

ABOUT THAT DATA-MINING...

Actually, my biggest complaint about this letter, from John Conyers, Jerrold Nadler, and Robert Scott, is that they don't use the word "Data-Mining."

We read with interest the disclosures in yesterday's *New York Times* and *Washington Post* that a 2004 dispute over the NSA's secret surveillance program which led to threatened resignations by Department officials involved a "massive electronic database" program.

We have two potential concerns with the disclosure. First, at a time when the Administration is seeking to make changes to the Foreign Intelligence Surveillance Act, it is imperative that all members of the House Judiciary Committee be fully apprised of these controversial, and possibly unlawful, programs, and any related programs. It is difficult to craft appropriate legislative responses unless we have all of the relevant facts concerning these programs.

We have previously requested background information on the so-called "warrantless wiretapping," "Terrorist Surveillance Program," or their predecessors, as set forth in letters to you dated January 19, February 1, and May 17, 2007, and have also sought from you the same information being sought by the Senate Judiciary Committee related to these programs and we would reiterate those requests here. We now request copies of all opinions, memoranda, and background materials, as well as any dissenting views, materials,

and opinions regarding the same, concerning the data base program disclosed by the media yesterday.

Second, we are concerned that this disclosure, stemming from current and former officials briefed on the program, may simply be an effort to respond via Administration leak of potentially classified information designed to rehabilitate previous controversial testimony by you. In this regard, we would inquire whether you or anyone in your front office has any knowledge or involvement in these leaks, and if so, who and the nature thereof.
[my emphasis]

After all, on the unlikely chance (ha!) that DOJ actually were to respond to this request, they could fairly provide information solely about the databases, without describing what was wrong with the data-mining they were using to analyze the databases. Perhaps "databases and data-mining" would have been smarter?

But I do like the inquiry into leaks. Leaking classified information to win the spin wars is like mother's milk to these thugs. We would do well to start harassing them about that.