

Second: and the Chair is interested in this as well—there is no reason the Federal Government's Department of Health and Human Services cannot represent senior citizens to become a bargaining agent and say: We represent 40 million Americans, and we want the best buy. We want a commitment from the industry to reduce the prices. Give us the best buy. Charge us what you charge other countries, charge us what you charge veterans, charge us what you charge Medicaid. We can get huge reductions in costs and huge savings.

Mr. President, I have been talking about a book and Tom Wicker wrote it—it's fictional, but based on the life of Senator Estes Kefauver and the way the pharmaceutical industry did him in. The companies have become too greedy, arrogant, and people in this country have had it, and it is time for us to make it crystal clear that this Capitol and this political process belong to the people of South Dakota and Minnesota, not these pharmaceutical companies.

The House plan is not a great step forward. It is a great leap backward. We are going to have a big debate on the floor in July. I cannot wait for it. I think a lot of these positions we take are going to be real clear in terms of whom exactly do we represent, the pharmaceutical industry or the people in our States.

I thank the Chair. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MARRIAGE TAX PENALTY

Mrs. HUTCHISON. Mr. President, I want to talk about an amendment I am intending to propose to the armed services bill, although I understand there may be an agreement that everyone will oppose amendments that are not considered germane.

I want to talk about the amendment because I think it is very important. We now have the House making permanent the marriage tax penalty relief. We passed marriage tax penalty relief last year in our Tax Relief Act, and it was signed by the President. It would begin the process of giving marriage tax penalty relief to the 40 million couples in our country who now suffer from a marriage penalty. In fact, it is 21 million couples across the country—over 40 million people—who are taxed simply because they are married.

The Treasury Department estimates that 48 percent of married couples pay this additional tax. According to a study by the Congressional Budget Office, the average penalty paid is \$1,400. Fortunately, last year we took a step in the right direction. We are in the

process of a repeal of the marriage tax penalty, with a full repeal to occur in 2009. It does this by equalizing the size of the standard deduction. So if you are single and you have the standard deduction and you get married, that will just be double rather than about two-thirds of the total, as it is today.

We also increase the width of the 15-percent bracket, so that if two people in the 15-percent bracket get married or if two people in the 28-percent bracket get married, the 15-percent tax bracket will be doubled, so that you will at least have an equalization in the first tax bracket. Unfortunately, that will sunset in 2011.

Last week, the House passed a permanent repeal of the marriage tax penalty. Now it is the Senate's turn. Senator BROWNBACK, Senator GRAMM, and I would like to make the marriage tax penalty repeal permanent, just so that married couples will know what to expect not only from now until 2009 or 2011 but beyond, to eliminate forever this kind of penalty, with the standard deduction—at least in the 15-percent bracket.

Now I want to talk about how this affects military families. There are more than 725,000 members of the military who are married. That represents more than half of the Armed Forces. Of these, 79,000 are married to another member of the military. So these 40,000 "military couples" represent almost 6 percent of the Armed Forces.

Consider the effect of the marriage tax penalty on two people who risk their lives every day to protect us. I will show this chart because I think it is very important. A lance corporal and a private first class in the Marine Corps will pay \$218 more in taxes if they marry today. An important provision of the authorization bill we are debating is military pay raises. The same lance corporal and private first class will receive a 4-percent pay raise, according to the authorization bill we are debating today. But the marriage penalty would take back 16 percent of that increase. So of the \$218, 16 percent is going to go in marriage penalty taxes.

If a technical sergeant and a master sergeant in the Air Force get married, they will pay a penalty of \$604. That eats up 17 percent of the pay raise we are debating today. Two Army warrant officers would pay \$852 more to Uncle Sam, or 25 percent of their pay raise.

Two Navy lieutenants who marry would pay more than \$1,500 in additional taxes annually, giving up 34 percent of their pay raise.

