

**American Nation, Paul Boyer, TX: Holt, Rinehart and Winston, 2005.**

[1096]

#### **Domestic security.**

The campaign against terrorism involved defensive and offensive measures. Bush appointed Pennsylvania governor Tom Ridge to head the Office of Homeland Security, a new cabinet-level position. The office – now the Department of Homeland Security – was created to coordinate the domestic national security efforts of various government agencies.

Key goals included improving airport security and protecting from attack vital systems such as transportation and power networks. Political leaders, including U.S. Attorney General John Ashcroft, called for expanded law-enforcement powers to combat terrorism. These calls resulted in passage of the Patriot Act in October 2001. The law provides for indefinite imprisonment without trial of non-U.S. citizens whom the attorney general has determined to be a threat to national security. It also expands government wiretapping authority and permits the search of residences without owners' notification if such searches are deemed necessary by the attorney general to protect national security. The Patriot Act led to debate over how best to protect Americans' civil liberties while increasing domestic security.

[1103]

#### **The USA-PATRIOT Act**

In October 2001, congress passed the USA-PATRIOT Act. This sweeping law gave the government added powers to investigate persons suspected of planning terrorist acts. It permitted the Department of Justice to intercept e-mail messages, wiretap telephones, search private residences, and even check library users' computer records.

The Justice Department detained and questioned more than a thousand persons living in the United States, mostly Middle Easterners. One of those arrested was Jose Padilla. Padilla was held for nineteen months with no access to his family or to a lawyer. Late in 2003, a federal court ordered that Padilla either be released or be given a trial.

Americans understood the urgency of national security, but they also cherished the rule of law and their civil liberties. The debate continued over how to make America safe while preserving citizens' constitutional rights.

#### **Imprisoning al Qaeda Suspects**

Many al Qaeda suspects, mostly of Middle Eastern origin, were imprisoned at Guantanamo, the U.S. military base in Cuba. In early 2004, about 650 prisoners from forty-two countries were being held at the facility.

Although well treated, these prisoners were in a legal limbo, with no charges filed against them and no trials scheduled. In May 2003, Secretary of State Colin Powell urged the Pentagon to decide quickly which Guantanamo prisoners could be released and which prisoners would be charged and tried. Later that year, a federal appeals court ruled that the prisoners should be tried in U.S. civil courts, not by military tribunals as the Pentagon desired.

Once again, Americans pondered the balance between individual rights and security needs.

[1104]

#### **Homeland Security and Civil Rights**

Americans have struggled with the dilemma of preserving constitutional rights while keeping the nation safe. During the Civil War, President Lincoln sought to silence critics by barring all "treasonable correspondence" from the mails and by suspending the right of habeas corpus.

In World War I, congress passed laws allowing the government to ban antiwar publications and to imprison persons who spoke against the war. President Wilson and many Americans supported these measures as wartime necessities. Others, however,

criticized them as a denial of the right of free speech. During World War II, over 100,000 West Coast residents of Japanese ancestry were classified as enemy aliens and moved to relocation camps. About two-thirds of those who were interned were American citizens who lost their jobs and their homes. In 1988 the U.S. government issued an official apology for violating the internees' constitutional rights. Then, as now, the American system continues to allow citizens to appeal to the courts if they believe their rights have been violated.

*The American Nation*, James West Davidson and Michael B. Stoff, NJ: Prentice Hall, 2005.

[886]

**Attacks on the United States.** Terrorism from abroad spread to the United States itself. In 1993, a bomb damaged the World Trade Center in New York. Six Arab men were later convicted of the crime.

On September 11, 2001, as you have read, terrorists slammed three airliners into the World Trade Center and the Pentagon. On a fourth hijacked airliner, courageous passengers fought back. The plane crashed in a field in Pennsylvania. All on board were killed, but the plane was prevented from hitting any target on the ground.

**The Human Cost.** The terrorist attacks of September 11 took more lives than the Japanese attack on Pearl Harbor in 1941. In New York, the victims included hundreds of fire fighters and police officers. Children lost parents. Parents lost children. Wives and husbands who had gone to work that morning never returned.

**A Spirit of Unity.** Americans were quick to respond to the attacks. Millions lined up to give blood, aided in rescue efforts, or donated money and supplies to help victims and rescuers. Across the nation, people displayed American flags to show their unity and patriotism.

