

The Honorable Patrick Leahy
Chairman
Committee on the Judiciary
United States Senate

The Honorable Charles Grassley
Ranking Member
Committee on the Judiciary
United States Senate

The Honorable Bob Goodlatte
Chairman
Committee on the Judiciary
United States House of Representatives

The Honorable John Conyers, Jr.
Ranking Member
Committee on the Judiciary
United States House of Representatives

September 30, 2013

We the undersigned are writing to ask that the Senate and House Judiciary Committees quickly move forward to consider legislation that would provide greater transparency around national security–related requests by the US government to Internet, telephone, and web-based service providers for information about their users and subscribers.

Specifically, we write to voice our strong support for S. 1452, the Surveillance Transparency Act of 2013, and H.R. 3035, the Surveillance Order Reporting Act of 2013, each of which would clarify that companies have the right to publish basic statistics about the government demands for user data that they receive. We urge the Committees to hold hearings on the issue of surveillance transparency as a prelude to the markup of these bills.

Many of the undersigned organizations and companies previously wrote a letter to you and other leaders in Congress and the Administration on July 18th,¹ asking for legislation that would require more comprehensive transparency reporting by the government and allow for more comprehensive transparency reporting by US companies that receive national security–related information requests. We are thankful that Senator Franken, working with eleven cosponsors including Chairman Leahy, and Representative Lofgren, as part of a bipartisan coalition of nine cosponsors including Ranking Member Conyers and Representatives Poe and Chaffetz, were able to so quickly respond to the pressing need for more transparency around the US government’s national security surveillance efforts. Such transparency is important not only for the American people, who are entitled to have an informed public debate about the appropriateness of that surveillance, but also for international users of US-based service providers who are concerned about privacy and security.

We very much look forward to working with the sponsors of S. 1452 and H.R. 3035 to ensure that the goals of those pieces of legislation, and the goals stated in our previous letter, are fully aligned. For example, the Senate bill provides for significant public reporting by the government itself, as requested in our previous letter, and we would welcome the addition of such provisions to the House bill. Similarly, as we had previously requested, the House bill provides for reporting by companies on their receipt of National Security Letters (NSLs) as well as requests under the Foreign Intelligence Surveillance Act (FISA), and we would strongly support inclusion of a similar provision regarding NSLs in the Senate bill, consistent with Chairman Leahy’s longstanding and much appreciated support for NSL reform.

In conclusion, we are eager to assist your Committees in taking prompt action around these critically important bills, and to share our views as other bills are introduced or move through the Committees. We look forward to working together to achieve passage of legislation that will ensure the level of transparency necessary to appropriately inform the American public and preserve the trust of Internet users around the world.

¹ A copy of that letter, updated to reflect additional companies and organizations that have joined the coalition effort since it was first sent, is attached.

Thank you.

Companies & Investors

AOL
Apple Inc.
Automattic Inc. (WordPress.com)
Boston Common Asset Management
CloudFlare
CREDO Mobile
Data Foundry, Inc.
Domini Social Investments LLC
DreamHost
Dropbox
DuckDuckGo
Facebook
Floor64
Foursquare
Golden Frog
Google
LinkedIn
Meetup
Microsoft
Mozilla
Reddit
Personal Democracy Media
SpiderOak
Tumblr
Twilio
Twitter
Union Square Ventures
Yahoo

Nonprofit Organizations & Trade Organizations

Access
AIDS Policy Project
American Booksellers Foundation for Free Expression
American Civil Liberties Union
American Library Association
American Society of News Editors
Association of Research Libraries
Brennan Center for Justice at NYU Law School
BSA | The Software Alliance
Competitive Enterprise Institute
Computer & Communications Industry Association
The Constitution Project
Consumer Action
Defending Dissent Foundation
Demand Progress
Digital Liberty Project at Americans for Tax Reform
DownsizeDC.org
Electronic Frontier Foundation
Engine Advocacy
First Amendment Coalition
Foundation for Innovation and Internet Freedom
Freedom House
Freedom of the Press Foundation
Freedom to Read Foundation
Global Network Initiative
Information Technology and Innovation Foundation
The Internet Association
Internet Infrastructure Coalition
Jewish Voice for Peace
Montgomery County Civil Rights Coalition
National Coalition Against Censorship
NetChoice
New America Foundation's Open Technology Institute
New York Tech Meetup
OpenTheGovernment.org
Project On Government Oversight
Public Citizen
Public Knowledge
Reporters without Borders
Reporters Committee for Freedom of the Press
Software & Information Industry Association
TechFreedom
TechNet
WITNESS