Encryption and Privacy

Congress is debating the following proposed law:

(1) *All encryption products manufactured or imported for sale or use in the United States must include features that permit immediate decryption of the encrypted data upon the receipt of a valid court order.*

(2) *Whoever knowingly manufactures, imports, or sells an encryption product that does not meet the requirements of this Act shall be subject to a term of imprisonment of not more than five years, a fine of not more than two hundred fifty thousand dollars, or both.*

(3) *It shall NOT be unlawful to use any encryption product purchased or in use prior to January 31 of the year following passage of this Act.*

Both groups, Pro and Con, are presenting arguments to Congress and the news media.

Pro Group: You are a representative from the FBI, CIA, or Homeland Security Department, or a representative from the police department in favor of the proposed act, based on the premise that it is vital to national security.

Con Group: You are a representative from the American Civil Liberties Union (ACLU) or a representative from the computer equipment and telecommunications industry. You believe that the proposed act is not in the overall best interests of the industry or the nation, and that the act may be unconstitutional.

Jury Group: You are a member of Congress and must vote on your acceptance or rejection of the proposed law.