

Mr. Speaker, protecting our National Security interests is among my highest priorities. If I thought controlling encryption exports worked toward this end, I would be its strongest proponent. Unfortunately, export controls on encryption software simply disadvantage the United States software industry.

Under current law the United States allows only 40 bit encryption codes to be exported, although software companies sell encryption codes of up to 128 bits everywhere in the United States. Forty bit encryption technology is so elementary, it took a graduate student a mere 3½ hours to break a code last January. Fifty-six bit encryption is 65,000 times more difficult to decode than 10 bit encryption and it only took students three months to break the encryption code. One hundred twenty eight bit encryption has not been broken yet.

Naturally, foreign companies do not want to buy 40 bit encryption software, because it is so vulnerable and insecure. The possibilities for "computer hackers" to break into the system and wreak havoc are enormous and dangerous. Therefore, foreign companies are purchasing high-level encryption from foreign software providers instead of American ones.

The international demand for encryption software is growing exponentially because of the tremendous rise in electronic commerce. For instance, German Economics Minister, Guenter Rexrodt, said, "Users can only protect themselves against having data manipulated, destroyed, or spied on by strong encryption procedures \* \* \*. That is why we have to use all of our powers to promote such procedures instead of blocking them."

Our export restraint has not kept the technology from proliferating. It has merely allowed foreign producers of strong encryption technology to fill the vacuum. In fact, American companies are partnering with foreign firms to distribute their software—taking jobs and revenue with them.

American-owned Sun Computers has recently joined with a Russian software company to avoid the U.S. export ban and sell to foreign markets. Foreign companies can also purchase American-produced 40 bit encryption technology and upgrade it in their own countries to 128 bit encryption technology. This "add-on" industry is among the fastest growing software industries in Europe today. Clearly, if someone wants high-level encryption technology, he or she can easily obtain it.

The ability to obtain both powerful and affordable encryption will now become easier with recent developments in Canada. The Canadian Government includes encryption software in decontrolling mass market software under the Generic Software Note. This means any software sold over-the-counter, by mail or on the phone may be exported without limits. Entrust, a Canadian software company, is freely marketing and selling internationally a 128 bit encryption program right now. It sells for less than \$50, and Entrust provides a version of the encryption technology free on the Internet. Even our most steadfast ally sees that export controls can no longer help stem the overwhelming demand and spread of unbreakable encryption.

Mr. Speaker, if the United States continues to impose these restrictive export bans on its own companies, "foreign competition could emerge at a level significant enough to damage the present U.S. world leadership" in the software industry, according to the National

Research Council's blue-ribbon panel on encryption policy. If our export ban continues, the United States will not be the worldwide leader on encryption technology for long, and that would be a true risk to our national security.

I strongly oppose any unilateral sanctions or regulations that put the United States at an unnecessary disadvantage. Our current export ban on encryption software is a perfect example, and I intend to continue the fight to change our policy and allow the United States to compete in the global software market.

#### HUNTER SCOTT VINDICATES CAPTAIN McVAY

#### HON. JOE SCARBOROUGH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 13, 1997

Mr. SCARBOROUGH. Mr. Speaker, I want to call the attention of my colleagues to the work of 12-year-old Hunter Scott, from my hometown of Pensacola, FL. Hunter was recently featured on the NBC Nightly News "American Spirit" segment for his work in vindicating Captain McVay, skipper of the U.S.S. *Indianapolis*.

Captain McVay was commander of the World War II heavy cruiser, the U.S.S. *Indianapolis*. On July 30, 1945, after delivering the atom bomb to the *Enola Gay* on the Pacific Island of Tinian, the U.S.S. *Indianapolis* was torpedoed by the Japanese sub I-58, and sank in 12 minutes. The first torpedo knocked out all power, the SOS was ignored. Since arrivals of combat ships were not then reported, no one knew the ship was sunk. Of the 1,196 men aboard, 300 went down with the ship. After 4½ days without food or water, they were discovered by chance. Only 316 survived the shark attacks in the Philippine Sea.

McVay was court-martialed and convicted on a micro-technicality, making him the only skipper in history court-martialed for losing his ship in combat. Survivors felt their captain was a scapegoat and, with the McVay family, have tried unsuccessfully to vindicate him for years. Captain McVay committed suicide in 1968, and the guilty verdict still stands.

One year ago, Hunter saw the movie "Jaws," and was so taken by Captain Quint's soliloquy on his hatred of sharks due to being a shark bitten *Indy* survivor, he decided to find out more. He placed an ad in a military based newspaper at Pensacola Naval Air Station, searching for survivors. He discovered 80 survivors, and became aware of five books and documentaries highlighting Captain McVay. Hunter took the extraordinary step of interviewing survivors, examining documentary evidence and beginning his personal mission to search out the truth.

Hunter Scott, who now aspires to be a Navy Blue Angel, explains that the action taken against Captain McVay was misguided. He has focused a tremendous amount of effort and energy on clearing the good captain's name.

Hunter has requested Congress' support his efforts to expunge the court-martial from Captain McVay's record. I hope my colleagues will join me in supporting the efforts of this tremendous young man.

An even greater wish of mine is that Hunter Scott's example of courage and diligence in

seeking the truth will be followed not only by his peers but also by adults inside Congress and across America.

#### REMEMBERING THAT FREEDOM COMES AT A PRICE

#### HON. JERRY MORAN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 13, 1997

Mr. MORAN of Kansas. Mr. Speaker, last Tuesday, Veterans Day, millions of Americans were afforded the opportunity to remember and express our sincere gratitude to those who have served in defense of our Nation.

It was a day to honor great sacrifices, celebrate heroic victories, and to renew their commitments to our Nation's Veterans.

"With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation's wounds; to care for him who shall have borne the battle, and for his widow, and his orphan—to do all which may achieve and cherish a just, and lasting peace, among ourselves, and with all nations."

These words are taken from President Abraham Lincoln's second inaugural address and sadly read again just two months later over its author's grave. The excerpt "to care for him who shall have borne the battle, and for his widow, and his orphan," now lays etched in stone on the plaque of the Veterans Administration building in Washington reminding us of the debt we owe to those who have defended our land in times of both war and peace.

On Veterans Day we honor those individuals who set their own aspirations aside to serve their country in defense of freedom and liberty. Our duty is not only to ensure that wreaths are placed on the graves of those who paid the ultimate sacrifice, nor is it only to fly our nation's flag in honor and support of current service members; it is our duty to care for the soldier and his dependents who continue to bear the effects of battle.

In our history, more than one million American men and women have died in defense of our nation. If these now-silent patriot's have taught us anything, it is that because of the men and women who were willing to sacrifice their last blood and breath, the United States remains a symbol of freedom and a country whose ideas are still worth defending.

Veterans Day is a day of national respect. We should not forget those who have allowed us to enjoy that which we have today. More than ever, we must rededicate ourselves to honor the lives and memory of those who served, fought, and often died.

How might we best recognize these American heroes? We should pause to give them thanks for safeguarding our liberties. We should pledge to carry out the civic responsibilities of citizens living in a free country. And we should exercise those loyalties by demonstrating our respect for both our living Veterans and those in their final resting places. It is so little to ask of us when they have given so much.

Veterans are the unsung heroes who define our American heritage, ordinary citizens who did their duty. And to those who have fallen, let us remember that freedom is never free