

By Lindsey Boerma

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(CBS News) "The United States does conduct espionage," and the Fourth Amendment to the Constitution protecting the privacy of American citizens "is not an international treaty," former CIA and National Security Agency Director Michael Hayden said Sunday on "Face the Nation," after a German magazine cited secret intelligence documents to [charge U.S. spies of bugging European Union offices](#)

"Any European who wants to go out and rend their garments with regard to international espionage should look first and find out what their own governments are doing," Hayden said. "Let's keep in mind that in a global telecommunications infrastructure, geography doesn't mean what it used to mean. ...The Internet lacks geography, so I wouldn't draw any immediate conclusions with regard to some of those numbers that have been put out there as to who's being targeted and who isn't."

Earlier Sunday, top German official Justice Minister Sabine Leutheusser-Schnarrenberger accused the United States of using "Cold War" methods against its allies. Her statement came in response to a [report](#) in the German news weekly Der Spiegel, which, citing some of the top-secret documents leaked by former government contractor Edward Snowden, claimed the NSA had eavesdropped on EU offices in Washington, New York and Brussels.

Hayden said President Obama should more aggressively pursue the extradition of Snowden, who's currently believed to be holed up in a Moscow airport. He suggested: "The president is trying to limit diplomatic, and perhaps even political, damage. But the leadership of the American intelligence community has caused damage from these leaks so far - and it's very clear there's going to be some more here - so far have been significant and irreversible. That's a big deal."

Among operational details that have been disclosed, much of the "significant and irreversible damage" wrought by Snowden's leak of classified government programs designed to track terrorists by culling phone records and mining user data from major Internet servers, Hayden said, is on the international front.

"We cooperate with a lot of governments around the world - they expect us to be discreet about that cooperation," he said. "I can't imagine a government anywhere on the planet who now believes we can keep a secret."

One thing the Obama administration can do amid the fallout of Snowden's leaks, Hayden recommended, is advance the "national debate about the balance between privacy and security."

"Here's how I do the math," he said. "In an ideal world, I'd keep all of this secret, because any of it that I make public slices some of my operational advantage away from me. But here's what I've learned heading up both NSA and CIA: You might be able to do one thing one off, based up on narrow legalness and the president's authorization.

"But democracies like ours don't get to do something over a long period of time without national consensus," Hayden continued. "So I'm willing to shave points off of my operational effectiveness in order to make the American people a bit more comfortable about what it is what we're. Otherwise, the American people won't let us do it in the first place."