presently unmonitored, yet the funds for medical surveillance are exhausted.

The health consequences of the U.S. Nuclear Testing Program are greater than originally suspected. Additionally, radiation from the testing program reached every corner of the Marshall Islands. Medical surveillance should have been, and should be targeted at monitoring frequencies of all real and potential health consequences of the testing program in a longitudinal fashion. It is only in this manner that a complete understanding of health trends and associations of specific illness and radiation can be appreciated. An onsite national health surveillance system needs to be developed, implemented, and sustained to monitor all health consequences of the nuclear weapons testing program for the next fifty years.

OCCUPATIONAL SAFETY PROGRAM

Section 177 does not include an occupational safety program for Marshallese and other workers involved in environmental remediation or cleanup programs. As a result, Marshallese and other workers are exposed to occupational sources of radiation. Medical screening of past and present radiation workers is greatly needed to reduce the risk of further illness and claims.

COMMUNITY EDUCATION AND DEVELOPMENT PROGRAMS

Section 177 provides no means to educate Marshallese citizens in radiation related fields or to build local capacity to undertake research, archive relevant information, or educate the public about the consequences of the U.S. Nuclear Testing Program in the Marshall Islands.

NUCLEAR STEWARDSHIP PROGRAM

Section 177 does not provide programs for communities to develop strategies for safely containing radiation and living near radioactive waste storage areas.

The inadequacies presented in this petition ''could not reasonably have been identified'' in the 177 Agreement [Article IX] both because the full extent of the damages caused by the testing program had never been assessed and because scientific and medical developments since the settlement was consummated would have rendered any prior assessment not just manifestly inadequate, but null and void. What might have been acknowledged by the Government of the United States in 1983 as ''damages resulting from the Nuclear Testing Program'' is only a small portion of what such injuries and damages are now known to be.

The 67 atomic and thermonuclear weapons detonated in the Marshall Islands allowed the United States Government to achieve its aim of world peace through a deterrence policy. The Marshallese people subsidized this nuclear détente with their lands, health, lives, and future. ''As an ally and strategic partner, the Republic of the Marshall Islands has paid a uniquely high price to define its national interest in a manner that also has been compatible with vital U.S. national interests'' (H. Con. Res. 92—Sponsored by the Honorable Benjamin Gilman and the Honorable Don Young). As a strategic partner and friend of the United States, the RMI remains hopeful that Congress will take action to address the inadequacies of the 177 Agreement. The Government of the Republic of the Marshall Islands looks forward to working closely with the Congress of the United States to respond to changed circumstances in the Marshall Islands.

REPORTS OF COMMITTEES

The following reports of committees were submitted on September 12, 2000:

By Mr. LUGAR, from the Committee on Agriculture, Nutrition, and Forestry, with an amendment in the nature of a substitute:

S. 1066: A bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to encourage the use of and research into agricultural best practices to improve the environment, and for other purposes (Rept. No. 106–407).

By Mr. LUGAR, from the Committee on Agriculture, Nutrition, and Forestry, without amendment:

S. 1762: A bill to amend the Watershed Protection and Flood Prevention Act to authorize the Secretary of Agriculture to provide cost share assistance for the rehabilitation of structural measures constructed as part of water resources projects previously funded by the Secretary under such Act or related laws (Rept. No. 106–408).

The following reports of committees were submitted today:

By Mrs. HUTCHISON, from the Committee on Appropriations, without amendment:

S. 3041: An original bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or part against the revenues of said District for the fiscal year ending September 30, 2001, and for other purposes. (Rept. No. 106–409).

By Mr. BOND, from the Committee on Appropriations, with an amendment in the nature of a substitute:

H.R. 4635: A bill making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes (Rept. No. 106–410).

By Mr. ROTH, from the Committee on Finance, with an amendment in the nature of a substitute and an amendment to the title:

H.R. 1102: A bill to provide for pension reform, and for other purposes (Rept. No. 106–411).

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. THOMPSON (for himself, Mr. KOHL, Mr. ABRAHAM, Mr. TORRICELLI, Mr. VOINOVICH, Mrs. LINCOLN, Mr. ROTH, Mr. GREGG, Mr. HUTCHINSON, Ms. COLLINS, Mr. DEWINE, Mr. LEVIN, Ms. LANDRIEU, and Mr. STEVENS):

S. 3040. A bill to establish the Commission for the Comprehensive Study of Privacy Protection, and for other purposes; to the Committee on Governmental Affairs.

