

# **A Citizens' Critique:** **The 9/11 Commission Process**

*9/11 CitizensWatch*

**P.O. Box 772**  
**Washington, DC 20044**  
**[citizenswatch@starpower.net](mailto:citizenswatch@starpower.net)**  
**[www.911citizenswatch.org](http://www.911citizenswatch.org)**

**A Citizens' Critique**

**Commission weaknesses:**

**Families and public push for an investigation**  
**Comparison to earlier investigations**  
**The Joint Inquiry and “intelligence failure”**  
**PL 107-306 – The Commission Legislation**  
**Obstacles, limited time and funding**  
**Obstruction from White House and executive agencies**  
**Conflicts of interest:**  
**Chairman Thomas Kean**  
**Vice Chairman Lee Hamilton**  
**Commissioner Richard Ben-Veniste**  
**Commissioner Jamie Gorelick**  
**Commissioner James R. Thompson**  
**Commissioner Fred F. Fielding**  
**Executive Director, Phillip Zelikow**  
**Senior Counsel, Dietrich Snell**

**Flawed premises:**

**Procedures:**

**Presidential testimony**  
**Lack of transparency**  
**Public hearings and alternate witnesses**  
**Lack of accountability**  
**Bush administration secrecy**  
**Evidence destroyed, concealed**  
**Release of evidence**

**Credibility and public acceptance:**

**Congressional oversight**  
**Assumptions and conclusions**  
**Investigative teams**  
**Unasked and unanswered questions**

**Omissions and Contradictions:**

**Historical context**  
**Afghanistan, Carter and Brezezinski**  
**The Roots of Al-Qaeda**  
**Suspects and plot**

## **Foreknowledge and Forewarnings**

**“Intelligence failure” or breach of procedure?:**

**John O’Neill**

**Planes as weapons threat and White House response, caught unawares?**

**NORAD/FAA Response**

**PNAC and New Pearl Harbor**

**Strategy of tension**

**Anthrax attacks**

**Commission policy recommendations:**

**Centralization of intelligence functions, White House “czar”**

**Foreign and Domestic Policy**

**Conclusions:**

**APPENDICES (with author’s permission):**

**A - Daniel Alcorn, Esq., on secrecy: Why Not Consider Living Up to Our Principles?**

**B - Peter Dale Scott, Ph.D. FBI: 9/11 Commission Misses FBI's Embarrassing Al Qaeda Dealings**

**C - Len Bracken on strategy of tension: Notes On The Strategy of Tension**

**D – Kyle Hence on insider trading: Making a Killing: A Glimpse of Globalization's Shadow Financial Network and its Defenders**

**Acknowledgements:** We want to acknowledge the research, work and assistance we have drawn on and received from researchers John Judge, Kyle Hence, William Kelly, Nafeez Amed, Khalid Rosenbaum, Peter Dale Scott, Len Bracken, Paul Thompson, David Ratcliffe, Wayne Madsen, Ralph Schoenmann, Mike Ruppert, Michael Kane, and the larger body of work of many independents who make up the broader 9/11 Truth movement.

## **A Citizens' Critique**

In the wake of the attacks of September 11th, 2001, independent researchers, former military and intelligence officers, families of victims, certain members of Congress and other citizens began to address the unanswered questions about the events. Who? Why? How?

We live simultaneously in an Information Age and an Age of Secrecy. The same technology that can invade our privacy, spread propaganda and create surveillance from outer space is also freeing the flow of information and adding to democratic communication. The Internet has become a source of almost instant alternative views and conflicting data following any major event. Cell phones have put us in touch with each other in the most harrowing situations and made witnesses and participants of all of us.

Researchers using the internet formed networks, shared articles and information from around the world, discovered original research and published materials on a range of related topics, and created an interactive site that led to an exhaustive timeline of the history and events surrounding 9/11 (see: [www.cooperativeresearch.org](http://www.cooperativeresearch.org)).

### **Commission weaknesses:**

#### **Families and public push for an investigation**

Families of victims and others began to call for an independent investigation by a special Presidential Commission or by Congress, but the Bush administration resisted it for over a year, citing the need to put all available resources and attention into the "war on terror". Citizens groups and victims called for answers. The families pressed the White House vigorously until they finally conceded to a bi-partisan Congressional panel, with a chairman chosen by the President. Thus, it was primarily because of the families of the victims of 9/11 that any effort was made to investigate the attacks. The administration and the various federal and military agencies involved failed to initiate the most basic sorts of inquiries or disciplinary actions. This long delay hurt the investigation, allowing critical evidence to be destroyed and witnesses and leads to be lost.

#### **Comparison to earlier investigations**

"On the one hand, victims of the violence demand to know the details of the deaths of their loved ones, and society at large demands "the truth," on the theory that knowledge will contribute to accountability, and future violence will be prevented. On the other hand, there are those who wish to keep such secrets in their Pandora's Box. A commission is usually established as a compromise between secrecy and openness."

(9/11 Panel: America's Truth Commission, Commentary, Amy Ross, Pacific News Service, Apr 06, 2004)

Investigations into past disasters and attacks such as Pearl Harbor, the Titanic, the assassination of President Kennedy and the Shuttle Challenger explosion were

established in less than 10 days, with sufficient budgets and time periods. After 411 days, a *National Commission on Terrorist Attacks Upon the United States* was formed by legislation that both limited its lifetime and sorely under-funded it. Initial funding for the Commission of \$3 million had to be boosted to \$12 million, but it was still inadequate to the task. Subsequent legislation extended both time and funding, but many areas of concern have yet to be addressed when the Commission ends its mandate at the end of July.

*Pearl Harbor Inquiries* – Nine separate investigations followed between 1941-1946, the earliest hampered by the requirements to preserve wartime secrecy. The first inquiry was led by Supreme Court Justice Owen Roberts, which found, in a report published only 47 days after the attack, that Pacific Fleet commander Adm. Husband E. Kimmel and Army Lt. Gen. Walter C. Short were unprepared, despite a warning from Chief of Naval Operations Adm. Harold R. Stark of rumors of a Japanese plan to make a surprise attack on Pearl Harbor. The Roberts Commission accused both Kimmel and Short of dereliction of duty, but court martial proceedings were put off and both officers retired from active duty.

After the war, the Democratic controlled Congress named a bipartisan “Joint Committee on the Investigation of the Pearl Harbor Attack,” and Truman ordered all government agencies to fully cooperate, with public hearings were held in November 1945. Their report was not unanimous. The majority concluded, “The commanders in Hawaii were clearly and unmistakably warned of war with Japan. They were given orders and possessed information that the entire Pacific area was fraught with danger. They failed to carry out these orders and to discharge their basic and ultimate responsibilities.”

The President’s Commission on the Assassination of President Kennedy, also known as the Warren Commission after Supreme Court Chief Justice Earl Warren, was conducted primarily behind closed doors, blamed the murder on a lone assassin, failed to identify those actually responsible, and issued a report that is rejected by 80% of the American people.

Additional official inquiries by the Church Intelligence Committee and the House Select Committee on Assassinations (HSCA) developed additional witnesses, documents and evidence of conspiracy, and issued reports, but then locked most of their records away at the National Archives and Records Administration (NARA). This continued and increased the American public’s distrust of government, a trend that began with the November, 1963 assassination of President Kennedy.

In an attempt to reverse this trend and re-establish the public’s faith and trust in government, the JFK Assassinations Records Act of 1992 was passed, establishing the temporary Assassinations Records Review Board (ARRB) and the JFK Assassinations Records Collection at the NARA, opening most of the government’s records on the assassination to the public.

*Unlike Pearl Harbor and the Kennedy Assassination, both of which were followed quickly by official investigations and reports, the events of September 11th 2001 and the government's response to those events were not officially independently investigated until the House-Senate Joint Inquiry report was published in December 2002, and the Congress voted to establish the bipartisan 9-11 Commission on July 25, 2002.*  
(The 9/11 Investigations –Public Affairs Reports, NY, 2004)

The investigation into the deaths of 9 astronauts on the space Shuttle Challenger was funded at a level of \$55 million dollars and lasted for a longer period than the 9/11 Commission study into over 3,000 deaths.

Unlike South Africa's post-apartheid Truth and Reconciliation Commission and similar efforts to address crimes against humanity in Chile, El Salvador, Guatemala, the 9/11 Commission is not happening as a result of a regime change

### **The Joint Inquiry and “intelligence failure”**

A Joint Inquiry by the Senate and House Intelligence Committees had a limited focus on “intelligence failures” in relation to 9/11. The report released to the 9/11 families lacked an “errata” that laid out their recommendations. Many of these recommendations were clearly adopted by the 9/11 Commission in its work.

The report was also kept secret from December 20, 2002 while the White House edited and redacted it for public release in June 2003. Senator Max Cleland noted that the delayed timing of the release until after the incursion into Iraq may have related to the report's conclusions about faulty intelligence assessments about Iraq, which might have challenged the administration's stated reasons for going into the war.

Co-Chairman Senator Bob Graham noted that “The administration has returned to us a version of our final report which strips out in their entirety two key sections and all but eliminates a third key section. There has been less redaction of the balance of the report, but it is my feeling that still more of the report could be made available to the American people.” (Graham's *Statement on 9/11 Report*, May 30, 2003). One section was missing 28 pages, concerning the role of “foreign countries” in the attacks. Senator Bob Graham hinted that Saudi Arabia was one of those mentioned, although the 9/11 Commission recently denied any Saudi involvement in the plot.

The brief and largely unsubstantiated case made in the Joint Inquiry Report concerning Osama bin Laden's involvement in events ranging from the bombing of the World Trade Center in 1993 to the attacks of September 11th marked an ongoing failure to clearly identify the source of the crimes carried out that day. CIA Director Tenet testified that “there is a common thread” that links the attacks, through Khalid Sheikh Mohammed, who has yet to be prosecuted. (Joint Inquiry Report, December 2002, pp.128-130). A “white paper” promised early on by Colin Powell to provide similar proof of guilt never

materialized. And the portion of the Joint Inquiry report that suggests the involvement of other countries is still classified. This lack of compelling evidence reduced President Bush's call for a "Wanted Dead or Alive" response to little more than posse justice, allowing execution without a trial.

The families of the victims who died in the planes, streets and buildings that day continued to demand to know who was responsible for the plot and who was accountable for the failure to prevent it. Citizens began to compile information and data, critically examine the official story, and communicate the results of their independent research. Accounts in the international press and academic books and journals were markedly different than those in the mainstream American press. In the face of increasing silence and secrecy on the part of the government and opposition to any official public investigation, concerned citizens and aggrieved families began to clamor for an independent review of the facts and an assessment of how the plot succeeded. A relatively small group of determined family victims gained Congressional support, demanded an audience at the White House and forced the issue.

#### **PL 107-306 – The Commission Legislation**

In response to the public pressure, and against the wishes of the Bush administration, Congress set up a national commission under Public Law 107-306, the Intelligence Authorization Act for FY 2003 dated November 27, 2002. Appointment of its members was required by December 15, 2002, but the work of the full Commission and staff did not begin until many months later when secure office space and security clearances were completed.

