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The World That Didn't Change—Much

Partisanship and the Politics of National Security After 9/11

NOT LONG AFTER the terrorist attacks in New York and Washington, Democratic strategists James Carville, Stanley Greenberg, and Robert Shrum convened a series of focus groups to gauge the political impact of September 11. What did it mean for Democrats who had planned a fall battle with President George W. Bush over the economy, health care, and the environment? What did it mean for Bush himself? And what about congressional Republicans? Two weeks after the attacks, the strategists' group, Democracy Corps, met with voters in Milwaukee, Tampa, Atlanta, and Philadelphia. The next week, the pollsters ran focus groups in Toledo, Ohio, and Runnemede, New Jersey, followed by Oakland, Albuquerque, Seattle, and Des Moines. To supplement their findings, the researchers also conducted a nationwide poll on the same questions.

The team came away with the conclusion that 9/11 “created

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a new period which is, in many ways, radically different from what has gone before.” Democrats, they stressed, not only had to support a popular Republican president on war and security issues, they also had to “adopt a tone consistent with the seriousness of this moment” and stay away from “partisan-sounding attacks.” Yet after that warning, Carville, Greenberg, and Shrum went on to outline a political strategy that was remarkably similar to what Democrats had planned prior to September 11. “We have looked closely at the national survey and focus groups,” they wrote, “and we believe this is a moment of opportunity for Democrats.” The research, they concluded, suggested that Democrats could safely and profitably attack the president on . . . the economy, health care, and the environment.

A few months later, on Friday, January 4, 2002, Senate Majority Leader Tom Daschle delivered a major policy address in which he laid out some of the Democratic Party’s themes for the midterm election year (and made what was possibly the opening statement of a 2004 Daschle presidential campaign). “Our nation is engaged in two great battles,” Daschle said. “In the first battle, the battle against terrorism, President Bush and his national security team are doing a superb job.” But in the second, which Daschle called “the battle to deal with the economic challenges facing our nation,” Daschle said Bush and the Republican Party had brought about “the most dramatic fiscal deterioration in our nation’s history.” While the administration blamed the terrorist attacks for the disappearance of the once-healthy budget surplus, Daschle strongly disagreed. “September 11th and the war aren’t the only reasons the surplus is nearly gone,” he said (it would later disappear altogether). “They’re not even the biggest reasons. The biggest reason is the tax cut.” The speech—which sounded as if it had been written by the team at Democracy Corps—was the high-

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est-profile political attack on the president since the terrorist attacks.

Daschle's words set off a spate of articles about the re-emergence of partisanship in Washington; the front page of the *Washington Post* declared flatly, "Partisan Politics Returns to Capital." But the fact that Carville, Greenberg, and Shrum began their strategizing before the dust from the terrorist attacks had even settled suggests that partisan maneuvering never went away, not even in the immediate shock of September 11. (There was no comparable Republican polling going on in that period, although GOP strategists kept close tabs on a variety of media polls showing Bush with sky-high job approval ratings.) Rather than entirely suppress their partisan instincts, Democratic and Republican leaders, as they mapped the post-September 11 landscape, realized they would have to adjust their stands on some issues if they were to remain politically viable in the weeks after the terrorist attacks. In some cases, Democrats had to retreat, at least temporarily, from long-held positions on civil liberties. In other cases, Republicans had to retreat, also temporarily, from equally long-held desires to limit the size and scope of government. Yet in other cases not dealing directly with security issues, such as debates on tax cuts and health care, neither side felt the need to depart from traditional party doctrine.

