

THE CARING FOR AMERICA'S
CHILDREN ACT

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. GILMAN. Mr. Speaker, today I am introducing the Caring for America's Children Act, in an effort to effectively stimulate the demand for higher quality care for our Nation's children while simultaneously removing barriers and providing resources to improve the quality of child care in the United States.

Child care continues to be a worry for most families as stories continue to surface about the lack of quality child care. Moreover, research has clearly demonstrated that a high-quality child care program is one that makes the healthy development and education of children its first objective and strives to stimulate the learning process of all children through developmentally appropriate activities that foster social, emotional, and intellectual growth. In addition, families in today's society are increasingly required to have both parents enter the work force. Accordingly, the demand for quality child care is increasing as is the need for credentialed and accredited child care providers.

Accordingly, this act will stimulate the demand for higher quality child care for our Nation's children while simultaneously removing barriers and providing resources to improve the quality of child care in the United States.

Many of my colleagues may have read about the tragic circumstances surrounding the Fiedelhotz family in Florida. The Fiedelhotz' son Jeremy died after only 2 hours at a day care facility. Though this tragedy should have never happened, it is an unfortunate example of what can and may continue to happen unless we encourage and inform all parents about the need for accredited and credentialed child care providers and facilities.

Caring for America's Children Act through the Tax Code will encourage the demand for accredited or credentialed child care. This will be accomplished in the following manner: First, by increasing the amount which an employee can contribute to a dependent care assistance plan if a child is in accredited or credentialed child care; second, changing the dependent care tax credit to allow parents to receive a higher and more equitable dependent day care credit; third providing tax benefits for employees which provide quality child care; fourth, extending eligibility for businesses to take a qualified charitable deduction for the donation of educational equipment and materials to public schools, accredited or credentialed nonprofit child care providers; fifth, establishing a \$260 million competitive grant program to assist States in improving the quality of child care; sixth, expanding public information and technical assistance services to identify and disseminate to the public what is important for child development in child care; seventh, providing \$50 million to create and operate a technology-based training infrastructure to enable child care providers nationwide to receive the training, education, and support they need to improve the quality of child care; eighth, creating a child care training revolving fund to enable child care providers and child care support entities to purchase computers, satellite dishes, and

other technological equipment which enable them to participate in the child care training provided on the national infrastructure; and ninth, requiring that all Federal child care centers will have to meet all State and local licensing and other regulatory requirements related to the provision of child care, within 6 months of the passage of this legislation.

I want to urge all of my colleagues to review this bill and to cosponsor this important bill. Our children are our future and we must insist that they receive the best care possible, especially during their early development years.

Accordingly, I urge your support.

CONGRATULATING PETER AND
FRANCES KENDALL

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mrs. ROUKEMA. Mr. Speaker, I rise to congratulate J. Peter Kendall, mayor of Oakland, New Jersey, and his wife, "Fran," on being chosen as the recipients of the 1999 West Bergen Mental Healthcare's Distinguished Service Award. Mayor and Mrs. Kendall have given many years of exemplary public service to their community, both in the field of mental health and otherwise. This honor is certainly well deserved, and today I wish to add the recognition of the United States House of Representatives to that which they have received from West Bergen Mental Healthcare.

Over the years, the Kendalls have been strong advocates of affordable mental health services for families in their community. Together, they have been actively involved with West Bergen Mental Healthcare in numerous ways, contributing generously of their time and talents.

Mrs. Kendall has adopted "doing for others" as a personal philosophy. She divides her time between community service, her family and neighbors, a great talent for art and a never-ending interest in politics, people and participation. In 1994, her commitment to Oakland was recognized when she was chosen as the Oakland Women's Club as Woman of the Year. Fran has truly been a close, supportive friend to the community and all who know her.

