

Mr. CRAPO, Mr. DASCHLE, Mr. DEWINE, Mr. DODD, Mr. DOMENICI, Mr. DURBIN, Mr. ENZI, Mr. FEINGOLD, Mr. FITZGERALD, Mr. GRAMS, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HATCH, Mr. HELMS, Mr. HUTCHINSON, Mrs. HUTCHISON, Mr. INHOFE, Mr. JEFFORDS, Mr. KERREY, Mr. KERRY, Mr. KYL, Ms. LANDRIEU, Mr. LEAHY, Mr. LOTT, Mr. LUGAR, Mr. MACK, Mr. MCCONNELL, Mr. MURKOWSKI, Mr. NICKLES, Mr. REED, Mr. REID, Mr. ROBERTS, Mr. ROTH, Mr. SANTORUM, Mr. SCHUMER, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH of New Hampshire, Mr. SMITH of Oregon, Ms. SNOWE, Mr. SPECTER, Mr. STEVENS, Mr. THOMAS, Mr. THOMPSON, Mr. THURMOND, Mr. VOINOVICH, Mr. WARNER, Mr. WELLSTONE, Mr. WYDEN, Mr. FRIST, and Mr. MOYNIHAN):

S. 1971. A bill to authorize the President to award a gold medal on behalf of the Congress to Milton Friedman, in recognition of his outstanding and enduring contributions to individual freedom and opportunity in American society through his exhaustive research and teaching of economics, and his extensive writings on economics and public policy; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. ALLARD:

S. 1972. A bill to direct the Secretary of Agriculture to convey to the town of Dolores, Colorado, the current site of the Joe Rowell Park; to the Committee on Energy and Natural Resources.

By Mr. BINGAMAN:

S. 1973. A bill to simplify Federal oil and gas revenue distributions, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SCHUMER (for himself, Ms. SNOWE, Mr. BAYH, and Mr. SMITH of Oregon):

S. 1974. A bill to amend the Internal Revenue Code of 1986 to make higher education more affordable by providing a full tax deduction for higher education expenses and a tax credit for student education loans; to the Committee on Finance.

By Mr. MACK (for himself and Mr. BREAUX):

S. 1975. A bill to amend the Internal Revenue Code of 1986 to modify the tax on generation-skipping transfers to eliminate certain traps for the unwary and otherwise improve the fairness of such tax; to the Committee on Finance.

By Mr. THOMPSON:

S. 1976. A bill to amend the Internal Revenue Code of 1986 to provide that certain uses of a facility owned by a tax-exempt organization shall not be treated as private business use for purposes of determining whether bonds issued to provide the facility are tax-exempt bonds; to the Committee on Finance.

By Mr. MCCAIN (for himself, Mr. THOMPSON, Mr. LIEBERMAN, and Mr. ABRAHAM):

S. 1977. A bill to review, reform, and terminate unnecessary and inequitable Federal subsidies; to the Committee on Governmental Affairs.

By Mr. DOMENICI:

S. 1978. A bill to direct the Secretary of Veterans Affairs to establish a national cemetery for veterans in the Albuquerque, New Mexico, metropolitan area; to the Committee on Veterans Affairs.

By Mr. CONRAD (for himself and Mr. MOYNIHAN):

S. 1979. A bill to amend the Internal Revenue Code of 1986 and the Employee Retirement Income Security Act of 1974 to provide that restrictions on application of State laws to pension benefits shall not apply to State laws prohibiting individuals from benefitting

from crimes involving the death of pension plan participants; to the Committee on Finance.

By Mr. BAUCUS (for himself, Mr. HARKIN, Mr. DASCHLE, Mr. KERREY, Mr. DURBIN, Mr. SCHLE, Mr. JOHNSON, Mr. WELLSTONE, Mr. CONRAD, Mr. ROCKEFELLER, Mr. BRYAN, Mr. REID, Mr. LEAHY, Mr. WYDEN, and Mrs. MURRAY):

S. 1980. A bill to amend the Rural Electrification Act of 1936 to ensure improved access to the signals of local television stations by multichannel video providers to all households which desire such service in unserved and underserved rural areas by December 31, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. KENNEDY:

S. 1981. A bill to amend title XI of the Public Health Service Act to provide for the use of new genetic technologies to meet the health care needs of the public; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEVIN:

S. 1982. A bill to clarify the standing of United States citizens to challenge the blocking of assets by the United States under the Foreign Narcotics Kingpin Designation Act; read twice.