That pattern of selective restrategizing emerges from a review of the three most important pieces of legislation to result from the terrorist attacks: the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (the strained acronym now known as the USA Patriot Act); the Aviation and Transportation Security Act; and the failed economic stimulus bill. In the debate over the USA Patriot Act, mainstream Democrats, aware of polls showing strong public support for greater federal law enforce-

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ment powers, stifled some of their objections to the Bush Justice Department's request for unprecedented surveillance authority. In the Aviation and Transportation Security Act debate, some Republicans, watching polls that showed the public in favor of federalizing baggage screeners at airports nationwide, held in check their instinctive objections to the prospect of adding 28,000 workers to the government payroll. But in the economic stimulus fight, both parties stuck to their guns in a battle over tax cuts that was remarkably similar to the debate that took place in the winter and spring of 2001, long before planes crashed into the World Trade Center and the Pentagon.

Throughout, party leaders compromised when necessary—avoiding “partisan-sounding attacks”—while making sure to give as little ground as possible. And in the end, bills that were urgently needed to improve the United States' ability to protect against future attacks—the anti-terrorism measure and the aviation security bill—were passed, while a bill that was not at all necessary—the stimulus package—failed. Contrary to the contemporary conventional wisdom that the emergence of partisanship might undermine the nation's response to terrorism, each side's partisan calculations in fact played a positive role in the process, helping pass the best proposals and kill the worst ones.

THE USA PATRIOT ACT

The ease with which the September 11 plotters made their way around the United States—exploiting weaknesses in the immigration system, obtaining drivers' licenses and other identification, and moving freely past airport security checkpoints—highlighted dozens of problems the government faced in trying to prevent future acts of terrorism. To make matters worse, it was never clear from the first days after the attacks whether

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there were more al-Qaeda cells operating in the United States. Given that danger, making sure that no co-conspirators in the September 11 attacks remained at large, tracking down other terrorist groups, and strengthening existing law enforcement authority became top domestic priorities of the Bush administration.

On September 19, Attorney General John Ashcroft presented Congress with a list of proposals the administration wanted to incorporate into a new anti-terrorism bill. The administration wanted expanded powers of surveillance under the Foreign Intelligence Security Act, including greater wiretap and call-tracing authority as well as increased ability to monitor e-mails and Internet use. Ashcroft also wanted to allow law enforcement and intelligence agencies to share information in terrorist investigations, something that had not been done in the past. And he wanted to give prosecutors the power to detain suspects for extended periods of time without filing formal charges against them.

All were powers that law enforcement had sought at various times in the past, although never in the context of a national emergency. On the question of wiretaps, for example, prosecutors had long chafed at having to obtain court orders that applied only to a particular telephone a suspect might use—a practice made obsolete by criminals' increasing use of multiple cell phones. After September 11, the Bush administration simply revived a long-time law enforcement request for so-called "roving" wiretap authority, which would allow investigators to obtain a single court order to eavesdrop on all of a suspect's telephone communications, no matter how many different telephones were involved.

Other items on the law enforcement wish-list that the administration included in the anti-terrorism bill were new rules covering "pen register" and "trap and trace" technologies. A

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pen register is a device that records the phone numbers of calls made from a particular telephone. A trap and trace device records the numbers of calls coming into a particular telephone. Law enforcement officers, who are required to obtain a judge's warrant to tap a telephone, were held to a lower, but still burdensome, standard to use pen register and trap and trace; in the terrorism bill, the administration wanted virtually unlimited freedom to use them.

The Justice Department also asked for greater authority to monitor Internet traffic. In recent years, law enforcement officials had become increasingly worried about the criminal potential of a technology called "stegonagraphy," which involves coding hidden messages inside seemingly innocent-looking materials on the Net. Some investigators believe stegonagraphy could be used by terrorists to transmit detailed instructions, building plans, financial documents, or other information in connection with a planned attack. The administration wanted more freedom to use existing surveillance technology—known as "Carnivore"—and hoped the terrorism emergency would overcome previous congressional doubts about its widespread use.