The Commission on Terrorist Acts Upon the United States was given a broad mandate, to assess the nature and source of terrorist attacks on the US, including but not limited to September 11th, 2001, and to base national policy and response recommendations on their findings. The law states in Section 602 that "purpose(s) of the Commission are to – (1) examine and report upon the facts and causes relating to the terrorist attacks of September 11th, 2001, occurring at the World Trade Center in New York, New York, in Somerset County, Pennsylvania, and at the Pentagon in Virginia." But also notes that the Commission should "(3) build upon the investigations of other... (B) executive branch, congressional, or independent commission investigations into the terrorist attacks of September 11th, 2001, other terrorist attacks, and terrorism generally."

The Commission was also tasked to "Sec. 601(B)(4) make a full and complete accounting of the circumstances surrounding the attacks, and the extent of the United States' preparedness for, and immediate response to, the attacks" and to "investigate and report to the President and Congress on its findings, conclusions and recommendations for corrective measures that can be taken to prevent acts of terrorism." The commission chairman, Governor Kean stated publicly at their first hearing that they intended to "leave no stone unturned" and to "go wherever the truth takes us." At the same time the commissioners reiterated their intention to avoid "naming names" or "pointing fingers"

of blame at anyone responsible for “failures” in security procedures. They did not want to conduct a “witch hunt.”

However, the victims’ families and citizen groups were urging organizational and individual accountability and policies that would not reward that failure. Some families foreswore a compensation fund that prohibited them from bringing civil damage suits against agencies or individuals, and instead initiated suits against Saudi Arabia, the airlines and the Bush administration.

### **Obstacles, limited time and funding**

As the Commission approached its initial deadline of May 27, 2003 it was clear they would not complete a thorough investigation. The Commission requested an extension until January 2005, which was opposed by Senator Daschle, hoping that a report would be out before the election, just as the earlier Warren Report was rushed to release before the 1964 election. Families pushed for an extension of time, calling on Congress to intervene. They gave the following reasons:

*“1. The commission canceled vital public hearings, “which serve to restore confidence in a government that was made to look weak and inadequate by the events of 9/11.”*

*2. The commission needs to release a fully classified Final Report – the production which requires more time and preparation...In short, an unclassified Final Report will be watered down, benign, and secretive. In order for the American people to ‘know what they don’t know’ – know what is being kept a secret – we must be able to see the visible blackened redactions that can only be made on a classified Final Report. Anyone questioning the power in such visible redactions need only recall the 28 blank pages regarding foreign government sponsorship of terrorism in the Joint Inquiry’s Final Report released last summer.”*

*3. The issue of the PDBs.*

*4. The commission is turning away valuable, vital, relevant information regarding 9/11 because of time constraints. With all the whistleblowers coming forward, they need more than two months to fully investigate these claims.”*

*5. An extension of 2 months places this commission in the middle of politics. To do that is an insult to the dead.”*

(Family Steering Committee Statement Regarding Their Request For An Extension to January 2005 – Jan. 29, 2004).

Congress compromised and set a new deadline for July 26, adding only two months time.

### **Obstruction from White House and executive agencies**

Even after the inception of the Commission, the White House and several key government agencies continued to obstruct access of the Commission members to relevant documents and testimony from past investigations and operations prior to 9/11. Commission Tim Roemer complained that the Commission was not being given access to classified and redacted portions of the Joint Inquiry report and their collected evidence,



including transcripts of hearings he had attended. The Commission chairs complained about “foot-dragging” by the administration and other agencies. Eventually subpoenas were issued for documents to three agencies, and they reportedly complied.

The Commission had to use subpoena power to get complete access to NORAD, DOJ, NSA, Pentagon and FAA documents, as well as New York City records. One special area of contention centered on access to the August 6, 2001 Presidential Daily Briefings (PDB). The White House was not willing to reveal these extensively classified documents to the Commission. Finally, a compromise was reached, with certain members of the Commission selected to see the whole record and to take notes to present to other members, after White House vetting. A portion of the highly classified briefing was finally released to the public, titled “Osama bin Laden Determined to Attack in the US”. Earlier public statements by White House officials relating to the report had omitted the word “in”.

These obstructions created additional delays in an already tight schedule for the Commission. Max Cleland noted “It’s obvious that the White House wants to run out the clock here...we’re still in negotiations with some assistant White House counsel about getting these documents – it’s disgusting.” (NEW YORK TIMES 10/26/03)

Compromises with executive agencies and White House

"A majority of the commission has agreed to a bad deal," invoking the sorry history of the Warren Commission. "It is a national scandal... the Warren Commission blew it. I'm not going to be part of that. I'm not going to be part of looking at information only partially. I'm not going to be part of just coming to quick conclusions. I'm not going to be part of political pressure to do this or not do that..." (Commissioner Max Cleland quoted in New York Times 10/26/03)

At critical junctures, the Commission failed to use its legitimate powers, favoring an approach of negotiation and bargaining that struck the families and watchdog groups as compromising their independence and their work. The White House required that decisions to subpoena documents be decided by 6 votes, for instance, and that all requests for executive agency documents be requested through the Justice Department. Commissioner Cleland also complained that the counselor to the Attorney General assigned as the liaison was functioning as a “gatekeeper” and “cherry-picking” documents. (“White House Hurdles Delay,” Scot Paltrow, WALL STREET JOURNAL, 7/8/03). Rep. Charles Schumer sent letters to Inspector Generals at DOJ and the Pentagon complaining that they were “overdue in producing records” from NORAD, JCS, CIA, and the Department of Homeland Security who have been “slow in producing documents” which could only adversely affect the investigation. (Press release from Schumer’s office 7/9/03).

These issues arose from the earliest public hearings where sworn testimony from officials was not required, to a final report that was censored in advance to meet White House

criteria. Many executive agencies refused or delayed in turning over sensitive documents. Although they had the power to subpoena documents, it was used sparingly.

In addition, key administration witnesses sought by the Commission, including President Bush and Vice President Cheney resisted testifying in private and in public. 9/11 CitizensWatch joined the families in calling for current and former administration leaders, as well as National Security Director Condoleezza Rice, to testify under oath and in public. Rice did so, on the condition that the Commission could not ask any other cabinet-level official to appear, and the Commission acceded.

Not a single executive branch official or federal agency employee was issued a subpoena to testify, though several resisted. After long periods of foot-dragging the agencies reportedly complied, but only after public exposure and commentary. Commission reluctance to hold individuals responsible for their perceived failures meant that key testimony was never required and that needed reforms or restructuring, discipline or demotion still remain unaddressed.

The Commission accepted a deal to radically limit their access to the White House documents detailing just what high-level administration officials knew in advance of the attacks. The Presidential Daily Briefings or PDBs included "BIN LADEN DETERMINED TO STRIKE IN U.S." (dated Aug. 6, 2001) and warned of imminent hijackings. The only two delegates of the Commission were to be allowed to see pre-edited versions of these documents: Executive Director Philip and Commissioner Jamie Gorelick. The other commissioners would have to rely on Zelikow and Gorelick, report back to them, based on their notes, which the White House would also be allowed to redact. Commissioners Max Cleland and Tim Roemer both objected to the deal.

Eventually, a second compromise was worked out, letting additional Commission members see other selected PDBs from earlier months. Thomas Blanton of the National Security Archive argued that PDB's are not as sensitive as claimed and that several have been released publicly from President Johnson's term in office. (Slate, MSN.com 3/22/04).

Hoping to meet a recently extended deadline of July 26, Commissioner Kean revealed that draft chapters of the report were being sent in advance to the White House for vetting, and were carefully crafted to avoid raising security and classification concerns. In addition a great deal of effort was made to get a bipartisan consensus on the conclusions and recommendations of the report. This effectively made the White House into co-authors of the report, and will conceal the extent to which portions and topics of a truly independent report would have been censored. Unlike the Joint Inquiry report, there will be no gaps or holes in the Commission's report, nor the hint that anything remains to be revealed.

### **Conflicts of interest**

The legislation that created the 9/11 Commission attempted to avoid partisan conflicts by balancing party affiliations, and to avoid political appointments by requiring that no appointed member could be “an employee of the Federal Government or any State or local government.” (PL 107-306, Sec. 603(b)(2)).

However, another requirement for appointment may have led to perceived conflicts of interest for the members by requiring that they have “significant depth of experience in such professions as governmental service, law enforcement, the armed services, law, public administration, intelligence gathering, commerce (including aviation matters), and foreign affairs.” (PL 107-306, Sec. 603(b)(3)).

Since its inception in the late 1940’s, America’s huge intelligence structure, shrouded in secrecy and classification, has required that those investigating its operations have been part of that network or meet its security vetting criteria. This contradiction, more than issues of partisanship, had the potential to both blind the Commission in its premises and prevent a thorough investigation.

In the modern era, the National Security State claims that it cannot be independently and publicly investigated without compromising its reason to exist, purported national security. The conundrum it creates is that only those with extensive experience inside that military-intelligence-security-law enforcement complex will be given the security clearances necessary to examine it. This creates an automatic potential conflict of interest and diminishes public trust in the authenticity and outcome of the probe.

The first two people appointed to chair the Commission refused the job. It was apparently a chair no one wanted to sit in. Bush’s choice for chairman, Henry Kissinger, met with controversy due to his past role in covert operations and public distrust. Hours after he assured a delegation representing the families of the victims of 9/11 that he would disclose all of his business contacts, Kissinger resigned from the commission, rather than be forced to reveal potential conflicts that might arise from the still undisclosed clients who use his public relations firm. (Pacifica News Service 4/6/04). These undisclosed clients obviously include some of the most powerful global financial and political institutions. At one point Kissinger & Associates members were considering a merger with the infamous Bank for Credit & Commerce International (BCCI), which was deeply involved in the covert funding of both the Afghan resistance and Conragate (Congressional Report, December 1992, Senate Committee on Foreign Relations, Kerry-Brown).

Senator George Mitchell also resigned as vice-chairman after appointment by Congress, citing conflicts with his own law firm. Former New Jersey Governor Tom Keane and former Representative Lee Hamilton from Indiana eventually replaced these two.

Commissioner and former Senator Max Cleland made many statements about his belief that White House obstructions and the Commission process would fail to find the truth

about the events of September 11th. He left predicting a flawed report and a cover-up. He stepped down shortly after being appointed by President Bush to head the Export Import Bank, though it is not clear whether he would have been required to (Washington Times, 11/23/03, <http://www.scoop.co.nz/mason/stories/HL0312/500006.htm>). Despite calls to replace him with a victim family member, Senator Daschle chose former Senator Bob Kerry.

