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### **Transcript of AG Interview on Early Show with Rene Syler (CBS):**

**Rene Syler:** Last night President Bush only spoke about Iraq in his speech to the nation. But Democrats and Republicans on Capitol Hill are calling for congressional investigations into the President's decision after 9/11 to authorize spying on Americans without a warrant. Alberto Gonzales is the U.S. Attorney General. Good morning to you, sir.

**AG:** Good morning, Rene.

**Rene:** Secretary of state Condoleezza Rice said the President decided to skirt the normal procedures in these cases of domestic surveillance because they would have held what she termed fast-paced counterterrorism investigation. This appears to fly in the face of the foreign intelligence surveillance act of 1978, does it not? What's your reaction to that?

**AG:** The foreign intelligence surveillance act was passed in 1978. We continue to take advantage of the authorities under that act. But we've had dramatic changes in technology. And we are confronting a new kind of enemy in a new kind of war and we need to have the speed and agility and utilize all the tools available to this President in confronting this enemy. The foreign intelligence surveillance act does require that we get a court order before we engage in electronic surveillance of the types the President talked about on Saturday, except as provided by statute. Our position is the authorization to use military force which is passed by the congress shortly after the attacks of September 11th constitutes that authority by the congress to engage in this kind of surveillance.

**Rene:** I think part of the concern, though, for a lot of people, anyway, is that the government is not saying who's being targeted or how many people are being targeted.

**AG:** The President revealed the existence of this highly classified program on Saturday. There are many aspects of the program which still remain highly classified. What I can say to the American people is this is not a case of domestic spying, of listening in on calls within the United States. Each one of the calls that are being surveilled, one end of that call must be outside of the United States. Also, with respect to every one of these calls, we must have a reasonable basis to conclude that one party on the call is a member of al Qaeda, affiliated with al Qaeda or affiliated with an organization supporting al Qaeda because we are in a war with al Qaeda and it's very important to know what the enemy is doing and how it's communicating potential plans with each other.

**Rene:** Can you tell us how many people are being surveilled?

**AG:** No, I can't get into that, because that remains classified information. But, again, I want to reassure the American people, this is not a situation where calls within the United States are being surveilled.

**Rene:** But here's the thing. Even people who the President could normally count on for support have even come out against this. Republican senator Lindsey Graham said yesterday on "face the nation" he applauds the President for being aggressive in his pursuit of potential terrorist threats but he said we also cannot set aside the rule of law in a time of war. Your response?

**AG:** We couldn't agree more. That has not occurred in this case. Again, we believe the authorization to use force constitutes permission to engage in this kind of electronic surveillance. This has been one of the most highly protected companies in the United States government because it has been so effective in our war against al Qaeda. I think when we have additional time to sit down with members of congress and talk to about the parameters, the careful parameters of this program I'm optimistic they'll be reassured the President has taken into account the protection of civil liberties of Americans while we engage in this very effective tool --

**Rene:** Do you plan to do that soon?

**AG:** Absolutely. That process began last night. I sat down with certain members of the congress last night. That will continue this week.

**Rene:** Why not before last night?

**AG:** Again, this is a very, very secretive, protected program. We did meet with members of congress, as the President before the announcement of this program on Saturday by the President. As the President announced on Saturday, we have met from time to time and briefed certain members of the congress about what we're doing and the justifications for this program.

**Rene:** Attorney general Alberto Gonzales. Thanks for your time this morning.

**AG:** Thank you.

### **Transcript of AG Interview on Today Show (NBC):**

**Today:** Thank you. Reaction to that address on Iraq in a moment. First to the revelation that after 9-11 the president ordered eavesdropping on some Americans without getting court approval. Did the president bend or break the law? The Attorney General Alberto Gonzales of the United States, good morning.

AG: Good morning.

Today: As Attorney General and white house counsel when this decision was made what legal authority does the president have to avoid the normal process of obtaining court approached search warrants before eavesdropping is conducted?

AG: We believe the president has inherent authority as commander and chief to engage in intelligence of our enemy. We also believe the president has the authorization to use military force which was passed by the congress just days after the attacks of 9-11. The foreign intelligence surveillance act requires a court order to engage in the surveillance the president talked except as authorized by statute. We believe the authorization to use military force gives the president to engage in limited, targeted surveillance against our enemies.

Today: Some members of congress disagree with you. There has been an outcry even in the president's own party about this. Republican senator Lindsey Graham and Arlen Specter are calling for hearings on this. And democratic senator Russ Feingold said the administration is playing fast and loose with the law in the area of national security. He said president bush can't make up the law. That would turn George w. Bush not into president George w. Bush but King George w. Bush. They don't agree.

