

US judge orders Google to turn over data to FBI

June 1 2013, by Paul Elias



A U.S. judge has ruled that Google Inc. must comply with the FBI's warrantless demands for customer data, rejecting the company's argument that the government's practice of issuing such requests to telecommunication companies, Internet service providers, banks and others is unconstitutional and unnecessary.

FBI counter-terrorism agents began issuing the secret, so-called national security letters, which don't require a judge's approval, after Congress passed the USA Patriot Act in the wake of the Sept. 11, 2001, attacks.

The letters are used to collect unlimited kinds of sensitive, private information such as financial and phone records, and they have prompted complaints of government [privacy violations](#) in the name of

national security.

U.S. [District Court Judge](#) Susan Illston on Tuesday ordered [Google](#) to comply with the demands, even though she found the letters unconstitutional in March in a separate case filed by the Electronic Frontier Foundation. In that case, she found that the FBI's demand that recipients refrain from telling anyone—including customers—that they had received the letters was a violation of [free speech rights](#).

The order in the Google case obtained by The Associated Press on Friday.

It was unclear from the judge's ruling what type of information the government sought to obtain with the letters. It was also unclear whom the government was targeting.

The judge put the Google ruling on hold until the 9th U.S. Circuit Court of Appeals can decide the matter. Until then, she said, the company would have to comply with the letters unless it shows the FBI didn't follow proper procedures in making its demands for customer data in the 19 letters Google is challenging.

After receiving sworn statements from two top-ranking FBI officials, the judge said she was satisfied that 17 of the 19 letters were issued properly. She wanted more information on two other letters.

Google could appeal the decision. The company declined comment.

Kurt Opsah, an attorney with the [Electronic Frontier Foundation](#), said it could be many more months before the appeals court rules on the constitutionality of the letters.

"We are disappointed that the same judge who declared these letters

unconstitutional is now requiring compliance with them," Opsah said.

The judge's order omits any mention of Google or that the proceedings have been closed to the public. But the judge said "the petitioner" was involved in a similar case filed on April 22 in New York federal court.

Public records show that on that day, the federal government filed a "petition to enforce National Security Letter" against Google after the company declined to cooperate with government demands.

In 2007, the Justice Department's inspector general found widespread violations in the FBI's use of the letters, including demands without proper authorization and information obtained in non-emergency circumstances. The FBI has tightened oversight of the system.

The FBI made 16,511 national security letter requests for information regarding 7,201 people in 2011, the latest data available.

© 2013 The Associated Press. All rights reserved.

Citation: US judge orders Google to turn over data to FBI (2013, June 1) retrieved 13 March 2024 from <https://phys.org/news/2013-06-google-fbi.html>

<p>This document is subject to copyright. Apart from any fair dealing for the purpose of private study or research, no part may be reproduced without the written permission. The content is provided for information purposes only.</p>
--