

into classrooms of up to 30 and 35 students, and will not have the kind of attention which students in the first to third grade need. Studies have shown over and over again that the attention children get at a very early age and the class size is very important. So they are attacking working families when they take away that benefit or zero out construction and do not provide decent schools for them.

The attack on working families continues in other ways. The context is important, because the way children go to school, the families they come from, the conditions in the home are all-important in terms of their ability to relate to their schooling. Whereas I do not believe in blaming the homes and parents for all the problems that children have in learning, as some people do often, but understand that the stability in the home, whether or not they have decent health care, are important in terms of the way the child comes to school and is able to take advantage of the opportunities there.

□ 2000

The minimum wage that we have ignored is not an attack on working families when we do not even allow it on the floor; we do not raise the minimum wage from \$5.15 an hour as we proposed in the last Congress to \$6.15 an hour; we are attacking working families.

Mr. Speaker, the biggest attack on working families probably is the refusal to recognize that the floor of wages in America ought to at least be \$6.15 an hour and not \$5.15 an hour, which is now more than 3 years old, that floor in terms of minimum wage.

The majority party would not even let it be discussed. Working families on minimum wage, a family of four, is in dire poverty even if you increase it to \$6.15. It is a tiny percentage of what they need in terms of survival, but the minimum that we could do is to accept the Democratic proposals of a 50 cent increase over a 2-year period which would raise the minimum wage. If we refuse to do that, that is an attack on working families, the families of the pupils who go to our public schools.

When we gut the health and safety rules to protect workers, as we did last week, in context, working families have to understand that what was done on the floor of this House last Wednesday, the vote to repeal the ergonomics standards was an attack on working families.

Ergonomics is a big word. People do not want to deal with it. They stop listening when you mention it. So I will just say, ergonomics is all about ending the pain, the pain that is related to doing something with your muscles and your fibers over and over again. Ergonomics is a matter of taking steps to prevent, to prevent injuries that often incapacitate people.

Ergonomics is not just about the guy who was out there lifting in the warehouse, lifting heavy loads and he gets his problem with his back. Ergonomics

is about the secretaries and the clerks who type all the time or the people who sit in front of computers and may get eyestrain.

There are ways to prevent carpal tunnel syndrome, another one of those big words. Carpal tunnel syndrome is simply you have repeated something so often and you use your fingers and your wrists in a certain way until it wears out and it is painful to do it. And beyond being painful, you reach the point where you cannot do it any more.

Mr. Speaker, a person who earns his or her living by typing the motion over and over again can find themselves at a point where they do not have a way to earn a living, because of the fact that they can no longer use their wrists and their hands and their arms. It is as incapacitating as if you were on a construction job and some big load fell on your head. They are very real.

Every Member of Congress has had exposure, I am sure, to people with carpal tunnel syndrome, because we have lots of people in that category who do that kind of work up here. Nothing new. Yet we voted last week to make war on the workers by removing a standard which required that employers take preventive measures to minimize the risk of people getting incapacitated as a result of repeated use, using certain muscles and fibers. We eliminated it with one stroke under what is called the Congressional Review Act.

One of the first achievements of the Gingrich Congress, and it is no more, we do not have the ergonomics standard. It took 10 years. It took 10 years to reach the point where we issued some standards which said you should do things a certain way to protect the health of people, their muscles and their fibers from this kind of strain. And in one day, it was voted out of existence and is no more.

We declared war on the working families of America in another way. The war comes from different directions. It is a war sometime of neglect and abandonment, but that is still war. It is sometimes a war of a denial, denying the minimum wage increase, but it is still war.

These are the families from which the children who go to our public schools come, and we cannot have improvements in education while the attacks are being made on their livelihood in a manner in which their homes are able to exist free of incapacitation, health problems and deprivation.

We think that what happened last week with the wiping out of the ergonomics standard through the Congressional Review Act is just a beginning, that the war on working families is going to continue in many ways.

We are going to be gutting overtime pay again for workers. That has come up in the previous Congress, of course, and it failed to get through because the President at that time threatened to veto it. There is no veto power to prevent excesses. There is no veto power

on extreme mix. We are waiting for the attack to go forward.

We warn everybody listening to begin to make decisions about how we are going to deal with an attempt to gut overtime pay for workers. We had a bill on the floor, as my colleagues recall, those of my colleagues who have been in Congress for some time, a bill on the floor which said that overtime pay should no longer have to be given in cash.

The Fair Labor Standards Act requires that after you reach a certain point, 40 hours, you must pay workers in cash for the overtime. Workers who are not in that category, there are exempt workers, as we all know, but those who are in that category must be paid in cash.

We had a bill which says the Fair Worker Labor Standards Act, that section would be repealed and employers could at their own discretion give workers time off, time off to compensate for your working overtime. The time off would come at the discretion of the employer.

The majority party would gut overtime pay by expanding exemptions to overtime requirements by excluding employee bonuses from overtime pay, and this latter provision creates huge loopholes for employers, allows them to exempt certain portions of employee pay as exempt from overtime coverage.

We can look forward to more of this kind of attack on working families. They are going to discourage all new health and safety laws. They are going to discourage the National Labor Relations Board from functioning in a fair and equitable way.

There will be bills to discourage union organizing. All of those bills fall within the parameter of my committee. We must understand how they all interrelate to the war on working families.

#### NIGHTSIDE CHAT

The SPEAKER pro tempore (Mr. CANTOR). Under the Speaker's announced policy of January 3, 2001, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes as the designee of the majority leader.

Mr. MCINNIS. Mr. Speaker, there are a number of different subjects that I would like to address tonight.

Let me begin, first of all, by thanking all of my colleagues for their support for the successful passing of the legislation, the willing seller, willing buyer legislation for our national trails.

The specific trail that I focus really on a lot in the State of Colorado is the Continental Divide Trail. It is kind of ironic that years ago a piece of legislation was amended to put in place that a property owner who wishes to sell their land, a private property owner who wishes to sell their land to a trails committee or to the government for a trail like the Continental Divide Trail was prohibited from doing so even though the seller wanted to sell.

It was an amendment that made no sense. Today a great trail like the Continental Divide Trail, and we all know a little bit about the history of that, that trail is being prevented in essence from being finished for its preservation, because willing sellers, not condemnation, condemnation has no place in putting a trail like this for a historic basis, but a willing seller does have a place.

