

CDT Applauds New Transparency from Microsoft and Facebook as Important Step, Calls for More Data

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Washington - Yesterday evening, Facebook [announced](#) [1] after negotiations with the Department of Justice that it was for the first time publishing statistics about the number of government demands for user information it receives - including national security requests such as FISA orders from the Foreign Intelligence Surveillance Court and National Security Letters. Microsoft, which earlier this year issued its first transparency report detailing law enforcement requests for data, quickly followed suit with its own numbers after its own negotiation with the DOJ. Those numbers, like Facebook's, combined law enforcement requests with national security requests such as NSLs and FISA orders.

This [news](#) [2] comes in the wake of Google's public pressure on the Department of Justice, via an [open letter](#) [3] published earlier this week, pressing for permission to publish information about the number of FISA orders it receives, in addition to information about the number of law enforcement requests and NSLs. Google has been publishing transparency reports on law enforcement demands for the past two years and for its last report negotiated its own deal with the DOJ to publish broad aggregate statistics about NSLs.

"Especially in regard to Facebook, which until now had not published any statistics, some information is better than no information at all. And both the Facebook and the Microsoft numbers thankfully seem to confirm that they are not receiving mass or bulk requests for data," said Kevin Bankston, CDT Senior Counsel and Director of CDT's Free Expression Project. "We applaud Facebook and Microsoft for pressing the government for permission to take this important step, but it is only an intermediate step toward the ultimate goal: specific numbers about the particular types of government requests being received. We call on the Justice Department to allow such transparency reporting now, and for Congress to update the law to guarantee the right to engage in such reporting in the future, and we hope that the entire Internet and telecommunications industry will join us in that push. We cannot have an informed debate about the scope of the government's surveillance authority until we have an informed public."

"The latest revelations about the National Security Agency's use of FISA orders to obtain the phone records of millions of Americans, and the similarly troubling revelations about the mysterious 'PRISM' system for Internet surveillance, raise serious questions about how far and how easily the government can reach into our private records and communications," said Bankston. "Those questions go to the heart of our democracy, and we cannot answer them without more data.

Therefore we welcome this new information and thank Microsoft and Facebook for it, and will also continue to press for more information. We look forward to working together with other privacy and transparency advocates, and with the companies, in our mission to achieve even greater transparency."

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Links:

[1] <https://newsroom.fb.com/News/636/Facebook-Releases-Data-Including-All-National-Security-Requests>

[2] <http://www.theverge.com/2013/6/14/4432060/facebook-to-include-national-security-requests-in-transparency-report>

[3]



<http://www.theverge.com/2013/6/11/4419666/google-asks-to-publish-national-security-request-data>