

CONGRATULATING "WE THE
PEOPLE" FINALISTS

HON. TOM BLILEY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 4, 2000

Mr. BLILEY. Mr. Speaker, on May 6–8, 2000 more than 1200 students from across the United States will be in Washington, D.C. to compete in the national finals of the We the People . . . The Citizen and the Constitution program. I am proud to announce that the class from The Governor's School for Government & International Studies from Richmond will represent the state of Virginia in this national event. Through dedication and hard work, these young scholars have earned the right to compete in the national finals where they will demonstrate their through understanding of the fundamental principles and values of our constitutional democracy.

The name of the students are: Loren Bushkar, Zachary Carwile, Joshua Chiancone, John Cluverius, Madeleine de Blois, Charles Dixon, Meredith Gaglio Matthew Gayle, Mathew George, Allen Hatzis, Emily Hulburt, Maryann James, Jason Karmes, Frankie Keller, Sarah Kiesler, Lindsey Lane, Kerin Lanyi, Theresa McCulla, Andi Monson, Daniel Myers, Benjamin Neale, George Nuckolls, Jonathan Phillips, Susannah Powell, John Sells, Kelly Stover, Alex Walthall, Milo Wical

I would also like to recognize their teacher, Phillip Sorrentino, who motivated his students to strive for excellence.

The We the People . . . The Citizen and the Constitution program is designed to ensure that young people understand the history and philosophy of the Constitution and Bill of Rights. The program provides students with a working knowledge of our Constitution, Bill of Rights, and the principles of democratic government by challenging them to apply their constitutional knowledge to everyday situations. Studying these historically significant documents has undoubtedly given the students at the Governor's School in Richmond a greater appreciation for the freedoms enjoyed by the citizens of this great nation. I applaud their diligence in exploring the meaning and significance of the very documents which serve as the foundation of our government.

I also share in their goal of fostering a greater awareness and understanding of our rights and responsibilities as Americans. I am the proud holder of the seat first held by James Madison, commonly referred to as the Father of our Constitution. Inspired by both the honor of holding this seat, as well as the enthusiasm of young students as the Liberty Middle School in Ashland, Virginia, I introduced the Liberty Dollar Bill Act, H.R. 903. This legislation, if enacted, will redesign the one dollar bill to incorporate the preamble to the Constitution of the United States, a list describing the Articles of the Constitution, and a list describing the Articles of Amendment. I feel certain that passage of the Liberty Dollar Bill Act will make more Americans familiar with their constitutionally protected rights while also rekindling the patriotic spirit of our Founding Fathers.

The class from The Governor's School for Government & International Studies is currently conducting research and preparing for the upcoming national competition in Wash-

ington, D.C. I wish these budding constitutional experts the best of luck at the We the People . . . national finals!

THE CONSUMER FINANCIAL
PRIVACY ACT—H.R. 4380

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 4, 2000

Mr. LAFALCE. Mr. Speaker, I am today introducing legislation to enhance the financial privacy rights of all Americans. This legislation, the "Consumer Financial Privacy Act," implements the privacy protections that were announced by President Clinton earlier this week. I am pleased to be joined in sponsoring this legislation by Mr. DINGELL, ranking member of the Committee on Commerce, Mr. MARKEY, Mr. FRANK, Mr. KANJORSKI, and many other of my House colleagues.

Individual privacy is one of the most important issues before the Congress and an issue of urgent concern for the American people. Clearly everyone should have the right to be left alone if they choose, or to be confident that their financial, medical and other personal information will not be disclosed, sold, or used without their consent.

We live in a world of electronic communications in which intimate details of every individual's financial and private life can be instantaneously transmitted anywhere around the world. This imposes a far greater responsibility on government to protect individual privacy more than ever before. And it is a responsibility that I believe government must fully exercise.

Last year the House enacted significant financial privacy protections as part of broader financial modernization legislation. While these privacy proposals were given little chance for passage a year earlier when I first introduced them, they were adopted by the House with an overwhelming 427-to-1 vote. These financial privacy protections were significant, going well beyond the limited protections in existing law for financial transactions, and well beyond the protections available for most other consumer transactions.

But we never intended last year's legislation to be the ultimate solution on financial privacy, it was only a first step. While it provided important notice and opt-out protections to prevent the selling or sharing of private information among unaffiliated companies, it failed to extend the same protection for information shared between a financial institution and its affiliates. While it prohibited the selling of credit card and account information for marketing, it did not provide a higher level of protection for other sensitive information such as medical or health records or information about payments and transactions. Democrats were united in attempting to add these additional protections to the legislation on the House floor and again in conference. Unfortunately, we were not successful.

