



CONGRESSMAN GARY G. MILLER

## PRESS RELEASE

CALIFORNIA'S 42<sup>ND</sup> DISTRICT



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### **Statement by Congressman Gary Miller on House Vote to Extend Expiring PATRIOT Act Provisions**

WASHINGTON, DC – Today the House of Representatives passed a four year extension of several national security provisions that enhance the government’s ability to gather foreign intelligence on American soil.

Two of the provisions were enacted as part of the USA PATRIOT Act. Section 206 of the PATRIOT Act permits the government – after receiving the approval of a FISA court – to use “roving wiretaps” to conduct surveillance on terrorist suspects on multiple communications devices. Meanwhile, Section 215 of the PATRIOT Act broadens the type of records that law enforcement may access as part of a national security investigation. In order to obtain these items – including business records – the government must obtain approval from a federal judge.

The third expiring provision, known as the “lone wolf” provision, was enacted under the 2004 Intelligence Reform and Terrorism Prevention Act. This authority permits the government to gather intelligence on individuals they suspect of terrorism, but are acting alone or cannot be immediately tied to a terrorist group. Under the law, this particular authority cannot be used against a United States citizen.

Following House passage, Congressman Gary Miller issued the following statement:

“Since the terrorist attacks of September 11, 2001, the United States has been engaged in a war against a group of people scattered clandestinely across the globe who are focused on harming us. The PATRIOT Act was enacted to modernize our nation’s outdated laws governing foreign intelligence gathering on American soil.

Despite the successful mission that resulted in the demise of Osama bin Laden, al Qaeda and other terrorist groups continue to plot against the United States. I supported extending these provisions so that law enforcement and the intelligence community may continue to have access to these authorities that enhance their ability to investigate and preempt acts of terrorism.

While we protect our homeland from terrorists, we must do so in ways that preserve our fundamental freedoms and civil liberties. I believe that these provisions strike the delicate balance between security and freedom. Under the law, tangible items, such as business records, may not be accessed without the approval of a federal court. The same is true of roving wiretaps, where the court must also establish that there is probable cause to

believe that the suspect is an agent of a foreign power. Furthermore, the law prohibits the “lone wolf” provision from being used against U.S. citizens.

As the war on terrorism continues, I will continue to work with my colleagues to protect our nation while safeguarding our cherished rights and freedoms.”

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