By Mrs. HUTCHISON:

S. 3041. An original bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or part against the revenues of said District for the fiscal year ending September 30, 2001, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. ASHCROFT:

S. 3042. A bill to protect citizens against becoming victims of Internet fraud, to provide stiff penalties against those who target senior citizens, and to educate senior citizens on how to avoid being victimized by Internet or telemarketing fraud; to the Committee on the Judiciary.

By Mr. TORRICELLI:

S. 3043. A bill to close loopholes in the firearms laws which allow the unregulated manufacture, assembly, shipment, or transportation of firearms or firearm parts, and for other purposes; to the Committee on the Judiciary.

By Mr. MCCAIN:

S. 3044. A bill to establish the Las Cienegas National Conservation Area in the State of Arizona; 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. LOTT (for himself and Mr. DASCHLE):

S. Res. 356. A resolution to authorize documentary production by the Select Committee on Intelligence; considered and agreed to.

By Mr. BROWNBACK (for himself and Mr. WELLSTONE):

S. Res. 357. A resolution welcoming Prime Minister Atal Bihari Vajpayee, Prime Minister of India, upon his first official visit to the United States, and for other purposes; considered and agreed to.

By Mr. JEFFORDS (for himself, Mr. KENNEDY, Mr. GREGG, Mr. DODD, Mr. DEWINE, Mr. HARKIN, Mr. ENZI, Ms . MIKULSKI, Ms. COLLINS, Mr. BINGAMAN, Mr. HAGEL, Mr. WELLSTONE, Mrs. MURRAY, Mr. REED, Mr. FRIST, and Mr. HUTCHINSON):

S. Con. Res. 135. A concurrent resolution recognizing the 25th anniversary of the enactment of the Education for All Handicapped Children Act of 1975; to the Committee on Health, Education, Labor, and Pensions.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

Mr. THOMPSON (for himself, Mr. KOHL, Mr. ABRAHAM, Mr. TORRICELLI, Mr. VOINOVICH, Mrs. LINCOLN, Mr. ROTH, Mr. GREGG, Mr. HUTCHINSON, Ms. COLLINS, Mr. DEWINE, Mr. LEVIN, Ms. LANDRIEU, and Mr. STEVENS):

S. 3040. A bill to establish the Commission for the Comprehensive Study of Privacy Protection, and for other purposes; to the Committee on Governmental Affairs.

PRIVACY COMMISSION ACT

Mr. THOMPSON. Mr. President, I rise today to introduce the ''Privacy Commission Act.'' This legislation would establish a 17-member commission to examine the complex issue of personal privacy and to make recommendations to Congress as we consider how to map out privacy protections for the future. The Commission for the Comprehensive Study of Privacy Protection, whose members would include experts with a diversity of experiences, would look at the spectrum of privacy, from protecting citizens' health and financial information to ensuring their security on web sites.

As we all know, Americans are increasingly concerned that their personal information is not as secure as they once believed. A recent NBC News/Wall Street Journal poll found that

loss of privacy was the greatest concern that Americans have as we enter this new century. In these times of rapidly changing technology, people are uncertain and fearful about who has access to their personal information and how that information is being used. It seems that as fast as new communications technologies appear, so do new capabilities for diverting information in unintended ways.

The increasing popularity of the Internet and e-mail as a primary means of communicating and disseminating information is one of the major reasons for the rising concerns about personal privacy. Consumer information such as drivers' license numbers, educational records and purchase records has always been available in some capacity. Before the advent of the Internet, however, the time and effort required to accumulate such information often was prohibitive. Now, the use of information-gathering devices on the Internet makes building consumer information databases relatively cost-free, and using and sharing them extremely profitable.

Some data privacy experts have shown how combining information from separate so-called ''anonymous'' public databases can not only identify those people included in the database but can reveal private information as well, including detailed medical and financial records. The increased sharing of information between medical practitioners, pharmaceutical companies, insurance entities and employers has made consumers more aware of the lack of confidentiality in the physician-patient relationship. Breakthroughs in genetic testing have made the potential consequences of such sharing even more serious.

