

Whereas, the federal government has been slow to enact meaningful patient protections such as mechanisms for the recovery of benefits due plan participants, recovery of compensatory damages from the fiduciary caused by its failure to pay benefits due under the plan, enforcement of the plan-participant's rights under the terms of the plan, assurance of timely payment, and clarification of the plan-participant's rights to future benefits under the terms of the plan; and

Whereas, in the absence of federal patient protections, state-level action is needed: Now, therefore, be it

*Resolved by the Senate, the house of delegates concurring,* That the Congress of the United States be urged to either enact meaningful patient protections at the federal level with respect to employer self-funded plans or, in the absence of such federal action, amend the Employment Retirement Income Security Act (ERISA) of 1974 to grant authority to all individual states to monitor and regulate self-funded, employer-based health plans; and, be it

*Resolved further,* That the Clerk of the Senate transmit copies of this resolution to the Speaker of the United States of House Representatives, the President of the United States Senate, the President of the United States, the Secretary of the United States Department of Labor, the Congressional Delegation of Virginia, and to the presiding officer of each house of each state's legislative body so that they may be apprised of the sense of the General Assembly of Virginia in this matter.

POM-118. A resolution adopted by the House of the Legislature of the State of Michigan relative to "Know Your Customer" banking regulations and policies; to the Committee on Banking, Housing, and Urban Affairs.

#### HOUSE RESOLUTION NO. 30

Whereas, The Federal Deposit Insurance Corporation (FDIC), the Board of Governors of the Federal Reserve System, the Office of the Comptroller of the Currency, and the Office of Thrift Supervision have been considering a proposed rule known as the "Know Your Customer" regulation. Although currently withdrawn from formal consideration through the federal regulatory process, this proposed measure would require banks and savings institutions to develop and enforce programs to monitor banking transactions to identify those that may be connected to certain illegal activities; and

Whereas, The "Know Your Customer" concept is a response to concerns over activities such as money laundering, drug trafficking, tax evasions, and fraud. The regulation places an enormous burden of responsibility on banks, while ignoring the fact that provisions already exist to help deal with suspicious banking activities; and

Whereas, In addition to the proposed rule, which prompted overwhelming objections during the public comment period, federal banking officials already require banks to have "Know Your Customer" guidelines and procedures in place to identify suspicious activities. The Federal Reserve Bank's Secrecy Act compliance manual specifies this policy and directs bank examiners to look for compliance with this practice; and

Whereas, The "Know Your Customer" concept represents a serious threat to the privacy of law-abiding citizens. Giving the banks the duty of monitoring all banking transactions—without probable cause and appropriate search warrants—is a clear threat and likely violation of the Fourth

Amendment, which states, in part, the right of the people to be secure in their papers and effects against unreasonable searches and seizures. The "Know Your Customer" concept ignores constitutional protections of personal privacy; and

Whereas, There is legislation currently pending in Congress to prohibit "Know Your Customer" transaction screening policies. This type of legislation, to protect personal privacy under the Fourth Amendment, is most appropriate. Now, therefore, be it

*Resolved by the House of Representatives,* That without hindering the pursuit of money laundering, drug trafficking, tax evasion, and fraud, we oppose "Know Your Customer" banking regulations and policies and memorialize the Congress of the United States to enact legislation to prohibit banking transaction screening practices that threaten personal privacy; and be it further

*Resolved,* That copies of this resolution be transmitted to the Federal Deposit Insurance Corporation, the Board of Governors of the Federal Reserve System, the Office of the Comptroller of the Currency, the Office of Thrift Supervision, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

Adopted by the House of Representatives, April 29, 1999.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WARNER, from the Committee on Armed Services, without amendment:

S. 1059. An original bill to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces and for other purposes (Rept. No. 106-50).

By Mr. WARNER, from the Committee on Armed Services, without amendment:

S. 1060. An original bill to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

S. 1061. An original bill to authorize appropriations for fiscal year 2000 for military construction, and for other purposes.

S. 1062. An original bill to authorize appropriations for fiscal year 2000 for defense activities of the Department of Energy, and for other purposes.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. GRAHAM (for himself, Mr. MACK, Mr. MOYNIHAN, and Mr. KERREY):

S. 1058. A bill to provide for the collection of fees for certain customs services, to authorize the continuation of certain preclearance services, and for other purposes; to the Committee on Finance.

By Mr. WARNER:

S. 1059. An original bill to authorize appropriations for fiscal year 2000 for military ac-

tivities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; from the Committee on Armed Services; placed on the calendar.

S. 1060. An original bill to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; from the Committee on Armed Services; placed on the calendar.

S. 1061. An original bill to authorize appropriations for fiscal year 2000 for military construction, and for other purposes; from the Committee on Armed Services; placed on the calendar.

S. 1062. An original bill to authorize appropriations for fiscal year 2000 for defense activities of the Department of Energy, and for other purposes; from the Committee on Armed Services; placed on the calendar.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CONRAD (for himself, Mr. HARKIN, Mr. GRASSLEY, and Mr. HATCH):

S. Con. Res. 32. A concurrent resolution expressing the sense of Congress regarding the guaranteed coverage of chiropractic services under the Medicare+Choice program; to the Committee on Finance.

#### ADDITIONAL COSPONSORS

S. 59

At the request of Mr. THOMPSON, the name of the Senator from Arkansas (Mrs. LINCOLN) 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. 211

At the request of Mr. HELMS, his name was added as a cosponsor of S. 211, a bill to amend the Internal Revenue Code of 1986 to make permanent the exclusion for employer-provided educational assistance programs, and for other purposes.

S. 285

At the request of Mr. MCCAIN, the name of the Senator from Minnesota (Mr. GRAMS) was added as a cosponsor of S. 285, a bill to amend title II of the Social Security Act to restore the link between the maximum amount of earnings by blind individuals permitted without demonstrating ability to engage in substantial gainful activity and the exempt amount permitted in determining excess earnings under the earnings test.

S. 429

At the request of Mr. DURBIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 429, a bill to designate the legal public holiday of "Washington's Birthday" as "Presidents' Day" in