

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 J. Leahy  
Chairman  
Committee on the Judiciary  
United States Senate

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

The Honorable Bob Goodlatte  
Chairman  
Committee on the Judiciary

The Honorable John Conyers, Jr.  
Ranking Member  
Committee on the Judiciary

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

The Honorable Dutch Ruppersberger  
Ranking Member  
House Permanent Select Committee on Intelligence

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  
Americans for Tax Reform  
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  
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  
Internet Association  
Liberty Coalition

Investors

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

Nonprofit Organizations & Trade Associations  
(cont'd)

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