

The perfect storm: The politics, policies, and people of the USA Patriot Act

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This paper explores how the convergence of three streams – the problem, the politics, and the policy – helped create the 2001 Patriot Act. Using political methodology outlined by John Kingdon, the legislative success of the Patriot Act seems to be substantiated by the confluence of the three streams: security holes (the problem), American outcry against the 9/11 attacks (the politics), and the bullish measures encompassed in the Patriot Act (the policy). The research in this paper expounds upon the role of these streams in the formation of the Patriot Act and how they were framed in specific ways by political personalities. The conclusion suggests that the ultimate passage of the Patriot Act can be explained by both the manipulation of public opinion and the use of a range of unorthodox tools for lawmaking.

Merely a month and a half after the terrorist attacks of 9/11, Congress and President George W. Bush enacted one of the most important laws concerning government intrusion into private lives, the USA Patriot Act (officially, Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act). “This was one of the most fundamental pieces of legislation relating to the Bill of Rights in the history of our country,” Senator Russ Feingold claimed shortly after the passage of the Patriot Act. The 2001 bill had the goal of deterring and punishing terrorist activity in the U.S. and around the world with the aid of enhanced “law enforcement investigatory rules,” a subtle euphemism for unprecedented permission for the federal government to wiretap and search telephone, email, and financial records. “It was a low point for me in terms of... somebody who believes in civil liberties,” Feingold remarked (qtd in Foerstel 36). Ninety eight Senators voted Yea; Feingold was the sole dissenter. How was it possible, in the context of a liberal yet unobtrusive and small-state political culture, that a law affording government access to almost every important aspect of private life could pass with such swiftness and accordance?

The much-discussed unity and outrage following 9/11 certainly presented Congress and President Bush with a political opening, but the attacks themselves cannot fully explain how policymakers could pass a bill of such size and significance with minimal debate (Foerstel

XVII). Instead, 9/11 opened what political scientist John Kingdon would call a policy window. By looking at Kingdon’s analysis of agenda-setting and policy formation, we see a clearer, formula-driven process by which the Patriot Act came to fruition. Kingdon explains that policy finds high standing on an agenda when the three “streams” of problem, politics, and policy converge and help open the policy window, a period of time when movement on an issue is much more possible. Although Kingdon lays out a framework for interpreting and comprehending public policy, his analysis is confined to merely that: a framework. Actual public policy has many more intricacies that convolute the entire process. Regardless, Kingdon’s theoretical structure provides a useful starting point to explore policy formulation, and the Patriot Act is a prime example of this political process. The legislative success of the Patriot Act seems to be substantiated by the confluence of the three streams: legitimate security holes (the problem), American outcry against the attacks (the politics), and the bullish measures encompassed in the Patriot Act (the policy).

This paper first seeks to understand how these streams converged to produce, in retrospect, one of America’s most controversial laws. We will then take a closer examination at the complexities of two of the streams, those of the politics and the policy, to see how each was subject to significant political engineering. In particular, both politics and policy were manipulated

by the Bush administration and shaped to procure legislative success. Ultimately, we find that the Patriot Act is an exemplar of Kingdon’s agenda-setting theory, but also a case in point of the intricacies that muddle any simplification of public policymaking.

I. The Three Streams’ Convergence in the Patriot Act

The Patriot Act is unique among other landmark legislative feats because it was passed so quickly, a fact which becomes unsurprising when put into context. The U.S. had just experienced the worst terrorist attacks in its history, and the astonishing networks and organizational abilities of the terrorist groups revealed that America was not immune from future attacks. Though it would not be released until nearly three years later, the 9/11 Commission reported what was blatantly obvious in the direct aftermath of the attacks: U.S. intelligence gathering was fragmented and poorly coordinated (“9/11 Commission”). Kingdon suggests that, though the definition of the problem is expansive, it is best regarded as a change in the state of a system. He further argues that, while some problems capture the attention of people by systematic indicators of the issue at hand, some problems arise from a dramatic event (Kingdon 90). Intelligence and security failures preceding the Patriot Act certainly represented the latter. Kingdon notes that the problem is not always self-evident from the indicators themselves, but can be prodded by a focusing event, like a crisis or disaster. National security is a perennial concern, and it had actually been elevated in Congressional discussion in 2001 with the election of George Bush. However it was only through 9/11, “the sort of thing government decision makers cannot ignore,” that intelligence and security could “[move up] from a less visible arena on [the] governmental agenda” (Kingdon 95). The scope of the day’s tragedy highlighted the problem of lackluster knowledge about these terrorists’ operations. The terrorist attacks were a vehicle to demonstrate that there was a clear problem with U.S. intelligence and security, and that major legislation was necessary.

