

## **Presidential Powers, NSA Spying, and the War on Terrorism: Americans' Attitudes on Recent Events**

**February 2006**

A majority of American voters reject the idea that the President has the power to act without the check of the courts and Congress to fight terrorism. Majorities disapprove of recent actions the government has engaged in to fight terrorism, and two-thirds believe changes are needed to the USA Patriot Act.

These are the findings of a recent national survey of 1,012 registered voters that Belden Russonello & Stewart conducted for the ACLU from February 8 through 12, 2006. The margin of sampling error for the entire survey is plus or minus 3.1 percentage points at the 95% level of tolerance.

When given a choice, voters are more likely to want Congress to "demand that the warrantless eavesdropping be stopped because it is illegal" (55%) than to "not question the eavesdropping as long as the President says he needs it to keep us safe" (39%).

Voters are also concerned about the Patriot Act. As Congress debates the future of the Patriot Act, two-thirds of voters who have heard of the Act (66%) believe "some changes need to be made" while only two in ten (20%) say it should be made "permanent." Attitudes on the Patriot Act cross political party divides with Democrats (79% make changes), Independents (76%), as well as Republicans (50% make changes; 36% make permanent) saying changes need to be made.

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The survey reveals the following points on American voters' attitudes toward Presidential powers and government actions since 9/11:

- Six in ten (60%) say "the President should not be acting on his own in deciding how to fight terrorism without the checks and balances of the courts or Congress," while less than four in ten (38%) believe the President "should have the power to take whatever actions he believes are necessary to protect the country from terrorists."
- A majority of voters oppose the government eavesdropping on Americans' calls to people overseas without a court warrant (54% disapprove; 44% approve).
- Americans are more likely to support NSA eavesdropping when it is asserted the calls are with individuals overseas and could lead to catching terrorists (57% approve; 41% disapprove). However, majorities of voters are skeptical that the President needs the power to eavesdrop without a court warrant and that he acted within the law:

When asked to choose a majority (63%) express the view that the President can "effectively combat terrorism and follow the law and get court warrants to spy on Americans" while less than a third (33%) says "the President needs the ability to eavesdrop on Americans without a court warrant to fight against terrorism."

Voters are more likely to disbelieve the President when he says he "operated within the law and Constitution when authorizing eavesdropping without court warrants" than to believe he followed the law (51% to 43%).

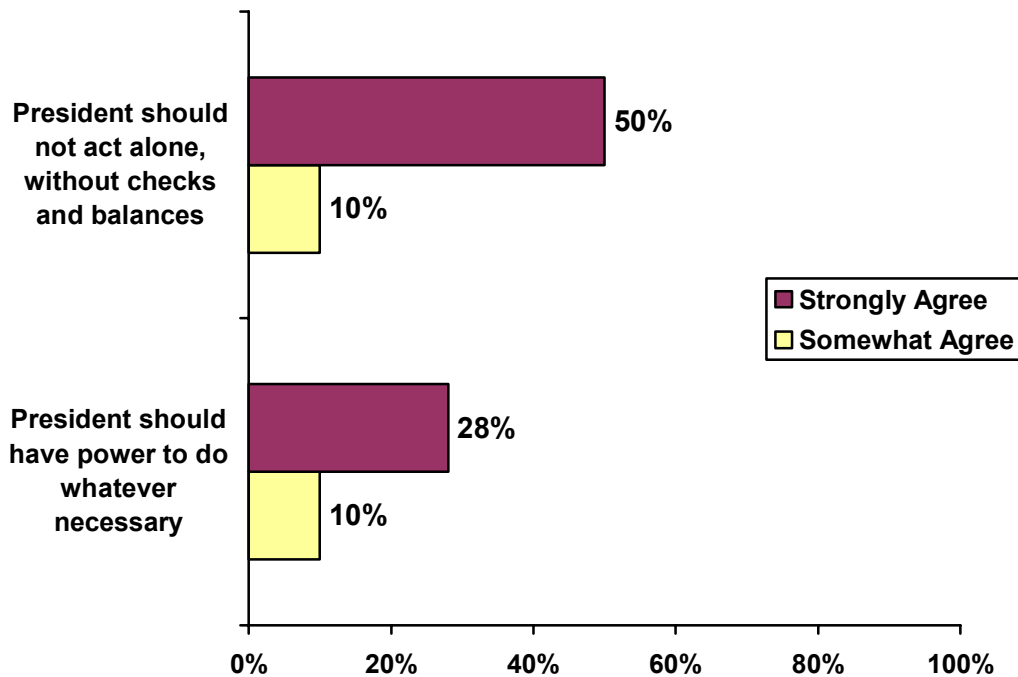
An even larger majority rejects the President's claim that Congress gave him the authority to eavesdrop. Six in ten (61%) believe the President is wrong to assume that "the Congressional resolution to go to war in Afghanistan to fight terrorism also gave him permission to eavesdrop on Americans without a warrant."

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- Majorities of voters disapprove of many other government actions taken in the name of fighting terrorism. Specifically, they disapprove of:
    - Secret searches of individuals' homes without telling them (82%; 70% strongly);
    - Government-sanctioned torture (79%; 65% strongly);
    - Requiring librarians to provide the names of individuals and the books they have read (64%; 47% strongly); and
    - Indefinitely holding of detainees in Guantanamo (57%; 35% strongly).
  
  - While there is a partisan divide on these issues, it is not as wide as some, and opposition to the President's policies cannot be explained as simply anti-Bush. At least a third of Republican voters consistently express viewpoints in the survey that show they are concerned that the President is operating outside the law. We find: half of the Republicans (50%) who have heard about the Patriot Act think it needs changes rather than permanency; over a third of Republicans oppose the President's policies of indefinite detention at Guantanamo (36%) and do not want the President acting on his own without regard to Congress or the Courts when he is combating terrorism (36%).
  
  - Throughout the survey voters who express the most concern about the President's actions to fight terrorism include African-American voters, younger voters (18 to 29), and those with high levels of education.