The first federal privacy commission, which operated from 1975 to 1977, faced the same basic question that is being posed today: ''What is the correct balance between protecting personal privacy and allowing appropriate uses of information?'' But in the past 25 years, there have been enormous leaps in technology. Today, a few keystrokes on a computer hooked up to the Internet can produce a quantity of information that was unimaginable in 1975. This freedom of information can be beneficial, by helping people to get loans quickly or by personalizing consumer services. But the same information in the hands of bad actors can cause harm, resulting in nightmarish situations such as identity theft. It is crucial that we act soon to protect the American people from crimes like these, without overregulating so much that we stunt the growth of our booming economy.

The Privacy Commission is the key to finding the balance between protecting the privacy of individuals and permitting specific and appropriate uses of personal information for beneficial purposes. The Commission would be directed to study a wide variety of issues relating to personal privacy, including the monitoring, collection, distribution and use of personal information by government and private entities; current legislative and self-regulatory efforts to respond to privacy problems; and the practices and policies of employers with respect to the personal financial and health information of their employees. In the course of its examination of these issues, the Commission would also be required to hold at least 3 field hearings around the country and to set up a website to facilitate public participation and public comment. By December 31, 2001, the Commission would submit a report to Congress on its findings, including any recommendations for legislation to reform or augment current laws.

There is great deal of interest in legislating on privacy. Everyone is trying to establish the appropriate level of privacy protection that the American people want and need. But there are many different answers being proposed. On the state level, approximately 7000 bills about privacy were introduced just last year. Here in Congress, scores of proposals have been introduced on a wide range of privacy issues, and we undoubtedly will consider many of these proposals in the next Congress. The Privacy Commission Act will help us to understand the complex issue of privacy and to map responsible protections, without delaying action where consensus is reached. The final report of the Privacy Commission would be available by the second session of the new Congress. In the meanwhile, if consensus can be reached on any substantive privacy legislation, nothing in the Privacy Commission Act would impede movement on those bills. To the contrary, the bill contains a provision specifying that it is not intended to delay any other privacy legislation.

I would like to thank my colleagues in the House, particularly Congressmen ASA HUTCHINSON and JIM MORAN, who sponsored H.R. 4049. They and their staffs have worked diligently on the Privacy Commission Act. They held three days of hearings on this legislation, and the House Government Reform Committee passed the Hutchinson-Moran bill by voice vote on June 29th. I also want to thank my cosponsors, particularly Senators KOHL and TORRICELLI, who have worked on a privacy commission bill for some time, as well as Senators ABRAHAM, LINCOLN, VOINOVICH, ROTH, GREGG, HUTCHINSON, COLLINS, DEWINE, LEVIN and LANDRIEU.

It is my hope that we can all work together to pass the Privacy Commission Act to help us make informed and thoughtful decisions to protect the privacy of the American people. I urge my colleagues to support this much-needed legislation. I ask unanimous consent that the ''Privacy Commission Act'' be printed in the RECORD following my remarks.

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

S. 3040

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 ''Privacy Commission Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Americans are increasingly concerned about their civil liberties and the security and use of their personal information, including medical records, educational records, library records, magazine subscription records, records of purchases of goods and other payments, and driver's license numbers.

(2) The shift from an industry-focused economy to an information-focused economy calls for a reassessment of the most effective way to balance personal privacy and information use, keeping in mind the potential for unintended effects on technology development, innovation, the marketplace, and privacy needs.

(3) This Act shall not be construed to prohibit the enactment of legislation on privacy issues by Congress during the existence of the Commission. It is the responsibility of Congress to act to protect the privacy of individuals, including individuals' medical and financial information. Various committees of Congress are currently reviewing legislation in the area of medical and financial privacy. Further study by the Commission established by this Act should not be considered a prerequisite for further consideration or enactment of financial or medical privacy legislation by Congress.

SEC. 3. ESTABLISHMENT.

There is established a commission to be known as the ''Commission for the Comprehensive Study of Privacy Protection'' (in this Act referred to as the ''Commission'').

SEC. 4. DUTIES OF COMMISSION.

(a) STUDY.—The Commission shall conduct a study of issues relating to protection of individual privacy and the appropriate balance to be achieved between protecting individual privacy and allowing appropriate uses of information, including the following:

(1) The monitoring, collection, and distribution of personal information by Federal, State, and local governments.

