

THE WHITE HOUSE

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RADIO ADDRESS BY THE PRESIDENT
TO THE NATION

THE PRESIDENT: Good morning. This Thursday, Laura and I returned from an inspiring visit to Africa. In Benin and Tanzania, we met leaders who are fighting HIV/AIDS and malaria -- and people whose lives have been saved by the generosity of the American people. In Rwanda, we saw a nation overcoming the pain of genocide with courage and grace and hope. In Ghana, we met entrepreneurs who are exporting their products and building a more prosperous future. And in Liberia, we saw a nation that is recovering from civil war, led by the first democratically elected woman President on the continent. Laura and I returned to Washington impressed by the energy, optimism, and potential of the African people.

Members of Congress will soon be returning to Washington, as well, and they have urgent business to attend to. They left town on a 10-day recess without passing vital legislation giving our intelligence professionals the tools they need to quickly and effectively monitor foreign terrorist communications. Congress' failure to pass this legislation was irresponsible. It will leave our nation increasingly vulnerable to attack. And Congress must fix this damage to our national security immediately.

The way ahead is clear. The Senate has already passed a good bill by an overwhelming bipartisan majority. This bill has strong bipartisan support in the House of Representatives, and would pass if given an up or down vote. But House leaders are blocking this legislation, and the reason can be summed up in three words: class action lawsuits.

The Senate bill would prevent plaintiffs' attorneys from suing companies believed to have helped defend America after the 9/11 attacks. More than 40 of these lawsuits have been filed, seeking hundreds of billions of dollars in damages from these companies. It is unfair and unjust to threaten these companies with financial ruin only because they are believed to have done the right thing and helped their country.

But the highest cost of all is to our national security. Without protection from lawsuits, private companies will be increasingly unwilling to take the risk of helping us with vital intelligence activities. After the Congress failed to act last week, one telecommunications company executive was asked by the Wall Street Journal how his company would respond to a request for help. He answered that because of the threat of lawsuits, quote, "I'm not doing it ...I'm not going to do something voluntarily." In other words, the House's refusal to act is undermining our ability to get cooperation from private companies. And that undermines our efforts to protect us from terrorist attack.

Director of National Intelligence Mike McConnell recently explained that the vast majority of the communications infrastructure we rely on in the United States is owned and operated by the private sector. Because of the failure to provide liability protection, he says, private companies who have "willingly helped us in the past, are now saying, 'You can't protect me. Why should I help you?'" Senator Jay Rockefeller, the Democratic Chairman of the Senate Intelligence Committee, puts it this way: "The fact is, if we lose cooperation from these or other private companies, our national security will suffer."

When Congress reconvenes on Monday, members of the House have a choice to make: They can empower the trial bar -- or they can empower the intelligence community. They can help class action trial lawyers sue for billions of dollars -- or they can help our intelligence officials protect millions of lives. They can put our national security in the hands of plaintiffs' lawyers -- or they can entrust it to the men and women of our government who work day and night to keep us safe. As they make their choice, members of Congress must never forget: Somewhere in the world, at this very moment, terrorists are planning the

next attack on America. And to protect America from such attacks, we must protect our telecommunications companies from abusive lawsuits.

Thank you for listening.

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