

President Bush Discusses the Protect America Act of 2007

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National Security Agency
Fort Meade, Maryland

THE PRESIDENT: Good morning. I have just received a briefing from Director McConnell and Lieutenant General Alexander, as well as other members of my national security team. I first want to thank the men and women who work out here for their dedication and their hard work. The work they're doing here is necessary to protect our country from an enemy who would like to attack us again. The people who work out here understand that the federal government has no more urgent responsibility than to protect the American people.

Every day, our intelligence, law enforcement and homeland security professionals confront enemies who are smart, who are ruthless, and who are determined to murder innocent people to achieve their objectives. It is the job of Congress to give the professionals the tools they need to do their work as effectively as possible.

You don't have to worry about the motivation of the people out here; what we do have to worry about is to make sure that they have all the tools they need to do their job. One of the most important tools they use is the Foreign Intelligence Surveillance Act, or FISA. The law provides a critical legal foundation that allows our intelligence community to monitor terrorist communications while protecting the freedoms of American people. Unfortunately, the law is dangerously out of date.

When FISA was passed nearly 30 years ago, the legal protections were based on differences in the way that domestic and overseas communications were transmitted. New technologies have come into being since the law was written. Technologies like the disposable cell phone or the Internet eliminated many of those differences. So one of the consequences of the way the law was originally drafted is that when technology changed, legal protections meant only for the people in the United States began applying to terrorists on foreign soil. As a result, our intelligence professionals reported that they were missing a significant amount of real-time intelligence needed to protect the American people. So earlier this year, Director McConnell sent Congress legislation to fix the problem.

In August, a bipartisan majority in Congress passed the Protect America Act. This law has helped close a critical intelligence gap, allowing us to collect important foreign intelligence and information about terrorist plots. The problem is the law expires on February 1st -- that's 135 days from today. The threat from al Qaeda is not going to expire in 135 days.

So I call on Congress to make the Protect America Act permanent. The need for action is clear. Director McConnell has warned that unless the FISA reforms in the Act are made

permanent, our national security professionals will lose critical tools they need to protect our country. Without these tools, it'll be harder to figure out what our enemies are doing to train, recruit and infiltrate operatives in our country. Without these tools our country will be much more vulnerable to attack.

Unfortunately, some in Congress now want to restrict the tools. These restrictions would impede the flow of information that helps us protect our people. These restrictions would reopen gaps in our intelligence that we had just closed. As I did in August, in evaluating any FISA bill, I will ask Director McConnell whether the legislation gives him what he needs to protect our nation. The question I'm going to ask is, do our professionals have the tools necessary to do the job to protect the American people from further attack?

In addition to making the Protection [sic] America Act permanent, I urge Congress to take up other critical proposals included in the comprehensive FISA reform my administration submitted last April. It's particularly important for Congress to provide meaningful liability protection to those companies now facing multi-billion dollar lawsuits only because they are believed to have assisted in efforts to defend our nation following the 9/11 attacks. Additionally, without this protection, state secrets could be revealed in connection with those lawsuits -- and our ability to protect our people would be weakened.

At stake in this debate is more than a piece of legislation. The decisions Congress makes will directly affect our ability to save American lives. I look forward to working with Congress to enact this legislation as quickly as possible, so that our intelligence officials will continue to have the tools they need to keep the American people safe. Thank you.

END 11:56 A.M. EDT