

My predecessors have used the same constitutional authority on numerous occasions. And the Supreme Court has ruled that Congress gave the President additional authority to use the traditional tools—or “fundamental incidents”—of war in the fight against terror when Congress passed the authorization for the use of military force in 2001. These tools include surveillance to detect and prevent further attacks by our enemies. I have the authority, both from the Constitution and the Congress, to undertake this vital program. The American people expect me to protect their lives and their civil liberties, and that’s exactly what we’re doing with this program.

I’ll continue to reauthorize this program for so long as our country faces a continuing threat from Al Qaida and related groups. This enemy still wants to do harm to the American people. We cannot let the fact that we have not been attacked lull us into the illusion that the threats to our Nation have disappeared. They have not disappeared; the terrorists are still active. And we’ve seen their activity in London and Madrid and Bali and Beslan and Amman and Baghdad and many other places since September the 11th. Just last week, as I mentioned earlier, we heard from Usama bin Laden. The terrorists will do everything they can to strike us. And I’m going to continue to do everything I can within my legal authority to stop them, and so are the good people here at NSA.

In the long run, we can be confident in the outcome of this struggle, because we’ve seen the power of freedom to defeat tyranny and terror before. And we can be confident because we know our military and law enforcement and homeland security and intelligence professionals are working day and night to protect us.

I’m grateful for the skill and dedication of the good folks who work out here. These are fine patriots, and they’re making America safer. Thank you all very much.

NOTE: The President spoke at 2:10 p.m. In his remarks, he referred to Lt. Gen. Keith B. Alexander, USA, Director, National Security Agency; and Usama bin Laden, leader of the Al Qaida terrorist organization. The Office of the Press Secretary also released a Spanish language transcript of these remarks.

### **Remarks Following a Meeting With Former Clerks of Associate Justice-Designate Samuel A. Alito, Jr.**

*January 25, 2006*

Thank you all very much. Thank you all for being here. I just finished a meeting in the Oval Office with a group of distinguished lawyers, many of whom come from different backgrounds, and they’ve got a wide range of political views. They share two things in common: They all clerked for Judge Sam Alito; and they strongly support his nomination to be an Associate Justice to the Supreme Court.

The relationship between a judge and a law clerk is extremely close. Each judge has only three or four clerks a year, and these clerks serve as the judge’s aides and advisers. They provide legal research; they discuss and debate pending cases; and they see firsthand how the judge arrives at decisions.

These fine men and women with me today have worked side by side with Sam Alito, and they are uniquely qualified to assess what kind of Supreme Court Justice he would be. As the full Senate takes up Judge Alito’s nomination, it is important for the American people to hear what his former clerks say about this fine judge and his approach to the law.

One of the clerks I met today who describes himself as a Democrat said this about Judge Alito: “He is meticulous in the way he goes about deciding cases. He’s meticulous in the way he goes about finding what the law is. I can’t think of better qualities for anyone to serve as a judge on the Supreme Court.”

Another former clerk here today says this: “I am a Democrat who always voted Democrat, except when I vote for a Green candidate—but Judge Alito was not interested in the ideology of his clerks. He didn’t decide cases based on ideology.”

Another former clerk who described himself as a proud member of the NAACP and the ACLU says, “After a year of working closely with the Judge on cases concerning a wide variety of legal issues, I left New Jersey not knowing Judge Alito’s personal beliefs on any of them.”

Another former clerk who describes herself as a left-leaning Democrat told the Senate this about Sam Alito: “He’s a man of great decency, integrity, and character. I believe very strongly he deserves to be confirmed as the Court’s next Associate Justice.”

Another of Judge Alito’s former clerks worked for Senator Kerry’s Presidential campaign. She said this about Judge Alito: “I learned in my year with Judge Alito that his approach to judging is not about personal ideology or ambition but about hard work and devotion to law and justice.”

In case you were wondering, Judge Alito has also the support of Republican clerks. [Laughter] In fact, he has the strong support of all 54 of his former clerks, regardless of their political beliefs. Judge Alito has earned broad support from his fellow judges on the Third Circuit. Seven of them took the extraordinary step of testifying on his behalf before the Senate Judiciary Committee.

Former Chief Judge Ed Becker, who sat with Judge Alito on more than 1,000 cases, said this about his colleague: “I have never seen a chink in the armor of his integrity, which I view as total. He is a real judge deciding each case on the facts and the law, not his personal views, whatever they may be.”

Another colleague on the Third Circuit who was appointed by President Clinton said this about Judge Alito: “He is a fair-minded man, a modest man, a humble man, and he reveres the rule of law.” The judge went on to say, “If confirmed, Judge Sam Alito will serve as a marvelous and distinguished Associate Justice.”

All these brilliant legal minds are united in their strong support of Sam Alito. And in his confirmation hearings, the American people saw why. Judge Alito is open-minded and principled. He gives every case careful attention, and he makes decisions based on the merits. Judge Alito understands that the role of a judge is to interpret the law, not to advance a personal or political agenda. Judge Alito is a man of character and integrity. Judge Alito will bring to the Supreme Court a broad range of experience and accomplishment.