That legislation that was almost unanimously approved this evening, I think we probably had three no votes off the entire floor, allows that now to proceed.

Mr. Speaker, there are a couple of people, my good friend, Steve Fossel out in Colorado out in Silverthorne, Colorado, very aggressive on his support of this.

He is a citizen. He is very active in conservation issues. He is also a private property owner. He is a rancher. He feels very strongly about private property rights. This is the kind of legislation as a private property advocate that he could support. He got way behind it. He has worked very hard.

Of course, we also have Bruce and Pamela Ward. Bruce and Pamela Ward are the directors of the Continental Divide Trail, and they have done a tremendous task over the years of putting together everything from voluntary maintenance crews to go out and work on the Continental Divide Trail to putting together records for the historical purposes, the paper trail on the Continental Divide Trail, no pun intended, and all the other numerous tasks that are involved to preserve such a great part of our history.

Mr. Speaker, I openly congratulate Bruce and Paula Ward for their hard and difficult work, but this is the accomplishment that we got.

I also, of course, want to thank all of my colleagues for their support this evening in the passage of that.

Let me move on to my second subject that I wish to address tonight. I say this with a great deal of pride. As most of my colleagues know, my district is in the fine State of Colorado. My district is larger geographically than the State of Florida. Essentially, I have almost all of the mountains in Colorado. So any of my colleagues that have skied in Colorado or if they have been to Aspen or Snowmass or Steamboat or the Colorado National Monument in Grand Junction or the Four Corners down there in Durango or the ski area down there or the San Luis Valley and the agricultural fields, any of that country in Colorado belongs in the 3rd Congressional District.

We take a great deal of pride from what we have to offer as far as the physical beauty of that particular district, and we have just been recognized by the Travel Channel.

Glenwood Springs, that is where I was born and raised. Glenwood Springs is a wonderful community, about 35 minutes from Aspen, Colorado, about 45 minutes from Vail, Colorado, and

about an hour and 10 minutes from Grand Junction, Colorado, so you can kind of triangulate in there exactly where Glenwood Springs is.

Glenwood Springs was named by the Travel Channel as the number one spot in the Nation for cooling off. So if my colleagues have an opportunity to go to Glenwood Springs, my colleagues will see there the most world famous hot springs pool, which is the largest natural spring water pool in the United States.

It is a great resort, and it certainly is deserving of the honor that it received by the Travel Center. We have gotten a lot of calls at the local chamber who want to find out how to visit Glenwood Springs.

But when you go out to visit the 3rd Congressional District, take a look, because the 3rd Congressional District actually is a textbook example of a district that has huge amounts of public lands, of a district that is totally reliable, totally reliable on the concept of multiple use, on a district that has seen as much or more activity as any district in the Nation in regards to wilderness areas.

Mr. Speaker, in fact, I have put a couple of wilderness areas in place, a district where the water in Colorado, 80 percent of the water in Colorado is in the 3rd Congressional District, 80 percent of the population resides outside the 3rd Congressional District.

Colorado is the only State in the Union where it has no free-flowing water for its use to come into Colorado. It all goes out. Water is a key ingredient of the 3rd Congressional District.

The reason I say it is a textbook example is because you have the issues of public lands. You have the issues of private property ownership. You have the issues of national parks. We have four wonderful national parks in Colorado, all of which are either totally contained or partially contained. In fact, three of the four are totally contained within the 3rd Congressional District, and the fourth, a good portion of it, is in the 3rd Congressional District.

You have the issue of water. You have a number of different issues that we hear about. Here in the East, for example, you do not experience that to any kind of large extent, except if you are in the Appalachian Trail or down in the Everglades, the concept of public lands, because essentially from the eastern border of the 3rd Congressional District in the State of Colorado to the Atlantic Ocean, you have very, very little Federal land ownership or government land ownership.

From that eastern border of the 3rd Congressional District to the Pacific Ocean, you have lots of Federal and public land ownership. There is a lot of history to that.

I intend to take an hour on this floor here in the not-to-distant future to talk about the concept of multiple use, to talk about the grub-staking of the

1800s, to talk about why you have huge quantities of Federal lands in the West and very little Federal lands in the East. There is a reason for it. But it was by the luck of time that the East frankly escaped a lot of government land ownership and the West got saddled with it.

There are a lot of decisions that are made in the East where the pain of public land, in particular, examples is not felt, but it certainly is felt in the West, and that is why you see the West get a little parochial about the fact. We feel the pain out here. There are a lot of issues like water.

In a lot of the areas in the East, your big factor is to get rid of water. You have too much of it. In the West, we are an arid area. We have to store our water. We have to use our water for hydropower. We do not have a lot of water. We are arid States. There are any number of different issues.

I hope as you consider visiting some of our vacation spots which are located in the 3rd Congressional District, for example, Aspen, Beaver Creek, Vail, Steamboat, Telluride, Durango, Grand Junction, Pueblo, all of these areas, they are all in that 3rd Congressional District. When you go out there, take a look, spend just a little time, colleagues, and study the concepts of public land ownership, of private ownership of water in the West and why it differs from water in the East as far as the dynamics of ownership and the dynamics of the system that permits water usage out there.

□ 2015

There are a lot of interesting things, national parks and the maintenance of national parks. The wildlife issues. My particular district, the Third Congressional District, has the largest herds of elk in North America. We have huge populations of mule deer. In fact, this morning I was running. I just came to Washington today. I was running at 4 o'clock this morning in Grand Junction. I saw a coyote and fox in one run. This is in the community. We have a lot of wildlife.

It is a wonderful, wonderful district to represent. It is a great district to go visit. But there are a lot of complex issues that I would urge my colleagues to become a little more acquainted with them if they are not already acquainted with them as it pertains to the West.

Let me move on to another subject that I think is important. We keep hearing about this tax cut that President Bush has proposed. It seems to me that there are some of my colleagues on this floor who have now made it their life duty to kill the tax cut regardless of the ramifications to the economy as a whole. I need to tell my colleagues, we have got to keep in mind what happens.

I had an interesting flight today as I came into Washington D.C. I sat next to a gentleman named Bill. Bill asked me, Well, if you keep the money in

Washington, D.C., and by the way, even under the tax cut of President Bush's proposal, most of the money is kept in Washington, D.C., but going back to the question that Bill had, if you keep the money in Washington, D.C., does that money automatically reduce the debt?

