

# Terrorism & America



To what extent has America and the rights of Americans changed since the Patriot Act was passed after 9/11?

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Essential Question: To what extent has America and the rights of Americans changed since the Patriot Act was passed after 9/11?

## Document 1: SEC. 216 of the U.S.A Patriot Act

### Vocabulary:

- Listening devices: a piece of electrical equipment that allows someone to listen secretly to people's conversations.
- Trap & trace device: records the originating phone number and length of telephone calls sent to a telephone number.
- Pen register: records all numbers dialed from a line.

**Document Note:** The U.S.A Patriot Act was passed in Oct. 2001 following the September 11<sup>th</sup> Attacks, which gave increased power to government and law enforcement to combat terrorism in America.

(a) GENERAL LIMITATIONS- Section 3121(c) of title 18, United States Code, is amended--

(1) by inserting 'or trap and trace device' after 'pen register';

(2) by inserting ', routing, addressing,' after 'dialing'; and

(3) by striking 'call processing' and inserting 'the processing and transmitting of wire or electronic communications so as not to include the contents of any wire or electronic communications'.

(1) IN GENERAL- Section 3123(a) of title 18, United States Code, is amended to read as follows:

(1) ATTORNEY FOR THE GOVERNMENT- Upon an application made under section 3122(a)(1), the court shall enter an ex parte order authorizing the installation and use of a pen register or trap and trace device anywhere within the United States, if the court finds that the attorney for the Government has certified to the court that the information likely to be obtained by such installation and use is relevant to an ongoing criminal investigation. The order, upon service of that order, shall apply to any person or entity providing wire or electronic communication service in the United States whose assistance may facilitate the execution of the order.

1) What does a warrant do?

2) What does this change in the law allow the government to do?

3) What are the pros and cons of the government using listening devices for obtaining information?

4) Should information be used against someone if it only is "likely" they are to commit a crime? Explain.

5) What would be a circumstance when the government could use a listening device or GPS to track an individual without more than just suspicion.

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## Document 2: U.S. Senate Roll Call Votes 107<sup>th</sup> Congress - 1<sup>st</sup> Session

### Vocabulary:

- Deter: discourage someone from doing something.
- Measure: a plan of action to achieve something.

**Document Note:** The senate roll call is the actual vote taken by the senate on a bill, in this case House Resolution 3162.

### Vote Summary

**Question:** On Passage of the Bill (H.R. 3162 )

**Vote Number:** 313      **Vote Date:** October 25, 2001, 01:54 PM

**Required For Majority:** 1/2      **Vote Result:** Bill Passed

**Measure Number:** [H.R. 3162](#) (Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001 )

**Measure Title:** A bill to deter and punish terrorist acts in the United States and around the world, to enhance law enforcement investigatory tools, and for other purposes.

<b>Vote Counts:</b>	YEAs	98
	NAYs	1
	Not Voting	1

- 1) What bill was the U.S. Senate voting on in this document?
- 2) What might have caused this bill to be passed so successfully through the U.S. Senate?
- 3) What may be the reason for one senator voting against this bill that all others supported so strongly?
- 4) Compare this document with two other documents that best explains how Americans felt about being protected from terrorists, post 9/11.

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### **Document 3: House Resolution 3162 107th CONGRESS 1st Session October 24, 2001**

#### **Vocabulary:**

- Obstruct: to block or get in the way of.
- Counterterrorism: police or military activities meant to stop terrorism.
- Enhance: to intensify or increase.

**Document Note:** House Resolution 3162 was a bill proposed and passed by Congress that is better known as the U.S.A. Patriot Act.

To deter and punish terrorist acts in the United States and around the world, to enhance law enforcement investigatory tools, and for other purposes. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### **SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

(a) SHORT TITLE- This Act may be cited as the 'Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001'. (b) TABLE OF CONTENTS- The table of contents for this Act is as follows:

#### **TITLE I--ENHANCING DOMESTIC SECURITY AGAINST TERRORISM**

Sec. 101. Counterterrorism fund.

Sec. 102. Sense of Congress condemning discrimination against Arab and Muslim Americans.

Sec. 103. Increased funding for the technical support center at the Federal Bureau of Investigation.

Sec. 104. Requests for military assistance to enforce prohibition in certain emergencies.

Sec. 105. Expansion of National Electronic Crime Task Force Initiative.

Sec. 106. Presidential authority.

