



Yahoo gave USA intel agencies access to email

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When news of the reported government-directed spying first broke, Yahoo said in a statement: "Yahoo is a law abiding company, and complies with the laws of the United States".

Yahoo CEO Marissa Mayer, pictured at the Fortune Global Forum in San Francisco in 2015, complied with a USA government order to scan all user email according to reports from [Reuters](#) and the New York Times. On Wednesday, it said it interprets every government request for data "narrowly" to "minimize disclosure". Yahoo says the article is misleading but doesn't offer specifics, and it says the scanning software does not exist on its systems - a claim that could be true now that doesn't rule out whether the company had used such a tool in the past.

Reuters reported that Yahoo built custom software for the scans. The order might have come from either the NSA or the Federal Bureau of Investigation, according to *Reuters*'s sources.

The Office of the Director of National Intelligence, which oversees the NSA, did not respond directly to the report but said in a statement it does not comment on "specific techniques" to gather intelligence.

The statement echoed earlier remarks from intelligence officials, saying: "The United States only uses signals intelligence for national security purposes, and not for the objective of indiscriminately reviewing the emails or phone calls of ordinary people".

A *Reuters* report on Tuesday wasn't clear about what agencies were involved in the probe.

The move toward encryption has led the the US government to complain that its surveillance systems are "going dark", but news of Yahoo's cooperation with the NSA points toward how overblown that fear likely is.

Patrick Toomey, a staff attorney with the American Civil Liberties Union, said: "Based on this report, the order issued to Yahoo appears to be unprecedented and unconstitutional".

As with Prism, the US government appears to have demanded Yahoo's cooperation in an effort to sniff out terrorist threats and protect public safety.

Bruce Schneier, cryptography expert at the Berkman Center for Internet & Klein Society has criticized the supervision of the NSA, said he was not surprised.

Another type of spying the authority allowed under Section 702 is known as "upstream", and allows the NSA to copy web traffic flowing along the internet backbone located inside the United States and search for certain terms associated with a target.

In a commentary in the Guardian yesterday, columnist Trevor Timm, who is also executive director of the Freedom of the Press Foundation, wrote, "The Yahoo story, if borne out, would be the quintessential example of how government-mandated backdoors are unsafe for everyone's security, and why end-to-end encryption needs to be standard on all our communications platforms". Yahoo has had four chief information security officers in the past six years with Bob Lord, the current CISO, being on the job for less than a year.

Julian Sanchez, a fellow at the Cato Institute and critic of NSA surveillance, said his concerns were not allayed by Yahoo's statement. Yahoo hasn't said if that experience figured into its decisions in this case.

"The mail scanning described in the article does not exist on our systems", Yahoo wrote.

Joseph Menn, technology projects reporter for *Reuters*. The charges against Yahoo! however seem to contradict the "transparency report" group, in which it referred only to a relatively small number of requests from the U.S. government in 2015 for information about its users. "We've never received such a request, but if we did, our response would be simple: 'no way, '" a Google spokesperson told us today.

Twitter, which doesn't provide email service but does allow users to exchange direct messages, likewise said it has never received such a request and would challenge it in court if it did.

Government officials also stopped short of a full denial.

The news is just the latest email bombshell for Yahoo, which was already reeling from its recent admission that computer hackers swiped personal information from at least 500 million of its accounts. The report cited three former Yahoo employees and another unidentified person familiar with the matter.