By Mrs. MURRAY (for herself, Mr. CRAIG, Mr. SMITH of Oregon, Mrs. BOXER, and Mrs. FEINSTEIN):

S. 1983. A bill to amend the Agricultural Trade Act of 1978 to increase the amount of funds available for certain agricultural trade programs; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. HARKIN (for himself and Mr. LUGAR):

S. 1984. A bill to establish in the Antitrust Division of the Department of Justice a position with responsibility for agricultural antitrust matters; to the Committee on the Judiciary.

By Mr. TORRICELLI:

S. 1985. A bill to amend the Internal Revenue Code of 1986 to lower the adjusted gross income threshold for deductible disaster casualty losses to 5 percent, to make such deduction an above-the-line deduction, and to allow an election to take such deduction for the preceding or succeeding year; to the Committee on Finance.

By Mr. BAUCUS (for himself and Mr. BURNS):

S. 1986. A bill to amend title X of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act of 1998, relating to the Canyon Ferry Reservoir, Montana; to the Committee on Energy and Natural Resources.

By Mr. DURBIN (for himself, Ms. COLLINS, Mr. KOHL, Mr. WELLSTONE, Mr. REID, Mr. GRAHAM, Mr. HARKIN, Ms. MIKULSKI, Ms. LANDRIEU, Mr. DODD, Mrs. BOXER, Mr. JOHNSON, and Mr. CLELAND):

S. 1987. A bill to amend the Violence Against Women Act of 1994, the Family Violence Prevention and Services Act, the Older Americans Act of 1965, and the Public Health Service Act to ensure that older women are protected from institutional, community, and domestic violence and sexual assault and to improve outreach efforts and other services available to older women victimized by such violence, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DASCHLE (for himself, Mr. HATCH, Mr. BROWNBACK, Mr. HARKIN, Mr. JOHNSON, Mr. DORGAN, Mr. BAUCUS, Mr. CONRAD, Mr. BINGAMAN, Mr. VOINOVICH, and Mr. BURNS):

S. 1988. A bill to reform the State inspection of meat and poultry in the United

States, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. KOHL:

S. 1989. A bill to ensure that employees of traveling sales crews are protected under the Fair Labor Standards Act of 1938 and under other provisions of law; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 1990. A bill to designate the Federal building located at 501 I Street in Sacramento, California, as the "Joe Serna, Jr. United States Courthouse and Federal Building"; to the Committee on Environment and Public Works.

By Mr. THOMPSON (for himself, Mr. LIEBERMAN, Ms. COLLINS, and Mr. LEAHY):

S. 1991. A bill to amend the Federal Election Campaign Act of 1971 to enhance criminal penalties for election law violations, to clarify current provisions of law regarding donations from foreign nationals, and for other purposes; to the Committee on Rules and Administration.

By Ms. SNOWE:

S. 1992. A bill to provide States with loans to enable State entities or local governments within the States to make interest payments on qualified school construction bonds issued by the State entities or local governments, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. THOMPSON (for himself and Mr. LIEBERMAN):

S. 1993. A bill to reform Government information security by strengthening information security practices throughout the Federal Government; to the Committee on Governmental Affairs.

By Mr. KERRY (for himself and Mr. BRYAN):

S. 1994. A bill to amend the Internal Revenue Code of 1986 to provide assistance to first-time homebuyers; to the Committee on Finance.

By Mr. KOHL:

S. 1995. A bill to amend the National School Lunch Act to revise the eligibility of private organizations under the child and adult care food program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. JEFFORDS (for himself, Mr. KENNEDY, and Mr. FRIST):

S. 1996. A bill to amend the Public Health Service Act to clarify provisions relation to the content of petitions for compensation under the vaccine injury compensation program; considered and passed.

