

To: Interested Parties
Fr: Spitfire Strategies
Da: November 17, 2014
Re: American opinion on the NSA, surveillance and privacy

This memo reviews 23 polls conducted after the June 2013 NSA revelations by Edward Snowden.

Key Findings

1. Most Americans oppose the NSA's collection of telephone and Internet data.
2. Americans are more worried about civil liberties abuses than national security.
3. Americans want control over their personal data and take steps to avoid being tracked.
4. Americans would like to see reform on issues such as the 1986 Electronic Communications Privacy Act (ECPA). They are largely supportive of the June Supreme Court ruling ordering police to obtain a warrant before searching a suspect's cellphone.
5. Support for restrictions on government surveillance is bipartisan. Youth and Libertarians are deeply concerned and only moderate/conservative Democrats continue to strongly support NSA programs.
6. Americans do not approve of the U.S. spying on allied leaders or foreign citizens.

1) Bipartisan Opposition to NSA Surveillance

According to a November 2014 Pew Research poll, 80 percent of adults say Americans should be concerned about the government's monitoring of phone calls and Internet communications. This represents a significant increase from last year, when a November 2013 Washington Post poll reported that 66 percent of Americans were concerned (35 percent very concerned and 30 percent somewhat concerned) about the collection and use of their personal information by the NSA.

These findings are consistent with another Pew poll from January 2014, which found that by 53 – 40, a majority disapproves of government surveillance. That same month, Gallup reported similar findings, which showed a clear majority of Americans (63 percent) said they were dissatisfied with the state of the nation as it pertains to government surveillance of U.S. citizens.

An Associated Press-NORC Center for Public Affairs Research poll in September 2013 found that close to 60 percent of Americans oppose the NSA's collection of data on telephone and Internet usage. Seventy-one percent of Americans do not want the government eavesdropping on their phone calls without court warrants; 62 percent oppose collection of the contents of Americans' emails without warrants.

The November 2013 ABC News/Washington Post poll reported more than half – 53 percent – of Americans said they disapproved of the way Obama had handled the NSA surveillance activities, compared to just 35 percent who said they approved. In June 2013 after the revelations, President Barack Obama's approval rating dropped eight points, according to a CNN/ORC International poll, to 45 percent.

2) Support for Civil Liberties over National Security

According to a June 2014 Pew Research poll, Americans were for the first time since September 11, more worried about civil liberties abuses than terrorism. Seventy-four percent of respondents said Americans shouldn't have to give up privacy and freedom in order to be safe from terrorism. This was reflected in a January 2014 AP-NORC Center for Public Affairs Research that reported 60 percent of Americans said they value privacy over anti-terror protections. The July 2014 HuffPost/YouGov survey reported that only six percent of Americans said the government doesn't go far enough in collecting that information.

The November 2013 ABC News/Washington Post poll reported nearly 70 percent of Americans said the NSA's surveillance of telephone call records and Internet traffic intrudes on some Americans' privacy rights. Forty-eight percent of Americans thought the NSA intrudes without justification on Americans' privacy rights, an increase of eight percentage points since their survey in July 2013.

The July 2013 Washington Post/ABC News poll found the percentage of Americans who put a higher priority on privacy protections than investigating terrorist threats had more than doubled in a decade and had hit the highest point in any Post-ABC News poll since 2002.

Another poll by NBC News/Wall Street Journal taken just months after 9/11 found 55 percent of Americans were more worried that the U.S. wouldn't go far enough in monitoring the activities and communications of potential terrorists living in the U.S. Those numbers changed in July of 2013 when a NBC/WSJ poll reported that 56 percent were more worried that the government would go too far.

