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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. PETRI).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
March 30, 1998.

I hereby designate the Honorable THOMAS E. PETRI to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 21, 1997, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to 5 minutes.

The Chair recognizes the gentleman from Virginia (Mr. GOODLATTE) for 5 minutes.

THE SECURITY AND FREEDOM THROUGH ENCRYPTION ACT

Mr. GOODLATTE. Mr. Speaker, strong encryption products are the locks and keys of the digital age. To ensure that the computer files of American citizens are protected, I have introduced H.R. 695, the SAFE Act, Security and Freedom through Encryption, which has 250 bipartisan cosponsors. The SAFE Act is supported by organizations from across the political spectrum. It is not often that legislation brings together such a diverse array of Members and interest groups.

On one side of this debate are the United States Chamber of Commerce, the National Association of Manufacturers, the Law Enforcement Alliance of America, the American Civil Liberties Union, the National Rifle Association, Americans for Tax Reform, Eagle Forum, the Center for Democracy and Technology, and a whole host of business organizations concerned about the security of their computer communications.

Who is on the other side? The administration, which continues to pursue a policy that threatens the privacy of American citizens. If the Government can access your encrypted computer files, medical records, tax returns and personal financial information, then hackers can, too.

I am pleased to be the sponsor of this legislation with the gentlewoman from California (Ms. LOFGREN), the lead Democrat cosponsors. There are about 150 Republican cosponsors of this legislation, and over 100 Democrat cosponsors as well.

This is truly a bipartisan effort. This legislation is designed to do three things: First, protect the privacy of law-abiding American citizens. People know today that their e-mail, their credit card numbers, their medical records, their tax returns, if they are submitted electronically, their industrial trade secrets, their copyrighted material, are all subject to invasion by hackers, by criminals and others who will make their communications available to who knows who for what reason.

Privacy is important in the Information Age, and we need to protect it.

Secondly, this is an important anticrime measure. This legislation will help to make sure that people who do use the Internet for electronic commerce will have that credit card number protected from a hacker stealing it.

The New York Stock Exchange, which has to encrypt its financial communications, which go all over the world, to make sure somebody does not break into that system and cause a financial crisis by changing the numbers in the computer system, or the same thing for a nuclear power plant, somebody breaking into its computer system and causing a meltdown. This is something that protects the infrastructure of our country and it protects individuals using the Internet, making sure their medical records are secure.

Industrial espionage is one of the largest problems we have in the criminal area in this country. The FBI has estimated more than $24 billion and/or more a year in industrial espionage takes place, and what is the prime place of that? Breaking into somebody's computer to steal information. Encryption, the scrambling of information to make sure it cannot be decoded by somebody intercepting it, is the Number one way to make sure this is safe.

Finally, this is an issue about jobs, jobs of American citizens. We dominate the software industry in the world. Today, nearly 75 percent of all the software sold in the world is created in the United States. But our foreign competition is on to the fact that this administration is using our export control laws to limit access to strong encryption by our software companies, by our citizens, and by those overseas who would like to buy the quality software products American companies make and cannot do so because of the fact that we have these export laws that limit access to this valuable software.

So they are using that to gain a competitive advantage, and we will lose the advantage we have in the world as we move more and more into encrypted software, as we move into the next century.

So these three things, protecting the privacy of American citizens, fighting crime, and making sure that we protect and create new jobs in a growing

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dynamic Information Age industry, are reasons why this legislation has been offered.

What does it do? It eases our export control laws and says that if foreign competition is offering a particular type of software, or if it is available off-the-shelf, our American industry should be allowed to compete and offer the same software overseas.

It prohibits the Federal Government from setting up what is called a mandatory key recovery system. What is that? That is where the government requires you to put the key to your computer, your encrypted computer software, the contents of your computer, in a location where government can get ahold of it without your knowledge.

Mr. Speaker, this is something that I would urge my colleagues to strongly support. This legislation has bipartisan support. Support the SAFE Act, H.R. 695.

SUPPORT THE SAFE ACT, H.R. 695

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentlewoman from California (Ms. LOFGREN) is recognized during morning hour debates for 5 minutes.

Ms. LOFGREN. Mr. Speaker, I am also here to discuss my proud cosponsorship of the SAFE Act. As the preceding speaker, my colleague from Virginia has noted, it is time, finally, for the United States to take the forward-thinking policy to avoid and abandon the flawed policies of key recovery, and to allow Americans to have complete protection from hackers and others who would steal and invade their privacy, and, in some cases, their well-being.

Mr. Speaker, the current administration is searching for answers to the current encryption dilemma. As with their preceding administrations, they are listening, as they should, to the concerns of law enforcement and their needs to keep us safe from predators and terrorists. That is absolutely appropriate, but it is not appropriate to fail to take action when the policy that we have today is so seriously flawed.

