

# EXTENSIONS OF REMARKS

SECURITY AND FREEDOM  
THROUGH ENCRYPTION (SAFE)  
ACT

**HON. BOB GOODLATTE**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 1, 1999*

Mr. GOODLATTE. Mr. Speaker, I am pleased, along with 204 of my colleagues, to introduce the Security And Freedom through Encryption (SAFE) Act of 1999.

This much-needed, bipartisan legislation accomplishes several important goals. First, it aids law enforcement by preventing piracy and white-collar crime on the Internet. If an ounce of prevention is worth a pound of cure, then an ounce of encryption is worth a pound of subpoenas. With the speed of transactions and communications on the Internet, law enforcement cannot possibly deal with pirates and criminal hackers by waiting to react until after the fact.

Only by allowing the use of strong encryption, not only domestically but internationally as well, can we hope to make the Internet a safe and secure environment. As the National Research Council's Committee on National Cryptography Policy concluded, "If cryptography can protect the trade secrets and proprietary information of businesses and thereby reduce economic espionage (which it can), it also supports in a most important manner the job of law enforcement. If cryptography can help protect nationally critical information systems and networks against unauthorized penetration (which it can), it also supports the national security of the United States."

Second, if electronic commerce is to reach its true potential, consumers and companies alike must have the confidence that their communications and transactions will be secure. The SAFE Act, by allowing all Americans to use the highest technology and strongest security available, will provide them with that confidence.

Third, with the availability of strong encryption overseas and on the Internet, our current export controls only serve to tie the hands of American business. According to a number of industry studies, failure to remove our export controls will cost our economy hundreds of thousands of jobs and tens of billions of dollars.

The SAFE Act remedies this situation by allowing the export of generally available encryption products without a license, and custom-designed encryption products if they are approved for use by banks or are commercially available from foreign companies. Removing these export barriers will free U.S. industry to remain the world leader in software, hardware, and Internet development. And by allowing the U.S. computer industry to use and export the highest technology available with the strongest security features available, America will be leading the way into the 21st century information age and beyond.

This bipartisan legislation enjoys the support of members and organizations across the

spectrum of all ideological and political beliefs. Groups as varied as Americans for Computer Privacy, American Civil Liberties Union, National Rifle Association, Law Enforcement Alliance of America, Americans for Tax Reform, Netscape, America Online, Microsoft, Business Software Alliance, Novell, Lotus, Adobe, Electronic Industries Alliance, Software and Information Technology Association, Information Technology Association of America, Citizens for a Sound Economy, Telecommunications Industry Association, Computer Electronics Manufacturers Association, U.S. Telephone Association, SBC Communications, Bell Atlantic, Bell South, U.S. West, Competitive Enterprise Institute, Business Leadership Council, IBM, Small Business Survival Committee, Sybase, RSA Data Security, Semiconductor Industry Association, Telecommunications Industry Association, Center for Democracy and Technology, and U.S. Chamber of Commerce, Direct Marketing Association, American Financial Services Association, Intel, Compaq, Network Associates, National Association of Manufacturers strongly support this legislation, to name just a few.

The SAFE Act enjoys this support not only because it is a common-sense approach to solving a very immediate problem, but also because ordinary Americans' personal privacy and computer security is being assaulted by this Administration. Amazingly enough, the Administration wants to mandate a back door into peoples' computer systems in order to access their private information and confidential communications. In fact, the Administration has said that if private citizens and companies do not "voluntarily" create this back door, it will seek legislation forcing Americans to give the government access to their information by means of a "key escrow" system requiring computer users to put the keys to decode their encrypted communications into a central data bank. This is the technological equivalent of mandating that the federal government be given a key to every home in America.

The SAFE Act, on the other hand, will prevent the Administration from placing roadblocks on the information superhighway by prohibiting the government from mandating a back door into the computer systems of private citizens and businesses. Additionally, the SAFE Act ensures that all Americans have the right to choose any security system to protect their confidential information.