An award-winning artist, Mrs. Kendall has been honored at numerous art shows, including the CAA Interstate Show, the CAA National Juried Art Show, the Urban Farms Art Show, the Mid-Atlantic Juried Art Show and many others. Her work "displays a highly individualized sense of color" and has been featured in galleries throughout the area as well as in numerous corporate shows and private homes in the United States and abroad. Mrs. Kendall is actively involved in community activities including Oakland's 300th anniversary, "First Night Oakland," and the Bergen County Women's Republican Club among others.

When the New Jersey Conference of Mayors chose Mayor Kendall as the 1998 Mayor of the Year, they acknowledged a treasure long recognized by the people of Oakland. Currently serving his second four-year term as mayor and in his 14th year of elected office in Oakland, Mayor Kendall is a dedicated public servant. Whether it is in the political, social, economic or family arena, no task is too great or too small.

Mayor Kendall has brought his successful business experience to the benefits of Oakland, stabilizing taxes, reducing municipal staff, directing improvement projects, preserving open spaces and spearheading the building of the Oakland Senior Citizens Center. He is the chairman of the 300 anniversary celebration, initiated the "First Night Oakland" event and many others. Whether he is playing in a softball game to raise money for a sick child, working with students at Valley Middle School or playing Santa Claus, he is always there to help. In every way, Mayor Kendall has brought the people of Oakland together as a community and family.

Mayor Kendall and I have worked together on many local projects over the years and he has always provided me with sound advice and counsel, and authoritative information.

The Kendalls have lived in Oakland 22 years and have three sons—John, Mark and Sean. John and his wife, Carla, have two sons, Christopher and Peter, while Mark and his wife, Rose, have three children, Bianca, Dalton and Madisyn.

Peter and Fran Kendall are hard-working, dedicated public servants. Their efforts to improve the quality of life in their community are exemplary. Their dedication and generosity are known throughout Northern New Jersey. They are true friends to all the people all the time.

RECOGNITION OF CATHEDRAL
HIGH SCHOOL BOYS VARSITY
FOOTBALL AND GIRLS VARSITY
SOCCER

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. NEAL of Massachusetts. Mr. Speaker, I would like to take this opportunity to recognize the accomplishments of the Boys Varsity Football team and the Girls Varsity Soccer team of Cathedral High School in Springfield, Massachusetts. Their two teams demonstrated superb athletic excellence and great character in the fall season of 1998. Their exploits bring pride and joy to the City of Springfield and the many alumni of Cathedral High School. Their accomplishments deserve our recognition.

The Cathedral High School Football team has a long and proud tradition. Undeclared seasons can be traced back to the 1930's. The Cathedral Football legacy includes the first Notre Dame player to win the Heisman Trophy, Angelo Bertelli. Mr. Bertelli was a member of Cathedral's 1939 undefeated squad. Another legendary graduate is Nick Buoniconti, a co-captain at Notre Dame and member of the back-to-back Super Bowl Champion Miami Dolphins of 1973-74. Mr. Buoniconti was a member of the 1955 undefeated Cathedral Panthers.

The Cathedral Football team of 1998 capped an 11-0 season with the Western-Central Massachusetts Super Bowl Championship. Third year Head Coach Matt Ballard, and Assistants Tom Sheehan, Stefan Davis, and Greg Gebro, led a senior-laden squad back to the heights first reached by the likes of Bertelli and Buoniconti. Although the 1998 team was led by upperclassmen, Coach Ballard is looking forward to the return of 27 of his Champions next year.

The members of the 1998 Super Bowl Champion Cathedral High School Football team are: Seniors: Michael Buoniconti, Timothy Dean, Phillip Gervais, Bartholomew "B.J." Lawlor, Anthony Luvera, Christian McCollum, Christopher McDonald, Timothy McDaid, William Ostiguy, Bryan Picard, Michael Rivard, Jeffrey Santiago, Samuel Scott, Justin Simmons, Shawn Torres, and William Torres; Juniors: Vincente Buoniconti, Brett Cook, Sean Cox, Richard Cummings, Daniel Keyes, Jonathon Koldys, Derick Lamoureux, Taren Latta, Michael Martin, Brendan McDonald, John Piascik, and Matthew Yvon; Sophomores: George Bahlke, Michael Britt, Joseph Camerota, Shaun Carpenter, Michael Christman, Benjamin Dagenais, Matthew Gendron, Brandon Jones, Joseph Luvera, Timothy Manning, Jonathon Miller, Michael Ojunga, Devon Robinson, Steven Snow, and Liam Walsh.

