

SENATE BILL REPORT

SJM 8007

As of February 15, 1999

Brief Description: Requesting that United States policy promote privacy and security in the field of encryption software.

Sponsors: Senators Finkbeiner, Benton, Brown, Hochstatter, Kline, Shin and Winsley.

Brief History:

Committee Activity: Energy, Technology & Telecommunications: 2/16/99.

SENATE COMMITTEE ON ENERGY, TECHNOLOGY & TELECOMMUNICATIONS

Staff: Karen Kirkpatrick (786-7403)

Background: Encryption software scrambles electronic mail and other data to make it unintelligible to eavesdroppers. The more sophisticated the encryption, the more bits are in a key, and the harder the code is to break.

The United States currently prohibits, without special permission, the export of encryption above 56 bits. Many countries do not have export restrictions on encryption products.

With the growth of electronic commerce, some fear that information transmitted electronically will be increasingly vulnerable to hackers or criminals if not adequately protected. It has been suggested that a less restrictive policy is needed to promote privacy and information security and prevent a disadvantage to American software manufacturers trying to compete in the global marketplace.

Summary of Bill: Congress is petitioned to urge the White House, in conjunction with the Federal Bureau of Investigation, Department of Justice, and Department of Commerce, to adopt a policy that promotes privacy and information security; does not bar the manufacture, sale, or use of encryption within the United States; gives priority to research and development of new technological capabilities for law enforcement; and streamlines and progressively relaxes export licensing controls on cryptography. The memorial is sent to President Clinton, Congress, the Department of Justice, the Federal Bureau of Investigation, and the Department of Commerce.

Appropriation: None.

Fiscal Note: Not requested.