In addition to this, key members appointed to the Commission and the staff they appointed had severe conflicts of interest in relation to the investigation. Commissioner Jamie Gorelick and executive director Philip Zelikow had to recuse themselves to appear as witnesses before the Commission regarding their earlier roles in the events leading up to September 11th. Governor Kean, responding to demands from the families and the public that Zelikow resign due to conflicts, stated that "We are aware of these conflicts and Mr. Zelikow has recused himself at points during our investigation, as all of us will have to recuse ourselves at some point," thereby conceding that every member of the Commission was sufficiently conflicted to require recusals (Statement to press and families at Second Interim Report).

Family members also complained that many members had ties to the airline industry. Many had ties to the national security state. Some of the staff appointed to investigate intelligence agencies came out of those agencies themselves.

This is a review of some of the most troubling potential conflicts of interest among the Commission members and staff:

### **Chairman Thomas Kean**

Served on the board of Delta Hess, a merger of Delta Oil and Amerada Hess  
Serves on the board of the National Endowment for Democracy, which has served as a cover to the Central Intelligence Agency's covert operations abroad.

*Allen Weinstein, who helped draft the legislation establishing NED, was quite candid when he said in 1991: "A lot of what we do today was done covertly 25 years ago by the CIA." In effect, the CIA has been laundering money through NED...From 1994 to 1996, NED awarded 15 grants, totaling more than \$2,500,000, to the American Institute for Free Labor Development, an organization used by the CIA for decades to subvert progressive labor unions...NED successfully manipulated elections in Nicaragua in 1990 and Mongolia in 1996 and helped to overthrow democratically elected governments in Bulgaria in 1990 and Albania in 1991 and 1992. In Haiti in the late 1990s, NED was busy working on behalf of right wing groups who were united in their opposition to former president Jean-Bertrand Aristide and his progressive ideology. NED has made its weight felt in the electoral-political process in numerous other countries... The Endowment played an important role in the Iran-Contra affair of the 1980s, funding key components of Oliver North's shadowy "Project Democracy" network, which privatized US foreign policy, waged war, and ran arms and drugs. (Excerpted from Rogue State, "Trojan*

Horse: The NED”, William Blum, Common Courage Press, 2000).

*NED took over the CIA’s role in engineering the control of foreign governments worldwide, but most noticeably in Yugoslavia, Haiti, Nicaragua and Cuba. The NED financed, at \$250,000.00, the Cuban-American National Foundation (CANF), which in turn financed Luis Posada Carriles, “one of the most prolific and pitiless terrorists of modern times,” responsible for blowing up a Cuban airliner (73 people killed) and more recently, the 1997 bombing of Havana hotels. (<http://www.zmag.org/Zmag/articles/oct01berkowitz.htm>); Covert Action Information Bulletin (CAIB) #33 – Intervention in the Nicaraguan Election, by William Robinson and David MacMichael – p. 32-33; CAIB #34 “Nicaraguan ‘Electoral Coup,” p. 31-36; CAIB #39 “NED, CIA, & the Orwellian Democracy Project” by Holly Sklar and Chip Berlet, p.10-13, New York Times, 7/13/98; “Trojan Horse” <http://members.aol.com/superogue/ned.htm>).*

Not mentioned on Kean’s official Commission biography was his role as director of Amerada Hess Corporation, which in 1998 formed joint venture Delta-Hess, with Delta Oil, in part owned by Khalid bin Mahfouz. Mahfouz inherited a controlling interest in the National Commercial Bank of Saudi Arabia, the country’s largest bank, and was a director with 20% interest in BCCI, the now defunct financial conglomerate involved in money laundering, bribery, support of terrorism, arms trafficking and other crimes. Mahfouz paid \$225 million to escape prosecution for his role in the BCCI scandal. Mahfouz also inherited the assets of the Saudi bin Laden group when Salem bin Laden died in a 1988 plane crash. These included an interest in Arbusto Energy, a Houston, Texas oil company founded by George W. Bush. Bin Mahfouz’s interests were managed in part by James R. Bath, a close friend of Bush, who served in the Texas ANG with him. Bath’s name was inexplicably redacted in Bush’s Air National Guard military medical reports. (<http://www.worldhistory.com/wiki/K/Khalid-bin-Mahfuz.htm>).

One critical conflict arises in the 1998 Senate testimony of then CIA director R. James Woolsey, Jr., who testified that Mahfouz’s younger sister married Osama bin Laden. Thus, the prime suspect in the 9-11 murders is the brother-in-law of Kean’s business partner. (Senate Judiciary Committee – FNS – Sept. 3, 1998)

#### **Vice Chairman Lee Hamilton**

Lee H. Hamilton had no problem getting a security clearance for his work on the Commission, having served on the House Intelligence Committee, Permanent Select Committee on Intelligence, and the Council on Foreign Relations. He has a track record in leading investigations that have limited the scope of the inquiry and failed to hold accountable key government officials who broke the law. For example, he chaired the Congressional panel that looked into the Iran-Contra scandal, and then-Senator Dick Cheney was Vice Chair. Hamilton explained to PBS Frontline that he didn’t a full and open investigation into Contragate would be “good for the country.”

#### **Commissioner Richard Ben-Veniste**

Works at the international law firm of Mayer, Brown, Rowe & Maw, is a former New

York prosecutor and was chief of the Watergate Task Force of the Watergate Special Prosecutor's Office (1973-75). Watergate was another massive scandal that was never fully investigated or revealed. He was also chief counsel of the Senate Whitewater Committee, and served as attorney for CIA-linked and drug smuggler and pilot Barry Seal. (The Washington Monthly – 06/09/97).

**Commissioner Jamie Gorelick**

Serves on the President's Review of Intelligence and the CIA's National Security Advisory Panel. Also served as counsel for the Department of Defense. Jamie S. Gorelick works with the law firm Wilmer, Cutler & Pickering, and is a former Justice Department lawyer. She also works for United Technologies Corporation, a major defense contractor. She sits on the Council on Foreign Relations, and the board of Schlumberger Ltd., a company with a history related to the Bay of Pigs covert operations against Cuba. Her role in support of the division between intelligence and law enforcement, referred to as "The Wall" that allegedly prevented effective intelligence sharing in relation to the terrorist plot, led to yet another unrevealed connection of a Commission member to the events of 9/11, and she was forced to recuse her role to testify to her own Commission.

**Commissioner James R. Thompson**

Works at the law firm Winston & Stawn, which represents General Electric, Philip Morris and American Airlines. He is a former Chicago prosecutor. Families noted the potential conflict with an airline company some were suing for negligence because of the attacks.

**Commissioner Fred F. Fielding**

Served as a counsel to several Presidents, including Nixon prior to his resignation, Reagan and Vice President Bush. He is a member of the Supreme Court of Pennsylvania. He was recently named in a university study as a prime candidate for "Deep Throat" in the Watergate scandal.

**Executive Director, Phillip Zelikow**

Besides having served in the Navy and on the National Security Council, Zelikow is also a member of the President's Foreign Intelligence Advisory Board and was executive director of the Markle Foundation Task Force on National Security in the Information Age. (See: [http://www.markle.org/markle\\_programs/index.php](http://www.markle.org/markle_programs/index.php) and [www.9-11commission.gov](http://www.9-11commission.gov) biographies)

Zelikow is also the director of the Miller Center of Public Affairs at the University of Virginia, which drew up plans to limit free press access at White House briefings out of "respect for the President." The Miller Center has established a reputation for being a repository for Presidential history. Zelikow, and his fellow 9-11 Commission staff consultant, Ernest May, are the co-editors of "The Kennedy Tapes," based on their own transcriptions of Oval Office audio tapes from the Kennedy administration.

Former JFK Presidential Librarian Sheldon Stern compared the transcripts to the original

recordings at the library and questioned the Miller Center's translations, which are supposed to be verbatim and not open to interpretation. Stern said no student or scholar could rely on Zelikow's work. ("What JFK Really Said", Atlantic Monthly, May 2000 – <http://theatlantic.com/issues/2000/05/stern.htm> and a March 15, 2004 follow-up <http://hnn.us/articles/3934.html>).

Only Zelikow and Commissioner Gorelick were permitted to read the full Presidential Daily Briefings (PDBs), and summarize them for the other Commissioners. When asked why we should trust Zelikow's summary of the PDBs when we know he botched the JFK Oval Office transcripts, Commissioner Gorelick said that the Chairman and Vice Chair would also read the PDBs, so they weren't depending upon Zelikow's version alone.

In addition, the President and Vice President's testimony before the commission was not recorded or transcribed, with only notes, allowed to be taken by Zelikow.

*What really disturbed the Family Steering Commission were the revelations of his role on the Bush-Chaney Transition Team, to establish their National Security Council, which was not mentioned in his Commission biography. He sat in on warnings about imminent terrorist attacks from Clinton's National Security Director Sandy Berger as well as the incoming White House advisor on terrorism, Richard Clark in the months before 9/11, which went seemingly unheeded by Rice and the President. These contacts forced him to become a witness before the 9/11 Commission inquiry.*

*Zelikow's association with the President's National Security Advisor Condoleezza Rice, with whom he wrote a book ("Germany Unified and Europe Transformed.") was an additional concern. But public calls for his resignation because of these blatant conflicts of interest went unheeded.*

### **Senior Counsel, Dietrich Snell**

*"When Dietrich Snell first felt his office shake on the morning of Sept. 11, 2001 — the reverberations from the first jetliner crashing into the World Trade Center down the street — he ran into the office of his boss, the attorney general of New York, Eliot L. Spitzer. Mr. Snell, who was a federal prosecutor in the 1993 World Trade Center bombing case, had a feeling that this was no accident. Gazing through the windows at the burning tower, Mr. Snell told his co-workers, Mr. Spitzer said, that one of the defendants convicted in a terrorism case had warned as he was being led away: 'We're going to get them. We're going to get them.'" (Terrorist told of plan to crash into CIA's HQ, Greg B. Smith, NY Daily News, 9/25/01, 9/11 Commission Staff List).*

The rest of the staff of the Commission follows a similar pattern of potential conflicts. Half of the people hired have ties to Navy service or intelligence agencies. Many have ties to Wilmer, Cutler and Pickering, Jamie Gorelick's firm. This underscores the paradox that only those already inside the system are qualified to investigate it.

### **Flawed premises**

At their first public hearing, Commission members heard dramatic testimony from Mindy Kleinberg, wife of one of the World Trade Center victims, countering the idea that the terrorists responsible for the attacks “got lucky” by listing all the government agencies that had to fail in their procedures simultaneously for the terrorists to succeed. The Commission members were surprised at how detailed the criticism was, since they clearly had only begun to look into the events of September 11th. Commission member Jamie Gorelick stated that the family testimony that day would provide a “road map” for the inquiry.

Despite its broad mandate, the Commission scope was instead guided and limited by its reliance on the congressional intelligence committees’ Joint Inquiry premise of 9/11 as an “intelligence failure”, and on the accepted broad outlines of the “official story” about who sponsored the attacks. Questions seeking to broaden the context to include CIA covert operations in support of bin Laden and the Afghanistan mujehadin fighters were met with replies about false “premises” by vice chairman Lee Hamilton. But the Commission itself created false premises and assumptions that served to misdirect its investigation.