Unlike during World War II, when Japanese Americans were interred, a spirit of tolerance prevailed. President George W. Bush and other leaders cautioned against taking revenge on innocent Arab Americans. Religious leaders of all faiths, including Islam, stood side by side at a national memorial service in Washington, D.C. The spirit of unity extended overseas. Nation after nation pledged its support in tracking down those responsible.

**War on Terrorism.** President Bush voiced the nation's outrage. He committed the country to an all-out campaign against terrorists. He also created a new cabinet-level post, the Office of Homeland Security, to defend against terrorism. In 2002, Congress passed the USA Patriot Act. It gave the President sweeping new powers to arrest suspected terrorists. Most Americans supported the act, but some worried that it violated rights of privacy and free speech.

***The American Pageant: A History of the Republic, 13<sup>th</sup> Ed., Advanced Placement Ed., David M. Kennedy, Lizabeth Cohen, and Thomas A. Bailey, MA: Houghton Mifflin Company, 2006.***

[1003-1004]

The Terrorists' blows diabolically coincided with the onset of a recession. The already-gathering economic downdraft worsened as edgy Americans shunned air travel and the tourist industry withered. Then, while the rubble in New York was still smoldering, a handful of Americans died after receiving letters contaminated with the deadly respiratory disease anthrax. The perpetrators of the anthrax attacks remained unknown, but the gnawing fear spread that biological warfare might be the next threat facing the American people.

In this anxious atmosphere, Congress in October 2001 rammed through the USA Patriot Act\* (\*Officially, "Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism"). The Act permitted extensive telephone and e-mail surveillance and authorized the detention and deportation of immigrants suspected of terrorism. Just over a year later, Congress created a new cabinet-level Department of Homeland Security to protect the nation's borders and ferret out potential attackers. The Justice Department meanwhile rounded up hundreds of immigrants and held them without habeas corpus (formal changes in an open court). The Bush administration further called for trying suspected terrorists before military tribunals, where the usual rules of evidence and procedure did not apply. As hundreds of Taliban fighters captured in Afghanistan languished in legal limbo on the American military base at Guantanamo, Cuba, public-opinion polls showed Americans sharply divided on whether the terrorist threat fully warranted such drastic encroachments on America's venerable tradition of protecting civil liberties.

Catastrophic terrorism posed an unprecedented challenge to the United States. The events of that murderous September morning reanimated American patriotism, but they also brought a long chapter in American history to a dramatic climax. All but unique among modern peoples, Americans for nearly two centuries had been spared from foreign attack on their homeland. That unusual degree of virtually cost-free national security had undergirded the values of openness and individual freedom that defined the distinctive character of American society. Now American security and American liberty alike were dangerously imperiled.

[1003]

[Photo] **Liberty or Death** Critics of the USA Patriot Act feared the extinction of cherished civil liberties, including the right to protest against the government's policies.

***The Americans*, Gerald A. Danzer, J. Jorge Klor de Alva, Larry S. Krieger, Louis E. Wilson, and Nancy Woloch, IL: McDougal Littell, 2005.**

[1102-1103]

#### **ANTITERRORIST ACTIONS**

To combat terrorism on the home front, the Bush administration created the Department of Homeland Security in 2002, headed by former Pennsylvania governor Tom Ridge. This executive department was designed to analyze threats, guard the nation's borders and airports, and coordinate the country's response to attacks. To help share information about the risk of terrorist attacks with the American people, the department created the Homeland Security Advisory System. This system used a set of "Threat conditions" to advise the public about the level of terrorist threats and provided guidelines for response during a period of heightened alert.

The Department of Homeland security also searched for terrorists in the United States. The government soon discovered that the al-Qaeda network had used "sleepers" to carry out its terrorist attacks. Sleepers are agents who enter a country, blend into a community, and when called upon, secretly prepare for and commit terrorist acts. An intensive search began for any al-Qaeda terrorists, including sleepers, that remained in the United States. U.S. officials detained and questioned Arabs and other Muslims who behaved suspiciously or who violated immigration regulations.

#### **USA PATRIOT ACT**

Critics claimed that detaining these people violated their civil rights. The government argued that limiting civil liberties during wartime to protect national security was not unusual. U.S. officials used the same argument to try some terrorist suspects in military tribunals rather than in criminal courts.

To give the government the power to conduct search and surveillance of suspected terrorists, the USA Patriot Act was signed into law on October 26, 2001. This law allowed the government to:

- Detain foreigners suspected of terrorism for seven days without charging them with a crime.
- Tap all phones used by suspects and monitor their e-mail and Internet use.
- Make search warrants valid across states.
- Order U.S. banks to investigate sources of large foreign accounts.
- Prosecute terrorist crimes without any time restrictions or limitations.