Beyond technological advances, the Justice Department also wanted to knock down a legal barrier that had in the past impeded terrorist investigations. In post-September 11 reviews of America's response to terrorism, the Clinton administration came under heavy criticism for having relied on law enforcement rather than aggressive intelligence and military operations to find and destroy terrorist cells. In particular, the former president was criticized for assigning the investigation of the 1993 World Trade Center bombing exclusively to the Justice Department, effectively shutting out the government's intelligence agencies. The problem was that prosecutors used a grand jury to conduct much of the bombing investigation, meaning

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that whatever was learned through the grand jury had to remain a closely held secret under Rule 6(e) of the Federal Rules of Criminal Procedure. The rule forbade prosecutors from sharing grand jury information with outsiders, including government intelligence experts who had spent years keeping tabs on international terrorists. During the bombing investigation, then-CIA director James Woolsey became increasingly frustrated at the secretiveness of Justice Department prosecutors. “Nobody outside the prosecutorial team and maybe the FBI had access [to evidence in the case],” Woolsey said later, “because it was all under grand jury secrecy.” The Bush proposal called for law enforcement and intelligence agencies to be allowed to share information in future terrorist investigations.

Finally, the administration wanted the ability to arrest and hold terrorist suspects at length without formally charging them with crimes. In the days after September 11, federal officials held hundreds of people for varying periods of time as investigators determined whether they were connected to the terrorist attacks. Some were charged with federal crimes. A few were held as material witnesses. And most were held, and ultimately charged, on immigration violations. In nearly all those cases, the suspects were charged within days, but some detainees were held more than a week, and sometimes longer, before facing formal charges.

Many of the administration's requests—wiretaps, Internet surveillance, evidence sharing, expanded detentions, as well as greater authority to track financial transactions—were proposals that had sparked determined opposition in the past, much of it from Democrats, but also from civil liberties-minded Republicans. It's safe to say that without the events of September 11, the administration would never have succeeded in winning congressional approval for any of them. Several of the president's requests raised genuine civil liberties issues, and not

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only the fringes of both parties but many in the mainstream might have opposed them under different circumstances. But September 11 made it virtually impossible for mainstream officials of either party to reject the administration's proposals, effectively banishing opposition to the political fringes.

On the left, there were a few liberals, like California Democratic Rep. Maxine Waters, who worried that racial and ethnic minorities would be targeted by newly empowered law enforcement under the guise of the war against terrorism. "We cannot be rushed into allowing this tragic moment to cause us to support a violation of privacy or the Constitution," Waters said at the first public hearing on the issue, on September 24. On the right, there was the conservative Georgia Republican Rep. Bob Barr, who had long questioned the government's expanding powers of surveillance. "Why is it necessary to rush this through?" Barr asked at the same hearing. "Does it have anything to do with the fact that the department has sought many of these authorities on numerous other occasions, has been unsuccessful in obtaining them, and now seeks to take advantage of what is obviously an emergency situation to obtain authorities that it has been unable to obtain previously?"

But Waters and Barr had few supporters. In part that was because some left- and right-leaning politicians who might normally have opposed the administration's request sincerely believed that circumstances called for extraordinary measures. But other potential opponents were undoubtedly swayed by the extraordinary popularity of President George W. Bush and his anti-terrorism policies.

The attacks had an astonishing effect on the president's job approval rating. In a poll taken immediately before September 11, the Gallup organization found the president's job approval rating to be just 51 percent, with 39 percent disapproval. In a poll taken on September 21 and 22, immediately after Bush's

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tremendously well received address to both houses of Congress, Gallup found the president's approval rating to be 90 percent, with 6 percent disapproval. The next month, it stayed in the same range, as it did in November and December—an unprecedented length of time for any president to enjoy such popularity. Few Republicans, no matter how deep their opposition to government surveillance powers, would want to take a stand against those numbers. The same was true for Democrats, who also saw that some of their key constituent groups, which might normally be counted on to oppose almost anything George W. Bush did, instead gave the president relatively high ratings. In early October, for example, Gallup found that 68 percent of black Americans gave Bush a positive job approval rating.

