

US government to declassify parts of secret order

September 13 2013, by Frederic J. Frommer

(AP)—The U.S. government says it will declassify parts of a 2008 secret court order that required Yahoo to turn over customer data under the National Security Agency's PRISM data-gathering program.

In a filing Thursday with the Foreign Intelligence Surveillance Court, the Justice Department said that the declassification would make possible the publication of "much of the court's opinion and order." But the department said that some of the information in the opinion must remain classified and would be redacted.

Thursday's ruling came after the presiding judge on the court ordered the government to conduct a "declassification review" of the 2008 order and legal briefs in the case.

Yahoo was among several U.S. Internet businesses identified as giving the National Security Agency access to customer data under the PRISM program. In a filing with the FISA Court in June, Yahoo asked that the 2008 opinion be released, along with legal briefs in the case. In a subsequent filing the next month, Yahoo said that the disclosure of the opinion and briefs would allow the company to "demonstrate that it objected strenuously to the directives that are now the subject of debate, and objected at every stage of the proceeding," but that its objections were overruled.

Revelations about the PRISM program by former NSA systems analyst Edward Snowden have prompted a broader debate about government

monitoring and the privacy of Americans' communications.

The case is separate from another one Yahoo has pending that urges the FISA Court to allow the company to disclose data on national security orders it received under the Foreign Intelligence Surveillance Act. Facebook, Google and Microsoft have similar motions pending with the court.

Neither Yahoo nor the Justice Department had any comment on Thursday's filing.

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