



March 31, 2014

The Honorable Barbara Mikulski
Chairwoman
Appropriations Committee
United States Senate
Washington, DC 20515

The Honorable Richard Shelby
Ranking Member
Appropriations Committee
United States Senate
Washington, DC 20515

The Honorable Harold Rogers
Chairman
Committee on Appropriations
United States House of Representatives
Washington, DC 20515

The Honorable Nita Lowey
Ranking Member
Committee on Appropriations
United States House of Representatives
Washington, DC 20515

The Honorable Frank Wolf
Chairman
Subcommittee on Commerce, Justice, Science
Committee on Appropriations
United States House of Representatives
Washington, DC 20515

The Honorable Chaka Fattah
Ranking Member
Subcommittee on Commerce, Justice, Science
Committee on Appropriations
United States House of Representatives
Washington, DC 20515

Dear Chairs and Ranking Members,

The undersigned technology trade associations write in support of the FY2015 U.S. Department of Justice (DOJ) appropriations request of \$24.1 million in total funding for Mutual Legal Assistance Treaty (MLAT) process reform.

The MLAT process provides an internationally recognized, clear, and well understood legal framework to satisfy reasonable and compelling privacy interests while ensuring that foreign law enforcement investigations are effective.

However, the treaty's paper promises only carry weight if they are both recognized and appropriately supported. Insufficient staffing and investment by the U.S. have not only delayed the review of law enforcement requests from foreign authorities, they threaten the careful review so essential to due

process itself. Additional funding for DOJ to make MLAT compliance a priority can help the U.S. honor its treaty obligations.

An effective, well-documented, and transparent treaty process is more critical now than ever before. The MLAT process provides a way to reduce or avoid international conflicts and to reduce incentives for jurisdictions to expand extraterritorial access or to seek means other than legal process to get at user data. An effective MLAT process would also reduce the risk that countries adopt harmful data localization requirements that could not only fragment the Internet but actually harm human rights interests.

The resources currently allocated to DOJ are grossly insufficient to carry out these essential tasks. Consistent with the goals of protecting reasonable and compelling privacy interests while ensuring that foreign law enforcement investigations are effective, we urge you to support DOJ's FY 2015 appropriations request of \$24.1 million for MLAT process reform.

Thank you for your time and consideration.

Sincerely,

BSA | The Software Alliance
Computer and Communications Industry Association
Entertainment Software Association
Information Technology Industry Council
The Internet Association
Software & Information Industry Association