The politics stream was a crucial element in making the Patriot Act an active agenda item. Americans’ outpour of patriotism and zeal for avenging 9/11 was well-documented, ex post, and had a significant impact on the political climate. Bush’s approval rating stood at an astronomical

90% less than a month after 9/11. Studies of the American public by Andre Kohut of the Pew Center demonstrated that the country's burst of unity and patriotism was coupled with a strong desire for security and activism in the face of attacks on the American homeland:

I think the public's need for protection is apparent in big bold letters in every poll I've seen. Support for increased defense spending stands at 60 percent—triple what it was four years ago, and funding for homeland defense is just as high if not higher... I should add that the public continues to strongly support the use of force to combat terrorism. (Kohut)

Clearly, the political environment of the aggregate American population fostered an atmosphere that was more amenable than ever to the measures outlined in the Patriot Act. As we see later, though much of these huge upswings were a function of Bush administration manipulation, they had a profound impact on policymaking. But while public sentiment was vital to the passage of the Patriot Act, the political climate among policymakers was also important in boosting the issues to a decision agenda and helping to open a policy window. Bush's declaration of a War on Terror on the night of September 11th, coupled with immediate backing from most of Congress created a perceptibly united front that seemed to embrace the measures necessary to quell any possibility of future attacks. Senate Majority Leader Tom Daschle assured Americans that Republicans and Democrats, the House and Senate stood "strongly united behind the president". As we discuss later, however, there was much internal discord in Congress over the Patriot Act, even as the visible politics proffered unanimity.

A closer look at the timeline of the Patriot Act's Congressional proceedings suggests a distinct policy stream that converged with the problem and politics to produce the final legislation. Deliberation on the Patriot Act was defined by haste, and "the pressure on Congress to do something dramatic to protect the country from terrorist attacks was overpowering" (Foerstel 30). The Bush administration was keen on near unanimity, as it believed that any modicum of opposition could portray weakness. Limited debate and temporal proximity to 9/11 would ensure speedy passage and minimal resistance. This strategy worked, as even Tom Daschle came out to strike

down any opposition or amendments to the bill. Later we show how a sense of contrived urgency helped proponents enact the toughest policy measures possible while entertaining little debate. Moreover, we see that this urgent lawmaking process induced unconventional lawmaking, a strategy that both helped the bill pass and portray bipartisanship. Kingdon's definition of the policy community of specialists was never restricted to merely legislators; instead, it included "bureaucrats, people in the planning and evaluation and in the budget offices, Hill staffers, academics, interest groups, [and] researchers" (Kingdon 87). With this broader umbrella classification, we find the heart of the policy movers in the case of the Patriot Act. The Department of Justice, led by Attorney General John Ashcroft, drove the process, making their own versions of the policy the one to be voted upon. Representative John Conyers (D-MI) lambasted the process: "How, in a time of urgency and crisis, could the Attorney General decide to become a legislative member and replace all 43 members of the House Judiciary Committee?" (qtd in Foerstel 32). The bill which the Department of Justice produced was much stronger than congressional drafts of the bill, as it called for indefinite detention of any noncitizen suspected of facilitating terrorism, unchecked sharing of eavesdropping data throughout the government, and weaker FISA standards for surveillance authority (Foerstel 33). Ultimately, the policy stream played a significant role in the Patriot Act's legislative triumph. Due to strategic proximity to 9/11, the Act was able to pass with harsh measures otherwise unlikely to be ratified. Moreover, the bill came out of Congress as a virtually unanimous, bipartisan success because of the hurriedness forced on the legislators, who had little choice but to approve the Bush administration's legislative demands.