People who opposed the law feared that it would allow the government to invade the privacy of ordinary citizens and threaten their basic rights.

[1102]

**[Photo]** Tom Ridge, the Secretary of the new Department of Homeland Security, introduces the color-coded threat advisory system.

[1109]

#### **NEW CHALLENGES**

As the 21<sup>st</sup> century begins, Americans face a number of new challenges. Deadly school shootings have brought attention to the issue of youth violence, and violent crime in America's cities remains a national concern. But the greatest challenge to public safety may be the renewed threat of terrorism. During the mid-1990s, a series of bombings signaled a disturbing new era of terrorism in America. The bombing of the World Trade Center in 1993, the 1995 Oklahoma City bombing, and the bombing at Atlanta's Centennial Park in 1996 all contributed to a growing sense of public vulnerability.

Following the events of September 11, 2001, in October President Bush signed into law new anti-terrorism measures. These laws greatly increased the authority of local, state, and federal law enforcement agencies to obtain and to share information about anyone living in the United States, but drew severe criticism for intruding on personal

privacy.

It now appears that Americans will be struggling to balance the need for domestic security against its costs – in terms of privacy, convenience, and dollars – well into the 21<sup>st</sup> century.

*American Odyssey: The 20<sup>th</sup> Century and Beyond*, Gary B. Nash, NY: Glencore, 2004  
[933]

#### **Fighting Terrorism at Home**

Part of the anti-terrorism campaign was a new Office of Homeland Security. In the months following the attacks, many of the agency's policies were directed at airline safety and better screening of passengers. Then in June 2002, President Bush asked for the authority to expand the functions and efficiency of Homeland Security into a Cabinet-level department by merging all or parts of 22 federal agencies. Among agencies to be merged were the Immigration and Naturalization Service, the Border Patrol, and FEMA, the Federal Emergency Management Agency.

About 170,000 federal employees would be affected and the proposal included restrictions on civil service and union rules. Democrats opposed such restrictions, but after the Republican victory in the midterm elections of November 2002, Congress quickly passed the bill to make homeland Security a Cabinet-level department.

Americans also debated how far constitutional rights should be restricted to protect against attacks. The issue came up first when anti-terrorism legislation was passed in October 2001. This law allowed secret searches and made it easier to wiretap suspects, track Internet communications, or seize voice mail.

***A History of the United States, Daniel J. Boorstin and Brooks Mather Kelley, NJ: Peason-Prentice Hall, 2005***

[946]

**Department of Homeland Security.**

The President also moved quickly to combat terrorism at home. Less than a month after the attacks, Bush created the Office of Homeland Security, with Pennsylvania Governor Tom Ridge in charge.

Ridge took office amid a new wave of mysterious attacks. Anthrax spores, which can be deadly if inhaled, began turning up in letters mailed to the media and government officials. This rare chemical is considered a possible agent of biological warfare, so fears arose that the United States could be under attack by bioterrorists. By December, the anthrax attacks had come to an end, after a total of 18 people had been infected, five of whom died.

On November 25, 2002, President Bush signed a bill into law creating a Cabinet-level Department of Homeland Security. This department, headed by Ridge, merged 22 existing agencies, with 170,000 employees. Charged with coordinating efforts to secure the United States against terrorist attacks, the department was given broad powers of investigation-eroding Americans' civil liberties, according to critics. The creation of this huge new department reflected Bush's understanding that the war on terrorism would continue long into the future.



***Making America: A History of the United States, 4<sup>th</sup> Ed., Carol Berkin, Christopher L. Miller, Robert W. Cherny, and James L. Gormly, MA: Houghton Mifflin Company, 2006 [1019-1020]***

He also warned there could be more acts of terrorism against the United States and appointed Tom Ridge, the governor of Pennsylvania, to assume the new post of director of homeland security. Ridge's job was to coordinate and direct various governmental agencies in efforts to prevent further acts of terrorism against the United States. The administration's efforts to deter and apprehend terrorists were improved on October 26, 2001, when Congress passed the USA Patriot Act. The Patriot Act provided law-enforcement agencies wider discretion in dealing with those suspected of terrorism; loosened restrictions on wiretaps, monitoring the Internet, and searches; and allowed the Attorney General's Office to detain and deport noncitizens thought to be a security risk. The passage of the act and the decision to try noncitizens accused of terrorism in military courts caused some to protest that the new rules were a threat to civil liberties and unconstitutional. Those against the act pointed to cases of Arab Americans being targeted because of public anxiety and not solid evidence. In Houston, for example, two Palestinian Americans were detained for two months because their passports looked suspicious they were released after tests showed that their pass ports were valid. Most Americans, however, agreed with the government and supported the new, tougher antiterrorism measures.

