

The vote was taken by electronic device, and there were—yeas 404, nays 0, not voting 30, as follows:

[Roll No 453]

YEAS—404

Abercrombie	Deutsch	Johnson (CT)
Aderholt	Diaz-Balart	Johnson, E.B.
Allen	Dickey	Johnson, Sam
Archer	Dicks	Jones (NC)
Army	Dingell	Kanjorski
Baca	Dixon	Kaptur
Bachus	Doggett	Kasich
Baird	Dooley	Kelly
Baker	Doollittle	Kennedy
Baldacci	Doyle	Kildee
Baldwin	Dreier	Kilpatrick
Ballenger	Duncan	Kind (WI)
Barcia	Dunn	King (NY)
Barr	Edwards	Kingston
Barrett (NE)	Ehlers	Klecza
Barrett (WI)	English	Knollenberg
Bartlett	Eshoo	Kolbe
Barton	Etheridge	Kucinich
Bass	Evans	Kuykendall
Bateman	Everett	LaFalce
Becerra	Ewing	LaHood
Bentsen	Farr	Lantos
Bereuter	Fattah	Largent
Berkley	Filner	Larson
Berman	Fletcher	Latham
Berry	Foley	Leach
Biggert	Forbes	Lee
Bilbray	Ford	Levin
Bilirakis	Fossella	Lewis (CA)
Blagojevich	Fowler	Lewis (GA)
Blumenauer	Frank (MA)	Lewis (KY)
Blunt	Frelinghuysen	Linder
Boehlert	Frost	Lipinski
Boehner	Gallegly	LoBiondo
Bonilla	Gejdenson	Lofgren
Bonior	Gekas	Lowey
Bono	Gephardt	Lucas (KY)
Borski	Gibbons	Lucas (OK)
Boswell	Gilchrest	Luther
Boucher	Gillmor	Maloney (CT)
Boyd	Gilman	Maloney (NY)
Brady (PA)	Gonzalez	Manzullo
Brady (TX)	Goode	Markey
Brown (FL)	Goodlatte	Martinez
Brown (OH)	Gooding	Mascara
Bryant	Gordon	Matsui
Burr	Goss	McCarthy (MO)
Burton	Graham	McCarthy (NY)
Buyer	Granger	McCrery
Callahan	Green (TX)	McDermott
Calvert	Green (WI)	McGovern
Camp	Greenwood	McHugh
Campbell	Gutierrez	McInnis
Canady	Gutknecht	McIntyre
Cannon	Hall (OH)	McKeon
Capps	Hall (TX)	McKinney
Capuano	Hansen	McNulty
Cardin	Hastings (FL)	Meehan
Carson	Hastings (WA)	Meek (FL)
Chabot	Hayes	Meeks (NY)
Chambliss	Hayworth	Menendez
Chenoweth-Hage	Hefley	Metcalfe
Clay	Heger	Mica
Clayton	Hill (IN)	Millender-
Clement	Hill (MT)	McDonald
Clyburn	Hilleary	Miller (FL)
Coble	Hilliard	Miller, Gary
Coburn	Hinchee	Miller, George
Collins	Hinojosa	Minge
Combest	Hobson	Mink
Condit	Hoeffel	Moakley
Conyers	Hoekstra	Moore
Cooksey	Holden	Moran (KS)
Costello	Holt	Moran (VA)
Cox	Hookey	Morella
Coyne	Horn	Murtha
Cramer	Hostettler	Myrick
Crane	Houghton	Nadler
Crowley	Hoyer	Napolitano
Cubin	Hulshof	Neal
Cummings	Hunter	Nethercutt
Cunningham	Hutchinson	Ney
Davis (FL)	Hyde	Northup
Davis (IL)	Inslee	Norwood
Davis (VA)	Isakson	Nussle
Deal	Istook	Oberstar
DeFazio	Jackson (IL)	Obey
DeGette	Jackson-Lee	Olver
Delahunt	(TX)	Ortiz
DeLauro	Jefferson	Ose
DeLay	Jenkins	Oxley
DeMint	John	Packard

