

Whereas, the Omnibus Budget Reconciliation Act of 1993 included a provision, §13612 (a) (C), that discourages additional states from implementing such partnerships; and

Whereas, this provision requires states to make recovery from the estates of persons who had enjoyed enhanced Medicaid asset protection, thereby making the asset protection provided by the public/private partnerships only temporary; and

Whereas, the General Assembly, pursuant to Senate Joint Resolution No. 365 (1997), urged Congress to repeal §13612 (a) (C) of the Omnibus Budget Reconciliation Act of 1993; and

Whereas, the Governor has requested that Congress remove §13612 (a) (C) and allow additional states to establish asset protection programs for individuals who purchase qualified long-term care insurance policies without requiring that states recover such assets upon a beneficiary's death; and

Whereas, the removal of §13612 (a) (C) would make such partnerships much more attractive to potential participants, especially if they are motivated by a desire to pass some of their assets on to their children; and

Whereas, having long-term care insurance reduces the possibility that individuals will spend down to Medicaid eligibility levels; and

Whereas, long-term care insurance, by reducing the Medicaid expenditures for policyholders, helps states control Medicaid costs; and

Whereas, Congress has not yet acted to repeal §13612 (a) (C) of the Omnibus Budget Reconciliation Act of 1993; now, therefore, be it

Resolved by the Senate the House of Delegates concurring, That the Congress of the United States be urged to establish a limited pilot program which exempts the Commonwealth of Virginia from the provisions of §13612 (a) (C) of the Omnibus Budget Reconciliation Act of 1993 requiring states to make recovery from the estates of persons who had enjoyed enhanced Medicaid asset protection; and, be it

Resolved Further, That the Clerk of the Senate transmit a copy of this resolution to the President of the United States Senate, the Speaker of the House of Representatives, and the Congressional Delegation of Virginia in order that they may be apprised of the sense of the General Assembly of Virginia in this matter.

POM-123. A joint resolution adopted by the Legislature of the State of Maine relative to the interstate truck weight limits; to the Committee on Commerce, Science, and Transportation.

JOINT RESOLUTION

We, your Memorialists, the Members of the One Hundred and Nineteenth Legislature of the State of Maine, now assembled in the First Regular Session, most respectfully present and petition the President of the United States and the United States Congress, as follows:

Whereas, the issue of interstate truck weight limits is of great concern for a number of reasons; and

Whereas, economic development interests in northern and central Maine are increasingly frustrated at their loss of transportation productivity due to the disparity in weight limits between the state highways and the Interstate Highway System; and

Whereas, this disparity has resulted in the diversion of heavy through trucks from the Interstate Highway System to more congested State highways, raising safety concerns in the Legislature and in municipal groups. A fatal crash on Route 9 in Dixmont

and a fuel truck crash in Augusta have further raised concern; and

Whereas, an increase in the interstate gross vehicle weight limit for 6-axle combination vehicles, from 80,000 pounds to between 90,000 and 95,000 pounds, is supported by an engineering review that was recently conducted by the Maine Department of Transportation; and

Whereas, a recommendation to increase interstate weight limits is also supported by the Maine State Police, the Maine Department of Economic and Community Development, the Maine Turnpike Authority, the Maine Better Transportation Association, the Maine Chamber and Business Alliance and the Maine Motor Transportation Association, now, therefore, be it

Resolved, That We, your Memorialists, request that the President of the United States and the United States Congress amend federal law to increase the interstate gross vehicle weight limits for 6-axle combination vehicles to between 90,000 and 95,000 pounds and maintain the current freeze on longer combination vehicles; and be it further

Resolved, That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable William J. Clinton, President of the United States; the President of the United States Senate; the Speaker of the House of Representatives of the United States and each member of the Maine Congressional Delegation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. McCRAIN, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 303. A bill to amend the Communications Act of 1934 to enhance the ability of direct broadcast satellite and other multi-channel video providers to compete effectively with cable television systems, and for other purposes (Rept. No. 106-51).

EXECUTIVE REPORTS OF A COMMITTEE

The following executive reports of a committee were submitted:

By Mr. THOMPSON, for the Committee on Governmental Affairs:

John T. Spotila, of New Jersey, to be Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget.

Lorraine Pratte Lewis, of the District of Columbia, to be Inspector General, Department of Education.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

Hiram E. Puig-Lugo, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Stephen H. Glickman, of the District of Columbia, to be an Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years.

Eric T. Washington, of the District of Columbia, to be an Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years.

