

privacy. And more specifically, more than half the people surveyed also stated they would be concerned if an interactive service engaged in "subscriber profiling" or using an individual's purchasing patterns to determine what types of goods and services to market to them. The survey also showed that people are less concerned about subscriber profiling if they are provided with notice that a profile would be created and how it would be used, and also if they are given access to the information in the profile.

Something must be done to empower consumers to prevent their private calling information from being used without their consent. The Telephone Call Privacy Act is an important step towards this goal. I believe the principles set forth in my legislation are a reasonable way to protect privacy and do not unduly burden the ability of businesses to market their products and services.

As Justice Brandeis said in his famous dissent in *Olmstead v. U.S.*, "the right to be let alone [is] the most comprehensive of rights and the right most valued by civilized men." The government must not only refrain from violating this right, but it must also ensure its preservation. I believe the Telephone Call Privacy Act is a sensible means to achieving this goal. I ask unanimous consent that the bill be printed in the RECORD.

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

S. 1850

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Telephone Call Privacy Act of 1999".

#### SEC. 2. MODIFICATION OF REQUIREMENTS RELATING TO USE AND DISCLOSURE OF CUSTOMER PROPRIETARY NETWORK INFORMATION.

##### (a) MODIFICATION OF REQUIREMENTS.—

(1) IN GENERAL.—Paragraph (1) of section 222(c) of the Communications Act of 1934 (47 U.S.C. 222(c)) is amended to read as follows:

##### "(1) PRIVACY REQUIREMENTS FOR TELECOMMUNICATIONS CARRIERS.—

"(A) IN GENERAL.—Except as provided in subparagraph (B) or as required by law, a telecommunications carrier that receives or obtains customer proprietary network information by virtue of its provision of a telecommunications service may use, disclose, or permit access to customer proprietary network information that identifies a customer as follows:

"(i) In the provision of—

"(I) the telecommunications service from which such information is derived; and

"(II) services necessary to, or used in, the provision of such telecommunications service, including the publishing of directories.

"(ii) In the case of the use of such information by the telecommunications carrier for the provision of another of its products or services to the customer, only if the telecommunications carrier—

"(I) provides the customer a clear and conspicuous notice meeting the requirements set forth in subparagraph (C);

"(II) permits the customer to review such information for accuracy, and to correct and supplement such information; and

"(III) does not receive from the customer within 15 days after the date of the notice

under subclause (I) notice disapproving the use of such information for the provision of such product or service to the customer as specified in the notice under such subclause.

"(iii) In the case of the use, disclosure, or access of or to such information by another party, only if the telecommunications carrier that originally receives or obtains such information—

"(I) meets the requirements set forth in subclauses (I) and (II) of clause (ii) with respect to such information; and

"(II) receives from the customer written notice approving the use, disclosure, or access of or to such information for the provision of the product or service to the customer as specified in the notice under subclause (I) of this clause.

"(B) CUSTOMER DISAPPROVAL.—Notwithstanding the previous approval of the use, disclosure, or access of or to information for a purpose under clause (ii) or (iii) of subparagraph (A), upon receipt from a customer of written notice of the customer's disapproval of the use, disclosure, or access of or to information for such purpose, a telecommunications carrier shall terminate the use, disclosure, or access of or to such information for such purpose.

"(C) NOTICE ELEMENTS.—Each notice under clause (ii) or (iii) of subparagraph (A) shall include the following:

"(i) The types information that may be used, disclosed, or accessed.

"(ii) The specific types of businesses or individuals that may use or access the information or to which the information may be disclosed.

"(iii) The specific product or service for which the information may be used, disclosed, or accessed."

(2) CONFORMING AMENDMENTS.—Paragraph (3) of such section is amended by striking "paragraph (1)" both places it appears and inserting "paragraph (1)(A)(i)".

(b) JUDICIAL AND LAW ENFORCEMENT PURPOSES.—Such section is further amended by adding at the end the following:

"(4) JUDICIAL AND LAW ENFORCEMENT PURPOSES.—

"(A) IN GENERAL.—A person that receives or obtains consumer proprietary network information may disclose such information—

"(i) pursuant to the standards and procedures established in the Federal Rules of Civil Procedure or comparable rules of other courts or administrative agencies, in connection with litigation or proceedings to which an individual who is the subject of the information is a party and in which the individual has placed the use, disclosure, or access to such information at issue;

"(ii) to a court, and to others ordered by the court, if in response to a court order issued in accordance with subparagraph (B); or

"(iii) to an investigative or law enforcement officer pursuant to a warrant issued under the Federal Rules of Criminal Procedure, an equivalent State warrant, or a grand jury subpoena, or a court order issued in accordance with subparagraph (B).

