

would be funded by in-kind contributions of hardware, software, and technological expertise. The National Encryption Technology Center would help the FBI stay on top of encryption and other emerging computer technologies. This is a big step. This is a big step in the right direction.

It is time to build on that positive news to resolve encryption policy.

Mr. President, there is an op-ed piece which appeared in the Wall Street Journal on Friday, September 26. It is well written and informative, despite the fact that its author is a good friend of mine. Mr. Jim Barksdale is the president and CEO of Netscape Communications and is well-versed in encryption technology. Mr. Barksdale's company does not make encryption products; they license such products from others. They sell Internet and business software and, as Jim has told me many times, his customers require strong encryption features and will buy those products either from us or foreign companies.

Again, let's deal with reality. The credit union manager in Massachusetts, the real estate agent in Mississippi, the father writing an e-mail letter to his daughter attending a California university, each want privacy and security when using the computer. They will buy the best systems available to ensure that privacy and security. And, in just the same way, the banker in Brussels, Belgium, the rancher in Argentina, and the mother writing e-mail to her daughter in a university in Calcutta, India, each of these people also want privacy and security. They also will buy the best systems available to ensure that privacy and security. And they want encryption systems they trust—American systems. That's what this debate is about.

Mr. President, if Congress does not modernize our export controls, we run the real risk of destroying the American encryption industry. And we risk giving a significant and unfair advantage to our foreign business competitors.

#### THE FMC DID THE RIGHT THING

Mr. LOTT. Mr. President, I rise to congratulate the Federal Maritime Commission [FMC] for doing the right thing about Japan's ports. This action was not unexpected by the Japanese carriers, but I am sure many were surprised with the FMC's dedication to seeing this through. During the past few days, the Nation watched as a long running dispute between Japan and those countries whose ships call on Japan's ports appears to have been resolved.

Japan's ports are widely known as the most inefficient and expensive in the developed world. Additionally, Japan's port system discriminates against non-Japanese ocean carriers.

Mrs. HUTCHISON. For many years, the United States has attempted to negotiate commonsense changes to this

system with Japan. Japan also faced criticism from the European Union. However, no progress was made until earlier this year when the FMC voted to assess \$100,000 fines against Japanese ocean carriers for each United States port call. It is reasonable for the United States to collect fines from the Japanese shipping lines. Before these fines were to be imposed, the Government of Japan agreed to make the necessary changes. The FMC judiciously gave Japan until August 1997 to work out these changes. When Japan failed to meet this generous deadline, the fines automatically went into effect. By last week, the Japanese ocean carriers had missed the FMC's deadline to pay the first \$5 million in fines. Realizing that Japan would not follow through on its promise to fix its port system unless stronger measures were imposed, the FMC voted last week to deny the same Japanese ocean carriers entry to and exit from United States ports.

Mr. LOTT. Mr. President, this firm action has had the desired effect.

An agreement between the United States and Japan on the port issue has been reached. The FMC's order will not have to be carried out, but it was vital to ensuring that Japan's discriminatory port practices are ended. International trade only works when trading partners treat each other fairly. Diplomatic solutions only work when both sides live up to their commitments, and this only occurs when nations know there are genuine consequences to inaction.

The FMC's active role in the port dispute ensured that United States ocean carriers will be treated fairly in Japan. I want to personally recognize Harold Creel, the Chairman of the FMC, and FMC Commissioners Ming Hsu, Del Won, and Joe Scroggins for their efforts to resolve the Japanese port dispute in a firm, yet fair, manner.

Clearly, the FMC has both the responsibility and the authority to take the action. And, the Commissioners approached their decision in a thoughtful and measured way.

I also want to thank the other members of the negotiation team, in particular, the Maritime Administration which provided much needed maritime expertise.

Mrs. HUTCHISON. I want to add my congratulations to the FMC, the Maritime Administration, and the administration as well. The resulting improvements in Japan's port practices will benefit not only U.S. ocean carriers, but other ocean carriers and the shippers of the world trading through Japan's ports.

Mr. LOTT. I would also note that the authority under which the FMC took these actions, section 19 of the Merchant Marine Act, 1936, and the independence of the U.S. Government's international shipping oversight agency would be preserved under S. 414, the Ocean Shipping Reform Act of 1997. Under this bill, the action would be

carried out by the U.S. Transportation Board, an expanded and renamed Surface Transportation Board. To those who expressed concerns that this multimodal board would be unwilling or unable to be an effective regulator of the maritime industry, I tell them to look at the Surface Transportation Board's record of making tough decisions with regard to the mergers of the largest railroads in the United States. When provided with similar maritime expertise, this combined board will certainly have the ability and willingness to protect the interests of the United States in international maritime disputes.

Mrs. HUTCHISON. The Majority Leader is correct. S. 414 does not limit the United States' ability to address similar situations in the future. The U.S. Transportation Board would have the same authority, independence, and I believe the same willingness, to protect America's interests as the FMC.

#### THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, October 20, 1997, the Federal debt stood at \$5,418,457,770,302.08. (Five trillion, four hundred eighteen billion, four hundred fifty-seven million, seven hundred seventy thousand, three hundred two dollars and eight cents)

Five years ago, October 20, 1992, the Federal debt stood at \$4,059,070,000,000. (Four trillion, fifty-nine billion, seven hundred million)

Ten years ago, October 20, 1987, the Federal debt stood at \$2,384,494,000,000. (Two trillion, three hundred eighty-four billion, four hundred ninety-four million)

Fifteen years ago, October 20, 1982, the Federal debt stood at \$1,137,638,000,000. (One trillion, one hundred thirty-seven billion, six hundred thirty-eight million)

Twenty-five years ago, October 20, 1972, the Federal debt stood at \$438,262,000,000 (Four hundred thirty-eight billion, two hundred sixty-two million) which reflects a debt increase of more than \$5 trillion—\$4,980,195,770,302.08 (Four trillion, nine hundred eighty billion, one hundred ninety-five million, seven hundred seventy thousand, three hundred two dollars and eight cents) during the past 25 years.

#### AMERICAN MEDICAL ASSOCIATION HONORS MARK MONTIGNY

Mr. KENNEDY. Mr. President, the American Medical Association recently honored Massachusetts State Senator Mark Montigny of New Bedford with its 1997 Nathan Davis Award. This honor is a well-deserved tribute to Senator Montigny for his outstanding commitment to public service and his leadership in health care.

The award was established by the AMA in 1989 to honor elected and career officials at the Federal, State and