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## Keep Checks and Balances

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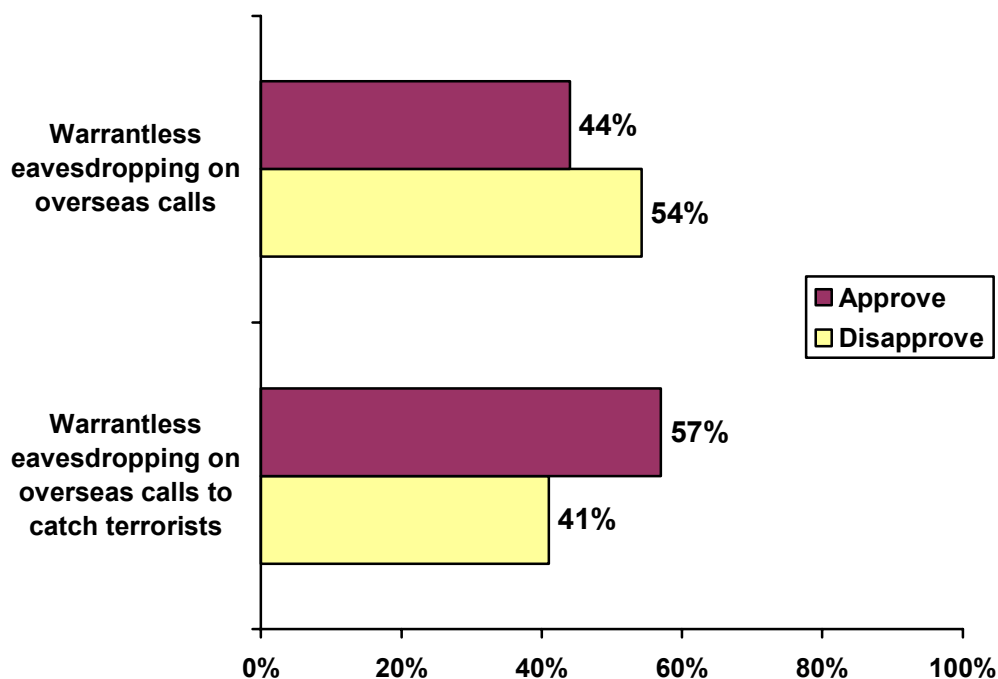


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Q4a. [SPLIT SAMPLE, n=504] With whom do you agree more? Those who say: The president should have the power to take whatever actions he believes are necessary to protect the country from terrorists or those who say: the President should NOT be acting on his own in deciding how to fight terrorism without the checks and balances of the courts or Congress.

*Belden Russonello & Stewart Survey conducted for the ACLU, n=1,012 registered voters, February 2006*

## Warrantless Eavesdropping



Q15A. [SPLIT SAMPLE, n=504] Do you approve or disapprove of the government eavesdropping on Americans' calls to people OVERSEAS without getting a court warrant? Is that strongly [approve/disapprove] or somewhat [approve/disapprove]?

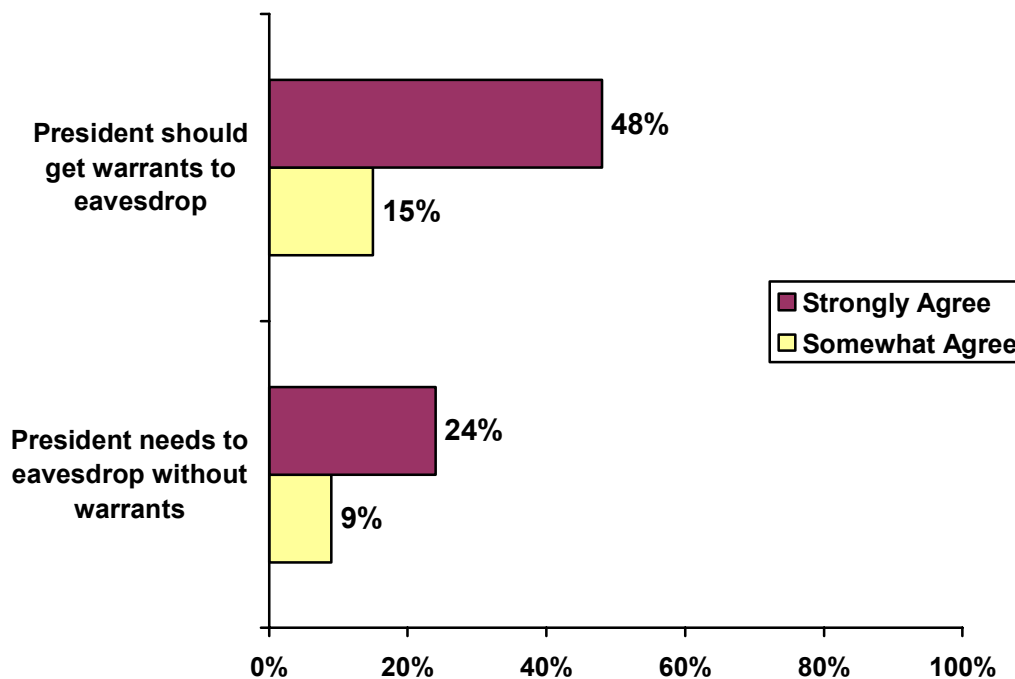
Q15B. [SPLIT SAMPLE, n=508] Do you approve or disapprove of government eavesdropping on Americans' calls to people OVERSEAS without getting a court warrant when the government believes these calls might produce some leads to catch terrorists? Is that strongly [approve/disapprove] or somewhat [approve/disapprove]?

