



July 23, 2018

The Honorable Mitch McConnell  
Majority Leader  
United States Senate  
317 Russell Senate Office Building  
Washington, DC 20510

The Honorable Charles E. Schumer  
Minority Leader  
United States Senate  
322 Hart Senate Office Building  
Washington, DC 20510

Dear Majority Leader McConnell and Minority Leader Schumer,

We are writing to urge you to act as soon as possible to confirm Adam Klein as Chairman of the Privacy and Civil Liberties Oversight Board (PCLOB) and Edward Felten and Jane Nitze as members of the PCLOB. All three of these nominations have been approved by the Senate Judiciary Committee and are awaiting a vote by the full Senate.

The PCLOB is an independent agency charged with ensuring the US Government's efforts to prevent terrorism integrate the protection of privacy and civil liberties. It exercises important oversight responsibility in reviewing surveillance programs conducted under US law. The PCLOB plays an important role in maintaining transparency in how data is handled and sustaining trust in global data transfers. For example, the US-EU Privacy Shield, which facilitates trans-Atlantic digital commerce, recognizes the critical role of the PCLOB and the importance of it being able to fully exercise its responsibilities.

The movement of data across borders is essential to every industry and businesses of all sizes across the country. According to the US International Trade Commission (ITC), digital trade was responsible for an estimated increase in US gross domestic product of 3.4% to 4.8% in 2011, and for the creation of up to 2.4 million jobs. In 2016, US exports of information and communications technology (ICT) enabled services was \$404 billion, while global e-commerce reached \$27.7 trillion, up from \$19.3 trillion in 2012. Economists predict that making better use of data could lead to a "data dividend" of \$1.6 trillion in the coming years, and that data-enabled efficiency gains could add almost \$15 trillion to global GDP by 2030.

Thank you for your consideration of these nominations. We look forward to working with you to help ensure the swift confirmation of these three individuals.

Sincerely,

Victoria A. Espinel  
President and CEO  
BSA | The Software Alliance

Dean Garfield  
President and CEO  
Information Technology Industry Council (ITI)

Cc: Senators Grassley and Feinstein