

President Barack Obama
The White House

Attorney General Eric Holder
United States Department of Justice

Director of National Intelligence James R. Clapper
Office of the Director of National Intelligence

General Keith Alexander
Director
National Security Agency

The Honorable Harry Reid
Senate Majority Leader
United States Senate

The Honorable Mitch McConnell
Senate Minority Leader
United States Senate

The Honorable John Boehner
Speaker of the House
United States House of Representatives

The Honorable Nancy Pelosi
House Minority Leader
United States House of Representatives

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

The Honorable Dianne Feinstein
Chairman
Senate Permanent Select Committee on Intelligence
United States Senate

The Honorable Saxby Chambliss
Vice Chairman
Senate Permanent Select Committee on Intelligence
United States Senate

The Honorable Mike Rogers
Chairman
House Permanent Select Committee on Intelligence
United States House of Representatives

The Honorable Dutch Ruppersberger
Ranking Member
House Permanent Select Committee on Intelligence
United States House of Representatives

July 18, 2013

We the undersigned are writing to urge 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.

First, the US government should ensure that those companies who are entrusted with the privacy and security of their users' data are allowed to regularly report statistics reflecting:

- The number of government requests for information about their users made under specific legal authorities such as Section 215 of the USA PATRIOT Act, Section 702 of the FISA Amendments Act, the various National Security Letter (NSL) statutes, and others;
- The number of individuals, accounts, or devices for which information was requested under each authority; and
- The number of requests under each authority that sought communications content, basic subscriber information, and/or other information.

Second, the government should also augment the annual reporting that is already required by statute by issuing its own regular "transparency report" providing the same information: the total number of requests under specific authorities for specific types of data, and the number of individuals affected by each.

As an initial step, we request that the Department of Justice, on behalf of the relevant executive branch agencies, agree that Internet, telephone, and web-based service providers may publish specific numbers regarding government requests authorized under specific national security authorities, including the Foreign Intelligence Surveillance Act (FISA) and the NSL statutes. We further urge Congress to pass legislation requiring comprehensive transparency reporting by the federal government and clearly allowing for transparency reporting by companies without requiring companies to first seek permission from the government or the FISA Court.

Basic information about how the government uses its various law enforcement–related investigative authorities has been published for years without any apparent disruption to criminal investigations. We seek permission for the same information to be made available regarding the government’s national security–related authorities.

This information about how and how often the government is using these legal authorities is important to the American people, who are entitled to have an informed public debate about the appropriateness of those authorities and their use, and to international users of US-based service providers who are concerned about the privacy and security of their communications.

Just as the United States has long been an innovator when it comes to the Internet and products and services that rely upon the Internet, so too should it be an innovator when it comes to creating mechanisms to ensure that government is transparent, accountable, and respectful of civil liberties and human rights. We look forward to working with you to set a standard for transparency reporting that can serve as a positive example for governments across the globe.

Thank you.

Companies

AOL
Apple Inc.
CloudFlare
CREDO Mobile
Digg
Dropbox
Evoca
Facebook
Google
Heyzap
LinkedIn
Meetup
Microsoft
Mozilla
Reddit
salesforce.com
Sonic.net
Stripe
Tumblr
Twitter
Yahoo
YouNow

Nonprofit Organizations & Trade Associations

Access
American Booksellers Foundation for Free Expression
American Civil Liberties Union
American Library Association
American Society of News Editors
Brennan Center for Justice at NYU Law School
Center for Democracy & Technology
Center for Effective Government
Committee to Protect Journalists
Competitive Enterprise Institute
Computer & Communications Industry Association
The Constitution Project
Demand Progress
Digital Liberty Project at Americans for Tax Reform
Electronic Frontier Foundation
First Amendment Coalition
Foundation for Innovation and Internet Freedom
Freedom to Read Foundation
FreedomWorks
Global Network Initiative
GP-Digital
Human Rights Watch
The Internet Association
Internet Infrastructure Coalition

Investors

Boston Common Asset Management
Calvert Investments
Domini Social Investments
F&C Asset Management Plc
New Atlantic Ventures
Union Square Ventures
Y Combinator

Nonprofit Organizations & Trade Associations
(cont'd)

Liberty Coalition
National Association of Criminal Defense
Lawyers
National Coalition Against Censorship
New America Foundation's Open Technology
Institute
OpenTheGovernment.org
Project On Government Oversight
Public Knowledge
Reporters Committee for Freedom of The Press
Reporters Without Borders
TechFreedom
Wikimedia Foundation
World Press Freedom Committee

Additional Signers as of September 30, 2013

Companies

Automattic (WordPress.com)
Data Foundry, Inc.
DreamHost
DuckDuckGo
Floor64
Foursquare
Golden Frog
Personal Democracy Media
SpiderOak
Twilio

Nonprofit Organizations & Trade Associations

AIDS Policy Project
Association of Research Libraries
Bill of Rights Defense Committee
BSA | The Software Alliance
Center for Financial Privacy and Human Rights
Consumer Action
Defending Dissent Foundation
Engine Advocacy
Freedom House
Freedom of the Press Foundation
Global Integrity
Government Accountability Project
Human Rights First
Information Technology & Innovation
Foundation
Jewish Voice for Peace
Montgomery County Civil Rights Coalition
NetChoice
New York Tech Meetup
OpenMedia.ca
PolitiHacks
Public Citizen
Software & Information Industry Association
TechNet
WITNESS