

Where Are They Now?

Transparency from Tech Companies, Post-PRISM

Company	Has the company released a transparency report?	How many demands has the company received? What type of demands?	Has the company called on the federal government to allow it to provide more detailed information on demands for user information?	Has the company challenged secrecy about FISA demands?
Yahoo!	<p>Yes.</p> <p>Yahoo! released its first transparency report on June 17, 2013.</p> <p>It does not include how many accounts were specified, nor does it include a breakdown by demand type.</p>	<p>For December 1, 2012 through May 31, 2013</p> <p>Legal Demands: 12,000-13,000</p>	<p>Yes.</p> <p>Joined a coalition letter of technology companies, civil liberties organizations, and investors calling for “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...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.”</p> <p>—Open Letter to the US Government, 07-18-2013</p> <p>“Like all companies, Yahoo! cannot lawfully break out FISA request numbers at this time because those numbers are classified; however, we strongly urge the federal government to reconsider its stance on this issue.”</p> <p>—Marissa Mayer (CEO) & Ron Bell (General Counsel), Yahoo! Tumblr, 06-17-2013</p>	<p>Yes.</p> <p>In 2008 Yahoo! unsuccessfully challenged the constitutionality of the Foreign Intelligence Surveillance Court orders.</p> <p>On July 15, 2013, in response to a request by Yahoo, the FISA court ordered the government to declassify its opinion in that case.</p>

			<p>Several companies in the tech industry have urged more transparency from the U.S. government around FISA requests. We at Yahoo! add our voice to this appeal. We recognize the importance of privacy and security, and we also believe that transparency around the number of FISA requests will help build public trust.”</p> <p>—Statement, Reported in TechPresident, 06-13-2013</p>	
<p>Google / YouTube</p>	<p>Yes.</p> <p>Google released its first transparency report in 2009. The company’s most recent report from January 24, 2013, included additional information about National Security Letters.</p> <p>It does not include FISA demands.</p>	<p>For July through December 2012</p> <p>Search Warrants: 1,896 Accounts Specified: 3,152</p> <p>Subpoenas: 5,784 Accounts Specified: 10,390</p> <p>Other Legal Process (not including National Security Letters): 758 Accounts Specified: 1,249</p> <p>For Calendar Year 2012</p> <p>National Security Letters: 0-999 Accounts Specified: 1000-1999</p>	<p>Yes.</p> <p>Joined a coalition letter of technology companies, civil liberties organizations, and investors calling for “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...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.”</p> <p>—Open Letter to the US Government, 07-18-2013</p> <p>“We have always believed that it's important to differentiate between different types of government requests. We already publish criminal requests separately from National Security Letters...Lumping the two categories together would be a step back for users. Our request to the government is clear: to be able to publish aggregate numbers of national security requests, including FISA disclosures, separately.”</p> <p>—Google's Google+ Account, 06-15-2013</p> <p>“We therefore ask you to help make it possible for Google to publish in our Transparency Report</p>	<p>Yes.</p> <p>On June 18, 2013, Google petitioned the Foreign Intelligence Surveillance Court for permission to publish aggregate statistics on the FISA demands it receives.</p>

			<p>aggregate numbers of national security requests, including FISA disclosures—in terms of both the number we receive and their scope.” —David Drummond (Chief Legal Officer), Google Public Policy Blog, 06-11-2013</p>	
<p>Microsoft / Skype</p>	<p>Yes.</p> <p>Microsoft released its first transparency report on March 21, 2013. Its most recent information was released on June 14, 2013.</p> <p>It does not include a breakdown by demand type.</p>	<p>For July through December 2012</p> <p>Legal Demands: 6,000-7,000 Accounts Specified: 31,000-32,000</p>	<p>Yes.</p> <p>Joined a coalition letter of technology companies, civil liberties organizations, and investors calling for “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...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.” —Open Letter to the US Government, 07-18-2013</p> <p>“Today we have asked the Attorney General of the United States to personally take action to permit Microsoft and other companies to share publicly more complete information about how we handle national security requests for customer information. We believe the U.S. Constitution guarantees our freedom to share more information with the public, yet the Government is stopping us.” —Brad Smith (General Counsel & Executive VP, Legal & Corporate Affairs), Microsoft on the Issues Blog, 07-16-2013</p> <p>“This afternoon, the FBI and DOJ have given us permission to publish some additional data, and we are publishing it straight away. However, we continue to believe that what we are permitted to publish continues to fall short of what is needed to help the community understand and debate these</p>	<p>Yes.</p> <p>On June 19, 2013, Microsoft petitioned the Foreign Intelligence Surveillance Court for permission to publish aggregate statistics on the FISA demands it receives.</p>

