

regulations. What group is this? Attorneys.

Attorneys already are bound by a duty of confidentiality enforceable under the laws of all 50 States that prevents misuse of client information and provides a higher degree of privacy than Gramm-Leach-Bliley. For example, lawyers in my home State of Illinois are prohibited from releasing confidential information. Our code reads, "Except in certain specified circumstances, a lawyer shall not, during or after termination of the professional relationship with the client, use or reveal a confidence or secret of the client known to the lawyer unless the client consents after disclosure."

And Illinois is no exception. All 50 States have equally restrictive language. In all 50 States, lawyers who violate these laws face disbarment and/or other penalties that are much more onerous than those for a violation of title V under Gramm-Leach-Bliley.

Do attorneys significantly engage in financial activities as defined by the FTC? Yes. Some attorneys do give tax planning advice. Others may handle debt collection cases. Still others may take up cases relating to the other two named financial activities, providing financial advice or leasing real or personal property. Yet in order to comply with the privacy provisions under Gramm-Leach-Bliley, these attorneys now run the risk of violating the client confidentiality restrictions placed on their profession.

Every attorney who engages in any of the four defined financial activities for a noncorporate client must mail to that client a privacy notice, every year for as long as he or she is in business. And what does that privacy notice convey? It informs clients that they may direct their attorney not to share their personal information with other entities, the so-called opt-out provision of Gramm-Leach-Bliley. Yet the attorney-client confidentiality relationship is by nature an opt-in protection. In short, for attorneys, the very act of disclosing a privacy policy can create a confidentiality violation.

It was not the intent of Congress to regulate attorney-client relations. Our intent was to regulate the growing use and sale of consumers' personal information for marketing, profiling and other commercial purposes by bona fide financial institutions. At the end of the day, our bill will make the intention of the Gramm-Leach-Bliley Act crystal clear. The scope of the law was not intended to include law firms and sole practicing lawyers.

I urge my colleagues to support this legislation.

Mrs. MALONEY of New York. Mr. Speaker, I rise today in support of legislation that I am introducing with my colleague JUDY BIGGERT of Illinois, the Judicial Code of Conduct Privacy Clarification Act. This legislation resolves the continuing controversy as to whether attorneys at law, who are subject to strict codes of professional conduct, should be subject to the privacy section of the Gramm-Leach-Bliley

Act. The Biggert-Maloney legislation recognizes that the practice of law and the business of financial services are wholly different and that Gramm-Leach-Bliley should be clarified to recognize this distinction.

Protecting personal privacy should be one of the highest priorities of Congress. Whether online, over the phone or in person, I believe that individuals should be allowed the maximum control over information they supply to financial services and other companies.

With passage of Gramm-Leach-Bliley in 1999, Congress took a small first step in ensuring that consumer privacy is protected as financial institutions continue to merge and as the economy grows increasingly digital. As a member of the then-Banking Committee, I was proud to play a role in requiring that financial services companies supply their customers with privacy policies and allow customers the right to opt-out of information sharing with third-parties. These were groundbreaking provisions that future Congresses should work to expand.

Unfortunately, since enactment, Gramm-Leach-Bliley has caused significant confusion for the legal community. On February 11, 2002, I joined 12 of my bipartisan colleagues on the Financial Services Committee in writing to the Federal Trade Commission (FTC) to ask that it grant attorneys an exemption to the Gramm-Leach-Bliley privacy provisions. As we wrote at the time, "Attorneys are already bound by a duty of confidentiality, enforceable under the laws of all 50 states, that prevents misuse of client information and provides a higher degree of privacy protection than Gramm-Leach-Bliley." After a thorough review, the FTC determined that it does not presently have the authority to grant the exemption we requested.

The privacy protections in Title V of Gramm-Leach-Bliley were a response to specific cases where consumers' private, personal financial information was mined without their consent in an effort to market their products. Where Title V is an appropriate response to such egregious cases, it is inappropriate to apply it to most lawyers whose clients already expect that all their disclosures are confidential, covered by State codes of ethics and attorney-client privilege.

For example, the Legal Aid Society of New York City had to translate its privacy notice into many different languages to serve its ethnically diverse clientele. It also had to devote an inordinate amount of time to dealing with confused clients who couldn't understand why they were getting privacy notices from their lawyers when everything they tell their lawyers is presumed to be confidential. I fear this could have a chilling effect on the willingness of these individuals to share critical information with their attorneys. The confusion these privacy notices are causing in New York is unnecessary given that there is express language forbidding the sharing of client information in the New York State Ethics Code for lawyers.