(2) Current efforts to address the monitoring, collection, and distribution of personal information by Federal and State governments, individuals, or entities, including—

(A) existing statutes and regulations relating to the protection of individual privacy, such as section 552a of title 5, United States Code (commonly referred to as the Privacy Act of 1974) and section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act);

(B) legislation pending before the Congress;

(C) privacy protection efforts undertaken by the Federal Government, State governments, foreign governments, and international governing bodies;

(D) privacy protection efforts undertaken by the private sector; and

(E) self-regulatory efforts initiated by the private sector to respond to privacy issues.

(3) The monitoring, collection, and distribution of personal information by individuals or entities, including access to and use of medical records, financial records (including credit cards, automated teller machine cards, bank accounts, and Internet transactions), personal information provided to on-line sites accessible through the Internet, Social Security numbers, insurance records, education records, and driver's license numbers.

(4) Employer practices and policies with respect to the financial and health information of employees, including—

(A) whether employers use or disclose employee financial or health information for marketing, employment, or insurance underwriting purposes;

(B) what restrictions employers place on disclosure or use of employee financial or health information;

(C) employee rights to access, copy, and amend their own health records and financial information;

(D) what type of notice employers provide to employees regarding employer practices with respect to employee financial and health information; and

(E) practices of employer medical departments with respect to disclosing employee health information to administrative or other personnel of the employer.

(5) The extent to which individuals in the United States can obtain redress for privacy violations.

(6) The extent to which older individuals and disabled individuals are subject to exploitation involving the disclosure or use of their financial information.

(b) FIELD HEARINGS.—The Commission shall conduct at least 3 field hearings in different geographical regions of the United States.

(c) REPORT.—

(1) IN GENERAL.—Not later than December 31, 2001—

(A) a majority of the members of the Commission shall approve a report; and

(B) the Commission shall submit the approved report to the Congress and the President.

(2) CONTENTS.—The report shall include a detailed statement of findings, conclusions, and recommendations, including the following:

(A) Findings on potential threats posed to individual privacy.

(B) Analysis of purposes for which sharing of information is appropriate and beneficial to consumers.

(C) Analysis of the effectiveness of existing statutes, regulations, private sector self-regulatory efforts, technology advances, and market forces in protecting individual privacy.

(D) Recommendations on whether additional legislation is necessary, and if so, specific suggestions on proposals to reform or augment current laws and regulations relating to individual privacy.

(E) Analysis of purposes for which additional regulations may impose undue costs or burdens, or cause unintended consequences in other policy areas, such as security, law enforcement, medical research, employee benefits, or critical infrastructure protection.

(F) Cost analysis of legislative or regulatory changes proposed in the report.

(G) Recommendations on non-legislative solutions to individual privacy concerns, including education, market-based measures, industry best practices, and new technology.

(H) Review of the effectiveness and utility of third-party verification, including specifically with respect to existing private sector self-regulatory efforts.

(d) ADDITIONAL REPORT.—Together with the report under subsection (c), the Commission shall submit to the Congress and the President any additional report of dissenting opinions or minority views by a member of the Commission.

(e) INTERIM REPORT.—The Commission may submit to the Congress and the President an interim report approved by a majority of the members of the Commission.

SEC. 5. MEMBERSHIP.

(a) NUMBER AND APPOINTMENT.—The Commission shall be composed of 17 members appointed as follows:

(1) 4 members appointed by the President.

(2) 4 members appointed by the majority leader of the Senate.

(3) 2 members appointed by the minority leader of the Senate.

(4) 4 members appointed by the Speaker of the House of Representatives.

(5) 2 members appointed by the minority leader of the House of Representatives.

(6) 1 member, who shall serve as Chairperson of the Commission, appointed jointly by the President, the majority leader of the Senate, and the Speaker of the House of Representatives.

(b) DIVERSITY OF VIEWS.—The appointing authorities under subsection (a) shall seek to ensure that the membership of the Commission has a diversity of views and experiences on the issues to be studied by the Commission, such as views and experiences of Federal, State, and local governments, the media, the academic community, consumer groups, public policy groups and other advocacy organizations, business and industry (including small business), the medical community, the health care industry, civil liberties experts, and the financial services industry.

(c) DATE OF APPOINTMENT.—The appointment of the members of the Commission shall be made not later than 30 days after the date of the enactment of this Act.

(d) TERMS.—Each member of the Commission shall be appointed for the life of the Commission.

