

## Reform Government Surveillance



# Global Government Surveillance Reform

The undersigned companies believe that it is time for the world's governments to address the practices and laws regulating government surveillance of individuals and access to their information.

While the undersigned companies understand that governments need to take action to protect their citizens' safety and security, we strongly believe that current laws and practices need to be reformed.

Consistent with established global norms of free expression and privacy and with the goals of ensuring that government law enforcement and intelligence efforts are rule-bound, narrowly tailored, transparent, and subject to oversight, we hereby call on governments to endorse the following principles and enact reforms that would put these principles into action.



## The Principles

Limiting Governments' Authority to Collect

1

## Users' Information

Governments should codify sensible limitations on their ability to compel service providers to disclose user data that balance their need for the data in limited circumstances, users' reasonable privacy interests, and the impact on trust in the Internet. In addition, governments should limit surveillance to specific, known users for lawful purposes, and should not undertake bulk data collection of Internet communications.

2

## Oversight and Accountability

Intelligence agencies seeking to collect or compel the production of information should do so under a clear legal framework in which executive powers are subject to strong checks and balances. Reviewing courts should be independent and include an adversarial process, and governments should allow important rulings of law to be made public in a timely manner so that the courts are accountable to an informed citizenry.

3

## Transparency About Government Demands

Transparency is essential to a debate over governments' surveillance powers and the scope of programs that are administered under those powers. Governments should allow companies to publish the number and nature of government demands for user information. In addition, governments should also promptly disclose this data publicly.

4

## Respecting the Free Flow of Information

The ability of data to flow or be accessed across borders is essential to a

robust 21<sup>st</sup> century global economy. Governments should permit the transfer of data and should not inhibit access by companies or individuals to lawfully available information that is stored outside of the country. Governments should not require service providers to locate infrastructure within a country's borders or operate locally.

## 5 Avoiding Conflicts Among Governments

In order to avoid conflicting laws, there should be a robust, principled, and transparent framework to govern lawful requests for data across jurisdictions, such as improved mutual legal assistance treaty — or “MLAT” — processes. Where the laws of one jurisdiction conflict with the laws of another, it is incumbent upon governments to work together to resolve the conflict.

# Voices For Reform

*“AOL is committed to preserving the privacy of our customers’ information, while respecting the right of governments to request information on specific users for lawful purposes. AOL is proud to unite with other leading Internet companies to advocate on behalf of our consumers.”*

—Tim Armstrong, Chairman and CEO, AOL

*“Reports about government surveillance have shown there is a real need for greater disclosure and new limits on how governments collect information. The US government should take this opportunity to lead this reform effort and make things right.”*

—Mark Zuckerberg, CEO, Facebook

*“The security of users’ data is critical, which is why we’ve invested so much in encryption and fight for transparency around government requests for information. This is undermined by the apparent wholesale collection of data, in secret and without independent oversight, by many governments around the world. It’s time for reform and we urge the US government to lead the way.”*

—Larry Page, CEO, Google

*“These principles embody LinkedIn’s fundamental commitment to transparency and ensuring appropriate government practices that are respectful of our members’ expectations.”*

—Erika Rottenberg, General Counsel, LinkedIn

*“People won’t use technology they don’t trust. Governments have put this trust at risk, and governments need to help restore it.”*

—Brad Smith, General Counsel and Executive Vice President, Legal and Corporate Affairs, Microsoft

*“Twitter is committed to defending and protecting the voice of our users. Unchecked, undisclosed government surveillance inhibits the free flow of information and restricts their voice. The principles we advance today would reform the current system to appropriately balance the needs of security and privacy while safeguarding the essential human right of free expression.”*

—Dick Costolo, CEO, Twitter

*“Protecting the privacy of our users is incredibly important to Yahoo. Recent revelations about government surveillance activities have shaken the trust of our users, and it is time for the United States government to act to restore the confidence of citizens around the world. Today we join our colleagues in the tech industry calling on the United States Congress to change surveillance laws in order to ensure transparency and accountability for government actions.”*

—Marissa Mayer, CEO, Yahoo

# An open letter to Washington

Dear Mr. President and Members of Congress,

We understand that governments have a duty to protect their citizens. But this summer's revelations highlighted the urgent need to reform government surveillance practices worldwide. The balance in many countries has tipped too far in favor of the state and away from the rights of the individual — rights that are enshrined in our Constitution. This undermines the freedoms we all cherish. It's time for a change.

For our part, we are focused on keeping users' data secure — deploying the latest encryption technology to prevent unauthorized surveillance on our networks and by pushing back on government requests to ensure that they are legal and reasonable in scope.

We urge the US to take the lead and make reforms that ensure that government surveillance efforts are clearly restricted by law, proportionate to the risks, transparent and subject to independent oversight. To see the full set of principles we support, visit [ReformGovernmentSurveillance.com](http://ReformGovernmentSurveillance.com)

Sincerely,

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