

EC-9678. A communication from the Acting Chair of the Federal Subsistence Board, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Subsistence Management Regulations for Public Lands in Alaska, Subpart C and D -2000-2001 Subsistence Taking of Fish and Wildlife Regulations" (RIN 1018-AF74) received on June 21, 2000; to the Committee on Energy and Natural Resources.

EC-9679. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment Safety and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Supplementary Guidance and Design Experience for the Fusion Safety Standards DOE-STD-6002-96 and DOE-STD-6003-96" (DOE-HDBK-6004-99) received on June 21, 2000; to the Committee on Energy and Natural Resources.

EC-9680. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment Safety and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Writer's Guide for Technical Procedures" (DOE-STD-1029-92, Change Notice No. 1) received on June 21, 2000; to the Committee on Energy and Natural Resources.

EC-9681. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment Safety and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "DOE Handbook; Radiological Worker Training" (DOE-HDBK-1130-98) received on June 21, 2000; to the Committee on Energy and Natural Resources.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-549. A petition from a Member of the U.S. House of Representatives relative to the Environmental Protection Agency and the proposed cleanup plan for the Stauffer Superfund site in Tarpon Springs, Florida; to the Committee on Environment and Public Works.

POM-550. A petition from the U.S. Senators from the State of New York relative to the Environmental Protection Agency and ocean disposal criteria; to the Committee on Environment and Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THOMPSON, from the Committee on Governmental Affairs, without amendment:

S. 2386: A bill to extend the Stamp Out Breast Cancer Act (Rept. No. 106-338).

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

S. 1911: A bill to conserve Atlantic highly migratory species of fish, and for other purposes (Rept. No. 106-339).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment:

S. 1998: A bill to establish the Yuma Crossing National Heritage Area (Rept. No. 106-340).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with amendments:

S. 2247: A bill to establish the Wheeling National Heritage Area in the State of West Virginia, and for other purposes (Rept. No. 106-341).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

H.R. 940: A bill to establish the Lackawanna Heritage Valley American Heritage Area (Rept. No. 106-342).

By Mr. HATCH, from the Committee on the Judiciary, without amendment:

S. 2787: A bill to reauthorize the Federal programs to prevent violence against women, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. ROBB:

S. 2850. A bill to reduce illegal drug-related crimes in our Nation's communities by providing additional Federal funds to develop and implement community policing and prosecutorial initiatives that address problems associated with the production, manufacture, distribution, importation, and use of illegal drugs; to the Committee on the Judiciary.

By Mr. CLELAND (for himself and Mr. JEFFORDS):

S. 2851. A bill to require certain information from the President before certain deployments of the Armed Forces, and for other purposes; to the Committee on Foreign Relations.

By Mr. SCHUMER (for himself and Mr. TORRICELLI):

S. 2852. A bill to provide for the adjustment of status of certain Syrian nationals; to the Committee on the Judiciary.

By Mr. GRASSLEY:

S. 2853. A bill to amend the Internal Revenue Code of 1986 to allow distributions to be made from certain pension plans before the participant is severed from employment; to the Committee on Finance.

By Mr. ALLARD:

S. 2854. A bill to suspend temporarily the duty on Fructooligosaccharides (FOS); to the Committee on Finance.

By Mr. TORRICELLI:

S. 2855. A bill to amend the Public Health Service Act to provide for the establishment of a national program of autism registries; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HELMS:

S. 2856. A bill to provide for the establishment of a new international television service under the Broadcasting Board of Governors to replace Worldnet and BOA-TV to ensure that international television broadcasts of the United States Government effectively represent the United States and its policies; to the Committee on Foreign Relations.

By Mr. LEAHY (for himself, Mr. TORRICELLI, and Mr. KOHL):

S. 2857. A bill to amend title 11, United States Code, to exclude personally identifiable information from the assets of a debtor in bankruptcy; 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. ABRAHAM (for himself and Mrs. LINCOLN):

S. Con. Res. 130. Concurrent resolution establishing a special task force to recommend an appropriate recognition for the slave laborers who worked on the construction of the United States Capitol; to the Committee on Rules and Administration.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ROBB:

S. 2850. A bill to reduce illegal drug-related crimes in our Nation's communities by providing additional Federal funds to develop and implement community policing and prosecutorial initiatives that address problems associated with the production, manufacture, distribution, importation, and use of illegal drugs; to the Committee on the Judiciary.

