

## More surveillance than meets the eye

by [Leslie Harris](#) [1]  
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A recent submission to Congress by Verizon reveals the extremely high volume of government surveillance requests and orders that telecoms face in the post 9-11 world. The Verizon letter, responding to questions from the House Energy and Commerce Committee, opens a window on a world that most Americans are unaware of: as a matter of course, telecommunications providers turn over subscriber information to a broad array of federal, state and local entities. AT&T and Qwest also made submissions to the Committee, but those submissions were much less revealing. AT&T mostly reiterated its case for immunity and Qwest declined to provide any specific response to the Committee's inquiry. Whatever the shortcomings of Verizon's response, its willingness to provide real numbers and to answer many of the questions the Committee posed is to be applauded. The numbers are remarkable. In 2005, Verizon received 90,000 "lawful requests and demands" for customer information associated with the company's wire line services, with 36,000 of those coming from federal officials. These numbers do not include any information or reference to Verizon's activities conducted in conjunction with classified intelligence gathering (the subject of well publicized litigation). While the debate in Washington has centered on unlawful warrantless surveillance, these numbers suggest that lawful surveillance practices - such as the government's increasing demands for records under very low standards -- merits closer scrutiny as well. The House Energy and Commerce Committee is looking into allegations that the telecommunications firms had unlawfully provided sensitive customer information to the National Security Agency. Many of the Committee's questions remain unanswered, in part because Verizon has been sued by the government to prevent the company from disclosing that information in the pending litigation. The Verizon submission confirms what CDT has suspected for a long time: there is a growing demand by the government for Internet and phone records in the law enforcement context. At the same time, FISA court orders have been steadily increasing. Governments at all levels now possess an enormous treasure trove of phone and Internet data about Americans that needs to be protected. Congress has a responsibility to examine this surveillance and what is happening to the data, consider whether the standards for government access to communications data are strong enough, and report its findings publicly.

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