3) Americans Try to Take Steps to Protect their Privacy, but with Mixed Confidences

According to a November 2014 Pew Research poll, 91 percent of adults believe consumers have lost control of how companies collect or use their personal information. This same poll found that 88 percent "agree" or "strongly agree" that it would be very difficult to remove inaccurate information about them online. A September 2013 Pew Internet and American Life Project poll found that a majority – 59 percent – said that people should have the ability to use the Internet anonymously. An even larger majority – 86 percent of Internet users – have tried to be anonymous online and have taken at least one step to avoid being tracked. The most common step they used was to clear their cookies and browser history. Significant numbers have taken even more advanced steps, such as encrypting their email (14 percent) or using a virtual personal network or proxy server, such as Tor software, that does not allow firms to track their online movements (also 14 percent).

According to a November 2013 ESET/Harris Interactive survey, four out of five people have changed the privacy settings of their social media accounts. An April 2014 poll found that almost half of respondents (47 percent) said that they have changed their online behavior and think more carefully about where they go, what they say, and what they do online. Twenty six percent said that, based on what they have learned about secret government surveillance, they are now doing less online shopping.

This concern over controlling personal data is reflected in an October 2013 University of Colorado poll that found the average consumer would prefer to pay small fees for their apps, in exchange for keeping their information private.

4) Americans Support Reforms to Government Surveillance

Along with their personal behavior changes, Americans see the need for surveillance reform. According to the June 2014 survey from Vox Populi Polling, more than 80 percent of people in the six states (Arkansas, Colorado, Georgia, Nevada, New Hampshire and Virginia surveyed and the greater Los Angeles area) wanted to overhaul the 1986 Electronic Communications Privacy Act (ECPA), which allows warrantless searches of emails that are older than 180 days. In four states, more than 70 percent of voters said they would be more likely to support a candidate looking to update the law.

According to the July 2013 Pew Research Center poll, 56 percent of Americans said that federal courts fail to provide adequate limits on the telephone and Internet data the government is collecting as part of its anti-terrorism efforts. Seventy percent believed that the government uses this data for purposes other than investigating terrorism.

Similarly, an October 2013 Huffington Post/YouGov poll found that three times as many Americans said that federal courts and Congress do not provide enough supervision over the government's collection of telephone and Internet data than those who think they do.

The public was also supportive of the Supreme Court's 9-0 June ruling ordering police to obtain a warrant before searching a suspect's cellphone. A July 2014 Anzalone Liszt Grove poll commissioned by Microsoft reported that 83 percent of American voters agreed with the court's conclusion, and 86 percent said that information stored in the cloud should have the same legal protections as personal papers.

5) Opposition Demographics: Bipartisan, Libertarian and Youth

As concerns about civil liberties grow, the issue now unites people across the political spectrum. The June 2014 Pew poll found 69 percent of "Steadfast Conservatives" opposed the government's data collection program, as did 61 percent of "Business Conservatives" and 58 percent of "Solid Liberals." The July 2014 HuffPost/YouGov poll also reported that 66 percent of Republicans, 63 percent of independents and a 48 percent plurality of Democrats thought the government goes too far in collecting Americans' phone and Internet data as a way to reduce the threat of terrorism.

This is detailed in the July 2013 Pew poll that found two in five Republicans (43 percent) and Democrats (42 percent) said their greater concern over anti-terror policies is that they have gone too far in restricting civil liberties, up from three years ago (25 percent and 33 percent in 2010, respectively).

The largest shifts toward civil liberties occurred among tea party Republicans, liberal Democrats, liberal/moderate Republicans and independents according to the Pew poll. Today, Republicans and GOP-leaning independents who agree with the tea party movement say civil liberties are the bigger concern by a margin of 55 to 31 percent. This is a reversal of opinion from 2010, when 63 percent of tea party Republicans said they were more concerned about anti-terrorism policies not going far enough to protect the country. Moderate/liberal Republicans have also moved toward this opinion. Forty-one percent of moderate/liberal Republicans say the government goes too far in restricting civil liberties, as compared to only 21 percent who said this in 2010.

Moderate/conservative Democrats are the only group to continue to strongly support NSA programs with just 38 percent saying the government goes too far in restricting civil liberties.