Mr. Speaker, with the millions of communications, transmissions, and transactions that occur on the Internet every day, American citizens and businesses must have the confidence that their private information and communications are safe and secure. That is precisely what the SAFE Act will ensure. I urge each of my colleagues to join and support this bipartisan effort.

The original cosponsors are Representatives LOFGREN, ARMEY, DELAY, WATTS, TOM DAVIS, COX, PRYCE, BLUNT, GEPHARDT, BONIOR, FROST, DELAURO, JOHN LEWIS, GEJDENSON, SENSENBRENNER, GEKAS, COBLE, LAMAR SMITH, GALLEGLY, BRYANT, CHABOT,

BARR, HUTCHINSON, PEASE, CANNON, ROGAN, BONO, BACHUS, CONYERS, FRANK, BOUCHER, NADLER, JACKSON-LEE, WATERS, MEEHAN, DELAHUNT, WEXLER, ACKERMAN, ANDREWS, ARCHER, BALLENGER, BARCIA, BILL BARRETT, TOM BARRETT, BARTON, BILBRAY, BLUMENAUER, BOEHNER, KEVIN BRADY, ROBERT BRADY, CORRINE BROWN, GEORGE BROWN, BURR, BURTON, CAMP, CAMPBELL, CAPPS, CHAMBLISS, CHENOWETH, CHRISTIAN-CHRISTENSEN, CLAYTON, CLEMENT, CLYBURN, COLLINS, COOK, COOKSEY, CUBIN, CUMMINGS, CUNNINGHAM, DANNY DAVIS, DEAL, DEFAZIO, DEUTSCH, DICKEY, DOOLEY, DOOLITTLE, DOYLE, DREIER, DUNCAN, DUNN, EHLERS, EMERSON, ENGLISH, ESHOO, EWING, FARR, FILNER, FORD, FOSSELLA, FRANKS, GILLMOR, GOODE, GOODLING, GORDON, GREEN, GUTKNECHT, RALPH HALL, HASTINGS, HERGER, HILL, HOBSON, HOEKSTRA, HOLDEN, HOOLEY, HORN, HOUGHTON, INSLEE, ISTOOK, JACKSON, JR., JEFFERSON, E.B. JOHNSON, NANCY JOHNSON, KANJORSKI, KASICH, KELLY, KILPATRICK, KIND, KINGSTON, KNOLLENBERG, KOLBE, LAMPSON, LARGENT, LATHAM, LEE, RON LEWIS, LINDER, FRANK LUCAS, LUTHER, KAREN MCCARTHY, MCDERMOTT, MCGOVERN, MCINTOSH, MALONEY, MANZULLO, MARKEY, MARTINEZ, MATSUI, MEEK, METCALF, MICA, MILLENDER-MCDONALD, GEORGE MILLER, MOAKLEY, JIM MORAN, MORELLA, MYRICK, NAPOLITANO, NEAL, NETHERCUTT, NORWOOD, NUSSLE, OLVER, PACKARD, PALLONE, PASTOR, COLLIN PETERSON, PICKERING, POMBO, POMEROY, PRICE, QUINN, RADANOVICH, RAHALL, RANGEL, REYNOLDS, RIVERS, ROHRBACHER, ROS-LEHTINEN, RUSH, SALMON, SANCHEZ, SANDERS, SANFORD, SCARBOROUGH, SCHAFFER, SESSIONS, SHAYS, SHERMAN, SHIMKUS, ADAM SMITH, CHRIS SMITH, SOUDER, STABENOW, STARK, SUNUNU, TANNER, TAUSCHER, TAUZIN, TAYLOR, THOMAS, THOMPSON, THUNE, TIAHRT, TIERNEY, UPTON, VENTO, WALSH, WAMP, WATKINS, WELLER, WHITFIELD, WICKER, WOOLSEY, and WU.