The terrorist attacks of 9/11 opened a wide policy window for action on U.S. security and intelligence. The problem, politics, and policy, then, each played a crucial role in moving the issues raised by 9/11 onto a different agenda sphere, making it a top decision priority for the federal government. The rushed enactment of the bill represents a perfect storm of these three aspects and the basis upon which some of America's most controversial legislation was passed.

II. The Manipulation of Public Opinion

Following 9/11, there was a well-documented sense of unity that pervaded the country: Bush's approval ratings soared to 90%, Congress was willing to act in a bipartisan manner, and the American public constructed a steely wall of unity to both prevent further acts of terror and to "bring to justice" the terrorists who committed the acts (Foerstel 30).

Many key actors played crucial roles in the legislative effort to equip the federal government with the tools to protect the American homeland, but none held as significant a function as the American public itself. Without overwhelming public support, Congress and the President could scarcely have passed an act that would "temporarily abridge individual liberties in ways that would never be considered in more halcyon times" (Abdolian, 1446). According to Kingdon's framework, the American public's receptiveness to the Bush administration's requests for policy action was a key component in bringing the political stream in line with the other streams. But central to an analysis of the politics of the Patriot Act is an understanding of the non-linear relationship between initial public response to 9/11 and the eventual passage of the Patriot Act. Though a surface-level examination might suggest that public outcry after the attacks directly led to the landslide legislative success of the Patriot Act, this inquiry fails to note the importance of how, precisely, public opinion came to have such forceful bearing on Congress. Instead, public opinion in the case of post-9/11 politics is best understood by how it was framed and manipulated for a specific purpose by the Bush administration. Stanford Political scientist David Brady suggests that there is a general correlation between mass opinion and policy. We can extrapolate from his work that the role of the President and the Department of Justice in molding public sentiment towards anti-terrorism legislation was one of the "intervening variables between public opinion and policy results" (Brady 1). Specifically, Brady cites the widely-held view that presidents have a powerful ability to organize and persuade in an effort to both shape and shift public opinion. Congress, then, "is most often viewed as a responder to opinion" (Brady 3). This seems to be precisely the case in the lead up to the final voting on the Patriot Act. Public opinion was formed by the tragic events of 9/11, but also, in part, by the political engineering of

the Bush administration – specifically to gain support for the sweeping Patriot Act. Though there are certainly instances in history where the cornerstone of American policy has been the public's pressure on the federal government and, in particular, the President, this reverse link is much weaker in the case of the Patriot Act. This is due, in large part, to the nature of the political climate following 9/11, when the public felt outrage and desired decisive action, but was largely vague about the precise steps that should be taken. Public opinion, instead, was malleable and open to persuasion by the President. Perhaps, the public also had some effect on the President and his administration. However there has been much documented literature on the Bush administration's obstinacy on this matter, so this theory is weak. Herbert Foerstel in *Patriot Act* implies that the administration had a clear agenda and was not willing to be driven away from its aims by arguments on policy merits and civil liberties concerns:

The Bush Administration wanted to rewrite the entire body of law defining and limiting government surveillance... In reality, the Patriot Act was not a bold new anti-terrorism bill. It was a resurrected wishlist of executive powers that had accumulated in the Justice Department over many years, powers that when conceived, had little or no relevance to terrorism and which Congress rejected as unnecessary infringements on civil liberties. (Foerstel 30)

In the case of the Patriot Act, then, it more telling to examine the effect of the President on the public, and not vice versa. Precisely, we seek to understand the means through which public opinion was shaped after 9/11 and how it was used to influence such controversial anti-terrorism policy.

Before embarking on an examination of the most influential actors involved in construction and channeling of the Patriot Act, it is helpful to compare it with its predecessor of sorts: the Anti-Terrorism and Effective Death Penalty Act of 1996 (AEDPA), a bill President Bill Clinton signed into law after the Oklahoma City bombing in 1995. Provisions of the AEDPA largely limited federal courts' powers to grant relief on death penalty rulings. Like the events of 9/11, the attack on Oklahoma City's Murrah Federal Building had a profound impact on the public's opinion

regarding the death penalty, but President Clinton's role in crafting that opinion is also of great significance. The AEDPA was one of Clinton's more controversial measures, but one in which he experienced "success in reframing the crime debate" for his party and one that, ultimately, was "directed more toward voters' perceptions of the weaknesses of the criminal justice system than a reasoned response to an actual terrorist threat on American soil" (qtd in Federman 163). In this case, we see the fruition of Brady's linkage from Presidential persuasion to public softening, which ultimately led to Congressional action (in the case of the AEDPA, the law passed 91 to 8 in the United States Senate, and 293 to 133 in the House). The key node in this relationship is the tying of two branches by the powerful role of public opinion.