Quinnipiac found a similar trend when asking voters in 2010 and 2013 whether they thought the government had gone too far restricting civil liberties or not gone far enough to protect the country. In July 2013, Republicans said by 46 – 41 percent, that the government goes too far, a significant increase from 2010, when they said it did not go far enough, by 72 – 17 percent. Democrats reported similar numbers with 43 – 42 percent in 2013 saying it goes too far, up from 57 – 29 percent in 2010 saying not far enough. This reversal also appeared among men and women who in 2010 reported by 61 – 28 percent and 64 – 22, respectively, the government had not gone far enough and in 2013, 54 – 34 percent and 47 – 36 percent it went too far.

The October Huffington Post/YouGov poll found that majorities of Republicans, Democrats and independents all agreed that the oversight currently in place is not adequate.

According to the July 2013 Pew poll, Americans under the age of 30 as well as college graduates were the demographic groups most concerned that anti-terrorism policies go too far in restricting civil liberties. While millennials share more of their personal information online than other age groups, they overwhelmingly support having control over this information. A March 2014 Anzalone Liszt Grove poll reported that off those age 18 to 34, 80 percent agreed that it is unacceptable for companies to track what they do online without their permission.

Millennials take steps to protect their privacy online and are more likely than any other age group to do so. A majority has tried to clear their cookies and search histories and a September Pew poll reports that nearly 50 percent have set their browser to disable or turn off cookies, showing their support for “Do Not Track” provisions.

6) Opposition to Spying on Allies

A November 2013 Pew Research Center poll found Americans do not approve of U.S. spying on allied leaders in the wake of reports that the NSA has been listening to phone calls of German Chancellor Angela Merkel. A 56 percent majority of Americans said it is unacceptable for the U.S. to monitor the phones of allied leaders, including 57 percent of Republicans, 53 percent of Democrats and 56 percent of independents. Additionally, the October Huffington Post/YouGov survey found that 47 percent said U.S. programs tracking phone calls of foreigners abroad has mostly hurt U.S. interests vs. 14 percent who say it has mostly helped.

Additionally, the July 2014 Anzalone Liszt Grove poll reported 56 percent of Americans said they are worried that if the U.S. demands information from tech companies held abroad, other countries could follow suit and demand personal information about Americans.

Polls

Public Perceptions of Privacy and Security in the Post-Snowden Era, Pew Research Center, November 2014

NSA surveillance an ‘unnecessary intrusion,’ HuffPost/YouGov, July 2014

Obama’s NSA Speech Has Little Impact on Skeptical Public, Pew Research Center, January 2014

Americans Rate Economy as Top Priority for Government, Gallup, January 2014
Government and corporate surveillance draw wide concern, Washington Post, November 2013
Public Doubts Rise on Surveillance, Privacy, Associated Press-NORC Center for Public Affairs Research, September 2013
November 2013 Post-ABC News poll, November 2013
Obama Approval Falls Amid Controversies, CNN/ORC International, June 2013
Section 6: Foreign Affairs, Terrorism and Privacy, Pew Research Center, June 2014
Americans value privacy over security, AP-NORC Center for Public Affairs Research, January 2014
NSA, privacy and Edward Snowden, Washington Post/ABC News, July 2013
NBC News/Wall Street, July 2013
The Quest for Anonymity Online, Pew Internet and American Life Project, September 5, 2013
Do consumers pass the buck on online safety? New survey reveals mixed messages, ESET/Harris Interactive, November 2013
The Value of Online Privacy, University of Colorado, October 2013
Digital 4th Polling Results on ECPA, Vox Populi Polling, June 2014
Few See Adequate Limits on NSA Surveillance Program, Pew Research Center, July 2013
Huffington Post/YouGov, October 2013
National Privacy Survey, Anzalone Liszt Grove/Microsoft, July 2014
U.S. Voters Say Snowden Is Whistle-Blower, Not Traitor, Big Shift On Civil Liberties vs. Counter-Terrorism, Quinnipiac University National, July 2013
Anzalone Liszt Grove, March 2014
Anonymity, Privacy, and Security Online, Pew Research Center, September 2013
Most Say Monitoring Allied Leaders' Calls Is Unacceptable, Pew Research Center, November 2013