We are trying to make life better for those in our military. To give them a pay raise with this hand and on the other hand penalize 79,000 of the people who are already sacrificing to be married to someone else in the military, possibly having to be in a separate part of the world from that spouse, to ask them to endure a marriage tax penalty that would take away as much as 34 percent of the pay raise we are giving them to make their lives better be-

cause they are out there in the field protecting our freedom, which does not make sense to me.

That is why I had hoped I would be able to offer this amendment. However, it is my understanding there are now talks about taking away any non-germane amendments from this bill. I do not disagree that we want to pass the armed services bill, that we want to make sure the bill goes through. I certainly applaud that. I do, however, think that eliminating the marriage tax penalty would be a huge help for our military, particularly since we are giving them the pay raises with this bill that we hope will make life better for them.

I know there are a lot of negotiations ongoing. I hope at some point we will be able to eliminate the marriage tax penalty not only for the 40 million people who are now paying, but for our military personnel especially. We are trying to give them this better quality of life to tell them how much we respect and appreciate the job they are doing for our country.

I would like to offer this amendment. I think I am going to be kept from doing that, but I want an up-or-down vote on making the marriage tax penalty permanent so that people will not have to wonder if the year 2011 is going to give them another big marriage tax penalty.

We have spoken in Congress; the President has signed the tax relief bill. It is essential we go forward and make these tax cuts permanent so people can make plans. Whether it is the death tax, whether it is the bracket tax cuts, whether it is the adoption tax credit, whether it is marriage tax penalty relief—we had a balanced package of tax relief for all the people who pay taxes in our country.

At a time such as this, with our economy teetering—and certainly if anyone is watching the stock market and corporations and the whole skittishness of our economy, they should see that we need some stability—we need the ability to free up consumer spending by taking the money out of the Government coffers, where hard-working people are putting it, and let them keep more of the money they earn in their pocketbooks.

I hope very much I can offer this amendment—if not on this bill, certainly on a bill we will be able to pass this year. There is no reason not to make the tax cuts we have already made permanent so people know how much they are going to have to pay the Government from their hard-earned dollars. So many people are losing their jobs; so many people are having a hard time making ends meet today. I certainly want to make sure our armed services bill passes. I do not want to load it with extraneous amendments. I do not think this is extraneous. I think being able to give them pay raises they can keep is certainly something we should do for our military, but to take away 34 percent of the pay raise we are

giving them in a marriage tax penalty does not make sense to me.

I certainly hope I will be able to offer this at the appropriate time. I want to make sure we are doing everything we can for the Armed Forces of our country. I hope the distinguished majority leader will allow making permanent the marriage tax penalty bill a priority for this session of Congress.

I thank the Chair. I yield the floor.

Mr. LEVIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DASCHLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2003—Continued

Mr. DASCHLE. Mr. President, over the course of the last hour or so, I have had a number of conversations with the distinguished Republican leader and the chairman and ranking member of the Armed Services Committee. We have been discussing how we might proceed on the Defense authorization bill.

I know there are Senators on both sides of the aisle who have amendments they would like to have considered, and they are certainly within their rights to offer these amendments.

My concern is that if we find ourselves in debates on unrelated issues for an extended period of time, there is the real danger that we will not finish our work prior to the time we leave next week. I have already indicated publicly and privately to anyone who is interested in the schedule that we must finish this bill before we leave. That is an absolute necessity. So I do not want any Senator to complain about any misunderstanding they may have. I want to be as clear and unequivocal about that as I can: We will finish this bill before we leave.

As we have discussed how we might ensure that happens, of course one option would be to file cloture. Unfortunately, there are defense-related amendments that may be relevant and may be related to the Defense bill but not technically germane.

I have consulted with the Republican leader, and we have concluded, with the support of the chairman and ranking member—and I thank both of them for their willingness to support this effort—we have concluded that we will move to table or make a point of order against any amendment which is not defense related from here on out in this debate. We do it regretfully because we oftentimes are supportive of some of these amendments on both sides.

I know an amendment was going to be offered on marriage tax penalty, and I know some of my Republican col-

leagues and perhaps Democratic colleagues would be interested in the amendment. There are amendments on this side that I will move to table that I would otherwise support.