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## President must get Warrant

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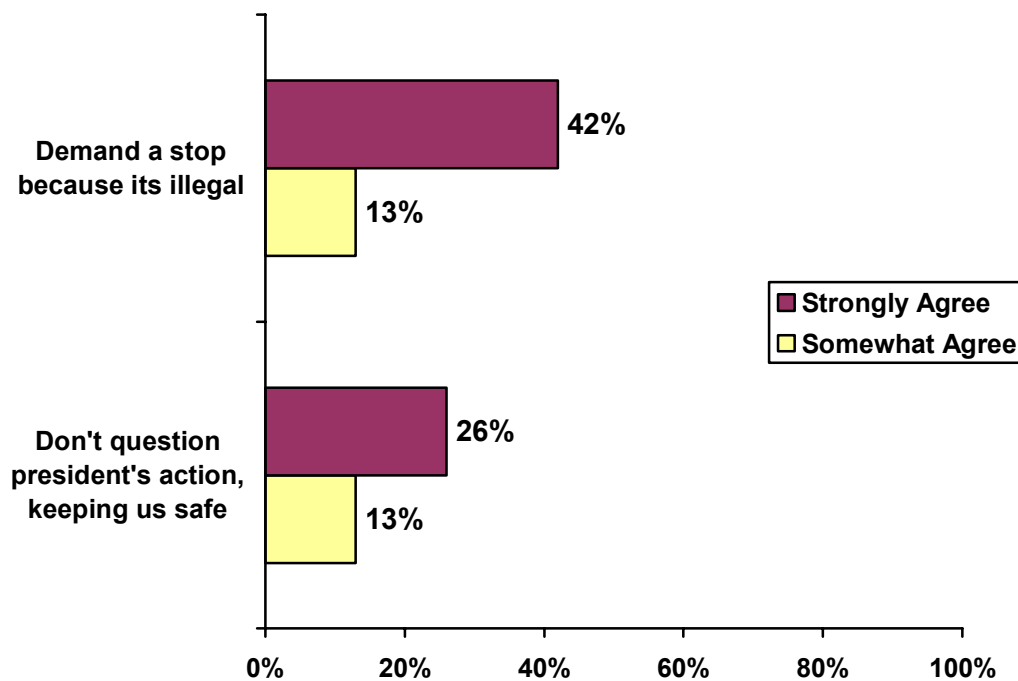
*Graph reflects responses for Q18A and Q18B combined.*

Q18A. [SPLIT SAMPLE, n=504] Here are two points of view. With whom do you agree more? Those who say: The president needs the ability to eavesdrop on Americans without a court warrant in order to fight against terrorism, OR those who say: The President can just as effectively combat terrorism by following the law and getting court warrants to spy on Americans? Is that strongly or somewhat?

Q18B. [SPLIT SAMPLE, n=508] Here are two points of view. With whom do you agree more? Those who say: The president needs the ability to eavesdrop on Americans without a court warrant in order to fight against terrorism, OR those who say: No one is above the law; not even the president. President Bush should get court warrants to spy on Americans? Is that strongly or somewhat?

***Belden Russonello & Stewart Survey conducted for the ACLU, n=1,012 registered voters, February 2006***

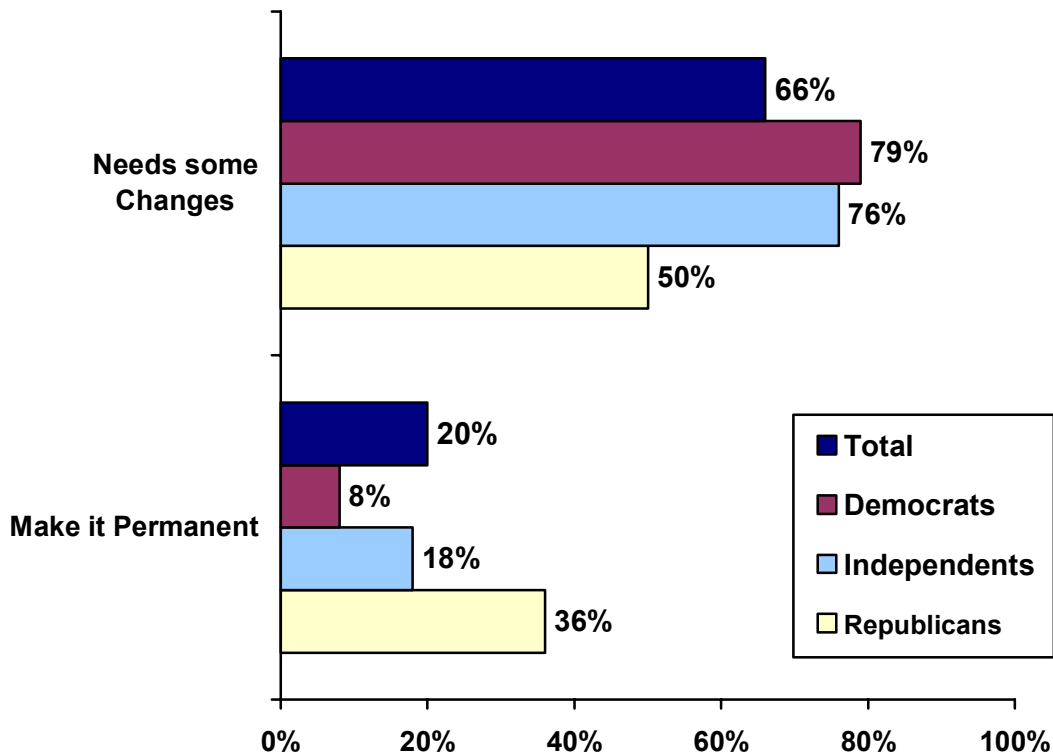
## Should Congress Intervene in Eavesdropping?



Q19. Do you think Congress should: A) demand that the warrantless eavesdropping be stopped because it is illegal, OR B) not question the eavesdropping as long as the president says he needs it to keep us safe. Is that strongly or somewhat?

