Microsoft wants to disclose US government data queries

June 27 2013, by Glenn Chapman

The Microsoft booth is pictured at the Computex trade fair in Taipei on June 4, 2013. Microsoft has joined Google in a legal push for permission to disclose more information about secret government requests for data, according to a US court filing made public.

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Microsoft's legal request with the Foreign Intelligence Surveillance Court (FISA) on June 19th came a day after a similar petition by Google.

The US technology titans argue that they want to reassure people who use their products and services in the aftermath of revelations that the National Security Agency had accessed vast amounts of data in a surveillance program under the supervision of the special court, which operates in secret.

"The media has erroneously reported that the alleged PRISM program enables the US government to 'tap directly into the central servers' of Microsoft and other electronic communication service providers," Wednesday's filing argued.

"Microsoft has sought, and continues to seek, to correct the misimpression, furthered by such inaccurate media reporting, that it provides the US government with direct access to its servers and network infrastructures."

Microsoft asked the court to grant it permission to disclose aggregate data about government requests that are deemed secret, noting that deputy counsel general John Frank has 'top secret' clearance with the Department of Defense.

People line up to enter the Google I/O developers conference in San Francisco on May 15, 2013. "We have petitioned the Foreign Intelligence Surveillance Court to allow us to publish aggregate numbers of national security requests, including FISA disclosures, separately," a Google spokesperson said.

Google has asked the court for permission to reveal numbers of government requests for data from the Internet giant.

Google said it already publishes in its "transparency report" data on requests from law enforcement and so-called National Security Letters from the FBI.

"However, greater transparency is needed," a Google spokesperson said at the time of the filing.

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FISA disclosures, separately."

FISA refers to the Foreign Intelligence Surveillance Act, which authorized the secret court.

Google said it was seeking a court ruling to allow it to publish "limited, aggregate statistics" on orders for the company to hand over data.

Both Google and Microsoft lawyers argued that the companies have a right under the First Amendment of the US Constitution to speak up in their own defense regarding a spying program being discussed by political officials.

Apple, Facebook, Microsoft and several other top Internet and technology companies have come under heightened scrutiny since word leaked of a vast, covert Internet surveillance program US authorities insist targets only foreign terror suspects and has helped thwart attacks.

Google, Facebook and other technology firms have vehemently denied that they knowingly took part in a secret program called PRISM that gave the National Security Agency (NSA) and the FBI backdoors into servers.

The program was reportedly set up in 2007 and has grown to become the most prolific contributor to President Barack Obama's Daily Brief, the US leader's top-secret daily intelligence briefing.

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