

The Honorable J.M. McConnell
Director of National Intelligence
Washington, D.C. 20511

Dear Director McConnell:

I have received a copy of your March 28, 2008, speech at Furman University. In it, you described Senate action on the FISA Amendments Act of 2008, stating:

"We had a bill go into the Senate. It was debated vigorously. There were some who said we shouldn't have an Intelligence Community. Some have that point of view. Some say the President of the United States violated the process, spied on Americans, should be impeached and should go to jail. I mean, this is democracy, you can say anything you want to say. That was the argument made. The vote was 68 to 29."

As you correctly noted, the bill was the subject of vigorous debate. Many members of the Senate expressed serious concerns about the lack of checks and balances included in the legislation and the potential impact of the new authorities on the privacy and civil liberties of Americans. Many Senators were also concerned that retroactive immunity for companies alleged to have cooperated with the President's warrantless wiretapping program would undermine the rule of law.

However, I am not aware of any Senator saying or suggesting that "we shouldn't have an Intelligence Community" or that President Bush "should be impeached and should go to jail." I would therefore appreciate your providing a list of all statements made by Senators during the debate that you believe support these assertions. If there are no such examples, you should issue an immediate correction and an apology.

While all sides of this debate deserve to be heard, to falsely attribute statements to United States Senators serves only to mislead the American people. It also undermines your credibility and that of the position of Director of National Intelligence.

Sincerely,

Russell D. Feingold
U.S. Senator