

The class from The Governor's School for Government & International Studies is currently conducting research and preparing for the upcoming national competition in Washington, D.C. I wish these budding constitutional experts the best of luck at the We the people . . . national finals!

THE CONSUMER FINANCIAL
PRIVACY ACT—H.R. 4380

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 4, 2000

Mr. LAFALCE. Mr. Speaker, I am today introducing legislation to enhance the financial privacy rights of all Americans. This legislation, the "Consumer Financial Privacy Act," implements the privacy protections that were announced by President Clinton earlier this week. I am pleased to be joined in sponsoring this legislation by Mr. DINGELL, ranking member of the Committee on Commerce, Mr. MARKEY, Mr. FRANK, Mr. KANJORSKI, and many other of my House colleagues.

Individual privacy is one of the most important issues before the Congress and an issue of urgent concern for the American people. Clearly everyone should have the right to be left alone if they choose, or to be confident that their financial, medical and other personal information will not be disclosed, sold, or used without their consent.

We live in a world of electronic communications in which intimate details of every individual's financial and private life can be instantaneously transmitted anywhere around the world. This imposes a far greater responsibility on government to protect individual privacy more than ever before. And it is a responsibility that I believe government must fully exercise.

Last year the House enacted significant financial privacy protections as part of broader financial modernization legislation. While these privacy proposals were given little chance for passage a year earlier when I first introduced them, they were adopted by the House with an overwhelming 427-to-1 vote. These financial privacy protections were significant, going well beyond the limited protections in existing law for financial transactions, and well beyond the protections available for most other consumer transactions.

But we never intended last year's legislation to be the ultimate solution on financial privacy, it was only a first step. While it provided important notice and opt-out protections to prevent the selling or sharing of private information among unaffiliated companies, it failed to extend the same protection for information shared between a financial institution and its affiliates. While it prohibited the selling of credit card and account information for marketing, it did not provide a higher level of protection for other sensitive information such as medical or health records or information about payments and transactions. Democrats were united in attempting to add these additional protections to the legislation on the House floor and again in conference. Unfortunately, we were not successful.

EXTENSIONS OF REMARKS

The legislation outlined by President Clinton on April 30, 2000, which we are introducing today, completes the promise of that previous effort, and takes another gigantic step toward achieving an absolute right of financial privacy for all Americans. It extends the principles of notice and opt-out for all information shared between a financial institution and all affiliated companies. It provides a higher level of protection, an "opt in" requirement, for sensitive medical and health-related information that could affect financial decisions, as well as for individualized information describing spending habits or transactions.

The bill creates new rights for consumers to find out what information is being collected about them by their financial institution and to correct or delete inaccurate or outdated information. It requires timely disclosure of an institution's privacy policies to permit consumers to comparison shop among financial service providers that offer the best protections. And it makes these private protections fully enforceable by augmenting the enforcement authority of the Federal Trade Commission and by permitting State Attorneys General to bring legal actions on behalf of state residents to prevent violations.

Mr. Speaker, I believe this is balanced and reasonable legislation that is the product of months of careful consideration. It is legislation that the American people clearly want and deserve. I invite my colleagues on both sides of the aisle who believe that every American has a right to their personal privacy to join with me in supporting this important and much needed legislation.

TRIBUTE TO THE FREE THAI

HON. PORTER J. GOSS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 4, 2000

Mr. GOSS. Mr. Speaker, on May 8, 2000, the Director of Central Intelligence will present Agency Medallions to five members of the Free Thai Movement at the George Bush Center for Intelligence. In addition Agency Medallions will be awarded to thirty-eight Free Thai members or their survivors.

In December, 1941, following the bombing of Pearl Harbor, Tokyo turned its attention to Southeast Asia. After a token resistance, Thailand's leader, Field Marshal Phibun Songkhram, signed an alliance with Japan which sanctioned a Japanese military presence throughout the country. In January, 1942, under pressure from Japan, Bangkok sent a diplomatic note to the Thai minister in Washington, M.R. Seni Pramoj, directing him formally to declare war on the United States.

Instead, Seni pocketed Bangkok's diplomatic instructions and launched a bold plan to aid the Allies in the liberation of Thailand. Under his guiding hand, and the leadership of General William Donovan's fledgling intelligence and clandestine warfare organization (the Organization of Strategic Services—OSS) the Free Thai movement was born. Seni brought young Thai student volunteers from universities across the United States together into a "Free Thai" command which was to serve under Donovan's OSS.

May 4, 2000

The Free Thai were among Thailand's best and brightest. They risked their lives in abandoning scholars' robes at Cornell, Caltech and MIT in favor of jungle fatigues and rifles. Trained by the OSS, they were dispatched into Thailand by submarine, seaplane and air-drop. Some walked overland from China to make contact with a nascent resistance and prepare the way for Thailand's liberation. The first volunteers dispatched were captured or killed, but on October 5, 1944, the OSS Detachment in Szemao, China, received a radio message from Free Thai agents who had successfully made contact with the resistance. For the remainder of the war, intelligence flowed out of Bangkok. The Free Thai volunteers, working hand-in-hand with the OSS, provided accurate information on Japanese military deployments, rescued captured Allied soldiers, and prepared the ground for the eventual Japanese surrender. We would like to recognize and commemorate their bravery.

INTRODUCTION OF CONSUMER
FINANCIAL PRIVACY ACT

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 4, 2000

Mr. MARKEY. Mr. Speaker, I am pleased to join today with the gentleman from New York (Mr. LAFALCE), the gentleman from Michigan (Mr. DINGELL), the gentleman from Missouri (Mr. GEPHARDT) and others to introduce the Clinton-Gore financial privacy proposal.

The American public wants stronger privacy protections. The public wants, at minimum, the right to block a financial institution from transferring information it has gathered about them to both affiliates and third parties—an across-the-board "opt out." And they want a stronger level of protection for medical information and information about personal spending habits—an "opt-in." The legislation we are introducing today would provide these protections.

As Chairman of the bipartisan, bicameral Congressional Privacy Caucus, I can also say that there are many Republican members in both the House and Senate who are willing to work with Democrats to enact the type of strong financial privacy protections that are contained in the President's bill. I look forward to working with them towards that end.

But the real question is: will the House and Senate Republican leadership continue to stand with the big banks, brokerage houses, and insurance companies in opposing meaningful privacy protections, or will they allow a debate out on the floor of the House and the Senate on the President's proposal to give the people some measure of control over who gets access to the most sensitive details of their personal lives? I hope that we can have early hearings and action on this bill, so that we can close down the gaps left in last year's banking bill—as the President pledged last year.

Here's what our bill would do:

First, with respect to affiliate sharing under last year's banking bill, consumers have no right to block a financial institution from transferring nonpublic personal information about