[1019]

**USA Patriot Act (Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism)** Legislation passed by Congress in 2001 that reduced constraints on the Justice Department and other law-enforcement agencies in dealing with individuals who had suspected links to terrorism.

***Nation of Nations: A Narrative History of the American Republic, 5<sup>th</sup> Ed., James West Davidson, William E. Gienapp, Christine Leigh Heyrman, Mark H. Lytle, and Michael B. Stoff, NY: McGraw-Hill, 2005***

[1146-1147]

Domestically the war on terrorism faced a daunting task. In an open society, where citizens traveled freely and valued their privacy Americans debated how aggressively the government should act to prevent further terrorist incidents. A month after the World Trade attacks, American vulnerability was further exposed by the deaths of five people from letters tainted with anthrax bacillus sent through the postal system. Investigators eventually decided that evidence pointed to a domestic rather than foreign source of the bacillus, but widespread fears led the administration to propose the USA Patriot Act, which Congress passed so quickly that some members did not even have time to read the bill. The act broadly expanded government powers to monitor electronic communications, investigate bank transactions (to fight money laundering), and investigate people suspected of terrorist activities.

In addition, the Justice Department detained hundreds of aliens -- mostly Muslims and Arabs -- whom it suspected of terrorist connections. By November 5 over a thousand had been brought into custody; after that date the Justice Department refused to say how many more were being detained or to provide their names or even the location of detention. By May 2003 observers estimated that some 5000 aliens were being held, only 4 of whom had been charged with any terrorist activity. Two of those were acquitted. Critics charged that these detentions, as well as the broad powers of the Patriot Act, threatened the constitutional rights of Americans as well as the natural rights of aliens. Opponents of the measures also protested the treatment of over 650 prisoners taken in Afghanistan, who were being held indefinitely as "illegal combatants" in a camp at Guantanamo Bay, Cuba. Authorities refused to say when or if the prisoners would be tried or even accused of a crime. (A number claimed they were civilians caught up in the fighting due to the chaos of war.) Attorney General John Ashcroft responded that "those who scare peace-loving people with phantoms of lost liberty... only aid terrorists.... They give ammunition to America's enemies, and pause to America's friends."

Beyond locating and arresting terrorists, a massive effort was needed to secure vital systems of transportation, communication, and energy production. If terrorists had hijacked planes, they might also plant explosives at nuclear plants and bridges or smuggle in a low-level nuclear device via trucks or on incoming cargo freighters. In order to coordinate new security measures, Bush created the Office of Homeland Security, placing former Pennsylvania governor Tom Ridge in charge. In January 2003 it was converted into the cabinet-level Department of Homeland Security, to give it more effective power to coordinate security measures. As late-night comedians made fun of its color-coded threat-level announcements, the department struggled to impose change on bureaucracies unused to sudden transformations.

***The American People: Creating a Nation and a Society, Brief 5<sup>th</sup> Ed., Gary B. Nash and Julie Roy Jeffrey, NY: Pearson-Longman, 2006***

[940-941]

The terrorist attacks shattered America's sense of security, at least within its own borders. Irrate at the unprovoked strikes, President Bush quickly launched a bombing campaign to smoke out Osama bin Laden and his network in Afghanistan. Although the bombing, followed by attacks by ground troops in Afghanistan, defeated the Taliban and drove its members from power, the campaign failed to find Osama bin Laden, who remained at large in mid-2004.

As Bush's approval ratings soared to over 90 percent, he vowed a lengthy campaign to root out terrorism wherever it surfaced in the world. He embarked on a massive governmental reorganization to create a new Department of Homeland Security to help prevent future attacks, and he also used terrorism to allow the government to encroach on individual liberties -- in the interest of security -- more extensively than in the past. Ironically, a president dedicated to smaller government now found himself in the fore front of an effort to give government an even larger role.

American Muslims were often the victims in the aftermath of September 11, 2001. Some faced attacks by other Americans angry about the terrorist strikes. Others were taken into custody, often without being charged with a crime, on the suspicion that they were somehow involved as the government instituted new security measures.