THE COMMUNITY ORIENTED POLICING SERVICES AGAINST DRUGS ACT

Mr. ROBB. Mr. President, I have visited the Carver Neighborhood of Richmond in my state. This neighborhood is a low-income community that thanks to collaborative efforts among the community, city, and federal government, has seen a tremendous decrease in crime, helping to spur a major community revitalization.

We've seen this trend more and more in cities and communities across America. Much has been accomplished in our efforts to revitalize our communities—but more needs to be done. We should build on our past successes and focus our resources on keeping our children safe and our neighborhoods free of fear. We should take what we know works and apply it in our fight against illegal drugs.

It is in this spirit, Mr. President, that I rise to introduce the Community Oriented Policing Services Against Drugs Act. As part of our continuing battle against the proliferation of drugs in our nation's communities, my bill seeks to provide \$500 million over five years in federal funds from the COPS Program to state and local law enforcement authorities across the country to eliminate or reduce drug crime in America. We know the COPS Program works, and I'm proud to have expanded it to provide our schools with more than 2,600 police officers to combat school violence.

Specifically, this new program will provide federal funds to hire 1,950 more police officers to enhance existing community policing initiatives throughout approximately 65 cities across the country. Newly hired police officers will be charged with developing and implementing community policing initiatives to combat the production,

manufacture, distribution, importation, or use of illegal drugs in our communities.

There are dozens of cities across the country, such as Richmond, Norfolk, and Williamsburg in my state, that are committed to providing a safe environment for citizens to live, work and raise a family but need additional resources to help eliminate drug trafficking and drug-related crime, including violent crime. This legislation will build upon the successful COPS Program and focus an aspect of its community policing initiatives against the scourge of illegal drugs in our neighborhoods.

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

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

S. 2850

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 "Community Oriented Policing Services Against Drugs Act".

SEC. 2. COMMUNITY ORIENTED POLICING SERVICES AGAINST DRUGS.

Part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.) is amended by adding at the end the following:

"SEC. 1710. COMMUNITY ORIENTED POLICING SERVICES AGAINST DRUGS.

"(a) ELIGIBLE COMMUNITY DEFINED.—In this section, the term "eligible community" means communities identified by the Attorney General under subsection (c).

"(b) AWARD OF GRANTS.—The Attorney General may award grants in accordance with this part—

"(1) to local law enforcement agencies located in eligible communities, which shall be used for programs, projects, and activities—

"(A) to hire additional community policing officers and civilian personnel to aggressively investigate drug-related crimes; and

"(B) to pay overtime to existing law enforcement officers, to the extent such overtime is devoted to community policing efforts with respect to drug-related crimes; and

"(2) to State and local prosecutors' offices located in eligible communities and to prosecution programs in eligible communities that augment community policing programs, which shall be used to assist in the aggressive prosecution of drug-related crimes.

"(c) IDENTIFICATION OF ELIGIBLE COMMUNITIES.—

"(1) IN GENERAL.—The Attorney General shall identify eligible communities for purposes of subsection (a)(4), based on—

"(A) the extent to which the community is a center of illegal drug production, manufacturing, importation, distribution, or use;

"(B) the extent to which State and local law enforcement and prosecutorial authorities have committed resources to the illegal drug problem in the community, thereby indicating a need for additional Federal resources to combat issues related to the prevalence of illegal drugs;

"(C) the extent to which illegal drug-related activities in the community have an adverse impact on other communities in the Nation; and

"(D) the extent to which additional Federal resources would assist, eliminate, or reduce illegal drug-related activities in the community.

"(2) USE OF CERTAIN DATA.—In carrying out paragraph (1), the Attorney General shall utilize information from national data sources (including the Uniform Crime Reports of the Federal Bureau of Investigation and the Arrestee Drug Abuse Monitoring (ADAM) program of the National Institute of Justice), including data relating to—

"(A) the number of arrests for drug possession or drug sale in the community;

"(B) the number of arrests for drug-related crime in the community; and

"(C) the number of arrestees testing positive for illegal drug use in the community.

"(d) SMALL COMMUNITY PREFERENCE.—In awarding grants under this section, the Attorney General may set aside 20 percent of award grants to applicants located in eligible communities with a population of less than 35,000.

"(e) FUNDING.—Notwithstanding any other provision of this title, of the amount made available to carry out this part, a total of \$500,000,000 shall be used to carry out this section for fiscal years 2001 through 2005."

By Mr. GRASSLEY:

S. 2853. A bill to amend the Internal Revenue Code of 1986 to allow distributions to be made from certain pension plans before the participant is severed from employment; to the Committee on Finance.