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## Changes to the Patriot Act

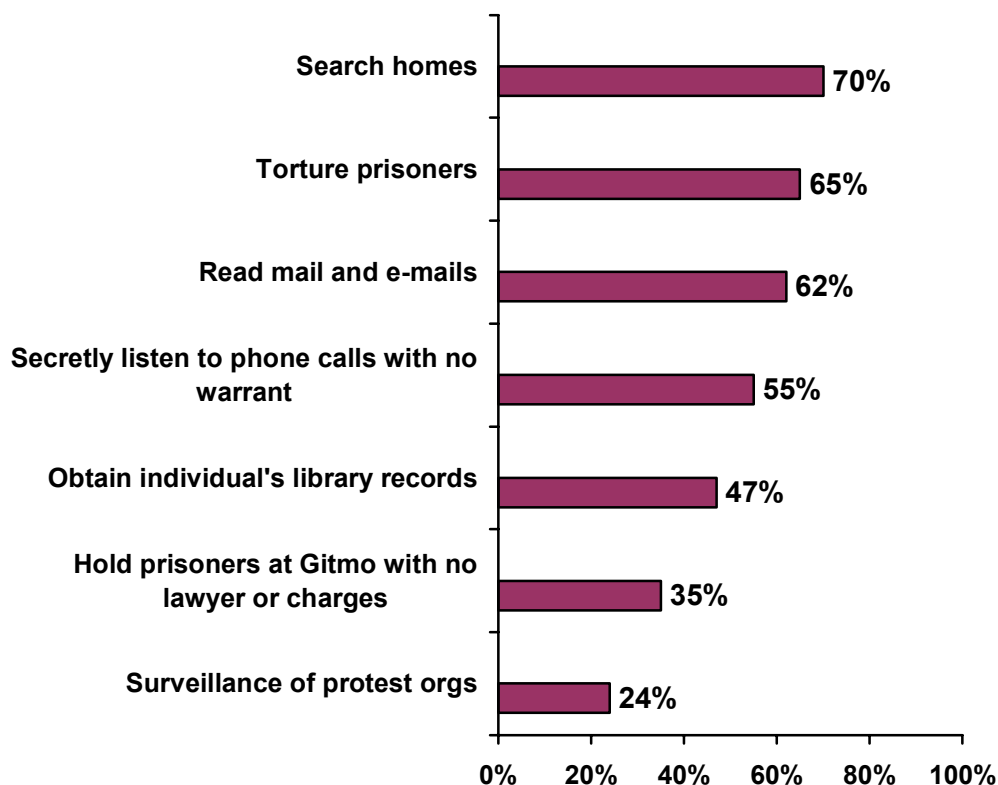


Q6. [N=842 registered voters who are aware of the Patriot Act] From what you know about the USA Patriot Act, should Congress make it permanent as is or does it need some changes?

*Belden Russonello & Stewart Survey conducted for the ACLU, n=1,012 registered voters, February 2006*

## Disapproval of Government Actions to Fight Terrorism

% saying "Strongly disapprove"



Q7-13. Here are some things the President has said he needs to fight terrorism. Do you approve or disapprove of each? Is that strongly [approve/disapprove] or somewhat [approve/disapprove]?

Q9. Allow government agents to search people's homes without telling them.

Q12. Allow government to torture prisoners.

Q8. Allow the government to open and read Americans' mail and e-mails without telling them.

Q7. Allow the government to secretly listen in on telephone calls of Americans without a court warrant.

Q10. Allow government agents to obtain people's library records from librarians without telling the individuals.

Q11. Continue to allow the U.S. government to hold enemy combatants at Guantanamo military base as it has for the past four years without charging them with a crime or without access to a lawyer.

Q13. Allow government surveillance of protest organizations in the United States such as Greenpeace and Quaker peace groups.

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## **Appendix: Cross Tab Tables**

**Table 1: Keep Checks and Balances**

Q4a. [SPLIT SAMPLE, n=504] With whom do you agree more? Those who say: The President should have the power to take whatever actions he believes are necessary to protect the country from terrorists or those who say: the President should NOT be acting on his own in deciding how to fight terrorism without the checks and balances of the courts or Congress. (Is that strongly or somewhat?)

	<b>Strongly whatever necessary</b>	<b>Smwht. whatever necessary</b>	<b>Smwht. not act alone</b>	<b>Strongly not act alone</b>	<b>DK/RF</b>
<b>Total</b>	<b>28%</b>	<b>10</b>	<b>10</b>	<b>50</b>	<b>2</b>
Male	32%	10	10	46	2
Female	25%	10	10	53	2
18-29	14%	9	15	61	--
30-44	30%	9	13	46	2
45-59	29%	12	8	51	1
60+	31%	10	9	48	3
White	31%	9	11	47	2
Black	13%	17	11	58	--
< HS to HS	31%	12	8	46	3
Some college	26%	9	12	53	--
College graduate	30%	7	14	47	3
Graduate work	24%	11	8	55	1
<\$20,000	23%	8	18	47	3
\$21,000-\$50,000	30%	8	8	52	1
\$50,000+	30%	11	9	51	--
Liberal	16%	4	8	70	2
Moderate	21%	10	16	53	1
Conservative	41%	13	8	36	2
Democrat	14%	7	10	69	1
Republican	47%	13	11	25	3
Independent	22%	15	8	55	--
<u>Region</u>					
Northeast	26%	11	12	46	5
Midwest	26%	8	11	54	1
South	32%	11	11	46	1
West	26%	9	8	56	1

*Belden Russonello & Stewart Survey conducted for the ACLU, n=1,012 registered voters, February 2006*

**Table 2: Warrantless Eavesdropping on Overseas Calls**

Q15a. [SPLIT SAMPLE; n=504] Do you approve or disapprove of the government eavesdropping on Americans' calls to people OVERSEAS without getting a court warrant? Q15b. [SPLIT SAMPLE; n=508] Do you approve or disapprove of government eavesdropping on Americans' calls to people OVERSEAS without getting a court warrant when the government believes these calls might produce some leads to catch terrorists? Is that strongly or somewhat?

