



January 10, 2010

Letter from Washington

Finally someone in Washington has "connected the dots", and happily it appears to have been the President of the United States.

Just when President Obama was looking to return to town after his Hawaii family Christmas vacation, and focus exclusively on driving his healthcare initiative to a conclusion, attention has been diverted dramatically by the attempted al-Qaeda downing of a US airliner over Detroit.

The Nigerian "crotch bomber" had so many basic and elementary warning flags attached to him that it seems amazing that he was allowed to fly. Really, if the security apparatus could not identify him, whom could they ever hope to identify?

After several days of fumbling the management of the event, the President himself stepped in and took charge of what had become a crisis, demanding a short turn-around assessment of the failures that occurred. He seemed genuinely shocked that 8 years plus after 9/11 that the bureaucratic organizational changes enacted have resulted in more bureaucracy rather than greater security. The initial reports indicate that the counterterrorism centers, designed to cut across bureaucratic boundaries and integrate intelligence, actually had all of the pertinent information but failed to recognize the threat.

The problem seems to be twofold:

- First, the intelligence community has become increasingly risk averse, partly due to the changing culture of the various intelligence agencies, but also partly due to the willingness of the administration and Congress to criminalize operational behavior and to prosecute its agents.
- Second, since no one in the chain wants to be responsible for not passing along some data that might later prove to be important, every bit of data is sent forward for review. The system is drowning in information, but still lacks the ability to pick the useful intelligence out of all the data. This is not a new problem.

The near miss over Detroit seems to have been a classic wake up call for President Obama, and he has apparently held school on his homeland security team in a forceful way. The coolly analytical “no-drama Obama” seems to have been aroused in a way that might actually lead to the replacement of some members of the team.

Perhaps the President’s view of terrorism as a law enforcement issue rather than as a prolonged military engagement may be shifting. Not, however, before the Christmas Day al-Qaeda agent was read his rights and provided with a public defender, promptly causing him to stop talking to the FBI and ensuring that any useful information he might have had will be useless when eventually divulged in court years from now.

The administration has taken an inconsistent view of the disposition of the Guantanamo cases, referring some to military tribunals, yet bringing other prominent detainees into the federal court system, affording them all of the rights of US citizens, as well as the public forum.

There does seem to be a slow realization however, that some of the people being held are just too dangerous to send back home, and their situation does not fit any legal model. Indefinite detention goes against the fundamental tenets of English common law and American justice, but the reality of dealing with the situation as President is quite different from campaigning against it as a candidate.

The Democratic leadership is in a hurry to get the key items of their agenda enacted as quickly as possible. Health care will be passed before the President’s State of the Union address at the end of January, and will shortly be followed by the cap and trade effort. Health care reform and cap and trade are unpopular and opposed by a majority of the voting public. 60 Democratic members of the House represent districts that were carried by McCain in 2008 and have conservative constituencies. Those members are increasingly feeling that they are being forced to walk the plank for the President, who will not have to face the voters for two more years. The members have been called on to support the party in votes on the stimulus package, the auto bailout, and other controversial issues, and will be held accountable in November 2010. Whether enough of them bail on the leadership to make a difference to the outcome remains to be seen.

The 2010 Congressional elections will turn largely on pocket book issues, as they always do. Obama had hoped to be able to focus on the nagging high unemployment rate (10.5% nationally, with some affected areas over 20%), but the real world keeps intruding. Undoubtedly he will have to be heavily involved in the horse-trading that will be taking place to reconcile the House and Senate health reform bills, taking him farther away from where he wants to be.

The President's focus on economic issues takes in more territory than just the unemployment situation. His programs for underwater homeowners have had little benefit, and the housing market remains very weak. Financial regulation reform has lost momentum in the Senate, and at the moment when his economic advisors are pushing for another stimulus package to prevent a "double-dip" recession, inflation fears are pushing the Fed toward tightening monetary supplies, while the size of the deficit has resulted in calls for restraint on new spending. At this point, the current administration does not have a lot of economic success to point to, and can no longer shift the blame to the previous.

Adding to the woes of the conservative-district Democrats is the basic unpleasant reality of the Afghanistan surge. First, most of the Democrats are philosophically opposed to their President over the conduct of the war. Second, the cost of the surge will ultimately need to be factored into defense spending and into the overall federal budget deficit.

Whatever the cost of deploying the additional troops and supporting them in theater, that money will not likely be appropriated solely in supplemental bills as was the practice during the Bush years. While some funding may come in the form of supplemental spending, the majority of it will come from acquisition accounts in the form of program cancellations, reduced numbers of systems, and program stretch outs. So the conservative district Democrats are caught in a double bind --- not only are they having to cast a vote that goes against their political consciences, the long term effects of that vote will likely be damaging to the defense industrial base in their districts. This past week two senior Democrats in the Senate have declared their intention to retire rather than to run again. While their reasoning did not necessarily involve the President's agenda, their departure will make the Democrats' hold on the majority that much more difficult.

Politics has always been about the exercise of power and compromise. It seems though that we have reached a stage in US politics where maintaining power has become paramount, and compromise a sign of weakness. In previous years, politicians could come together in the face of a threat and forge a bipartisan way forward, which appears to be an anachronistic concept in 2010. We have devolved to a situation in which the minority party sees no advantage in going along with majority to reach a common solution, and in fact has been incentivized to obstruct and do everything possible to cause the majority to fail.

There is a growing sentiment in the country that the process of government is broken, and that no one currently involved is capable of fixing it. Congressional approval ratings are at all-time lows, mainly because of the hyper-partisan gridlock that continues to render the legislative branch incapable of addressing the most pressing issues.

Anger with this situation has been captured in the "tea party" populist movement, which thus far does not have a coherent strategy or goal, other than expressing that anger. The tea party movement sprang up in response to what the members saw as profligate deficit spending in the first stimulus package, the car bailout, etc. At this point, the Democrat leaders have scoffed at the movement, which has been made easy because of the strange assortment of libertarians, neo-Nazis and others on the fringes. The tea party movement does not have a recognizable leader around which it can coalesce, but it is only a matter of time before an articulate spokesman with national stature comes forward to take charge.

In US politics, populist movements built around single issues generally have a short life. In the run up to 2010, a grass roots movement of disaffected citizens, believing that their government has gone out of control and lacks accountability, could form a potent third party for 2010 and the 2012 presidential election.