



THE WHITE HOUSE  
PRESIDENT  
GEORGE W. BUSH

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Office of the Vice President  
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## Vice President's Remarks to the Traveling Press

Air Force Two

En route, Muscat, Oman

5:25 P.M. (Local)

Q Sir, if I could ask you to step back for a moment, there has been a lot written and talked about recently about executive power, the power of the presidency. You have a really interesting perspective on this having served in the Ford White House, which arguably was the point at which presidential power had reached its absolute nadir. And I'm curious how that experience has shaped your view of presidential powers, and the degree to which you felt over the last four years that you and your office need to play a role in reasserting those powers both vis-a-vis Congress, and in terms of expanding presidential powers to take account of the world that we live in now, which is a very different world from

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THE VICE PRESIDENT: Yes, I do have the view that over the years there had been an erosion of presidential power and authority, that it's reflected in a number of developments -- the War Powers Act, which many people believe is unconstitutional. It's never really been tested. We sort of have an understanding when we commit force that the U.S., the government, the executive branch will notify the Congress, but making it clear we're not doing it a different form of the War Powers Act, in fact. It has never been tested. It will be tested at some point. I am one of those who believe that was an infringement upon the authority of the President. The budget -- the Anti-In Common and Control Act, back in the '70s, passed during the Ford administration that limited the President's authority to impound funds, a series of things Watergate -- a lot of the things around Watergate and Vietnam, both, in the '70s served to erode the authority, I think, the President needs to be effective especially in a national security area. If you want reference to an obscure text, go look at the minority views that were filed with the Iran-Contra Committee; the Iran Contra Report in about 1987. Nobody has ever read them, but we -- part of the argument in Iran Contra was whether or not the President had the authority to do what was done in the Reagan years. And those of us in the minority wrote minority views, but they were actually authored by a guy working for me, for my staff, that I think are very good in laying out a robust view of the President's prerogatives with respect to the conduct of especially foreign policy and national security matters. It will give you a much broader perspective. I served in the Congress for 10 years. I've got enormous regard for the other body, Title I of the Constitution, but I do believe that, especially in the day and age we live in, the nature of the threats we face, it was true during the Cold War, as well as I think what is true now, the President of the United States needs to have his constitutional powers unimpaired, if you will, in terms of the conduct of national security policy. That's my personal view.

In other areas, in the perspective looking at issues that come up during this administration, one of those was the Energy Task Force. My belief that the President is entitled to and needs to have unfiltered advice in formulating policy, that he ought to be able to seek the opinion of anybody he wants to, and that he should not have to reveal, for example, to a member of Congress who he talked to that morning. That issue was litigated all the way up to the Supreme Court, and we won -- ultimately referred back to the D.C. Circuit where we got a unanimous opinion supporting our position. So when you're asking about my view of the presidency, yes, I believe in a strong, robust executive authority. And I think the world we live in demands it. And to some extent, that we have an obligation as an administration to pass on the offices we hold to our successors in as good a shape as we found them.

Q Do you think the pendulum is in the right place now?

THE VICE PRESIDENT: I do think it's swung back. If you look at it from a historical standpoint, the presidency in the late 1800s was a relatively weak organization, a relatively weak institution. I described Teddy Roosevelt as a strong President -- to some extent, maybe Woodrow Wilson. F.D.R. really established a sense of the modern presidency during the Depression and World War II. And of course, World War II changed circumstances so that instead of demobilizing at the end of the war, we maintained robust military forces afterwards because of the Cold War. Circumstances change. I think you're right, probably the end of the next administration, you had the nadir of the modern presidency in terms of authority and legitimacy, then a number of limitations that were imposed in the aftermath of Vietnam and Watergate. But I do think that to some extent now, we've been able to restore the legitimate authority of the presidency.

Q Do you think the NSA thing will reignite that debate then?

THE VICE PRESIDENT: I'm sure there will be a debate. It's an important subject. But again, I would argue that the actions be taken there are totally appropriate and consistent with the constitutional authority of the President.

Q I have a follow-up. Do you not understand, though, that some Americans are concerned to hear that their government is eavesdropping on these private conversations?

THE VICE PRESIDENT: What private conversations?

Q The private conversations between Americans and people overseas.

THE VICE PRESIDENT: Which people overseas?

Q You tell me.

THE VICE PRESIDENT: It's important that you be clear that we're talking about individuals who are al Qaeda or have an association with al Qaeda, who we have reason to believe are part of that terrorist network. There are two requirements, and that's one of them. It's not just random conversations. If you're calling Aunt Sadie in Paris, we're probably not really interested.

We're talking specifically about a situation where one of the points called is outside the United States, and one of the parties involved we have reason to believe is involved in terrorist activity, is part of al Qaeda, or an associate of the al Qaeda organization. That's very clear, very precise, very specific, very narrow. People are running around worrying about calling Mom in Chicago and somebody is listening in, no --

Q Are you concerned because the NSA as you tell them -- because there is such a hot debate that the power --

THE VICE PRESIDENT: I am concerned about the fact that it's gotten in the press at all. Somebody obviously revealed the existence of the program, and the -- as The New York Times pointed out, we asked that they not run it. They held it for a year, and then they eventually ran it. I think that's unfortunate. I think it damages national security.

Q But aren't you concerned that because of that, this place where you are right now, where you feel comfortable in terms of presidential power could swing the other way, that there could be a backlash, and then Congress would impose even more restrictions on the executive branch?

THE VICE PRESIDENT: No, I think when the American people look at this, they will understand and appreciate what we're doing and why we're doing it. It's not an accident that we haven't been hit in four years. There's a temptation for people to sit around and say, well, gee, that was just a one-off affair, they didn't really mean it. Bottom line is we've been very active and very aggressive defending the nation and using the tools at our disposal to do that. That ranges from everything to going into Afghanistan and closing down the terrorist camps, rounding up al Qaeda wherever we can find them in the world, to an active robust intelligence program, putting out rewards, the capture of bad guys, and the Patriot Act.

Now we've gotten to the point where four years beyond the attack, people are saying, well, gee, maybe there's not a threat here after all, and so we've got people suggesting we shouldn't be doing what we're doing with respect to the NSA program. We've got the Senate Democrats filibustering the Patriot Act, so it's going to go out of -- certain parts of it are going to expire here in two weeks. It has been absolutely vital to what we've been doing in the intelligence and law enforcement area. It breaks down that artificial barrier that used to exist between law enforcement and intelligence. And the tools that we're given there to use in the counterterrorism area are the same tools we use against drug traffickers. But all of a sudden there's a lot of stirring around shall we say about our authority to operate in those areas.

Either we're serious about fighting the war on terror or we're not. Either we believe that there are individuals out there doing everything they can to try to launch more attacks, to try to get ever deadlier weapons to use against, or we don't. The President and I believe very deeply that there's a hell of a threat, that it's there for anybody who wants to look at it. And that our obligation and responsibility given our job is to do everything in our power to defeat the terrorists. And that's exactly what we're doing.

But if there's anything improper or inappropriate in that, my guess is that the vast majority of the

American people support that, support what we're doing. They believe we ought to be doing it, and so if there's a backlash pending, I think the backlash is going to be against those who are suggesting somehow that we shouldn't take these steps in order to protect the country.

END 5:40 P.M. (Local)

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