My answer to Bill is, that is the problem. If you keep the money in Washington, D.C., if you keep those surplus dollars here in Washington, it is going to get spent. It does not just sit around here. It is too tempting.

It is like somebody who is on a diet but can be tempted very easily. And I happen to be a good example of that. I like sweets. If I were on a diet, you know, I do not have a lot of resistance towards sweets. If you put me in a candy store on a diet, I cannot help it, I grab some candy.

That is what happens with money in Washington, D.C. It is not just because you have congressional people that are weak. That is not true. In fact, most of my colleagues that I am acquainted with, which are most of them here on the floor, are pretty strong individuals.

But the fact is we have constituents who continually come to the great halls of Congress and want money, and the programs that they want money for happen to be not bad programs. We do not get proposals very often for bad programs. We get proposals for good program after good program after good program. The problem is you do not have enough to do it all. The problem is you have got to have the ability to say no.

If you have got a big pile of money sitting behind you, how do you look at somebody who has a good program but maybe not a necessary program? And there is a big difference between a good program and a necessary program. Some good programs are necessary, but some good programs are not necessary.

So the problem that we have here is, when we have good programs, and constituents, whether it is senior citizens, whether it is young people, whether it is any welfare, any kind of program, and they come to us and they say, Look, why can you not fund this new program for us? You have got all this money. You have got all this surplus.

So we are under a lot of pressure back here by our own constituents who want us to fund their programs. They understand the fact that we have to control spending, unless of course that control impacts their particular program.

So the best thing one can do when you have got an economy that is going south like our economy is currently headed, the best thing one can do is put some dollars back into the pocket of the people who sent the dollars here in the first place.

Remember, here in Washington, D.C., this is the one city in the entire Nation, there is no other city like it in the Nation, that is totally dependent upon taxpayer dollars. If you go to Denver, Colorado, if you go to Port-

land, Oregon, if you go to Laredo, Texas, or Hays, Kansas, or Lansing, Michigan, those communities are not totally dependent like Washington, D.C. is on the transfer of money. Not the creation of wealth, mind you, not the creation of wealth, which is necessary in Laredo or Hays or in Denver and so on. Washington, D.C. is totally dependent on taking money from people who work and transferring it to a bureaucracy in this huge city.

So here in this city, which is totally dependent on these excess dollars, spending these dollars, do my colleagues think it is safe to leave excess money laying around? Do my colleagues know where that money is best used? Not here in Washington, D.C. for redistribution through the bureaucracy.

If you question my analysis on that, ask anybody you want, ask any of your friends. Use this example, say to your friends, Hey, if you just won \$10 million in the lottery, and you feel like you want to give it to charity or you want to put it out in society to help people, would you bring your \$10 million to Washington, D.C. for redistribution to the American people? Of course you would not. You would redistribute that yourself. Why? Because you think you would be much more productive. You think you could get that money put to a much better use out in your local communities.

Therein lies the problem. The tax cut that the President is proposing is a very important leg on a three-legged stool for the survival of our economy, not the survival, that is an overstatement, but for the health of our community, for the health of our economy.

That three-legged stool consists of a tax cut, putting dollars back to the people who are paying these dollars. They have paid too much. When somebody pays too much, they are entitled to a refund. That is number one. We have got to get those tax, at least a portion of those taxpayer dollars without jeopardizing the future of our country. We are not jeopardizing our defense. We are not jeopardizing our education. We are not jeopardizing the health of this economy or this Nation by giving a portion of those dollars back to the people who paid too much in. But that is leg number one on the stool.

The second leg is our monetary policy; and that, as all of my colleagues know, is driven by Alan Greenspan. Now, we do not control Alan Greenspan here in the United States Congress, nor do they in the other House. Alan Greenspan acts independently. I think he has acted with pretty reserved judgment.

I can tell my colleagues that, a year ago, nobody was criticizing Alan Greenspan when NASDAQ was at an all-time high, the DOW was at an all-time high, the S&P was at an all-time high. Let Mr. Greenspan do his job. His job right now is to put some money back into that economy, not put more

money back in Washington, D.C., put more money back in the economy, which he does by lowering the interest rates. He is doing his job. I fully expect a half-percent cut in the rate next week at their next hearing.

Of course the third leg of that stool, which is so important for us to help restore the health to our economy, is we have got to control spending. One of the easiest tools to control spending is limit the amount of dollars that are sitting around here in a bucket waiting for us and our constituents to spend. If the money is laying around, how do we tell people that it is not available for use for a good program? Again, remember, our choices in Washington, D.C. are not between good and bad programs. That is a pretty easy choice to make. Our choice is between good and good programs. We have got to control spending.

So to recap, this stool must have all three legs on it for one to sit on it, for our economy to stabilize. We have got to control spending, number one. Alan Greenspan has got to bring down those rates. He is doing that, number two.

But number three, again, it falls back on our shoulders here in these fine Chambers. We need to put some of those tax dollars back into the people's pockets, in their local communities, so it stays in the local community.

I will give my colleagues an example. You take any town in America and take a dollar, a dollar in that community. You keep the dollar, this is in any town in America, you keep the dollar in that community; and that dollar circulates in that community. It works in that community.

What you do with taxes, you take that dollar out of the community, and you move it to Washington, D.C. where it circulates clear across the country in some cases. You think that dollar in Washington, D.C. that came from this community goes back to this community? Of course it does not. Of course it does not. It is very important for us to realize what a dollar does in the local community.

Now of course this theory is all shot to pieces if, in fact, the people in the local community take their dollars, go out in their backyard, and literally bury it in the ground. But short of that, a dollar in a community has a lot more opportunity to create wealth than a transfer of wealth from your local community to Washington, D.C.

These people back here in Washington, including the U.S. Congress, we thrive on dollars that we did not have to go out and compete for those dollars. The government does not have to go out and figure out a creative product. They do not have to invent a better mouse trap or come up with a cure for the common cold to create dollars in Washington, D.C. All they do is look at people across the country, our work force, and they say, well, we need a little more food in Washington. We need a little more, you know, juice in Washington. So we are going to raise your

taxes. Well, we did raise their taxes. And do you know what? The taxpayer has overpaid.

