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ONE HUNDRED TENTH CONGRESS

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October 2, 2007

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Mr. David Sobel
Senior Counsel
Electronic Frontier Foundation
1875 Connecticut Avenue, NW, Suite 650
Washington, D.C. 20009

Dear Mr. Sobel:

The recent enactment of Public Law 110-55, the Protect America Act of 2007, which made significant and sweeping revisions to the Foreign Intelligence Surveillance Act, raises concerns about the mining and storage of sensitive personal information about our citizens by the Government.

The Government's record with respect to protecting sensitive information is abysmal. In early 2007, the Federal Computer Security Report Card, created by the Federal Information Security Management Act, gave Federal agencies an overall grade of "C-." Over the last several years, there have been repeated hacking incidents at the Department of Homeland Security, the Department of Veterans Affairs, and the Department of Defense. Expanding the number of large databases full of sensitive personal information maintained by the Government would seem to increase the risk of breach.

In addition to the safety and security of information maintained by the Government, is concern regarding how the Government may decide to use such databases once they are compiled. There appears to be many opportunities for the Government to use data it mines for purposes unrelated to the original purpose it was gathered.

As an organization with an interest in protecting the civil liberties and privacy of our citizens, we would appreciate your views on potential implications of Public Law 110-55. Please focus your response on:

Mr. David Sobel
Page 2

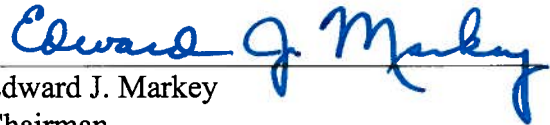
- 1) The effect that increasing the number of databases of personal information maintained by the Government may have on the risk of breach of those databases; and
- 2) The likelihood that the Government might use information from those databases for purposes other than those for which it was originally collected.

Please provide your response by no later than Friday, October 12, 2007. If you have any questions regarding this matter, please contact us or have your staff contact Amy Levine, Mark Seifert, or Colin Crowell with the Committee staff at (202) 226-2424.

Sincerely,



John D. Dingell
Chairman



Edward J. Markey
Chairman
Subcommittee on Telecommunications
and the Internet



Bart Stupak
Chairman
Subcommittee on Oversight and Investigations

cc: The Honorable Joe Barton, Ranking Member
Committee on Energy and Commerce

The Honorable Fred Upton, Ranking Member
Subcommittee on Telecommunications and the Internet

The Honorable Ed Whitfield, Ranking Member
Subcommittee on Oversight and Investigations