			<p>issues...We appreciate the effort by U.S. government today to allow us to report more information...With more time, we hope they will take further steps.” —John Frank (VP & Deputy General Counsel), Microsoft on the Issues Blog, 06-14-2013</p>	
Dropbox	<p>Yes.</p> <p>Dropbox released its first transparency report in May of 2012. Its most recent information was released on January 31, 2013.</p> <p>It does not include FISA demands or National Security Letters, nor does it include a breakdown by demand type.</p>	<p>For January through December 2012</p> <p>Legal Demands: 87 Accounts Specified: 164</p>	<p>Yes.</p> <p>Joined a coalition letter of technology companies, civil liberties organizations, and investors calling for “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...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.” —Open Letter to the US Government, 07-18-2013</p> <p>“We've urged the government to allow online services to disclose the exact number of national security requests received in a reporting period without revealing details about specific requests...We'll keep you updated as we continue to seek better ways to let you know about the requests we receive.” -DropBox Transparency Report</p>	No.

Facebook	<p>Yes.</p> <p>Facebook released its first transparency report on June 14, 2013.</p> <p>It does not include a breakdown by demand type.</p>	<p>For July through December 2012</p> <p>Legal Demands: 9,000-10,000 Accounts Specified: 18,000-19,000</p>	<p>Yes.</p> <p>Joined a coalition letter of technology companies, civil liberties organizations, and investors calling for “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...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.” —Open Letter to the US Government, 07-18-2013</p> <p>“Since this story was first reported, we’ve been in discussions with U.S. national security authorities urging them to allow more transparency and flexibility around national security-related orders we are required to comply with. We’re pleased that as a result of our discussions, we can now include in a transparency report all U.S. national security-related requests (including FISA as well as National Security Letters) – which until now no company has been permitted to do.” —Ted Ulyot (General Counsel), Facebook Newsroom, 06-14-2013</p> <p>“We strongly encourage all governments to be much more transparent about all programs aimed at keeping the public safe.” —Mark Zuckerberg (CEO), Facebook post, 06-07-2013</p>	<p>No.</p>
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<p>Apple</p>	<p>Yes.</p> <p>Apple released its first transparency report on June 17, 2013.</p> <p>It does not include a breakdown by demand type.</p>	<p>For December 2012 through May 2013</p> <p>Legal Demands: 4,000-5,000; Accounts Specified: 9,000-10,000</p>	<p>Yes.</p> <p>Joined a coalition letter of technology companies, civil liberties organizations, and investors calling for “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...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.”</p> <p>—Open Letter to the US Government, 07-18-2013</p> <p>“Like several other companies, we have asked the U.S. government for permission to report how many requests we receive related to national security and how we handle them. We have been authorized to share some of that data, and we are providing it here in the interest of transparency.”</p> <p>—Apple.com, posted 06-17-2013</p>	<p>No.</p>
<p>AOL</p>	<p>No transparency report.</p>	<p>No disclosure of demand numbers.</p>	<p>Yes.</p> <p>Joined a coalition letter of technology companies, civil liberties organizations, and investors calling for “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...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.”</p> <p>—Open Letter to the US Government, 07-18-2013</p>	<p>No.</p>

PaITalk	No transparency report.	No disclosure of demand numbers.	No calls for increased transparency. “Zuckerberg and Sergey have to make public statements because they have at least a billion users. Trust is a component that can erode quickly. But for us, I’m not sure if there’s anything to gain at the end of the day from sharing data like that.” —Wilson Kriegel (President), Reported by TechCrunch , 06-17-2013	No.
Other Companies in the Coalition Signing the Open Letter to the US Government	Automattic (WordPress) CloudFlare CREDO Mobile Digg DreamHost DuckDuckGo Evoca Heyzap LinkedIn Meetup Mozilla Personal Democracy Media Reddit Salesforce.com Sonic.net SpiderOak Stripe Twitter YouNow	<p>The companies request “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...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.”</p> <p>—Open Letter to the US Government, 07-18-2013</p>		