

October 26, 2008

LETTER

New F.B.I. Guidelines

To the Editor:

Contrary to your Oct. 19 editorial “Another Invitation to Abuse,” the newly consolidated attorney general investigative guidelines do not grant any new legal authorities; rather, they provide a uniform and transparent standard to use the authorities we have long held.

Under these new guidelines, all F.B.I. investigations — criminal, national security and foreign intelligence — will fall under the same set of rules. While the guidelines do not give special agents new powers, they do extend to the agents investigating terrorists and spies the same long-established — and widely accepted — tools used for decades to investigate bank robbers or mobsters. Continuing to operate from three different rule books contributes to confusion.

These changes came only after long and careful consideration, including unprecedented consultation with Congress and major civil rights and civil liberties groups. We are well aware, however, that if we protect the nation from harm but sacrifice the civil rights and civil liberties that make this country great, we will have done the country a grave disservice.

For that reason, the newly consolidated guidelines reflect an oversight and compliance structure designed to ensure such respect for Americans’ liberties. And we believe that the guidelines will strengthen the F.B.I.’s abilities as an intelligence agency, in keeping with calls by several bipartisan commissions, including the joint Congressional inquiry and the 9/11 and W.M.D. commissions.

Finally, uniformity of the guidelines will help ensure adherence to both policy and the law.

Robert S. Mueller III

Director

Federal Bureau of Investigation

Washington, Oct. 21, 2008

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