



September 15, 2017

Congressman Doug Collins
1504 Longworth House Office Building
Washington, DC 20515

Congressman Hakeem Jeffries
1607 Longworth House Office Building
Washington, DC 20515

Congressman Darrell Issa
2269 Rayburn House Office Building
Washington, DC 20515

Congresswoman Suzan DelBene
2442 Rayburn House Office Building
Washington, DC 20515

Dear Representatives Collins, Jeffries, Issa, and DelBene:

We write to express our support for your leadership on efforts to reform our outdated laws regarding law enforcement access to data.

Our world is increasingly connected through information technology in ways that allow individuals and organizations to communicate, collaborate, and conduct commerce across territorial and jurisdictional boundaries. Cloud computing services, in particular, have revolutionized global commerce, increasing efficiency, lowering cost, and enabling innovative new products and services across every sector of industry. Cloud services now support nearly every aspect of daily life, from mobile banking and online commerce to high-tech manufacturing and the Internet of Things. To sustain and advance these innovations and the global collaboration they enable, cloud services increasingly operate on a global basis.

Companies operating in this environment increasingly face the challenge of complying with multiple, often conflicting, privacy laws and regulations. These conflicts undermine the confidence of users in information technology products and services, while simultaneously creating obstacles to law enforcement professionals in investigating and prosecuting criminal activity.

For that reason, we believe that U.S. laws governing privacy and law enforcement access to data must be updated to address the realities of our connected world. The newly introduced International

Communications Privacy Act (ICPA), H.R. 3718, modernizes the U.S. approach to these challenges, while striking a delicate balance between citizens' inviolable privacy rights and the law enforcement community's imperatives for gathering evidence in support of legitimate criminal investigations. We appreciate that significant progress has been made on the legislation. This year's version of ICPA addresses concerns that had been raised last Congress. The legislation reinforces that U.S. law enforcement must attain a warrant for any electronic content for U.S. persons, settles uncertainty around obtaining such information for foreign nationals, and augments international rule of law by establishing a multilateral framework for processing law enforcement requests for communications.

Your legislation – and S. 1671, its bipartisan counterpart in the Senate sponsored by Senators Hatch, Coons, and Heller – is a valuable contribution to efforts to modernize our privacy laws to reflect current realities. The bipartisan, bicameral action shows that Congress understands the importance of resolving law enforcement access issues through changes to the statute. Reinforcing international cooperative approaches that respect privacy while supporting effective law enforcement are vital in sustaining our ability to compete globally and create jobs in the United States. For that reason, we look forward to working with you and your colleagues in Congress to pass ICPA as soon as possible.

Thank you again for your leadership on these important issues.

Sincerely,

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BSA | The Software Alliance
Computers & Communications Industry Association (CCIA)
Computing Technology Industry Association (CompTIA)
Consumer Technology Association (CTA)
Information Technology Industry Council (ITI)
Internet Association
National Association of Manufacturers (NAM)
NetChoice
Reform Government Surveillance
Software and Information Industry Association (SIIA)
TechNet
U.S. Chamber of Commerce