

March 11, 2013

Dear Representative:

We the undersigned organizations write in opposition to H.R. 624, the Cyber Intelligence Sharing and Protection Act of 2013 (CISPA). We are gravely concerned that this bill will allow companies that hold very sensitive and personal information to liberally share it with the government, which could then use the information without meaningful oversight for purposes unrelated to cybersecurity.

CISPA creates an exception to all privacy laws to permit companies to share our information with each other and with the government in the name of cybersecurity. Although a carefully-crafted information sharing program that strictly limits the information to be shared and includes robust privacy safeguards could be an effective approach to cybersecurity, CISPA lacks such protections for individual rights. CISPA's information sharing regime allows the transfer of vast amounts of data, including sensitive information like internet records or the content of emails, to any agency in the government including military and intelligence agencies like the National Security Agency or the Department of Defense Cyber Command. Once in government hands, this information can be used for undefined 'national security' purposes unrelated to cybersecurity.

Developments over the last year make CISPA's approach even more questionable than before. First, the President recently signed Executive Order 13636, which will increase information sharing from the government to the private sector. Information sharing in this direction is often cited as a substantial justification for CISPA and will proceed without legislation. Second, the cybersecurity legislation the Senate considered last year, S. 3414, included privacy protections for information sharing that are entirely absent from CISPA, and the Obama administration, including the intelligence community, has confirmed that those protections would not inhibit cybersecurity programs. These included provisions to ensure that private companies send cyber threat information only to civilian agencies, and stricter limits on how this information may be used. Finally, witnesses at a hearing before the House Permanent Select Committee on Intelligence confirmed only weeks ago that companies can strip out personally identifiable information that is not necessary to address cyber threats, and CISPA omits any requirement that reasonable efforts be undertaken to do so.

We continue to oppose CISPA and encourage you to vote 'no.' Fundamental changes to this bill are required to address the many civil liberties problems.

Sincerely,

Access
Advocacy for Principled Action in Government
American Arab Anti-Discrimination Committee
American Association of Law Libraries
American Civil Liberties Union
American Library Association
Amicus
Association of Research Libraries
Bill of Rights Defense Committee

Center for Democracy & Technology
Center for Media and Democracy
Center for National Security Studies
Competitive Enterprise Institute
The Constitution Project
Council on American-Islamic Relations
CREDO Action
Cyber Privacy Project
Defending Dissent Foundation
Demand Progress
Electronic Frontier Foundation
Fight for the Future
Floor64 Inc.
Free Press Action Fund
Liberty Coalition
Mozilla
National Association of Criminal Defense Lawyers
New American Foundation's Open Technology Institute
NY Tech Meetup
OpenTheGovernment.org
Personal Democracy Media
PolitiHacks
Privacy Rights Clearinghouse
Reporters Without Borders
US PIRG