

S. RES. 92

Whereas the operation of correctional facilities represents a crucial component of our criminal justice system;

Whereas correctional personnel play a vital role in protecting the rights of the public to be safeguarded from criminal activity;

Whereas correctional personnel are responsible for the care, custody, and dignity of the human beings charged to their care; and

Whereas correctional personnel work under demanding circumstances and face danger in their daily work lives: Now, therefore, be it

Resolved,

SECTION 1. DESIGNATION OF NATIONAL CORRECTIONAL OFFICERS AND EMPLOYEES WEEK.

That the Senate—

(1) designates the week beginning June 3, 2001, as "National Correctional Officers and Employees Week"; and

(2) requests that the President issue a proclamation calling upon the people of the United States to observe the week with appropriate ceremonies and activities.

Mrs. FEINSTEIN. Mr. President, I rise today to submit a resolution to honor correctional officers and employees. This resolution reaffirms our support for the thousands of correctional officers and employees who work in the face of danger each day, while reforming hardened criminals. They deserve our respect and support.

Nationally more than 200,000 corrections professionals work hard to maintain the safety of our communities. We must never forget that this is an often stressful and dangerous occupation. Nor can we forget the sacrifices made by those courageous individuals who have been injured or killed in the line of duty. Officers put their lives on the line every time they begin a shift.

Tragically, correctional officers have been permanently injured and killed in the line of duty. There have been over 356 men and women who have died while on duty. This year, we honor Wilmot A. Burnett, Lee Dunn, Raymond Curtis, Michael Price, Allen Gamble, Peter Hillman, Jason Acton, Leon Egly, William Giacomo, Alvin Glenn, and Allen Myers, who have all been killed during the past year.

Most of us leave for work knowing that we will return home safe and sound at the end of the day. While we take this peace of mind for granted, correctional officers are not afforded this luxury.

On June 6, 2000, Sergeant Allen Gamble, a correctional officer at Oklahoma State Reformatory was fatally stabbed in the throat as he attempted to help a fellow officer who was being attacked by a prisoner. Sergeant Gamble was survived by his wife, Sherri and his four children. Equally disturbing is the case of Officer Jason Coryell, a correctional officer at the Arizona State Prison Complex. On August 25, 200, Officer Jason Coryell was stabbed three times in the stomach when an inmate refused to be handcuffed. Though the wound was severe, Officer Coryell returned to work in November, 2000.

Officers Gamble and Coryell exemplify the heroism that takes place each day in our nation's correctional facilities.

They remind us how individual acts of heroism are a regular part of the job among correctional officers and employees.

In addition to dealing with society's most hardened criminals, correctional officers and employees also seek to reform offenders. They play an important role in lowering recidivism rates. And through literacy programs and vocational training they help transform criminals into productive, law abiding members of society. This is not an easy task.

Correctional officers and their families and friends endure a tremendous amount of stress and sacrifice. Prison security never takes a break, which often means that officers work all hours of the day and night, weekends, and holidays. I hope with this resolution we can honor and recognize this sort of commitment and sacrifice, not just this week, but throughout the year.

America's correctional officers and employees efforts to make our world a better, safer place too often go unnoticed. Few of us can truly appreciate the perils faced daily by our correctional officers. With this resolution we reflect on the contributions correctional officers have made to keep our communities safe. This is why I am pleased to submit this resolution to establish June 3-10, 2001, as Correctional Officers and Employees Week.

AMENDMENTS SUBMITTED AND PROPOSED

SA 689. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 1836, to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002; which was ordered to lie on the table.

SA 690. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 691. Mr. KYL submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra.

SA 692. Mr. WELLSTONE proposed an amendment to the bill H.R. 1836, supra.

SA 693. Mr. LIEBERMAN (for himself and Mr. DASCHLE) submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra.

SA 694. Mr. REID (for himself and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 695. Mr. DODD (for himself and Mr. REID) submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra.

SA 696. Mr. NELSON of Nebraska submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 697. Mr. HATCH (for himself, Mr. ALLEN, Mr. CRAIG, Mr. SMITH, of Oregon, Mr. REID, Mr. BROWNBACK, Mr. BENNETT, and Mr. KERRY) proposed an amendment to the bill H.R. 1836, supra.