#### **TITLE II--ENHANCED SURVEILLANCE PROCEDURES**

Sec. 201. Authority to intercept wire, oral, and electronic communications relating to terrorism.

Sec. 202. Authority to intercept wire, oral, and electronic communications relating to computer fraud and abuse offenses.

Sec. 203. Authority to share criminal investigative information.

Sec. 204. Clarification of intelligence exceptions from limitations on interception and disclosure of wire, oral, and electronic communications.

Sec. 205. Employment of translators by the Federal Bureau of Investigation.

Sec. 206. Roving surveillance authority under the Foreign Intelligence Surveillance Act of 1978.

Sec. 207. Duration of FISA surveillance of non-United States persons who are agents of a foreign power.

Sec. 209. Seizure of voice-mail messages pursuant to warrants.

Sec. 210. Scope of subpoenas for records of electronic communications.

Sec. 212. Emergency disclosure of electronic communications to protect life and limb.

Sec. 213. Authority for delaying notice of the execution of a warrant.

Sec. 214. Pen register and trap and trace authority under FISA.

Sec. 215. Access to records and other items under the Foreign Intelligence Surveillance Act.

Sec. 216. Modification of authorities relating to use of pen registers and trap and trace devices.

Sec. 217. Interception of computer trespasser communications.

Sec. 218. Foreign intelligence information.

Sec. 219. Single-jurisdiction search warrants for terrorism.

Sec. 220. Nationwide service of search warrants for electronic evidence.

Sec. 221. Trade sanctions.

Sec. 222. Assistance to law enforcement agencies.

Sec. 223. Civil liability for certain unauthorized disclosures.

Sec. 225. Immunity for compliance with FISA wiretap.

- 1) What are the two goals of this part of the document?
- 2) What does this document tell you the main focus is?
- 3) Based on just the titles of the sections listed, which do you think has the biggest impact on Americans and why?
- 4) Is the goal of this document justified by the actions that are listed in the contents?

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### Document 4: Poster from ACLU Website

**Document Note:** The ACLU is working daily in courts, legislatures and communities to defend and preserve the individual rights and liberties that the Constitution and laws of the United States guarantee everyone in this country.



- 1) According to the poster, from what are people being protected?
- 2) Label four parts of the poster? In addition, come up with a caption for the poster.
- 3) What is happening in the background of this picture?
- 4) What is the point of view of the author of this poster toward the Patriot Act?
- 5) Why would the ACLU post a poster like this on their website?

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## Document 5: Washington Post

### Vocabulary:

- Provisions: a part of a document that is particular to something.
- Super-majority: a bill requiring 2/3 of the voters to approve.

**Document Note:** The Washington Post is an area paper for Washington D.C. which published this story in regards the Patriot Act.

Tuesday, February 8, 2011; 9:21 PM

House Republicans suffered an embarrassing setback Tuesday when they fell seven votes short of extending provisions of the Patriot Act, a vote that served as the first small uprising of the party's tea-party bloc.

The bill to reauthorize key parts of the counter-terrorism surveillance law, which expire at the end of the month, required a super-majority to pass under special rules reserved for non-controversial measures.

But it fell short of the required two-thirds after 26 Republicans bucked their leadership, eight of them freshman lawmakers elected in November's [midterm elections](#). With most Democrats opposing the extension, the final tally was 277 members in favor of extension, and 148 opposed.

- 1) Identify what the main idea of this news story is.
- 2) Why do you think there were not enough voted to reauthorize certain parts of the Patriot Act?
- 3) Using document four and document eight, how has the view of the Patriot Act changed since its introduction to today?
- 4) Why do you think a change of thinking has occurred in America regarding the Patriot Act?
- 5) Create scenario that might make Americans feel the Patriot Act should be completely renewed.

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## Document 6: United States General Accounting Office

### Vocabulary:

- FAA: Federal Aviation Administration, are responsible for the safety of civilian aviation.
- Monotonous: boring and lacking in interest.

**Document Note:** The United States General Accounting Office is the investigative arm of Congress charged with examining matters relating to the receipt and payment of public funds. This report is in regards to the FAA screening.

