

DIRECTOR OF NATIONAL INTELLIGENCE  
WASHINGTON, DC 20511

*The following letter to the Editor of the New York Times was published on Saturday, May 5, 2007:*

Protecting Americans and Their Rights

To the Editor:

Re “Spying on Americans” (editorial, May 2), about the proposed update to the Foreign Intelligence Surveillance Act:

This legislation, submitted in response to Congressional request, seeks to find a bipartisan way forward to protect American lives from the plots of terrorists, while at the same time protecting the rights and privacies afforded to Americans.

We are seeking to update FISA to make it technology-neutral — to update it to reflect communications upgrades since the law first passed in 1978, and to allow the United States intelligence community to protect the nation even as technology continues to advance.

Because technology has changed but the law has not, this statute — meant to protect against domestic abuses — instead protects potential foreign terrorists. We are significantly burdened in capturing overseas communications of foreign terrorists planning to conduct attacks inside the United States.

FISA frequently requires judicial authorization to collect the communications of foreign individuals outside the United States. This clogs the FISA process with matters that have nothing to do with protecting privacy rights of United States citizens and legal immigrants inside the United States, which was the original impetus behind FISA.

Our job in the intelligence community is to make the country as safe as possible by providing the highest quality intelligence available. The proposed legislation achieves this while protecting the rights and privacies of our citizens.

Mike McConnell  
Director of National Intelligence  
Washington, May 3, 2007