AG: Well, we have consulted with certain leaders of the congress prior to the revelations on Saturday by the president. We will continue to bring in additional members of congress. I met with Senator Arlen specter and other members to provide our legal justification for this program. The president obviously is very concerned about the protection of civil liberties. We want to make sure that the president is acting pursuant to his authorities under the constitution and given to him by the congress. We believe that has occurred in this case.

Today: Well, why not, if this passage of the foreign intelligence surveillance act of 1978 requires you to get basically a special court to review warrants in a manner consistent with the constitution, why not do that? Why not follow that rule of law?

AG: Well, again the foreign intelligence surveillance act requires a court order except when congress gives authorization. We believe congress did give that other authorization in this case. With respect to that act, we continue to use the authorities under that act. Passed in 1978. The changes in technology have been dramatic and we need to be able to use other tools which allow us to act more quickly to respond to the threat by al-Qaeda. The president has abided by his responsibilities as commander and chief and also is directing the exercise of this program in a manner that is consistent with law in my judgment.

Today: When it comes to these suspects, has anyone been captured or convicted?

AG: Yes, the use of this program has been helpful in helping to break up terrorists plots and in protecting American lives. Let me just make one final important point: this is not a program of domestic spying thin the United States. Within the exercise of these authorities, o party has to be outside of the United States and we have to have a reasonable basis too believe that one party to that call is a member of al-Qaeda affiliated with al-Qaeda or helping our enemy defeat the U.S. Those are the parameters the president has imposed on the administration.

Today: Some key provisions of the patriot act failed to pass in the senate on Friday. How concerned are you about that?

AG: I very concerned about it. For the department of justice these tools are critical. They have been important in allowing us to share information between the law enforcement community and the intelligence community and seeing of information is so very important to win against this new enemy in this new kind of war.

Today: Attorney General Alberto Gonzales thanks for your time. Here's David.

## Transcript of AG Interview on American Morning with Soledad O'Brien (CNN):

CNN: Alberto Gonzales is the U.S. Attorney general and he joins us from the white house this morning. Nice to see you, sir. Thank you for talking with us.

AG: Good morning.

CNN: Did you advise the president that it was within his rights to go ahead and approve these wire taps without a court order, sir?

AG: There were many lawyers within the administration who advised the president that he had an inherent authority as commander of chief under the constitution to engage in this kind of intelligence of our enemy. We also believe the authorization to use force which was passed by the congress in the days following the attacks of September 11th constituted additional authorization for the president to engage in this kind of signals intelligence.

CNN: You're saying the congress's vote to use force was essentially an okay as well to wire tap people in the United States?

AG: The foreign intelligence surveillance act provides that you must get a court order to engage in surveillance the type the president talked about on Saturday, except as otherwise authorized by congress. We believe that other authorization by congress exists in the authorization to use military force that was passed by the congress in the days following the attacks of September 11th.

CNN: You mentioned that FISA or the federal intelligence security act and the other option getting a warrant. Why not go either of those two routes if you want the secret court go the first way and if you want to get a warrant, get a warrant?

AG: As I've indicated, we're only required to get a court order to engage in this kind of surveillance if we're not otherwise authorized by congress. We think we were given permission under the authority to use military force. But in terms of why not use the authorities under the foreign intelligence surveillance act, we continue to use those authorities, they're very important in the war on terror. But the foreign intelligence surveillance act was passed in 1978 and there have been tremendous changes in technology since then. And what the folks at the NSA tell me is that we do not have the speed and the agility in all cases to deal with this new kind of threat under the foreign intelligence surveillance act and that is why we believe and the president believes these authorities are necessary in order to effectively defend this country against another attack by al Qaeda.

CNN: Two points then. You think the foreign intelligence service act does not go far enough? It's not fast enough, a secret court?

AG: I'm told by the operational folks at the national security agency we do not have the speed and the agility in all cases, in ev to deal with this new kind of threat. As I've said before, the foreign intelligence surveillance act is a very important tool where we continue to utilize it when we continue to deal with this new kind of threat and this new kind of war.

CNN: I'm sure you recognize there are plenty of congressmen and women and senators who say they had no intention when they authorized the use of force to go ahead and authorize of wiretapping by the president without going through the courts or going through this other act as you mentioned. What would you say to them?

AG: Well, what I would say to them is that the authority by the congress was the authority to use all necessary and appropriate force. And a very aspect of engaging in war against the enemy is to engage in signal intelligence. Signal intelligence means that we have to know what our enemy is doing. We can't go into a war blindly. We've engaged in signal intelligence beginning with the civil war and through all of the conflicts since then. This is a very important aspect of engaging in the war. We do believe that that would constitute the authority by the congress to engage in this kind of surveillance.

