

CLAPPER AND HOLDER REMINDE US “DISCLOSURE” MOSTLY PERTAINS TO TARGETS

I want to thank James Clapper and Eric Holder who, in their statement on yesterday’s “disclosure” agreement emphasized the word “target.”

As indicated in the Justice Department’s filing with the Foreign Intelligence Surveillance Court, the administration is acting to allow more detailed disclosures about the number of national security orders and requests issued to communications providers, the number of customer accounts targeted under those orders and requests, and the underlying legal authorities.

I should have given this more emphasis yesterday. All “transparency” numbers provided by the tech companies will describe the number of accounts or “selectors” “targeted,” with the exception of National Security Letter reporting using Option One. So if thousands of other Google accounts are getting sucked into requests for content or metadata, we’ll never know that.