

RETIREMENT OF SENATOR
RICHARD H. BRYAN

Mr. LEVIN. Mr. President, when the 106th Congress finally adjourns sine die in the next several days, it will mark the end of the Senate service of one of this body's most thoughtful and respected members, Senator RICHARD BRYAN.

DICK BRYAN came to the Senate having already distinguished himself as a popular attorney general for four years and governor for six years in Nevada. In his two terms in the Senate, DICK has fought for the protection of American consumers. His successful legislative battles include the requirement that automobiles sold in the U.S. be equipped with air bags, fair credit reporting and toy labeling legislation. He has been a pioneer in the area of internet privacy protection legislation, including his bill, the Children's Online Privacy Protection Act, which passed last year by the Senate.

DICK BRYAN has earned a reputation as a tenacious defender of the interests of the people of Nevada. Whether attempting to block the storage of federal waste at Yucca Mountain, attempting to ban internet gambling, or fighting for federal projects in Nevada, DICK BRYAN has time and again been a formidable advocate for his constituents.

DICK BRYAN has also been a strong voice in the Senate for fiscal responsibility. A critic of excessive "pork-barrel" spending and wasteful programs, he help lead the fight back to a balanced federal budget.

I have served with DICK on the Senate Select Committee on Intelligence, on which he now serves as Vice-Chairman. On that Committee, DICK has led the minority while steadfastly working toward a bipartisan approach to the Committee's critical oversight of the nation's intelligence community.

Mr. President, I know I speak not only for my wife, Barbara and myself, but for all of us in the Senate family, when I say that we will profoundly miss DICK and Bonnie BRYAN. We wish them, their three children and three grandchildren a healthy and happy future. It was DICK's love of family and his desire for quality time with them and his desire for quality time in his beloved Nevada which takes him from us. While there will be a big hole in our Senate family with his departure, we admire his reasons for leaving, just as we admire and celebrate his contributions to the well being of our nation.

REPORT CARD OF THE 106TH
CONGRESS ON PRIVACY

Mr. LEAHY. Mr. President, I rise today, as Chairman of the Senate Democratic Privacy Task Force, to speak about the privacy rights of all American citizens and the failure of this Congress to address the important

issues threatening these fundamental rights of the American people.

When he announced the creation of the Democratic Privacy Task Force earlier this year, the Senate Democratic Leader, Senator TOM DASCHLE, said, "The issue of privacy touches virtually every American, often in extremely personal ways. Whether it is bank records or medical files or Internet activities, Americans have a right to expect that personal matters will be kept private." Yet, our laws have not kept pace with sweeping technological changes, putting at risk some of our most sensitive, private matters, which may be stored in computer databases that are available for sale to the highest bidder. As Senator DASCHLE stated, "That is wrong, it's dangerous, and it has to stop."

In leading the Democratic Privacy Task Force, I took this charge to heart and determined that an important first step in formulating workable and effective privacy safeguards was to make sure we understood the scope of the problem, both domestically and internationally, the status of industry self-regulatory efforts and the need for legislative solutions. At the announcement of the Privacy Task Force, I noted that we would focus on Internet, financial and medical records privacy, explaining that, "It is important to come to grips with the erosion of our privacy rights before it becomes too late to get them back. We need to consider a variety of solutions, including technological one, and we need to look at the appropriate roles for private as well as public policy answers."

To this end, the Senate Democratic Privacy Task Force sponsored several member meetings and briefings on administrative steps underway in the Clinton-Gore Administration to protect people's privacy, industry self-regulatory efforts, and other specific privacy issues. These meetings included a discussion with White House privacy experts Peter Swire, Chief Counselor for Privacy at the Office of Management and Budget, and Sally Katzen, Counselor to the Director at the Office of Management and Budget, on the status of multilateral negotiations on implementation of the EU Privacy Directive and the effects on U.S. business. At another meeting, officials from OMB and the Department of Treasury described financial privacy issues. Yet another meeting provided a public forum for industry executives representing various seal programs to describe the successes and pitfalls of internet privacy self-regulatory activities. These task force meetings focused on relevant and pressing issues affecting consumer privacy in this country, prompting many Democratic members to look at legislative solutions.

Democrats have worked to enhance consumer privacy protections through the introduction of several legislative

proposals—some with bipartisan support—regarding medical, financial, and online privacy and identity theft. Democratic Senators who have sponsored privacy legislation this Congress include, Senators BOXER, BREAUX, BRYAN, BYRD, CLELAND, DASCHLE, DORGAN, DODD, DURBIN, EDWARDS, FEINSTEIN, FEINGOLD, HARKIN, HOLLINGS, INOUE, JOHNSON, KENNEDY, KERRY, KOHL, LAUTENBERG, MIKULSKI, MURRAY, ROBB, ROCKEFELLER, SARBANES, SCHUMER, TORRICELLI, and WELLSTONE.

Despite the best efforts of Democratic Senators to heed the public call for greater privacy protection and to bring privacy issues to the forefront of our legislative agenda, the Republican majority has failed to bring all sides and stakeholders together to craft workable and effective safeguards in any of the areas where privacy rights are most at risk, namely, for internet activities, medical records or financial information.

During this Congress, for example, instead of focusing on ways to enhance privacy safeguards, the largest number of hearings (thirteen) and innumerable briefings held by the Senate Judiciary Committee or its subcommittees were directed at dissecting the manner in which the Department of Justice handled the investigation and prosecution of certain cases involving national security-related information and campaign financing. In the eyes of some members, the convictions obtained were proof of success, and in the eyes of others they were not. In our next Congress, it is my hope that we will not be distracted by such partisan pursuits, but that our time will be better spent on crafting privacy legislation that will make a real difference in the lives of every American. This is no easy task and will require both hard work and the commitment of member and staff time, but the next Congress should not shy away from this important issue, as has this one.

The right to privacy is a personal and fundamental right protected by the Constitution of the United States. The digitalization of information and the explosion in the growth of computing and electronic networking offer tremendous potential benefits to the way Americans live, work, conduct commerce, and interact with their government. Yet, new technologies, new communications media, and new business services created with the best of intentions and highest of expectations challenge our ability to keep our lives to ourselves, and to live, work and think without having personal information about us collected and disseminated without our knowledge or consent. Indeed, personal information has become a valuable and widely traded commodity by both government and private sector entities, which may use the information for purposes entirely unrelated to its initial collection.