By Mr. BINGAMAN:

S. 1997. A bill to simplify Federal oil and gas revenue distributions, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MCCAIN:

S. 1998. A bill to establish the Yuma Crossing National Heritage Area; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BAYH (for himself, Mr. BREAUX, Mr. GRASSLEY, Mr. BURNS, Mr. REED, Mr. JEFFORDS, Mr. LUGAR, Mr. WARNER, Mr. ABRAHAM, Mr. DURBIN, Mr. BRYAN, Mr. KENNEDY, Mrs. MURRAY, Mr. SMITH of Oregon, Mr. REID, Mr. EDWARDS, Mr. DORGAN, Mr. COCHRAN, Ms. MIKULSKI, Mr. JOHNSON, Mr. STEVENS, Mr. CLELAND, Mr. AKAKA, Mr.

SPECTER, Ms. LANDRIEU, Mr. WELLSTONE, Mr. BAUCUS, Mr. KERRY, Mr. DEWINE, Mr. LIEBERMAN, Mr. WYDEN, Mr. ENZI, Mr. BINGAMAN, Mr. ROBB, Mr. INOUE, Mrs. BOXER, Mrs. LINCOLN, Mr. DODD, Mr. TORRICELLI, Mr. SCHUMER, Mr. GRAHAM, Mr. FEINGOLD, and Mrs. FEINSTEIN):

S. Res. 234. A resolution recognizing the contribution of older persons to their communities and commending the work of organizations that participate in programs assisting older persons and that promote the goals of the International Year of Older Persons; considered and agreed to.

By Mr. MCCONNELL:

S. Res. 235. A resolution to authorize the printing of a revised edition of the Senate Election Law Guidebook; considered and agreed to.

S. Res. 236. A resolution to authorize the printing of a revised edition of the Nomination and Election of the President and Vice President of the United States; considered and agreed to.

By Mrs. BOXER (for herself, Mrs. MURRAY, Mrs. LINCOLN, Ms. MIKULSKI, Mrs. FEINSTEIN, Ms. COLLINS, Ms. LANDRIEU, and Ms. SNOWE):

S. Res. 237. A resolution expressing the sense of the Senate that the United States Senate Committee on Foreign Relations should hold hearings and the Senate should act on the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

By Mr. LOTT (for himself and Mr. DASCHLE):

S. Res. 238. A resolution to authorize representation of Member of the Senate in the case of Brett Kimberlin v. Orrin Hatch, et al; considered and agreed to.

By Mr. ROBB:

S. Res. 239. A resolution expressing the sense of the Senate that Nadia Dabbagh, who was abducted from the United States, should be returned home to her mother, Ms. Maureen Dabbagh; to the Committee on Foreign Relations.

By Mr. LOTT (for himself and Mr. DASCHLE):

S. Res. 240. A resolution commending Stephen G. Bale, Keeper of the Stationery, United States Senate; considered and agreed to.

By Mr. LOTT:

S. Res. 241. A resolution to direct the Senate Commission on Art to recommend to the Senate two outstanding individuals whose paintings shall be placed in two of the remaining unfilled spaces in the Senate reception room; considered and agreed to.

By Mr. LOTT (for himself and Mr. DASCHLE):

S. Con. Res. 77. A concurrent resolution making technical corrections to the enrollment of H.R. 3194; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MACK (for himself and Mr. BREAUX):

S. 1975. A bill to amend the Internal Revenue Code of 1986 to modify the tax on generation-skipping transfers to eliminate certain traps for the unwary and otherwise improve the fairness of such tax; to the Committee on Finance.

There being no objection, the bill was ordered to be printed in the RECORD as follows:

THE GENERATION-SKIPPING TRANSFER TAX AMENDMENTS ACT

Mr. MACK: Mr. President, today Senator BREAUX and I join in introducing legislation to correct serious problems in the allocation of generation-skipping transfer tax (GST) exemptions. This legislation would provide relief to taxpayers for missed allocations of the GST exemption and would make the exemption allocation automatic, in place of the current law requirement that the taxpayers take an affirmative step to claim the exemption. This proposed change was included in the Taxpayer Refund and Relief Act of 1999, but failed to become law due to the President's veto of that bill.

