



Information Technology Industry Council

May 21, 2014

The Honorable John Boehner
Speaker of the House
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Nancy Pelosi
Democratic Leader
U.S. House of Representatives
Washington, D.C. 20515

Re: HR 3361, the USA FREEDOM Act

Dear Speaker Boehner and Leader Pelosi:

On behalf of the members of the Information Technology Industry Council (ITI), I write to commend the House of Representatives on the progress that has been made on surveillance reform. Passage of HR 3361 in the House of Representatives would mark an important step in addressing public concerns about surveillance programs in the U.S. at a time when many U.S. tech companies are experiencing troubling repercussions in a global marketplace.

We also look forward to continuing to engage with policymakers on a number of provisions in HR 3361 in the coming weeks as the debate moves to the Senate. In particular, we were disappointed that the original definition of “specific selection term” that was initially agreed to by the House Judiciary and Intelligence Committees earlier this month, was amended in a way that now makes the definition ambiguous. It is critical that the definition of “specific selection term” in the law that is enacted is sufficiently clear and limited in scope to ensure that government collection is not indiscriminate and is narrowly tailored. Because the “specific selection term” is what serves as the basis of a government order for production under HR 3361, the language should be unambiguous as to the scope of collection permitted under the law.

In addition, the ability for companies to be transparent about the orders they receive and to report publicly about those orders is of paramount importance and is critical to engender public trust. We look forward to continuing to engage on the transparency provisions in HR 3361 so that the final legislation contains transparency provisions that are as robust as possible.

ITI is the premier advocacy and policy organization for 57 of the world’s leading information and communications technology companies, including computer hardware and software, internet services, and wireless networking companies. On behalf of ITI’s member companies, I thank you for your leadership and continued bipartisan efforts on this critical issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Dean Garfield", written over a light blue horizontal line.

Dean Garfield
President and CEO

cc: Members of the House of Representatives