	<u>% saying "strongly and smwht. approve"</u>		<u>% saying "strongly and smwht. disapprove"</u>	
	Evsdrrp. overseas	Evsdrrp. overseas to catch terrorists	Evsdrrp. overseas	Evsdrrp. overseas to catch terrorists
<b>Total</b>	<b>44%</b>	<b>57%</b>	<b>54%</b>	<b>41%</b>
Male	45%	58%	53%	41%
Female	42%	57%	54%	41%
18-29	35%	44%	65%	56%
30-44	46%	64%	52%	35%
45-59	45%	59%	55%	40%
60+	43%	54%	50%	43%
White	48%	59%	49%	39%
Black	21%	46%	79%	52%
< HS to HS	44%	65%	52%	34%
Some college	41%	59%	55%	36%
College graduate	47%	55%	53%	45%
Graduate work	44%	45%	55%	55%
<\$20,000	31%	48%	65%	49%
\$21,000-\$50,000	46%	54%	51%	45%
\$50,000+	48%	62%	51%	38%
Liberal	19%	38%	78%	59%
Moderate	46%	53%	53%	46%
Conservative	56%	75%	41%	24%
Democrat	21%	42%	77%	57%
Republican	70%	77%	26%	22%
Independent	46%	57%	54%	40%
<u>Region</u>				
Northeast	40%	65%	56%	35%
Midwest	38%	55%	59%	44%
South	50%	61%	50%	37%
West	45%	48%	50%	50%

*Belden Russonello & Stewart Survey conducted for the ACLU, n=1,012 registered voters, February 2006*

**Table 3: Believe President Operated within the Law**

Q16. Do you believe President Bush or not when he says he operated within the law and the Constitution when he ordered eavesdropping on Americans without a court warrant over the last four years?

	Believe	Don't Believe	DK/RF
<b>Total</b>	<b>43%</b>	<b>51</b>	<b>6</b>
Male	44%	49	6
Female	42%	52	6
18-29	29%	68	3
30-44	43%	51	7
45-59	49%	47	5
60+	44%	48	8
White	48%	46	6
Black	21%	72	6
< HS to HS	46%	49	6
Some college	43%	50	7
College graduate	46%	49	5
Graduate work	36%	58	6
<\$20,000	39%	56	6
\$21,000-\$50,000	40%	54	6
\$50,000+	47%	49	5
Liberal	19%	79	3
Moderate	37%	55	8
Conservative	64%	30	6
Democrat	20%	76	4
Republican	74%	19	7
Independent	36%	58	6
<u>Region</u>			
Northeast	44%	51	5
Midwest	40%	55	5
South	50%	44	6
West	36%	58	6

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**Table 4: President Must Get Warrants**

COMBINED: Q18 a. and Q18b. Here are two points of view. With whom do you agree more? Those who say: The President needs the ability to eavesdrop on Americans without a court warrant in order to fight against terrorism, OR [SPLIT SAMPLE A, n=504] those who say: The President can just as effectively combat terrorism by following the law and getting court warrants to spy on Americans. [SPLIT SAMPLE B, n=508] No one is above the law; not even the president. President Bush should get court warrants to spy on Americans. (Is that strongly or somewhat?)

	<b>Strongly needs ability with no warrant</b>	<b>Smwht. needs ability with no warrant</b>	<b>Smwht. must follow law</b>	<b>Strongly must follow law</b>	<b>DK/RF</b>
<b>Total</b>	<b>24%</b>	<b>9</b>	<b>15</b>	<b>48</b>	<b>4</b>
Male	28%	9	13	47	4
Female	21%	10	16	49	5
18-29	13%	5	21	57	3
30-44	25%	10	18	44	3
45-59	24%	10	12	50	3
60+	26%	9	12	46	7
White	27%	11	14	44	5
Black	7%	3	13	74	3
< HS to HS	23%	10	19	43	5
Some college	22%	8	15	49	5
College graduate	27%	11	13	48	1
Graduate work	23%	7	9	55	5
<\$20,000	14%	6	26	49	6
\$21,000-\$50,000	22%	9	13	54	2
\$50,000+	29%	10	14	44	3
Liberal	9%	3	11	74	2
Moderate	19%	9	20	48	4
Conservative	37%	13	14	32	5
Democrat	10%	4	15	69	2
Republican	44%	16	13	21	6
Independent	16%	7	21	51	5
<u>Region</u>					
Northeast	18%	10	20	48	3
Midwest	21%	6	15	53	4
South	30%	10	12	45	4
West	23%	11	14	47	6

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**Table 5: President's Assumption that War Resolution was Permission for Eavesdropping**

Q17. Do you think it is right or wrong for the President to assume that the congressional resolution to go to war in Afghanistan to fight terrorism also gave him permission to eavesdrop on Americans without a court warrant?

	Right	Wrong	DK/RF
<b>Total</b>	<b>32%</b>	<b>62</b>	<b>7</b>
Male	37%	59	4
Female	27%	64	9
18-29	19%	78	3
30-44	33%	63	5
45-59	32%	61	7
60+	35%	54	10
White	36%	56	8
Black	11%	85	5
< HS to HS	33%	59	8
Some college	32%	60	7
College graduate	34%	61	6
Graduate work	25%	68	7
<\$20,000	22%	71	6
\$21,000-\$50,000	33%	63	4
\$50,000+	35%	58	7
Liberal	12%	84	4
Moderate	26%	68	6
Conservative	48%	43	9
Democrat	11%	86	3
Republican	59%	30	10
Independent	24%	66	10
<u>Region</u>			
Northeast	33%	64	3
Midwest	29%	64	7
South	36%	58	7
West	27%	63	10

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**Table 6: Congress Should Demand Eavesdropping Stop**

Q19. Do you think Congress should: A) demand that the warrantless eavesdropping be stopped because it is illegal, OR B) not question the eavesdropping as long as the President says he needs it to keep us safe. Is that strongly or somewhat?