Under this legislation, the GST exemption is automatically allocated to "indirect skip" transfers made while the donor is alive. An indirect skip is a transfer of property subject to the gift tax that is made to a GST trust. Direct skips (generally, transfers solely for the benefit of grandchildren) are already covered by an automatic allocation rule. An individual may elect not to have the automatic allocation rule apply to an indirect skip. Also, under this legislation, the GST exemption may be allocated retroactively when there is an unnatural order of death. If a lineal descendant of the transferor predeceased the transferor, then the transferor may allocate the unused GST exemption to any previous transfer or transfers to the trust on a chronological basis.

This legislation also provides authorization and direction to the Treasury Secretary to grant extensions of time to make the election to allocate the GST exemption and to grant exceptions to the time requirement. If such relief is granted, then the value on the date of transfer to the trust would be used for determining GST exemption allocation.

Mr. President, this is important legislation which deserves enactment at the earliest possible date. I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1975

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Generation-Skipping Transfer Tax Amendments Act of 1999".

SEC. 2. DEEMED ALLOCATION OF GST EXEMPTION TO LIFETIME TRANSFERS TO TRUSTS; RETROACTIVE ALLOCATIONS.

(a) IN GENERAL.—Section 2632 of the Internal Revenue Code of 1986 (relating to special rules for allocation of GST exemption) is amended by redesignating subsection (c) as subsection (e) and by inserting after subsection (b) the following new subsections:

“(c) DEEMED ALLOCATION TO CERTAIN LIFETIME TRANSFERS TO GST TRUSTS.—

“(1) IN GENERAL.—If any individual makes an indirect skip during such individual's lifetime, any unused portion of such individual's

GST exemption shall be allocated to the property transferred to the extent necessary to make the inclusion ratio for such property zero. If the amount of the indirect skip exceeds such unused portion, the entire unused portion shall be allocated to the property transferred.

“(2) UNUSED PORTION.—For purposes of paragraph (1), the unused portion of an individual's GST exemption is that portion of such exemption which has not previously been—

“(A) allocated by such individual,

“(B) treated as allocated under subsection (b) with respect to a direct skip occurring during or before the calendar year in which the indirect skip is made, or

“(C) treated as allocated under paragraph (1) with respect to a prior indirect skip.

“(3) DEFINITIONS.—

“(A) INDIRECT SKIP.—For purposes of this subsection, the term 'indirect skip' means any transfer of property subject to the tax imposed by chapter 12 made to a GST trust.

“(B) GST TRUST.—The term 'GST trust' means a trust that could have a generation-skipping transfer with respect to the transferor unless—

“(i) the trust instrument provides that more than 25 percent of the trust corpus must be distributed to or may be withdrawn by 1 or more individuals who are non-skip persons—

“(I) before the date that the individual attains age 46,

“(II) on or before 1 or more dates specified in the trust instrument that will occur before the date that such individual attains age 46, or

“(III) upon the occurrence of an event that, in accordance with regulations prescribed by the Secretary, may reasonably be expected to occur before the date that such individual attains age 46;

“(ii) the trust instrument provides that more than 25 percent of the trust corpus must be distributed to or may be withdrawn by 1 or more individuals who are non-skip persons and who are living on the date of death of another person identified in the instrument (by name or by class) who is more than 10 years older than such individuals;

“(iii) the trust instrument provides that, if 1 or more individuals who are non-skip persons die on or before a date or event described in clause (i) or (ii), more than 25 percent of the trust corpus either must be distributed to the estate or estates of 1 or more of such individuals or is subject to a general power of appointment exercisable by 1 or more of such individuals;

“(iv) the trust is a trust any portion of which would be included in the gross estate of a non-skip person (other than the transferor) if such person died immediately after the transfer;

“(v) the trust is a charitable lead annuity trust (within the meaning of section 2642(e)(3)(A)) or a charitable remainder annuity trust or a charitable remainder unitrust (within the meaning of section 664(d)); or

“(vi) the trust is a trust with respect to which a deduction was allowed under section 2522 for the amount of an interest in the form of the right to receive annual payments of a fixed percentage of the net fair market value of the trust property (determined yearly) and which is required to pay principal to a non-skip person if such person is alive when the yearly payments for which the deduction was allowed terminate.

For purposes of this subparagraph, the value of transferred property shall not be considered to be includible in the gross estate of a non-skip person or subject to a right of withdrawal by reason of such person holding a right to withdraw so much of such property as does not exceed the amount referred to in