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No. 42

## House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. CULBERSON).

### DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
April 16, 2002.

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

J. DENNIS HASTERT,  
*Speaker of the House of Representatives.*

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 101. Concurrent resolution extending birthday greetings and best wishes to Lionel Hampton on the occasion of his 94th birthday.

### MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 23, 2002, 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 not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Florida (Mr. STEARNS) for 5 minutes.

### REFLECTING ON TAX DAY, APRIL 15

Mr. STEARNS. Mr. Speaker, this week we again come to view one of the things Americans dread most, that is, tax day. It is a dreaded and feared day, a day on which taxpayers all across the country are concentrating and reflecting on America's frustrating and complex system of taxation.

We in Congress should take time ourselves to reflect on our Nation's Tax Code and the problems it imposes upon the taxpayers of this country. April 15 serves as a stark reminder that my constituents, and, in fact, all Americans, have paid entirely too much in Federal taxes, more than food, clothing and shelter combined. The Federal tax burden is the highest since World War II.

Also Americans are paying taxes at the same time they are trying to pay off personal debt. Yes, we seem to forget that Americans have a debt to pay down as well. They have mortgages, auto loans, credit card debt, and school loans.

We have stated time and time again that Americans deserve tax relief; and with the assistance of President Bush, we have given them just that relief. We passed the Economic Growth and Tax Relief Reconciliation Act of 2001, providing the economy a much-needed boost with the rebate check provided to all American taxpayers. In addition, the bill decreases the marginal tax rate, reduces the marriage penalty, and eliminates the death tax. It increases the child adoption credits and the child tax credit. We also passed the Job Creation and Worker Assistance Act, providing for additional tax decreases.

As a result of our efforts, Mr. Speaker, according to the Tax Foundation, the average taxpayer will work 2 days less this year to pay off their total tax bill. The so-called Tax Freedom Day, April 27, represents an identifiable mark for Americans to gauge their

total tax burden. This serves as an example that we have made great strides reducing the Federal income tax burden on all American taxpayers.

However, there remains much to be done. The Federal tax burden continues to make up two-thirds of the total tax burden. Individual income taxes and payroll taxes are the primary culprits. We also face, Mr. Speaker, hidden taxes such as sales and excise tax on beverages. In fact, we are still paying a Federal telephone tax instituted during the Spanish-American War.

In addition, the taxpayer faces State and local taxes, which include property taxes, sales taxes and additional income taxes in most States. Wherever one turns, he can expect to pay a tax on something.

Finally, the taxpayer faces a cost of complying with our Tax Code. According to the Tax Foundation, in 2002 individuals, businesses, and nonprofit organizations will spend an estimated 5.8 billion hours complying with the Federal income tax code with an estimated compliance cost of over \$194 billion. This amounts to imposing a 20.4 cent tax compliance surcharge for every dollar the income tax system collects.

We have kept our promise, Mr. Speaker, in working with the President to give Americans the tax relief they need. Later this week we will have the opportunity to make that relief permanent. The Economic Growth and Tax Relief Reconciliation Act of 2001 unfortunately contained sunset provisions which would end the tax relief after 10 years. We will have the opportunity to correct this oversight and give Americans permanent tax relief.

In conclusion, in this country there are seven traits that really define who we are as Americans, cultural traits. One of those traits is we like reform. We are willing to change things. We are just not satisfied with the status quo in this country. We are always trying to improve.

□ 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.



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Mr. Speaker, we are making progress. Let us continue to work harder and do more for the American taxpayers of this country.

#### AGRICULTURAL BILL PAYMENT LIMITATIONS

The SPEAKER pro tempore. Pursuant to the order of the House of January 23, 2002, the gentleman from Michigan (Mr. SMITH) is recognized during morning hour debates for 5 minutes.

Mr. SMITH of Michigan. Mr. Speaker, this afternoon I will introduce a motion to instruct conferees on the agricultural bill that suggests that we need to incorporate payment limitations.

Payment limitations now in effect are not binding simply because there is a loophole in the law which allows many farmers to receive \$1 million-plus in farm benefit payments. One reason I feel so strongly that it is reasonable to have some kind of payment limits is that the public thinks that farmers are just being given a great deal of money, regardless of their need, regardless of their size. If we are going to have farm program policy in the United States, then I and many others suggest that we focus our efforts on those farmers that need that kind of help.

