

the history of the U.S. Congress. We will mark that occasion on Wednesday when her family and friends will be present here in the Capitol. I have prepared detailed remarks for that occasion, but I thought it was important that we note very briefly here today this milestone in the history of our country.

Last January BARBARA MIKULSKI surpassed Margaret Chase Smith from Maine as the longest serving woman in the Senate. On Saturday, March 17, she will surpass Congresswoman Edith Nourse Rogers from Massachusetts as the longest serving woman in Congress.

#### SMALL BUSINESS

Mr. REID. Mr. President, this week the Senate has demonstrated that when Democrats and Republicans cooperate, we are capable of achieving significant results for this country. We passed a transportation bill that will create or save almost 3 million jobs—and these are American jobs—and rebuild our Nation's crumbling infrastructure. Yesterday we chartered a course to confirm 14 new judges in the short term and a path for getting more done following that, and this is important because our Federal courts are overworked and understaffed.

We agreed that Congress should continue its work to improve the economy. To that end, the Senate will move today to a piece of legislation that will improve innovators' access to capital and give startups the flexibility they need to hire and to grow. This bill passed the House by an overwhelming margin. President Obama supports this measure, and both Democrats and Republicans are eager to get to work to pass it next week.

In addition to the small business capital legislation, Democrats will also advance a proposal to help American businesses sell more of their products overseas. Reauthorization of the Export-Import Bank—or Ex-Im Bank, as it is called—will help small businesses export globally. Not only will it help small businesses, it will help large businesses such as Caterpillar and Boeing. These companies really need this to continue the job creation they have been involved in now for the last several years. As an example, last year Ex-Im Bank financed almost 300,000 private sector jobs at more than 3,600 different American companies in more than 2,000 communities throughout America. Foreign governments often provide the financing for companies that compete with American businesses. We need to do this to be more competitive. Ex-Im Bank levels the playing field by being available to help American exporters when private lending is not available. Unless we reauthorize the bank, it will hit its lending limit this month, eliminating support for American exporters.

The Export-Import Bank has always had strong bipartisan support, and the Democrats' legislation reauthorizing

this measure has the firm backing of the Chamber of Commerce and organized labor. This is a strong combination that equals one result; that is, jobs.

Advancing these two items—the Ex-Im Bank and the small business capital bill—will continue the important bipartisan work we have done this week to get our economy back on track.

I am pleased that Democrats and Republicans in the Senate have been able to find common ground. President Franklin Roosevelt said:

Competition has been shown to be useful up to a certain point and no further, but cooperation, which is the thing we must strive for today, begins where competition leaves off.

I think we have shown this week that achievement comes when Members all strive, as President Roosevelt said, not to compete but to cooperate.

#### RESERVATION OF LEADER TIME

Mr. REID. Would the Chair announce the business of the day.

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period of morning business until 11 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half hour and the Republicans controlling the second half hour.

Mr. REID. Mr. President, I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### CONSUMER PROTECTION

Mr. BLUMENTHAL. Mr. President, consumer protection has been a priority for me throughout my career, as I know it has been for the Presiding Officer. Both he and I served together as attorneys general, and now as Senators he and I have worked to give consumers a voice against companies that harm them through deceptive and dangerous or abusive practices.

This month we recognize consumers in two ways. National Consumer Protection Week, recognized the week of March 4 through 10, is led by government and nonprofit groups and its focus is to encourage consumers to take full advantage of their consumer

rights and make better informed decisions for themselves in the marketplace. This month we also recognize that many of the same consumer issues affecting Americans every day in their lives impact consumers in every corner of the world. So today we celebrate World Consumer Rights Day.

Every day ought to be Consumer Rights Day because, as President Kennedy once said, we are all consumers and we are consumers every day of every year. Organizations here in America such as Consumers Union and other consumer groups around the world celebrate World Consumer Rights Day as members of Consumers International, the nonprofit organization representing over 220 consumer groups in 115 countries.

Today also marks the 50th anniversary of a very special day in American history for American consumers. On March 15, 1962, President Kennedy sent a message to Congress calling for a national commitment to protecting consumer interests. Fifty years ago today, President Kennedy spoke about the consumer right to safety, to be informed, to choose, and to be heard. These rights are the foundation of what we now know as the Consumer Bill of Rights. The Consumer Bill of Rights has grown to include eight specific guarantees: the right to satisfaction of basic needs; the right to safety; the right to be informed; the right to choose; the right to be heard; the right to redress; the right to consumer education; and the right to a healthy environment.

Today, I wish to propose another right, a ninth right: the right to privacy. There is a growing need to defend individual rights to privacy in a multitude of areas. This country was founded—its basic bedrock—on a desire for personal privacy, on the right to be left alone. It is the reason people came to this country, avoiding unwanted and unwarranted intrusion on their personal space and on their rights and liberties. They came here out of a desire for religious freedom, economic liberty, and the security of their person and property against intrusion. It is a unique, bedrock American right—the right to privacy. Concerns about governmental invasion of personal privacy go back literally to the founding of our Republic and the protections guaranteed under the third amendment when the British lodged troops in our homes without permission, and the fourth amendment, when they searched our homes and seized goods and property from them.

