

keep that promise. This calls for concrete, bipartisan legislation that takes a discernible step forward. Our Nation's veterans deserve nothing less. They deserve health care, especially as so many World War II, Korea, and Vietnam era veterans depend on the promise of the Government of the people that they fought so hard to protect.

I urge my colleagues to take a look at this legislation. I thank Senator WARNER for the work he and his staff have done on this bill, as well as my staff who have worked on the Military Health Care Improvement Act of 2000.

I am thankful we have a bipartisan group of Senators who have cosponsored it. I think this is achievable legislation this year. It is the beginning of keeping our promise.

I commend this legislation to my colleagues.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EXTENSION OF MORNING BUSINESS

Mr. LOTT. Mr. President, since the next order of business is the education savings account bill and those Members are currently involved in a very important Finance Committee hearing with regard to China trade, I ask that the morning business period be extended until 2 p.m. today under the same terms as previously ordered.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EDUCATION SAVINGS ACCOUNTS

Mr. LOTT. I inform our colleagues that the managers on this legislation, the chairman of the Finance Committee and the ranking member, Senator MOYNIHAN, will be available at 2 o'clock and we will begin the process to consider the education savings account bill. I certainly support this legislation. It has broad support across the country. We did pass it a couple of years ago. It was vetoed by the President. But it is a bill whose time has come.

People should be able to save for the education of their children, for their needs in education—whether kindergarten, 4th grade, 10th grade, or 12th grade. We need to allow parents who can and want to, to save for their needs, whether it is a computer for their child, whether tutoring, remedial assistance in reading, or whatever it may be. It is unconscionable that we can do that for a child's higher education but not for their education needs in the fourth grade.

Some say it will benefit middle-income people and upper-income people

who can afford to save for their children's needs. That is fine. The important thing is to help our children, all of our children, at the lowest economic level, but also to encourage savings across the board for education in general.

I am glad we will have this full debate. I commend Senator COVERDELL for his pertinacious support for this legislation. He is dogged. He will not quit. I predict this bill will become law.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. TORRICELLI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BURNS). Without objection, it is so ordered.

#### INTERNET PRIVACY

Mr. TORRICELLI. Mr. President, if Americans knew that every time they walked through their local shopping mall or wandered through the shopping district of their hometown their movements were being tracked, every purchase was being recorded, and every conversation was being monitored, they would be outraged. Americans would consider this level of surveillance a violation of their most basic constitutional right. Yet that very expectation of privacy we expect in our traditional shopping in the local mall, or our visiting with friends, or searching for information in our hometown is exactly what is not happening in the shopping center of the 21st century in cyberspace.

Whenever a citizen ventures online to pay a bill, seeks medical advice, purchases a product, checks the latest news, or engages in a conversation on the Internet, there is a chance that someone is gathering information about us, recording their information, and then selling it, or giving it to others. It is a very disturbing new look at a very exciting new technology.

Indeed, there are companies now being formed for the specific purpose of monitoring our travels through cyberspace and recording this very information.

The situation, while unsettling, does not need to necessarily be menacing. Marketing both online and offline is very common in our daily lives. By collecting some of this information, businesses, indeed, can benefit, if they know the kind of products we want, what our tastes might be, our sizes, and our preferences in what we want to read and want to purchase. The question is whether consumers can control that information because, indeed, companies having access to this information can be more efficient and allow our time to be used more efficiently. I may want a retailer of clothing to know the kind of clothes I want to buy

so that I receive the proper advertising. I may want a book company to know the things that I like to read and my areas of study so I can receive products more properly.

That is having information used at its best. One can only imagine how it can be used at its worst.

This information about what I want to read in the wrong hands can reveal my most private political thoughts that I would rather have others not know. It could reveal sexual orientation or party affiliation. Indeed, if I seek medical advice online for psychiatric care or for a disease for myself or a child or a mate, it very well probably would be information I wouldn't want generally available to other people for commercial purposes, political purposes, or worse.

Too often web sites underinform or misinform the public about how they intend to use this information or have presented work to be used improperly or where it can be misused. The fact is that over 90 percent of our most popular web sites do not reveal that they gather and share consumer information with other businesses. And if the public knew that 90 percent of these sites were sharing this information, we as consumers and citizens would be more careful about what we reveal or what we purchase.

A 1999 Georgetown survey also concluded that only 36 percent of leading web sites that admit to gathering information fully explain how they intend to utilize it. So the consumer, the citizens, are not able to make an informed decision about what information they are providing and what risks they might be taking.

Many consumers are now being informed through the popular media that without our consent or knowledge, programs known as "cookies" monitor and collect information regarding our web site browsing habits.

Personal data is also routinely extracted directly by web sites whenever we transmit the information required to purchase a product or surf the net for a specific topic.

In both cases, our actions are monitored and our information will be shared unless we specifically request that a company do not do so, a process known as opting out.

Opting out requires that a user directly contact a site to decline disclosure. The problem with opting out is that the location on web sites where one clicks to opt out, to take your information out of circulation, is often not prominently displayed and therefore is not known by the consumer.

One leading marketing company that tracks 80 million online consumer profiles has revealed it receives an average of only 12 opt out requests per day; 80 million customers, 12 opt out per day.

It is unlikely that only 12 people are concerned about privacy of their purchases or other vital personal information. I suggest to the Senate it is much more likely that the opt out location

on the web page is obscured or in some form inadequate.

Privacy policies meant to inform users of both the scope and scale of this information are very often inaccessible. A recent California Healthcare survey of 21 popular health care sites reveals many sites have secretly shared personal health information with marketers despite the fact that privacy policies were posted. Often the opt out sites are not adequately displayed. They often are misleading. Sometimes, as this study by California Healthcare indicates, they are just plain dishonest.