CNN: Whether or not signal intelligence is necessary. More of a question whether the president has the authority to work around the courts and sort of as some would see it, unilaterally make the decision without getting any court approval. In 1972, as I'm well aware, you know, the Supreme Court ruled that president Nixon could not do the same thing, go ahead and wire tap by virtue of the fact that he's the president. How is this case different than that?

AG: Well, one key difference is that the statute itself, the foreign intelligence surveillance act statute, requires we can do so without a court order, engage in this kind of electronic surveillance if otherwise approved by congress through another statute and we believe that congress has done so and this particular case. We also, quite frankly, Soledad, we continue to believe that the president has the inherent authority, under the constitution's commander of chief, engage in this kind of conduct but that's a secondary argument. We believe the congress has authorized this kind of conduct and we understand the concern that have been raised by certain members of congress as the president indicated on Saturday, we have reached certain key members of congress from the beginning of this program about what we're doing and the justice risks of what we're doing and we didn't brief other members of congress because of the importance of keeping this program classified as much as possible. We will, in the days to come, sit down with members of congress and try to provide information to reassure them that the president of the United States is utilizing these tools in a lawful manner, in a way that ensures that the civil liberties of all Americans are protected.

CNN: You'd be fine with hearing as some of the democratic leadership is calling for to investigate this fully?

AG: We want to provide information to the congress about what we're doing to reassure them what we're doing is lawful but also do it in a way that doesn't compromise this program. The president did acknowledge the existence of the program but many operational aspects of the program remain highly classified and it remains a valuable tool. Harmful to the United States if we lost this tool entirely. We need to do so in a way that does not compromise this very valuable tool in the war against terrorism.

CNN: Alberto Gonzales is the U.S. Attorney General. Thank you for talking with us, sir.

## Transcript of AG Interview on Fox and Friends with Steve Doocy (FOXNEWS):

Steve: Some lawmakers on Capitol Hill upset over President Bush allowing domestic wiretaps without court approval. About the president overstep his authority? Let's talk to attorney general Alberto Gonzales, who joins us from the white house, where even though it's chilly, (thanks to a portable space heater, his feet are warm).

AG: Good morning.

Steve: good morning. Nice to have you here. Members of both parties have said over the weekend, sir, that perhaps some hearings are needed to look into what exactly has happened. Condoleezza rice was on television yesterday explaining that the president does have the authority to order these dmis particular wire - domestic wiretaps. Where does he get the authority?

AG: We believe the president has inherit authority as commander-in-chief to engage in signal intelligence of our enemies, but he also has statutory intelligence. The act does require that we get an order. Except as provided otherwise by statute and we believe that congress has provided otherwise by statute in the authorization to use force, which the congress passed in the days following the attacks of September 11. The president is very, very supportive of course and a strong defender of civil liberties and we're not going to engage if any conduct that is not otherwise lawful.

Steve: so are you saying that you're using a little bit of the FISA, foreign intelligence surveillance act and a little bit of the authority granted to him by congress?

AG: He will, well the foreign intelligence surveillance act was passed in 1978. We continue to use the authorities granted under FISA, however the changes in technology that have occurred since then have been tremendous and sometimes those authorities under the foreign intelligence surveillance act don't provide us the speed and agility that we need to deal with the new kind of enemy and the new kind of war and therefore the president is using the authorities that we believe were granted to him by the congress in the authorization to use force as well as the authorities that he has as commander-in-chief under the constitution.

Steve: but it seems like the way this FISA rule is written, there is plenty of speed there, because you can go ahead and wiretap somebody just so long as you talk to a judge within 72 hours. Why are you going around the judge part?

AG: Well, again, the act, the foreign intelligence surveillance act, allows us to engage in this kind of action, without a court order, if otherwise provided by statute. And we believe congress has given us that authority. The folks that are operating this program tell me that we do not have the speed and agility that we necessarily need when we use the authorities under FISA to deal with this new kind of enemy.

Steve: how many times has this happened?

AG: Well, Steve, what I can say is that the authorities -- the number of times that we've used the authorities is a highly classified matter. I can reassure the American people; this is not a situation where we're engaged in surveillance, calls made solely within the United States. This is a situation where one party to the call has to be outside the you statutes and we have to have a -- outside the United States and we have to have a reason to conclude that one of the parties involved is affiliated with al Qaeda or affiliated with an organization supportive of al Qaeda.