(e) VACANCIES.—A vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

(f) COMPENSATION; TRAVEL EXPENSES.—Members of the Commission shall serve without pay, but shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(g) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number may hold hearings.

(h) MEETINGS.—

(1) IN GENERAL.—The Commission shall meet at the call of the Chairperson or a majority of its members.

(2) INITIAL MEETING.—Not later than 45 days after the date of the enactment of this Act, the Commission shall hold its initial meeting.

SEC. 6. DIRECTOR; STAFF; EXPERTS AND CONSULTANTS.

(a) DIRECTOR.—

(1) IN GENERAL.—Not later than 40 days after the date of enactment of this Act, the Chairperson of the Commission shall appoint a Director without regard to the provisions of title 5, United States Code, governing appointments to the competitive service.

(2) PAY.—The Director shall be paid at the rate payable for level III of the Executive Schedule established under section 5314 of such title.

(b) STAFF.—The Director may appoint staff as the Director determines appropriate.

(c) APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—

(1) IN GENERAL.—The staff of the Commission shall be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service.

(2) PAY.—The staff of the Commission shall be paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, but at rates not in excess of the maximum rate for grade GS–15 of the General Schedule under section 5332 of that title.

(d) EXPERTS AND CONSULTANTS.—The Director may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

(e) STAFF OF FEDERAL AGENCIES.—

(1) IN GENERAL.—Upon request of the Director, the head of any Federal department or agency may detail, on a reimbursable basis, any of the personnel of that department or agency to the Commission to assist it in carrying out this Act.

(2) NOTIFICATION.—Before making a request under this subsection, the Director shall give notice of the request to each member of the Commission.

SEC. 7. POWERS OF COMMISSION.

(a) HEARINGS AND SESSIONS.—The Commission may, for the purpose of carrying out this Act, hold hearings, sit and act at times and places, take testimony, and receive evidence as the Commission considers appropriate. The Commission may administer oaths or affirmations to witnesses appearing before it.

(b) POWERS OF MEMBERS AND AGENTS.—Any member or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take by this section.

(c) OBTAINING OFFICIAL INFORMATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), if the Chairperson of the Commission submits a request to a Federal department or agency for information necessary to enable the Commission to carry out this Act, the head of that department or agency shall furnish that information to the Commission.

(2) EXCEPTION FOR NATIONAL SECURITY.—If the head of that department or agency determines that it is necessary to guard that information from disclosure to protect the national security interests of the United States, the head shall not furnish that information to the Commission.

(d) WEBSITE.—The Commission shall establish a website to facilitate public participation and the submission of public comments.

(e) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(f) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Director, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out this Act.

(g) GIFTS AND DONATIONS.—The Commission may accept, use, and dispose of gifts or donations of services or property to carry out this Act, but only to the extent or in the amounts provided in advance in appropriation Acts.

(h) CONTRACTS.—The Commission may contract with and compensate persons and government agencies for supplies and services, without regard to section 3709 of the Revised Statutes (41 U.S.C. 5).

(i) SUBPOENA POWER.—

(1) IN GENERAL.—The Commission may issue subpoenas requiring the attendance and testimony of witnesses and the production of any evidence relating to any matter that the Commission is empowered to investigate by section 4. The attendance of witnesses and the production of evidence may be required by such subpoena from any place within the United States and at any specified place of hearing within the United States.

(2) FAILURE TO OBEY A SUBPOENA.—If a person refuses to obey a subpoena issued under paragraph (1), the Commission may apply to a United States district court for an order requiring that person to appear before the Commission to give testimony, produce evidence, or both, relating to the matter under

investigation. The application may be made within the judicial district where the hearing is conducted or where that person is found, resides, or transacts business. Any failure to obey the order of the court may be punished by the court as civil contempt.

(3) SERVICE OF SUBPOENAS.—The subpoenas of the Commission shall be served in the manner provided for subpoenas issued by a United States district court under the Federal Rules of Civil Procedure for the United States district courts.

(4) SERVICE OF PROCESS.—All process of any court to which application is made under paragraph (2) may be served in the judicial district in which the person required to be served resides or may be found.

SEC. 8. PRIVACY PROTECTIONS.

(a) DESTRUCTION OR RETURN OF INFORMATION REQUIRED.—Upon the conclusion of the matter or need for which individually identifiable information was disclosed to the Commission, the Commission shall either destroy the individually identifiable information or return it to the person or entity from which it was obtained, unless the individual that is the subject of the individually identifiable information has authorized its disclosure.