For a period of time, we have instability in our economy. The best way to pull stability back to the economy is to put dollars back in those taxpayers' pockets.

Now we will hear some of my colleagues on this floor, colleagues who say, Well, wait a minute. You should not give money back to a taxpayer if that taxpayer happens to be making any kind of money, say if they are middle income or higher income. You should give that dollar to people at the very lowest end of our economic society.

Well, now, wait a second. A tax refund should go to the people who pay taxes. If you are not paying taxes, you should not get a tax refund. You should not get a tax credit.

Now, granted, we do have the lower economic part of our society; and that is why we have welfare. But let us call a welfare system welfare. Do not mix it up or interchange it with the taxing system. The taxing system takes money from productive working people and moves that to Washington. It also takes money, which is later refunded because those people do not pay taxes, and puts it back in there.

But my point here very clearly is, you do not gain the economic stability, that stimulus that you need by taking dollars and giving them to people, giving it to people who have not paid taxes. A tax cut is for those people who have paid the taxes.

Now, am I concerned about different economic brackets? Of course I am. But what is my primary focus here? My primary focus is to strengthen the economy for everybody. If we can go out and stimulate certain parts of the economy, for example, the agriculture community, if we can go out and strengthen them, and everybody in the economy benefits because the entire economy is strengthened, what is there to criticize?

I think that it is fundamentally unfair for any of my colleagues to automatically say, Oh, this tax cut is for the rich. That is a bunch of propaganda in my opinion. Or, Oh, the tax cut, we cannot afford the tax cut. Leave the money in Washington. Trust us here in Washington, D.C. with your extra dollars. It will go to reduce the debt. Promise, we will not spend it on new programs or additional spending.

You cannot resist it back here in Washington, D.C. in part because your own constituents will not let you resist spending that money. Again, if your constituents sense that you, as an elected Representative, have access to dollars, they will come after them.

Last week I had legitimate requests just in one day. It involved the space program. It involved the new program for education. It involved the seniors' program. I think it involved the military request. I had a request in the period of about 3 hours of meetings for

over \$900 million. That is in a typical day of a typical Congressman here in Washington, D.C. Do you think I could have said no to those people, they are all good programs, if I had had \$900 million sitting behind me in my office for distribution?

That is why it is important that we give a fair and legitimate look to President Bush's proposal. I am telling you, this vote counts. This issue counts. This economy needs to be stabilized. This is not a laughing matter. There is no juggling a couple political balls in the air.

What we are involved with here is clearly in the next period, short period of time, trying to stimulate that economy, to curb it from its downward spiral, to put consumer confidence back out there. The best way to put consumer confidence back into the marketplace is to put dollars into the taxpayers' pockets. Because unless they bury it in the ground, as I said earlier, those taxpayers will use it for creation of capital and stimulation.

Now, I want to move on from this point, from the tax cut and from President Bush. I have got to tell my colleagues something. In my opinion, he is doing a tremendous job. He is traveling the country. He believes it in his heart. He is convinced that the way to stabilize this economy is through his program. I think it is incumbent upon every one of us in these Chambers to give that at least a fair evaluation.

□ 2030

I am telling you because if we do not, if we trash the President's program for the sake of trashing it or if we trash it for the sake of partisan politics, then we may very well be responsible for not putting that third leg on the stool.

Furthermore, our responsibility goes not only beyond working with the President of the United States and his leadership in trying to put that tax policy in place, but we also have our own independent responsibility of controlling spending. Last year, out of these Chambers spending went out at 8-9 percent. This year we have to hold it around 4 percent. If we do not, we will have contributed to signing off on another leg of that three-legged stool.

This is not a joking matter. All you have to do is ask anyone who has been in the stock market how they felt yesterday at 4:00 Eastern time when the stock market closed. We have a problem with consumer confidence. This is not the Depression of the 1930s. This is not December 7 or December 8 after the bombing of Pearl Harbor. We have had much worse crises. It is not November 23, 1963 when President Kennedy was assassinated. But if we do not pay attention to it, it could move into the ranks of a much more serious problem than it is today, and I hope that we look at it very seriously.

Let me talk now, I really was spurred to action not too long ago when I read an ad in the New York Times. Let me talk for a few moments about what

that ad said. First of all, let us talk about the tax policy in this country.

One of the taxes, a specific tax that we have in this country, not a lot of countries in the world have this, in fact a lot of countries do not do this, but in the United States, around the turn of the century as a result of a lot of class warfare and jealousy by what some people would say are the haves and the have-nots, they created a new tax in the United States, and that tax was to tax somebody on their death called the death tax.

Now, remember in the United States you are taxed at every stage of your life. You are taxed when you eat and when you drive. You are taxed when you work, you are taxed when you warm your house, you are taxed when you fill your bathtub with water, when you buy a piece of property, any kind of property, and finally just to kind of round it off, our taxing system, let us go ahead and tax Americans at death to make sure that we squeeze every ounce of blood we can before citizens go on to the next world.

That tax came about, in part, to go after the Carnegies and the Fords and the rich people to kind of teach them a lesson for being successful. This is a country where we say you invent the better mousetrap, you are rewarded. Go out there and live your dreams, and the jealousy factor kicks in and here comes Uncle Sam, time to tax you on your death.

Let me tell you what has happened over the years. That death tax has devastated many small families in America. By small, I am not talking about the wealthy families. I am not talking about Bill Gates' father or Warren Buffett or David Rockefeller or George Soros or the Cooks or Russells or the Roosevelts or the Paul Newmans and some of these others, I am talking about the Smiths, the Brobachs, the Strobbs, the Soros, the Neslantics.

I could go through family after family after family who are not billionaires, who are out there living their life's dream, who are out there in hopes that their hard work will allow them to give the generation behind them a little opportunity to get ahead in life. Just a little opportunity to continue the family business for one more generation. Who would have ever dreamed that in the United States of America the government itself, Uncle Sam itself, would be in the practice of discouraging family business from going from one generation to the next generation. Would be in the business of punishing family farms and ranches from going from one generation to the next generation.

One of the famous statements that we have heard in the propaganda where my colleagues try to justify the death tax, it only affects 2 percent of our society. It only affects 2 percent of the wealthiest people of our society. You know something, that is blatantly misleading; and most of the people that say it say it out of ignorance or they

know that they are intentionally misleading you.