The antiterrorism campaign escalated. In early 2002, Bush spoke out forcefully against what he called an "axis of evil," as he referred to Iraq, Iran, and North Korea. He was particularly intent on driving Iraqi leader Saddam Hussein from power. Hussein had launched the attack on Kuwait that had led to the Gulf War during the administration of Bush's father. Now, 11 years later, Bush argued that Hussein was creating weapons of mass destruction and vowed to bring about a regime change. Within Bush's own administration, Secretary of State Colin Powell, inclined to a more restrained foreign policy, fought against Secretary of Defense Donald Rumsfeld and Vice President Dick Cheney, who were eager for an attack. Bush's argument that he could invade Iraq even without the support of Congress aroused a firestorm of protest both in the United States and around the world.

The war in Iraq, fought with British but not United Nations support, began in March 2003. American forces were successful, and just a month and a half later, Bush declared that the major phase of combat operations was over. In December, U.S. soldiers captured Saddam Hussein hiding in a hole in the ground. But even the capture of the Iraqi dictator could not quell increasing opposition to the American occupation, which led to fierce fighting in the months that followed. As the deadline for handing sovereignty over to Iraq in mid-2004 approached, Sunnis, Shiites, and Kurds fought with each other for a share of power, but were united in their opposition to the continuing American presence. Insurgent attacks against American troops and Iraqis in new official positions also continued. Photographs of American abuse of prisoners in the notorious Abu Ghraib prison aroused resentment in the Middle East and among people around the world. By September, 2004, the American death toll in Iraq surpassed 1,000, with another nearly 7,000 wounded, and mounting opposition reflected the sense that the war was spiraling out of control. Though the United States made good on its commitment to turn over authority to an interim Iraqi government, serious, and perhaps intractable, problems remained, as violence in Iraq continued.

*A People and a Nation: A History of the United States, 7<sup>th</sup> Ed.*, Mary Beth Norton, David M. Katzman, David W. Blight, Howard P. Chudacoff, Fredrik Logevall, Beth Bailey, Thomas G. Paterson, and William M. Tuttle, Jr., MA: Houghton Mifflin Company, 2005 [935-936]

#### **PATRIOT Act**

But the new patriotism had a dark side. White House spokesman Ari Fleischer told Americans that they should "watch what they say, watch what they do." Congress passed the USA PATRIOT Act (Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism), making it easier for law enforcement to conduct searches, wiretap telephones, and obtain electronic records on individuals. Attorney General John Ashcroft approved giving FBI agents new powers to monitor the Internet, mosques, and rallies. Civil libertarians charged that the Justice Department had overstepped sensible boundaries, and some judges ruled against the tactics. Yet, according to a June 2002 Gallup poll, 80 percent of Americans were willing to give up some freedoms for security. But polls also showed that Americans did not support restrictions on Muslims. Acts of violence against Muslims and others of Middle Eastern appearance did occur in the aftermath of 9/11, but fewer than many had anticipated and feared.

In other respects, too, early predictions for the post-9/11 era were not borne out. Despite assertions that the attacks had "forever changed America," the nature and extent of the changes were unclear. Certainly, Americans' complacency about the nation's physical security was shattered. It could happen here, not just in military or diplomatic installations overseas. U.S. military superiority might be overwhelming, but the nation was still vulnerable to attacks from people willing to die for their cause.

These were sobering realizations for Americans. In surveys weeks after the attacks, 71 percent of respondents said they felt depressed, and a third said they had trouble sleeping. The figures dropped thereafter, but anxiety remained. The discovery of anthrax-laden letters in several East Coast cities heightened the fears, particularly after post offices and government buildings were closed and five people died. Investigators found no evidence to connect the letters to the 9/11 hijackings, but also no good clues as to who the perpetrator might be, despite conducting more than 5,000 interviews and pursuing hundreds of leads.

Yet continuity was as evident as change. People continued shopping in malls, visiting amusement parks, purchasing cars and homes. Employees still showed up for work, even in skyscrapers, and still gossiped around the lunch table. Though airline bookings dropped significantly in the early weeks (causing severe economic problems for many airlines), people still took to the skies. Some even complained about the new security measures at airports. In Washington, the partisanship that had all but disappeared after 9/11 returned, as Democrats and Republicans sparred over judicial appointments, energy policy, and the proposed new Department of Homeland Security. Approved by Congress in November 2002, the department was designed to coordinate intelligence and consolidate defenses against terrorism. Incorporating parts of eight cabinet departments and twenty-two agencies, it was the first new department since the Department of Veterans Affairs in 1989.