Polls like that made it impossible for the president's opponents, even if they were so inclined, to gain any traction against him on the terrorism issue. So even though there were isolated complaints about the administration's proposals—Democratic Sen. Patrick Leahy publicly fretted that “if the Constitution is shredded, the terrorists win”—the anti-terrorism bill raced through Congress. Both houses put it on a fast track that limited debate and streamlined normal parliamentary measures. In the end, the bill passed by a margin of 356 to 66 in the House and 98 to 1 in the Senate (Wisconsin Democrat Russell Feingold was the lone dissenter).

The president won approval for nearly everything he wanted. “We’re dealing with terrorists who operate by highly sophisticated methods and technologies, some of which were not even available when our existing laws were written,” Bush said when he signed the bill into law on October 26. “The bill before me takes into account the new realities and dangers posed by modern terrorists.” Leahy and other Democrats in the audience could only look on and applaud.

THE AVIATION SECURITY ACT

After the search for terrorists, the government's second major domestic priority was reform of the airport security system. There was no doubt from the moment of the attacks that an aviation-security bill would be part of Congress' anti-terrorist agenda. But what should be done?

The Senate took the early lead on the issue, and its first efforts were strikingly limited. Since the September 11 hijackers had used knives and box cutters to subdue passengers and then break into the cockpit, lawmakers immediately moved to ban knives and box cutters and make cockpit doors stronger. Beyond that, the Senate proposed expanding the nearly moribund sky marshal system, requiring an increased number of marshals on domestic flights. Finally, the Senate wanted to federalize the 28,000 baggage screeners who work at security checkpoints in airports across the country. Under the Senate plan, they would work under the supervision of the Justice Department, which would be given control of aviation security nationwide.

The Senate raced to finish work on the bill by October 11 (lawmakers were anxious to make news by taking tough action on the one-month anniversary of the terrorist attacks). But as they considered the bill's provisions, Republican senators were perplexed. Was it a good idea for the Justice Department to handle airport security? Would the Transportation Department be better? Should baggage screeners be federal employees? Would it be better if they were private contractors working under strict federal supervision?

In such a situation, Republican senators would normally look to the White House for guidance, but in the early days of the aviation security bill, the White House was virtually silent. Without leadership from George W. Bush, most senators paid

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careful attention to polls gauging public opinion on the air safety issue. For example, a Gallup survey found that 96 percent of Americans polled favored strengthening cockpit doors, 90 percent supported expanding the sky marshal program, and, in what would become the key issue in the debate over air security, 77 percent supported a full federal takeover of baggage screening.

As the bill moved through the Senate, some conservative Republicans privately conceded that, despite the poll numbers, they had deep reservations about federalizing the screeners. Indeed, there were good reasons to doubt the Senate plan. Everyone knew how hard it was to fire a federal employee for sub-par performance; polls showed that even federal workers themselves believed the government placed too little emphasis on worker accountability. Republican senators also doubted that simply making the screeners federal workers would make them more effective or reliable than private screeners working under close government supervision. And some Republicans opposed on general principles the idea of adding 28,000 new workers to the federal payroll.

But Democrats, buoyed by that 77 percent approval figure, strongly pressed what they said was the urgent need to federalize the screeners. The White House remained silent. After a brief debate, Republican senators saw that there was nothing to gain by voting against an airline security bill that enjoyed clear popular support. The bill passed the Senate 100 to 0.

At the same time, doubts about the wisdom of the Senate's approach were growing in the House. As the Senate rushed forward, several members in the House were actually studying the aviation security issue in far more detail than anyone had done in the Senate. House researchers decided it would be better to place aviation security in the hands of the Transportation Department (it would have been enormously burden-

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some to the Justice Department). They came up with new suggestions to increase security all around airports—ground crew areas, baggage areas, etc.—and not just in cockpits. And they took a close look at the question of federalizing baggage screeners. After studying airport security systems in Israel and Europe, they concluded that the world's most effective systems relied on private screeners. And that is what they wrote into the final Republican House bill.