(The above nominations were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mrs. HUTCHISON (for herself, Mr. DURBIN, Mr. HELMS, and Mrs. FEINSTEIN):

S. 1086. A bill to amend the Internal Revenue Code of 1986 to waive the income inclusion on a distribution from an individual retirement account to the extent that the distribution is contributed for charitable purposes; to the Committee on Finance.

By Mr. HUTCHINSON:

S. 1087. A bill to amend title 38, United States Code, to add bronchioloalveolar carcinoma to the list of diseases presumed to be service-connected for certain radiation-exposed veterans; to the Committee on Veterans Affairs.

By Mr. KYL:

S. 1088. A bill to authorize the Secretary of Agriculture to convey certain administrative sites in national forests in the State of Arizona, to convey certain land to the City of Sedona, Arizona for a wastewater treatment facility, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. SNOWE (for herself, Mr. McCRAIN, Mr. HOLLINGS, Mr. KERRY, Mr. BREAUX, and Mr. INOUYE):

S. 1089. A bill to authorize appropriations for fiscal years 2000 and 2001 for the United States Coast Guard, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CHAFEE (for himself, Mr. SMITH of New Hampshire, and Mr. LOTT):

S. 1090. A bill to reauthorize and amend the Comprehensive Environmental Response, Liability, and Compensation Act of 1980; to the Committee on Environment and Public Works.

By Mr. DEWINE (for himself, Mr. KENNEDY, and Mr. BOND):

S. 1091. A bill to amend the Public Health Service Act to provide for the establishment of a pediatric research initiative; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CRAPO:

S. 1092. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to regulation of pharmacists, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BINGAMAN:

S. 1093. A bill to establish the Galisteo Basin Archaeological Protection Sites, to provide for the protection of archaeological sites in the Galisteo Basin of New Mexico, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. DURBIN:

S. 1094. A bill to require a school to forward certain information regarding transferring students; to the Committee on Health, Education, Labor, and Pensions.

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

S. 1095. A bill to amend section 29 of the Internal Revenue Code of 1986 to extend the placed in service date for biomass and coal facilities; to the Committee on Finance.

By Mr. HUTCHINSON (for himself and Mrs. LINCOLN):

S. 1096. A bill to preserve and protect archaeological sites and historical resources of

the central Mississippi Valley through the establishment of the Mississippi Valley National Historical Park as a unit of the National Park System on former Eaker Air Force Base in Blytheville, Arkansas; to the Committee on Energy and Natural Resources.

By Mr. ENZI (for himself, Mr. HUTCHINSON, Mr. BROWNBACK, Mr. GRAMS, Mr. INHOFE, Mr. HAGEL, Mr. SESSIONS, and Mr. SANTORUM):

S. 1097. A bill to offset the spending contained in the fiscal year 1999 emergency supplemental appropriations bill in order to protect the surpluses of the social security trust funds; to the Committee on the Budget and the Committee on Governmental Affairs, jointly, pursuant to the order of August 4, 1977, with instructions that if one Committee reports, the other Committee have thirty days to report or be discharged.

By Mr. DODD:

S. 1098. A bill to amend chapter 89 of title 5, United States Code, to modify service requirements relating to creditable service with congressional campaign committees; to the Committee on Governmental Affairs.

By Mr. BAUCUS (for himself, Mr. BINGAMAN, Mr. DORGAN, Mr. KERREY, Mr. JOHNSON, and Mr. DASCHLE):

S. 1099. A bill to establish a mechanism for using the duties imposed on products of countries that fail to comply with WTO dispute resolution decision to provide relief to injured domestic producers; to the Committee on Finance.

By Mr. CHAFEE (for himself, Mr. CRAPO, and Mr. DOMENICI):

S. 1100. A bill to amend the Endangered Species Act of 1973 to provide that the designation of critical habitat for endangered and threatened species be required as part of the development of recovery plans for those species; to the Committee on Environment and Public Works.

By Mr. REED:

S. 1101. A bill to provide for tort liability of firearms dealers who transfer firearms in violation of Federal firearms law; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

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

S. Res. 104. A resolution to authorize testimony, production of documents, and legal representation in United States v. Nippon Miniature Bearing, Inc., et al; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. HUTCHISON (for herself, Mr. DURBIN, Mr. HELMS, and Mrs. FEINSTEIN):

S. 1086. A bill to amend the Internal Revenue Code of 1986 to waive the income inclusion on a distribution from an individual retirement account to the extent that the distribution is contributed for charitable purposes; to the Committee on Finance.