The legislation outlined by President Clinton on April 30, 2000, which we are introducing today, completes the promise of that previous effort, and takes another gigantic step toward achieving an absolute right of financial privacy for all Americans. It extends the principles of notice and opt-out for all information shared

between a financial institution and all affiliated companies. It provides a higher level of protection, an "opt in" requirement, for sensitive medical and health-related information that could affect financial decisions, as well as for individualized information describing spending habits or transactions.

The bill creates new rights for consumers to find out what information is being collected about them by their financial institution and to correct or delete inaccurate or outdated information. It requires timely disclosure of an institution's privacy policies to permit consumers to comparison shop among financial service providers that offer the best protections. And it makes these private protections fully enforceable by augmenting the enforcement authority of the Federal Trade Commission and by permitting State Attorneys General to bring legal actions on behalf of state residents to prevent violations.

Mr. Speaker, I believe this is balanced and reasonable legislation that is the product of months of careful consideration. It is legislation that the American people clearly want and deserve. I invite my colleagues on both sides of the aisle who believe that every American has a right to their personal privacy to join with me in supporting this important and much needed legislation.

TRIBUTE TO THE FREE THAI

HON. PORTER J. GOSS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 4, 2000

Mr. GOSS. Mr. Speaker, on May 8, 2000, the Director of Central Intelligence will present Agency Medallions to five members of the Free Thai Movement at the George Bush Center for Intelligence. In addition Agency Medallions will be awarded to thirty-eight Free Thai members or their survivors.

In December, 1941, following the bombing of Pearl Harbor, Tokyo turned its attention to Southeast Asia. After a token resistance, Thailand's leader, Field Marshal Phibun Songkhram, signed an alliance with Japan which sanctioned a Japanese military presence throughout the country. In January, 1942, under pressure from Japan, Bangkok sent a diplomatic note to the Thai minister in Washington, M.R. Seni Pramoj, directing him formally to declare war on the United States.

Instead, Seni pocketed Bangkok's diplomatic instructions and launched a bold plan to aid the Allies in the liberation of Thailand. Under his guiding hand, and the leadership of General William Donovan's fledgling intelligence and clandestine warfare organization (the Organization of Strategic Services—OSS) the Free Thai movement was born. Seni brought young Thai student volunteers from universities across the United States together into a "Free Thai" command which was to serve under Donovan's OSS.

The Free Thai were among Thailand's best and brightest. They risked their lives in abandoning scholars' robes at Cornell, Caltech and MIT in favor of jungle fatigues and rifles. Trained by the OSS, they were dispatched into Thailand by submarine, seaplane and air-drop. Some walked overland from China to make contact with a nascent resistance and prepare the way for Thailand's liberation. The

first volunteers dispatched were captured or killed, but on October 5, 1944, the OSS Detachment in Szemao, China, received a radio message from Free Thai agents who had successfully made contact with the resistance. For the remainder of the war, intelligence flowed out of Bangkok. The Free Thai volunteers, working hand-in-hand with the OSS, provided accurate information on Japanese military deployments, rescued captured Allied soldiers, and prepared the ground for the eventual Japanese surrender. We would like to recognize and commemorate their bravery.

INTRODUCTION OF CONSUMER FINANCIAL PRIVACY ACT

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 4, 2000

Mr. MARKEY. Mr. Speaker, I am pleased to join today with the gentleman from New York (Mr. LAFALCE), the gentleman from Michigan (Mr. DINGELL), the gentleman from Missouri (Mr. GEPHARDT) and others to introduce the Clinton-Gore financial privacy proposal.

The American public wants stronger privacy protections. The public wants, at minimum, the right to block a financial institution from transferring information it has gathered about them to both affiliates and third parties—an across-the-board “opt out.” And they want a stronger level of protection for medical information and information about personal spending habits—an “opt-in.” The legislation we are introducing today would provide these protections.

As Chairman of the bipartisan, bicameral Congressional Privacy Caucus, I can also say that there are many Republican members in both the House and Senate who are willing to work with Democrats to enact the type of strong financial privacy protections that are contained in the President's bill. I look forward to working with them towards that end.

But the real question is: will the House and Senate Republican leadership continue to stand with the big banks, brokerage houses, and insurance companies in opposing meaningful privacy protections, or will they allow a debate out on the floor of the House and the Senate on the President's proposal to give the people some measure of control over who gets access to the most sensitive details of their personal lives? I hope that we can have early hearings and action on this bill, so that we can close down the gaps left in last year's banking bill—as the President pledged last year.

Here's what our bill would do:

First, with respect to affiliate sharing under last year's banking bill, consumers have no right to block a financial institution from transferring nonpublic personal information about them to an affiliate. The bill we are introducing today would change that by giving consumers an “opt out” right for both affiliates and non-affiliated third parties.