As a vote neared in the House, President Bush finally took a position on the issue, coming out strongly for the Republican plan. But most House Democrats supported the full-federalization Senate bill, and it was not clear which would prevail in the House, where the Republican majority was very thin. When time came to vote, Democrats tried to substitute the full-federalization Senate bill for the private-screener House measure. The vote was nearly as close as it could possibly be, with Republicans defeating the Senate bill by 218 to 214. Later, when the GOP version came up for a vote, it passed easily, 286 to 139. (After the Democratic measure was defeated, dozens of Democrats—69 in all—turned around and voted for the Republican bill, suggesting that they were prepared to vote for almost any type of aviation security bill.)

Even though the Republican version passed the House, it faced a difficult fight in the conference committee that would reconcile it with the Senate bill. Everyone knew the GOP had narrowly prevailed in the House, while the Senate measure passed 100 to 0. If every single senator, from Jesse Helms to Barbara Boxer, supported full federalization, why shouldn't that be the version that became law?

As the conference began, some GOP senators tried to influence the negotiations by declaring that they were having second thoughts about their votes in favor of a fully federalized screening force. "While we supported and the Senate unani-

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mously passed S. 1447 [the Aviation Security Act], we had strong misgivings with respect to the federalization of airport screeners,” a group of seventeen Republicans wrote in a letter to the chairmen of the Senate Commerce Committee and the House Transportation Committee. “In addition to the urgency of passing an aviation security bill, our support of S. 1447 was largely due to other important security provisions such as reinforced cockpit doors and an increased presence of federal air marshals.” The letter was signed by some of the Senate’s most conservative members, including Jesse Helms, Mitch McConnell, Don Nickles, and Phil Gramm.

But it was far too late for second thoughts. By the time the conference committee convened, Republicans knew the public still firmly supported federal screeners. Conservative lawmakers saw little benefit—and much peril—in holding up the final passage of an aviation security bill over the issue. What if there was another airline terrorist attack while they were dickering over public vs. private baggage screeners? That would be nothing short of political disaster. So even though some GOP lawmakers strongly believed that private screeners would make the system safer than government screeners, they went along with the Senate. The president did, too, signing the Aviation and Transportation Security Act into law on November 19. “The broad support for this bill shows that our country is united in this crisis,” the president said during a signing ceremony held at Reagan National Airport. “We have our political differences, but we’re united to defend our country, and we’re united to protect our people.”

THE STIMULUS BILL

Both the anti-terrorism bill and the aviation security bill touched on issues that had deep emotional resonance with a

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public that remained terrified of a new terrorist attack in the days after September 11. Americans wanted government to take action. But the third major issue taken up by Congress in the post–September 11 period, the economic stimulus bill, touched on no such raw nerves. Yes, the country suffered economically from the terrorist attacks. But there was no clear consensus on what, if anything, the federal government should do about it.

The attacks came at a time when the raging question on Capitol Hill was whether the government should spend the estimated \$157 billion budget surplus—made up almost entirely of excess Social Security funds—on paying down the national debt, or whether some of the money should be used for other purposes. Democrats favored the former, while the Bush White House, struggling to reconcile its spending priorities with the president’s tax cut, began making the case that the Social Security surplus could be used for general spending under certain circumstances. On August 24, the president said, “I’ve said that the only reason we should use Social Security funds is in case of an economic recession or war.” At the time, of course, Bush thought he was making the case for increased spending in an economic downturn, but by September 11, he had both a recession *and* a war. And on that day, the debate over how to spend the surplus simply vanished. There was no question that the Social Security surplus—plus a good deal more—would be spent on strengthening security, helping New York and Washington recover, and launching a worldwide war against Osama bin Laden and other terrorists.

Immediately after the attacks, the administration asked Congress for \$20 billion in supplemental spending authority. Lawmakers, not wanting to fall behind in the race to help the American people, quickly passed a bill providing for \$40 billion. The first half of the money would be spent immediately, as the

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president proposed, and the second half would be worked out later.