PHASED RETIREMENT PROGRAMS FACILITATED

• Mr. GRASSLEY. Mr. President, today I am introducing a bill to amend the Internal Revenue Code. My bill will facilitate phased retirement programs. In April I held a hearing in the Special Committee on Aging. The subject of the hearing was employment of older workers. Several experts told us what could be done to encourage older individuals to remain in the labor market. In today's tight labor markets, older workers are in great demand. Employers have numerous strategies to attract and retain them—one of those is phased retirement.

At our hearing, several witnesses testified that statutory changes to permit phased retirement programs would be helpful. One of those witnesses was Ms. September Dau from the Iowa Lakes Rural Electric Cooperative in Estherville, Iowa. Ms. Dau noted that the average age of the workforce at her Rural Electric Cooperative is high. Skilled workers are hard to come by and Iowa Lakes has implemented a phased retirement program in order to retain older workers. But they would like the comfort of knowing that their program is sanctioned.

Phased retirement allows a worker to wind down his or her career, by working part-time and retiring part-time. It helps many people maintain their income level rather than quitting work all at once. Financially, it can allow an individual to postpone the time when he or she has to draw down retirement savings. A study performed by Watson Wyatt Worldwide concluded that 16

percent of larger companies already offer phased retirement in some form and another 28 percent show a moderate to high level of interest in offering it in the next two years. But plan sponsors have worries about running afoul of the "in-service distribution" rules. Tax rules bar employees from receiving pension distributions before they reach a pension's normal retirement age, which is usually pegged to Social Security. That rule makes it difficult for those who wish to retire gradually and use reduced pension payments to augment reduced pay. It also helps circumvent the "do-it-yourself" phased retirement that some workers are forced into where they retire one day from their long-term employer and go to work the next day for someone else. This bill is designed to overcome those problems. At the same time, this provision is completely voluntary and so will not burden plan sponsors.

As I said, we heard from witnesses who supported phased retirement programs. I mentioned September Dau from the Iowa Lakes Rural Electric Cooperative. But another one was our friend and colleague, Congressman EARL POMEROY of North Dakota. Congressman POMEROY told the Committee that phased retirement programs should be allowed as a way of increasing the attractiveness of defined benefit pension plans. Phased retirement programs could also make defined benefit plans more adaptable to the human resource needs of plan sponsors. This is important to Congressman POMEROY because he is introducing a phased retirement bill that is identical to mine.

Defined benefit plans provide a stream of payments to retirees. They can go a long way to supplementing Social Security. But defined benefit plans are on the decline, especially among small businesses, whose employees are the least likely group to be covered by any form of retirement plan. We know that life expectancy is increasing. We also know that Americans are not saving enough to maintain their standard of living in retirement. By making defined benefit plans more attractive to employers and workers—such as by facilitating phased retirement—we are helping to improve the lives of everyday American people.

I hope that this bill is one step in that direction.

I ask unanimous consent that a copy 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. 2853

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

SECTION 1. CERTAIN PENSION DISTRIBUTIONS ALLOWED BEFORE SEVERANCE FROM EMPLOYMENT.

(a) IN GENERAL.—Section 401(a) of the Internal Revenue Code of 1986 (relating to qualified pension, profit-sharing, and stock

bonus plans) is amended by inserting after paragraph (34) the following new paragraph:

“(35) DISTRIBUTION PRIOR TO SEVERANCE FROM EMPLOYMENT.—A trust forming part of a defined benefit plan (or a defined contribution plan which is subject to the funding standards of section 412) shall not constitute a qualified trust under this section if the plan provides a distribution to a participant who has not been severed from employment and the distribution is made before the earliest of the following with respect to the participant:

“(A) Normal retirement age (as defined in section 411(a)(8)).

“(B) Attainment of age 59½.

“(C) The date the participant completes 30 years of service.”

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to years beginning after December 31, 2000.●

By Mr. LEAHY (for himself, Mr. TORRICELLI, and Mr. KOHL):

S. 2857. A bill to amend title 11, United States Code, to exclude personally identifiable information from the assets of a debtor in bankruptcy; to the Committee on the Judiciary.

PRIVACY POLICY ENFORCEMENT IN BANKRUPTCY ACT

Mr. LEAHY. Mr. President, today I am introducing legislation, with my friend from New Jersey, Senator TORRICELLI, to protect the personal privacy of consumers whose information is held by firms filing for bankruptcy protection.

The Privacy Policy Enforcement in Bankruptcy Act would prohibit the sale of personally identifiable information held by a failed business if the sale or disclosure of the personal information would violate the privacy policy of the debtor in effect when the personal information was collected. Personally identifiable information, under our legislation, includes name, address, e-mail address, telephone number, Social Security number, credit card number, date of birth and any other identifier that permits the physical or online contacting of a specific individual.

