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| |  |  | | --- | --- | | **For Immediate Release:** | **Contact:** [Neal A. Patel](mailto:neal_patel@heller.senate.gov)/[Michawn Rich](mailto:michawn_rich@heller.senate.gov) | | February 29, 2016 | 202-224-6244 |   **Heller Joins Bipartisan Coalition to Create National Commission on Digital Security**  *Will bring together tech, intel, law enforcement, global commerce and privacy experts to make recommendations to protect privacy and public safety; proposal has support from a broad range of stakeholders*  **(Washington, DC)** – U.S. Senator Dean Heller (R-NV) joined a bipartisan group of colleagues in the Senate and House today, led by U.S. Senator Mark R. Warner (D-VA), a member of the Senate Intelligence Committee, and House Homeland Security Committee Chairman Michael McCaul (R-TX), in introducing legislation to establish an independent National Commission on Security and Technology Challenges. The digital security Commission will bring together all stakeholders, including tech leaders, law enforcement, the intelligence community, privacy and civil liberties advocates, computer science researchers, and global commerce leaders, who will be charged with developing recommendations for maintaining privacy and digital security while also finding ways to keep criminals and terrorists from exploiting these technologies to escape justice.    In addition to Senator Heller, the legislation is co-sponsored in the Senate by Sens. Cory Gardner (R-CO), Brian Schatz (D-HI), Susan Collins (R-ME), Michael Bennet (D-CO), Shelley Moore Capito (R-WV), and Angus King (I-ME). House co-sponsors are Reps. Jim Langevin (R-RI), Patrick Meehan (R-PA), Suzan Delbene (D-WA), Mike Bishop (R-MI), Ted Lieu (D-CA), Will Hurd (R-TX), Kathleen Rice (D-NY), Blake Farenthold (R-TX), Eric Swalwell (D-CA), Dan Donovan (R-NY), Jerry McNerney (D-CA), Barbara Comstock (R-VA), Mimi Walters (R-CA), Ryan Costello (R-PA), and Dave Reichert (R-WA).    Under the McCaul-Warner proposal, a 16-member Commission, which will include a broad range of individuals with specific expertise, will be appointed in equal numbers by the bipartisan leadership of the House and Senate. The Commission also will include a nonvoting representative selected by the Administration. The Commission will be charged with issuing an interim report within six months, and will be required to submit majority recommendations for Congress to consider within 12 months of the law’s enactment.    “As a member of the Senate Commerce Committee, I’ve watched the tech sector advance rapidly and recognize that the push and pull between technological advancements and the needs of law enforcement has never been easy, but it must be approached carefully. While the debate over encrypted technologies has sparked intensity from both sides, every stakeholder shares the goal of protecting Americans,” said **Sen. Heller**. “The challenge now is striking the right balance that allows law enforcement agencies to be effective while also upholding the values that make our nation great—our privacy, security, and civil liberties. Nevadans and Americans expect Congress to find a path forward, and this Commission is the commonsense first step.”  Digital security and communications technology and national security are inextricably linked. Digital security and communications technology, including encryption, protects critical infrastructure, financial systems, health records, online security, commercial transactions, government information, and personal privacy. But the same tools that Americans rely on to safely shop online, protect their health records, exchange emails and texts away from prying eyes, and run their businesses can be exploited by terrorists and criminals to hide their activities from U.S. intelligence and law enforcement. Because extremists are “going dark,” law enforcement officials warn that we are “going blind” in our efforts to track them.    It is clear that the U.S. faces a difficult question of how to take advantage of privacy and security benefits of digital security and communications technology while minimizing risks posed by its abuse – yet no simple path forward exists despite years of dialogue between the tech sector, law enforcement, and national security professionals. The Commission will bring together leaders from tech companies, the privacy community, law enforcement, and others to examine the intersection of digital technology and national security and determine the implications for national security, public safety, data security, privacy, innovation, and American competitiveness in the global marketplace. The panel will engage with all the key stakeholders to get to the heart of these challenges and publish findings and recommendations in a publicly available report for all to consider.    The proposal has support from a broad range of stakeholders, including privacy advocates, legal scholars, law enforcement and the intelligence communities, the technology industry, and the U.S. Chamber of Commerce.  **Composition of the Commission**  Two commissioners will be selected from each of the following fields:   * Cryptography * Global commerce and economics * Federal law enforcement * State and local law enforcement * Consumer-facing technology sector * Enterprise technology sector * Intelligence community * Privacy and civil liberties community     The Speaker of the House and Senate Majority Leader will appoint eight commissioners, one from each field, including a Chairman. The House Minority Leader and the Senate Minority Leader will appoint eight commissioners, one from each field, including one Vice Chairman.    In addition, the President may appoint one ex officio individual to serve on the Commission in a nonvoting capacity.    Reporting    In a report to Congress, the Commission will provide, at a minimum, assessments of:   * The issue of multiple security interests (public safety, privacy, national security, and communications and data protection) both now and in ten years. * The economic and commercial value of cryptography and digital security and communications technology. * The benefits of cryptography and digital security and communications technology to national security and crime prevention. * The role of cryptography and digital security and communications technology in protecting the privacy and civil liberties of Americans. * The effects the use of cryptography and other digital security and communications technology has on law enforcement and counterterrorism. * The costs of weakening cryptography and digital security and communications technology standards. * International laws, standards, and practices for legal access to communications and data protected by cryptography and digital security and communications technology.     The Commission’s report will also include recommendations for policy and practice, and may include recommendations for legislation, regarding:   * Methods to take advantage of the benefits of digital security and communications technology while mitigating the risk of abuse by bad actors. * The tools, training, and resources that could be utilized by law enforcement and national security agencies to adapt to the new digital landscape. * Cooperation between the government and private sector to work together to impede terrorists’ use of digital security and communications technology to mobilize, facilitate, and carry out attacks. * Any revisions to current law regarding wiretaps and warrants for digital data, while preserving privacy and market competitiveness. * Proposed changes to procedures for obtaining warrants to increase efficiency and cost effectiveness for the government, tech companies, and service providers. * Steps the U.S. can take to lead the development of international standards for digital evidence for criminal investigations, including reforming the mutual legal assistance treaty (MLAT) process.     The Commission will issue an interim report within 6 months, and a final report within 12 months.  For the full bill text, click here. For a section-by-section summary, click here.    ###  [http://www.heller.senate.gov/public/vendor/_skins/heller/images/newsletter/icon_fb.png](http://www.facebook.com/pages/US-Senator-Dean-Heller/325751330177) [http://www.heller.senate.gov/public/vendor/_skins/heller/images/newsletter/icon_tw.png](http://twitter.com/SenDeanHeller) [http://www.heller.senate.gov/public/vendor/_skins/heller/images/newsletter/icon_yt.png](http://www.youtube.com/user/SenDeanHeller) |