We talk about the family farm, and, of course, we can get in arguments about what is a family farm or how big is a family farm. But I think most of us can agree that if someone has 40,000, 50,000 or 60,000 acres and is taking in millions of dollars of farm program payments, then probably this is not the mainstream type of family farm that most of us think of.

I would like to read some quotes from the Senate debate when this language was put into the Senate version of the bill. What this shows is that there is tremendous bipartisan support for some kind of a limit on these farm payments.

Senator GRASSLEY, Republican from Iowa, said, "When is enough enough? How long will the American public put up with these programs that send out billions of dollars to the biggest farm entities?"

BYRON DORGAN, Senator from North Dakota, a Democrat, said, "Many of the benefits provided through the current ag programs are being funneled to large, non-family agricultural corporations while family farmers are being shortchanged. That is just plain wrong."

Senator JOHN KERRY, Democrat of Massachusetts: "This amendment ensures that farm aid will target the people who need it the most, the small family farmers that actually work the land and are the lifeblood of our rural communities. It is a pleasure to support this amendment."

Senator CHUCK HAGEL, Republican: "The amendment would remove the loopholes that allow a handful of large farmers to receive unlimited payments.

Without real payment-limitation reform, we will continue to weaken the same farmers we claim to want to help."

I want to just mention what that loophole is. There are price-support benefit limits on a couple ways a farmer can derive those benefits, specifically the loan deficiency payment and the marketing loans. But what is left out of that payment limit, which tends to hoodwink a lot of people when we brag there are some kind of payment limits in the House bill, is non-recourse loans. You can do an end-run and farmers can have a non-recourse loan that they can forfeit, or the government will give you the certificate that results in the same kind of subsidy benefit payments for price supports as do the loan deficiency payments in marketing loans.

It gets rather complicated, Mr. Speaker; but the fact is that we are calling for, and we are going to have, a debate in this House tomorrow on the reasonableness of having some kind of price limitations.

I am a farmer from Michigan. I served as deputy administrator of Farm Programs in the USDA in the early seventies. Currently 82 percent of the farm program payments go to 17 percent of the largest farm operations. If we do not control this, if we do not have some kind of a cap, some kind of a limit, we are going to lose the good will of the people of this Chamber, of the people in the Senate, of the people in the United States that really want to help those farmers. So payment limitations of \$275,000 per farmer per year is reasonable as structured in the Senate version. I hope we can do that.

A couple more quotes, with your permission, Mr. Speaker. Senator RICHARD LUGAR said, "This is a modest amendment. I stress 'modest.' There were 98,835 recipients of farm subsidies in Indiana during 1996 to 2000. Only six of that 98,000 would be affected by this amendment."

Senator TOM DASCHLE says, "I am pleased we were able to pass this important payment limitation amendment."

The President of the United States says we need to help those small and medium-sized farmers that need it the most.

Mr. Speaker, I hope my colleagues will support me on this payment limitation that the gentleman from Michigan (Mr. BONIOR) and I are offering tomorrow.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 2 p.m.

Accordingly (at 12 o'clock and 42 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PENCE) at 2 p.m.

#### PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: "O the happiness of the heavenly Alleluia sung in security, in fear of no adversity!" These words of Your servant Augustine from the fifth century sound melodious, as from another world, when read in the springtime of our conflicted lives.

Lord, many Americans wonder if we have lost an innocence never to be regained. In the midst of war and unpredictable terrorism, evil sometimes seems more creative than goodness. Fear not only reveals the most fragile ones around us, uncertainty can cause the strong to be hesitant and slow down a Nation's progress.

Reassure us by Your presence, Lord. Out of compassion for Your people, grant a glimpse of Your glory so that hopefulness springs eternal and confidence is restored.

With hearts fixed on lasting values, give the Members of Congress practical wisdom to address the substantive issues which truly affect the lives of their constituents. May their work together build signs of hope that will move this country into a bright future. Amen.

#### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

#### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Pennsylvania (Mr. PITTS) come forward and lead the House in the Pledge of Allegiance.

Mr. PITTS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### PRIVATE CALENDAR

The SPEAKER pro tempore. This is the day for the call of the Private Calendar. The Clerk will call the bill on the Private Calendar.

#### NANCY B. WILSON

The Clerk called the bill (H.R. 392) for the relief of Nancy B. Wilson.

Mr. COBLE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.