(b) DISCLOSURE OF INFORMATION PROHIBITED.—The Commission—

(1) shall protect individually identifiable information from improper use; and

(2) may not disclose such information to any person, including the Congress or the President, unless the individual that is the subject of the information has authorized such a disclosure.

(c) PROPRIETARY BUSINESS INFORMATION AND FINANCIAL INFORMATION.—The Commission shall protect from improper use, and may not disclose to any person, proprietary business information and proprietary financial information that may be viewed or obtained by the Commission in the course of carrying out its duties under this Act.

(d) INDIVIDUALLY IDENTIFIABLE INFORMATION DEFINED.—For the purposes of this Act, the term ''individually identifiable information'' means any information, whether oral or recorded in any form or medium, that identifies an individual, or with respect to which there is a reasonable basis to believe that the information can be used to identify an individual.

SEC. 9. BUDGET ACT COMPLIANCE.

Any new contract authority authorized by this Act shall be effective only to the extent or in the amounts provided in advance in appropriation Acts.

SEC. 10. TERMINATION.

The Commission shall terminate 30 days after submitting a report under section 4(c).

SEC. 11. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to the Commission $5,000,000 to carry out this Act.

(b) AVAILABILITY.—Any sums appropriated pursuant to the authorization in subsection (a) shall remain available until expended.

Mr. KOHL. Mr. President, I rise today to introduce the ''Privacy Commission Act'' with my colleagues Senator THOMPSON and Senator TORRICELLI. This legislation addresses privacy protection by creating an expert Commission charged with the duty to explore privacy concerns. We cannot underestimate the importance of this issue. Privacy matters, and it will continue to matter more and more in this information age of high speed data, Internet transactions, and lightning-quick technological advances.

Last November, Senator TORRICELLI and I introduced the ''Privacy Protection Study Commission Act of 1999,'' the first major piece of privacy legislation introduced in the 106th Congress. Our hope then, as now, was to gain a better informed understanding of the numerous privacy issues facing a high tech culture. Now, almost a year later, the privacy issue has grown in importance and public concern. As a result, I am pleased to renew my effort in this area with another privacy commission proposal.

There exists a massive wealth of information in today's world, which is increasingly stored electronically. In fact, experts estimate that the average American is ''profiled'' in up to 150 commercial electronic databases. That means that there is a great deal of data—in some cases, very detailed and personal—out there and easily accessible courtesy of the Internet revolution. With the click of a button it is possible to examine all sorts of personal information, be it an address, a criminal record, a credit history, a shopping preference, or even a medical file.

Generally, the uses of this data are benign, even beneficial. Occasionally, however, personal information is obtained surreptitiously, and even peddled to third parties for profit or other uses. This is especially troubling when, in many cases, people do not even know that their own personal information is being ''shopped.''

Two schools of thought exist on how we should address these privacy concerns. There are some who insist that we must do something and do it quickly. Others urge us to rely entirely on ''self-regulation''—according to them most companies will act reasonably and, if not, consumers will demand privacy protection as a condition for their continued business.

Both approaches have some merit, but also some problems. It is never beneficial to legislate by anecdote or on the basis of a few bad actors. In deed, enacting ''knee-jerk,'' ''quick-fix'' legislation could do more harm than good. By the same token, however, the longer Congress waits to enact legislation, the more frequent the anecdotes until they reach a point of critical mass. We are quickly reaching the point when Congress must act with or without the benefits of a study.

A privacy commission still has merit. The streamlined time frame—it could still be a bit shorter—helps ensure that the Commission will not interrupt other legislative privacy efforts, and the breadth of experts that it relies upon suggests that the commission's report will still be timely and worthwhile.

I commend Senator THOMPSON for his efforts and hope our proposal becomes law and Commission members are appointed before the end of this year.

Mr. ASHCROFT:

S. 3042. A bill to protect citizens against becoming victims of Internet fraud, to provide stiff penalties against those who target senior citizens, and to educate senior citizens on how to avoid being victimized by Internet or telemarketing fraud; to the Committee on the Judiciary.