In many ways, the political conditions under which AEDPA was passed laid both the framework and the mechanism for the passage of the Patriot Act in 2001. As noted earlier, a general call to action was issued by Americans following 9/11, but Bush and the Department of Justice capitalized on this public vulnerability. Scholars suggest that the administration focused on "strategic political communication" and aimed to gain monopoly-like control over information and outlets that might influence public opinion (Domke 292). An estimated 82 million Americans watched the President's address to Congress nine days after the attacks, an event that offered an immense stage for the President to leverage American support in pressuring Congress to pass the most stringent anti-terrorism measures.

A consistent perspective was a crucial element to the administration's successful dissemination of its agenda. Instead of being plagued by the familiar problem of political infighting and off-script communication that weakens the message and undermines its importance, the Bush administration presented its case with one voice. Domke *et al.* predict that this had a significant effect on promoting public approval and subsequent congressional success: "President Bush [and the administration] presented a unified message about the anti-terrorism legislation and the perceived need for its congressional passage" (Domke 293). Coupled with the strategy of offering a consistent perspective, the administration sought to shape public discourse by echoing news coverage. Government officials made a concerted effort to ensure that the

administration's communications about the proposed Patriot Act would be in unison with news content about the act. And while the media is often credited with being a stalwart critic of the government's ideas and conceptions, 9/11 provided a unique instance wherein dissent in the news coverage of the Bush administration's work was rare (Domke 295).

So what were the results of these efforts to influence public responsiveness towards civil liberties restrictions? Just days after the attacks, 55% of U.S. adults claimed it would be "necessary for the average person to give up some civil liberties in order to curb terrorism in this country." A week later, that number had risen to 63%. Two weeks later, 72% said the administration's proposed degree of restrictions on civil liberties were "about right," with an additional 17% saying the administration was not going far enough (Domke 306). Nearly 90% of the public, therefore, were unfazed by the proposed quelling of civil liberties.

The Bush administration's cumulative efforts to sway public sentiment towards the Patriot Act had certainly materialized in the polls, but that opinion's weight on legislative action was of equal, if not more, importance. The claim that "national unity is good politics" during crises seems to have rung true. The newly framed public opinion on anti-terrorism law had significant bearing on legislators and was likely the reason why 98 senators voted in favor of the otherwise unfathomable bill. Domke explains:

Publicly stated rationale among senators for their voting decisions and occasional congressional comments about the press are suggestive that the themes and perspectives emphasized by the administration, and echoed substantially in news content, contributed to congressional decision making and debate. (Domke 308)

Though it is difficult to precisely measure the role public opinion alone plays in lawmaking, as David Brady notes, it can be inferred from public opinion pressure on politicians and their specific agendas. We must also note another factor at play in the politics of the Patriot Act. Unlike other landmark legislative acts – especially those that are contentious in nature – the process of debate can be protracted, which can invite further evidence and discussion

against the proposed reform. Because the Bush strategy was so successful in creating such an end-of-spectrum and overpowering public view on anti-terrorism, it was much easier for the Bush administration to ensure swift congressional approval.

The attacks of 9/11 certainly created a general sense of both public unity and a call for action. But behind these events was a very specific chain of politics that resulted in passage of the highly controversial Patriot Act. Like in the case of the AEDPA just five years earlier, the President used many techniques of strategic political communication to fundamentally formulate opinion on the piece of anti-terrorism legislation. This crushing force of public opinion, then, was the necessary link to attain congressional backing of the bill.