Before he became a judge, Sam Alito served as a Federal prosecutor, Assistant to

the Solicitor General, where he argued 12 cases before the Supreme Court; an attorney in the Justice Department’s Office of Legal Counsel; and the U.S. Attorney for the District of New Jersey—the top Federal prosecutor in one of the Nation’s largest Federal districts.

In 1990, Sam Alito was unanimously confirmed by the Senate to serve on the United States Court of Appeals for the Third Circuit. He now has more prior judicial experience than any Supreme Court nominee in more than 70 years. The American Bar Association gave Judge Sam Alito its highest possible rating, a unanimous well-qualified. It based its rating on its assessment of his integrity, professional competence, and judicial temperament.

In the past, leading Democrat Senators have called the ABA’s rating the gold standard for judicial nominees. Yesterday, Ed Rendell, the Democratic Governor of Pennsylvania and former chairman of the Democratic National Committee, came out in support of Judge Sam Alito. Governor Rendell said he was not pleased with the way his fellow Democrats have handled Sam Alito’s nomination and said that Democrats should vote to confirm him. Governor Rendell put it this way: “As long as a Supreme Court Justice has high academic qualifications and significant integrity—and Judge Alito certainly does—we should confirm him.”

There’s no doubt about Judge Alito’s qualifications, his intellect, or his complete dedication to our Constitution and laws. He is exactly the kind of person Americans want on the Supreme Court.

The Senate has a constitutional responsibility to give every judicial nominee an up-or-down vote. In its 216-year history, the Senate has held an up-or-down vote on every Supreme Court nominee with a majority of Senate support. And I call on the United States Senate to put partisanship aside and give Judge Alito the up-or-down vote he deserves and to confirm him as the next Associate Justice of the Supreme Court.

I’m grateful to Judge Alito. And I appreciate his wonderful wife, Martha, and their children for their dignity throughout the confirmation process. America is fortunate that this good, humble man is willing to serve,

and all of us look forward to seeing him take a seat on our Nation's highest Court.

Thank you all for being here. Appreciate it.

NOTE: The President spoke at 3:35 p.m. in Room 350 of the Dwight D. Eisenhower Executive Office Building.

## The President's News Conference

January 26, 2006

**The President.** Sorry to interrupt. [Laughter] Thank you all very much. I look forward to answering some of your questions here in a minute. I'm also looking forward to going up to Capitol Hill next Tuesday to give my State of the Union Address. I thought it probably best not to practice my speech in front of you here, so you'll pay attention to it when I deliver it. But I do want to give you some thoughts about what I'm thinking about.

First, I recognize we live in a momentous time—

[At this point, there was technical difficulty with a camera attached to the ceiling.]

For those of you watching, we seem to have a mechanical flaw. [Laughter]

**Q.** That was an accident, right?

**The President.** Are you wearing your helmets?

**Q.** It's that renovation project.

**The President.** Exactly. [Laughter] I'll take it up with the First Lady. [Laughter]

I'm going to remind people we're living in historic times and that we have a chance to make decisions today that will help shape the direction of events for years to come. I'm going to continue to talk about an optimistic agenda that will keep—that will remind folks we've got a responsibility to lead. We've got a responsibility to lead to promote freedom and a responsibility to continue to put policies in place that will let us be a leader when it comes to the economy in the world.

I recognize this is an election year, but I believe that we can work together to achieve results. In other words, I think we can set aside the partisanship, that inevitably will come with an election year, and get some

stuff done. And that's what I'm going to call Congress to do.

We've got—must work together to protect our Nation's security. I'm going to continue to do everything within my authority to protect the American people. We're going to stay on the offense in the war against terror. We'll hunt down the enemies in Afghanistan and in Iraq and elsewhere. We'll continue our terrorist surveillance program against Al Qaida. Congress must reauthorize the PATRIOT Act so that our law enforcement and intelligence and homeland security officers have the tools they need to rout out the terrorists—terrorists who could be planning and plotting within our borders. And we'll do all this and, at the same time, protect the civil liberties of our people.

We're going to continue to lead the cause of freedom in the world. The only way to defeat a dark ideology is through the hopeful vision of human liberty.

Here at home, we're also—we've got great opportunities. And to seize those opportunities, we have got to lead. Our economy is growing; it is strong. This economy has created millions of new jobs, yet it's an economy that is changing rapidly. And we live in a competitive world. And so policies must be put in place to recognize the competition of the global economy and prepare our people to be able to continue to compete so America can continue to lead.

Of course, we'll talk about fiscal policy in my State of the Union, talking about the Congress to be wise about how we spend the people's money and to make the tax cuts permanent.

I will talk about initiatives to make sure our health care and education and energy is—recognizes the realities of the world in which we live today and anticipates the problems of the world tomorrow so that we can remain competitive.

I will talk about the values that are important for our country. I'm going to remind people, we show the character and compassion of America by taking focused action to confront disease and to help devastated areas of our country that have been—areas that have been devastated by natural disasters,