

the fact that the Senate was unwilling to alter positions it established in Senate passage of S. 1260. I appreciate the opportunity to clarify the debate surrounding this issue. I commend Chairman D'AMATO and Senator DODD for their work on this bill. They have furthered the goal of capital formation while ensuring proper protections for consumers.●

TRIBUTE TO STATE REPRESENTATIVE MORRIS HOOD, JR.

● Mr. LEVIN. Mr. President, earlier this month, a powerful voice for fairness and compassion fell silent with the untimely death of State Representative Morris Hood, Jr.

Representative Hood served in the Michigan House of Representatives for 28 years, representing a part of the City of Detroit, my home town. He was the Chairman of the House Appropriations Committee. He distinguished himself in that role by fighting to make education accessible to all people. He strove to give everyone the opportunity to go to school, to obtain a job and earn a living. He was the primary founder of the King-Chavez-Parks initiative, which has provided thousands of dollars in scholarship money to deserving minority students. He was a believer in a positive role for government in our society. He once said, "There are some things government is meant to do. One of the them is to take care of those who can't take care of themselves."

Morris Hood, Jr. recognized the painful effects of discrimination and sponsored legislation to give small and minority owned businesses the ability to compete for state contracts. Foremost of all, Morris Hood was a promoter of the City of Detroit. He saw in Detroit a community full of possibilities, inhabited by people full of potential. He saw as his responsibility to use government as one means to unlock that potential. That is why he was such a strong supporter of Focus: HOPE, an organization that is near and dear to my heart. His voice will be dearly missed. Our hearts go out to his children, Denise and Morris III.

Mr. President I ask my Senate colleagues to join me in honoring the memory of a passionate legislator, State Representative Morris Hood, Jr.●

OUR UNFINISHED WORK TO PROTECT PRIVACY RIGHTS

● Mr. LEAHY. Mr. President, the American people have a growing concern over encroachments on personal privacy. It seems that everywhere we turn, new technologies, new communications media, and new business services created with the best of intentions and highest of expectations also pose a threat to our ability to keep our lives to ourselves, to live, work and think without having giant corporations or government looking over our shoulders, or peeking through our keyholes.

The current national media obsession with the Monica Lewinsky scandal has focused attention on abuses of power by independent counsel Kenneth Starr. I have been a prosecutor, and I am intimately familiar with the enormous power prosecutors wield. This power is generally circumscribed by a sense of honor and by professionalism, and for those for whom this is not enough, by the Bar's canons of ethics and disciplinary rules and, for federal prosecutors, the rules and regulations of the Department of Justice.

Mr. Starr has a different view of these obligations, and privacy has been the first casualty. He began his investigation into the President's personal life by using the results of an illegal wiretap. The State of Maryland protects its residents from having private conversations tape recorded without their knowledge or consent. Mr. Starr condoned the deliberate flouting of that law by granting the perpetrator immunity and then using the illicit recordings to persuade the Attorney General to expand his jurisdiction.

That was just the beginning. In February, Prosecutor Starr forced a mother to travel to the country's Capital to sit before a federal grand jury, with no right to have counsel present, and reveal the most intimate secrets of her daughter. That led me to introduce legislation to develop Federal prosecutorial guidelines to protect familial privacy and parent-child communications in matters that do not involve allegations of violent conduct or drug trafficking.

Mr. Starr issued subpoenas to bookstores to pry into what we read and further encroached upon our First Amendment rights with subpoenas to reporters, at every step acting contrary to Justice Department guidelines. He intruded into the attorney-client privilege, and even required Secret Service agents to gossip about those whom they are sworn to protect, and whose privacy they have safeguarded for decade upon decade. Then all of the private information he gathered, all of the excruciating details of personal life, appeared almost contemporaneously in the public press, attributed to unidentified sources, despite the command of the law that all matters before a grand jury remain secret.

The independent counsel law was passed with the best of intentions, with my support. I never imagined that the power would be so abused, and privacy so ignored. But that is the point. We must act to prevent abuses of privacy.

Mr. Starr, by his gross excesses, has become a symbol of the threat to privacy and the threat to individual liberty from abuse of power and information. That threat has been amplified by the unseemly haste with which the Republican majority on the House Judiciary Committee voted to plaster the mud from Ken Starr's report all over the Internet, so that literally all the world would have a chance to peek through the keyhole. This intemperate

action, in an unabashed effort to gain political advantage at the expense of privacy and dignity, should be a lesson to the American people that we need additional legal protection to protect their privacy.

The far more pervasive problem is the incremental encroachment on privacy through the lack of safeguards on personal, financial and medical information about each of us that can be stolen, sold or mishandled and find its way into the wrong hands with a push of a button.

The right of privacy is one of the most vulnerable rights in the information age. 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. But the new technology also presents new threats to our individual privacy and security, in particular, our ability to control the terms under which our personal information is acquired, disclosed, and used.

The threats are there, but so are the solutions, if we only take the time to look for them. For example, this Congress passed legislation that will make the United States government more accessible and accountable to the citizenry by directing Federal agencies to accept "electronic signatures" for government forms that are submitted electronically. When the bill was reported out of committee, it established a framework for government use of electronic signatures without putting in place any privacy protections for the vast amounts of personal information collected in the process. I was concerned that citizens would be forced to sacrifice their privacy as the price of communicating with the government electronically. Senator ABRAHAM and I corrected this oversight by adding forward-looking privacy protections to the bill, which strictly limit the ways in which information collected as a by-product of electronic communications with the government can be used or disclosed to others.

As I remarked when the bill passed, however, this is just the beginning of Congress's efforts to address the new privacy issues raised by electronic government and the information age. Congress will almost certainly be called upon in the next session to consider broader electronic signature legislation, and issues of law enforcement access to electronic data and mechanisms for enforcing privacy rights in cyberspace will need to be part of that discussion.

The government also holds tens of millions of medical records of individuals covered by Medicare, Medicaid and other federal health programs. This information is routinely released by the government in individually-identifiable form for purposes such as medical research or in order to ferret out fraud