III. Urgent Lawmaking and its Role in Policy Formation

While the overpowering public pressure placed on Congress to pass the Patriot Act played a foremost role in its legislative success, it is also important to understand the precise policy formulation steps that took place behind the chamber doors. Though bipartisanship was the public hallmark of post-9/11 anti-terrorism legislation, the lead-up to the bill's ultimate passage was a process of intense disagreement, controversy, and eventual compromise. The natural questions are why and, more specifically, how did the Patriot Act pass in both chambers within seven weeks of 9/11? We have already seen how hawkish public sentiment – in large part carved by the Bush administration – focused Congressional attention on bringing to the floor and passing strong antiterrorism legislation. But behind this story were strategic legislative tactics that helped in getting the Patriot Act passed. Specifically, an inflated sense of urgency comprised the framework of proponents' approach to legislative success. This exigent lawmaking made for an unorthodox political process, resulting in a rushed bill falsely trumpeted for its bipartisanship. Barbara Sinclair, author of *Unorthodox Lawmaking*, would argue that the making of the Patriot Act was characterized by a "series of decision points where more complex choices are at issue" (Sinclair 218). Here, we seek to recount the urgent Patriot Act lawmaking process that induced unconventional lawmaking and demonstrate how this strategy both helped the bill pass and assisted in portraying bipartisanship.

Before looking at how the Patriot

Act was created and examining the process through which an overwhelming majority of Congress approved it, it is necessary to reexamine the context in which it was brought to the political forefront. The attacks of 9/11, the worst attack on the American homeland, had elicited a strong response in the federal government, and while the merits of the Patriot Act might have been hotly contested, there was a clear unity among American leaders that something needed to be done (Domke 306). In step, many Democrats were fully in favor of the proposed antiterrorism legislation from the beginning. Prior to 9/11, both chambers had been debating the "Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act" (H.R. 2500), but had been largely stagnated. The two days following the attacks brought a slew of harsh and hastily considered antiterrorism measures that broadened the grounds for emergency surveillance by the Department of Justice. The Senate's adoption of these measures and swift passage of the bill on September 13th, 2001 were early signs that Congress, more than before, was acting as one and doing so in a very hurried manner, symptomatic of what was still to come (Howell 1151).

Urgency and special procedural processes are key concepts that defined Patriot Act legislating. Though bills traditionally originate in one of the chambers, the legislation that would become the Patriot Act took a different course. Six days after the attacks, Attorney General John Ashcroft called on Congress to quickly pass the administration's yet-to-be-drafted antiterrorism proposal, skimping on details but forceful on the need for haste. The chief alternative to the Justice Department's measures was Senate Judiciary Committee Chair Patrick Leahy's "USA Act," which enumerated many national security enhancements but placed more checks on the federal government's surveillance abilities (Howell 1152). With the administration and Leahy's proposals unveiled, the strategic rhetoric of urgency by Patriot Act proponents, headed by the Bush administration and Republican lawmakers, began to take life.

On September 24th and 25th, the Attorney General testified before the House and Senate Judiciary Committees, but curiously spent little time on the specifics of the administration's proposal, instead harping on the present terrorist threat and

the urgency with which Congress must approve the antiterrorism legislation:

[T]he American people do not have the luxury of unlimited time in erecting the necessary defenses to future terrorist acts... Every day that passes with outdated statutes and the old rules of engagement -- each day that so passes is a day that terrorists have a competitive advantage. Until Congress makes these changes, we are fighting an unnecessarily uphill battle. (Ashcroft)

Deviating from standard procedure, Ashcroft spent minimal time and limited scope answering questions following his ambiguous presentations, taking few questions and avoiding civil liberties concerns. On a talk show the following weekend, Ashcroft stated: "Talk will not prevent terrorism. We need to have action by the Congress" (Howell, 1161). Republican Senator Orrin Hatch agreed, saying, "I don't think we can delay it any longer" (Mitchell and Purdum). The approach of bypassing operating frameworks to quickly pass the bill was quite evident to outside commentators. One editorial feared the process that was taking place: "While we have serious concerns about some provisions in this legislation, we have even greater concerns about how the administration and congressional Republicans are trying to rush this package of antiterrorism laws through Congress with little debate or analysis" (St. Petersburg Times).

