

Protect America Alert:

Vice President Cheney: "Congress [Has] Only Nine Days ... To Keep The Intelligence Gap Closed"

With Nine Days And Counting Until The Protect America Act Expires, Vice President Cheney Calls For "Swift Action" To Make Critical Intelligence Legislation Permanent

"[O]ur Administration feels strongly that an updated FISA law should be made permanent, not merely extended again with another sunset provision. We can always revisit a law that's on the books – that's part of the job of the elected branches of government. But there is no sound reason to pass critical legislation like the Protect America Act and slap an expiration date on it. Fighting the war on terror is a long-term enterprise that requires long-term, institutional changes. The challenge to this country hasn't expired over the last six months. It won't expire any time soon – and we shouldn't write laws that pretend otherwise."

– Vice President Dick Cheney, 1/23/08

"It Is So Urgent That Congress Update The FISA Law, Effective Immediately And Permanently"

Vice President Cheney: "[T]he danger to our country remains very real, and ... the terrorists are still determined to hit us." "Our intelligence agencies have made clear that we're in a heightened threat environment, with a 'persistent and evolving' terrorist adversary. And so the relative safety of the six years and four months since 9/11 is not an accident. It's an achievement. And the achievement is the product of some hard work by Americans in intelligence, in law enforcement, and the military – and some wise decisions by the President of the United States." (Vice President Dick Cheney, Remarks To The Heritage Foundation, Washington D.C., 1/23/08)

- "We've ... managed to prevent attacks and save lives by monitoring terrorist-related communications. One of the vehicles for doing so is the Foreign Intelligence Surveillance Act." "Among the most effective weapons against terrorism is good intelligence – information that helps us figure out the movements of the enemy, the extent of their operation, the location of their cells, the plans they're making, the methods they use, and the targets they want to strike. Information of this kind is also the hardest to obtain. But it's worth the effort in terms of the plots that are averted and the lives that are saved."
- "But that law was written three decades ago, and in recent years it became clear that FISA was becoming dangerously out of date." "[U]nder the original language of FISA, that the U.S. sometimes could not monitor, without a finding of probable cause and a court order, one foreign citizen abroad making a telephone call to another foreign citizen abroad about terrorism, because of changes in technology."
- The Protect America Act "ensured that we could quickly close the intelligence gap." "The legislation made it explicit that traditional FISA protections do not extend to persons

reasonably believed to be outside the United States. ... As a result, the intelligence community has been able to do a much better job safeguarding the American people."

- **"[O]ur Administration feels strongly that an updated FISA law should be made permanent, not merely extended again with another sunset provision."** "[T]here is no sound reason to pass critical legislation like the Protect America Act and slap an expiration date on it. ... We can always revisit a law that's on the books – that's part of the job of the elected branches of government."

"Liability Protection, Retroactive To 9/11, Is The Right Thing To Do"

Vice President Cheney: "[T]hose who assist the government in tracking terrorists should not be punished with lawsuits." "We're asking Congress to update FISA and especially to extend this protection to communications providers alleged to have given such assistance any time after September 11th, 2001. This is an important consideration, because some providers are facing dozens of lawsuits right now. Why? Because they are believed to have aided the U.S. government in the effort to intercept international communications of al Qaeda-related individuals."

- **"In some situations there is no alternative to seeking assistance from the private sector."** "The fact is, the intelligence community doesn't have the facilities to carry out the kind of international surveillance needed to defend this country since 9/11. ... This is entirely appropriate. Indeed, the Protect America Act and other laws allow directives to be issued to private parties for intelligence gathering purposes."
- **"Liability protection, retroactive to 9/11, is the right thing to do. It's the right way to help us prevent another 9/11 down the road."** "One might even suppose that without liability protection for past activities to aid the government, the private sector might be extremely reluctant to comply with future requests from the government – even though the requests are necessary to protect American lives. That risk is unacceptable to the President. It should be unacceptable to the United States Congress."