

March 19, 2013

To Michael Daniel, White House Cybersecurity Coordinator:

We the undersigned organizations write to encourage the White House to renew its promise to veto the Cyber Intelligence Sharing and Protection Act (CISPA).

Last year, the White House threatened to veto CISPA (H.R. 3523) on the grounds that the bill would create major privacy and security vulnerabilities. This year, CISPA has been reintroduced (H.R. 624) with the same flaws.

In its veto threat, the White House stated:

“The sharing of information must be conducted in a manner that preserves Americans' privacy, data confidentiality, and civil liberties and recognizes the civilian nature of cyberspace. Cybersecurity and privacy are not mutually exclusive.”

Specifically, the White House objected that CISPA did not require companies or the government to “minimize and protect personally identifiable information” (PII):

“[H.R. 3523 repeals] important provisions of electronic surveillance law without instituting corresponding privacy, confidentiality, and civil liberties safeguards. For example, the bill would allow broad sharing of information with governmental entities without establishing requirements for both industry and the Government to minimize and protect personally identifiable information.”

The White House noted that CISPA would provide companies dangerously broad legal immunity for actions they took based on information “identified, obtained, or shared” under the bill:

“H.R. 3523 would inappropriately shield companies from any suits where a company's actions are based on cyber threat information identified, obtained, or shared under this bill, regardless of whether that action otherwise violated Federal criminal law or results in damage or loss of life. This broad liability protection not only removes a strong incentive to improving cybersecurity, it also potentially undermines our Nation's economic, national security, and public safety interests.”

The White House also pointed to the significant threat CISPA poses to the civilian nature of the Internet, a vital aspect of a free and open Internet:

“H.R. 3523 effectively treats domestic cybersecurity as an intelligence activity and thus, significantly departs from longstanding efforts to treat the Internet and cyberspace as civilian spheres.”

Because the flaws that prompted the veto threat have not been fixed, we urge the White House to make clear to Congress it still opposes CISPA.

Sincerely,

Access

ACLU

Advocacy for Principled Action in Government

American Association of Law Libraries

American Library Association

Association of Research Libraries

Bill of Rights Defense Committee

CALPIRG

Center for Democracy & Technology

Center for Digital Democracy

Center for Financial Privacy and Human Rights

Competitive Enterprise Institute

The Constitution Project

Consumer Watchdog

Daily Kos

Demand Progress

DownsizeDC.org, Inc.

DuckDuckGo

Electronic Frontier Foundation

Entertainment Consumers Association

Fight for the Future

Free Press Action Fund

Gandi

Government Accountability Project

Liberty Coalition

Namecheap

National Association of Criminal Defense Lawyers

New America Foundation's Open Technology Institute

NY Tech Meetup

OpenMedia

Personal Democracy Media

PolitiHacks

Privacy Rights Clearinghouse

Privacy Times

Reddit

TechFreedom