

Superior Court in Essex County, where there was a severe backlog of civil cases.

In addition to his judicial duties, Magistrate Cavanaugh also finds time to teach as an adjunct professor at his alma mater, Seton Hall University School of Law in Newark.

That is the kind of experience and energy that has made New Jersey's federal bench one of the most impressive in the country. Magistrate Cavanaugh's entire career reflects the integrity and dedication that we want to see in all our federal judges. And I know his service on the district court bench will be equally outstanding.

I am pleased that the Senate has confirmed Magistrate Cavanaugh's nomination. With his confirmation, there will be no vacancies on New Jersey's district court. I thank Chairman HATCH for moving this nomination so expeditiously, and I thank all of my colleagues for their support of Magistrate Cavanaugh.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The Senator from Delaware.

MORNING BUSINESS

Mr. ROTH. Mr. President, I ask consent that the Senate now proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Texas.

MARRIAGE TAX PENALTY RELIEF

Mrs. HUTCHISON. Mr. President, I commend the distinguished chairman of the Finance Committee for not giving up on marriage tax penalty relief for hard-working American families. He deserves praise because there is no doubt this has been a rugged road.

We passed marriage tax penalty relief last year and sent it to the President in a bill that had other tax relief measures. The President said: No, that is too much tax relief for the American people; send me smaller bills.

Under the leadership of Senator ROTH, and with the help of our distinguished assistant majority leader, DON NICKLES, SAM BROWNBAC, JOHN ASHCROFT, SPENCER ABRAHAM, ROD GRAMS, together as a team we said we were going to send the President a clean marriage tax penalty relief bill; we were going to make sure that hard-working American families who are paying a penalty for being married got relief this year. That is the result of what we have done today.

Sixty percent of the Senate today is sending this bill to the President. Over 60 percent of the House passed the same bill this week. We say to the

President: You asked us to send you a smaller bill, and we are doing it.

Most of us wanted to give tax relief in a bigger way. We wanted to go all the way through the 28-percent bracket, but the President said no. We came back with 15 percent, doubling of the standard deduction through the 15-percent bracket. What that means is a couple earning between \$43,000 and \$52,000 combined will stay in the 15-percent bracket. If one person in a couple makes \$25,000 a year and the other makes \$35,000 a year, they will stay in the 15-percent bracket longer.

It means tax relief for every American couple. Every American couple who uses the standard deduction is going to get relief because that standard deduction is doubled. Fifty million people in our country will get tax relief if the President signs the bill.

We are increasing the amount of the earned-income tax credit because we believe married couples who have just come off welfare or who are the working poor deserve that earned-income tax credit so they know that working is better than being on welfare. We want them to have the incentive to do that. We want them to have the pride of going to work and contributing to their families every day because we know they think better of themselves when they do that.

I do not see how President Clinton can use an excuse to veto the bill we are sending him today. I do not see what excuse remains. We have taken all of the excuses off the table.

He said in his State of the Union Message to Congress and to the American people he favored marriage tax penalty relief. We sent him a bill last year; he vetoed it. He said there were too many other tax cuts in the bill. Today, we are sending him a plain, simple marriage tax penalty relief bill for hard-working Americans who earn in the \$25,000 to \$35,000 range of income. That is who will benefit.

I have heard people on the other side say that this is a tax cut for the rich. There is no way anyone who has visited in the home of a couple, each of whom make \$25,000 a year, can say that those people are rich. We say they have earned this money and we want them to keep more of the money they earn. The fundamental difference is we believe the money that people earn belongs to them. We do not believe it belongs to the Federal Government.

We have a non-Social Security surplus. This is only letting them keep more of the money they earn rather than sending it to Washington because we are being good stewards of the taxpayers' dollars today. We are setting aside the Social Security surplus for Social Security only, we are paying down the debt, and we are giving back to the people part of the money they earned if the President will sign the bill.

This week has been a good week for hard-working Americans, for small business people, and for people who

own farms and ranches because we have given relief from the death tax to small businesses and family-owned farms so their heirs will not have to sell that business and put people out of jobs, and we have given marriage tax penalty relief.

