

determines that the program acquisition unit cost or procurement unit cost of a major defense acquisition program has exceeded by more than 50 percent the original baseline projection for such unit cost, the Secretary shall submit to the congressional defense committees a report on such determination. Each report shall include the information specified in subsection (c).

(c) **INFORMATION.**—The information specified in this subsection with respect to a major defense acquisition program is the following:

(1) An assessment of the costs to be incurred to complete the program if the program is not modified.

(2) An explanation of why the costs of the program have increased.

(3) A justification for the continuation of the program notwithstanding the increase in costs.

(d) **MAJOR DEFENSE ACQUISITION PROGRAM DEFINED.**—In this section, the term “major defense acquisition program” has the meaning given that term in section 2430 of title 10, United States Code.

SA 1579. Mr. CORZINE (for himself, Mr. KENNEDY, Mr. LAUTENBERG, Mr. DODD, Mr. JEFFORDS, and Mr. FEINGOLD) submitted an amendment intended to be proposed by him to the bill S. 1042, to authorize appropriations for fiscal year 2006 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; which was ordered to lie on the table; as follows:

At the end of subtitle H of title V, add the following:

SEC. 596. OPT OUT OF COLLECTION AND UTILIZATION OF PERSONAL INFORMATION BY THE DEPARTMENT OF DEFENSE FOR MILITARY RECRUITMENT PURPOSES.

(a) **ESTABLISHMENT OF REGISTRY.**—The Secretary of Defense shall establish and maintain a centralized registry of individuals who opt to prohibit the Department of Defense from obtaining, collecting, purchasing, storing, maintaining, analyzing, holding, or otherwise utilizing for military recruitment purposes the personal information with respect to such individuals, including (but not limited to) information specified in subsection (i). The registry shall be known as the “Student Privacy Protection Registry” (in this section referred to as the “Registry”).

(b) **SINGLE REGISTRY.**—

(1) **IN GENERAL.**—The Registry shall be the sole source of information on individuals described in subsection (a). The Secretary shall not maintain separate or local registries or databases of information on such individuals in addition to the Registry.

(2) **ACCESS.**—In order to facilitate compliance with the requirement in paragraph (1), the Secretary shall ensure access to the Registry by all individuals engaged in military recruitment activities.

(c) **INDIVIDUALS ELIGIBLE TO ENROLL IN REGISTRY.**—

(1) **IN GENERAL.**—The following individuals may enroll in the Registry:

(A) Any individual who is older than 15 years of age but younger than 18 years of age.

(B) Any individual who is older than 17 years of age but younger than 26 years of age.

(2) **ENROLLMENT OF CERTAIN INDIVIDUALS BY PARENTS.**—An individual described by para-

graph (1)(A) may enroll in the Registry or be enrolled in the Registry by a parent of such individual.

(d) **ENROLLMENT IN REGISTRY.**—

(1) **IN GENERAL.**—An individual shall be enrolled in the Registry through the submittal to the Secretary of a notice of enrollment in the Registry.

(2) **CONTENTS OF NOTICE.**—A notice under paragraph (1) shall include only the full name (first, middle, and last name), date of birth, address, and telephone number of the individual covered by the notice.

(3) **MECHANISMS FOR SUBMITTAL OF NOTICE.**—The Secretary shall establish a variety of mechanisms for the submittal of notices under paragraph (1). Such mechanisms shall include—

(A) a toll-free telephone number (commonly referred to as an “800 number”) established by the Secretary for purposes of this section;

(B) a prominently displayed Internet link from the Internet homepage of the Department of Defense to an Internet webpage for the submittal and receipt of notices;

(C) a physical address to which notices may be sent and will be received; and

(D) such other mechanisms as the Secretary considers appropriate.

(4) **UTILIZATION OF NOTICE INFORMATION.**—Any information received by the Secretary in a notice under paragraph (1) shall be utilized solely for purposes of the Registry, and may not be utilized for any other purposes.