There are, however, solutions. I believe these solutions are important to protect privacy. I remind those who are now marketing on the Internet and share my enthusiasm for the potential of the Internet for economic purposes that we have a common interest. If consumers do not believe their interests are protected regarding safeguarding their most vital personal information, the Internet will never reach its true economic potential. This point bears repeating. This is vital for privacy in our society and personal confidence in the Internet, but it is equally vital for the Internet in meeting its economic potential.

Great segments of this society are going to be reluctant to purchase books, health care products, seek information, and exchange ideas if they do not know whether the information is safeguarded. It is no different than citizens using the telephone to convey information, exchange political ideas, or purchase products, if citizens did not have some idea that their every phone conversation wasn't being monitored. It wouldn't be any different than citizens visiting the local shopping mall, meeting friends, engaging in conversations, going to restaurants, or purchasing products, if they knew that over their shoulder someone was recording everything they did and everywhere they went. This is vital economically as well for the privacy of our citizens if this new, wonderful technology is to meet its economic potential.

To deal with this problem, I have introduced S. 2063, the Secure Online Communication Enforcement Act of 2000. This legislation is not a final product, I stress to privacy advocates and to the Internet industries and online companies. It is not a final product. It is establishing, I hope, a national dialog first to educate ourselves about the privacy problem in cyberspace. It is a beginning document to which I invite comment and amendment. Its purpose is simply to begin collecting ideas of how to enhance privacy. But it is built on the concept of opting in versus opting out; that is, that the consumer, the citizen, must make a choice about whether they want this information shared. So the consumer, the individual, holds the power.

If I believe a company can better market to me—and, indeed, I believe a company can better market to me if

they know my taste in music, my taste in reading, my taste in clothing or automobiles—I can decide that I want that information shared, given to other companies, and come back to me with good information. However, if I don't want something shared—perhaps I have gone online with a health care company and I prefer my health information not be shared—I do not opt in, I do not give anybody the right to give that information.

A second vital part of this bill: I strongly believe government oversight and regulation of the Internet should be kept to a minimum. That is one reason I have opposed steadfastly a sales tax on Internet purchases. This is one area of American life where the government should keep its presence to an absolute minimum in taxation and regulation. For that reason, this legislation is self-enforcing. No government bureaucracy will be calling if there is a violation. If, indeed, a company violates a citizen's privacy, the right of action is with the citizen, not the government. There is a legal right of action when sharing my personal information which I have said will not be shared. If I did not give anyone that right, then I as a citizen will hold them liable for doing so.

Those twin pillars are: As a citizen, I decide whether to share my private service; second pillar, as a citizen, I and not the government have the right of action to enforce it.

I have introduced this new legislation to begin this dialog, S. 2063, the Secure Online Communication and Enforcement Act of 2000. I hope it is helpful to my colleagues. I hope a good and worthwhile debate proceeds in the Senate, in our country, and, mostly, within this vital industry. If we can get this right, we not only do service to our people by protecting their privacy, as is our cultural and constitutional tradition, we also do a great deal to reinforce public confidence in the Internet, cyberspace, as a new arena of economic commerce and competition. We can bring the Internet to reach its true economic potential.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DODD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ALLARD). Without objection, it is so ordered.

Mr. DODD. Mr. President, parliamentary inquiry: What is the business before the Senate?

The PRESIDING OFFICER. The Senate is in morning business.

Mr. DODD. Mr. President, are there limitations on the amount of time Members are allowed to speak?

The PRESIDING OFFICER. Ten minutes.

## EDUCATION

Mr. DODD. Mr. President, while legislation is not presently pending before the Senate, I understand that the leadership intends to soon call up an education proposal by Senator COVERDELL, a tax cut that would allow families with an adjusted gross income of up to \$95,000 for single filers, \$150,000 for joint filers, to make contributions to individual retirement accounts up to \$2,000 per child for K-12 education expenses, including private school tuition, during the tax periods from the year 2000 to 2003. As I understand it, the revenue loss of this proposal is somewhere in the neighborhood of \$1.3 billion. I believe I am correct in so characterizing this proposal.

First of all, I am somewhat surprised this legislation is coming up at this time. We are about a week away from the education committee of the Senate reporting out, I hope, a bill on elementary and secondary education. We are required under law to authorize the Elementary and Secondary Education Act once every 5 years. That bill actually tolled last year but obviously we are still in this Congress, so we have an obligation to report to our colleagues our thoughts and solutions on the needs in elementary and secondary education in this country. The Committee on Health, Education, Labor, and Pensions, of which I am a member, has held something in the neighborhood of 20 to 25 hearings over the last year and a half on this legislation, and I have listened to literally dozens and dozens of witnesses about how we can do a better job improving the quality of education in this country.

I know in the last week or so, in surveys done by polling operations that are both of the Democratic persuasion and the Republican persuasion, they have indicated what most of us knew already, that education is the single most important issue the American public thinks we need to address. I think the numbers were 38 percent of the American public listed education as the lead priority issue that Congress ought to deal with, on which the American people would like to see us focus more attention. Education placed higher than the public's concerns about Social Security and Medicare by some three points, and health care by seven points. Those were the top three responses: education, Social Security, and Medicare, and health care generally, with education surpassing those concerns with some 38 percent.

It is appropriate this Congress deal with education. What I am stunned by is that 1 week away from action by the major committee charged with the responsibility of dealing with education issues, the leadership has decided to bring up the Coverdell bill rather than waiting for the committee product to come out, after having waited now a year and a half for it. So on one level I am disappointed that the leadership has decided to bring up this legislation prior to the education committee's