But even while the administration's insistence on urgency was not swaying some lawmakers, it was certainly having an effect on the procedures by which the law was being considered in Congress. Aimed at "expediting the bill's passage in deference to the administration," Senator Harry Reid announced on October 9th, 2001 that the USA Act– which would later be incorporated as part of the Patriot Act – would be held at desk, bypassing normal procedures by skipping committee referral (Howell 1167). According to Sinclair, the bill sponsor and committee usually play the most important role in floor debate, but bypassing the committee stage "speed[s] up the process significantly" (Sinclair 219). Majority Leader Daschle, moreover, requested unanimous consent to take up the bill with limited amendments, a move that also expedites legislation (Sinclair 220). And though there were complaints from both sides of the aisle about these proce-

dural shortchanges, the mantra of urgency proved undefeatable. Senator Feingold, the lone dissenter in the final vote for the Patriot Act, was disappointed in the nature by which the bill had moved through Congress. “There has not been an open process in the Judiciary Committee, much less the full Senate, for Senators to have the opportunity to raise concerns about the how far this bill goes in giving powers to law enforcement” (qtd. in Weiner).

Eventually majorities in both the Senate and House passed the USA Act, just one month after 9/11. Further evidence of unorthodox lawmaking, Republican House leaders chose not to request a conference to reconcile the difference bills from each chamber, catching many Democrat opponents off guard (Howell 1174). Leahy admitted that he had “acquiesced in some of the administration’s proposals...to preserve national unity in this time of crisis and to move the legislative process forward,” in the hopes that some of his misgivings would be resolved in the conference stages (*Bash*). Republicans urged that a conference would merely delay granting the powers vitally needed by law enforcement. Without conference, there was little structure to discussion on the two bills. Ultimately, the House introduced a version of the bill, called the Patriot Act, which compromised the two bills. The House quickly passed the bill, and the Senate followed suit the next day, October 25th. The President’s signature the following day made the Patriot Act into law (Howell 1178).

Clearly, the creation of the Patriot Act was a product of quick lawmaking, being passed merely seven weeks after 9/11. The evidence suggests that the federal government injected a sense of urgency into the political process, a strategy that helped place immense pressure on elected officials to bypass traditional procedures in favor of a more rushed process. This speed materialized in untraditional policy formulation, including deviations on the origination of the bill, the scope and time of debate, voting procedures, and legislative processes (conferencing, amendments, etc). The claim here is that the urgent, and, in turn, unorthodox lawmaking processes helped pass the bill and did so in a perceptibly bipartisan way. Under this strategy, proponents of the legislation were able to successfully quell most of the debate brought on by the opposition. By offering few specific answers to the many questions raised by the bill and cutting many of the

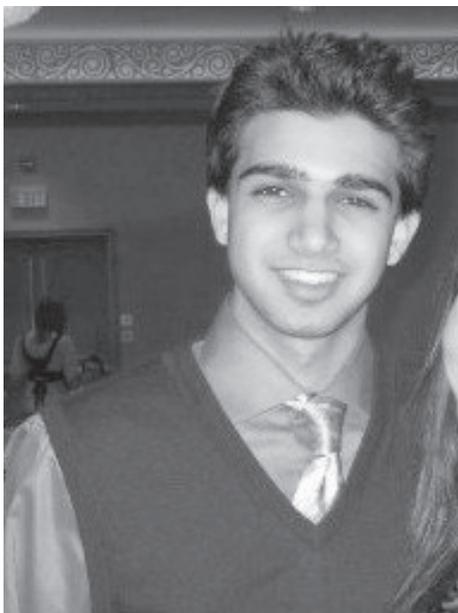
checks and balances, like committee referral and the ability to add amendments, proponents took away vocal and legislative power from those most vested in the bill’s intricacies. Circumventing established processes like conferencing and filibustering, moreover, deprived the minority of even the most modest legislative power they could wield. In a self-serving and propagating fashion, the more questions the opposition asked, the more pressure Republicans were able to place on Congressional Democrats, under the guise that the opposition was not protecting Americans against future attacks. These tactics generated another important benefit for the administration. The short seven-week process and dearth of visible debate in Congress, engendered the appearance of bipartisanship. By churning out such an enormous bill in such little time, it seemed unlikely to the public that the bill could have been hotly contested. The rushed process behind chamber doors, therefore, gave the public an illusion of near-absolute unity among Congressmen. In a bill of such significant consequence and presumable controversy, it was important for the Bush administration to achieve bipartisanship, giving the President a mandate for the government’s future policy proposals.