Although the money was intended for anti-terrorism and relief work, the new spending authority had the practical effect of freeing up existing funds for spending on all varieties of things not related to terrorism. For example, before the attacks President Bush had requested \$18 billion for defense spending above what was in the budget resolution at that time. The move faced stiff opposition from many Democrats, who wanted to use part of that money for education and other nondefense purposes. The two sides were headed for a big fight, but after September 11 lawmakers realized they could take some of the defense money and use it for education, and make up the defense portion—and more—from the supplemental spending bill. The problem was solved, and a political battle was averted.

That wasn't the only example. Indeed, lawmakers seized on the national emergency as a rationale for all sorts of other nonemergency spending. Existing spending projects were recast as urgent national security issues. Isn't transportation a national security issue? Why not spend more on highways? How about water projects? And what about food? One lawmaker championed a proposed \$3.5 billion peanut subsidy on the grounds that it would strengthen national security. Although there were some voices of restraint—an exasperated Senator Richard Lugar exclaimed, "To imply somehow we need a farm bill in order to feed our troops, to defend our nation, is ridiculous"—the post-September 11 spending spree continued. In the end, lawmakers packed additional billions in spending onto existing agriculture, education, health, and other bills.

As all that was going on, Congress took up debate on an economic stimulus bill. This time, unlike the debates over the anti-terrorism and aviation security bills, lawmakers split along traditional party lines. Republicans used the opportunity to

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push tax cuts, and Democrats used it to push unemployment and health benefits.

In late October, the House passed, on a mostly party-line 216 to 214 vote, a \$100 billion Republican stimulus bill that included a number of the GOP's favorite tax cut proposals from recent years. The bill would have given substantial tax breaks to corporations, including speeding up the write-off on investments and repealing the alternative minimum tax, which would allow some companies to recoup hundreds of millions of dollars in taxes paid since 1986. In addition, the House would have cut capital gains taxes and speeded up the Bush tax cut passed in 2001. Finally, it would give a \$300 rebate to Americans who did not qualify for one when the Bush tax cut was originally passed.

The Democratic alternative plan also included the \$300 rebate, but almost nothing else from the Republican package. Democrats wanted to spend about \$30 billion for unemployment and health care benefits, as well as billions more for new schools and tax benefits—mostly credits—for the poor. Finally, Democrats wanted to cancel a scheduled cut in the income tax rate for the richest Americans.

When the House Republican bill suffered from a torrent of bad press—GOP lawmakers were accused of using the terrorist emergency as an occasion to help their friends in big business—the White House and Senate Republicans intervened to produce a softer version. It increased social spending and toned down tax cuts, but still kept some of the major corporate tax breaks that were in the original proposal. Sensing the upper hand, Senate Majority Leader Tom Daschle rejected the plan, pressing for the inclusion of more unemployment and health care benefits. “We will not even consider a bill unless it has those components,” Daschle said on October 30. “To do anything less is a mockery of economic stimulus.”

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In early November, Senate Democrats pushed their plan through the Finance Committee on a party-line 11 to 10 vote (Vermont's James Jeffords, whose defection six months earlier turned the Senate over to Democratic control, provided the winning vote). But Democrats could not resist throwing a number of special-interest spending provisions into the bill, including money for Amtrak, rural Internet access, and agriculture. That allowed the GOP to portray the Democratic bill as old-fashioned pork-barrel politics. "The stimulus package being considered in the Senate contains \$220 million to buy bison meat, cauliflower, eggplant, and pumpkins," White House spokesman Ari Fleischer said. "The president does not understand how that can be stimulative for the economy."

As November dragged on, both sides threw accusations at each other, compromised in tiny steps, and waited to see if events would help them gain the political advantage. But no advantage appeared. By early December, negotiators were still unable to come up with a package that satisfied all sides. On December 9, Vice President Dick Cheney tried to seize the offensive by accusing Daschle of "obstructionist" tactics, which only prompted more counterattacks from Democrats. As Christmas approached, with negotiators still hung up on the issue of health care benefits, both sides began blaming the other for the imminent death of the stimulus package. On December 20, lawmakers officially gave up and went home.

