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with edits. Let me know if this is good to go. we should fire it out before 5.

Setting The Record Straight:

Democrats Continue Criticism Of NSA Program To Detect And Prevent Terrorist Attacks

"The NSA's terrorist surveillance program is targeted at al Qaeda communications coming into or going out of the United States. It is a limited, hot pursuit effort by our intelligence community to detect and prevent attacks. Senate Democrats continue to engage in misleading and outlandish charges about this vital tool that helps us do exactly what the 9/11 Commission said we needed to do – connect the dots. It defies common sense for Democrats to now claim the administration is acting outside its authority while their own party leaders have been briefed more than a dozen times – only after there was a leak and subsequent media coverage did they start criticizing the program. Such irresponsible accusations will not keep us from acting to stay a step ahead of a deadly enemy that is determined to strike America again."

- Scott McClellan, White House Press Secretary

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Sen. John Kerry (D-MA) Claims That The NSA Program Is Illegal. SEN. KERRY: "It is a violation of law. ... There's nothing in the FISA law that we passed that suggests the President has this power." (ABC's "This Week," 1/22/06)

But The President's Authorization Of This Program Is Consistent With U.S. Law.

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- **The Congress Confirmed And Supplemented This Authority When It Passed The Authorization For The Use Of Military Force In The wake Of The 9/11 Attacks.** AG GONZALES: "Now, in terms of legal authorities, the Foreign Intelligence Surveillance Act ... requires a court order before engaging in this kind of surveillance that I've just discussed and the President announced on Saturday ... unless otherwise authorized by statute or by Congress. That's what the law requires. Our position is, is that the authorization to use force, which was passed by the Congress in the days following September 11th, constitutes that other authorization, that other statute by Congress, to engage in this kind of signals intelligence." (The White House, Press Briefing, 12/19/05)
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Roosevelt In 1940. "[Interception of communications for foreign intelligence purposes] have been authorized by Presidents at least since the administration of Franklin Roosevelt in 1940." ("Legal Authorities Supporting The Activities Of The National Security Agency Described By The President," U.S. Department Of Justice, 1/19/06)

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given every opportunity to ask questions about the program, to ask questions about the legality of the program, to understand the scope of the program and how it works and, most importantly, the impact it has. I've had every opportunity to get information on the program. And I have a responsibility, as the chairman of the Intelligence Committee, that if I believe the law is being broken to stand up in that meeting and say, stop it and we're going to do everything in Congress. The problem that we have right now is we have a whole bunch of Democrats who were for this program before they were against it and the only thing that has changed is that the story was illegally, in a damaging way, leaked to *The New York Times*." (ABC's "This Week," 1/22/06)

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