

The Hon. Orrin Hatch
United States Senate

Dear Sen. Hatch

As entrepreneurs and employers in Utah, we are writing to urge you to co-sponsor S. 607, the ECPA Amendments Act.

As you well know, the Internet offers a two-fold boost to economic growth: All sectors rely on the Internet to reach customers, streamline operations, and compete globally. Most recently, companies large and small are finding huge competitive advantages in flexible and inexpensive “cloud” services. Plus, the Internet and communications sector is itself one of the most dynamic and innovative in the country. Both of these dynamics are at play in Utah’s technology sector: we depend on the Internet, and we are innovating new Internet-based services.

The Electronic Communications Privacy Act (ECPA), which sets standards for government access to private communications, is critically important to the tech sector. Of course, law enforcement agents need access to electronic evidence in many cases, but government powers should be subject to checks and balances. Companies such as ours need to be able to assure customers that their data is secure. However, ECPA is woefully outdated and no longer matches how technology is being used. Courts have issued inconsistent interpretations of the law, creating uncertainty for service providers, for law enforcement agencies, and for the hundreds of millions of Americans who use the Internet in their personal and professional lives.

S. 607 would update ECPA in one key respect, making it clear that, except in emergencies, or under other existing exceptions, the government must obtain a warrant in order to compel a service provider to disclose the content of emails, texts or other private material stored by the service provider on behalf of its users.

S. 607 would put the economic growth and job creation that cloud innovation drives on a more secure foundation. It would provide clarity and certainty to businesses of all sizes as we seek to develop innovative new services and to compete in a global marketplace.

For all these reasons, we urge you to co-sponsor S. 607, the ECPA Amendments Act.

Al Doan, Startup Weekend: Salt Lake City

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Family ChartMasters

Lean Startup Circle: Salt Lake City

Oracle

Microsoft

Symantec

WestHost, a Utah-based member of UK2Group