I join Representative BIGGERT in introducing this legislation today because it is my intention to target this limited area where the interpretation of Gramm-Leach-Bliley can be improved by a legislative fix. The FTC's standing interpretation of Title V of the Act is causing confusion that is determined to the attorney-client relationship. It is appropriate for Congress to intervene. I have met with numerous constitu-

ents from New York City on this issue and am convinced that attorneys should not fall under the existing language. I do understand that it is late in the congressional session and I invite interested parties to work with me to improve the legislation in the coming year.

I look forward to continuing to work to safeguard the privacy of my constituents in the coming Congress. I emphatically do not support any rollback of the progress that has been made on privacy. This legislation is limited and strictly targeted. As for the larger privacy issues—the American public deserves more privacy protections, not fewer.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. FILNER) is recognized for 5 minutes.

(Mr. FILNER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

IRAQ AND THE WAR ON TERRORISM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. GRUCCI) is recognized for 5 minutes.

Mr. GRUCCI. Mr. Speaker, on September 20, 2001, before a joint session of Congress, President Bush declared, and I quote, our war on terror begins with al Qaeda but it does not end there. It will not end until every terrorist group of global reach has been found, stopped and defeated. This principle rallied the world to support the war on terrorism. Today, we must remind ourselves of this principle as America considers action against Iraq. We must remember that the actions of Saddam Hussein are nothing short of terrorism. Until he is removed from a position of power and influence, Americans will not be safe and the war on terrorism will not be won.

On September 16, 2002, Iraq delivered a letter to the United Nations allowing U.N. weapons inspectors unconditional access to Iraq. While the recent letter from Iraq may be received as good news by some, it is important to place this action in the appropriate historical perspective.

A quick reminder of 1998 when Saddam Hussein forced weapons inspectors out of Iraq is enough to understand that the latest move is nothing more than theatrics that will only give Iraq additional time to stockpile and hide weapons of mass destruction to avoid detection.

In May of 1991, Iraq accepted United Nations resolution 687, giving inspectors unconditional access to Iraq. In the years that followed, Iraq contradicted their unconditional pledge to support resolution 687 with the following actions:

June of 1991, Iraqi personnel prevent inspectors from approaching by firing warning shots.

October of 1991, Iraq refuses to accept United Nations resolution 715 calling for additional unconditional access for inspectors.

February of 1992, Iraq refuses to allow the destruction of certain facilities used in weapons programs.

April of 1992, Iraq calls for the end of surveillance flights and threatens the safety of pilots.

June of 1993, Iraq refuses to allow remote controlled monitoring cameras at two missile engine sites.

March of 1996, Iraq refuses access to five inspection sites designated for inspection.

June of 1996, Iraq denies access to sites under investigation.

June of 1996, Iraq denies access to another inspection team.

November of 1996, Iraq refuses to allow inspectors to remove missile remnants for analysis.

June of 1997, Iraqi personnel attempt to physically prevent a helicopter pilot from flying to inspection areas.

June of 1997, Iraq denies access to inspection sites.

September of 1997, an Iraqi officer attacks inspectors photographing unauthorized movements of Iraqi vehicles.

August of 1998, Iraq announces that they will refuse to agree to any United Nations resolutions until the oil embargo is lifted.

In fact, Iraq has violated 16 United Nations resolutions and sanctions. Sadly, I believe that future inspections will once again be met with blatant defiance and further problems.

Removing Saddam's weapons of mass destruction will only occur when we remove Saddam Hussein. Just in the last several days, Iraq stated that it will not accept any new United Nations resolutions. Furthermore, Iraqi officials have already started adding conditions to their allowance of unconditional access.

We must not allow ourselves to be led down that same path of noncooperation that Iraq has led the world down in the past. We do not need to look beyond Iraqi defectors, many from within Saddam's nuclear program, to learn that Saddam Hussein is dangerously close to obtaining nuclear weapons and has advanced considerably in his biological and chemical weapons programs. I do not believe that we should have to wait for another United States city to be devastated, a military base to be targeted or even to be attacked in order to respond to the threat of Saddam Hussein. Every minute we delay only brings this enormous threat closer to reality.