We have come to the conclusion that the only way we can complete our work is by taking this action. So I am announcing at this point that from here on out, all amendments that are not related to the Defense bill are amendments that either Senator LOTT or I or our colleagues on the Armed Services Committee, Senators LEVIN and WARNER, will move to table or will file a point of order against.

I want to notify all of our Senators that will restrict significantly the opportunities they have to offer additional amendments, but we intend to follow through, and we hope that sends a clear message. We want to complete our work. While we respect Senators' rights to offer amendments, we need to get this legislation done.

I yield the floor.

The PRESIDING OFFICER. The Republican leader.

Mr. LOTT. Mr. President, I concur with this agreement, and I will support it. The leadership on both sides of the aisle and the managers of the legislation on both sides of the aisle will support this effort.

There is no more important issue for us to deal with right now than to pass the Defense authorization legislation that is necessary for our military men and women to do their job, including the equipment they need, the pay they need, and the quality of life they need, both here and when they are abroad. So we need this Defense authorization bill.

We have already passed the supplemental appropriations to pay for some of the costs of the war against terror, particularly with regard to our efforts in Afghanistan but other places also. Now this will do the Defense authorization for the next fiscal year.

These bills are never easy. In fact, they are always hard. Year after year, though, under the leadership of Senator WARNER and now with Senator LEVIN, we have done it. We need to do it again. It should be our highest priority.

I have urged that this legislation be moved at a time when we can get it done before the July 4 recess. Senator DASCHLE has called it up in a timely way. Now we see that without this agreement between now and when Senator DASCHLE would probably have to file cloture and then get cloture sometime next week, the amendments that would be brought up on both sides of the aisle would be, more often than not, nongermane to the Defense bill.

Senator DASCHLE is right, one of the first ones right out of the box I am for. I think we ought to make the cuts in the marriage penalty tax permanent, unequivocally. There are young men and women who are married or want to get married and want to know what they can count on. We ought to do that, and I am looking forward to find-

ing a way to vote on that again as I did last year.

Having said that, it is not germane to this bill. There will be other amendments that can be offered on both sides of the aisle that are not germane. They may be good and we need to consider them, and maybe we can find a way to consider them, but we have important work to do. It is not as if this Defense authorization bill does not have more amendments that will need to be considered. There are a couple of big ones that I know of, maybe more than a couple—I would say more like five or six. So we have our work cut out for us to finish this bill on its substance, on relevant amendments, in order to finish this work in a reasonable time on Thursday and hopefully in such a way that we could get an agreement to proceed on the Yucca Mountain issue.

I know Senator REID would just as soon I talked all day and not said that, but we have work to do and then we have work to do after that.

I support this effort. I think it is the right thing. I thank Senator WARNER for going to Senator LEVIN. They talked about this and then came to us and suggested this was the right thing to do, and I certainly concur. I commend them for being willing to take that stand.

By the way, this is good precedent. We might want to consider managers doing this on other bills when they are basically attacked by nongermane amendments to the underlying bills. If the manager will stand up on both sides of the aisle and say we are going to table this or we are going to make a point of order because it does not relate to this very important issue we are considering, we can move our legislation a lot quicker. There are culprits on both sides, and sometimes I am one of them, but in this case it is the right thing to do and maybe it will set a pattern for us for the rest of the year.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I do not wish to precede my chairman, but I want to make sure I say this while both leaders are on the floor. The distinguished majority leader talked in terms of relevancy; the minority leader spoke in terms of germaneness. My understanding is that the standard is relevancy to be decided by the chairman and the ranking member in this case, and we will exercise that fairly but very firmly. We are committed. When I approached the chairman with this proposition, I said I will move to table on our side, he will move to table on his side or make points of order, as the case may be.

The distinguished Republican whip participated in the conversations, and I judge that what I am saying is consistent with all who are listening at this time.

Mr. NICKLES. Absolutely.

Mr. WARNER. I thank the leadership. This goes back to the days when