

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.

LIEBERMAN), the Senator from Oklahoma (Mr. NICKLES), the Senator from Kansas (Mr. ROBERTS), the Senator from Alabama (Mr. SHELBY), the Senator from Colorado (Mr. ALLARD), the Senator from Kansas (Mr. BROWNBACK), the Senator from Georgia (Mr. CLELAND), the Senator from North Dakota (Mr. CONRAD), the Senator from South Dakota (Mr. DASCHLE), the Senator from North Dakota (Mr. DORGAN), the Senator from Wisconsin (Mr. FEINGOLD), the Senator from Washington (Mr. GORTON), the Senator from Minnesota (Mr. GRAMS), the Senator from Arkansas (Mr. HUTCHINSON), the Senator from Nebraska (Mr. KERREY), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Florida (Mr. MACK), the Senator from Nevada (Mr. REID), the Senator from Alabama (Mr. SESSIONS), the Senator from Virginia (Mr. WARNER), the Senator from Arizona (Mr. MCCAIN), the Senator from Idaho (Mr. CRAIG), and the Senator from New York (Mr. MOYNIHAN) were added as cosponsors of S. 2217, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Museum of the American Indian of the Smithsonian Institution, and for other purposes.

S. 2274

At the request of Mr. GRASSLEY, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from North Dakota (Mr. CONRAD) were added as cosponsors of S. 2274, a bill to amend title XIX of the Social Security Act to provide families and disabled children with the opportunity to purchase coverage under the medicaid program for such children.

S. 2293

At the request of Mr. SANTORUM, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 2293, a bill to amend the Federal Deposit Insurance Act and the Federal Home Loan Bank Act to provide for the payment of Financing Corporation interest obligations from balances in the deposit insurance funds in excess of an established ratio and, after such obligations are satisfied, to provide for rebates to insured depository institutions of such excess reserves.

S. 2394

At the request of Mr. MOYNIHAN, the name of the Senator from Virginia (Mr. ROBB) was added as a cosponsor of S. 2394, a bill to amend title XVIII of the Social Security Act to stabilize indirect graduate medical education payments.

S. 2408

At the request of Mr. BINGAMAN, the names of the Senator from North Dakota (Mr. DORGAN), the Senator from Illinois (Mr. DURBIN), the Senator from Washington (Mrs. MURRAY), the Senator from New Jersey (Mr. TORRICELLI), the Senator from North Dakota (Mr. CONRAD), the Senator from Rhode Is-

land (Mr. REED), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from New York (Mr. SCHUMER), the Senator from Oregon (Mr. WYDEN), the Senator from Maryland (Ms. MIKULSKI), and the Senator from North Carolina (Mr. EDWARDS) were added as cosponsors of S. 2408, a bill to authorize the President to award a gold medal on behalf of the Congress to the Navajo Code Talkers in recognition of their contributions to the Nation.

S. 2505

At the request of Mr. JEFFORDS, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2505, a bill to amend title XVIII of the Social Security Act to provide increased assess to health care for medical beneficiaries through telemedicine.

S. 2608

At the request of Mr. GRASSLEY, the name of the Senator from Alaska (Mr. MURKOWSKI) was added as a cosponsor of S. 2608, a bill to amend the Internal Revenue Code of 1986 to provide for the treatment of certain expenses of rural letter carriers.

S. 2615

At the request of Mr. KENNEDY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2615, a bill to establish a program to promote child literacy by making books available through early learning and other child care programs, and for other purposes.

S. 2643

At the request of Mr. STEVENS, the names of the Senator from Missouri (Mr. BOND), the Senator from New Mexico (Mr. DOMENICI), the Senator from California (Mrs. FEINSTEIN), the Senator from Illinois (Mr. DURBIN), the Senator from Washington (Mr. GORTON), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Texas (Mrs. HUTCHISON), the Senator from Oklahoma (Mr. INHOFE), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Connecticut (Mr. LIEBERMAN), and the Senator from Pennsylvania (Mr. SPECTER) were added as cosponsors of S. 2643, a bill to amend the Foreign Assistance Act of 1961 to provide increased foreign assistance for tuberculosis prevention, treatment, and control.

