



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, FIRST SESSION

WASHINGTON, THURSDAY, MAY 05, 2005

House of Representatives

FAIR TAXES, FAIR BENEFITS, FAIR SOCIAL SECURITY FOR THE WOMEN OF OUR NATION!

HON. BOB FILNER

OF CALIFORNIA
IN THE HOUSE OF
REPRESENTATIVES

Mr. FILNER. Mr. Speaker, I rise today to urge support for three bills that I have introduced to provide financial relief to women in our Nation. Both men and women will receive assistance from this legislation, but because women are often with less financial resources, they will particularly benefit.

My first bill, H.R. 2127, the "Fair Taxes for Seniors Act", will provide a one-time increase in the capital gains tax exemption on the sale of a home for citizens who are 50 years of age or older. Passing this bill will give many seniors the additional money they need for nursing home care, medical costs, and other retirement expenses.

The current capital gains tax exemption works well for younger people who often move from job to job, selling their homes. The current exemption works well for people who live in areas where housing prices are below average. But it is not working for individuals who have lived in one home for 20 to 50 years and have a

capital gain that is much larger than the present exemption. In other words, it is not working for seniors who live in areas with higher housing prices, such as San Diego, California in my Congressional District.

My bill doubles the current exemption by providing a one-time increase to \$500,000 for a single person and \$1 million for a couple that can be excluded from the sale of a principal residence for taxpayers who have reached the age of 50. Because they will be able to keep more, an added benefit is that family members and perhaps the government will be relieved of the burden of caring for these individuals as they grow older.

My second bill is H.R. 2126, the "Social Security Survivors Fairness Act", legislation to provide Social Security widows' and widowers' benefits to people under the age of 60. Many of these survivors are women, women who have spent their life working in the home, raising their children, and supporting their husbands. They

currently are allowed to receive Social Security widows' benefits, but to qualify they must be 60 years old.

It is very difficult for many to find a job at their age if they have never worked outside their homes. Women in their late 50s who are dependent on their husbands' Social Security are left with no means of support if their spouses die.

My bill would amend the Social Security Act to reduce from 60 to 55 the age at which an individual who is otherwise eligible may be paid widows' or widowers' insurance benefits.

Finally, I have introduced H.R. 2125, the "Continued Benefits for Injured Military Spouses Act". Under current law, enacted in 1982, former spouses of military members or retirees are eligible for military medical benefits and exchange and commissary privileges if the military member had performed at least 20 years of military service, had been married for at least 20 years to one spouse, and 20 years of marriage and service were overlapping. This is known as the 20/20/20 restriction. Further legislation was enacted 2 years later to include additional former spouses under a 20/20/15 restriction.

While this law recognizes the contribution and sacrifice of many military

spouses who later divorced, there is a group who are completely left out through no fault of their own. Spouses who must leave a marriage through divorce due to documented abuse are often left with none of these benefits. Domestic violence and physical or sexual endangerment to the spouse or the children, proven by medical or counseling records, should be taken into account. Divorced because of this situation, the injured spouse should continue to receive benefits.

H.R. 2125 will change the law to 20/20/10 only for these special circumstances, meaning that the military member would have been married for at least 20 years to one spouse, would have performed at least 20 years of military service, with 10 years of service and marriage overlapping. This change would allow an abused spouse to escape from a potentially dangerous marriage and still keep benefits.

Most of our military members are honorable and good people. But, in the few cases where spousal or child abuse is involved, we must protect the families. I invite my colleagues to join me in support of military spouses who have found themselves in dangerous marriages, in support of fairer taxes for senior citizens, and in support of widows' benefits for surviving spouses who are 55 and older.