The accomplishments of the Cathedral High School Girls Soccer team are no less impressive. For the third straight year, the team was led by Head Coach Larry Kelly and Assistant Coach Laura Wray. Over these three years, the Panthers have amassed a record of 49-4-7 and three straight Western Massachusetts Championships.

The 1998 team finished the season 21-2, ranker #12 in the nation, and became Massachusetts State Co-Champions with the #1 team in the nation, Winchester High School. The Panthers scored 115 goals, while letting in only 10. The girls were named a High School Academic All-America Team and Senior Mary McVeigh was named All-America, and Gatorade Player of the Year for Massachusetts. Although the 1998 squad was led by an extremely skillful group of seniors, Coach Kelly expects his tenacious underclasswomen to be ready for the challenges of 1999.

The members of the 1998 Massachusetts State Co-Champion Cathedral Girls Soccer team are: Seniors: Kathryn Crisostomo, Lauren Downey, Casey Fitzgerald, Alison, LaMontagne, Christine LaValley, Cindy Lilly, Mary McVeigh, Melanie Mucha, Maura Neal, and Melissa Rowe; Juniors: Jamie Athas, Carissa Caulfield, Cathrine Kirwan-Avila, Katie Leydon, Kelly Quinn, Kady Robbins, Vanessa Saundars, Annie Tudryn; Sophomores: Jessica Bain, Kara Downey, Cristin Goodwin, Michelle Jette, Toni Pantuosco, Nicole Scibelli, Crystal Stanton, and Jenn Woytowicz; and first year student Shannon Donnelly.

INTRODUCTION OF THE PERSONAL INFORMATION PRIVACY ACT

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 15, 1999

Mr. KLECZKA. Mr. Speaker, information on the most personal aspects of our lives continues to be spread across the landscape. Once taken for granted, our wall of privacy is crumbling.

Today, I am re-introducing the Personal Information Privacy Act. This legislation attempts to restore some control over the use of our personal information. The bill prevents credit bureaus from giving out Social Security numbers and prohibits the sale or purchase of any information that includes anyone's Social Se-

curity number unless they have written consent to do so.

A merchant who requires a Social Security number on a check used for a purchase or a cable company who demands a Social Security number on an application for service will be prohibited from such practices or be charged with an unfair and deceptive business violation.

Further, this bill prohibits any state department of motor vehicles from selling drivers' photographs and drivers lists containing Social Security numbers. In addition, marketers will not be able to sell consumers' purchasing experiences or credit transactions without prior approval.

This bill also provides for civil and criminal penalties for violations. The criminal penalties are now possible because of action taken in the 105th Congress. Last year, Congress passed the Identity Theft and Assumption Deterrence Act, which, for the first time, criminalizes identity theft. Finally, victims of identity theft have a means to prosecute those who assume their identities and ruin their credit histories. While I am pleased that this legislation, which I cosponsored, was signed into law by President Clinton, I feel that further action is needed. We must pass legislation to prevent these crimes from occurring.

This legislation is necessary because anyone's personal information is easily accessible, be it through the presentation of false identification or through the internet. The information can be as innocuous as a name, address, and phone number or as intrusive as a detailed summary of personal finances, including bank account balances and investment portfolios.

One of the main reasons information is so accessible is that a person's Social Security number has become a personal identifier. Many private entities, from doctors to universities, now follow the example of the federal government by using the SSN as an identifier.