Let us go back to my cup example. Somewhere in the third district in the State of Colorado you have got somebody, and here is what it takes to become subject to the death tax. Say you have a contractor out there who owns a bulldozer, free and clear; a dump truck, free and clear; a backhoe, free and clear; and a shop, free and clear; and let us say that property is located in Vail, Colorado or Glenwood Springs, Colorado. You know what, that person is subject to the death tax. You know what happens, no matter who earns the money in the community, the fact is that you have a dollar that is earned, whether it is a wealthy person or that contractor, you have a dollar in any town U.S.A. in that local community, colleagues, that dollar is in that community. What the death tax says is hey, because they have been successful in this community, we are going to take the dollar, not just from the family that earned the dollar, we are going to take that dollar from the entire community and transfer it to a community called Washington, D.C. in the East.

Now you tell me that only 2 percent of the people in that community are impacted by that. I will give you an example, Cortez, Colorado. Down there we had a very prominent citizen, not somebody who just came into town and had all of this money showered on them. It was somebody that lived the American dream. They worked 7 days a week, and their dream was to have a family business where his sons and daughters could work with him, where his sons' and daughters' sons and daughters could work in the family business.

Unfortunately, due to an untimely death, his dream never came true. Was it because he had not been successful? No. He had been successful. It was because Uncle Sam came into that community of Cortez, Colorado and said this person has been too successful. We do not care about the fact that he is the largest contributor to jobs in this community. We do not care about the fact that he is the largest contributor to the local charities or the dollars he makes are not circulated in Washington with the exception of taxes, Uncle Sam says we do not care that removing this money not only from the family, but removing it from the community of Cortez, Colorado, to Washington, D.C., we do not care that that hurts that community. The fact is that we have an American citizen who has been too successful and we should punish him.

That is exactly what the death tax does and do not let them tell you that it only affects 2 percent of the people. "Only" may mean in the very end after all of the wealthiest people in the country through the protection of their foundations and floors of lawyers, it may mean that actually writing the check may be only 2 percent, and actu-

ally I think it is higher, but take a look at what it does to the local communities. Look at what it does in Third Congressional District of Colorado, where we see farms and ranches that have to be broken into subdivisions out of open space so Uncle Sam can be paid his ransom to make sure that the next generation cannot ranch, and I am going to give you some examples.

I read an ad lately in The New York Times, and I use this word reluctantly but I think it is the most hypocritical ad I have seen in a long time. It is called "The Responsible Wealth," and it is a group of multicentury millionaires and billionaires, and they signed this ad and said do not do away with the death tax, it is good for society. Now, it is all signed, and I will give you some examples of people who signed it, William Gates, Sr., Bill Gates' father. By the way when he was interviewed, he did this interview in the foundation office. What does the foundation do, it is a tool to protect your assets from the death tax. Let us mention a couple names. Steven Rockefeller; David Rockefeller; George Soros; Peter Barnes; Paul Newman, the actor; Frank and Jinx Roosevelt.

Do you think for one moment that any one of the people that signed this ad have not already hired some of the best death tax attorneys in the country to make sure that any death tax they are liable for is minimized. Don't you think it is a little hypocritical that someone would say do not do away with the death tax when they have already protected themselves from the brunt of the death tax.

I would ask Mr. Newman and Mr. Gates, how many of my ranchers in Colorado, how many of my local hardware store owners in Colorado can afford the attorneys that you have so they do not have to pay the death tax? How much punishment do you think that it is to these families. You know, we have had a vote on this floor on the death tax, and my bet is that anybody on this floor who is worth more than a million dollars that voted to keep the death tax in place, in other words they support the death tax, number one, and number two they are worth more than a million dollars, I bet none of my colleagues who fits in those two categories that has not already done their death tax or estate planning so that the taxes against them personally are minimized.

This death tax has a tremendous negative impact on communities across this country, whether it is Sacramento, California or in Michigan, or down in Florida, or even in the East in Virginia. This death tax punishes people and it punishes families. This is the United States of America. This is a country where we encourage or theoretically, we are supposed to encourage the family unit. A lot of times the family unit is brought together by the family farm or family ranch or the family business. Why is it the business

of this government to go out and punish these people because they have been successful? Why?

Let me tell you a few things that I think are very important, and I think the best way to talk about this is to actually bring up some true-life examples. Since I have been talking about the death tax here on the floor, colleagues, as all of you know when we broach a subject like this, we often get letters from our constituents pertaining to this subject. Let me visit with you and share with you some of the letters I have received in my office about what this death tax has done to their families.

This letter is from Harold and Roberta Schaeffer. My guess is that Mr. Gates has never seen or has no idea of what kind of exposure this small family, the Schaeffers, has to the death tax.

□ 2045

Nor am I convinced that this Mr. Gates cares about it. Nor am I convinced any of the other 200 people, including Paul Newman and some of the other very wealthy individuals, really give a hoot about some of the people that have sent me these letters.

These people are not billionaires. These people are not movie stars. These people do not have foundations. These people do not have trusts. These people do not have the attorneys to get them around it. And they are going to have to face up to one of the most punitive, unjustified taxes in the history of the American taxing system.

Let us go on.

Dear Scott. And these people are from Colorado. Roberta and I just finished watching your estate tax speech on TV. We are both very proud because you stated our real concerns and our problems that we face with this unfair taxation.

As you well know, farming and ranching out here in western Colorado is no slam dunk. If our farm is ultimately faced with this death tax burden, there is absolutely no way we could ever afford and justify holding on to our farm. This in turn will prevent us from keeping it as a farm for future generations, keeping it from becoming just one more development out in the middle of the countryside, keeping it available to the deer and the elk, and I saw over 600 head of elk just this afternoon on the property, keeping it available for unencumbered natural gas production.

Scott, we are only able to meet the daily operating costs of our farm under the present economic conditions of agriculture. Unless there is positive action taken by Congress on the death tax problem, we will try to start making necessary plans to arrange our affairs so that my family is the ultimate winner of a lifelong struggle, the lifelong struggles of my parents and Roberta and me. There is no way we will allow the IRS and Washington, D.C., to take it all away. They just flat don't

deserve it. This, of course, will make it necessary to begin the destruction or the development of one of the largest open space areas in all of Garfield County, Colorado.