Mr. Speaker, I am hopeful that as we continue this dialogue, the American people will become more vigorous in standing up for their rights to privacy in the digital age and on the Internet. There are many things that Republicans and Democrats disagree about. Today, we will have most likely very vigorous, perhaps even acrimonious disagreements, about the way campaign finance reform has been brought to this floor, the limitations on debate, and really the very unfortunate attention that has been given to campaign finance reform, legitimate campaign finance reform, by the majority.

Putting that to one side, we should, nevertheless, work together where we do agree, and there is broad support among both Democrats and Republicans for a sound encryption policy that makes sure that all of us have access to the strongest encryption available in the world at large.

I commend my colleague, the gentleman from Virginia, Mr. GOODLATTE, for his leadership in this effort, and look forward to resounding support from the entire House, and later the Senate.

DEBATING CAMPAIGN FINANCE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Massachusetts (Mr. MEEHAN) is recognized during morning hour debates for 5 minutes.

Mr. MEEHAN. Mr. Speaker, April Fool's Day has come to the House 2 days early, and, unfortunately, the joke is on all of us who took the Speaker at his word when he promised last December to allow a fair debate and vote on campaign finance reform.

Today, we are going to consider four so-called reform bills under the suspension calendar. Now, the suspension calendar is usually reserved for noncontroversial legislation. Campaign finance reform is a tough issue and a controversial issue.

Here it is now, it is 12:30 in the afternoon. We are supposed to have a debate on this at 2 o'clock. We do not even have the language of all of the various proposals that on Friday afternoon the Republican leadership said we were going to vote on. We do not even have all of the language that we are going to be asked to vote on later on this afternoon.

The truth is, during the 104th Congress, Mr. Speaker, the Republicans passed a House rule that required the Speaker to notify the minority before scheduling suspensions. Yet these bills were put on the calendar without any consultation with the minority or the bipartisan group of legislators interested in passing real campaign finance reform legislation.

Needless to say, absent from the list of those bills to be voted on today is the bipartisan McCain-Feingold-Shays-Meehan bill, which could pass on a simple majority vote. It is clear to me that the Speaker and the Republican leadership have been promoting an outrageous lie that the House will seriously consider reform. It is a disgrace.

After all of the time and money that we have dedicated to discussing and investigating the problems with our current system, here we are, we cannot get a fair vote on bipartisan reform.

Yes, Mr. Speaker, April Fool's Day has come to the House early, and, unfortunately, the joke is on the American people. And one need not look very far to find out what independent sources are saying about today's mockery.

For example, if you look at today's New York Times and look at the lead editorial, it states, Today in place of real debate on campaign finance reform, the House is set to stage a mock debate on phony campaign finance reform. It is outrageous enough that the Republican House leaders' version of reform is the Thomas bill, which fails to end the corrupt soft money system, would triple contribution limits, and is laced with poison pill provisions.

Mr. Speaker, many in this House, on both sides of the aisle, have been working literally for years to try to form a consensus to pass real meaningful campaign finance reform. The American people have watched the news on all the major networks and have watched the debate and the hearings that have been held about the abuses of the soft money system and the influx of literally millions and millions of dollars into our campaign finance system.

Yet, when this debate is held today, it will be held under a suspension of the rules. There will not be an offer to have a vote up or down on bipartisan campaign finance reform, even though a majority of the Members of the United States Senate passed real campaign finance reform by a majority vote of 53, only to have that majority vote burst asunder by a filibuster that requires 60 votes in the other body.

Now, we have an opportunity to get that bill back to the United States Senate and have the United States Senate decide to pass real campaign finance reform by simply only allowing a majority vote. But we are going to be unable to do that this afternoon. We are going to be unable to do that because the leadership on Friday afternoon decided that we are going to have a debate under suspensions, that requires a two-thirds vote to pass anything. That is why usually when suspensions are up, noncontroversial items are brought up.

You look at the New York Times this morning. The New York Times says, ''Now by bringing the phony Thomas bill up under suspension of the rules, the Republican leadership has rigged the process for this rigged bill, prohibiting House Members from offering any amendments or any alternative legislation and denying them a way to vote against the process.''

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The American people deserve a real debate on campaign finance reform,'' especially, according to the New York Times, after the campaign fundraising scandals and abuses in the last elections.

Finally, Mr. Speaker, the New York Times said that the Shays-Meehan bipartisan bill, which is a companion measure to the McCain-Feingold bill that received a majority vote in the Senate, deserves a fair vote.

Mr. Speaker, let us take this suspension back, and let us come back with a real vote on campaign finance reform and allow the vote on bipartisan reform.