Pallone	Sanchez	Tauscher
Pascarella	Sanders	Tauzin
Pastor	Sandlin	Taylor (MS)
Paul	Sanford	Taylor (NC)
Payne	Sawyer	Terry
Pease	Saxton	Thomas
Pelosi	Scarborough	Thompson (CA)
Peterson (MN)	Schaffer	Thompson (MS)
Peterson (PA)	Schakowsky	Thornberry
Petri	Scott	Thune
Phelps	Sensenbrenner	Thurman
Pickering	Serrano	Tiahrt
Pickett	Sessions	Tierney
Pitts	Shaw	Toomey
Pombo	Shays	Towns
Pomeroy	Sherman	Trafficant
Porter	Sherwood	Turner
Portman	Shimkus	Udall (CO)
Price (NC)	Shoos	Udall (NM)
Pryce (OH)	Shuster	Upton
Quinn	Simpson	Velazquez
Radanovich	Sisisky	Visclosky
Rahall	Skeen	Vitter
Rnollenberg	Skelton	Walsh
Rangel	Slaughter	Wamp
Regula	Smith (MI)	Waters
Reynolds	Smith (NJ)	Watkins
Riley	Smith (TX)	Watt (NC)
Rivers	Smith (WA)	Watts (OK)
Rodriguez	Snyder	Waxman
Roemer	Spence	Weldon (FL)
Rogan	Spratt	Weldon (PA)
Rogers	Stabenow	Weller
Rohrabacher	Stark	Wexler
Ros-Lehtinen	Stearns	Weygand
Rothman	Stenholm	Whitfield
Roukema	Strickland	Wicker
Royal-Allard	Stump	Wolf
Royce	Stupak	Woolsey
Rush	Sununu	Wu
Ryan (WI)	Sweeney	Wynn
Ryun (KS)	Talent	Young (FL)
Sabo	Tancredo	
Salmon	Tanner	

NOT VOTING—30

Ackerman	Franks (NJ)	Owens
Andrews	Ganske	Reyes
Bishop	Jones (OH)	Shadegg
Bliley	Klink	Souder
Castle	Lampson	Vento
Cook	LaTourette	Walden
Danner	Lazio	Weiner
Ehrlich	McCollum	Wilson
Emerson	McIntosh	Wise
Engel	Mollohan	Young (AK)

□ 1841

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, August 7, 2000.

Hon. J. DENNIS HASTERT,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on Monday, August 7, 2000 at 12:25 p.m., and said to contain a message from the President whereby he returns without his approval, H.R. 4810, the "Marriage Tax Relief Reconciliation Act of 2000".

Sincerely yours,

JEFF TRANDAHL,  
Clerk of the House.

MARRIAGE TAX RELIEF RECONCILIATION ACT OF 2000—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—(H. DOC. NO. 106-291)

The SPEAKER pro tempore laid before the House the following veto message from the President of the United States:

To the House of Representatives:

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

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

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

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

We should have tax cuts this year, but they should be the right ones, targeted to working families to help our economy grow—not tax breaks that will help only a few while putting our

prosperity at risk. I have proposed a program of targeted tax cuts that will give a middle-class American family substantially more benefits than the Republican plan at less than half the cost. Including our carefully targeted marriage penalty relief, two-thirds of the relief will go to the middle 60 percent of American families. Our tax cuts will also help to send our children to college, with a tax deduction or 28 percent tax credit for up to \$10,000 in college tuition a year; help to care for family members who need long-term care, through a \$3,000 long-term care tax credit; help to pay for child care and to ease the burden on working families with three or more children; and help to fund desperately needed school construction.

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

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

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

WILLIAM J. CLINTON,  
THE WHITE HOUSE, August 5, 2000.

□ 1845

The SPEAKER pro tempore (Mr. KUYKENDALL). Consistent with the action of Speaker Foley on January 23, 1990, when in response to a parliamentary inquiry the House treated the President's return of an enrolled bill with a purported pocket veto of H.R. 2712 of the 101st Congress as a "return veto" within the meaning of Article I, Section 7, clause 2 of the Constitution, the Chair, without objection, orders the objections of the President to be spread at large upon the Journal and orders the message to be printed as a House document.

