Veto of Wiretap Measure Is Threatened
Bush Wants to Add Immunity for Phone Companies

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Sunday, January 27, 2008; Page A05

The White House warned Democratic leaders yesterday that President Bush would veto a proposal to extend an expiring surveillance law by 30 days, saying that Congress should quickly approve a Senate bill favored by the Bush administration.

The move is aimed at forcing Congress to renew and expand the Protect America Act -- which is due to expire at the end of the day Thursday -- and escalates a national security showdown between Democrats and the White House just before the president's annual State of the Union address.

A senior administration official, who spoke on the condition of anonymity because of ongoing negotiations with Congress, said lawmakers "have had six months to not pass a bill -- they don't need 30 more days to not pass a bill."

The veto threat prompted a swift condemnation from Senate Majority Leader Harry M. Reid (D-Nev.), who called the warning "irresponsible" and said Bush was "posturing" just before Monday night's speech.

"When it comes to providing a strong long-term Foreign Intelligence Surveillance bill, Democrats in Congress are focused on solutions, while Republicans are obviously playing politics," Reid said in a statement.

The White House and Republicans want the temporary surveillance law made permanent. But many Democrats, spurred on by objections from civil liberties and liberal groups, have balked at the administration's demand to add legal immunity for telephone companies, which face dozens of lawsuits over their role in warrantless wiretaps conducted after the attacks of Sept. 11, 2001.

The heavily Democratic House has passed legislation that does not include immunity for the telecommunications companies and would increase court oversight of clandestine
spying. The closely divided Senate, meanwhile, is embroiled in a floor fight over a bill favored by the White House, which has the support of key Democrats, including the chairman of the intelligence committee.

Reid, who says he opposes telecom immunity, has repeatedly asked the White House for an additional 30 days to come up with a new surveillance bill. House Democrats are scheduled to vote on a delay on Monday.

The likely outcome in the Senate is unclear. Sixty senators, including 12 Democrats, voted against a bill that did not include an immunity provision last week. Senate Republicans have moved to force a vote on Monday to cut off any further debate in the hopes of passing the legislation favored by the White House.

Administration officials have acknowledged that ongoing surveillance would not be immediately interrupted if Congress did not approve a bill. But they say any lapse would prevent them from opening new cases under the expanded powers approved by Congress last August. The nation's core spying law, the Foreign Intelligence Surveillance Act of 1978, would remain in effect.

In his weekly radio address, Bush said "we cannot afford to wait" for a permanent legislation.

"If this law expires, it will become harder to figure out what our enemies are doing to infiltrate our country, harder for us to uncover terrorist plots and harder to prevent attacks on the American people," Bush said.

But Reid said that "current law ensures that no ongoing collection activity will be cut off on February 1."

"There will be no terrorism intelligence collection gap," Reid said. "But if there is any problem, the blame will clearly and unequivocally fall where it belongs: on President Bush and his allies in Congress."