Again, we appreciate your efforts.

What did this letter say? Think about what the letter said. If you continue, Uncle Sam, on your track of coming after us, we are not a billionaire family. Again, this is not the Rockefellers or the Gates or the Carnegies, people like that, or Paul Newman. This is a small agricultural family who has worked very hard, the generation before him, his father and mother, and now he and his wife want to pass it on to the next.

But what is the summary of the letter? Let me repeat.

If the death tax is kept in place, this is the impact that he talks about in this letter. He has four things. Number one, I cannot keep it as a farm for future generations. Number two, keeping it from becoming just one more development out in the middle of the countryside. Number three, keeping it available to the deer and elk. And he says in this very letter that he saw 600 head of elk on his property just the afternoon that he wrote me this letter. You think they are going to be there after the government is done with the death tax and that becomes a subdivision? Think again. And keeping it available for unencumbered natural gas production.

This is a real letter from some people out there. They do not have a floor full of lawyers. They do not have a foundation. They do not have a trust. All they have got is a hardworking family, and the dreams that all of us dream, that something we do in our life can pass on to the kids in the next life.

It is interesting. I see Warren Buffett and some of these other people say, "Well, I'm giving all away but a small percentage of my estate." Let me tell you, when you are worth several billion dollars, even 2 percent, that does not sound like a lot until you figure out the calculation. Those lawyers protect the true foundations.

Again, remember, these foundations were not put out there just because these wealthy people wanted to take a little time and create some more paperwork and create another structure in their life to have to worry about. These were created so that the very wealthiest could avoid the death tax or minimize the death tax. Yet they have the audacity to come out to the rest of us and sign this ad.

Mind you, this is not all the wealthy people that have signed it clearly, and many of my good friends have this kind of wealth. They did not sign that ad.

But understand what a death tax does. Remember, a death tax does not have a time span between it. In other words, if you have dad who is working on the ranch with son who has the grandson, or this son's son or the grandson here, so we have three generations. If grandpa dies and the prop-

erty then passes to his son or his daughter, and that son or daughter, they then pay the estate tax. Let us do it here. I think it is easier to follow.

Here is generation A, generation B, and generation C. Generation A dies. Estate tax right here. The death tax right there to B. So B has to come up with the money to pay off this estate tax so that he in hopes or she in hopes can pass this on to their next generation.

But what happens if, after A dies, B unfortunately is killed in a car accident at a young age? Let us say B is killed at age 50 in a car wreck. Do you know what happens? Even though his father may have died just a few months before, you have the death tax there, and the minute B dies, you have got it again, even if it is in a short period of time. What do you think the odds of survival of that ranch or that small business are?

Remember that the people that signed this ad that say a death tax is good for our country, these people protect themselves. Let us call it B for billionaire. They protect themselves with lawyers and lawyers and foundations and foundations, so that when Uncle Sam comes in, they cannot quite pierce it. They cannot get in there. So it is real easy to stand with a big chest and say, "By gosh, this death tax ought to stay in place." It is about time that person went up and visited that little family business or that little family farm or that contractor who owns a dump truck and a bulldozer and a building.

Let us be realistic. Our common goal in these Chambers is to preserve the family unit, and a part of the family unit is to preserve from one generation to the next generation those small businesses and those family dreams.

Let me read on. Here is a letter I got I think last week.

Dear Mr. McInnis, I am writing to encourage you to keep the repeal of the death tax on the front burner. As an owner of a family business, it is extremely important that, upon our death, the business be able to be passed to our son and to our daughter, both of whom work in the business, without a threat of having to liquidate to pay the death taxes on assets that have already been taxed once.

This letter brings up a good example. Remember that this property, the property that you own, that you are going to get taxed on upon your death, you have already paid taxes on it. So this property, with this small exception of some IRAs, and they should be taxed, but with that small exception, the property that is hit by the death tax has already had its taxes paid. It is double or triple or even worse taxation and, as is pointed out here, without a threat to liquidate to pay inheritance tax or death taxes on assets that have already been taxed once. Of all of the taxes we pay, this tax, the death tax, is truly double taxation and unfair.

I am aware that several wealthy people, i.e., William Gates, Sr., George

Soros, et cetera, have come out against repeal of the death tax. This is one of the most self-serving demonstrations I have ever seen. They have theirs in trusts, in foundations, in offshore accounts, et cetera, and will pay no or minimum tax. Whatever their political motivations are, they certainly do not represent or speak for the vast majority of farmers and ranchers and small business owners in this country.

Again, I urge you to push hard for the repeal of the death tax. Signed, Anthony Allen.

This letter came out of California.

This letter came out of the West: My wife and I graduated and got married and started farming in 1961. Our children and us have worked from daylight till after dark with very few days off for the last 40 years. We have paid sales taxes, we have paid property taxes, we have paid income taxes, and we have paid Federal taxes on all of our trucks, on our trailers, on our properties, to mention just a few of the taxes that we have really had to pay.

After all of the years, we have built up enough equity to earn a decent income. Now we want to start planning for old age and death with estate planning and life insurance that we can afford. We hope that the Federal Government will not force our children to sell this farm to pay that death tax. The State of Colorado has given us some relief, but now it is time for the United States Government to do the same.

Let us go on. I am not going to read every letter here, but I want you to get the gist.

Here is one. This guy's name is Chris Anderson. He is 24 years old. This is this new generation, the young men and women of my children's age. This young generation offers more promise than any generation in the history of this country. This generation is going to bring more to this country and contribute more to this country than any other generation in the history of this country. I have never had more confidence in a generation than I do in the 20-something-year-olds right now.

Are we going to go out there and start them out by saying, look, your dad and mom want to contribute to your success, your dad and mom want to help you continue to make this country greater and so, therefore, Uncle Sam is going to step in between your folks and you and penalize by a death tax? Is that really the theory that we want to operate under in this country?

Listen to this. Here is a 24-year-old young man.

I am Chris Anderson. I am 24 years old, and I run a small mail order business. I listened with great interest when you talked about the death tax. In all likelihood, I will not face the problems you are outlining, at least not in the near future. I am not in line to inherit a business. However, I am soon to be married and look forward to having a family; and perhaps one day my children will want to follow in my footsteps.