Mr. ARCHER. Mr. Speaker, I ask unanimous consent that the veto message of the President, together with the accompanying bill, H.R. 4810, be referred to the Committee on Ways and Means.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

COMMUNICATION FROM THE  
CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, August 31, 2000.

Hon. J. DENNIS HASTERT,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on Thursday, August 31, 2000 at 4:22 p.m., and said to contain a message from the President whereby he returns without his approval, H.R. 8, the "Death Tax Elimination Act of 2000."

Sincerely yours,

JEFF TRANDAHL,  
Clerk of the House.

DEATH TAX ELIMINATION ACT OF  
2000—VETO MESSAGE FROM THE  
PRESIDENT OF THE UNITED  
STATES (H. DOC. NO. 106-292)

The SPEAKER pro tempore laid before the House the following veto message from the President of the United States:

*To the House of Representatives:*

I am returning herewith without my approval H.R. 8, legislation to phase out Federal estate, gift, and generation-skipping transfer taxes over a 10-year period. While I support and would sign targeted and fiscally responsible legislation that provides estate tax relief for small businesses, family farms, and principal residences along the lines proposed by House and Senate Democrats, this bill is fiscally irresponsible and provides a very expensive tax break for the best-off Americans while doing nothing for the vast majority of working families. Starting in 2010, H.R. 8 would drain more than \$50 billion annually to benefit only tens of thousands of families, taking resources that could have been used to strengthen Social Security and Medicare for tens of millions of families.

This repeal of the estate tax is the latest part in a tax plan that would cost over \$2 trillion, spending projected surpluses that may never materialize and returning America to deficits. This would reverse the fiscal discipline that has helped make the American economy the strongest it has been in generations and would leave no resources to strengthen Social Security or Medicare, provide a voluntary Medicare prescription drug benefit, invest in key priorities like education, or pay off the debt held by the public by 2012. This tax plan would threaten our continued economic expansion by raising interest rates and choking off investment.

We should cut taxes this year, but they should be the right tax cuts, targeted to working families to help our economy grow—not tax breaks that will help only the wealthiest few while putting our prosperity at risk. Our tax cuts will help send our children to college, help families with members who need long-term care, help pay for child care, and help fund desperately needed school construction. Overall, my tax program will provide substantially more benefits to middle-income American families than the tax cuts passed by the congressional tax-writing committees this year, at less than half the cost.

H.R. 8, in particular, suffers from several problems. The true cost of the bill is masked by the backloading of the tax cut. H.R. 8 would explode in cost from about \$100 billion from 2001–2010 to about \$750 billion from 2011–2020, just when the baby boom generation begins to retire and Social Security and Medicare come under strain.

Repeal would also be unwise because estate and gift taxes play an important role in the overall fairness and progressivity of our tax system. These taxes ensure that the portion of income that is not taxed during life (such as unrealized capital gains) is taxed at death. Estate tax repeal would benefit only about 2 percent of decedents, providing an average tax cut of \$800,000 to only 54,000 families in 2010. More than half of the benefits of repeal would go to one-tenth of one percent of families, just 3,000 families annually, with an average tax cut of \$7 million. Furthermore, research suggests that repeal of the estate and gift taxes is likely to reduce charitable giving by as much as \$6 billion per year.

In 1997, I signed legislation that reduced the estate tax for small businesses and family farms, but I believe that the estate tax is still burdensome to some family farms and small businesses. However, only a tiny fraction of the tax relief provided under H.R. 8 benefits these important sectors of our economy, and much of that relief would not be realized for a decade. In contrast, House and Senate Democrats have proposed alternatives that would provide significant, immediate tax relief to family-owned businesses and farms in a manner that is much more fiscally responsible than outright repeal. For example, the Senate Democratic alternative would take about two-thirds of families off the estate tax entirely, and could eliminate estate taxes for almost all small businesses and family farms. In contrast to H.R. 8—which waits until 2010 to repeal the estate tax—most of the relief in the Democratic alternatives is offered immediately.

By providing more targeted and less costly relief, we preserve the resources necessary to provide a Medicare prescription drug benefit, extend the life of Social Security and Medicare, and pay down the debt by 2012. Maintaining fiscal discipline also would continue to