

November 6, 2013

Juan Fernando López Aguilar
Chairman of the Civil Liberties, Justice and Home Affairs Committee,
European Parliament,
60 Rue Wiertz
B-1047 Belgium

Dear Chairman López Aguilar,

Thank you for inviting us to participate at the Civil Liberties, Justice and Home Affairs Committee Inquiry on Electronic Mass Surveillance of EU citizens, regarding the media reports connecting Google Inc. with the so-called PRISM project. First, I would like to share with you the official statements made by Google Inc. CEO Larry Page and our Chief Legal Officer David Drummond. These statements (see links below) were broadly covered by international media.

In these statements, Google Inc. made it absolutely clear that the U.S. government does not have access to Google Inc. servers—not directly, or via a back door, or a so-called drop box. Google Inc. further made clear that it refuses to participate in any program—for national security or other reasons—that requires it to provide governments with access to its systems or to install their equipment on Google Inc. networks. Google Inc. provides user data to governments only in accordance with the law. The Google Inc. legal team reviews each and every request, and frequently pushes back when requests are overly broad or don't follow the correct process. Google Inc. assures us that under its policies and practices, no user data is to be disclosed to any government without complying with the law.

Google Inc. offers services to many hundreds of millions of users globally. Each year, only a tiny fraction of those users are subject to a government request for their data. Google Inc. has further explained that if it could publish those numbers openly—as Google Inc. requested in an open letter to the FBI and to DOJ—they would show that Google Inc.'s compliance with these national security requests falls far short of the claims being made. Earlier this year, Google Inc. petitioned the Foreign Intelligence Surveillance Court to allow them to publish precise numbers of national security requests, including FISA disclosures, separately in Google Transparency Report (www.google.com/transparencyreport).

We think it is important to shine a light on how government actions could affect our users. Google Inc. first launched the Transparency Report in early 2010 when there was not much data available about how governments can hamper the free flow of information on the web. Google

Inc. took the first step toward greater transparency by disclosing the number of government requests the company received, and pledged to release numbers twice a year.

Google's European entities do not have access to and do not administer Google Inc. users' information, hence Google's European representatives will primarily be addressing the general issues of lawful access, government surveillance and the need for more transparency.

Respectfully yours,

Antoine Aubert

Public Policy
Google Brussels



ATTACHMENT

[Larry and David's response](#) (June 7, 2013)

[Open letter to FBI/DOJ](#) signed by David Drummond (June 11, 2013)

[FISA Court filing announcement](#) (June 18, 2013)

[Amended FISA Court filing announcement](#) (September 9, 2013)

[Amended FISA Court filing](#) (September 9, 2013)