For instance, the international press has provided a completely different view on the perpetrators and events leading up to the attacks. Courts in other countries have brought their own prosecutions against alleged collaborators. The BBC has noted that at least seven of the named suspects were using the ID’s and photos of people still living in Egypt and Saudi Arabia, who came forward to claim their identities. (BBC 9/23/01, CNN 9/28/01, Independent 9/17/01, LAT 9/21/01, among others).

Indian news sources have revealed ongoing ties between bin Laden and Pakistani ISI intelligence officials, including Mouammad Ahmed, who met just before the attacks with then-CIA director George Tenet, Colin Powell and Richard Armitage from the State Department, and Rep. Porter Goss and Bob Graham, heads of the Congressional intelligence oversight committees and later the Joint Inquiry into 9/11. This same ISI official was soon removed from his position for being too close to bin Laden and for transferring \$100,000 to suspect Mohammed Atta in August, 2001. There was no public testimony concerning this important information. (“India Helped FBI Trace ISI Terrorist Links,” Manoj Joshi, Times of India, 10/9/01 and “Our Friends in Pakistan,” James Taranto, Wall Street Journal, 10/10/01).

Perhaps the most important premises that apparently went unchallenged were an acceptance of the conclusions of the FBI and other agencies regarding the perpetrators and sponsors of the crimes and a focus that followed from the Joint Inquiry finding of “intelligence failures” to completely explanation for the events.

Similar reliance by earlier investigations on federal agencies and investigations led to unresearched leads and problematic conclusions. The Warren Commission was just one



case in point, and only the first that failed to satisfy public doubts and suspicions about major historical events. The premises and assumptions that guide any investigation are critical, and for the most part they went unspoken by the Commissioners, but they were evident to the community of researchers and families who had done independent inquiries.

**Procedures:**

The first obstacle to any such inquiry is the focus on secrecy and classification by the national security agencies and executive branch offices that are the subject of the probe. This was reflected in their reluctance to provide access to key documents and information.

"It's absolutely essential that we do it in a way that protects and preserves our capabilities to deal with security in classified information," Cheney told Fox News, regarding the 9/11 Commission (Cheney: "Future attack on U.S. 'almost certain'", CNN, May 20, 2002).

National Security Adviser Condoleezza Rice echoed Cheney's remarks on CNN, saying the intelligence committees should be handling the investigation. "In the context of this ongoing war, it is extremely important to protect the sources and the methods and the information so that we can try and disrupt further attacks," she said ("U.S. picks up 'chatter' suggesting new attack", CNN, May 18, 2002).

For the families and the citizens, both the 9/11 Commission and the White House lacked transparency. Too much of the testimony was taken in private and the direction of the investigation was concealed from the public.

Even public testimony to the Commission was not taken under oath at first, and Governor Kean said the Commission felt people would be "more forthcoming" without the threat of legal sanction for perjury. They began requiring oaths only because of complaints from independent researchers and family members. Though they had subpoena powers for both documents and testimony, they never used the latter.

In the first Commission hearing that addressed the FAA and NORAD responses on September 11<sup>th</sup>, 2001 to the unfolding air emergencies, hijackings and the use of planes as weapons, staff investigators admitted that the unsworn testimony "raised more questions than it answered."

At both hearings concerning this topic and timeline of events, NORAD officials thanked the Commission for "assistance" with their testimony and even for "correcting their timeline." It was as if a court witness thanked a lawyer for coaching and improving his memory of events.

More than a thousand interviews were reportedly conducted by the Commission staff, almost all of them in private and not under oath. We do not know whether most of them were recorded or transcribed for review. Richard Clarke's private testimony lasted sixteen hours and was fully preserved, but Condaleeza Rice's four-hour private session was preserved only with "notes", Can we rely on these notes if they ever become public?

Another disturbing compromise the Commission made was to allow agency "minders" to sit in on the testimony of intelligence agency employees, which would have done little to encourage candor, criticism or whistle blowing. While Kean complained in public about this practice, the Commission never refused to allow it.

The Bush administration's focus on secrecy will do little to encourage public trust in the results of the investigation. Their initial resistance to such an investigation, lack of full cooperation, efforts to limit its scope and work, and obstructing conditions on testimony has led to the appearance that there is something to hide. This has not been alleviated by public statements from the White House that contradict the emerging evidence of forewarnings and foreknowledge of the imminent attacks prior to 9/11, or recently stated Commission findings relating to the source of the attacks and the role of other countries. Administration insistence in vetting individuals, documents, testimony and notes from sessions, as well as the Commission's cooperation in this and the pre-vetting of their own final report leaves the impression that the whole story is not being told. In fact, we will not even be able to know what parts of that story have been censored.

Flawed processes and procedures may set the stage for a flawed result.

**Presidential testimony:**

Former President Clinton and Vice President Gore cooperated with the Commission and were heard in private sessions. President Bush and Vice President Cheney resisted being called to testify, but eventually agreed under strict conditions. These included complete privacy at the White House, no recording or transcript for the historical record, and a pre-selected note-taker whose product would have to be vetted before being released to the Commissioners present. It is doubtful even those notes will ever be released to the public.

Serious questions about the performance and failures of the national command structure on 9/11 required public testimony not only from the executives, but also from their key cabinet members and agency directors. Condaleeza Rice testified in public briefly, but other key figures did not, including General Richard Meyers, Secretary of Defense Donald Rumsfeld, White House Chief of Staff Andrew Card, and General Winfred Montague of the National Military Command Center.

Many other lower ranking federal agency officials who were on duty during the months before the attack and involved in the critical decisions about investigations, communications, alerts relating to the terrorists were not called to testify about what has been called a massive failure of intelligence and security. Without hearing from all these

levels, there is no way to establish the sequence of actions, communications, motives and derelictions along the chain of command that failed to prevent the attacks or respond properly when they came. Nor will it allow us to assign even minimal accountability, suggest disciplinary actions, or change command structures for the future.

### **Lack of transparency**

Researchers and family members attended all public hearings of the 9/11 Commission, and posted to the Commission and a public series of unanswered questions on topics or for individuals testifying. To date, most of them remain unasked and unanswered.

9/11 CitizensWatch approached the newly appointed executive director Philip Zelikow to request that the Commission set up a formal advisory panel that would include survivors, family members and concerned citizen groups. Zelikow pointed out that PL 107-306, their founding legislation exempted them from the federal Families Advisory Act that had forced similar investigations into tragedies and government experimentation to create panels that were inclusive. Some family members were hired on as staff, and were appointed as liaisons to the families, and special briefings were held with Commission chairs and members. However, many of the families and the citizenry felt they were shut out of the process.

The Commission's refusal to include family members of victim's on their panel, to allow their role on a formal advisory panel, and to encourage full public access and participation has also added to dissatisfaction with this process and its likely result.

Invited testimony from public interest groups was even more minimal. The families have approached Congress members to ask that their questions and concerns be an addition to the final report. The Commission did its work in the same relative secrecy as the White House and the intelligence agencies it was tasked to critique.

The Commission formed nine investigative teams. Public access to these teams or their directors was minimal. At one point, 9/11 CitizensWatch was told by one Commission staff that the names of the team managers were not public information. They did not actively seek public input from the research community or concerned citizen groups.

Zelikow also informed 9/11 CitizensWatch that the Commission is exempt from the Freedom of Information Act (FOIA) because they were created by Congress, not the Executive branch. This exemption should not deny requests for access to their records once segregated at the National Archives, but it will not encourage full release even of non-classified materials or internal correspondence. Thus, a Congressional commission, created in the interest of the people themselves, was more invisible to us as the executive agencies that hide behind the limited provisions of the FOIA.

Transparency engenders both accountability and trust, and the Commission may live with a legacy that encourages neither.

### **Public hearings and alternate witnesses**

At their public hearings the Commission members rarely asked hard or probative questions to the various witnesses. There were some notable exceptions from Richard ben-Veniste, Max Cleland, and Jamie Gorelick. Even more rare was any follow-up when the answers were inadequate or contradictions were evident in the testimony. At some point frustrated family members in attendance shouted out questions, clapped at the point a good question was fielded, or stood and walked out together in disgust. The Commission's decision to avoid finger-pointing or blame led to the most important questions never being asked or remaining not fully answered by the testimony.

Numerous whistle-blowers came forward, primarily from the ranks of the FBI with stories about obstruction of investigations and leads as well as mistranslations of intercepted communications. Some of them were interviewed by the Joint Inquiry; but many were not. We do not know how many of them were privately interviewed by the 9/11 Commission. None of them were asked to testify in public. The Commission made no effort to subpoena or give immunity or protection to other potential whistleblowers that we are aware of. Certainly no call was made to encourage them to come forward.

The victim family-led Skyscraper Safety Campaign also forced the creation of a separate inquiry into the collapse of the World Trade Center towers by the National Institute for Standards and Technology, which focused on violations in construction standards and the effects of the fire on the building structure. These issues were never publicly addressed by the Commission. Other families are forcing the EPA and New York City officials to address the toxicity levels in the Ground Zero area that have caused disease and death among the rescue and clean-up workers following the events.

Counter-intuitively, the Commission quickly moved away from the events of September 11th to testimony about domestic and foreign policy, civil liberties, emergency response and other policy topics. They finally returned to the plot and the national response of that day at their final public hearing. Shouldn't the conclusions about what actually happened have guided their recommendations and their choices for witnesses about policies instead? The law creating the Commission tasks them to "build upon the investigations of other entities...by reviewing...other terrorist attacks and terrorism generally," which should have included the anthrax incident (PL 107-306, Sec. 602 (3) and (3)(b)).

At these policy related hearings the Commission called witnesses primarily from the ranks of former intelligence, military or government officials, with very little input from the hundreds of non-governmental policy agencies in Washington which would have brought a broader perspective and allowed citizen input in their recommendations. For instance, at a hearing on civil liberties and security, the ACLU was not invited to testify. Family members and researchers made suggestions for alternative witnesses at their public hearings, but these were ignored by the Commission. Their selection of public witnesses revealed both their premises and their bias. Unless complete records are

released about the hundreds of interviews taken in private, and their public correspondence files, we cannot know if additional suggestions for specific evidentiary witnesses were ignored as well.

### **Lack of accountability**

“We need to understand the role that each of these agencies and cabinet officers played and whether or not they were doing their jobs – and if not find out why.” (Robin Wiener, Families of September 11th quoted in WALL STREET JOURNAL 7/8/03).

Though the Commission was correct in avoiding a “witch-hunt” atmosphere, attempting to assign blame to a wide range of agencies, it was derelict in its reluctance to “naming names” to assign some individual responsibilities or urge agencies to conduct internal investigations and Congress to hold further hearings to hold people accountable whose clear failures to follow standard procedures or establish precautions allowed the attackers to succeed, and to avoid rewarding those failures simply by increasing funding to those agencies without making basic reforms or structural changes that could prevent future attacks.