"(B) REQUIREMENTS FOR COURT ORDERS.—

"(i) IN GENERAL.—Except as provided in clause (ii), a court order for the disclosure of customer proprietary network information under subparagraph (A) may be issued by a court of competent jurisdiction only upon written application, upon oath or equivalent affirmation, by an investigative or law enforcement officer demonstrating that there is probable cause to believe that—

"(I) the information sought is relevant and material to an ongoing criminal investigation; and

"(II) the law enforcement need for the information outweighs the privacy interest of

the individual to whom the information pertains.

"(ii) CERTAIN ORDERS.—A court order may not be issued under this paragraph upon application of an officer of a State or local government if prohibited by the law of the State concerned."

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 180 days after the date of the enactment of this Act.

#### ADDITIONAL COSPONSORS

S. 59

At the request of Mr. THOMPSON, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 59, a bill to provide Government-wide accounting of regulatory costs and benefits, and for other purposes.

S. 185

At the request of Mr. ASHCROFT, the names of the Senator from North Dakota (Mr. DORGAN), the Senator from North Carolina (Mr. HELMS), the Senator from Colorado (Mr. ALLARD), the Senator from Minnesota (Mr. GRAMS), the Senator from Arkansas (Mr. HUTCHINSON), the Senator from Missouri (Mr. BOND), the Senator from Georgia (Mr. COVERDELL), and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 185, a bill to establish a Chief Agricultural Negotiator in the Office of the United States Trade Representative.

S. 345

At the request of Mr. ALLARD, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 345, a bill to amend the Animal Welfare Act to remove the limitation that permits interstate movement of live birds, for the purpose of fighting, to States in which animal fighting is lawful.

S. 398

At the request of Mr. CAMPBELL, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 398, a bill to require the Secretary of the Treasury to mint coins in commemoration of Native American history and culture.

S. 976

At the request of Mr. FRIST, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 976, a bill to amend title V of the Public Health Service Act to focus the authority of the Substance Abuse and Mental Health Services Administration on community-based services children and adolescents, to enhance flexibility and accountability, to establish programs for youth treatment, and to respond to crises, especially those related to children and violence.

S. 1036

At the request of Mr. KOHL, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 1036, a bill to amend parts A and D of title IV of the Social Security Act to give States the option to pass through directly to a family receiving assistance under the temporary assistance to

needy families program all child support collected by the State and the option to disregard any child support that the family receives in determining a family's eligibility for, or amount of, assistance under that program.

S. 1109

At the request of Mr. MCCONNELL, the name of the Senator from Nevada (Mr. BRYAN) was added as a cosponsor of S. 1109, a bill to conserve global bear populations by prohibiting the importation, exportation, and interstate trade of bear viscera and items, products, or substances containing, or labeled or advertised as containing, bear viscera, and for other purposes.

S. 1187

At the request of Mr. DORGAN, the names of the Senator from Tennessee (Mr. FRIST), the Senator from Colorado (Mr. CAMPBELL), the Senator from Hawaii (Mr. AKAKA), the Senator from Delaware (Mr. BIDEN), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Massachusetts (Mr. KERRY), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from North Carolina (Mr. EDWARDS), the Senator from Indiana (Mr. BAYH), the Senator from Florida (Mr. GRAHAM), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Michigan (Mr. LEVIN), the Senator from Missouri (Mr. BOND), the Senator from Kansas (Mr. BROWNBACK), the Senator from Maine (Ms. COLLINS), the Senator from Pennsylvania (Mr. SANTORUM), the Senator from Ohio (Mr. VOINOVICH), the Senator from Alabama (Mr. SESSIONS), the Senator from Kansas (Mr. ROBERTS), the Senator from Vermont (Mr. JEFFORDS), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Oklahoma (Mr. NICKLES), and the Senator from Tennessee (Mr. THOMPSON) were added as cosponsors of S. 1187, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the Lewis and Clark Expedition, and for other purposes.