**Tuesday April 1, 2003**

## Testimony Before the National Commission on Terrorist Attacks Upon the United States

Before September 2001, screeners, who were then hired by the airlines, often failed to detect threat objects located on passengers or in their carryon luggage. As we reported in June 2000, tests of screeners conducted in 1987 revealed that screeners missed 20 percent of the potentially dangerous objects that FAA used in its tests, and test data from 1991 through 1999 showed a declining trend in the rate of detection.<sup>2</sup> At that time, FAA characterized this level of performance as unsatisfactory. The more recent results showed that as testing got more realistic—that is, as tests more closely approximated how a terrorist might attempt to penetrate a checkpoint—screeners' performance declined significantly. A principal cause of screeners' performance problems was rapid turnover and insufficient training. Turnover exceeded over 100 percent a year at most large airports, leaving few skilled and experienced screeners, primarily because of low wages, limited benefits, and repetitive, monotonous work.

- 1) What does this document tell you about airport security before September 11?
- 2) What was the problem with the performance of the security screeners? How could this be solved?
- 3) Evaluate the different issues in this document and determine which of the issues you think had the biggest impact on the safety of Americans flying? Why?
- 4) How could the government use this report to improve the safety of Americans when they fly?



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## Document 7: Dept. of Homeland Security Advisory System

**Document Note:** Department of Homeland Security: was created in 2002 in response to 9/11 to prevent terrorist attacks within the United States; reduce the vulnerability of the United States to terrorism; and minimize the damage, and assist in the recovery, from terrorist attacks that do occur within the United States.



- 1) What is the purpose of this poster?
- 2) Where might you find one of these posters?
- 3) Did this poster help protect Americans from terror threats?
- 4) Along with this document, pick another document that you feel best explains how Americans feel about terrorism currently.

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## Document 8: T.S.A. Carry-on Banned Items

**Document Note: Transportation Security Administration (TSA):** protects the nation's transportation systems to ensure freedom of movement for people and commerce. This is a list of thing not allowed in carry- on bags for flights.

### Other Items

Item	Carry-on	Checked
Toner and ink cartridges over 16 ounces	No	No
Gel-type candles	No	Yes
Gel shoe inserts - Gel shoe inserts are not permitted, but shoes constructed with gel heels are allowed and must be removed and screened.	No	Yes
Non-flammable liquid, gel, or aerosol paint	Yes - 3.4 ounces (100ml) or smaller container	Yes
Flammable liquid, gel, or aerosol paint	No	No
Snow globes and like decorations regardless of size or amount of liquid inside, even with documentation.	No	Yes

