



November 7, 2007

The Honorable Patrick Leahy
Chairman
Committee on the Judiciary
U.S. Senate
Washington, DC 20510

Dear Chairman Leahy:

As the Senate Judiciary Committee prepares to consider intelligence legislation affecting the laws governing surveillance, we wish to express our support for efforts by the nation's librarians to require that any surveillance by the Federal government of the e-mails and other electronic information generated by library patrons be conducted only following issuance of a subpoena by the Foreign Intelligence Surveillance Court. As a higher education association we are particularly aware of the issue in connection with libraries associated with higher education institutions.

We recognize that the issue of surveillance is a difficult one for all parties involved. NASULGC and its member institutions are firmly committed to supporting the Federal government's efforts to protect our nation's security. At the same time, we recognize the longstanding principles of libraries, both at our institutions and in our communities, to protect patron privacy. After careful consideration, we conclude that the appropriate balance of library patrons' right of free speech and open inquiry is best balanced with national security concerns by libraries not being treated as "communication service providers." We respectfully request that appropriate language be included in the pending intelligence legislation.

We appreciate your consideration of this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter McPherson". The signature is fluid and cursive, with a prominent initial 'P'.

Peter McPherson
President