	<b>Strongly Stop Eavesdropping</b>	<b>Smwht. Stop Eavesdropping</b>	<b>Smwht. Not Quest. Pres.</b>	<b>Strongly Not Quest. Pres.</b>	<b>DK/RF</b>
<b>Total</b>	<b>42%</b>	<b>13</b>	<b>13</b>	<b>26</b>	<b>5</b>
Male	42%	13	10	30	5
Female	42%	13	16	23	6
18-29	49%	17	14	16	4
30-44	40%	14	15	27	5
45-59	43%	13	13	26	5
60+	41%	10	12	30	7
White	39%	13	14	28	6
Black	61%	12	10	13	4
< HS to HS	35%	13	16	31	4
Some college	42%	12	15	25	7
College graduate	43%	14	13	25	5
Graduate work	53%	13	6	21	7
<\$20,000	39%	17	19	23	3
\$21,000-\$50,000	46%	13	11	25	5
\$50,000+	41%	12	14	28	4
Liberal	67%	10	6	14	3
Moderate	44%	19	13	19	5
Conservative	24%	10	19	40	7
Democrat	62%	12	9	13	4
Republican	17%	12	19	45	7
Independent	44%	20	12	19	5
<u>Region</u>					
Northeast	46%	12	19	19	5
Midwest	46%	15	11	25	3
South	37%	12	14	32	5
West	43%	14	10	25	8

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**Table 7: Reasons Congress should stop President's Eavesdropping**

Q20-23. Here are some reasons people have given for why they believe Congress needs to stop the President from continuing the practice of warrantless eavesdropping. Tell me if each is a good reason or a poor reason for Congress to stop the President? (IF GOOD REASON: Is it a very good reason or somewhat good reason?) Q20. Government officials have now admitted that the National Security Agency eavesdropped on more than 5,000 Americans over the last four years. Q21. There is no reason to go around the courts because current law already allows government agents to eavesdrop as long as they get a court warrant either before or after the eavesdropping. Q22. Reports from the FBI have shown that the warrantless eavesdropping is overloading the agency with useless surveillance reports that take time away from productive terrorist investigations. Q23. It is wrong for the President to have kept secret for four years the fact that the government has been spying illegally on Americans.

(% saying "very good" reason)

	Wrong for Pres. to keep spying secret	Current law gives warrants for spying	Eavesdrop. overloading FBI	NSA spied on 5,000+ Americans
<b>Total</b>	<b>36%</b>	<b>35%</b>	<b>31%</b>	<b>27%</b>
Male	36%	35%	30%	27%
Female	36%	35%	32%	28%
18-29	36%	33%	41%	32%
30-44	39%	34%	32%	23%
45-59	41%	38%	32%	32%
60+	29%	35%	26%	26%
White	33%	36%	28%	26%
Black	53%	37%	49%	36%
< HS to HS	38%	28%	36%	28%
Some college	34%	33%	30%	30%
College graduate	33%	39%	30%	23%
Graduate work	42%	48%	27%	29%
<\$20,000	39%	37%	45%	31%
\$21,000-\$50,000	36%	30%	35%	30%
\$50,000+	38%	39%	29%	25%
Liberal	53%	48%	41%	43%
Moderate	38%	40%	34%	24%
Conservative	25%	24%	23%	21%
Democrat	52%	49%	42%	40%
Republican	17%	18%	17%	12%
Independent	42%	42%	40%	32%
<u>Region</u>				
Northeast	43%	39%	37%	29%
Midwest	39%	37%	34%	30%
South	31%	32%	28%	26%
West	35%	35%	29%	27%

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**Table 8: Changes to the Patriot Act**

Q6. [Base n=842 those who hear a lot, some, or a little about Patriot Act in Q5] From what you know about the USA Patriot Act, should Congress make it permanent as it is or does it need some changes?

	Make Permanent	Needs Some Changes	DK/RF
<b>Total</b>	<b>20%</b>	<b>66</b>	<b>13</b>
Male	25%	66	9
Female	16%	67	17
18-29	8%	78	14
30-44	19%	68	13
45-59	21%	67	12
60+	25%	60	15
White	22%	65	13
Black	10%	79	10
< HS to HS	21%	63	17
Some college	20%	64	16
College graduate	22%	67	11
Graduate work	18%	74	8
<\$20,000	16%	72	12
\$21,000-\$50,000	19%	67	14
\$50,000+	22%	67	11
Liberal	9%	82	9
Moderate	11%	75	14
Conservative	35%	50	15
Democrat	8%	79	13
Republican	36%	50	14
Independent	18%	76	6
<u>Region</u>			
Northeast	14%	68	18
Midwest	21%	66	12
South	25%	62	13
West	18%	72	10

*Belden Russonello & Stewart Survey conducted for the ACLU, n=1,012 registered voters, February 2006*

**Table 9: Disapproval of Government Actions Since 9/11**

Q7-13. Here are some things the President has said he needs to fight terrorism. Do you approve or disapprove of each? Is that strongly or somewhat? Q9. Allow government agents to search people's homes without telling them. Q12. Allow government to torture prisoners. Q8. Allow the government to open and read Americans' mail and e-mails without telling them. Q7. Allow the government to secretly listen in on telephone calls of Americans without a court warrant.

	(% saying "strongly disapprove")			
	Search homes without telling	Torture prisoners	Read mail and e-mail without telling	Secretly listen in on phone calls
<b>Total</b>	<b>70%</b>	<b>65%</b>	<b>62%</b>	<b>55%</b>
Male	71%	60%	60%	55%
Female	69%	69%	64%	55%
18-29	73%	63%	73%	71%
30-44	68%	59%	60%	52%
45-59	71%	70%	62%	56%
60+	70%	67%	60%	51%
White	66%	65%	57%	50%
Black	85%	69%	85%	79%
< HS to HS	72%	62%	67%	57%
Some college	68%	64%	60%	52%
College graduate	68%	65%	58%	52%
Graduate work	71%	69%	60%	59%
<\$20,000	82%	66%	78%	61%
\$21,000-\$50,000	75%	68%	69%	62%
\$50,000+	64%	63%	55%	50%
Liberal	85%	79%	81%	79%
Moderate	73%	69%	64%	55%
Conservative	58%	52%	48%	40%
Democrat	84%	81%	79%	76%
Republican	51%	48%	40%	28%
Independent	82%	53%	72%	64%
<u>Region</u>				
Northeast	74%	60%	67%	55%
Midwest	73%	69%	65%	58%
South	65%	61%	57%	50%
West	72%	70%	64%	59%

*Belden Russonello & Stewart Survey conducted for the ACLU, n=1,012 registered voters, February 2006*

**Table 10: Disapproval of Government Actions Since 9/11 (Continued)**

Q7-13. Here are some things the President has said he needs to fight terrorism. Do you approve or disapprove of each? Is that strongly or somewhat? Q10. Allow government agents to obtain people's library records from librarians without telling the individuals. Q11. Continue to allow the U.S. government to hold enemy combatants at Guantanamo military base as it has for the past four years without charging them with a crime or without access to a lawyer. Q13. Allow government surveillance of protest organizations in the United States such as Greenpeace and Quaker peace groups.