One example is FAA official Kevin Delaney who willfully and deliberately destroyed the audiotapes of New York air traffic controllers’ reports on their actions on the morning of September 11th, the Commission statement merely mentions that it was done by an unnamed “FAA official.” (“Destruction of FAA Tapes,” Matthew Wald, NEW YORK TIMES, 5/6/04)

This basic principle of establishing accountability and responsibility for public servants is essential to a working democracy. Citizen oversight, budgetary controls, legislative and legal remedies and appeals, procedures for complaints, demotions, terminations and even recall are part of the democratic tradition. Unless people and agencies are held accountable for their actions and inactions, they have no incentive to change and no cause to put the public interest first. All government employees and executives serve at the behest of the people, and it is a sacred trust.

To date, the basic inquiries into lines of duty, administrative responsibility, organizational restructuring, disciplinary actions, courts of inquiry, performance review, legal actions, or even courts martial have not been visibly activated concerning the officials directly responsible for the prevention of such attacks and the safety and security of the country. This is even more disturbing when it includes the ranks of the military and the Pentagon officials tasked directly with defending the country, and certainly their own headquarters that day.

Accountability is not irrational blame or the search for a scapegoat, it should be a regular and open process of evaluation, reassessment and change. Understandably the primary accountability for the attacks has to rest on those who perpetrated them, but there is an additional accountability that must be considered and investigated on the part of the

broad range of agencies and executives who failed, despite numerous warnings and preparations against such threats failed to perform in ways consistent with their effective responses in the past and their standard emergency procedures.

Only a handful of officials and administrators have had the decency to date to acknowledge their accountability or to apologize for their shortcomings or failures to the 9/11 families and the public at large. The more common claim of complete surprise in the face of the attack from those tasked with and capable of anticipating it leaves the public feeling less secure than in the hands of those who admit their failures and move to address them.

The course taken by the Commission in avoiding hard questioning or holding officials directly accountable did little to encourage either an honest response or to shed light on the critical information necessary for public understanding and the will to change.

### **Bush administration secrecy**

As noted above, an obsession with secrecy has marked the relationship between the White House and the Commission, and even more so in relation to the public. There was already a massive bureaucracy of classification and secrecy prior to 9/11, making every effort to reverse that trend since the inception of the National Security Act of 1947 relatively fruitless. Our very history has been actively buried in the vaults of the National Archives, and almost every federal agency, with only a small percentage accessible to historians, journalists and the public. If each item currently considered for release, or even topic area is required to be vetted in advance, the sheer volume would put the process at a disadvantage with the current level of newly classified information. Most public investigators and authors have to rely on whistleblowers, leaks or a 30-year gap to pass before being able to reveal any part of this hidden history.

The current administration has only added to that trend. President Clinton signed an Executive Order releasing all classified records dated over 30 years from creation. However, the intelligence agencies retained the right to review them before release. President Bush changed that ruling, making it more difficult to release files. In addition, Bush signed his own E.O. putting decisions about release of all records of the two previous administrations under the control of the current President, giving him control over the papers of his father, President George H.W. Bush and his political rival President Bill Clinton. Bush, Sr. had already resisted release of his presidential papers when he left office, including items as innocuous as public nominations for a government that required presidential approval, forcing the organizations to repeat the nomination process when Clinton came to office.

Since 9/11, the emphasis on secrecy has only gotten more intense. Attorney General John Ashcroft vowed to bring the "full weight of the Justice Department" to support any federal agency challenged in court for an FOIA release of records. The administration has also appointed teams to comb existing public archives of previously released records to

re-classify them as secret. This obsession with secrecy has more potential to harm effective public and agency response to the threat of terrorism than to help it. (See Appendix A, Why Not Consider Living Up to Our Principles?, Dan Alcorn)

### **Evidence destroyed, concealed**

Critical forensic evidence and records were never made public or were destroyed before the Commission began its investigation. Large portions of the evidence from the World Trade Center site was collected and sold as scrap before being examined for the causes of the collapse. A single agency, the National Association of Demolition Contractors, was in charge of clearing debris from the WTC, the Pentagon and the Oklahoma City bombing. (“Demolition, the Art of Renewal,” Engineering News Record, 2004 at [http://enr.construction.com/resources/special/archives/Demolition2002\\_index.asp](http://enr.construction.com/resources/special/archives/Demolition2002_index.asp)).

Photographic evidence from surveillance cameras at or near the Pentagon were confiscated by the FBI and other agencies and never released to the public, though they could not possibly fall under a “national security” classification. Similarly, evidence from black box recorders and other taped recordings of communications between pilots and air traffic controllers, or recordings of critical in-air phone calls have not been released to the public in full.

On October 10<sup>th</sup> and 11<sup>th</sup>, just one week after the first known anthrax victim got sick, the FBI contacted the University of Iowa at Ames, which for seventy years had maintained an extensive archive of every known strain of the natural pathogen anthrax, and provided culture samples for research on cures and weaponization to research facilities. After speaking with the FBI, the University destroyed this valuable archive. A careful DNA and chemical analysis of the anthrax used in the attacks clearly identified it as an Ames strain, with sophisticated genetic engineering and advanced weaponization that could only have been created by an American biological warfare laboratory. Such analysis allows investigators to identify the specific batch from which the anthrax was cultured as well as a paper trail to the agency using it for weaponization research. With the archive destroyed, this was impossible. Martin Jones at Louisiana State University noted that, “If those cultures were still alive they could have helped in clearing up the muddled history” (“FBI Missteps Hampering Anthrax Inquiry,” William Broad, et al, NEW YORK TIMES, 11/9/01)

Kevin Delaney, an FAA supervisor over air traffic controllers at their New York City headquarters intentionally and completely destroyed tapes of discussions among the controllers present about the events of September 11th, though they might have yielded valuable information. During the period between September 11th, 2001 and the inception of the Commission in 2003, certain federal agency records were “routinely destroyed”. (“Destruction of FAA Tapes,” Matthew Wald, NEW YORK TIMES, 5/6/04)

### **Release of evidence**

Sunshine provisions now guide certain federal and state actions, deliberations and policy

decisions, providing an antidote to secrecy and classification in some areas. During the investigation of the explosion of the shuttle Challenger, a public call went up to “sunshine” the collected forensic evidence, allowing a broad range of expert opinion to add to the search for the cause of the tragedy. A similar call was made to the Commission to release all non-classified evidence during their investigation to encourage public expert comment and whistle-blowing regarding 9/11, but they failed to do so or to promise that it will be released with their final report.

Vice-chairman Lee Hamilton has stated that only “monographs” will be released with the final report, and that files and records will go to the National Archives. That does not insure their release to the public. The chair of a Congressional committee hearing has the power to seal the records from the public for up to 50 years, and we do not yet know if Kean and Hamilton will do the same in this case.

We urge the Commission to release as much evidence as possible with their report and to call for the expedited declassification of remaining materials that do not directly compromise living agents, ongoing operations, current sources and methods or special agreements with other governments. These standards are reasonable and they will allow much more access than the broad categories that allow agency denials to FOIA requests. We suggest the Commission rely on the standards and recommendations of the JFK Assassination Records Review Board, an agency created because of the failure of the FOIA to effectively release government records. (ARRB Final Report, 1998).

One immediate set of records that would assist public understanding and trust would be the internal and external correspondence records of the Commission with families, organizations and the public at large. These will shed light both on their process and additional leads or questions that remain.

There should be an independent review of this process of declassification, perhaps by a panel similar to the Assassination Records Review Board, with input and assistance from families and the public.

It is almost certain that if the Commission fails to release a good portion of the data on which its conclusions and recommendations were based, there will be little grounds for public acceptance for and trust in those statements. If they wish to avoid the legacy of distrust and conjecture that continue to surround earlier government investigations from the Warren Commission to the Conragate and Whitewater hearings, releasing the evidence will assist with public faith unless the bulk of it fails to support their conclusions.

Openness and transparency are really the best defense against both external terror and internal excesses. Trusting in the public and the principles of democracy, especially an end to excessive secrecy holds the best hope for our future. For instance, the contents of the disputed and reportedly “super-secret” Presidential Briefing of August 6, 2001 would



have done much more good had the gist of the warnings been made public in advance of the attacks. Secrecy is not only inimical to democracy, it is also inimical to effectively countering terrorism.

(See Appendix A, Why Not Consider Living Up to Our Principles? Daniel Alcorn, Esq.)

### **Credibility and public acceptance**

The Commission has stated publicly that it does not want to follow in the errors and footsteps of the Warren Commission investigation into the assassination of President Kennedy in 1964. Yet, Tom Samoluk, a staff member of the JFK Assassination Records Review Board that effected the release of over 6 million pages of classified materials regarding the earlier investigations has noted that he fears a “rush to judgment” by this Commission for many of the same reasons that hampered and misdirected the Warren Commission’s conclusions.

The victims’ family members and thousands of concerned citizens have continued to press for answers to unasked questions, and a growing frustration among them threatens to undermine acceptance of the credibility of any final report based on the Commission’s faulty premises, flawed procedures, lack of transparency, lack of public participation and access, and failure to release evidence or explore key areas of concern. Stewart Asher, father of one victims of the 9/11 attacks has said, “The entire [Commission] process is a cover-up. In my opinion, this demonstrates that our democracy only works as one only when those with the power want it to be one.” (e-mail note 11/16/03). Many of the families and citizen groups are already exploring other avenues to address these issues once the Commission ends its work, unless the final report somehow effectively counters the skepticism and scrutiny of ordinary citizens.

While we cannot know what is written in the full final report, some areas of recommendations and assumptions are already revealed in staff and interim reports, public statements, and press articles based on reading advanced draft copies. We were told by Chairman Kean not to expect too many surprises, but that it would “fill in some gaps” beyond the staff statements. We can, therefore know that the most active family members are not likely to be satisfied with the report because they have been close to this flawed process.

We cannot know who has been interviewed in private, or who has not. The report may reflect both an excess of information in some areas and a lack in others. We do know that the witnesses heard from in the public hearings were not queried effectively, did not represent a wide range of opinion on policies, and in too many cases were not those in charge at critical points in the events. We can also comprehend from the printed staff reports that certain witnesses and avenues of inquiry were apparently ignored or ineffectively pursued.

There remain many areas not covered by the Commission’s hearings and public statements, many contradictions in evidence not resolved, and many substantive areas of

inquiry omitted. In their most recent public statement, the Family Steering Committee notes that numerous questions are still begging answers.

We will continue to explore the omissions and the contradictions in the testimony given to date and in the report itself, and to encourage an ongoing, public and transparent process of additional inquiry, independent investigation and Congressional oversight. We are aware of a growing sentiment among some families and many concerned citizens to establish an independent Truth Commission if the report fails to be credible or thorough in its findings. In addition, certain families are pursuing redress in court suits that are shedding light on and forcing discovery around these questions.

### **Congressional oversight**

At key points 9/11 CitizensWatch and the family organizations have called for Congressional oversight on the Commission process. The issue arose during efforts to extend the life of the Commission as well. Now there is one additional opportunity for such an approach. Under the provisions of the law that created the Commission, Congressional committees can call on its members for up to 60 days after the report is issued “for the purpose of providing testimony” relating to aspects of the investigation or recommendations. (PL 107-306, Sec. 610 (c)(2).