SA 698. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 699. Mr. KENNEDY submitted an amendment intended to be proposed by him

to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 700. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 701. Mr. HATCH (for Mr. KERRY (for himself and Mr. HATCH)) proposed an amendment to amendment SA 697 proposed by Mr. HATCH to the bill (H.R. 1836) supra.

SA 702. Mr. DASCHLE submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 703. Mr. BYRD proposed an amendment to the bill H.R. 1836, supra.

SA 704. Mr. KERRY submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 705. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 706. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 707. Mr. JEFFORDS (for himself, Mr. DODD, Mr. KENNEDY, Mr. ROCKEFELLER, and Mr. LEVIN) proposed an amendment to the bill H.R. 1836, supra.

SA 708. Mr. LIEBERMAN (for himself, Mrs. FEINSTEIN, Mrs. CLINTON, and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 709. Mr. HUTCHINSON submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 710. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 711. Mrs. LINCOLN submitted an amendment intended to be proposed by her to the bill H.R. 1836, supra.

SA 712. Mr. LIEBERMAN (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 713. Mr. DORGAN proposed an amendment to the bill H.R. 1836, supra.

SA 714. Mr. SESSIONS (for himself, Mr. MCCONNELL, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 715. Mr. SESSIONS (for himself, Mr. MCCONNELL, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 716. Mr. ALLEN submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 717. Mr. BINGAMAN (for himself, Mr. REID, Mr. JOHNSON, Mrs. CLINTON, and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra.

SA 718. Mr. BOND submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 719. Mrs. CARNAHAN (for herself and Mr. DASCHLE) submitted an amendment intended to be proposed by her to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 720. Mr. BAYH submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 721. Mr. KERRY submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra.

SA 722. Mr. DASCHLE submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 723. Mr. SMITH of New Hampshire proposed an amendment to amendment SA 680 proposed by Mr. SMITH of New Hampshire to the bill (H.R. 1836) supra.

SA 724. Mr. FEINGOLD proposed an amendment to the bill H.R. 1836, supra.

SA 725. Mr. FEINGOLD proposed an amendment to the bill H.R. 1836, supra.

SA 726. Mr. FEINGOLD proposed an amendment to the bill H.R. 1836, SUPRA.

SA 727. Mr. HARKIN proposed an amendment to the bill H.R. 1836, supra.

SA 728. Mr. HARKIN submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 729. Mr. HARKIN submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 730. Mr. HARKIN submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 731. Mr. HARKIN submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 732. Mr. CAMPBELL submitted an amendment intended to be proposed to amendment SA 440 submitted by Mr. CAMPBELL and intended to be proposed to the bill (S. 1) to extend programs and activities under the Elementary and Secondary Education Act of 1965; which was ordered to lie on the table.

SA 733. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 1836, to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002; which was ordered to lie on the table.

SA 734. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 735. Mr. TORRICELLI submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 736. Mr. GRAMM proposed an amendment to the bill H.R. 1836, supra.

SA 737. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 738. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 739. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 740. Ms. SNOWE (for herself and Mrs. LINCOLN) submitted an amendment intended to be proposed by her to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 741. Ms. SNOWE (for herself, Mrs. LINCOLN, Mr. JEFFORDS, Mr. CHAFEE, Mr. DEWINE, Mr. KERRY, Mr. DODD, Mr. ROCKEFELLER, Ms. COLLINS, and Mr. SMITH of Oregon) submitted an amendment intended to be proposed by her to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 742. Mrs. MURRAY (for herself and Mr. SMITH of Oregon) submitted an amendment intended to be proposed by her to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 743. Mr. BAUCUS (for Mr. CONRAD) proposed an amendment to the bill H.R. 1836, supra.

SA 744. Mr. BAUCUS (for Mr. CONRAD) proposed an amendment to the bill H.R. 1836, supra.

SA 745. Mr. WARNER (for Mr. STEVENS (for himself, Mr. INOUE, Mr. THOMPSON, Mr. HOLLINGS, Mr. MURKOWSKI, Mr. BINGAMAN, Mr. THURMOND, Mr. THOMAS, Ms. COLLINS, and Mr. WARNER)) proposed an amendment to the bill H.R. 1696, to expedite the construction of the World War II memorial in the District of Columbia.

