



## **Expiring National Security Provisions –PATRIOT Act**

**Background:** Three national security provisions are scheduled to expire on Thursday, May 26. House and Senate leaders have reached a compromise – extending the three expiring provisions for an additional four years each. No other changes will be made to the provisions. Part of the PATRIOT Act, these expiring provisions are both constitutional and common sense.

- 1) **Roving Wiretaps:** Roving wiretaps allow intelligence officials - after receiving approval from a federal court - to conduct surveillance on terrorist suspects regardless of how many communication devices they use. Roving wiretaps are nothing new. **Domestic law enforcement agencies have had roving wiretaps for criminal investigations since 1986.** If we can use roving wiretaps to track down a drug lord, why shouldn't we also use it to prevent a terrorist attack?
- 2) **Business Records:** This provision allows the FBI, **after obtaining approval from a federal judge,** to access tangible items, including business records, in foreign intelligence, international terrorism and espionage cases.
- 3) **Lone Wolf:** National security laws allow intelligence gathering on foreign governments, terrorist groups and their agents. **But what about a foreign terrorist who either acts alone or cannot be immediately tied to a terrorist organization?** The lone wolf definition simply allows our intelligence officials to answer threats from terrorists acting alone. It cannot be used against a U.S. citizen.

### **Provisions Needed to Address Modern Terrorist Threat:**

- As we've seen in recent years, the terrorist threat facing America has not diminished. But it has changed.
  - **Home grown terrorists:** More and more we're seeing the radicalization of terrorists here at home.
  - **Rogue foreign terrorists:** We're also seeing an increase in rogue terrorists that have no known affiliation to a terrorist organization. The "lone wolf" provision helps close a gap in our intelligence laws to allow the surveillance of foreign terrorists operating in the U.S. alone.
- Some argue that because we have gone without a major terrorist attack since September 11th we no longer need these tools. But these provisions continue to play a vital role in America's counter-terrorism efforts--not only to prevent another large-scale attack but also to combat an increasing number of smaller terrorist plots.
- Earlier this year, a 20-year-old student from Saudi Arabia was arrested in Texas for attempting to use weapons of mass destruction. Khalid Aldawsari attempted to purchase chemicals to construct a bomb in order to attack targets including the Dallas residence of former President George W. Bush, several dams in Colorado and California, and the homes of three former military guards who served in Iraq.
- **A Section 215 business records order was used to obtain information essential in this investigation.**

## **Osama Bin Laden's Death:**

- The killing of Osama Bin Laden is a significant victory in America's efforts to combat terrorism. But even though Bin Laden is dead, the terrorist threat is still very much alive.
- We know that al Qaeda and other jihadists groups will continue their campaign against America.
- **In the years since 9-11, al Qaeda has expanded and splintered into smaller groups and rogue terrorists around the world. This makes it harder for us to detect and deter plots against Americans both here at home and abroad.**
- **The PATRIOT Act has helped keep America safe for nearly a decade.**
- Unfortunately, three important national security provisions of the Act are scheduled to expire at the end of this month.
- We cannot afford to leave our intelligence community without the resources it needs to dismantle terrorist organizations, identify threats from groups and individuals, and interrupt terrorist plots.