

Protect America Alert:

DNI McConnell: The Country Is In "Increased Danger"

Following Expiration Of The Protect America Act, Director Of National Intelligence Mike McConnell Discusses House Failure To Pass Bipartisan Senate Solution; Says "We Can't Do This Without The Private Sector," "We Do Not Have The Agility And The Speed That We Had Before"

Director of National Intelligence Mike McConnell: The country is in "increased danger" because the Protect America Act has expired, "and it will increase more and more as time goes on." WALLACE: "So just to summarize this ... would you say that the country is in ... greater danger now of terrorist attack because this law has expired?" MCCONNELL: "Increased danger, and it will increase more and more as time goes on." (FOX's "FOX News Sunday," 2/17/08)

- "[T]he threat is going up. And ... we do not have the agility and the speed that we had before to be able to move and try to capture their communications to thwart their planning." WALLACE: "Is the White House making the situation sound worse than it really is?" MCCONNELL: "President Bush is repeating advice that I'm giving him. As you know, I am not a political figure. I am a professional. I've been doing this for 40 years. And our situation now, when the terrorist threat is increasing because ... al Qaeda's achieved de facto safe haven in the border area of Pakistan and Afghanistan – the threat is going up. And therefore, we do not have the agility and the speed that we had before to be able to move and try to capture their communications to thwart their planning."
- "[L]ast summer we were in extremis, because we had lost under the old law about two-thirds of our capability. ... We passed the new act to ... improve our situation. That act has now expired."
- "If something new comes along, we have to have a directive for a new private sector company – now that's in question, so [expiration of the PAA] introduces a level of uncertainty that is going to be very difficult for us." "The issue now is there's uncertainty because the law has expired and the law of August, the Protect America Act, allowed us to compel ... support from a private carrier. That's now expired. So we can make an argument to a court but, you see, that makes my point. If I'm in court arguing for an authorization, then I'm missing a dynamic situation."

DNI McConnell: "We cannot do this mission without help and support from the private sector." "[I]f you think about the private sector global communications, many people think the government operates that. Ninety-eight percent of it is owned and operated by the private sector."

- "And the private sector, although [they] willingly helped us in the past, are now saying, 'You can't protect me. Why should I help you?'" "The entire issue here is liability protection for the carriers. ... [I]f we don't have retroactive liability protection for the carriers. They are less inclined to help us."

"It Passed The Senate By An Overwhelming Bipartisan Majority. ... This Really Should Be A No-Brainer"

Senate Republican Leader Mitch McConnell (R-KY): "[T]here is a bipartisan majority in the House of Representatives to take up and pass the Senate bill." "So the Speaker, instead of taking up a bill that enjoys overwhelming bipartisan support in the Senate and bipartisan majority support in the House, what were they doing last Thursday? They were questioning a major league baseball pitcher and they were sanctioning White House officials, and then they went on vacation." (CNN's "Late Edition," 2/17/08)

- **"Why [pass an extension], when you've already got a majority in favor of this bill?"** "An overwhelming majority in the Senate passed it. A bipartisan majority in the House is for it. The only reason it didn't pass the House last Thursday is because the Speaker wouldn't bring it up. The only majority in the House, in fact, is for this bill. They voted down a 21-day extension in the House last week. There isn't a majority for an extension in the House. There is a majority for the bill that passed the Senate overwhelmingly."
- **"This is the Democratic allegiance to the plaintiff's bar. They're more interested in seeing companies in court than they are seeing terrorists in jail. This is all about the liability issue."** "Look, 90 percent of this program is carried out by the private sector, not the government. We have to have their cooperation in order to do this. Right now, they've got 40 lawsuits pending against them, the communications companies. They have a fiduciary responsibility to their boards of directors and to their shareholders not to put the companies out of business. It is inappropriate for the government of the United States to compel them to go out of existence."
- **"This really should be a no-brainer. I mean, it got 68 votes in the Senate. ... And if we don't do it, starting last night, we have a degrading capability of intercepting terrorist communications overseas, which makes the homeland in greater danger."**