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G-8 Heads of Delegations:

In August 1998, the World Information Technology and Services Alliance (WITSA), a consortium of 41 information technology (IT) industry associations from economies around the world issued a statement, "Government and Law Enforcement Access to Transmitted Information in the Digital Environment". The statement calls for cooperation among business and government and law enforcement agencies to move toward an international solution regarding access by governments and law enforcement agencies to data transmissions.

Recently, the business community became aware of a proposal that would require businesses – and more particularly, Internet Service Providers – to maintain the means to provide clear text of transmitted information for up to three months. The 1998 WITSA statement noted that legal access to information in the networked environment poses many concerns and challenges to business. As a result, WITSA developed a set of principles, consistent with those being developed by a number of other international organizations at that time, to address these concerns. Principle #3 states:

"[a] business shall have no obligation to maintain the means to provide clear text of transmitted information, including e-mail, unless the information is stored on the business's facilities in a non-transitory manner at the time the information is properly requested and during the period of the proper legal request, and is accessible in clear text by the business."

Clearly the recent proposal is contrary to this principle and seems to take us at least a step backwards from two years ago – light years in the digital environment.

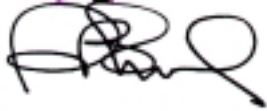
This proposal is inequitable and unworkable due to the fact that no such requirement exists in the analog world today, the cost of maintaining the information would inhibit the growth of electronic commerce and the legal implications are broad and undefined.

It is in the interest of governments and law enforcement agencies and business to develop a relationship where these types of issues can be thoroughly discussed and solutions reached on an international level in a cooperative and effective manner. As

the proposal has not been thoroughly discussed with business, we ask that the proposal be withdrawn until government and business have the opportunity to consult on this issue.

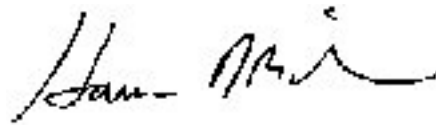
WITSA stands ready to engage in a constructive dialogue on legal access to information in the networked environment and believes that together we can build a mutually beneficial relationship that will result in an outcome that satisfies the needs of governments and law enforcement agencies to perform their duties successfully and yet is not overly burdensome and expensive for the business community to comply with its legal obligations.

Sincerely,



Robert B. Laurence
Chairman

World Information Technology
and Services Alliance (WITSA)



Harris N. Miller
President

World Information Technology
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