



THE AMERICAN COLLEGE OF TRUST AND ESTATE COUNSEL

BOARD OF REGENTS

President
DANIEL H. MARKSTEIN, III
Birmingham, Alabama

President Elect
W. BJARNE JOHNSON
Great Falls, Montana

Vice President
DENNIS I. BELCHER
Richmond, Virginia

Treasurer
KAREN M. MOORE
Columbus, Ohio

Secretary
MARY F. RADFORD
Atlanta, Georgia

Immediate Past President
BRUCE S. ROSS
Los Angeles, California

CHRISTINE L. ALBRIGHT
Chicago, Illinois

THEODORE B. ATLESS
Denver, Colorado

WILLIAM E. BEAMER
San Diego, California

EDWARD JAY BECKWITH
Washington, D.C.

BEVERLY R. BUDIN
Philadelphia, Pennsylvania

JACK G. CHARNEY
San Diego, California

HENRY CHRISTENSEN, III
New York, New York

VIRGINIA F. COLEMAN
Boston, Massachusetts

MONICA DELL'OSSO
Oakland, California

ERIN DONOVAN
Tulsa, Oklahoma

DAVID F. EDWARDS
New Orleans, Louisiana

CHARLES D. FOX, IV
Charlottesville, Virginia

ROBERT W. GOLDMAN
Naples, Florida

PETER S. GORDON
Wilmington, Delaware

RICHARD B. GREGORY
Las Cruces, New Mexico

T. RANDOLPH HARRIS
New York, New York

ELLEN K. HARRISON
Washington, D.C.

PAUL C. HEINTZ
Philadelphia, Pennsylvania

LINDA B. HIRSCHSON
New York, New York

NOEL C. ICE
Fort Worth, Texas

GARY M. JOHNSON
Minneapolis, Minnesota

MICHEL G. KAPLAN
Nashville, Tennessee

JERRY J. McCOY
Washington, D.C.

HOWARD M. McCUE III
Chicago, Illinois

ALFRED J. OLSEN
Phoenix, Arizona

DUNCAN ELLIOTT OSBORNE
Austin, Texas

JOHN W. PORTER
Houston, Texas

JOSHUA S. RUBENSTEIN
New York, New York

IRVING S. SCHLOSS
New Haven, Connecticut

EDWARD V. SMITH, III
Dallas, Texas

SARA R. STADLER
New Haven, Connecticut

BRUCE STONE
Coral Gables, Florida

SUSAN S. WESTERMAN
Ann Arbor, Michigan

Please Address Reply to:

DANIEL H. MARKSTEIN, III
Maynard, Cooper & Gale, P.C.
1901-6th Avenue N.
2400 AmSouth-Harbert Plaza
Birmingham, AL 35203-2618
Direct Dial: (205) 254-1043
dmarkstein@maynardcooper.com

December 7, 2007

The Honorable Max Baucus
Chairman
Senate Committee on Finance
United States Senate
219 Dirksen Senate Office Building
Washington, D.C. 20510
max_baucus@baucus.senate.gov

The Honorable Charles B. Rangel
Chairman
House Committee on Ways and Means
1102 Longworth House Office Building
Washington, D.C. 20515
rangel@mail.house.gov

The Honorable Charles Grassley
Ranking Minority Leader
Senate Committee on Finance
United States Senate
219 Dirksen Senate Office Building
Washington, D.C. 20510
chuck_grassley@grassley.senate.gov

The Honorable Jim McCrery
Ranking Minority Leader
House Committee on Ways and Means
1102 Longworth House Office Building
Washington, D.C. 20515
jim.mccrery@mail.house.gov

ACTEC STAFF
Executive Director
GERRY A. VOGT
Business Manager
STEVE G. ALBERS
Registration Administrator
ROBIN M. BAKER
Systems Administrator
WILLIAM L. CRAWFORD
Office Assistant
CONNIE A. GABEL
Membership Administrator
DEBBIE F. JACOBVITZ
Meeting Planner
DYLAH HUGHES
Publications Manager
GABRIELLE BALARA
Committees Coordinator
ROBIN L. NEAL
Executive Assistant
JESSICA SILVA

Re: Expatriation Legislation

Dear Chairman Baucus, Chairman Rangel, Senator Grassley, and Representative McCrery:

I write you in my capacity as president of the American College of Trust and Estate Counsel ("ACTEC"). ACTEC is a professional association of approximately 2,600 lawyers from throughout the United States. Fellows of the College are elected to membership by their peers on the basis of professional reputation and ability in the fields of trusts and estates and on the basis of having made substantial contributions to these fields through lecturing, writing, teaching, and bar activities. ACTEC offers technical comments about the law and its effective administration. It does not take positions on matters of tax policy.

On October 10, 2007, comments on expatriation legislation proposals were submitted by Ellen K. Harrison. She, Henry Christensen, III, Virginia F. Coleman, Robert C. Lawrence, III, Carlyn S. McCaffrey, Gideon Rothschild, Anne J. O'Brien, and Beth D. Tractenberg, acting as individuals, prepared those comments, although they are members of a subcommittee of ACTEC's International Estate Planning Committee. At the time of that submission, the

The Honorable Max Baucus
The Honorable Charles Grassley
The Honorable Charles B. Rangel
The Honorable Jim McCrery
December 7, 2007
Page 2 of 2

comments had not been submitted to or reviewed by the governing body of ACTEC. The Executive Committee of the Board of Regents has now reviewed and approved those comments, and I am authorized to advise you that ACTEC endorses those comments completely and adopts them as its position in connection with the proposed legislation.

Very truly yours,



Daniel H. Markstein, III
President

/pam

cc: John Buckley: john.buckley@mail.house.gov
Chris Javens: chris_javens@finance-rep.senate.gov
Kase Jubboori: kase.jubboori@mail.house.gov
Allen Littman: allen.littman@mail.house.gov
Joshua Odintz: joshua_odintz@finance-dem.senate.gov
ACTEC Executive Committee
Mrs. Gerry A. Vogt, ACTEC Executive Director
Ellen K. Harrison, Esq.