

HENRY A. WAXMAN, CALIFORNIA
EDWARD J. MARKEY, MASSACHUSETTS
RICK BOUCHER, VIRGINIA
EDOLPHUS TOWNS, NEW YORK
FRANK PALLONE, Jr., NEW JERSEY
BART GORDON, TENNESSEE
BOBBY L. RUSH, ILLINOIS
ANNA G. ESHOO, CALIFORNIA
BART STUPAK, MICHIGAN
ELIOT L. ENGEL, NEW YORK
ALBERT R. WYNN, MARYLAND
GENE GREEN, TEXAS
DIANA DEGETTE, COLORADO
VICE CHAIRMAN
LOIS CAPPS, CALIFORNIA
MIKE DOYLE, PENNSYLVANIA
JANE HARMAN, CALIFORNIA
TOM ALLEN, MAINE
JAN SCHAKOWSKY, ILLINOIS
HILDA L. SOLIS, CALIFORNIA
CHARLES A. GONZALEZ, TEXAS
JAY INSLEE, WASHINGTON
TAMMY BALDWIN, WISCONSIN
MIKE ROSS, ARKANSAS
DARLENE HOOLEY, OREGON
ANTHONY D. WEINER, NEW YORK
JIM MATHESON, UTAH
G.K. BUTTERFIELD, NORTH CAROLINA
CHARLIE MELANCON, LOUISIANA
JOHN BARROW, GEORGIA
BARON P. HILL, INDIANA

ONE HUNDRED TENTH CONGRESS

U.S. House of Representatives
Committee on Energy and Commerce
Washington, DC 20515-6115

JOHN D. DINGELL, MICHIGAN
CHAIRMAN

JOE BARTON, TEXAS
RANKING MEMBER
RALPH M. HALL, TEXAS
J. DENNIS HASTERT, ILLINOIS
FRED UPTON, MICHIGAN
CLIFF STEARNS, FLORIDA
NATHAN DEAL, GEORGIA
ED WHITFIELD, KENTUCKY
BARBARA CUBIN, WYOMING
JOHN SHIMKUS, ILLINOIS
HEATHER WILSON, NEW MEXICO
JOHN B. SHADEGG, ARIZONA
CHARLES W. "CHIP" PICKERING, MISSISSIPPI
VITO FOSSELLA, NEW YORK
STEVE BUYER, INDIANA
GEORGE RADANOVICH, CALIFORNIA
JOSEPH R. PITTS, PENNSYLVANIA
MARY BONO, CALIFORNIA
GREG WALDEN, OREGON
LEE TERRY, NEBRASKA
MIKE FERGUSON, NEW JERSEY
MIKE ROGERS, MICHIGAN
SUE MYRICK, NORTH CAROLINA
JOHN SULLIVAN, OKLAHOMA
TIM MURPHY, PENNSYLVANIA
MICHAEL C. BURGESS, TEXAS
MARSHA BLACKBURN, TENNESSEE

October 2, 2007

DENNIS B. FITZGIBBONS, CHIEF OF STAFF
GREGG A. ROTHSCHILD, CHIEF COUNSEL

Mr. Jim Dempsey
Policy Director
Center for Democracy and Technology
1634 I Street, NW, Suite 1100
Washington, D.C. 20006

Dear Mr. Dempsey:

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. Jim Dempsey
Page 2

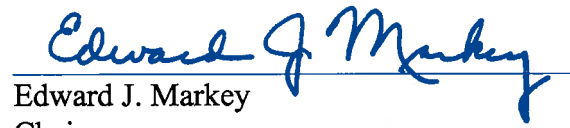
- 1) The effect that increasing the number of databases of personal information maintained by the Government may have on the risk of breach of those databases; and
- 2) The likelihood that the Government might use information from those databases for purposes other than those for which it was originally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