Recently, the Government Accounting Office completed a report that states "No single federal law regulates the overall uses of SSNs." It further notes that "Businesses and governments are not limited to using SSNs for purposes required by federal law." Consequently, requiring a person's SSN, the key to a wealth of personal information, as a condition of doing business is now common practice.

Mr. Speaker, this legislation is designed to curtail the rampant invasion of our privacy. What we buy and where we buy it is no one's business but our own. And, the unauthorized use and abuse of our Social Security number must stop. I urge all of my colleagues to cosponsor and support this legislation.

SECTION 1. SHORT TITLE

The title of this Act is the "Personal Information Privacy Act of 1999."

SECTION 2. CONFIDENTIAL TREATMENT OF CREDIT HEADER INFORMATION

Section 2 would add a sentence to §603(d) of the Fair Credit Reporting Act (FCRA), 15 U.S.C. §1681a(d), which defines the term "consumer report" for purposes of the FCRA. The team currently means, essentially, any communication of information by a consumer reporting agency about a consumer that is used or expected to be used as a factor in establishing the consumer's eligibility for credit, insurance, employment, or for any other legitimate business purpose. Under §604 of the FCRA, 15 U.S.C. §1681b, a consumer report-

ing agency may not furnish a consumer report except for specified purposes. The new sentence that §2 would add to the definition of "consumer report" provides: "The term also includes any other identifying information of the consumer, except the name, address, and telephone number of the consumer if listed in a residential telephone directory available in the locality of the consumer." If this new sentence becomes law, then consumer reporting agencies would be prohibited from disclosing such identifying information except for a purpose specified in §604.

SECTION 3. PROTECTING PRIVACY BY PROHIBITING USE OF THE SOCIAL SECURITY NUMBER FOR COMMERCIAL PURPOSES WITHOUT CONSENT

This section would add a new section to the general administrative provisions of Title 11 of the Social Security Act, 42 U.S.C. §§1301 et seq., prohibiting persons from buying or selling any information that includes an individual's social security account number ("SSN"), without the written consent of the individual. In addition, no person may use an individual's SSN for identification purposes without the written consent of the individual. In order for consent to be valid, the person desiring to use an individual's SSN must inform the individual of all the purposes for which the SSN will be utilized, the persons to whom the number will be known, and obtain the individual's consent in writing.

These new prohibitions would not affect any statutorily authorized uses of the SSN under §205(c)(2) of the Social Security Act, 42 U.S.C. §405(c)(2) (SSN used for Social Security wage records, and for various enumerated purposes by federal agencies and state and local governments), §7(a)(2) of the Privacy Act of 1974 (5 U.S.C. 552a note) (authorizing state and local governments to require disclosure of an individual's SSN if required by federal law or if the required disclosure was pursuant to a system of records in effect prior to January 1, 1975), or 26 U.S.C. §6109(d) (an individual's SSN is used for all identifying purposes specified in the Tax Code).

Individuals are authorized to bring a civil action seeking equitable relief and damages in a U.S. District Court for violations of this section. Damages may include the greater of actual damages or liquidated damages of \$25,000, or, in case of a willful violation resulting in profit or monetary gain, \$50,000. The court may assess, against the respondent, reasonable attorney's fees and other litigation costs in cases where an individual prevails. A statute of limitation of 3 years is provided. The remedies provided by this section are in addition to any other lawful remedies available to an individual.

The Commissioner of Social Security is authorized to assess a civil money penalty of not more than \$25,000 for each violation of this section, or in the case of violations found to constitute a general business practice, not more than \$500,000. The enforcement procedures for civil money penalties are the same as set forth in section 1128A of the Social Security Act, 42 U.S.C. §1320a-7a(d), (e), (g), (k), (l) and the first sentence of (c). These set forth the criteria for determining the amount of the civil penalty, the investigation and injunction authority of the Commissioner, and courts of appeals review of civil money penalty determinations. Also applicable are the provisions of section 205(d) and (e) of the Social Security Act, 42 U.S.C. §405(d) and (e), which authorize the Commissioner of Social Security to