A wide range of Congressional committees might benefit and could be approached to use this provision on their own, or could be pursued by the public to raise a range of questions and concerns relating to 9/11, its causes and its aftermath. The policy recommendations of this Commission will have an effect on future legislation and the overall task of oversight on all agencies by the Congress on behalf of the public.

Family members have also been exploring further Congressional investigation or oversight, litigation, or other avenues to resolve at the remaining mysteries and issues about 9/11 if the report falls short of satisfying their concerns.

9/11 CitizensWatch reflects the public concern for getting the whole truth about the source, cause and perpetrators of the 9/11 attacks as well as the apparent failure at every level of government operations and command to prevent the attack or respond to it once it began.

Given the weaknesses and failures of the Commission process, we fear they can only lead to a flawed report. We will be working to complete a thorough review of the reports conclusions after it comes out, and to release an alternate report. We will also work with the families and the emerging public response in support of any future efforts to get at the truth, including the formation of a Citizens Truth Commission to hear alternate testimony before a panel of impartial and distinguished public figures and family members.

### **Assumptions and conclusions**

At a public airing of their second Interim Report, Commissioner Thomas Kean stated that

“There are lots of theories out there, some of them are wrong,” but when pressed to identify which ones were faulty, he declined, saying that would have to wait until they finished their report. Commissioner Hamilton at the same event challenged a question about the Commission’s investigation into reported links between Al Qaeda and the CIA, saying that he “did not accept the premise”. He insisted that mentioning the numerous public reports and references to the historical context of that interrelationship was itself a premise that he did not feel obliged to respond to. These approaches belied that fact that the Commission leaders held their own premises and supported other theories about what happened on 9/11 and who was responsible. It also served to conceal what those premises are. We intend to look critically at a wide range of premises and theories held by the Administration, the Commission and the public, but our first focus has to be on the “official findings” of this Commission, because they may hold the most weight in public opinion and policy.

### **Investigative teams**

The Commission formed 9 investigative teams. The last two were merged into one [see brackets]:

Al Qaeda and the Organization of the 9-11 Attack;  
Intelligence Collection, Analysis, and Management (including oversight and resource allocation);  
International Counter-terrorism Policy, including states that harbor or harbored terrorists, or offer or offered terrorists safe havens;  
Terrorist Financing;  
Border Security and Foreign Visitors;  
Law Enforcement and Intelligence Collection inside the United States;  
Commercial Aviation and Transportation Security, including an Investigation into the Circumstances of the Four Hijackings;  
The Immediate Response to the Attacks [in New York City and at the Pentagon];  
The Immediate Response to the Attacks [by] at the National [Leadership], State, and Local levels, including issues of Continuity of Government.

These areas of inquiry reveal some of the assumptions and omissions of the investigation. At the outset, the first team’s title is not framed as a query about the sources of the attack, but a conclusion about the sponsorship. No team focuses on the international historical or geopolitical context in which the attacks happened or broadens the question of response beyond the immediate motivations and causes of the attack. The teams are policy oriented for the most part, even though their range of policies arise directly from the narrowness of the scope of the inquiry into the events.

The deep question of whether we should create a Pax Americana, a fortress state and an increased budget for intelligence, covert operations and military responses does not rate an investigative team on the Commission, but it requires all of us to address and comprehend.

Both the historical sources of terrorism and the historical lessons about possible successful responses, so critical to our current understanding, policy and real safety are buried here beneath a series of reactions that amount to treatment without cure. The crucial area of the real relationship between liberty and security was reduced to a single public hearing from a limited number of experts, and does not rate a team to investigate the implications or the alternatives. Foreign policy matters, both past and future, are left again to the input of a few experts and reduced to considerations about international funding, harboring and safe haven for terrorists and the methods of detection and sanction it might imply.

Some teams do reflect an initial focus on the events of September 11th, but the policy related teams outnumber them and finished their work first.

### **Unasked and unanswered questions**

(See: [www.9-11independentcommission.org](http://www.9-11independentcommission.org) for the excellent list of questions from the 9/11 Families Steering Committee. Also see [www.911citizenswatch.org](http://www.911citizenswatch.org) and [www.unansweredquestions.org](http://www.unansweredquestions.org). For a timeline that raises excellent questions see [www.cooperativeresearch.org](http://www.cooperativeresearch.org) )

### **Omissions and Contradictions:**

The approach, assumptions and premises of the Commission, and its voluntary limitations on the scope of its inquiry might have justified if they had merely focused on the attacks of 9/11 and what led up to them and permitted them to happen. However, their recommendations go well beyond the practical security matters and procedures that might address these concerns. This led their work into certain omissions and contradictions. These arise in both the investigation and the testimony, and unless they are addressed can lead us to the wrong conclusion and the wrong response.

Much of the public discussion of the 9/11 terrorist attacks ignores any historical context for the events beyond the hatching of the plot in the minds of a few people. Seeking a historical context or comprehension is seen by some as justifying or diminishing the nature of the crime, or confusing who is ultimately responsible for it. While it was a crime against humanity, whether perpetrated by a few mass murders, or engineered by a broader state apparatus, it was not clearly an act of war at the outset.

An act of war might require the sort of military retaliation used against Afghanistan and then Iraq, though neither of those interventions was planned specifically in response to 9/11; it was used instead to justify them. And a real war should require historical reflection and comprehension. On the other hand, even the actions of criminals may be more clearly understood in light of their motivations and the origins of their discontent.

The administration, by responding to the attack with a declaration of “permanent war” against as many as 60 countries, but at the same time refusing to ask why so many

countries might cooperate with such criminal elements seems to beg the historical question. At the same time, the majority of the population seems to equate the level of evil inherent in the terrorist act with people who somehow stand outside of history and even outside human comprehension. If they do, then it might seem to justify a response that ignores international laws and treaties, relations with other countries, basic human rights, and the Constitutional protections of civil liberties at home in order to eliminate them entirely. But do they?

### **Historical context**

The uncomfortable questions about what our open and secret policies during the Cold War years and since have created or destroyed in terms of international relations and the arming of new enemies abroad are not asked. Our focus on covert operations and military armament destabilized many foreign governments and financed, armed and trained hostile forces for use against our perceived foes. The ongoing relationship of our intelligence networks with these elements has yet to be explored or made clear. Now additional covert operations are seen as the key to ending terrorism directed towards us from these same elements. This pattern of the willing arming and then brutal disarming of groups of people abroad based on the political needs and opportunities of each period reflects a lack of planning or understanding the consequences of our policy.

We cannot afford to ignore the history that brought us to this situation, as well as those who are now using violence as a means to a political end and perceiving us as their enemy. Nor can we ignore the history of responses to similar terrorism over the years, and in the modern era. The errors of history will be repeated until they become lessons for the future.

### **Afghanistan, Carter and Brezezinski**

As the Cold War continued and those responsible for playing out the “chess game” of world politics that it created, elements in the U.S. foreign policy structure began to seek any opportunity for an ultimate victory, short of the mutually assured destruction of nuclear confrontation. One such opportunity appeared in the mind of President Carter’s National Security Director, Zbigniew Brezezinski in the late 1980’s, in the form of a growing and reactionary resistance to the Soviet aligned state of Afghanistan, led by Islamic mullahs who wanted a theocratic state instead.

Following an aborted coup, which itself may have gotten covert assistance from the US, these Islamic militants were seen by Brezezinski as a convenient tool to lure the USSR into the equivalent of our Vietnam war in Afghanistan. He was able to convince Carter to sign for arms and support that would begin the most costly and largest covert operation in US history. The plan worked on one level, the Soviets came to the aid of the beleaguered socialist government with military intervention, and the resulting unwinnable war helped to demoralize the population and change the direction of political rule inside the USSR. It was one factor in its eventual collapse. Brezezinski does not regret his decision. In a recent interview he said, “What are a few stirred-up Muslims compared to the fall of the

Soviet Union.”

The change did not happen immediately, though, and Carter was replaced by Reagan in the White House, with the help of another covert operation called October Surprise. The emergence of William Casey and his “off-the-shelf” (meaning unaccountable and invisible) covert operations as Director of the CIA led from the arming of the fundamentalist Islamic mujehaddin to the intricacies of Conragate. While the Russian army attempted to defend the Afghan government, the CIA and Saudi Arabia were covertly sharing the cost of a \$6 billion secret war against them. Stinger missiles, mountain caves equipped as operation centers, and military training camps for growing numbers of internationally recruited Islamic combatants, as well as training and recruitment inside the US were part of what Reagan and Bush, Sr. willingly funded.

This covert funding included profits from the sale of opium and illicit drugs, and half was funneled through BCCI at the behest of the Saudi Arabian government, working closely with the American CIA that used a proxy to cover its involvement, Pakistan’s Inter Service Intelligence agency, or ISI. These funds went to a drug dealer named Hekmyatar and to his protégé, Osama bin Laden. CIA funding is reported to have stopped when the USSR withdrew, and the Taliban came to power. However, the US continued to fund the Taliban as well, giving them \$43 million in 2001 to stop growing opium. ISI funding to Mohammed Atta, allegedly linked to bin Laden continued as late as August, 2001.

In the period prior to 9/11, there was a geopolitical focus on access to oil reserves on the part of the United States and other nations, driven in our case by a disproportionate consumption of the oil resources of the planet, and our addiction to oil as a primary energy source. Our excessive use of oil is also reflected in the large percentage of use by the military every day and especially during military operations. To give a single example, Norman Schwarzkopf, Jr. bragged at a ten-year reunion of the planners of the first Gulf War that his military operations for that relatively short war had used up \$3.2 billion gallons of oil, a figure that dwarfs the annual production of Kuwait, the country we were allegedly avenging.

These factors and certain global corporations that explore and invest in oil resources led to a preoccupation by the late 1980s on new oil deposits and the new political geography of our access to them. Saudi Arabian oil is depleting, and the largest projected depository at the time was the oil in the basin of the Caspian Sea.

US military presence in the region shifted from into Saudi Arabia and then north and eastward to all the countries surrounding the Caspian Sea. An American company, Unocal, was busy planning construction of a direct pipeline for the Caspian oil reserve down to the sea in the late 1990s, by way of Afghanistan. However, the Taliban balked at the plan or their share in the arrangement, and refused to assist Unocal. Their director of foreign relations testified to Congress in 1999 that the oil in that region might represent 80% of the world’s reserve by 2025, and that it was imperative that the obstruction of the

Taliban government to our access to it via pipeline be eliminated. Bush came into office, bringing a combination of oil industry executives and former Conragate figures back into power. Secretary of State Colin Powell reportedly told the surrounding countries in the summer of 2001 that the US planned to invade Afghanistan and eliminate the Taliban in October of that year. British and American troops quietly repositioned themselves in massive formations to do so prior to September 11th. As usual, the American public was not informed of these plans until they were carried out “in response” to the attacks.

