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The following Op-Ed by the Director of National Intelligence, Mike McConnell, was published in USA TODAY on Monday, July 28, 2008:

Bill wrongly shields press

Those who leak classified data should be punished.

By Mike McConnell – USA TODAY

The Senate is considering a proposal that would bestow a "privilege" on reporters, shielding them from revealing confidential sources of important national security information, even when their sources have broken the law by disclosing classified information. The intelligence community recognizes the critical role that the news media plays in our democratic society. However, this bill would upset the balance established by current law, crippling the government's ability to investigate and prosecute those who harm national security.

I have joined the attorney general, the secretaries of Defense, Energy, Homeland Security and Treasury, and every senior intelligence community leader in expressing the belief, based on decades of experience, that this bill will gravely damage our ability to protect national security information. Unauthorized disclosure of classified information disrupts our efforts to track terrorists, jeopardizes the lives of intelligence and military personnel and inhibits international cooperation critical to detecting and preventing threats. Those who illegally disclose information recklessly risk our national security and breach a sacred public trust.

It is a delicate balance to protect national security information from improper disclosure, while respecting the rights of the press to publish information it deems of public interest. This legislation upsets that balance by shielding those who illegally leak national security information and increasing the likelihood of destructive revelations in the future. The bill forces the government to meet ill-defined standards that require the disclosure of additional sensitive information. It also cedes critical judgments about harm to national security from national security professionals, charged with protecting the country, to the subjective determination of individual judges.

We do not see the problem that this bill is meant to address. All evidence indicates that the free flow of information has continued unabated in the absence of a federal reporter's privilege. Indeed, prosecutions in this area are exceedingly rare, and the longstanding policy of the Department of Justice strictly limits circumstances in which prosecutors may seek information from journalists. We must retain the ability to bring to justice those who break the law and cause irreparable harm to the United States and its citizens.

Mike McConnell is Director of National Intelligence.