President Barack Obama
The White House
1600 Pennsylvania Avenue, Northwest
Washington, DC 20500

April 11, 2016

Dear President Obama,

We the undersigned write to respectfully request that the White House specifically oppose legislation to undermine security and reiterate the need for a broad statement of support for encryption from the administration.

Last week, the text of a draft bill written by Senators Burr and Feinstein was published, currently called the "Compliance with Court Orders Act of 2016." It is difficult to take this draft seriously. It has been broadly written to require that all internet companies, and in fact "any person who provides a product or method to facilitate a communication or the processing or storage of data," either undermine the security features they offer users or offer lesser security so as to facilitate government access. This definition includes institutions that many, including government agencies and representatives, rely upon to protect our most sensitive data.

While news reports indicate that the administration will not "endorse" the text, we call on the White House to outright oppose this draft bill -- and all legislation that would severely undermine digital security. This bill essentially asks device manufacturers, service providers, and application developers to do the impossible -- to somehow keep their users secure while facilitating third-party access to information. If the White House is unable to reject such an extreme proposal as this one out of hand, it raises serious concerns about the administration's dedication to human rights and the digital economy.

It is beyond dispute that this bill would threaten the safety of billions of internet users, including journalists, activists, and ordinary people exercising their right to free expression, as well as critical infrastructure systems and government databases. However, it would likely to do very little to assist in investigations of crime or terrorism, since those who engage in illegal activities will have access to other means to protect their own devices and communications.

Several members of civil society and industry published a petition using the White House's API asking you to demonstrate global leadership and publicly affirm your support for strong encryption without backdoors. That petition received well over 100,000 signatures, meeting your

established threshold to require an official response. Despite a commitment to work to provide this response within 60 days, it has been more than 160 days without an answer from your office.

Mr. President, this is an important issue of safety. Data breaches and security incidents—including in the past weeks—demonstrate that companies are barely keeping ahead of adversaries even when they are devoting all of their relevant resources to maintaining system integrity. We cannot now require that they work backward to implement security holes which bad actors will inevitably break through.

Please join us in supporting strong security and rejecting this draft bill, and others like it, publicly, promptly, and forcefully.

Thank you,

Access Now
Advocacy for Principled Action in Government
American Library Association
American-Arab Anti-Discrimination Committee (ADC)
Bill of Rights Defense Committee/ Defending Dissent Foundation
British Columbia Civil Liberties Association
Canadian Access and Privacy Association (CAPA)
Canadian Institute of Access and Privacy Professionals (CIAPP)
Center for Democracy and Technology
Center for Media Justice
Committee to Protect Journalists
Constitutional Alliance
CREDO
Demand Progress
Electronic Frontier Foundation
Engine
Fight for the Future
Free Press Action Fund
Hackers/Founders
IPVanish VPN
New America's Open Technology Institute
Niskanen Center
OpenMedia
PEN American Center
Privacy and Access Council of Canada - Conseil du Canada de l'Accès et la vie Privée (PACC-CCAP)
La Quadrature du Net
Reinst8

Restore the Fourth
R Street Institute
Samuelson-Glushko Canadian Internet Policy & Public Interest Clinic (CIPPIC)
the Tor Project
Venture Politics
X-Lab

Eric Burger, Georgetown University
Ian Goldberg, University of Waterloo
James O'Keefe
John Wunderlich