IRA ROLLOVER TO CHARITY ACT

• Mrs. HUTCHISON. Mr. President, today, I am pleased to introduce, along with Senator DURBIN, the IRA Rollover to Charity Act of 1999. This legislation

has the support of numerous charitable organizations across the United States. The effect of this bill would be to unlock billions of dollars in savings Americans hold and make them available to charity.

Mr. President, the legislation will allow individuals to roll assets from an Individual Retirement Account (IRA) into a charity or a deferred charitable gift plan without incurring any income tax consequences. Thus, the donation would be made to charity without ever withdrawing it as income and paying tax on it.

Americans hold well over \$1 trillion in assets in IRAs. Nearly half of America's families have IRAs. Recent studies show that assets of qualified retirement plans comprise a substantial part of the net worth of many persons. Many individuals would like to give a portion of these assets to charity.

Under current law, if an IRA is transferred into a charitable remainder trust, donors are required to recognize all such income. Therefore, absent the changes called for in the legislation, the donor will have taxable income in the year the gift is funded. The IRA Rollover to Charity Act lifts the disincentives contained in our complicated and burdensome tax code and will unleash a critical source of funding for our nation's charities. This is a common sense way to remove obstacles to private charitable giving.

Under the legislation, upon reaching age 59½, an individual could move assets penalty-free from an IRA directly to charity or into a qualifying deferred charitable gift plan—e.g. charitable remainder trusts, pooled income funds and gift annuities. In the latter case the donor would be able to receive an income stream from the retirement plan assets, which would be taxed according to normal rules. Upon the death of the individual, the remainder would be transferred to charity.

Mr. President, I hope the Senate will join in this effort to provide a valuable new source of philanthropy for our nation's charities. This legislation has the support of numerous universities and charitable groups, including the Charitable Accord, an umbrella organization representing more than 1,000 organizations and associations.

Mr. President, I have just returned from the Balkans. I have seen first hand the wonderful work that is being done by charitable groups in dealing with the massive refugee crisis that has occurred there. As terrible as this crisis has been, it would be worse if not for the great work that is being done by charitable groups. Our bill will help direct additional resources to those charities and thousands of others. I urge my colleagues to co-sponsor this legislation.●

By Mr. KYL:

S. 1088. A bill to authorize the Secretary of Agriculture to convey certain administrative sites in national forests in the State of Arizona, to convey cer-

tain land to the City of Sedona, Arizona for a wastewater treatment facility, and for other purposes; to the Committee on Energy and Natural Resources.

THE ARIZONA NATIONAL FOREST IMPROVEMENT ACT OF 1999

Mr. KYL. Mr. President, the U.S. Forest Service is interested in exchanging or selling six unmanageable, undesirable and/or excess parcels of land in the Prescott, Tonto, Kaibab and Coconino National Forests. In addition, the Forest Service has agreed to sell land to the City of Sedona for use as an effluent disposal system. If the parcels are sold, the Forest Service wants to use the proceeds from five of these sales to either fund new construction or upgrade current administrative facilities at these national forests. Funds generated from the sale of the other parcels could be used to fund acquisition of sites, or construction of administrative facilities at any national forest in Arizona. Transfers of land completed under this bill will be done in accordance with all other applicable laws, including environmental laws.

Mr. President, this bill will enhance customer and administrative services by allowing the Forest Service to consolidate and update facilities and/or relocate facilities to more convenient locations. It offers a simple and commonsense way to enhance services for national forest users in Arizona, and to facilitate the disposal of unmanageable, undesirable and/or excess parcels of national forest lands. This bill will also facilitate the construction of a much needed wastewater treatment plant for the City of Sedona.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

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

S. 1088

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 "Arizona National Forest Improvement Act of 1999".

SEC. 2. DEFINITIONS.

In this Act:

(1) CITY.—The term "City" means the city of Sedona, Arizona.

(2) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

SEC. 3. SALE OR EXCHANGE OF ADMINISTRATIVE SITES.

(a) IN GENERAL.—The Secretary may, under such terms and conditions as the Secretary may prescribe, sell or exchange any and all right, title, and interest of the United States in and to the following National Forest System land and administrative sites:

(1) The Camp Verde Administrative Site, comprising approximately 213.60 acres, as depicted on the map entitled "Camp Verde Administrative Site", dated April 12, 1997.

(2) A portion of the Cave Creek Administrative Site, comprising approximately 16 acres, as depicted on the map entitled "Cave Creek Administrative Site", dated May 1, 1997.