The bill makes clear that it shall be the policy of the Federal government to permit the public to interact with the government through commercial networks and infrastructure and protect the privacy and security of any electronic communications and stored information by the government.

The Federal government is encouraged to purchase encryption products for its own use, but is required to ensure that such products will interoperate with other commercial encryption products, and the government is prohibited from requiring citizens to use a specific encryption product to interact with the government.

Title II of the PROTECT Act authorizes and directs NIST to complete establishment of the Advanced Encryption Standard by January 1, 2002. Further, the bill ensures the process is led by the private sector and open to comment. Beyond the NIST role in establishing the AES, the Commerce Department is prohibited from facilitating encryption standards—including export controls—for private computer systems.

A critical component of the PROTECT Act is improving the government's technological capabilities to detect and counter the use of encryption in the digital age. Much of the concern from law enforcement and national security agencies is rooted in the unfortunate reality that the government lags desperately behind in their understanding of advances, technologies, and the ability to achieve goals and missions in the digital age.

This legislation expands NIST's Information Technology Laboratory duties to include: (a) obtaining information regarding the most current hardware, software, telecommunications and other capabilities to understand how to access information transmitted across networks; (b) researching and developing new and emerging technologies to facilitate access to communications and electronic information; (c) researching and developing methods to detect and prevent unwanted intrusions into commercial computer networks; (d) providing assistance in responding to information security threats at the request of other Federal agencies and law enforcement; (e) facilitating the development and adoption of “best information security practices” between the agencies and the private sector.

Title V of the legislation deals with the export of encryption products. The Secretary of Commerce is granted sole jurisdiction over commercial encryption products, except those specifically designed or modified for military use, including command and control and intelligence applications. The legislation clarifies that the U.S. government may continue to impose export controls on all encryption products, other than commercial encryption products, and the government is prohibited from requiring citizens to use a specific encryption product to interact with the government.

Finally, the PROTECT Act prohibits the Secretary from imposing any reporting or record-keeping requirements on any encryption product not subject to U.S. export controls or exported under a license exception.

Mr. President, as I have stated, my purpose in putting this legislation together was to get outside the zero sum game thinking that has become so indicative of the debate surrounding the encryption export controls. I would like to commend the outstanding and creative leadership of Senator Burns on this issue. He is a leader on technology issues in the Senate, and has played an invaluable role in developing this approach. I look forward to working with him, and our other original cosponsor in building the support necessary to see the PROTECT Act signed into law during this Congress.
as the Special Committee on the Year 2000 Technology Problem (hereafter in this resolution referred to as the “special committee”)
(b) PURPOSE.—The purpose of the special committee is—
(1) to study the impact of the year 2000 technology problem on the Executive and Judicial branches of the Federal Government, State governments, and private sector operations in the United States and abroad;
(2) to make such findings of fact as are warranted by the record; and
(3) to make such recommendations, including recommendations for new legislation and amendments to existing laws and any appropriate congressional agency actions, as the special administration may determine to be necessary or desirable.
No proposed legislation shall be referred to the special committee, and the committee shall not have power to report by bill, or otherwise have legislative jurisdiction.
(c) TREATMENT AS STANDING COMMITTEE.—For purposes of paragraphs 1, 2, 7(a)(1)–(2), and 10(a) of rule XXVI and rule XXVII of the Standing Rules of the Senate, and section 202(i) and (j) of the Legislative Reorganization Act of 1970, the special committee shall be treated as a standing committee of the Senate.
SEC. 2. MEMBERSHIP AND ORGANIZATION OF THE SPECIAL COMMITTEE.
(a) MEMBERSHIP.—
(1) IN GENERAL.—The special committee shall consist of 7 members of the Senate—
(A) 4 of whom shall be appointed by the President pro tempore of the Senate from the majority party of the Senate upon the recommendation of the Majority Leader of the Senate;
(B) 3 of whom shall be appointed by the President pro tempore of the Senate from the minority party of the Senate upon the recommendation of the Minority Leader of the Senate.
The Chairman and Ranking Minority Member of the Appropriations Committee shall be appointed ex-officio members.
(b) VACANCIES.—Vacancies in the membership of the special committee shall not affect the authority of the remaining members to execute the functions of the special committee and shall be filled in the same manner as original appointments to it are made.
(c) SERVICE.—For the purpose of paragraph 4 of rule XXVI of the Standing Rules of the Senate, service of a Senator as a member, chairman, or vice chairman of the special committee shall not be taken into account.
(d) APPOINTMENT OF CHAIRMAN.—The special committee shall be selected by the Majority Leader of the Senate from among the members of the Senate, in its discretion—
(A) to make expenditures from the contingent fund of the Senate out of the Account for Expenses for Inquiries and Investigations, for use by the special committee to carry out this resolution—
(1) not to exceed $875,000 for the period beginning on March 1, 1999 through February 28, 1999, and $875,000 for the period beginning on March 1, 1999 through February 29, 2000, of which not to exceed $500,000 shall be available for each period for the procurement of the services of individual consultants, or organizations thereof, as authorized by section 202(1) of the Legislative Reorganization Act of 1970; and
(2) such additional sums as may be necessary for agency contributions related to the compensation of employees of the special committee.
(b) EXPENSES.—Payment of expenses of the special committee shall be disbursed upon vouchers approved by the chairman, except that such action may be taken by the special committee or its chairman, following consultation with the vice chairman, or any member of the special committee designated by the chairman after consultation with the vice chairman, and may be signed by any person designated by the chairman or the member signing the subpoena.
(d) OTHER COMMITTEE STAFF.—The special committee may use, with the prior consent of the chairman of any other Senate committee or the chairman of any subcommittee of any committee of the Senate and on a nonreimbursable basis, the facilities or services of any member, staff member, or other Senate committee whenever the special committee or its chairman, following consultation with the vice chairman, considers that such action is necessary or appropriate to enable the special committee to make the investigation and study provided for in this resolution.
(e) USE OF CAMPUS SPACE.—The staff of the special committee may be located in the personal office of a Member of the special committee.
SEC. 3. REPORT AND TERMINATION.
The special committee shall report its findings, together with such recommendations as it deems advisable, to the Senate at the earliest practicable date.
SEC. 4. FUNDING.
(a) IN GENERAL.—There shall be made available from the contingent fund of the Senate out of the Account for Expenses for Inquiries and Investigations, for use by the special committee to carry out this resolution—
(1) not to exceed $875,000 for the period beginning on March 1, 1999 through February 28, 1999, and $875,000 for the period beginning on March 1, 1999 through February 29, 2000, of which not to exceed $500,000 shall be available for each period for the procurement of the services of individual consultants, or organizations thereof, as authorized by section 202(1) of the Legislative Reorganization Act of 1970; and
(2) such additional sums as may be necessary for agency contributions related to the compensation of employees of the special committee.
Mr. REID. Mr. President, I rise today to insert into the CONGRESSIONAL RECORD an analysis by the noted economist, Michael Evans. This information, I think, is important to all Americans and it is something that we should all be aware of if we wish to have a healthy economy.
IMF GOLD
Mr. EVANS. The International Monetary Fund is often considered to be the global economic regulator. It is the institution that sets the rules for the global economy and it has the power to influence the direction of the world's economies.
Unfortunately, the IMF has a history of making decisions that have significant consequences for the world. The most recent example of this is the decision by the IMF to loan money to Greece.
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