	(% saying "strongly disapprove")		
	Obtain library records without telling individual	Hold Gitmo prisoners without charges or lawyer	Surveillance of protest organizations
<b>Total</b>	<b>47%</b>	<b>35%</b>	<b>24%</b>
Male	44%	32%	25%
Female	49%	37%	24%
18-29	48%	45%	22%
30-44	40%	32%	23%
45-59	48%	38%	28%
60+	52%	30%	23%
White	43%	32%	25%
Black	67%	48%	26%
< HS to HS	50%	33%	18%
Some college	41%	35%	22%
College graduate	45%	32%	26%
Graduate work	49%	43%	37%
<\$20,000	49%	45%	22%
\$21,000-\$50,000	53%	38%	25%
\$50,000+	42%	34%	26%
Liberal	66%	58%	44%
Moderate	45%	32%	22%
Conservative	34%	23%	14%
Democrat	62%	50%	35%
Republican	25%	16%	12%
Independent	51%	38%	23%
<u>Region</u>			
Northeast	50%	38%	24%
Midwest	48%	35%	28%
South	42%	31%	21%
West	51%	37%	27%

*Belden Russonello & Stewart Survey conducted for the ACLU, n=1,012 registered voters, February 2006*

**American Civil Liberties Union  
Presidential Powers/Spying  
National Survey of Voters**

Interviewing conducted February 8, 2006 through February 12, 2006.

N = 1,012 Registered voters

Data has been weighted by region and race.

Margin of sampling error is  $\pm 3.1\%$ .

Percents may add to 99% or 101% due to rounding.

\* indicates less than 1% , -- indicates zero.

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Hello, my name is \_\_\_\_\_ and I am an interviewer with BRS, an opinion research firm. We are conducting a public opinion survey and your telephone number was selected at random. We are not selling anything. May I please speak to the person 18 years old or older in your household who had a birthday most recently?

Q1. Are you currently registered to vote?	YES	100%
	NO	--
	DK/REF	--

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Q2. Do you think things in this country are generally going in the right direction or are they off on the wrong track?	RIGHT DIRECTION	34%
	WRONG TRACK	58
	DK/REF	8

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Q3. Thinking about the government's reaction to terrorism, which of the following best describes your views?	I am more concerned with losing civil liberties than the threat of terrorism	19%
	I am equally concerned about both the threat of terrorism and losing civil liberties	50
	I am more concerned with the threat of terrorism than losing civil liberties	28
	DK/REF	3

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Q4A. [SPLIT SAMPLE, n=504] With whom do you agree more? Those who say: The president should have the power to take whatever actions he believes are necessary to protect the country from terrorists or those who say: the President should NOT be acting on his own in deciding how to fight terrorism without the checks and balances of the courts or Congress.	STRONGLY ACT	28%
	SOMEWHAT ACT	10
	SOMEWHAT NOT ACT	10
	STRONGLY NOT ACT	50
	DK/REF	2
Q4B. [SPLIT SAMPLE, n=508] With whom do you agree more? Those who say: The president should have the power to take whatever actions he believes are necessary to protect the country from terrorists or those who say: Even in time of war, the President should NOT violate the Fourth Amendment to the Constitution that protects Americans from warrantless searches	STRONGLY ACT	33%
	SOMEWHAT ACT	15
	SOMEWHAT NOT VIOLATE	13
	STRONGLY NOT VIOLATE	36
	DK/REF	3
Q5. How much have you heard or read about a law called the USA Patriot Act: a lot, some, a little, or nothing at all?	A LOT	27%
	SOME	36
	A LITTLE	19
	NOTHING AT ALL	18
	DK/REF	1
Q6. [IF A LOT/SOME/A LITTLE/DK/REF in Q5, n=842] From what you know about the USA Patriot Act, should Congress make it permanent as it is or does it need some changes?	MAKE IT PERMANENT	20%
	NEEDS SOME CHANGES	66
	DK/REF	13

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Here are some things the President has said he needs to fight terrorism. Do you approve or disapprove of each? Is that strongly [approve/disapprove] or somewhat [approve/disapprove]?

	Strong approv e	Smwt approve	Smwt disappr	Strong disappr	DK/ REF
Q7. Allow the government to secretly listen in on telephone calls of Americans without a court warrant.	19%	13	11	55	2
Q8. Allow the government to open and read Americans' mail and e-mails without telling them.	11%	10	14	62	2
Q9. Allow government agents to search people's homes without telling them.	8%	8	12	70	3
Q10. Allow government agents to obtain people's library records from librarians without telling the individuals.	18%	16	17	47	3
Q11. Continue to allow the U.S. government to hold enemy combatants at Guantanamo military base as it has for the past four years without charging them with a crime or without access to a lawyer.	22%	14	22	35	7
Q12. Allow government to torture prisoners.	9%	9	14	65	4
Q13. Allow government surveillance of protest organizations in the United States such as Greenpeace and Quaker peace groups.	22%	26	19	24	9

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Q14. How much have you heard or read about the National Security Agency eavesdropping on the conversations of Americans without getting court warrants: a lot, some, a little, or nothing at all?	A LOT	33%
	SOME	34
	A LITTLE	20
	NOTHING AT ALL	13
	DK/REF	1

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Q15A. [SPLIT SAMPLE, n=504] Do you approve or disapprove of the government eavesdropping on Americans' calls to people OVERSEAS without getting a court warrant? Is that strongly [approve/disapprove] or somewhat [approve/disapprove]?	STRONGLY APPROVE	25%
	SOMEWHAT APPROVE	19
	SOMEWHAT DISAPPROVE	18
	STRONGLY DISAPPROVE	35
	DK/REF	3