S. 2644

At the request of Mr. GORTON, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2644, a bill to amend title XVIII of the Social Security Act to expand medicare coverage of certain self-injected biologicals.

S. 2700

At the request of Mr. L. CHAFEE, the names of the Senator from Michigan (Mr. ABRAHAM), the Senator from Colorado (Mr. CAMPBELL), the Senator from Indiana (Mr. LUGAR), the Senator from Rhode Island (Mr. REED), and the Sen-

ator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 2700, a bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to promote the cleanup and reuse of brownfields, to provide financial assistance for brownfields revitalization, to enhance State response programs, and for other purposes.

S. 2707

At the request of Mr. CRAPO, the names of the Senator from Alaska (Mr. MURKOWSKI) and the Senator from Alaska (Mr. STEVENS) were added as cosponsors of S. 2707, a bill to help ensure general aviation aircraft access to Federal land and the airspace over that land.

S. 2725

At the request of Mr. SMITH of New Hampshire, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 2725, a bill to provide for a system of sanctuaries for chimpanzees that have been designated as being no longer needed in research conducted or supported by the Public Health Service, and for other purposes.

S. 2726

At the request of Mr. HELMS, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 2726, a bill to protect United States military personnel and other elected and appointed officials of the United States Government against criminal prosecution by an international criminal court to which the United States is not a party.

S. 2735

At the request of Mr. KOHL, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. 2735, a bill to promote access to health care services in rural areas.

S. 2787

At the request of Mr. BIDEN, the names of the Senator from Arkansas (Mrs. LINCOLN) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 2787, a bill to reauthorize the Federal programs to prevent violence against women, and for other purposes.

S. 2823

At the request of Mr. GRAHAM, the name of the Senator from Minnesota (Mr. GRAMS) was added as a cosponsor of S. 2823, a bill to amend the Andean Trade Preference Act to grant certain benefits with respect to textile and apparel, and for other purposes.

S. 2828

At the request of Mr. GRASSLEY, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 2828, a bill to amend title XVIII of the Social Security Act to require that the Secretary of Health and Human Services wage adjust the actual, rather than the estimated, proportion of a hospital's costs that are attributable to wages and wage-related costs.

S. 2841

At the request of Mr. ROBB, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2841, a bill to ensure that the business of the Federal Government is conducted in the public interest and in a manner that provides for public accountability, efficient delivery of services, reasonable cost savings, and prevention of unwarranted Government expenses, and for other purposes.

S. CON. RES. 123

At the request of Mr. LAUTENBERG, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. Con. Res. 123, a concurrent resolution expressing the sense of the Congress regarding manipulation of the mass and intimidation of the independent press in the Russian Federation, expressing support for freedom of speech and the independent media in the Russian Federation, and calling on the President of the United States to express his strong concern for freedom of speech and the independent media in the Russian Federation.

S. J. RES. 48

At the request of Mr. SANTORUM, his name was added as a cosponsor of S. J. Res. 48, a joint resolution calling upon the President to issue a proclamation recognizing the 25th anniversary of the Helsinki Final Act.

S. RES. 294

At the request of Mr. ABRAHAM, the names of the Senator from Minnesota (Mr. GRAMS), the Senator from Alaska (Mr. STEVENS), and the Senator from Kansas (Mr. BROWNBACK) were added as cosponsors of S. Res. 294, a resolution designating the month of October 2000 as "Children's Internet Safety Month".

S. RES. 304

At the request of Mr. BIDEN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. Res. 304, a resolution expressing the sense of the Senate regarding the development of educational programs on veterans' contributions to the country and the designation of the week that includes Veterans Day as "National Veterans Awareness Week" for the presentation of such educational programs.