Steve: I'll let you put your ear piece back in his ear in just a minute. We're speaking live with the attorney general Alberto Gonzales live from the front lawn of the white house. A number of democrats have said they're surprised at this, and yet eight top congressional leaders have been briefed on this all along, right?

AG: We have had numerous briefings with certain key members of the congress. This is a highly classified program. And the president has believed it important to limit the number of people that have had access to this program. We understand the concerns that have been raised by certain members of congress about this program, and we intend to engage in a very constructive dialogue to inform the congress about the very careful limits that the president has placed upon the program so that we do engage in this program in a way that's protective of civil liberties of Americans.

Steve: and sir, if a round of hearings is held up on Capitol Hill, what would the reaction from the white house be to hearings?

AG: Well, again, we want to engage in a constructive dialogue with the congress. We believe that obviously congress has the right to know about these -- this program, and that's why we've engaged in briefings to the congress from the very outset of this program, we obviously are concerned about divulging to the enemy more classified information about the operations of this program, that we will work with congress to provide the information that it believes it needs in a way that's consistent with the needs of this country.

Steve: sir, we thank you very much for joining us from the north lawn of the white house to explain this morning, attorney general Alberto Gonzales.

## Transcript of AG Interview on News Live (MSNBC):

MSNBC: After the 9-11 attacks, the president secretly ordered eavesdropping on Americans. The key question, did the president bend or break the law? Alberto Gonzalez is the attorney general of the United States. Mr. Gonzalez, good morning. To what degree does the president have the right to spy on Americans?

AG: We believe that the president does have the inherent authority as commander-in-chief to engage in signal intelligence of the enemy. We also believe that the president was given the authority by the congress and the authorization to use military force which was passed in the days following September 11. The foreign intelligence surveillance act does require a court order to engage in this kind of electronic surveillance except by statute. That provision has been satisfied by the authorization to use military force which was passed by the congress. I want to reassure the American people, this is not a program of domestic spying where there is surveillance of calls occurring solely within the United States. This is a program that surveilled communications where one end is outside the United States. This is true in every case and also with respect to this kind of surveillance and we have to have a reasonable basis to believe that one of the parties in the communication is a member of al Qaeda or a member of an affiliate of al Qaeda or a member of a group that is otherwise supportive of al Qaeda.

MSNBC: But given that, many legal analysts say the president would have simply received this authority to spy on Americans if he had merely asked. Why are you avoiding and risking the criticism that you are now facing?

AG: Of course, again the foreign surveillance intelligence act allows us to engage in this kind of surveillance without going to the court if otherwise given permission by the congress. The act was passed in 1978. It's been a valuable tool and remaining a valuable tool in the war on terrorism. And we continue to go to the court to get permission to use this surveillance. Utilizing the intelligence on the foreign intelligence act, are not sufficient in all cases to deal with this kind of threat. We do not have the speed or the agility we need to engage in the surveillance of this kind of enemy.

MSNBC: And you are concerned about civil rights and it might be worth noting that the Supreme Court has already ruled on this. Are you concerned that the Supreme Court, if they look at this now is going to limit president bush's authority?

AG: Well, what I am concerned about is a protection of civil liberties. I'm also concerned about the protection of this country. We believe that this program strikes the right balance. We believe that our analysis of the authorization to use force given the president the permission to use this kind of activity, this kind of tool, which is a fund MSNBC analyst instrument of -- fund MSNBC analyst obviously we should all be concerned about the protection of civil liberties. I think the president has authorized a program that takes into account the protection of those liberties.

MSNBC: You say that congress gave the president this authority in part and yet senate republicans and democrats are calling for hearings now on Capitol Hill. Senator Spector said this is inappropriate.

Listen to what senator fine gold has said.

"This president is grabbing all the power he can get. Whether it be in terms of the enemy combatant collies that were struck down by the Supreme Court. They're trying to make this president a king not a president when it comes to our system of government."

Attorney General, your response? Is this when white house trying to grab all the power they can?

AG: The policy in the combatant was not struck down by the Supreme Court. The Supreme Court said that the president of the United States had been authorized by the congress to detain American citizens captured on the battlefield for the duration of the hostilities. This president uses the limitations upon his power as commander-in-chief. We're going to abide by the law, but we're also going to do anything within the law to counter this kind of threat.

And this news of domestic spying came on the same day that the patriot act failed to pass in the senate. At least two senators he heard with his own ears said this was the reason they voted against it. What do you do now?

AG: The Patriot act is a very, very important tool for the department of justice. It is a reason in my judgment why there has not been another domestic attack in this country since September 11. We need to find a way to get these tools reauthorized. In my judgment it would be damaging to the security of this country if these tools were to expire.

MSNBC: Alberto Gonzalez, thank you.