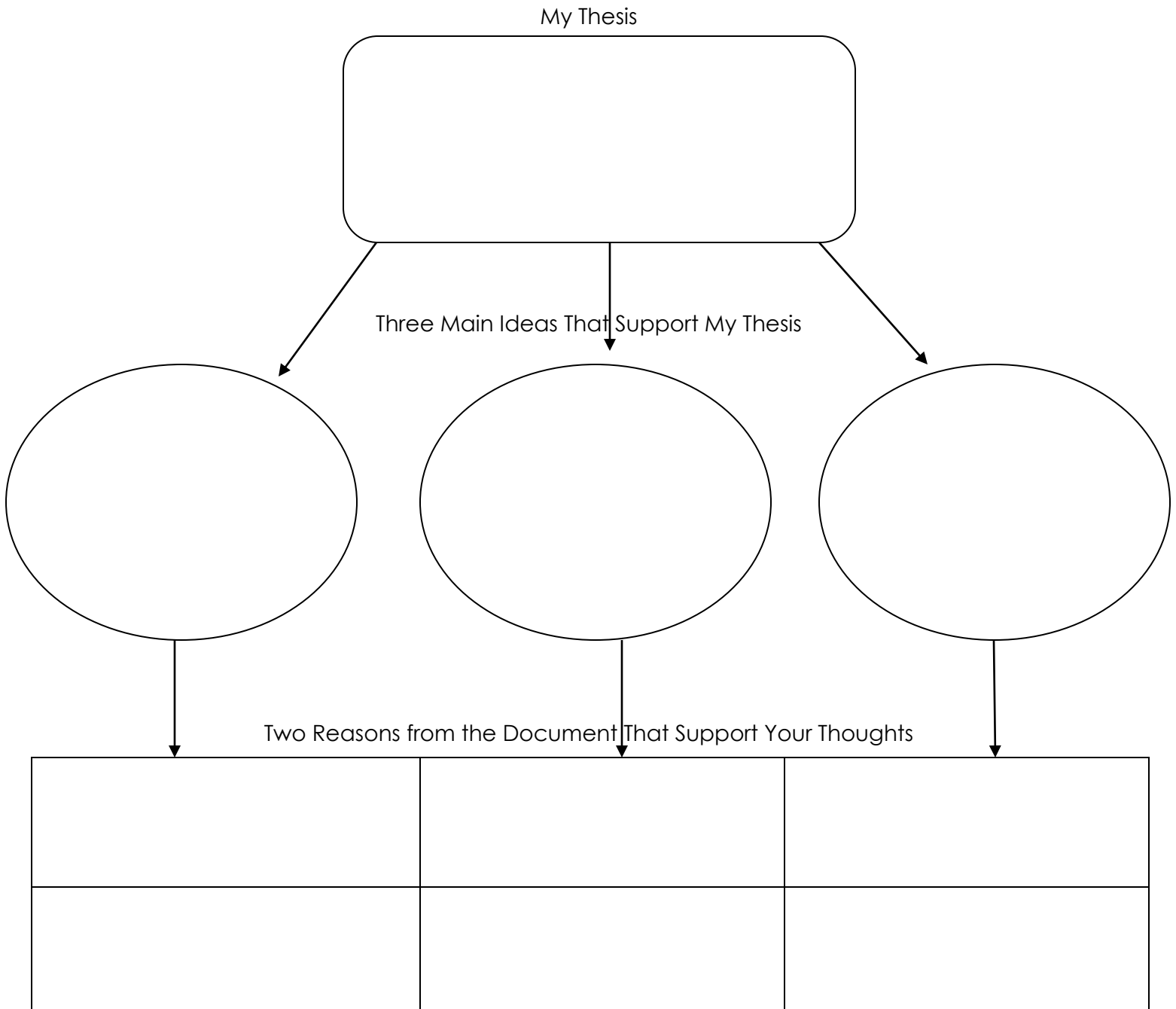


- 1) What item(s) are banned from being carried on and or checked?
- 2) DO you think the carry on procedures help protect us on airplanes? Why or why not?
- 3) Using document five, compare the level of safety today compared with what it was before 9/11.
- 4) Based on documents seven and five, are we safer today than before 9/11?

## Student Assignment

Task: To write a five paragraph essay from the information you have gathered from using the DBQ about the effect of 9/11 on American rights. Use the same question that you have used for the document: **To what extent has America and the rights of Americans changed since the Patriot Act was passed after 9/11?**

Fill in the graphic organizer to help you write your essay.



Now you are ready to write your essay in paragraph form!

# 5 Paragraph Essay Rubric

Student: \_\_\_\_\_

Original Draft \_\_\_\_/ 10

Peer Edit \_\_\_\_/ 5

Second Draft \_\_\_\_/ 10

Final Draft \_\_\_\_/ 10

CATEGORY	4	3	2	1	Score
<b>Grammar &amp; Spelling</b>	Author makes no errors in grammar or spelling that distract the reader from the content.	Author makes 1-2 errors in grammar or spelling that distract the reader from the content.	Author makes 3-4 errors in grammar or spelling that distract the reader from the content.	Author makes more than 4 errors in grammar or spelling that distract the reader from the content.	
<b>Support for Position</b>	Includes 3 or more pieces of evidence (facts, statistics, examples, real-life experiences) that support the position statement. The writer anticipates the reader's concerns, biases or arguments and has provided at least 1 counter-argument.	Includes 3 or more pieces of evidence (facts, statistics, examples, real-life experiences) that support the position statement.	Includes 2 pieces of evidence (facts, statistics, examples, real-life experiences) that support the position statement.	Includes 1 or fewer pieces of evidence (facts, statistics, examples, real-life experiences).	
<b>Closing paragraph</b>	The conclusion is strong and leaves the reader solidly understanding the writer's position. Effective restatement of the position statement begins the closing paragraph.	The conclusion is recognizable. The author's position is restated within the first two sentences of the closing paragraph.	The author's position is restated within the closing paragraph, but not near the beginning.	There is no conclusion - the paper just ends.	
<b>Focus or Thesis Statement</b>	The thesis statement names the topic of the essay and outlines the main points to be discussed.	The thesis statement names the topic of the essay.	The thesis statement outlines some or all of the main points to be discussed but does not name the topic.	The thesis statement does not name the topic AND does not preview what will be discussed.	
<b>Accuracy</b>	All supportive facts and statistics are reported accurately.	Almost all supportive facts and statistics are reported accurately.	Most supportive facts and statistics are reported accurately.	Most supportive facts and statistics were inaccurately reported.	