This is the right thing to do, and I urge the President of the United States to hear 60 percent of the Senate and 63 percent of the House of Representatives who said they believe in marriage tax penalty relief, and we urge the President of the United States to sign this bill and give relief to Americans today because this will take effect immediately.

I thank the Chair, and I yield the floor.

Mr. BROWNBAC. Mr. President, the Senate just passed the Marriage Penalty Tax Relief Reconciliation Act by 60 votes. Sixty percent of the Senate voted in favor of eliminating the marriage penalty tax. Now it is up to the President and the Vice President—President Clinton and AL GORE—whether or not we will continue to tax marriage in America. This relief is available now to more than 50 million Americans. The President and the Vice President decide whether this is going to become law. All that remains for this legislation to become law is the President's signature. He is the one who can decide. He is the one who will decide, along with the Vice President, whether or not the marriage penalty will be eliminated. It is on their desk. It is up to the President. He is the one who decides.

He said he is for it. He said it during the State of the Union message. Now he will have a chance to go ahead and act and sign the bill. I say to the President yet again: Sign this into law.

I congratulate the chairman of the Finance Committee, Senator ROTH, who has done wonderful work, yeoman work on getting this bill passed. I congratulate the Senator from Texas, Mrs. HUTCHISON, who has waged a crusade for several years, seeing this was wrong in the Tax Code, and has fought diligently to get this done. I thank the Senator from Missouri, Mr. ASHCROFT, for his work in pushing this over a period of time. Now we are close to getting it done. We are almost there. It is time to be able to do it. We have the wherewithal. It is time. The President and the Vice President will decide whether or not this becomes law.

I want to cite what is in the bill so that people know what is there. I know we have been through this a number of times, but just to make sure people are clear what we are doing, we are doubling the standard deduction; we eliminate the penalty there. The current standard deduction is \$4,400 for singles. For couples it is \$7,350. We just double it. We make it \$8,800 for married couples. It seems only fair that for two people you should have a standard deduction that would be double what it is for one person.

In the 15-percent tax bracket, for a married couple filing, we double the income amount. Currently, a single taxpayer, hits the top of the 15-percent bracket when they make over \$26,250. If it is a couple, they hit the top when they earn \$43,850. We say that is not fair. If it is two people, it should be double what it is for one, so we move it up to \$52,500.

Those are the two main features of this bill. That is the big end of the bill. It is taking a standard deduction from \$4,400 for a single and that is now \$7,350 for a married couple and saying we will make it \$8,800. We are saying on the 15-percent bracket, which is the one we hit here, we are saying right now that if you are a couple, that you hit the top of that bracket at \$43,850, even though it is \$26,250 for a single person. We are saying if you are a married couple, we will move it up to \$52,500. That is the guts of the bill.

Then on the earned-income tax credit, we increase the phaseout by \$2,000 for a married couple so that low-income individuals don't hit that same marriage penalty.

Those are the three main features. That is what was passed. That is what 60 Senators and 63 percent of the House voted for. That is now what is in front of the President.

Some people say it costs too much—\$89 billion. This is a 5-year tax bill. It sunsets after 5 years—\$89 billion. It is 5 percent of the on-budget surplus. Setting the Social Security surplus aside, just leaving what is still the on-budget surplus, it is only 5 percent. That is all it is. Some people say we should be using it for debt reduction. This year, we will pay down the national debt—the debt, not the deficit—we will pay down the national debt about \$200 billion. We will buy down the national debt this year by \$200 billion, probably the most in the history of the United States. I haven't looked up the actual number, but it is probably the most in real terms, \$200 billion of debt buy-down.

The simple point here is there are no excuses remaining for the President not to sign this into law. There is no excuse on debt reduction. There is no excuse that it is too expensive. There is no excuse that it is just for the wealthy. All of those are false statements. There is just no substance to them. There is no excuse for him to deny 25 million American families this tax cut. I wouldn't even call it a tax cut. I think the Senator from Texas has it right. It is a tax correction.

Should we tax marriage more than we are taxing single people, when we are having so much trouble with the family in the country? We ought to give them a bonus to encourage family values.