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Q15B. [SPLIT SAMPLE, n=508] Do you approve or disapprove of government eavesdropping on Americans' calls to people OVERSEAS without getting a court warrant when the government believes these calls might produce some leads to catch terrorists? Is that strongly [approve/disapprove] or somewhat [approve/disapprove]?	STRONGLY APPROVE	37%
	SOMEWHAT APPROVE	21
	SOMEWHAT DISAPPROVE	16
	STRONGLY DISAPPROVE	26
	DK/REF	1

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Q16. Do you believe President Bush or not when he says he operated within the law and the Constitution when he ordered eavesdropping on Americans without a court warrant over the last four years?	BELIEVE	43%
	NOT BELIEVE	51
	DK/REF	6

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Q17. Do you think it is right or wrong for the President to assume that the congressional resolution to go to war in Afghanistan to fight terrorism also gave him permission to eavesdrop on Americans without a court warrant?	RIGHT	32%
	WRONG	61
	DK/REF	7

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Q18A. [SPLIT SAMPLE, n=504] Here are two points of view. With whom do you agree more? Those who say: The president needs the ability to eavesdrop on Americans without a court warrant in order to fight against terrorism, OR those who say: The President can just as effectively combat terrorism by following the law and getting court warrants to spy on Americans? Is that strongly or somewhat?	STRONGLY NEEDS ABILITY	24%
	SMWT. NEEDS ABILITY	8
	SWHT FOLLOW LAW	16
	STRONGLY FOLLOW LAW	47
	DK/REF	5

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Q18B. [SPLIT SAMPLE, n=508] Here are two points of view. With whom do you agree more? Those who say: The president needs the ability to eavesdrop on Americans without a court warrant in order to fight against terrorism, OR those who say: No one is above the law; not even the president. President Bush should get court warrants to spy on Americans? Is that strongly or somewhat?	STRONGLY NEEDS ABILITY	23%
	SMWT. NEEDS ABILITY	10
	SMWHT FOLLOW LAW	14
	STRONGLY FOLLOW LAW	49
	DK/REF	3

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Q19. Do you think Congress should: A) demand that the warrantless eavesdropping be stopped because it is illegal, OR B) not question the eavesdropping as long as the president says he needs it to keep us safe. Is that strongly or somewhat?	STRONGLY A	42%
	SOMEWHAT A	13
	SOMEWHAT B	13
	STRONGLY B	26
	DK/REF	5

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Here are some reasons people have given for why they believe Congress needs to stop the President from continuing the practice of warrantless eavesdropping. Tell me if each is a good reason or a poor reason for Congress to stop the president? (IF GOOD REASON: Is it a very good reason or somewhat good reason?)

	Very good	Smwt good	Poor	DK/REF
Q20. Government officials have now admitted that the National Security Agency eavesdropped on more than 5,000 Americans over the last four years.	27%	23	43	6
Q21. There is no reason to go around the courts because current law already allows government agents to eavesdrop as long as they get a court warrant either before or after the eavesdropping.	35%	25	34	6
Q22. Reports from the FBI have shown that the warrantless eavesdropping is overloading the agency with useless surveillance reports that take time away from productive terrorist investigations.	31%	27	37	5
Q23. It is wrong for the President to have kept secret for four years the fact that the government has been spying illegally on Americans.	36%	20	40	4

Now I have some questions to help us classify your questionnaire.

D1. Do you consider yourself to be a strong Democrat, somewhat of a Democrat, a strong Republican, somewhat of a Republican, an independent, or something else?	STRONG DEMOCRAT	19%
	SOMEWHAT DEMOCRAT	17
	INDEPENDENT	28
	SOMEWHAT REPUBLICAN	15
	STRONG REPUBLICAN	16
	SOMETHING ELSE	1
	DK/REF	4

D2. [INCLUDES LEANERS] Do you consider yourself to be a strong Democrat, somewhat of a Democrat, a strong Republican, somewhat of a Republican, an independent, or something else? Do you lean more to the Democratic Party or more to the Republican Party?	STRONG DEMOCRAT	19%
	SOMEWHAT DEMOCRAT	17
	LEAN DEMOCRAT	13
	INDEPENDENT	9
	LEAN REPUBLICAN	9
	SOMEWHAT REPUBLICAN	15
	STRONG REPUBLICAN	16
	SOMETHING ELSE	--
DK/REF	3	

D3. In terms of your political outlook, do you usually think of yourself as:	Very conservative	16%
	Somewhat conservative	25
	Middle of the road	32
	Somewhat liberal	18
	Very liberal	7
	DK/REF	2

D4. In what year were you born? Are you between...	18-34	22%
	35-44	19
	45-54	20
	55-64	18
	65+	21
	DK/REF	*

D5. What was the last grade of school you completed?	LESS THAN HIGH SCHOOL	6%
	HIGH SCHOOL GRAD/GED	27
	SOME CLG/TECH /2-YR	24
	CLG GRAD/4-YR/BA OR BS	25
	GRAD WORK OR DEGREE	17
	DK/REF	1

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D6. Would you say you are white, black or African American, Hispanic, Asian or Pacific Islander, Native American, or something else?	WHITE	79%
	BLACK/AFR. AMERICAN	11
	HISPANIC	6
	ASIAN/PACIFIC ISLANDER	1
	NATIVE AMERICAN	1
	OTHER	*
	DK/REF	2

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D7. Stop me when I come to the category in which your total household income fell before taxes in 2005. Your best estimate is fine.	LESS THAN \$20,000	12%
	\$20,000 - \$35,000	14
	\$36,000 - \$50,000	15
	\$51,000 - \$75,000	19
	\$76,000 - \$100,000	10
	MORE THAN \$100,000	14
	DK/REF	16

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D8. Gender	MALE	45%
	FEMALE	55

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REGION	NORTHEAST	19%
	MIDWEST	25
	SOUTH	36
	WEST	21

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