WAR AND ENRON

The moment in which both political parties felt the greatest constraints of bipartisanship turned out to be relatively brief. By late November, two and a half months after the attacks and one month after the passage of the USA Patriot Act, Democrats on Capitol Hill began to openly criticize some of the White

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House's anti-terrorism policies in ways that would not have been possible just a few weeks earlier.

At issue was the administration's intention to try some foreign terrorist suspects in military tribunals. Democrats on the Senate Judiciary Committee held a series of hearings to examine the idea, and while they scheduled a number of administration critics to testify, they did not invite anyone from the administration to defend the tribunal policy. Only after a top Justice Department official requested that Criminal Division chief Michael Chertoff be allowed to testify at the first hearing did Democrats give the administration a voice in the proceedings.

When the hearing began, several Democrats were plainly eager to confront Chertoff. "We've stated that military tribunals in Sudan do not provide procedural safeguards," Senator Edward Kennedy began. "We've criticized Burma, China, Colombia, Malaysia, Nigeria, Russia, and Turkey on similar grounds. Yet now we're calling for the use of military tribunals. The concern is, aren't we doing exactly what we've criticized other nations for doing?" Other Democrats followed in a similar vein, and Chertoff was forced to defend administration policies against attacks that were far more pointed and direct than any that occurred during the debate over the USA Patriot Act. Republicans widely believed the hearing, along with a later one at which Attorney General John Ashcroft was summoned to testify, was an indirect way for Democrats to criticize—and score political points against—George W. Bush, whose popularity protected him from direct attack.

Similar scenes unfolded in other committee rooms across Capitol Hill. Indeed, as time passed and the immediate shock of September 11 faded, it gradually became apparent that the president's opponents again had the luxury of opposing the president. As 2002 opened, both sides resumed the battle over

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tax cuts. They fought over the president's budget proposal (although not over its massive increases in military spending). And they maneuvered furiously to gain political advantage from the collapse of the Enron Corporation.

Indeed, with the war in Afghanistan apparently winding down, the Enron story began to dominate the news in a way that no story had since the terrorist attacks. Almost overnight, multiple and overlapping investigations began in both the House and Senate. Indignant lawmakers dragged former Enron executives before investigating committees to plead the Fifth Amendment while cameras rolled. And Democrats ratcheted up their demands that Vice President Dick Cheney turn over the records of his energy task force, which had met several times with representatives of Enron.

The sudden appearance of Enron was a liberation of sorts for Democratic leaders. The post-September 11 politics of national security had given George W. Bush a huge political advantage and left Democrats in a bind: they did not dare appear unpatriotic by opposing the president, but they also had to find ways to keep themselves in the political ball game. As the initial trauma of the terrorist attacks faded, Democrats looked for openings on issues like military tribunals but achieved only limited success because the public largely supported the Bush administration on nearly every national security issue. Enron, on the other hand, was different; Democrats felt free to demand investigations of the company while stressing its close ties to the Bush administration (and trying to downplay their own Enron connections). That way, they could chip away at Bush without seeming to challenge his role as wartime president.

And chip away they did. On January 24, Daschle accused Bush of "Enronizing" the economy. A few days earlier, Democratic National Committee chairman Terry McAuliffe charged that Bush "seems to be running fiscal policy the way the folks

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at Enron ran their company.” And on February 9, writing in the *New York Times*, Ernest Hollings, the Democratic chairman of the Senate Commerce Committee, called for a special prosecutor to investigate the Bush administration’s contacts with Enron. The unfolding scandal, if that is what it was, had developed all the hallmarks of a classic Washington feeding frenzy. There could hardly have been a more vivid sign that the extraordinary period that followed September 11 was over.