This is a big day for this body. This is a major piece of legislation. It has cleared Congress. It has cleared through the House; it has cleared through the Senate. It now sits on the desk of the President; for the President

and Vice President of the United States to decide. They can be heroes. They can sign this bill into law or they can say, no, we are going to veto this piece of legislation.

I hope they will say, no, we don't want to send a signal to the married people of America that we think they ought to be taxed.

Democrats offered an alternative. It was a fine alternative, but it created a homemaker penalty that if you had one wage earner, but a second spouse who decided to stay home to take care of older parents and children, it actually taxed them more. So you had a homemaker penalty that was put into the Democratic alternative. It had a number of positive things about it, but the last thing we want to do is to say to people: Well, we really don't value somebody who stays at home to take care of family members, young or old, or other friends.

I think we ought to say this is a critical thing. We don't want to send the signal that we are going to tax in that situation. That is why we have worked out over the years all the problems in this bill.

I don't know what the President will come up with in vetoing it, but it has been a great bipartisan majority that has passed this bill; sixty votes, a number of our Democratic colleagues joining us on this bill that has now passed. It just awaits the signature of the person who sits in the Presidency of the United States. I hope he and Vice President AL GORE will decide: They have met most of the charges in the concerns we had and we are going to sign it into law.

The PRESIDING OFFICER. The Senator from Hawaii.

REMEMBERING SENATOR PAUL COVERDELL

Mr. AKAKA. Mr. President, I rise to join my colleagues in honoring the memory of our dear friend and colleague, Senator Paul Coverdell. My deepest condolences and prayers go out to Nancy, his family, staff, and the people of Georgia.

Paul Coverdell's career in public service as a state senator in Georgia, as Director of the United States Peace Corps, and as a U.S. Senator stand as an enduring tribute to his fine character, many talents, and boundless energy and commitment for his work. They also serve to remind us how one individual, working quietly and resourcefully, can accomplish so much in an all too brief period of time.

In his public life, Paul Coverdell was a vigorous and congenial advocate for initiatives and issues he cared deeply about and an effective leader in the Senate and for his party. While I did not have many opportunities to work closely with Senator Coverdell, we share a commitment to quality education for our Nation's young people and appreciation for the importance of agriculture to our respective States'

economies. Peanut farmers and sugar growers are frequent allies when commodity issues came before the Senate, and Senator Coverdell was a strong voice for Georgia farmers and his State's agricultural interests. On educational initiatives, Paul Coverdell and I rarely agreed; but he was never disagreeable. I admired his passion and tenacity on education issues, and appreciated the courtesy and humanity that characterized his work here in the Senate.

Paul Coverdell has left a mark for the better in the lives of millions of people, in America and around the world. He served his country and constituents conscientiously, earning our respect, admiration, and affection. We grieve for his passing from this life. I am reassured that we will find comfort in his splendid legacy of public service and the knowledge that death is a transition to life eternal and he is now with God. As we bid our dear friend and colleague one last fond farewell, I am reminded of the passage from Scriptures, from Matthew, 25:23:

His Master said unto him, "Well done, good and faithful servant; you have been good and faithful over a few things, I will make you ruler over many things. Now enter into the joy of your Master."

May God bless Nancy, the Coverdell family and staff.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Nevada.

PRIVILEGE OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that during the consideration of H.R. 4733, the energy and water development appropriations bill, Mr. Roger Cockrell, a detailee from the U.S. Corps of Engineers, serving with the Energy and Water Development Subcommittee, be granted floor privileges.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Missouri.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

Mr. BOND. Mr. President, I am delighted the acting minority leader has brought up the energy and water measure because I have just received some very disturbing news, that the minority leader has indicated we can't bring up the energy and water bill unless a provision that was in the bill signed last year, that was in the bill signed the year before, that was in the bill signed the year before that and the year before that—he now finds it objectionable, and he will not let this bill be brought up unless we strike it out.

This provision deals with the spring rise on the Missouri River that Fish and Wildlife thinks is a good idea. But all of the people downstream know it would cause flooding, hardship, damage, property loss, and loss of lives from floods.