In the period before the intervention was hatched, another company began to negotiate an alternate pipeline through Northern Afghanistan and other countries to achieve the same purpose, to get the oil to the water. However, they went out of business before they completed the plan, creating a national scandal called Enron. Two of the current leaders in the new Afghan government were previously employed by or used as consultants by Unocal, who has now restored their role in the original pipeline plan.

Who benefits from this geo-strategic power shifting that flowed from the Carter/Breznevski decision to go into Afghanistan? Carlyle Group for one and there is growing concern about how such business interests influence Foreign Policy and ultimately the deaths of American servicemen and women sacrificed for the lie of freedom promised.

*The Carlyle Group, founded in 1987 as a merchant bank focused on political influence and defense-sector investments, became famous for turning its impressive portfolio of national-security-related companies...into a winner for Carlyle's operation or profitable resale.*

*Thirty to 40 percent yearly gains were common, but from the early days of the second Bush administration, so were conflict-of-interest charges. Carlyle's preoccupation was with companies that could profit from its Washington connections. One newspaper called Carlyle “the thread which indirectly links American military policy in Afghanistan to the personal financial fortunes of its celebrity employees, not the least the President's father.”*

p. 272 – 273 [Oliver Burkeman and Julian Burger, Guardian, October 31 2001]

*It should be a deep cause for concern that a closely held [private] company like Carlyle can simultaneously have directors and advisors that are doing business and making money and also advising the president of the United States,” said Peter Eisner, managing director of the Center for Public Integrity. “The problem comes when private business and public policy blend together. What hat is former president Bush wearing when he tells Crown Prince Abdullah not to worry about U.S. policy in the Middle East.”*

p. 273 [op.cit.]

In the world of covert and military operations the Cold War threat of the Soviet Union and its empire had been replaced by the threat of terrorism, both international and domestic, and the emergence of a huge counter-terrorism and security apparatus and

network that could command even more tax dollars than the old threats had, with a much smaller and less lethal enemy.

The Contragate team that was only partially exposed by the Congressional investigations continued to operate in the deeper politics that combine drugs, oil and war. They played a role in the downfall of President Clinton, for instance. Linda Tripp, whose taping of Monica Lewinsky was reportedly inspired by Lucianne Goldberg, was in Army intelligence, held a GS-16 federal job rating, and transferred into the White House from her job with President Bush, Sr. He had of course presided over the White House operations with Ronald Reagan at the time of the Contragate operations, and was involved in them. Linda Tripp at the time was a personal secretary to Richard Secord of the Army's secret Delta Force team, and a partner in Oliver North's company that assisted in illegally passing funds through to the Nicaraguan rebels against yet another socialist government. Another covert operation run by William Casey at the CIA.

It is in this deeper context that others responsible for the Iran-Contra secret and illegal shipments of missiles, guns and drugs came back into the new Bush White House in the months prior to 9/11. They include Powell, Poindexter, Reich, Negroponte, Armitage, Abrams, among others.

(See Drugs, Oil and War, Peter Dale Scott)

### **The Roots of Al-Qaeda**

“In the 1980s a large number of Muslims from the Middle East traveled to Afghanistan to join the Afghan people's war against the Soviet Union, which had invaded in 1979.”

[p. 1 – Overview of the Enemy: Staff Statement No. 15]

A cursory review of some of the historical and academic literature on the real roots of Al-Qaeda and the covert CIA Afghan campaign that started with Democrat President Carter, on the urging of his National Security Advisor, Zbigniew Brezezinski paints a much different picture.

*While the United States was aiding Iraq throughout the eighties, the CIA's campaign in Afghanistan was also well under way, **becoming the biggest and most successful covert operation in the Agency's history.** The entire program cost virtually no American casualties and a mere \$3 billion for American taxpayers.*

*On July 3, 1979...Carter signed the first directive to secretly aid the Afghan rebels known as the mujahideen who were fighting the pro-Soviet regime in Kabul. Soon, the CIA began to provide weapons and money to the mujahideen through Islamic fundamentalist warriors. This was a war by proxy.*

[p. 97, House of Bush, House of Saud; Craig Under; Scribner 2004]

*“The United States steadily raised its funding through the CIA—from \$30 million in 1984*



*to \$634 million in 1987—for the mujahideen rebels fighting the Russians in Afghanistan, sums that were matched by the Saudis.”*

*[p. 264; American Dynasty; Kevin Phillips, Viking 2004. Here Phillips footnotes source: Meyer, Dust of Empire, p. 136]*

*...the House of Saud eagerly joined in, matching “America dollar for dollar supporting the mujahideen,” as Prince Turki, longtime head of the Saudi intelligence, puts it.”*  
*p. 98*

*Bush (41) supported aiding the mujahideen through the Maktab al-Khidamat (MAK) or Services Offices, which sent money and fighters to the Afghan resistance in Peshawar. “Bush was in charge of the covert operations that supported the MAK.” Says John Loftus, a Justice Department official in the eighties, “**They were essentially hiring a terrorist to fight terrorism.**”*

*Co-founded by Osama bin Laden and Abdullah Azzam, the MAK was the precursor to bin Laden’s global terrorist network, Al-Qaeda. It...set up recruitment centers in over fifty countries including Egypt, Saudi Arabia, Pakistan, and even the United States to bring thousands of warriors to Afghanistan to fight the Soviet Union. [Federation of American Scientists]*

*p. 102*

*More than twenty-five thousand Islamic militants, from the Palestinians’ Hamas, from Egypt’s Al Gama’s al-Islamiya and Al-Jihad, from Algeria’s Islamic Salvation Front, from the Philippines’ Moro Liberation Front, from countries all over the world, made the pilgrimage through Peshawar to the Jihad.*

*pp. 104-105*

*“We set up the very system [of Islamist terrorism] we are now trying to dismantle,” says a senior investigator who participated in the Senate probe into BCCI. “People forget that we invented this shit, that Bill Casey was getting the Saudi fundamentalists to assemble all these kooks and go out and kill Russians. No one asked what would happen when it was over.”*

*p. 108; from interview for former Senate investigator.*

*“This was the longest war in Soviet history, the largest CIA paramilitary operation since Vietnam, and with one million dead Afghans, the bloodiest regional conflict in the world at the time.”*

*p.108; Steve Galster, project director of the National Security Archives’ Afghanistan archives.*

*Even America’s most heralded investigative reporters missed the story. In Veil, his 1987 account of the CIA’s secret wars of that era, Bob Woodward devotes several pages to the Afghanistan operation, but he does not mention the mujahideen, Wahhabism, BCCI, or in*

*any way suggest that billions of American dollars were going to arm and finance a global network of militant Islamic fundamentalists.*  
*pp. 108-109*

*“In Saudi Arabia I was repeatedly ordered by high-level State Department officials to issue visas to unqualified applicants,” Michael Springmann, the head of the American visa bureau in Jeddah from 1987 to 1989, told the BBC. “People had no ties either to Saudi Arabia or to their own country. I complained there. I complained here in Washington to Main State, to the inspector general, and to Diplomatic Security, and I was ignored.*

*“What I was doing was giving visas to terrorists—recruited by the CIA and Osama bin Laden to come back to the United States for training to used in the war in Afghanistan against the then Soviets.”*  
*pp. 109 – 110*

*Thanks to the United States, Osama bin Laden had learned an important lesson: mujahideen warriors fighting for Islam could bring a superpower to its knees.*

*Not long after he took office in 1989, President Bush was warned about exactly this possibility by someone in a position to know. Displeased that the president continued to support extremist radical Muslims, Pakistani prime minister Benazir Bhutto let him know about the dangers...she explained, “The extremist so emboldened by the United States during the eighties are now exporting their terrorism to other parts of the world to the extent that they use heroin trafficking to pay for their exploits.”*

*It had gone too far she said. By aligning the United States with the most extremist mujahideen groups, she told him, “You are creating a veritable Frankenstein.”*  
*p. 110 - 111*  
(American Dynasty, Kevin Phillips)

After detailing U.S. involvement and funding in the Middle East Phillips summarizes the net effects; and they are damning

*Although the United States greatly increased its military facilities and predominance in the Middle East, four other, interrelated effects could be summarized by 2003:*

*a regional upsurge in corruption promoted by the influx of oil money, armaments, covert operations, and arms-dealer commissions, accompanied by Afghanistan and Pakistan by a ballooning business in drugs; [most estimates put dollar figures in the hundreds of millions much of which is laundered through Western stock markets and other venues.] the broad regional alienation of Muslim religious leaders and the rise of Islamic fundamentalism;*  
*the political nurturing and success of Islamic revolutionary movements (the overthrow of*

*the shah in Iran, the ascent of the Taliban in Afghanistan, Saudi support of Al-Qaeda, the success of Pakistani religious parties in the frontier provinces, and the Islamic victories in nearby Turkey); and the increasing dependence of the United States on alliances with the Saudi royal family and the oil-rich, non-democratic Gulf sheikdoms, all fearful of being overthrown by the popular and fundamentalist forces unleashed.*

*Often, the more intensive the United States presence, the greater the problem. [p. 266]*

David Eisenhower, himself a respected historian of those years, commented in 1992 that his grandfather “was concerned that an unnecessary growth of large organizational systems such as the integration of military and business interests had evolved to the point that they could cause or perpetuate international conflict.”  
[p. 276; American Dynasty]

*Under Bush and Cheney, relatives, allies, and their own former companies have also done well—consider the favoritism to Cheney’s Halliburton: former president George H.W. Bush’s very prominent role on behalf of the Carlyle Group, especially in Saudi Arabia; and Marvin Bush’s connection to Stratasec, an electronic security firm.*  
[p. 276 – 277; American Dynasty]

### **Suspects and plot**

“What surprised me was how much the Administration knew right after the event, and how little it knew right before,” *former Secretary of State Madeline Albright on CNN*

Many questions remain about the identities of the hijacking teams. We know from photographic and other evidence that some of the people pictured as suspects so quickly after the attack, based we were told on passenger manifests that did not publicly include their names, got onto the planes that day. However, there are numerous reports in the national and international press that some were using assumed names, photos and identification of living people abroad. These people reportedly came forward to identify themselves and clear their names. This would be understandable to cover such an illegal operation, but we have never been told the real names of these suspects. We have been given information on their backgrounds using the names listed, but whose background are we really getting?

If the identities can be stolen, they can also be shared, and so their appearances and contacts abroad and in the United States may be either meaningless or an elaborate means to cover the true sponsors of the events. In intelligence parlance, this is called a “legend”, and false sponsorship is part of any sophisticated covert operation worldwide. Thus, we apparently do not yet know who the perpetrators really were. A promised White Paper from Colin Powell to present the evidence for their complicity was never released. We have only the official statements of the DOJ, FBI and CIA, and the White House that used 9/11 to justify the war on Afghanistan. (It should be noted that the Taliban passed on

a warning relating to the attack to the US and offered several times to turn over Osama bin Laden to an international tribunal, but they were rebuffed).

