

VERIZON VP: COMPANY-BASED TRANSPARENCY REPORTS DON'T HELP CONSUMERS

There was a fascinating panel of Telecom execs and bloggers discussing human rights at RightsCon yesterday. Among others, Verizon Executive Vice President and General Counsel Randal Milch spoke.

As I noted in passing, Verizon published an update to their Transparency Report the other day. Particularly as compared to AT&T's bogus report, the Verizon report was laudable for its explanation of what it couldn't show, such as when it acknowledged that its report did not include the hundreds of millions of customers whose records got turned over under Section 215.

We note that while we now are able to provide more information about national security orders that directly relate to our customers, reporting on other matters, such as any orders we may have received related to the bulk collection of non-content information, remains prohibited.

It also acknowledged something obvious but that which should be explicit: when the government obtains content from Verizon, it sometimes gets metadata as well.

Some FISA orders that seek content also seek non-content; we counted those as FISA orders for content and to avoid double counting have not also counted them as FISA orders for non-content.

All this is useful information that lends the report itself credibility.

So when I first approached Milch, I thanked him

for the quality of his report.

Which is why I was so surprised when he said the government should be in the business of transparency reports, not the providers. I challenged that, noting that an easy comparison of AT&T and Verizon's reports strongly suggests that Verizon demands more legal process for requests than AT&T. He dismissed that, suggesting any differences arise from the different kind of client base the providers have.

Granted, Milch was talking about your average consumer, not ... me.

But it seemed bizarre. Or perhaps it was a testament that Milch and Verizon generally don't want to have to compete in this front.

Milch answered one other question of mine: I asked whether the Verizon/Vodafone split affected Verizon's obligations to the UK (that is, to GCHQ). He claims it didn't affect it at all, that it was more an investment stake and that none of Verizon's cell call records were in the UK. (No, I didn't point out that the records are right where GCHQ wants them, in places accessible under Tempora).

So at least according to Milch's claims, my theory laid out here is wrong.