## PERSONAL EXPLANATION

**HON. JUANITA MILLENDER-MCDONALD**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 1, 1999*

Ms. MILLENDER-MCDONALD. Mr. Speaker, on Tuesday, February 23, 1999, I was unavoidably detained while conducting official business and missed rollcall votes 22 and 23. Had I been present I would have voted "yea."

INTRODUCTION OF "THE AMERICAN LAND SOVEREIGNTY PROTECTION ACT"

**HON. DON YOUNG**

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 1, 1999*

Mr. YOUNG of Alaska. Mr. Speaker, today, on behalf of myself and 126 cosponsors I am

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

introducing the American Land Sovereignty Protection Act. Last Congress, this bill, known as H.R. 901, passed the House by a vote of 236-191. I am confident that this Congress will pass the American Land Sovereignty Protection Act.

H.R. 901 will: (1) prevent the Executive Branch from using World Heritage Site, Biosphere Reserve, and RAMSAR designations to guide domestic land use policies without consulting Congress, (2) restore meaningful Congressional oversight of these programs, (3) protect the rights of owners on non-federal lands adjacent to or intermixed with these land reserves, and (4) protect our domestic land use decision-making process from international interference.

United Nations' land designations, such as UNESCO Biosphere Reserves and World Heritage Sites, currently take place without the approval of Congress and virtually no Congressional oversight. The Constitutional power of Congress "to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States" cannot be bargained away by the President in a Treaty.

International land use designations, such as the Biosphere Reserve program, also enable the Executive Branch to implement international treaties, such as the Convention on Biological Diversity, without ratification by the United States Senate. For example, a prime objective of the biosphere reserve program is to create a national network of biosphere reserves that will implement Article 6 of the Convention on Biological Diversity.

The Biosphere Reserve program is not authorized by a single U.S. law nor is it even governed by an international treaty. That is wrong. Executive branch appointees cannot and should not do things that the law does not authorize.

Congress must act to keep international commitments from interfering with Constitutional rights, such as the right to own property, guaranteed all American citizens. Our system may be messy at times, but it is designed to protect rights that Americans value, rights which are only a dream for citizens of many other countries. Otherwise, the rights of our citizens and the boundary between public land managed by the government and private property can be too easily ignored.

The public and local governments are almost never consulted about creating World Heritage Sites and Biosphere Reserves. Designation efforts are almost always driven by unelected federal bureaucrats. Despite claims to the contrary by proponents of these programs, World Heritage Sites and Biosphere Reserves face strong local opposition.

So that everyone understands, my concern is that the United States Congress—and therefore the people of the United States—have been left out of the domestic process to designate Biosphere Reserves and World Heritage sites. This legislation restores the Constitutional role of Congress in governing lands belonging to the United States thereby making the people of this country relevant in this process.

The American Land Sovereignty Protection Act requires that Congress approve international land designations in the United States on a case by case basis, because according to the United States Constitution, Congress possesses the ultimate decision-making power

over lands belonging to the people of the United States.

HONORING NEW PENSACOLA CHIEF OF POLICE, JERRY W. POTTS

**HON. JOE SCARBOROUGH**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 1, 1999*

Mr. SCARBOROUGH. Mr. Speaker, today I wish to share with my colleagues the outstanding accomplishments of a great Floridian, Mr. Jerry W. Potts, Chief of Police in the City of Pensacola, Florida.

Chief Potts' professional and personal life have been characterized by excellence, leadership and service to others. The resume he has compiled is extraordinary. He embarked on his long and successful career in public service in 1965 when he joined the U.S. Army 82nd Airborne Division.

Chief Potts began his law enforcement career in 1973 when he joined the Pensacola Police Department as a dispatcher. Jerry quickly worked his way up the ranks being promoted to police officer, Sergeant, Assistant Chief of Police, and early this year, Chief of Police.