AN ACT TO PREVENT INTERNET FRAUD AND FRAUD AGAINST THE ELDERLY

Mr. ASHCROFT. Mr. President, E-commerce is growing at an unprecedented rate—$8 billion last year. With this increase in online purchases, we have made more products and services available to Americans—regardless of where they live. We are working to bridge the digital divide so all Americans, even low income and rural Americans can benefit from the opportunities the Internet provides. However, one thing we don't want to make ubiquitous is Internet fraud. Along with convenience, easy price comparisons, and limitless selection—this new medium also has provided a new opportunity to those who make their living defrauding the public. Fraud over the Internet, just as fraud over telephone lines and mail, is an increasing problem.

In 1998, Congress passed the Telemarketing Fraud Prevention Act. I, like the rest of my colleagues recognized this problem and supported that effort. That law builds upon other federal laws that deal directly with telemarketing fraud. The 1998 law stiffened penalties for telemarketing fraud by toughening the sentencing guidelines—especially for crimes against the elderly. It requires criminal forfeiture to ensure the fruits of telemarketing crime are not used to commit further fraud, mandates victim restitution to ensure victims are the first ones compensated, adds conspiracy language to the list of telemarketing fraud penalties, and helps law enforcement zero in on quick-strike fraud operations by giving them the authority to move more quickly against suspected fraud.

While I supported that law, I believe we need to do more. According to the National Consumers League, consumers lost over $3.2 million to Internet fraud last year. This is a 38 percent increase from 1998. The actual figure probably is much higher, since this number reflects only those who reported incidents to the National Consumer League's Fraud Watch. While it is true consumer protection laws under the jurisdiction of the Federal Trade Commission have been interpreted to cover Internet fraud—those laws are inadequate. Therefore, today, I am introducing a bill, An Act to Prevent Internet Fraud and Fraud Against the Elderly, to ensure that Internet fraud also is covered by federal criminal laws. It is important to me that the stiffer penalties contained in the Telemarketing Fraud Prevention Act for those targeting the elderly also cover fraud perpetrated over the Internet.

Through work I have done over the last year, I have seen first hand the tragic results of schemes targeting our elderly. I held a hearing in the Commerce Committee's Subcommittee on

Consumer Affairs and heard heart breaking testimony about scam artists—targeting the elderly—who are maybe the worst criminals on the planet. They target people, who in the twilight of their lives may lose their life savings, their independence and their dignity. I held events in Missouri, with the regional director of the Federal Trade Commission, educating those most venerable to these schemes on how to avoid becoming a victim. According the National Consumers League, seniors are the target for more than 20 percent of Internet fraud. Although this is lower than the 56 percent of seniors targeted by unscrupulous telemarketers, the number will only increase as more and more of our seniors begin to use the Internet.

I strongly believe that education is crucial. That is why this bill also containing provisions giving the FTC the charge of educating our elderly. They currently have the largest network of information on fraud schemes. Through their Sentinel website, they have connected law enforcement agencies all over the world—giving them the ability to act quickly. In addition, they currently have the network in place designed to educate consumers on all areas of consumer protection law.

The bill I am introducing today will expand current law to include the same crimes committed over the Internet. As now, fraud cases would be divided between the Federal Trade Commission (FTC) and the Department of Justice.

Mr. President. We cannot allow the criminals to stay ahead of the law. Internet crimes are being quickly developed and identified. We must make sure they are just as quickly stopped. We must provide the legal framework to insist that these criminals do not slip through the system due to a loophole.

By Mr. TORRICELLI:

S. 3043. A bill to close loopholes in the firearms laws which allow the unregulated manufacture, assembly, shipment, or transportation of firearms or firearm parts, and for other purposes; to the Committee on the Judiciary.

GUN PARTS TRAFFICKING ACT OF 2000

Mr. TORRICELLI. Mr. President, I rise today to introduce the Gun Parts Trafficking Act of 2000.

For years, I have fought along with many of my colleagues against the gun violence that has plagued America. We have sought to keep firearms from the hands of children and those who would use them to do harm. After long debate, we succeeded in enacting a ban on assault weapons as well as the Brady bill requiring a criminal background check at the time of a firearms purchase—positive steps in the effort to protect our communities from gun violence.

Gun violence, however, continues to have a devastating impact on our nation. The statistics have been well documented, but bear repeating. In 1997 alone, more than 32,000 Americans were shot and killed. Fourteen children die from gunfire every day. The economic toll of firearms deaths and injuries on our country—$33 billion each year—is astronomical.