S. 1239

At the request of Mr. GRAHAM, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1239, a bill to amend the Internal Revenue Code of 1986 to treat spaceports like airports under the exempt facility bond rules.

S. 1332

At the request of Mr. BAYH, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. 1332, a bill to authorize the President to award a gold medal on behalf of Congress to Father Theodore M. Hesburg, in recognition of his outstanding and enduring contributions to civil rights, higher education, the Catholic Church, the Nation, and the global community.

S. 1384

At the request of Mr. ABRAHAM, the names of the Senator from Connecticut (Mr. DODD) and the Senator from Washington (Mr. GORTON) were added as co-

sponsors of S. 1384, a bill to amend the Public Health Service Act to provide for a national folic acid education program to prevent birth defects, and for other purposes.

S. 1419

At the request of Mr. MCCAIN, the names of the Senator from South Carolina (Mr. HOLLINGS), the Senator from New York (Mr. MOYNIHAN), the Senator from Ohio (Mr. DEWINE), the Senator from Maine (Ms. COLLINS), and the Senator from Alaska (Mr. MURKOWSKI) were added as cosponsors of S. 1419, a bill to amend title 36, United States Code, to designate May as "National Military Appreciation Month."

S. 1487

At the request of Mr. AKAKA, the name of the Senator from New York (Mr. MOYNIHAN) was added as a cosponsor of S. 1487, a bill to provide for excellence in economic education, and for other purposes.

S. 1500

At the request of Mr. HATCH, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1500, a bill to amend title XVIII of the Social Security Act to provide for an additional payment for services provided to certain high-cost individuals under the prospective payment system for skilled nursing facility services, and for other purposes.

S. 1528

At the request of Mr. LOTT, the names of the Senator from Colorado (Mr. CAMPBELL) and the Senator from Nevada (Mr. REID) were added as cosponsors of S. 1528, a bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to clarify liability under that Act for certain recycling transactions.

S. 1547

At the request of Mr. BURNS, the names of the Senator from Vermont (Mr. JEFFORDS) and the Senator from Idaho (Mr. CRAIG) were added as cosponsors of S. 1547, a bill to amend the Communications Act of 1934 to require the Federal Communications Commission to preserve low-power television stations that provide community broadcasting, and for other purposes.

S. 1619

At the request of Mr. DEWINE, the names of the Senator from Arizona (Mr. KYL) and the Senator from Utah (Mr. BENNETT) were added as cosponsors of S. 1619, a bill to amend the Trade Act of 1974 to provide for periodic revision of retaliation lists or other remedial action implemented under section 306 of such Act.

S. 1656

At the request of Mrs. FEINSTEIN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1656, a bill to amend title XXI of the Social Security Act to permit children covered under a State child health plan (SCHIP) to continue to be eligible for benefits under the vaccine for children program.

S. 1710

At the request of Mr. HARKIN, the names of the Senator from Hawaii (Mr. AKAKA), the Senator from Missouri (Mr. ASHCROFT), the Senator from Montana (Mr. BAUCUS), the Senator from Indiana (Mr. BAYH), the Senator from Delaware (Mr. BIDEN), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Missouri (Mr. BOND), the Senator from California (Mrs. BOXER), the Senator from Louisiana (Mr. BREAUX), the Senator from Kansas (Mr. BROWNBACK), the Senator from Nevada (Mr. BRYAN), the Senator from Kentucky (Mr. BUNNING), the Senator from Montana (Mr. BURNS), the Senator from West Virginia (Mr. BYRD), the Senator from Colorado (Mr. CAMPBELL), the Senator from Georgia (Mr. CLELAND), the Senator from Maine (Ms. COLLINS), the Senator from North Dakota (Mr. CONRAD), the Senator from Idaho (Mr. CRAIG), the Senator from Connecticut (Mr. DODD), the Senator from New Mexico (Mr. DOMENICI), the Senator from Illinois (Mr. DURBIN), the Senator from North Carolina (Mr. EDWARDS), the Senator from Wyoming (Mr. ENZI), the Senator from Wisconsin (Mr. FEINGOLD), the Senator from Illinois (Mr. FITZGERALD), the Senator from Washington (Mr. GORTON), the Senator from Florida (Mr. GRAHAM), the Senator from Texas (Mr. GRAMM), the Senator from Iowa (Mr. GRASSLEY), the Senator from Nebraska (Mr. HAGEL), the Senator from North Carolina (Mr. HELMS), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Texas (Mrs. HUTCHISON), the Senator from Oklahoma (Mr. INHOFE), the Senator from Hawaii (Mr. INOUE), the Senator from Vermont (Mr. JEFFORDS), the Senator from South Dakota (Mr. JOHNSON), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Nebraska (Mr. KERREY), the Senator from Massachusetts (Mr. KERRY), the Senator from Louisiana (Ms. LANDRIEU), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Vermont (Mr. LEAHY), the Senator from Michigan (Mr. LEVIN), the Senator from Arkansas (Mrs. LINCOLN), the Senator from Florida (Mr. MACK), the Senator from Maryland (Ms. MIKULSKI), the Senator from Alaska (Mr. MURKOWSKI), the Senator from Washington (Mrs. MURRAY), the Senator from Oklahoma (Mr. NICKLES), the Senator from Rhode Island (Mr. REED), the Senator from Nevada (Mr. REID), the Senator from Virginia (Mr. ROBB), the Senator from Kansas (Mr. ROBERTS), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Delaware (Mr. ROTH), the Senator from Pennsylvania (Mr. SANTORUM), the Senator from New York (Mr. SCHUMER), the Senator from Alabama (Mr. SESSIONS), the Senator from New Hampshire (Mr. SMITH), the Senator from Oregon (Mr. SMITH), the Senator from Maine (Ms. SNOWE), the Senator from Wyoming (Mr. THOMAS), the Senator from Tennessee (Mr. THOMPSON), the Senator from South