SA 746. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill H.R. 1836, to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002; which was ordered to lie on the table.

SA 747. Mr. REID (for Mr. CARPER) proposed an amendment to the bill H.R. 1836, supra.

SA 748. Mr. NELSON, of Florida submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 749. Mr. JEFFORDS submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 750. Mr. TORRICELLI submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 751. Mr. ALLEN proposed an amendment to amendment SA 685 submitted by Mr. BAYH and intended to be proposed to the bill (H.R. 1836) supra.

SA 752. Mr. DORGAN submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 753. Mr. DORGAN submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 754. Mr. KOHL submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 755. Mr. CONRAD submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 756. Mr. LEVIN submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 757. Mr. LEVIN submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 758. Mr. LEVIN submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 759. Mr. LEVIN submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 760. Mr. LEVIN submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 761. Mr. HARKIN submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

SA 762. Mr. JEFFORDS submitted an amendment intended to be proposed by him to the bill H.R. 1836, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 689. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 1836, to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2002; which was ordered to lie on the table; as follows:

At the appropriate place, insert:

SEC. __. EXTENSION OF APPLICATION OF JOINT AND SURVIVOR ANNUITY RULES.

(a) APPLICATION TO ALL DEFINED CONTRIBUTION PLANS.—

(1) AMENDMENTS TO ERISA.—

(A) IN GENERAL.—Section 205(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1055(a)) is amended by striking “to which this section applies”.

(B) CONFORMING AMENDMENTS.—

(i) Section 205(b) of such Act (29 U.S.C. 1055(b)) is amended to read as follows:

“(b)(1)(A) In the case of—

“(i) a tax credit employee stock ownership plan (as defined in section 409(a) of the Internal Revenue Code of 1986), or

“(ii) an employee stock ownership plan (as defined in section 4975(e)(7) of such Code), subsection (a) shall not apply to that portion of the employee’s accrued benefit to which the requirements of section 409(h) of such Code apply.

“(B) Subparagraph (A) shall not apply with respect to any participant unless—

“(i) such plan provides that the participant’s nonforfeitable accrued benefit (reduced by any security interest held by the plan by reason of a loan outstanding to such participant) is payable in full, on the death of the participant, to the participant’s surviving spouse (or, if there is no surviving spouse or the surviving spouse consents in the manner required under subsection (c)(2), to a designated beneficiary),

“(ii) such participant does not elect the payment of benefits in the form of a life annuity, and

“(iii) with respect to such participant, such plan is not a direct or indirect transferee (in a transfer after December 31, 1984) of a plan to which, at the time of the transfer, subsection (a) applied (or to which this clause applied with respect to the participant).

Clause (iii) shall apply only with respect to the transferred assets (and income therefrom) if the plan separately accounts for such assets and any income therefrom. A plan shall not be treated as failing to meet the requirements of this subparagraph merely because the plan provides that benefits will not be payable to the surviving spouse of the participant unless the participant and such spouse had been married throughout the 1-year period ending on the earlier of the participant’s annuity starting date or the date of the participant’s death.

“(2) This section shall not apply to a plan which the Secretary of the Treasury or his delegate has determined is a plan described in section 404(c) of the Internal Revenue Code of 1986 (or a continuation thereof) in which participation is substantially limited to individuals who, before January 1, 1976, ceased employment covered by the plan.”

(ii) Section 205(e)(2) of such Act (20 U.S.C. 1055(e)(2)) is amended by striking “individual account plan or participant described in subparagraph (B) or (C) of subsection (b)(1)” and inserting “individual account plan to which this section applies, or any participant described in subsection (b)(1)(B)”.

(2) AMENDMENTS TO INTERNAL REVENUE CODE.—

(A) IN GENERAL.—Section 401(a)(11)(A) of the Internal Revenue Code of 1986 (relating to requirement of joint and survivor annuity and preretirement survivor annuity) is amended by striking the matter preceding clause (i) and inserting:

“(A) IN GENERAL.—Except as provided in section 417 and subparagraph (B), a trust forming part of a plan shall not constitute a qualified trust under this section unless such plan provides—”.

(B) CONFORMING AMENDMENTS.—