family, that would help preserve more open space, that just out of fundamental fairness would go back to a fair and equitable tax scheme than doing away with the death tax.

Tomorrow it is on our shoulders. No way out. If one is going to be here to vote, one is going to have to post one's vote. Do not give one's constituents some magic tale about why one voted to keep the death tax in place. One is either for elimination of it or one is not.

Tomorrow my colleagues are going to make that decision. I hope for the sake of future Americans, I hope for the sake of the young people in their mid twenties that want to make their dreams come true, for the couples like my wife and I who want to make our dreams come true and for my parents who want to pass their dreams on to the next generation, I hope for the sake of those people, for my colleagues' constituents, that my colleagues stand tall against the President and vote to override his veto.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. WALDEN of Oregon (at the request of Mr. ARMEY) for today on account of attending a funeral.