Carolina (Mr. THURMOND), the Senator from New Jersey (Mr. TORRICELLI), the Senator from Ohio (Mr. VOINOVICH), the Senator from Virginia (Mr. WARNER), the Senator from Minnesota (Mr. WELLSTONE), the Senator from Oregon (Mr. WYDEN), and the Senator from North Dakota (Mr. DORGAN) were added as cosponsors of S. 1710, a bill to require the Secretary of the Treasury to mint coins in conjunction with the minting of coins by the Republic of Iceland in commemoration of the millennium of the discovery of the New World by Leif Ericson.

S. 1771

At the request of Mr. ASHCROFT, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1771, a bill to provide stability in the United States agriculture sector and to promote adequate availability of food and medicine for humanitarian assistance abroad by requiring congressional approval before the imposition of any unilateral agricultural medical sanction against a foreign country or foreign entity.

S. 1791

At the request of Mr. LIEBERMAN, the names of the Senator from Michigan (Mr. LEVIN) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 1791, a bill to authorize the Librarian of Congress to purchase papers of Dr. Martin Luther King, Junior, from Dr. King's estate.

S. 1795

At the request of Mr. CRAPO, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 1795, a bill to require that before issuing an order, the President shall cite the authority for the order, conduct a cost benefit analysis, provide for public comment, and for other purposes.

S. 1809

At the request of Mr. JEFFORDS, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1809, a bill to improve service systems for individuals with developmental disabilities, and for other purposes.

## SENATE RESOLUTION 118

At the request of Mr. REID, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of Senate Resolution 118, a resolution designating December 12, 1999, as "National Children's Memorial Day."

## SENATE RESOLUTION 212

At the request of Mr. ABRAHAM, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of Senate Resolution 212, a resolution to designate August 1, 2000, as "National Relatives as Parents Day."

## SENATE RESOLUTION 217

At the request of Mr. HUTCHINSON, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of Senate Resolution 217, a resolution relating to the freedom of belief, expression, and association in the People's Republic of China.

## AMENDMENT NO. 2359

At the request of Mr. BURNS, his name was added as a cosponsor of amendment No. 2359 proposed to H.R. 434, a bill to authorize a new trade and investment policy for sub-Saharan Africa.

## AMENDMENT NO. 2360

At the request of Mr. CONRAD, the names of the Senator from Wyoming (Mr. ENZI), the Senator from Missouri (Mr. ASHCROFT), and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of amendment No. 2360 proposed to H.R. 434, a bill to authorize a new trade and investment policy for sub-Saharan Africa.