(e) **NOTICE OF REGISTRY.**—The Secretary of Defense shall take appropriate actions to ensure that any individual eligible to enroll in the Registry, and any parent of such individual (in the case of an individual described by subsection (c)(1)(A)), who is given materials or who is contacted in any way for military recruitment purposes, receives immediate and prominent notice of the Registry, the consequences of enrollment in the Registry, and the procedures for submitting notice of enrollment in the Registry.

(f) **DEPARTMENT OF DEFENSE RESPONSIBILITY FOR MAINTENANCE AND COLLECTION.**—The Department of Defense shall be solely responsible for maintaining the Registry and for enrolling individuals in the Registry. The Department may not maintain the Registry or enroll individuals in the Registry by contract or through contractor personnel.

(g) **PROHIBITION ON DISSEMINATION OF INFORMATION OBTAINED IN RECRUITMENT.**—The Secretary may not disseminate or disclose to any individual not engaged in military recruitment activities any information obtained by the Department of Defense, or obtained by any contractor of the Department, for the purposes of military recruitment activities, including any such information maintained in the military recruitment databases of the Department and the Registry.

(h) **COORDINATION OF LAWS RELATING TO INFORMATION FOR RECRUITMENT.**—

(1) **ENROLLMENT CAUSES OPT OUT OF ACCESS TO STUDENT RECRUITING INFORMATION.**—The enrollment in the Registry of an individual described by subsection (c)(1)(A) shall be deemed to constitute the request of such individual's parents that information described by paragraph (1) of section 9582(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7908(a)) not be released without prior written parental consent in accordance with paragraph (2) of such section.

(2) **OPT OUT OF ACCESS TO STUDENT RECRUITING INFORMATION CAUSES ENROLLMENT.**—A request pursuant to paragraph (2) of 9582(a) of the Elementary and Secondary Education Act of 1965 by an individual described by subparagraph (A) or (B) of subsection (c)(1), or a parent of such individual, that information described by paragraph (1) of such section

9582(a) not be released without prior written parental consent shall be treated as an enrollment of such individual in the Registry.

(3) **COORDINATION.**—The Secretary of Defense and the Secretary of Education shall jointly take appropriate actions to ensure the implementation of and compliance with the requirements of this subsection.

(i) **PERSONAL INFORMATION.**—For purposes of this section, the personal information of an individual specified in this subsection is the following:

(1) The full name.

(2) The date of birth.

(3) The sex.

(4) The physical address, including city, State, and zip code.

(5) The social security number.

(6) The email address (if any).

(7) The ethnicity.

(8) The telephone number.

(9) In the case of an individual who has not graduated from secondary school—

(A) the name of the secondary school; and

(B) the anticipated graduation date.

(10) The grade point average at the most recently-completed level of education.

(11) The current education level.

(12) Plans (if documented) for post-secondary education.

(13) Plans (if documented) for service in the Armed Forces.

(14) In the case of an individual attending an institution of higher education—

(A) the number of the institution;

(B) the field of study (if determined); and

(C) the anticipated graduation date.

(15) In the case of an individual who intends to take the Armed Services Vocational Aptitude Battery (ASVAB), the scheduled date of the battery.

(16) In the case of an individual who has taken the Armed Services Vocational Aptitude Battery, the Armed Forces Qualifying Test Category Score.

PRIVILEGE OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Chris Erikson and Dree Collopy of my staff be granted the privilege of the floor for the duration of today's session.

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

Mr. JEFFORDS. Mr. President, I ask unanimous consent that Dr. Jonathan Epstein, a legislative fellow in Senator BINGAMAN's office, be granted the privilege of the floor during the pendency of S. 1042 and any votes thereupon.

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

Mr. REED. I ask unanimous consent that two fellows in my office, Tanya Weinberg and Elizabeth Winkelman, be granted the privilege of the floor for the remainder of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I ask unanimous consent that privilege of the floor be granted to Monica Severson during the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.