

GOOGLE BEGS FOR TRANSPARENCY

However annoying Google's recent software changes have been, it is true that they have been more aggressive about protecting privacy than most other companies. They fought a broad subpoena from DOJ for URLs and search returns in 2006. And it is often speculated they were the company that challenged and appealed a 2007 Protect America Act order. Moreover, their transparency reports really do provide at least a hint of how much data the government demands from it.

So I am encouraged by Google's request to publish how much spying the government asks it to do.

We therefore ask you to help make it possible for Google to publish in our Transparency Report aggregate numbers of national security requests, including FISA disclosures—in terms of both the number we receive and their scope. Google's numbers would clearly show that our compliance with these requests falls far short of the claims being made. Google has nothing to hide.

Google appreciates that you authorized the recent disclosure of general numbers for national security letters. There have been no adverse consequences arising from their publication, and in fact more companies are receiving your approval to do so as a result of Google's initiative. Transparency here will likewise serve the public interest without harming national security.

Google is going to get hammered internationally if its customers aren't reassured about this program. Moreover, Google likely is in a position to show that it is less enthusiastic about government spying than its competitors (cough, Microsoft). If it starts publishing this

information, other providers will likely match its efforts, creating a market for at least some privacy protection.

The big corporations pushing from one side and the civil libertarians have managed to beat SOPA/PIPA and similar efforts. Perhaps that coalition can provide some check on government spying.