In light of these staggering figures it seems obvious that we must do more, including regulating guns like any other consumer product. But while we look forward, we must also be mindful of attempts by some to subvert the progress we have made.

Gun dealers are exploiting a loophole in current law that allows them to sell, through the US mail, gun kits containing virtually every single item needed to build an automatic weapon. When we enacted a ban on these deadly automatic weapons, we exempted automatic weapons legally owned prior to the ban. We also allowed replacement parts to be legally sold so that these grand-fathered weapons could be repaired by their owners, and we allowed these parts to be shipped through the nail.

These provisions, however, have been exploited and replacement part kits that can convert a legally owned firearm into an illegal automatic weapon are readily available and heavily advertised in numerous publications. Some of these kits even go so far as to provide a template that shows how to make this conversion. This is a flagrant effort to evade the laws of the United States. This activity must be stopped in order to maintain the integrity of our ban on assault weapons and protect our communities from gun violence. Legislation is needed that provides simple, common-sense measures to remedy the glaring loopholes in current law.

To that end, I am introducing the Gun Parts Trafficking Act of 2000, legislation designed to close the loopholes in existing law and end the sale of kits designed to convert legally owned firearms into illegal automatic weapons. The bill will expand the definition of ''firearm'' to include the main components of the weapon and will prohibit the manufacture or assembly of guns by an individual who does not have a license to do so.

I urge my colleagues to join me in support of the Gun Parts Trafficking Act and ask unanimous consent that the full text of the legislation be printed in the RECORD following my statement.

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

S. 3043

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 ''Gun Parts Trafficking Act of 2000''.

SEC. 2. PROHIBITION AGAINST SHIPMENT OR TRANSPORTATION OF FIREARM PARTS, WITH CERTAIN EXCEPTIONS.

Section 921(a)(3) of title 18, United States Code, is amended by striking ''or (D) any destructive device.'' and inserting ''(D) any destructive device; or (E) any parts or combination of parts that when assembled on a frame or receiver would constitute a firearm, as defined in this paragraph.''.

SEC. 3. PROHIBITION AGAINST MANUFACTURE OR ASSEMBLY OF FIREARMS BY PERSONS OTHER THAN LICENSED MANUFACTURERS.

Section 922 of title 18, United States Code, is amended by adding at the end the following:

''(z) It shall be unlawful for any person other than a licensed manufacturer to manufacture or assemble a firearm.''.

SEC. 4. INCREASE IN FEE FOR LICENSE TO MANUFACTURE FIREARMS.

Section 923(a)(1)(B) of title 18, United States Code, is amended by striking ''$50'' and inserting ''$500''.

SEC. 5. PROHIBITION AGAINST POSSESSION OR TRANSFER OF CERTAIN COMBINATIONS OF MACHINEGUN REPLACEMENT PARTS.

Section 5845(b) of the Internal Revenue Code of 1986 (National Firearms Act) is amended in the 2nd sentence by striking ''designed and intended solely and exclusively, or combination of parts designed and intended,'' and inserting ''or combination of parts designed and intended''.

SEC. 6. EFFECTIVE DATE.

The amendments made by this Act shall apply to conduct engaged in after the 60-day period that begins with the date of the enactment of this Act.

ADDITIONAL COSPONSORS

S. 317

At the request of Mr. DORGAN, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 317, a bill to amend the Internal Revenue Code of 1986 to provide an exclusion for gain from the sale of farmland which is similar to the exclusion from gain on the sale of a principal residence.

S. 459

At the request of Mr. BREAUX, the name of the Senator from Rhode Island (Mr. L. CHAFEE) was added as a cosponsor of S. 459, a bill to amend the Internal Revenue Code of 1986 to increase the State ceiling on private activity bonds.

S. 512

At the request of Mr. GORTON, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 512, a bill to amend the Public Health Service Act to provide for the expansion, intensification, and coordination of the activities of the Department of Health and Human Services with respect to research on autism.

S. 1020

At the request of Mr. GRASSLEY, the names of the Senator from Nebraska (Mr. HAGEL) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 1020, a bill to amend chapter 1 of title 9, United States Code, to provide for greater fairness in the arbitration process relating to motor vehicle franchise contracts.

S. 1536

At the request of Mr. DEWINE, the names of the Senator from Iowa (Mr. HARKIN), the Senator from Maine (Ms.