Jerry Potts' service to others goes beyond law enforcement. Chief Potts has always been involved in our community. He has served on the Judges' Task Force for Children, the Mayor's Task Force on Community Values, and the Board of Governors for Fiesta of Five Flags.

Mr. Speaker, by any measure of merit, Chief Potts is one of America's best and brightest law enforcement professionals, and he will continue to be an asset for Northwest Florida in his new role. And a father of two young boys, I sleep better at night knowing that our streets are safer and that our children are protected because of his life-long efforts.

Chief Jerry Potts has devoted his life to preserving the public safety enjoyed by the people of the City of Pensacola and the entire State of Florida. We are grateful for his continuing public service.

TRIBUTE TO ASSEMBLYWOMAN CARMEN E. ARROYO

**HON. JOSÉ E. SERRANO**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 1, 1999*

Mr. SERRANO. Mr. Speaker, I rise today to congratulate and to pay tribute to Assemblywoman Carmen E. Arroyo, an outstanding individual who has dedicated her life to public service.

Born in Corozal, Puerto Rico, Carmen moved to New York City in 1964 after graduating from Corozal High School and Sixto Febus Business School, where she received her Secretarial-Bookkeeper degree. She has shown the importance of life-long learning as she has continued to take post-graduate courses. In 1978 she received her Associate of Arts Degree from Eugenio Maria de Hostos Community College and in 1980, at the age of 44, she earned her Bachelor of Arts Degree from the College of New Rochelle. I have known her

personally for many years, and I am very familiar with her background, experience, character, and personality. She is a person of the highest personal and professional integrity.

Mr. Speaker, when Carmen moved to New York, she worked long hours in a factory in order to bring her seven children from Puerto Rico. In 1965, they joined her in New York, but, unable to find day care services, she was forced to receive public assistance for nine months, during which time she organized the welfare mothers of her community and founded the South Bronx Action Group (SBAG) in 1966. The South Bronx Action Group received funding and Carmen served as the Executive Director. She expanded the notion of tenant advocacy to include interrelated employment, health, adult education, and welfare services. Today, the SBAG is still operating.

In 1978, Carmen became Executive Director of the South Bronx Community Corporation, where she was responsible for implementation of policy and overall supervision of program budgeting. As Executive Director, she implemented a successful feeding program where over 400 senior citizens and drug addicts were served hot meals on a daily basis. Under her leadership, the SBCC had the largest Summer Youth Employment Program in New York City, employing over 5,000 each year. Carmen was also instrumental in raising funds from public resources and private foundations. She initiated a grant for funds under Section 202 of the Federal Housing Act and received two grants totaling over 8.4 million dollars to construct 194 housing units for senior citizens. Carmen was also instrumental in the development of private housing for working class families in the South Bronx. As a result of that, she became the first Puerto Rican woman housing developer in New York State.

In 1978, Carmen was elected Female District Leader of what today is the 74th Assembly District, which she served until 1993. She served as Member and President of Community School Board 7 from 1973 to 1993. She served as member of the Lincoln Hospital Advisory Board for 17 years and in 1973 was appointed by former Governor Nelson Rockefeller to the NYS Medicaid Council, on which she served a 4-year term. She was also Member and Chairperson of Planning Board One for 20 years.

Mr. Speaker, in February 1994, Carmen won a special election and became the first Puerto Rican Woman elected to the New York State Assembly.

This is the kind of issue that should be discussed in the classrooms. Assemblywoman Arroyo is a role model for all Hispanics. She has set an example of how success is available for all of those who persevere to achieve their goals. She is an inspiration for many Puerto Ricans and for the people in the Bronx who are trying to break the cycle of poverty.

Carmen is the mother of seven and the grandmother of fourteen. She continues to reside in the South Bronx with her husband Hector Ramirez.

Mr. Speaker, I ask my colleagues to join me in commending Assemblywoman Carmen E. Arroyo for her outstanding achievements and in wishing her continued success.