

One of the classic genres of Hollywood films is the horror movie. These films typically feature an appealing protagonist in a life or death struggle with a monster that seeks to inflict as much harm as he can upon the hero, his friends and his family. The hero and the villain square off in a final confrontation, in which the monster appears to be slain. The story appears to be over.

Suddenly, however, the monster re-appears. He has not been defeated. He has simply waited for an opportune time to strike again.

When it comes to the monstrous Death Tax, it appears that the Democrat majority in Congress has not only seen one too many horror movies, but they have identified with the villain. After Republicans in Congress successfully defeated the Death Tax, the Democrats want to revive it to set it loose upon the American public again.

In 2001 and 2003, the Republican Congress passed legislation to cut taxes. Not only did this legislation bring down the income tax rate in every bracket, it also sought to remedy problems that existed in tax law at the time. One of the problems addressed was the marriage tax penalty, a provision in law that unfairly taxed married couples at higher rates than single people. Another of these provisions phased out the Death Tax, an unfair and punitive tax on the value of an estate levied after someone dies.

The passage of this legislation was a victory for American taxpayers. Not only did tax bills go down, but over time the Death Tax was finally and fully eliminated. The Death Tax will not be levied in 2010.

But like a monster rising from the grave, the Death Tax returns at the stroke of midnight on December 31 of this year. Unless the Democrats extend the tax cuts that provided for full repeal, the tax will kick back in with a top rate of 55%. So far, neither President Obama nor Speaker Pelosi has shown an interest in fully extending these tax cuts.

The result of Democratic intransigence goes beyond horror and encompasses tragedy. Because of the perverse incentives created by the prospect of the Death Tax returning in 2011, many American families are faced with factoring financial considerations into end of life decisions. Some Americans, who want only to provide for their families after their deaths, are actively planning their own death by Dec 31st because living into the New Year will leave their children with no alternative but to sell the farm or business to pay the Death Tax. Other Americans will be gathered around hospital beds with the awful and diabolical decision whether to plug in or unplug a loved one. Even worse, some will decide to remove a loved one from life support at the loved one's request, only to watch them breathe their last on the first stroke after midnight.

What does it say about a law like the Death Tax that is so extreme in its enactment and so punitive in its burden that those who would be subjected to it *commit suicide* to avoid its reach?

I'll tell you what it says to me. It says that the Democrat majority should resist the temptation to treat Americans to a sequel to the Death Tax story, and they should extend the full

repeal of this tax that exists in current law.