Here is a 24-year-old young man who is about to be married, he is not going to inherit a business, he has his own small business which he has started, and Chris is saying to me, look, someday maybe I can realize my dream of passing it on to our children.

Chris goes on. I hope and pray that they will not face the additional grief caused by death tax. A 55 percent tax is, at best, a huge burden on the family business and the loved ones of the deceased. At worst, it can be a death blow that ruins what could otherwise have been the future of yet another generation.

Here is a 24-year-old young man. You see what I talk about when I say how great this generation is. At 24 years old, frankly, when I was 24 I am not sure I was thinking about the next generation. But here this young man at 24 years, he and his fiancée are thinking about the next generation, and they are thinking many years into the future. When they talk about, at worst this death tax could be the death blow that ruins what otherwise could have been the future of yet another generation, this letter is not a plea for help. I just wanted to let you know that, although I am not a victim of this tax, I appreciate and applaud the fight against it.

I firmly believe that Congress and the government at large need to recognize that America's future is and will always be firmly rooted in the success of small businesses. Many of these businesses are family-owned with the need for the next generation to continue them into the future.

I spent a few years working for a small family-owned business. Not just myself but several workers depended on the income they derived from working for this small family business.

So Chris is saying here I spent many years working for a small business, and many of us, including his fellow employees, depended on the success of that business owner for their employment. This addresses directly the point, that these people who signed that ad say it only affects 2 percent. It affects an entire community when you take that money out of the community and transfer it to Uncle Sam's headquarters in Washington, D.C., for redistribution.

I fear for those workers, Chris says, when the tax man comes knocking. This tax has claws that rip at many more people than the immediate family of the deceased.

This is critical. Mr. Speaker, this is critical. This death tax, as said by Chris in his letter, has claws that reach beyond the person that is being taxed. It reaches and impacts the workers, the entire community. He says it here. He says claws that rip at many more people than the immediate family of the deceased. It has a huge negative impact on the employees of these family businesses. I hope that your constituents recognize this, and they will continue to put their trust in working to do away with this death tax.

This was Chris Anderson. Chris is from New Jersey. My district is in Colorado. This is a young man who took time, he and his fiancée, to send me a letter to say how punitive and what this death tax does.

We are in a society where tax is necessary. Obviously, we want the best schools we can fund. We want a strong military. We want a transportation system. But do we have to reach to the point that we have got to go to double or triple taxation and to a tax that on its face is unfair? Can you imagine what our forefathers would have thought that we were going to tax not only every stage of life but, upon death, to tax death, death as a taxable event?

Here is another one.

Dear Scott, I wish there were some way I could help you get this tax eliminated. They are discriminatory and socialistic taxes. I can't for the life of me understand how they got passed. How can anyone advocate taxing somebody twice?

I can answer your question, John. Back here in the Capitol or in the government, they depend on taxing for revenue, not going out and setting up a business and creating capital. They will tax you at every opportunity they can, unless we have a balance, and the balance we have out there, colleagues, are your constituents and the harm that we are doing to the very people we represent if we put punitive and unfair taxes on their shoulders.

□ 2100

If we do not recognize the fact that they have overpaid their taxes, if we do not recognize the fact in tough economic times, we should not keep their dollars, as President Bush says, in Washington, D.C. to spend on more Federal programs; but we should take their dollars and give it back to the people who earned it.

Now, John, some people would say that tonight I get emotional when I speak here at the podium, but I firmly believe that the punishment that we are dealing out here to families in America and communities in America by this death tax, by not refunding some of this surplus, is unstabilizing. It has negative impacts that some of the people who may have signed that New York Times ad have never tasted in their life, but a lot of small families in America and a lot of small communities in America have that bitter taste.

Let us go on with John's letter: "Why should a family who has worked for 45 years and paid their taxes on time every year, year after year after year; who has worked in their family business; who has built up a dream for their next generation, be taxed in this manner?"

John, the only answer I can give you is that it is unfair. We know that. I am addressing my colleagues' constituents.

Finally, let me wrap up here. Let us just look at a real quick one here. Der-

rick Roberts, his family's ranch in northern Colorado for 125 years. Listen to this letter. I ask my colleagues to listen. Derrick Roberts: "My family has ranched in Colorado for 125 years. My sons and daughters are the sixth generation to work this land." The sixth generation. "We want to continue, but the Internal Revenue Service is forcing almost all ranchers and many farmers out of business. What's the problem? It's the death tax. The demand for our land is very high and the 35-acre ranchettes are selling in this area for as high as \$145 an acre. We have 20,000 acres. We want to keep it as open space, but the United States Government is making it impossible, because we will have to pay 55 percent of the value of that land when my parents die. Ranchers are barely scraping by these days anyway. If we were willing to develop home sites, we could stop the ranching, but since we want to save the ranch, we are in trouble.

"Now, the family has been able to scrape up the estate tax or the death taxes when each generation died up to this point. This time, though, I think we are done for. Our only other option is to give the ranch to a nonprofit organization and I can assure you, they all want it. But they won't guarantee they won't develop it. My dad is 90. We don't have a lot of time left to decide what to do." That is what Derrick says.

"We are only one of 2 or 3 ranchers that are left around here. Many 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 tax. Soon, they had to start selling cattle to pay the interest on the death tax. When they ran out of cattle, the ranch was foreclosed, and now it is being developed. That family that owned that ranch now lives in a trailer near town and the father who was a multi-generation rancher now works as a highway foreman for the State highway department."

Is that fairness? Is that what we call the theory that we all grew up under, the dream of the American family, and the dream of one family helping the next generation? Of course it is not.

Madam Speaker, I would hope, in conclusion, that all of my colleagues take serious note of just what kind of impact that death tax has once we get below the billionaires that signed that ad for The New York Times. Those billionaires that signed that ad, and I do not know for sure, but I bet the finest dinner in Washington, because I know they are going to have to buy it, I bet the finest dinner in Washington, every one of those people that signed that that are wealthy people have already built their foundations, have already minimized their death tax.

So these people are up here, but what about that gap down there? That is what I am talking about, I say to my colleagues, that gap in here. Those are

the people that we better pay some serious attention to. Those are the people that will suffer when this economy turns sour, if we do not put some of those tax dollars back in their pocket like the President says. Those are the people that will not be able to go from generation to generation with a family business.

