

# United States Senate

WASHINGTON, DC 20510

December 12, 2007

Dear Majority Leader Reid:

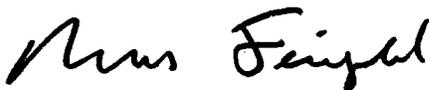
We understand that the Senate will shortly be considering amendments to the Foreign Intelligence Surveillance Act. As you know, the Senate Select Committee on Intelligence and the Senate Judiciary Committee have reported very different versions of the FISA Amendments Act, S. 2248, and it is up to you, as Majority Leader, to decide how the Senate considers this legislation.

We urge you to make the version of S. 2248 reported by the Senate Judiciary Committee the base bill to be considered by the full Senate. While the structure of Title I of both bills is the same, and both make improvements over the Protect America Act, the reasonable changes to Title I made in the Judiciary Committee ensure that the FISA Court will be able to conduct much-needed oversight of the implementation of these broad new surveillance authorities, and help to better protect the rights of innocent Americans. While we appreciate the hard work that the Intelligence Committee has done on this legislation, the process by which the Judiciary Committee considered, drafted, amended and reported out its bill was an open one, allowing outside experts and the public at large the opportunity to review and comment. With regard to legislation so directly connected to the constitutional rights of Americans, the results of this open process should be accorded great weight, especially in light of the Judiciary Committee's unique role and expertise in protecting those rights.

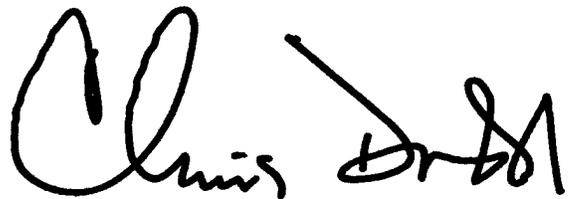
We also believe that the Judiciary Committee bill is preferable because it does not provide immunity for telecom companies that allegedly cooperated with the administration's warrantless wiretapping program. As this is such a controversial issue, we feel it would be appropriate to require the proponents of immunity to make their case on the floor.

Thank you for your consideration.

Sincerely,



Russell D. Feingold



Christopher J. Dodd

December 12, 2007

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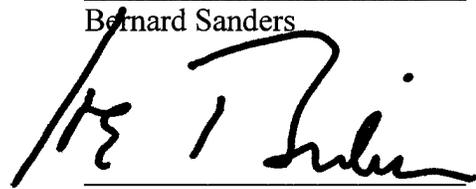
Barack Obama



Bernard Sanders



Robert Menendez



Joseph R. Biden, Jr.



Sherrod Brown



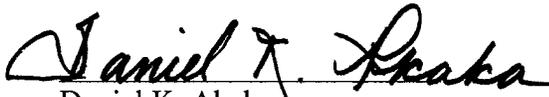
Tom Harkin



Benjamin L. Cardin



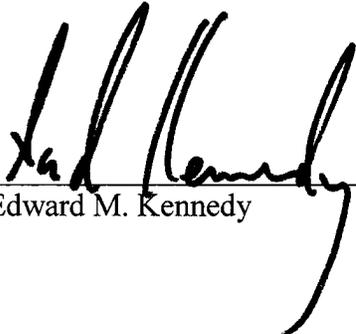
Hillary Rodham Clinton



Daniel K. Akaka



Jim Webb



Edward M. Kennedy



Barbara Boxer