

U.S. SENATOR PATRICK LEAHY

Vermont

STATEMENT OF PATRICK LEAHY ON
VICE PRESIDENT GORE'S CLIPPER CHIP LETTER

July 21, 1994

I have read the July 20th letter from the Vice President about the Administration's current thinking on Clipper Chip and, to my mind, it represents no change in policy. In fact, when this letter was sent, I would be surprised if the Administration even thought it was news.

The letter makes clear to me that the Administration continues to embrace key escrow encryption technology, and stands behind Clipper Chip as a federal standard for telephone communications. The official standard makes clear that this standard applies to any communications over telephone lines. Those communications include not only voice, but also low-speed computer data and facsimile messages. The Administration is working on encryption technologies for higher-speed transmissions, such as for computer networks and video networks.

The Vice President says that they want to work with industry to design a key escrow system that could be implemented not just in hardware, but also in software, that would be voluntary, exportable and not rely upon a classified encoding formula. The Administration said all this last February when the federal standard was approved. Yet, when Administration witnesses were questioned about the progress they had made in this effort at my Judiciary subcommittee hearing in early May, I learned they had held only a few meetings.

Last week, the Appropriations Committee accepted strong Report language I suggested on Clipper Chip. The Attorney General is directed to report to Congress within four months on ten areas of concern about Clipper Chip.

I agree with the Vice President that balancing economic and privacy needs with law enforcement and national security is not always an easy task. But we can do better than Clipper Chip.