I have heard numerous complaints from Connecticut residents who are concerned about their privacy. They are concerned about Federal and State intrusion into women's health care decisions. They are concerned about government efforts to combat terrorism through tracking of individuals by a GPS or cell phone tower location. Those potential invasions of privacy are by the government, by official

forces. But people today are also understandably and rightly concerned about corporate intrusion into their privacy. They are concerned about companies crawling the Web to collect consumers' personal information and selling it to marketers. They are concerned that mobile device apps can access and acquire the device owner's photos and address book without his or her knowledge or consent. They are concerned that credit scores are being created from their use of medications, and that those scores are being used to set personal health insurance premiums. They are concerned about companies that are compiling dossiers on their use of social media sites and blogs and selling those reports to prospective employers. They are concerned because they are powerless to prevent the distribution of their contact information to marketers who then deluge them with advertisements in the mail and by e-mail, and they are concerned about companies who don't secure their personal data and the damages that result from improper breaches and disclosures with the risk of identity theft and worse.

The Constitution was written to protect Americans from government intrusions into their privacy. I understand the difference between government intrusions and private sector intrusions. But if the government were treating its citizens the way some companies are treating their customers, people would be outraged. They would be up in arms. They would be dumping tea in the Boston Harbor. The Supreme Court has just ruled that it is not OK for the government to track people via GPS in their car without a warrant, so why would it be OK for a company such as OnStar to track drivers who canceled their subscriptions and sell that information on their movements to marketers?

Americans—many of us, and others—were questioning the PATRIOT Act and its provisions that allow government to access records of what books citizens borrowed from the library and what Web pages they visited while they were there. Yet, companies are tracking consumers' every movement on line, through dozens—even hundreds—of cookies that are secretly installed on consumers' computers whenever they visit a Web site. We would be horrified if the government as a routine matter monitored pictures people take and who they interact with. Yet, according to news reports, mobile devices and apps are doing exactly that.

I believe it is time we protect Americans from intrusions into their personal privacy by companies or educational institutions or others who may not be part of the government. Big Brother or Big Sister no longer need wear a police uniform or a badge or a military uniform. It may well be under the guise of a corporate seal or insignia, and I believe it is time we protect against those intrusions, as well as others. In fact, it is a bipartisan concern. One of the few areas where there

is agreement in Congress is the need for better protection of consumers for online privacy. We may differ on the substance; we may disagree as to what the contours and the specifics should be. I am concerned about this issue and I am encouraged by the bipartisan support for attention to it. I was heartened by the President's recent call for a consumer privacy bill of rights—a great beginning, a very positive step forward. I believe our approach to privacy must be comprehensive and robust.

As a threshold matter, companies that collect or share information about consumers should be required to get consumers' affirmative opt-in consent for collecting or sharing that data. Not an opt-out but an opt-in—specific, informed consent. That should apply online as well as offline. We have seen a lot of attention paid to Internet tracking and behavioral advertising. I think we ought to protect consumers from privacy invasions that come from the mail or over the phone. They particularly affect our seniors. If a company wants to collect, aggregate, share, sell, or by any other means, it should get consumers' permission; otherwise, it shouldn't be permitted.

We also need to pay attention to the collection of information through consumers' use of mobile devices. As we have seen recently, some mobile apps or operating systems are capable of tracking not just consumers' Web browsing but also their text messages, what they photograph, who they contact. Mobile devices need a system-wide, do-not-track option to allow consumers to control the distribution of their information.

Finally, the consumers' right to privacy also must encompass the right to prevent unauthorized distribution of that information. To that end, we need to establish requirements for companies that possess consumers' personal information to ensure they have security features in place to prevent data breaches. Those protections must be accompanied by remedies, by fines and penalties that make those rights and protections real so that consumers have a private right of action as well.

Congress is working on these issues. There have been numerous hearings and legislation has been proposed. Having the President add his voice to the call for privacy will only help. As with food safety, product safety, and Wall Street reform, companies themselves are demonstrating the need for legislation and some of them are joining in this effort very constructively.

So as we mark the 50th anniversary of President Kennedy's call to action, let us heed the importance of his message to Congress. He said: "As all of us are consumers, these actions and proposals in the interests of consumers are in the interests of us all."

We should be proud in this body of having continued the fight for consumer protection. It should be full-throated and full-hearted.

Americans went West to the Presiding Officer's State and to other States seeking open spaces, economic opportunities, as well as personal opportunities, including the right to privacy and being alone. That American right—that American spirit—is very much with us today. It is 50 years after President Kennedy first articulated it, but I believe it is as real and necessary today as ever.

Thank you, Mr. President. I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

#### JOBS ACT STRATEGY

Mr. McCONNELL. Mr. President, I would like to start out this morning by saying I am glad we are turning to the bipartisan jobs bill that passed the House last week by such a lopsided margin. Here is a chance not only to help entrepreneurs build their businesses and create jobs but to show we can work together around here to get things done on a bipartisan basis.

Unfortunately, some of our friends on the other side do not seem to like that idea very much. Apparently, they would rather spend the time manufacturing fights and 30-second television ads than helping to create jobs.

First, they tried to even keep us from bringing up this jobs bill for debate in the Senate. Now we read they are trying to figure out ways to make this overwhelmingly bipartisan bill controversial. They want to pick a fight rather than get this bill to the President's desk, and then they are going to use the same strategy on a number of other bills.

Their plan is not to work together to make it easier to create jobs but to look for ways to make it easier to keep their own; then use it for campaign ads in the runup to the November elections.

If we are looking for the reason this Congress has a 9-percent approval rating, this is it. One day after we read a headline in the Congressional Quarterly about Democrats moving to slow a jobs bill that got 390 votes, we see a story today about how the No. 3 Democrat in the Senate is scheming to spend the rest of the year hitting the other side. It goes on to list all the ways he plans to do it, and then it says this:

None of these campaign-style attacks allow for the policy nuances or reasoning behind the GOP's opposition, and some of the