Second, under last year's banking bill, consumers were given the right to “opt out” of having a financial institution transfer their personal information to nonaffiliated third parties. However, there was a giant loophole in this provision that allowed financial institutions to transfer such information with no consumer “opt out” if they were transferring it to another

financial institution with whom they had a joint marketing agreement. This provision was put in at the behest of small banks who argued that since the large banks were allowed to do affiliate sharing with no opt out, that they should be able to contract with insurance companies or securities firms to cross-market to the consumer with no opt out as well. Since our bill now subjects affiliate sharing to the “opt out” requirement, it makes sense to get rid of this loophole as well.

Third, under last year's bill, there were no protections for health care information or for especially sensitive detailed information about a consumer's spending habits. Under the President's proposal, a financial institution would have to obtain the consumers' prior consent (“opt-in”) before it could obtain, receive, evaluate or consider medical information from an affiliate or third party. An opt-in would also have to be obtained before a financial institution could transfer information about a consumer's personal spending habits (i.e., every check you've ever written and to whom, every charge on your credit or debit card and for what) or any individualized description of a consumer's interests, preferences, or other characteristics.

Fourth, last year's banking bill failed to give consumers any right whatsoever to obtain access to or to correct the nonpublic personal information that a financial institution had collected about them and was disclosing to its affiliates or to nonaffiliated parties. The President's proposal would assure that consumers would have the right to obtain such access and that a financial institution would have to correct any material inaccuracies. Institutions would be permitted to charge a reasonable fee for providing a copy of such information to the consumer.

Fifth, last year's banking bill failed to give the State Attorneys General any power to enforce compliance with the Act, in contrast to many other consumer protection statutes (i.e., the Telephone Consumer Protection Act) that provide for such concurrent enforcement. The President's proposal would make financial institutions that are subject to the jurisdiction of the Federal Trade Commission (i.e., anyone who is not a bank, an insurance company, or a securities firm; someone like a check cashing service), also subject to enforcement by the state attorneys general. In addition, last year's banking bill failed to specify whether a violation of a financial institution's privacy policies would be considered to be a violation of the Act. The President's proposal would make an action a violation of the Act, and would clarify that a violation of any requirement of the Act would be considered to be an unfair or deceptive trade practice.

Sixth, last year's bill required financial institutions to give a consumer a copy of their privacy policy at the time of the establishment of a customer relationship with the consumer. The President's proposal would require that financial institutions provide a copy of their privacy policies to any consumer upon request and as part of an application for a financial product or service from the institution. This will help consumers compare the privacy policies offered by various institutions.

While this bill does not go quite as far as the legislation I introduced last year, H.R. 3320 in adopting an across-the-board opt-in requirement, it is otherwise largely patterned after that proposal, including the provisions to

close the affiliate sharing and joint marketing loopholes, provide access and correction rights, and strengthen enforcement. Moreover, I believe that the Administration's proposal to adopt and across-the-board opt-out, but then establish a higher level of protection for medical information and information about personal spending habits is an equitable compromise that gets to the most sensitive information. This is a good proposal. It deserves to become law, and I urge all of my colleagues to give it their support.

TAXPAYER BILL OF RIGHTS 2000

SPEECH OF

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 11, 2000

Mr. MOORE. Mr. Speaker, many Americans have lost faith in our political system. Routinely, half of those eligible to vote don't. People feel our political system is at best irrelevant, and at worst shot full of corruption. Our country is better than that and deserves congressional leadership that takes responsibility for finding solutions to this problem.

Last September the House of Representatives overwhelmingly passed Shays-Meehan, which would have drastically reformed the campaign finance system. It would have gotten rid of soft money and severely limited independent expenditures, but similar efforts died in the Senate due to the actions of a very small minority.

Though Shays-Meehan remains a necessary reform, a new type of political organization threatens the integrity of our electoral process. Known as “527s,” and named after the provision of the tax law under which they are created, these organizations contend they can accept unlimited funds and never disclose the names of donors, the amount of contributions, or how the money is spent. This is possible because while these groups qualify as political committees under the tax code, they are not subject to the jurisdiction of the Federal Election Commission (FEC). These organizations have caught the eye of many observers, not the least of which is the Joint Committee on Taxation, which made note in a recent report of this disturbing trend in non-profit disclosure.

When I was running for Congress, people told me how fed up they were with “the system.” Though the term meant different things to different people, for most it was campaign finance laws that allow precisely this type of anonymous political activity. The consequences are a public cynicism and apathy that eat away at voter participation, and cause citizens to tune out discussions of very serious issues. It has turned a whole generation of young people away from politics as a means of government and social change.

Simply put, the current campaign finance law alienates voters. I am hoping new legislation I've written will not only begin to restore the public trust, but will also take congressional seats off the 527 auction block.

The Campaign Integrity Act of 2000 (H.R. 3688), cosponsored by 51 of my House colleagues—including my good friend, LLOYD DOGGETT—would require 527s to meet the disclosure and reporting requirements of the Federal Election Campaign Act. This proposal