

April 16, 2018

Dear Governor Deal:

We, the undersigned, write as individuals who research, teach, and work in the area of cybersecurity at Georgia Tech. The statements here are not meant to represent an official position of the Georgia Institute of Technology. Based on our experience in cybersecurity, and our review of SB 315, we recommend that you veto the bill.

Among the many concerns that have been raised about the bill, we mention the following:

1. **Vagueness and Overbreadth.** As written, the bill appears to criminalize violation of a website's terms of service. Such criminalization is over-broad – even an accidental click on a website may violate the terms of service. In addition, such criminalization creates an incentive for websites to draft narrow terms of service, reducing the rights of users and making any violation subject to criminal prosecution.
2. **Process for consideration of the bill.** The bill proceeded rapidly through the legislature, without an adequate opportunity for hearings and mark-up to clarify and fix the known problems with the bill language.
3. **Effects on cybersecurity research in Georgia.** Based on our daily work in cybersecurity research, we have serious concerns that the bill would criminalize widespread and beneficial cybersecurity research, such as Internet scanning for security research and beneficial reverse engineering.
4. **Effects on the cybersecurity industry in Georgia.** Based on our experience, the vagueness and overbreadth of SB315 would create a chilling effect on cybersecurity investment and operations in Georgia.

In sum, the rationale for SB 315 has not been clearly and publicly presented. By contrast, the bill as drafted raises the serious concerns discussed here. To the extent that any revision in this area of law is appropriate, there should be far greater public deliberation before a law is enacted, to assess the numerous considerations at stake.

To avoid these serious problems, we recommend that you veto SB 315.

Signed (as individuals, with affiliation for identification purposes only):

Annie Antón  
Associate Director for Privacy Engineering & Former Chair  
School of Interactive Computing  
Georgia Institute of Technology

David A. Bader  
Professor & Chair, School of Computational Science and Engineering

College of Computing  
Georgia Institute of Technology

Richard DeMillo  
Charlotte B. and Roger C. Warren Professor of Computing and Former Dean  
College of Computing  
Georgia Institute of Technology

Seymour Goodman  
Regents Professor  
Sam Nunn School and the College of Computing  
Georgia Institute of Technology

Irfan Issa  
Associate Dean of Research  
College of Computing  
Georgia Institute of Technology

Ling Liu  
Professor  
School of Computer Science  
Georgia Institute of Technology

Hans Klein  
Associate Professor  
School of Public Policy  
Georgia Institute of Technology

A P Meliopolous  
Georgia Power Distinguished Professor  
School of Electrical and Computer Engineering  
Georgia Institute of Technology

Milton Mueller  
Professor  
School of Public Policy  
Georgia Institute of Technology

Joel Odom  
Senior Research Scientist  
Georgia Tech Research Institute.

Santosh Pande  
Associate Professor

School of Computer Science  
Georgia Institute of Technology

Calton Pu  
Professor & John P. Imlay Jr. Chair in Software  
College of Computing  
Georgia Institute of Technology

Peter Swire  
Holder Chair of Law & Ethics and Associate Director for Policy  
Institute for Information Security and Privacy  
Georgia Institute of Technology