# SENATE RESOLUTION 218—EXPRESSING THE SENSE OF THE SENATE THAT A COMMEMORATIVE POSTAGE STAMP SHOULD BE ISSUED RECOGNIZING THE 4-H YOUTH DEVELOPMENT PROGRAM'S CENTENNIAL

Mr. CRAIG (for himself, Mr. LOTT, Mr. COCHRAN, Mr. ABRAHAM, Mr. AKAKA, Mr. ALLARD, Mr. ASHCROFT, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BREAUX, Mr. BROWNBACK, Mr. BRYAN, Mr. BUNNING, Mr. BURNS, Mr. BYRD, Mr. CAMPBELL, Mr. CHAFEE, Mr. CLELAND, Ms. COLLINS, Mr. CONRAD, Mr. COVERDELL, Mr. CRAPO, Mr. DASCHLE, Mr. DEWINE, Mr. DODD, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. EDWARDS, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FITZGERALD, Mr. FRIST, Mr. GORTON, Mr. GRAHAM, Mr. GRAMM, Mr. GRAMS, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HATCH, Mr. HELMS, Mr. HOLLINGS, Mr. HUTCHINSON, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUE, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Mr. KERREY, Mr. KERRY, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MACK, Mr. MCCAIN, Mr. MCCONNELL, Ms. MIKULSKI, Mr. MOYNIHAN, Mr. MURKOWSKI, Mrs. MURRAY, Mr. NICKLES, Mr. REED, Mr. REID, Mr. ROBB, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. ROTH, Mr. SANTORUM, Mr. SARBANES, Mr. SCHUMER, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH of New Hampshire, Mr. SMITH of Oregon, Ms. SNOWE, Mr. SPECTER, Mr. STEVENS, Mr. THOMAS, Mr. THOMPSON, Mr. THURMOND, Mr. TORRICELLI, Mr. VOINOVICH, Mr. WARNER, Mr. WELLSTONE, and Mr. WYDEN) submitted the following resolution; which was referred to the Committee on Governmental Affairs:

## S. RES. 218

Expressing the sense of the Senate that a commemorative postage stamp should be issued recognizing the 4-H Youth Development Program's centennial.

Whereas the 4-H Youth Development Program celebrates its 100th anniversary in 2002;

Whereas the 4-H Youth Development Program has grown to over 5,600,000 annual participants, from 5 to 19 years of age;

Whereas today's 4-H Club is very diverse, offering agricultural, career development,

information technology, and general life skills programs;

Whereas these programs are offered in rural and urban areas throughout the world; and

Whereas the 4-H Youth Development Program continues to make great contributions toward the development of well-rounded youth: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) the United States Postal Service should make preparations to issue a commemorative postage stamp recognizing the 4-H Youth Development Program's centennial; and

(2) the Citizens' Stamp Advisory Committee should recommend to the Postmaster General that such a postage stamp be issued in 2002.

Mr. CRAIG. Mr. President, I rise to make a few remarks in support of the 4-H postal stamp resolution.

We must not fail to notice all the admirable efforts of youth today across the country. One fine example of young people joining together to make a positive impact in our country is the 4-H Youth Development Program. In the year 2002, 4-H will celebrate its 100th Anniversary. To recognize this national organization's achievements, I am submitting this resolution urging the U.S. Postal Service to create a stamp in honor of their centennial.

4-H is comprised of over 6 million youth, 45 million alumni, and over 600,000 volunteers. As the 4-H pledge states, they are working everyday to become positive members of "their clubs, their communities, their country and their world." Although this program started at the turn of the century focusing on rural agriculture and homemaking, today it boasts a diverse group with nearly a quarter of its members coming from central cities.

With programs in every state and 80 other countries, 4-H has demonstrated the importance of its ideals. Members follow the motto "To make the best better." Their mission is to create supportive environments enabling youth and adults to reach their full potential. In this way they become capable, competent and caring citizens. As a result, participation in 4-H programs has helped reduce violence, substance abuse, teen pregnancy, and unethical behavior in millions of youth.

Every state has seen the benefits of 4-H membership. A recent report, "Programs of Excellence" demonstrates this. Published by the USDA, the report highlights noteworthy 4-H programs in various states from New Jersey to New Mexico. In my state of Idaho, 4-H achieved recognition for its programs in youth development and ethics in agriculture. Idaho's "Know Your Government" conferences were applauded for giving youth positive attitudes toward government and increasing civic involvement and government knowledge.

This positive organization deserves our support and recognition. A centennial stamp issued by the U.S. Postal Service is the perfect way to honor and celebrate a job well done.