

The Honorable Austin Knudsen
Speaker
Montana House of Representatives

The Honorable Debby Barrett
President
Montana Senate

The Honorable Chuck Hunter
Minority Leader
Montana House of Representatives

The Honorable Jon Sesso
Minority Leader
Montana Senate

February 13, 2015

Dear Austin Knudsen, Debby Barrett, Chuck Hunter, and Jon Sesso:

We, the undersigned companies and organizations, are writing to urge speedy consideration and passage of Montana House Bill 444. The bill would provide needed protection to Montanans' sensitive personal and proprietary communications stored in "the cloud."

Montana HB 444 would make it clear that the state government must obtain a warrant to compel a service provider to disclose the content of emails, voicemails, or other private material stored by the service provider on behalf of its users. In some circumstances under current law, the government can force service providers to disclose this sensitive information with a mere subpoena.

Montana HB 444 would provide greater privacy protections and create a more level playing field for technology. It would provide certainty for businesses developing innovative new services and competing in a global marketplace. Notably, the Department of Justice and FBI already follow the warrant-for-content rule. The bill would allow law enforcement officials to obtain electronic communications content in all appropriate cases while protecting Montanans' constitutional rights.

For these reasons, we strongly urge the members of the Montana legislature to support Montana HB 444.

Sincerely,

Advocacy for Principled Action in Government
American Booksellers for Free Expression
American Civil Liberties Union of Montana
American Library Association
Bill of Rights Defense Committee
Center for Democracy & Technology
Citizens Against Government Waste
The Constitution Project
Constitutional Alliance
Data Foundry
Defending Dissent Foundation
Demand Progress
Electronic Frontier Foundation
FreedomWorks
Free Press Action Fund
Giganews
Golden Frog
Google
Less Government
National Workrights Institute
NetChoice
New America's Open Technology Institute
Power House Management
R Street
Restore the Fourth
Sunlight Foundation
Supernews
Venture Politics