

# Congress of the United States

Washington, DC 20515

February 25, 2026

The Rt. Hon. Shabana Mahmood MP  
Home Secretary  
Home Office  
2 Marsham Street  
London  
SW1P 4DF  
United Kingdom

Dear Home Secretary Mahmood:

On May 7, 2025, the Committee on the Judiciary and the Committee on Foreign Affairs of the United States House of Representatives (Committees) wrote to former Home Secretary Yvette Cooper about a reported secret order issued by the government of the United Kingdom of Great Britain and Northern Ireland (“UK”) to Apple Inc., an American corporation, compelling the company to provide access to users’ encrypted cloud data in potential violation of the Clarifying Lawful Overseas Use of Data (CLOUD) Act of 2018.<sup>1</sup> Specifically, the Committees requested that Secretary Cooper and the UK government allow Apple to disclose not only the existence of an order but also the “relevant details” about the order for the U.S. Department of Justice (DOJ) to ensure it comports with the CLOUD Act.<sup>2</sup> The Committees are in receipt of a June 3, 2025 letter from Dan Jarvis MP, Minister of State for Security, concerning these matters; however, the relevant details about the order remain undisclosed.

As we explained in our May 7 letter, we have serious concerns that the actions of the UK are weakening the security, privacy, and constitutional rights of American citizens. Specifically, the Committees remain concerned about the UK Home Office’s reported issuance of a Technical Capability Notice (TCN) to Apple under the authority of the UK Investigatory Powers Act (IPA) of 2016, demanding access to end-to-end encrypted data stored in Apple’s iCloud, including

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<sup>1</sup> Pub. L. No. 115-141 (2018) (codified in part at 18 U.S.C. § 2523).

<sup>2</sup> Letter from Rep. Jim Jordan, Chairman, H. Comm. on the Judic., and Rep. Brian Mast, Chairman, H. Comm. on Foreign Affairs, to Rt. Hon. Yvette Cooper, Home Secretary, Home Office (May 7, 2025); *See AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA ON ACCESS TO ELECTRONIC DATA FOR THE PURPOSE OF COUNTERING SERIOUS CRIME*, 60 I.L.M. 171, 2021 WL 1198685 (2019); *see also* Letter from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary, to Hon. Pamela J. Bondi, Att’y Gen., U.S. Dep’t of Justice (Apr. 8, 2025) [hereinafter “Apr. 8 Letter”]; *see also* U.S. DEP’T OF JUSTICE, REPORT CONCERNING THE ATTORNEY GENERAL’S RENEWED DETERMINATION THAT THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, AND THE AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND ON ACCESS TO ELECTRONIC DATA FOR THE PURPOSE OF COUNTERING SERIOUS CRIME, SATISFY THE REQUIREMENTS OF 18 U.S.C. § 2523(b) (Nov. 25, 2024) (renewing bilateral agreement).

content uploaded by users worldwide.<sup>3</sup> This order reportedly targeted Apple’s Advanced Data Protection (ADP) feature, which provides optional end-to-end encryption for iCloud backups and ensures that even Apple cannot access its users’ private data.<sup>4</sup> In response to the secret order, Apple reportedly disabled ADP for UK users in February 2025, effectively weakening encryption protections for approximately 35 million iPhone users in the UK.<sup>5</sup> However, it remains unclear whether this action satisfies the UK’s demands, particularly as the order reportedly extends to data of users outside of the UK, including American citizens.<sup>6</sup>

Current UK laws prohibit Apple or other American companies—to the extent they ever receive a similar order—from disclosing or confirming the existence of such an order, and makes the disclosure a criminal offense, even when the disclosure is made to the company’s home government.<sup>7</sup> In this instance, UK law would prevent Apple from petitioning the U.S. Department of Justice for assistance or clarification, hindering the Department’s ability to assess whether the UK’s actions comply with the U.S.-UK bilateral agreement. The CLOUD Act explicitly prohibits orders that require providers to decrypt data, stating that the agreement “shall not create any obligation that providers be capable of decrypting data[.]”<sup>8</sup> We remain concerned that the UK’s reported order to Apple, by compelling the company to undermine end-to-end encryption for its users, violates this provision and jeopardizes the privacy and security of American citizens whose data is stored on Apple’s global cloud infrastructure.<sup>9</sup>