The chief objection to this outlined story is that, regardless of any legislative manipulation that took place in Congress, the passage of the Patriot Act was inevitable. Given the political atmosphere following 9/11 and the public pressure placed on Congress to act, this is not an unlikely assumption. But to be certain, the special procedures likely did help the Patriot Act, as Sinclair’s research suggests that the likelihood of legislative success has a direct relationship with the number of special procedures and practices employed (Sinclair 223). Sinclair’s theories do not seem to hold in the context of amending. Though Sinclair’s work suggests that “the adoption of floor amendments may enhance a bill’s chance of ultimate legislative success,” the Senate’s refusal to participate in amending activity does not seem to have hurt its political prospects. The explanation for this special case seems to be the context. Unlike other bills, post-9/11 legislation had two important characteristics: public unanimity and an outcry for speed. Amending would not have influenced the outcome of the Patriot Act greatly because there was knowledge, from the beginning, that amendments would not be welcome. The political wran-

gling had to be done in the early stages. More interestingly, it is important to note the effects of unorthodox lawmaking in this context. Not only did they provide the administration with this legislative victory faster than otherwise, these procedures also provided a bipartisan mandate that would later prove to be invaluable to the Bush administration.

References

1. "9/11 Commission Faults U.S. Intelligence." CNN.com. Cable News Network, 14 May 2004. Web. 9 Apr. 2010.
2. Abdolian, Lisa, and Harold Takooshian. "The USA Patriot Act: Civil Liberties, the Media, and Public Opinion." *Fordham Urban Law Journal* 1453rd ser. 30.1429 (2003). Web. 28 Apr. 2010.
3. Bash, Dana. "Senate Passes Anti-terrorism Legislation." CNN.com. Cable News Network, 12 Oct. 2001. Web. 15 May 2010.
4. Brady, David. *Public Opinion and Congressional Policy*. Schickler. Web. 27 Apr. 2010.
5. Domke, David, Erica Graham, Kevin Coe, Sue John, and Ted Coopman. "Going Public as Political Strategy: The Bush Administration, and Echoing Press, and Passage of the Patriot Act." *Political Communication* 23 (2006): 291-312. Web. 26 Apr. 2010.
6. Federman, Cary. *The Body and the State: Habeas Corpus and American Jurisprudence*. Albany: State University of New York, 2006. Print.
7. Foerstel, Herbert N. *The Patriot Act: A Documentary and Reference Guide*. Westport, CT: Greenwood, 2008. Print.
8. Howell, Beryl A. "Seven Weeks: The Making of the USA Patriot Act." *The George Washington Law Review* 72 (2003-2004): 1145-207. HeinOnline. Web. 14 May 2010.
9. Kingdon, John W. *Agendas, Alternatives, and Public Policies*. New York: Longman, 2003. Print.
10. Kohut, Andrew. "The Impact of September 11 on Public Opinion: Increased Patriotism, Unity, Support for Bush; More Interest in News." *Proc. of A Brookings/Harvard Forum: Press Coverage and the War on Terrorism*, The Brookings Institution, Washington, D.C. 27 Mar. 2002. Web. 9 Apr. 2010.
11. Mitchell, Alison, and Todd Purdum. "A Nation Challenged: The Lawmakers; Ashcroft, Seeking Broad Powers, Says Congress Must Act Quickly." *New York Times*. 1 Oct. 2001. Web. 16 May 2010.
12. Sinclair, Barbara. *Unorthodox Lawmaking: New Legislative Processes in the U.S. Congress*. Washington, D.C.: CQ, 2005. Print.
13. Testimony Before the House Committee on the Judiciary September 24, 2001, 107th Congress Cong. (2001) (testimony of Attorney General John Ashcroft). Print.
14. Weiner, Lauren M. "'Special' Delivery: Where Do National Security Letters Fit into the Fourth Amendment?" *Fordham Urban Law Journal* 33 (2006). Goliath. Web. 16 May 2010.
15. "Why the Rush?" Editorial. *St. Petersburg Times* 25 Sept. 2001: 10A. Tampabay.com. Web. 15 May 2010.



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