Mr. Speaker, I applaud the President's actions to come to the Congress and seek the Congress's approval. As freedom-loving nations continue to eliminate international terrorism, this war will not end until every terrorist group of global reach has been found, stopped and defeated.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. KUCINICH) is recognized for 5 minutes.

(Mr. KUCINICH addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

PAUL ESPINOSA RESOLUTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mrs. DAVIS) is recognized for 5 minutes.

Mrs. DAVIS of California. Mr. Speaker, I rise today in strong support of my resolution recognizing the contributions of my constituent from San Diego, Paul Espinosa, to both the Latino and the arts community. A few years ago, a study conducted by a leading Latino nonprofit concluded that representation of Hispanics in mainstream network television decreased during the last 30 years. The few roles that were held by Latinos often depicted them as criminals, maids or gardeners. Paul Espinosa observed this disturbing trend 20 years ago and dedicated himself to making documentaries and films about Hispanic Americans. He applied his academic background in anthropology to media and developed textured depictions of Hispanics.

The results have made Paul Espinosa one of the country's most respected and recognized documentary filmmakers. His works, to name a few, include the Lemon Grove Incident, the Hunt for Pancho Villa, and the Earth did not swallow him, Uneasy Neighbors, and The Border. The characters and experiences in his films are as diverse as the Latino community itself. He chronicled the story of a controversial 19th century New Mexico priest, the defining summer in a young migrant boy's life, and the actions of parents in Lemon Grove, California fighting for their children's education. Through these films, Paul Espinosa shows that Latinos possess a complex and dignified history. These previously untold stories examine the social issues surrounding the protagonists and provide a history lesson for all their viewers.

Many consider Paul Espinosa's films catalysts for important cultural dialogue. These films are so highly regarded that they have become the basis for film festivals bearing his name in Texas and California. Academia has also recognized Paul Espinosa's films for their contributions to education. Various high schools and universities include some of his films in their curriculum. Paul Espinosa, who holds a B.A. from Brown University and a Ph.D. from Stanford University, was named a Regents Lecturer at the University of California San Diego in 2000 and is frequently asked to lecture at numerous universities on his films.

Besides his work as a filmmaker, Paul Espinosa is a media arts activist. He is strongly dedicated to enabling an

upcoming generation of filmmakers. His involvement with the Media Arts Center of San Diego and the Association of Independent Video and Filmmakers speaks to his commitment to support aspiring media artists and increase the visibility of traditionally underrepresented groups.

One of the Media Art Center's most promising initiatives is the Teen Producer's Project. It teaches young people artistic and analytical skills by emphasizing effective communication through the use of digital video, interpersonal skills and creative writing.

Paul Espinosa has defined his career by making films that tell a meaningful story. His films have spurred discussion and challenged its viewers to reexamine their perceptions of Hispanic Americans.

I hope you, Mr. Speaker, and all of my colleagues will join me in honoring this community artist, his accomplishments in the media arts and his triumphs for the Latino community.

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MAKING AMERICA INDEPENDENT OF MIDDLE EASTERN OIL

The SPEAKER pro tempore (Mr. PUTNAM). Under a previous order of the House, the gentleman from Massachusetts (Mr. TIERNEY) is recognized for 5 minutes.

Mr. TIERNEY. Mr. Speaker, there has been much debate on how the United States should proceed with Iraq. I rise to draw attention to an issue that is critical to this decision-making process.

As we debate how and whether to take military action in Iraq, I should hope that we could all agree to take economic action against Saddam Hussein. Now, it is clear that the United States is overly dependent on foreign oil. The United States presently imports 48 percent of the 19.7 million barrels of oil it consumes each day. Of that total, approximately half a million barrels come from Iraq.

Now is the opportunity to pursue a policy of making America independent of Middle Eastern oil. To do this, we have to aggressively pursue new technologies and development of renewable energy, biomass, geothermal, hydropower, solar and wind. A renewed effort toward policies that encourage reduced reliance on fossil fuels and more secure sources of dependable energy would mean the creation of jobs that would strengthen our economy and better serve our national interests.

Now is the precise moment for the United States to shed its dependency on any Iraqi oil and work toward a future when our domestic energy policy plays a role in how we implement strategic initiatives.

Already we are told that Saddam Hussein does not use the proceeds from the sale of oil to feed his population or to provide medical needs for his people. We are told instead that the profits