Apple appealed the reported order in front of the UK’s Investigatory Powers Tribunal (IPT).<sup>10</sup> On April 7, 2025, the IPT ruled that the “bare details” of the appellate action could be made public, confirming that Apple raised “issues as to the Secretary of State’s powers to make Technical Capability Notices under the Investigatory Powers Act of 2016.”<sup>11</sup> In the IPT’s ruling, Justice Rabinder Singh and Justice Jeremy Charles Johnson stated “[w]e do not accept that the revelation of the bare details of the case would be damaging to the public interest or prejudicial to national security.”<sup>12</sup> Unfortunately, disclosure so far has been confined to the confirmation of a legal demand issued by the UK to Apple, with no other relevant information made available.

On December 16, 2025, Brian Leveson, the Investigatory Powers Commissioner (IPC), issued a report to UK Prime Minister Keir Starmer, stating that “[w]e welcome the decision of the Tribunal to order that the bare facts of the case to be disclosed to the public as we consider it

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<sup>3</sup> Anna Gross, et al., *UK government seeks way out of clash with US over Apple encryption*, FINANCIAL TIMES (Jul. 20, 2025); Joseph Menn, *U.K. orders Apple to let it spy on users’ encrypted accounts*, WASH. POST (Feb. 7, 2025).

<sup>4</sup> *Id.*

<sup>5</sup> Press Release, Apple can no longer offer Advanced Data Protection in the United Kingdom to new users, Apple (Feb. 24, 2025).

<sup>6</sup> Menn, *supra* note 3.

<sup>7</sup> See Investigatory Powers Act 2016, 2016 c. 25 (2016); see also Investigatory Powers (Amendment) 2024, 2024 c. 9 (2024).

<sup>8</sup> 18 U.S.C. § 2523(b)(3).

<sup>9</sup> See Apr. 8 Letter, *supra* note 2.

<sup>10</sup> Ryan Browne, *UK loses bid to keep Apple appeal against demand for iPhone ‘backdoor’ a secret*, CNBC (Apr. 7, 2025).

<sup>11</sup> *Between Apple, Inc. & Sec’y of State for the Home Dep’t*, No. IPT/25/68/CH (Inv. Powers Tribunal, Royal Cts. Of Justice, Strand, London, WC2A 2LL) (Apr. 7, 2025) (before Lord J. Singh and Mr. J. Johnson).

<sup>12</sup> *Id.*

is vitally important for there to be a mature and informed public debate about lawful access capabilities.”<sup>13</sup> We agree. In order for there to be a “mature and informed public debate,” it is imperative that the Committees fully understand the actions taken by the UK government with respect to the TCN issued to Apple.

Therefore, we respectfully request a briefing to the Committees related to the TCN served on Apple. We respectfully ask that the Home Office and UK Embassy to the United States arrange for the briefing to occur as soon as possible but no later than 10:00 a.m. ET on March 11, 2026. To schedule the briefing, you may reach Judiciary Committee staff at +1 (202) 225-6906. Additionally, we reiterate our initial request from our May 7, 2025, letter that you and the UK government allow Apple to disclose details of the TCN to the U.S. Department of Justice to ensure compliance with our bilateral agreement with the UK under the CLOUD Act.

The Committee on the Judiciary has jurisdiction over federal law enforcement and civil liberties pursuant to Rule X of the Rules of the House of Representatives.<sup>14</sup> The Committee on Foreign Affairs has jurisdiction over relations of the United States with foreign nations generally, as well as measures to foster commercial intercourse with foreign nations and to safeguard American business interests abroad pursuant to Rule X of the Rules of the House of Representatives.<sup>15</sup>

Thank you for your attention to this important matter.

Sincerely,



Jim Jordan  
Chairman  
Committee on the Judiciary



Brian Mast  
Chairman  
Committee on Foreign Affairs

cc: The Honorable Jamie Raskin, Ranking Member, Committee on the Judiciary

The Honorable Gregory Meeks, Ranking Member, Committee on Foreign Affairs

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<sup>13</sup> INVESTIGATORY POWERS COMMISSIONER’S OFFICE (IPCO), ANNUAL REPORT OF THE INVESTIGATORY POWERS COMMISSIONER 2024 34 (Dec. 16, 2025).

<sup>14</sup> Rules of the House of Representatives, R. X, 119th Cong. (2025).

<sup>15</sup> *Id.*