We have, I say to my colleagues, a very, very important mission in front of us, and that mission is to help protect the families that put us here; to help provide for the future generations, through the wealth of their own families, through the wealth of hard work, through the wealth of love. It is not because of Uncle Sam that these people have been successful. It is so, so important for us to look beyond the gates of Washington, D.C., a city which is almost wholly operated on taxpayer dollars. It is time for us to look to middle-America and see exactly what our tax policies are doing, to see what kind of punishment.

Now, we know that taxes are necessary, but we doggone well better sit down and figure out which taxes are fair and necessary, and that is the trail that we should walk.

#### PATIENTS' BILL OF RIGHTS, PATIENT PROTECTIONS, AND HMO REFORM

The SPEAKER pro tempore (Mrs. CAPITO). Under the Speaker's announced policy of January 3, 2001, the gentleman from Iowa (Mr. GANSKE) is recognized for 60 minutes.

Mr. GANSKE. Madam Speaker, I appreciate the fervor and emotion that my colleague just spoke about, especially in dealing with the death tax situation, because we have many people back in my home State of Iowa that need this type of relief if, in fact, they are going to pass on their family farms to their children. The way that that tax is calculated and who the benefit goes to can be done many ways. One can say the benefit goes to the person who dies, and that person may have some considerable assets; but in actuality, it is the person who inherits that has to pay the tax, and if we look at who these people are, very, very frequently, they do not have assets. They are not rich, and then they end up having to sell off half of the farm in order to pay the Federal taxes. I think that needs to be fixed.

Madam Speaker, I want to speak tonight on an issue that I find emotional too, and that has to do with the Patients' Bill of Rights and patient protections as it relates to HMOs.

Madam Speaker, about a week ago I was in my apartment here in Washington watching C-SPAN; and there was a panel on, a panel of former Members of Congress, and they were being interviewed and giving comments about what they thought would happen this year in the legislative arena. And these pundits were giving their opinions on tax cuts and prescription drug

benefits and other things, and then one of the panelists said something. He said, "You know, I think this deal about patient protection doesn't need to be done. You know, I really don't know anyone who has been harmed by HMOs." Madam Speaker, I nearly fell off my sofa. I nearly fell off my sofa when this pundit, this former Member of Congress said, "You know, who needs patient protection, HMO reform because, after all, nobody is being hurt." I thought to myself, what world is that man living in? What world is that man living in?

I thought, does he not read the newspapers? Does he not see stories like this: "What his parents didn't know about HMOs may have killed this baby." Maybe this former Member of Congress, who I happen to know; he is a friend, he is a fine man, but I am thinking to myself, how could he make this comment?

Does he not see newspapers like this: "HMOs' cruel rules leave her dying for the doc she needs." Where has he been?

Madam Speaker, before coming to Congress, I was a reconstructive surgeon. I took care of lots of babies that were born with congenital defects like this cleft lip and cleft palate. Fifty percent of the reconstructive surgeons in the country in the last 2 years have had cases like this denied by HMOs as not being medically necessary. What world does that man live in? I thought to myself, well, maybe he does not read the national news magazines. Maybe he did not see the cover on Time Magazine that featured this family with this little girl, this little boy, a husband, a mother that documented how the mother died because the HMO inappropriately denied care. Maybe he does not live in that world. Maybe he does not read Time Magazine.

I thought to myself, maybe he does not read The Washington Post. Most people in Washington do, especially former Members, but maybe he does not. Maybe he did not see the cover story in the Washington Post about this young lady who was hiking 40 miles west of here, fell off a cliff, broke her arm, her pelvis, stunned, fractured her skull, laying there at the bottom of the cliff. Her boyfriend phones in the air flight. They take her to the emergency room. She is treated, and then the HMO does not pay her bill because she did not phone ahead for prior authorization. I thought to myself, what world does this man live in?

I thought to myself, maybe this former Member of Congress has not been watching any of the debates on the floor of Congress. Maybe he has not been following the Patients' Bill of Rights, the debate that we had. Maybe he did not bother to watch the debate we had on the floor when sitting right in that chair was this little boy a few years afterwards. This little boy when he was about 6 had a high fever one night, like about 104 or 105, so his mother phones the HMO, she is told to take him to this one hospital, the only

one that is authorized, about 70 miles away, he has a cardiac arrest on the way, he ends up with gangrene in both hands and both feet, and this is what happens when you have gangrene in both hands and both feet. They have to be amputated. I thought, maybe that man had not watched our debate here on the floor. What world is he living in?

But I will tell my colleagues this: this little boy who, when he came to the floor for that debate, was now about 6 or 7, pulls on his leg prostheses with his arm stumps. But do my colleagues know what? This little boy is real; and if he had a finger, Madam Speaker, and we could prick it, he would bleed. And if he had a hand, some day he would be able to caress the cheek of the woman that he loves, and maybe he would be able to play basketball. But do my colleagues know what? According to this pundit, this former Member of Congress sitting on this panel, after all, there is not anyone being injured by HMOs; it is just baloney.

□ 2115

Madam Speaker, I beg to differ. People come up to me all the time here in Washington and back home in Iowa. They tell me about stories like this, how it is affecting them or their family.

Just a few days ago, about a 48-year-old woman came up to me. She had had a mastectomy for cancer. She had been going through chemotherapy. Her physician had recommended that she have an important test to see whether the tumor had returned. Her HMO denied it. She came up to me in tears in Des Moines, Iowa. She battled that HMO through an internal review and finally they said yes. Then, when she was going to go for her test, they pulled the rug from underneath her and they said no.

She said, Greg, I had to do something I have never done before. I had to ask my husband to carry on for me on this fight, because that HMO has just worn me out. I asked my husband to carry on this fight because I didn't have the energy. I don't have the energy anymore to fight that HMO.

Do Members know what? If that woman dies because she has not gotten her test, what is the HMO out? Nothing, because she is dead. That is not fair and that is not justice. I beg the pardon of that pundit who was on that panel, that man who I like but who does not seem to understand or has been insulated in some way from what has gone on everywhere else in this country.

Why do Members think the biggest line in the movie *As Good as It Gets* was when Helen Hunt tells Jack Nicholson, "You know, that HMO is just preventing my son with asthma from getting the care that he needs." Then she went into a long string of expletives.

My wife and I were in the theater that night. We saw something we had