This legislation is needed because the customer databases of failed Internet firms now can be sold during bankruptcy, even in violation of the firm's stated privacy policy. That is wrong.

Toysmart.com, for example, an online toy store, recently filed for bankruptcy and its databases and customer lists were put up for sale as part of the liquidation of the firm's assets. This personal customer information was put on the auction block even though Toysmart.com promised otherwise on its web page.

Toysmart.com's web site states that “personal information voluntarily submitted by visitors to our site, such as name, address, billing information and shopping preferences, is never shared with a third party.” Toysmart.com's privacy statement continues: “When you register with toysmart.com, you can rest assured that your information will never be shared with a third party.”

But on June 8, 2000, one day before filing for bankruptcy, Toysmart.com advertised in the Wall Street Journal to sell its customer lists and databases. That was a clear violation of Toysmart.com's web site privacy policy. The Federal Trade Commission has filed suit against Toysmart.com for this violation and I commend the FTC for its action.

Yesterday, the Walt Disney Company, the parent company of Toysmart.com, announced that it would try to purchase Toysmart.com's customer information from the bankruptcy court. I applaud Disney for taking this step. There is no guarantee, however, that Disney will be the top bidder for this information and other corporate parents may not be as responsible if one of their subsidiaries fails. Indeed, two other failed web businesses, Boo.com and Craftshop.com, have reportedly sought buyers for its personal customer data.

That is why this Congress should pass the Privacy Policy Enforcement in Bankruptcy Act this year. Consumers deserve this privacy protection.

Mr. President, it is wrong to use our nation's bankruptcy laws as an excuse to violate a customer's personal privacy. Customers have a right to expect an online firm to adhere to its privacy policies whether it is making a profit or has filed for bankruptcy.

I commend Senator TORRICELLI for joining with me to introduce the Privacy Policy Enforcement in Bankruptcy Act. Our legislation will close this loophole in the Bankruptcy Code and ensure that online and offline firms keep their promises to protect the personal privacy of their customers.

I urge my colleagues to support this basic privacy protection legislation.

ADDITIONAL COSPONSORS

S. 682

At the request of Mr. HELMS, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 682, a bill to implement the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, and for other purposes.

S. 954

At the request of Mr. SMITH of New Hampshire, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 954, a bill to amend title 18, United States Code, to protect citizens' rights under the Second Amendment to obtain firearms for legal use, and for other purposes.

S. 1333

At the request of Mr. WYDEN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1333, a bill to expand homeownership in the United States.

S. 1473

At the request of Mr. ROBB, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 1473, a bill to amend section 2007 of the Social Security Act to provide grant funding for additional Empowerment Zones, Enterprise Communities, and Strategic Planning Communities, and for other purposes.

S. 1732

At the request of Mr. BREAU, the names of the Senator from Minnesota (Mr. GRAMS) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 1732, a bill to amend the Internal Revenue Code of 1986 to prohibit certain allocations of S corporation stock held by an employee stock ownership plan.

S. 1755

At the request of Mr. BROWBACK, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 1755, a bill to amend the Communications Act of 1934 to regulate interstate commerce in the use of mobile telephones.

S. 1806

At the request of Mr. BINGAMAN, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1806, a bill to authorize the payment of a gratuity to certain members of the Armed Forces who served at Bataan and Corregidor during World War II, or the surviving spouses of such members, and for other purposes.

S. 1991

At the request of Mr. THOMPSON, the name of the Senator from Florida (Mr. GRAHAM) was added as a cosponsor of 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.

S. 2018

At the request of Mrs. HUTCHISON, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 2018, a bill to amend title XVIII of the Social Security Act to revise the update factor used in making payments to PPS hospitals under the medicare program.

S. 2217

At the request of Mr. CAMPBELL, the names of the Senator from Michigan (Mr. ABRAHAM), the Senator from Delaware (Mr. BIDEN), the Senator from Rhode Island (Mr. L. CHAFEE), the Senator from Maine (Ms. COLLINS), the Senator from Idaho (Mr. CRAPO), the Senator from New Mexico (Mr. DOMENICI), the Senator from Wyoming (Mr. ENZI), the Senator from Tennessee (Mr. FRIST), the Senator from Texas (Mr. GRAMM), the Senator from Nebraska (Mr. HAGEL), the Senator from South Dakota (Mr. JOHNSON), the Senator from Massachusetts (Mr. KERRY), the Senator from Connecticut (Mr.