AMENDMENT NO. 3185

At the request of Mr. BENNETT, the names of the Senator from Michigan (Mr. ABRAHAM) and the Senator from Minnesota (Mr. GRAMS) were added as cosponsors of amendment No. 3185 proposed to S. 2549, an original bill to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

At the request of Mr. THOMPSON, his name was withdrawn as a cosponsor of

amendment No. 3185 proposed to S. 2549, supra.

AMENDMENT NO. 3732

At the request of Mr. DURBIN, the names of the Senator from Vermont (Mr. JEFFORDS), the Senator from California (Mrs. BOXER), and the Senator from Rhode Island (Mr. REED) were added as cosponsors of Amendment No. 3732 proposed to S. 2549, an original bill to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 3753

At the request of Mr. DODD, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of amendment No. 3753 proposed to S. 2549, an original bill to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 3790

At the request of Mr. BRYAN, his name was added as a cosponsor of amendment No. 3790 proposed to H.R. 4578, a bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

At the request of Mr. SESSIONS, the name of the Senator from Florida (Mr. MACK) was added as a cosponsor of amendment No. 3790 proposed to H.R. 4578, supra.

At the request of Mr. BAYH, his name was added as a cosponsor of amendment No. 3790 proposed to H.R. 4578, supra.

AMENDMENT NO. 3795

At the request of Mr. CRAIG, the names of the Senator from Colorado (Mr. ALLARD) and the Senator from Colorado (Mr. CAMPBELL) were added as cosponsors of amendment No. 3795 proposed to H.R. 4578, a bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

**CONCURRENT RESOLUTION 130—ESTABLISHING A SPECIAL TASK FORCE TO RECOMMEND AN APPROPRIATE RECOGNITION FOR THE SLAVE LABORERS WHO WORKED ON THE CONSTRUCTION OF THE UNITED STATES CAPITOL**

Mr. ABRAHAM (for himself and Mrs. LINCOLN) submitted the following concurrent resolution; which was referred

to the Committee on Rules and Administration:

S. CON. RES. 130

Whereas the United States Capitol stands as a symbol of democracy, equality, and freedom to the entire world;

Whereas the year 2000 marks the 200th anniversary of the opening of this historic structure for the first session of Congress to be held in the new Capital City;

Whereas slavery was not prohibited throughout the United States until the ratification of the 13th amendment to the Constitution in 1865;

Whereas previous to that date, African American slave labor was both legal and common in the District of Columbia and the adjoining States of Maryland and Virginia;

Whereas public records attest to the fact that African American slave labor was used in the construction of the United States Capitol;

Whereas public records further attest to the fact that the five-dollar-per-month payment for that African American slave labor was made directly to slave owners and not to the laborer; and

Whereas African Americans made significant contributions and fought bravely for freedom during the American Revolutionary War: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That—*

(1) the Speaker of the House of Representatives and the President pro tempore of the Senate shall establish a special task force to study the history and contributions of these slave laborers in the construction of the United States Capitol; and

(2) such special task force shall recommend to the Speaker of the House of Representatives and the President pro tempore of the Senate an appropriate recognition for these slave laborers which could be displayed in a prominent location in the United States Capitol.

#### AMENDMENTS SUBMITTED

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

#### HATCH AMENDMENT NO. 3796

(Ordered to lie on the table.)

Mr. HATCH submitted an amendment intended to be proposed by him to the bill (S. 2549) to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of title X, add the following:

#### SEC. \_\_\_\_ EFFECTS OF WORLDWIDE CONTINGENCY OPERATIONS ON READINESS OF CERTAIN MILITARY AIRCRAFT.

(a) REQUIREMENT FOR REPORT.—The Secretary of Defense shall submit to Congress, not later than 180 days after the date of the enactment of this Act, a report on the effects of worldwide contingency operations of the Navy, Marine Corps, and Air Force on the readiness of aircraft of those Armed Forces. The report shall contain the Secretary's assessment of the effects of those operations