The majority of these suspects carried passports from Saudi Arabia, but the Commission has stated that Saudi Arabia was not involved in the attack, contradicting earlier hints in that direction made by Senator Bob Graham on the release of the redacted Joint Inquiry report. The CIA and the State Department were involved in assisting passport approval to specific people who otherwise might not have been allowed to come to the United States in the years before 9/11. A former State Department employee stationed in Jeddah, Mike Springmann, contends that he was ignored when he complained about the procedure, which he believes was being used to provide US training for militants in the Afghan war.

“Murad noted that he got his commercial pilot's license after training at several U.S. flight schools, including ones in upstate Schenectady and North Carolina. Last week, FBI agents showed up at the same Schenectady flight school, asking questions about a student who trained there. And several of the suspected hijackers are believed to have studied at flight schools around the U.S.” NY Daily News 9/26/01

“A defense official said two of the hijackers were former Saudi fighter pilots who had studied in exchange programs at the Defense Language School at Lackland AFB in Texas and the Air War College at Maxwell AFB in Alabama.” (Los Angeles Times – Sept. 15, 2002)

In the US, all on legal visas, the suspects took part in flight training, and a number of them are reported to have trained at US military bases. Several also attended flight schools here and in some cases raised alarms and were reported to authorities. That pattern of being visible and creating calls to police or intelligence agencies applies to many of the suspects in the months just prior to the attack, but the warnings were not followed up on in most cases.

(See Appendix B, “9/11 Commission Misses FBI's Embarrassing Al Qaeda Dealings,” Peter Dale Scott)

Many are reported to be drinking at bars, using illegal drugs, seeking casual sex and sporting expensive clothes and cars. Strange behavior for devout Muslims, if that was indeed their motivation. It is yet another factor that argues against the probability of a group suicide plot, which are very rare in history and not standard for either terrorists or military operations, especially those involving advance notice.

However there were several instances in which alert FBI field agents did attempt to initiate investigations, stretching all the way back to the World Trade Center bombing in 1993, and were refused or diverted by supervisors. One warned in the famous Phoenix memo that potential terrorists could be training at flight schools, but no investigation was opened despite high warning levels of terrorist attacks and a standing counter-terrorist infrastructure in all key agencies since the 1980s.

The origins and nature of the plot, its real sponsorship and relation to covert operations networks, and the possibility of a broader plot that might have included an attempt to assassinate George Bush are still open questions, despite some Commission assertions. A major source used to make the connections to Osama bin Laden and the official version of events is Khalid Sheikh Mohammed, allegedly captured and held in an unknown location, whose interrogations reportedly result in revelations. But can we rely on them when questions remain about his identity, whether he was indeed the person captured, whether he is alive or dead, and why he has not been charged and brought to a court for his role as an accomplice to mass murder.

The role of other countries or of elements of US or other intelligence networks or groups in the plot or with bin Laden and the Islamic militants have not been fully explored. Pakistan continues to play an unclear role in relation to funding and harboring the Al Qaeda network as well as cooperating with US and CIA operations. Saudi Arabia is still facing legal suits brought by the 9/11 families. Many other authors remain uninvestigated. We had instant suspects and instant conclusions from the official sources, but will the Commission rush to the same judgment? Their structure, focus and public statements so far suggest they will.

### **Foreknowledge and Forewarnings**

#### 1. NY Times: Bush Warned bin Laden Would Hijack Planes

"The White House said tonight that President Bush had been warned by American intelligence agencies in early August that Osama bin Laden was seeking to hijack aircraft..."

<http://www.NewYorkTimes.com/2002/05/16/politics/16INQU.html>

#### 2. CNN: Bush briefed on hijacking threat before 9-11

"President Bush's daily intelligence briefings in the weeks leading up to the September 11th terror attacks included a warning of the possibility that Osama bin Laden's al Qaeda network would attempt to hijack a U.S.-based airliner, senior administration officials said Wednesday."

<http://www.cnn.com/2002/US/05/15/bush.sept.11/index.html>

#### 3. UK Guardian: Bush knew terrorists would hijack planes

"George Bush received specific warnings in the weeks before 11 September that an attack inside the United States was being planned by Osama bin Laden's al-Qaeda network, US government sources said yesterday?. The memo received by Bush on 6 August contained unconfirmed information passed on by British intelligence in 1998 revealing that al-Qaeda operatives had discussed hijacking a plane to negotiate the release of Sheikh Omar Abdel Rahman, the Muslim cleric imprisoned in America for his part in a plot to blow up the World Trade Centre in 1993."

<http://www.guardian.co.uk/september11/story/0,11209,718312,00.html>

4. Sunday Herald: Britain warned Bush to expect 9-11 al-Qaeda hijackings

"Britain gave President Bush a categorical warning to expect multiple airline hijackings by the al-Qaeda network a month before the September 11th attacks which killed nearly 3000 people and triggered the international war against terrorism."

<http://www.sundayherald.com/24822>

5. Village Voice: Officials Warned of Plans to Attack DC, NY with Planes

"The U.S. government had received repeated warnings of impending attacks? and attacks using planes directed at New York and Washington? For several years. The government never told us about what it knew was coming."

<http://www.villagevoice.com/issues/0332/mondo4.php>

6. AP: 9/11 report, Rice conflict; Bush got specific data on threats

"...the briefing given to the president a month before the suicide hijackings included recent intelligence that al-Qaida was planning to send operatives to the United States to carry out an attack using high explosives."

<http://www.sunspot.net/business/nationworld/balte.rice29jul29,0,2620591.story?coll=bal-business-headlines>

7. MSNBC: White House Briefed on Imminent bin Laden Attack

"One such CIA briefing, in July 2001, was particularly chilling and prophetic. It predicted that Osama bin Laden was about to launch a terrorist strike 'in the coming weeks,' the congressional investigators found. The intelligence briefing went on to say: 'The attack will be spectacular and designed to inflict mass casualties against U.S. facilities or interests. Attack preparations have been made. Attack will occur with little or no warning.'"

<http://msnbc.msn.com/id/3067907/>

8. MSN: Condoleezza Rice's False Statement

A: "The overwhelming bulk of the evidence was that this was an attack that was likely to take place overseas."

- White House National Security Adviser Condoleezza Rice, in a May 16 news briefing.

B: "Bin Laden Determined to Strike in U.S."

- Title of the CIA's Aug. 6 briefing memo to President Bush . . .

<http://slate.msn.com/?id=2066154>

9. Newsweek: Day before 9-11, Pentagon Generals Cancelled Flights

"On Sept. 10, NEWSWEEK has learned, a group of top Pentagon officials suddenly canceled travel plans for the next morning, apparently because of security concerns."

<http://www.msnbc.com/news/629606.asp> (link dead)

10. SF Gate: Mayor got 8-hour warning Before 9-11 Attacks ? September 12, 2001

For Mayor Willie Brown, the first signs that something was amiss came late Monday

when he got a call from what he described as his airport security - - a full eight hours before yesterday's string of terrorist attacks -- advising him that Americans should be cautious about their air travel.

11. Florida State: Jeb Bush Declares Martial Law 9-7-01

"Based on the potential massive damage to life and property that may result from an act of terrorism at a Florida port, the necessity to protect life and property from such acts of terrorism..."

[http://www.state.fl.us/eog\\_new/eog/orders/2001/september/eo2001-261-09-07-01.html](http://www.state.fl.us/eog_new/eog/orders/2001/september/eo2001-261-09-07-01.html)

12. CBS News: Ashcroft Avoided Commercial Travel Prior to 9-11

"In response to inquiries from CBS News over why Ashcroft was traveling exclusively by leased jet aircraft instead of commercial airlines, the Justice Department cited what it called a "threat assessment" by the FBI, and said Ashcroft has been advised to travel only by private jet for the remainder of his term."

<http://www.cbsnews.com/stories/2001/07/26/national/printable303601.shtml>

13. UK Independent: Taliban Mole Warning Ignored

"Weeks before the terrorist attacks on 11 September, the United States and the United Nations ignored warnings from a secret Taliban emissary that Osama bin Laden was planning a huge attack on American soil."

<http://news.independent.co.uk/world/politics/story.jsp?story=331115>

14. NY Times: "President Mubarek Warned US of Al Qaeda Plot"

"Egyptian intelligence warned American officials about a week before Sept. 11 that Osama bin Laden's network was in the advance stages of executing a significant operation against an American target, President Hosni Mubarak said in an interview on Sunday." <http://query.NewYorkTimes.com/gst/abstract.html?res=F30D16F73B5E0C778CDDAF0894DA404482>

15. Village Voice: US Ignored France Warnings

"A key point in unraveling why the FBI failed to follow up leads on Al Qaeda terrorism now centers on the Bureau's contemptuously brushing aside warnings from French intelligence a few days before 9-11."

<http://www.villagevoice.com/issues/0222/ridgeway2.php>

16. Intl. Herald Tribune: White House Ignored Arab Warnings

"When the hubbub about what the White House did or didn't know before Sept. 11 dies down, Congressional or other investigators should consider the specific warnings that friendly Arab intelligence services sent to Washington in the summer of 2001."

<http://www.iht.com/articles/58269.html>

17. UK News-Telegraph: Israel issued urgent warning of large-scale terror attacks

Israeli intelligence officials say that they warned their counterparts in the United States

last month that large-scale terrorist attacks on highly visible targets on the American mainland were imminent." [http://news.telegraph.co.uk/news/main.jhtml; \\$sessionid\\$52PMOXQAADW5PQFIQMGSFFOAVCBQWIV0?xml=/news/2001/09/16/wcia16.xml&sSheet=/news/2001/09/16/ixhome](http://news.telegraph.co.uk/news/main.jhtml;$$sessionid$52PMOXQAADW5PQFIQMGSFFOAVCBQWIV0?xml=/news/2001/09/16/wcia16.xml&sSheet=/news/2001/09/16/ixhome)

18. NY Post: FBI Warned D.C. It Was A Target

"A Minnesota FBI agent investigating Zacarias Moussaoui testified yesterday that he notified the Secret Service weeks before Sept. 11 that a terror team might hijack a plane and 'hit the nation's capital.'"

<http://www.nypost.com/news/nationalnews/57848.htm>

19. Yahoo News: FBI Warnings Ignored

"An FBI supervisor, sounding a prophetic pre-Sept. 11 alarm, warned FBI headquarters that student pilot Zacarias Moussaoui was so dangerous he might 'take control of a plane and fly it into the World Trade Center,' a congressional investigator said in a report Tuesday." [http://story.news.yahoo.com/news?](http://story.news.yahoo.com/news?tmpl=story2&cid=512&ncid=716&e=4&u=/ap/20020924/ap_on_go_co/attacks_intelligence)

[tmpl=story2&cid=512&ncid=716&e=4&u=/ap/20020924/ap\\_on\\_go\\_co/attacks\\_intelligence](http://story.news.yahoo.com/news?tmpl=story2&cid=512&ncid=716&e=4&u=/ap/20020924/ap_on_go_co/attacks_intelligence)

20. Independent: America had 12 warnings of aircraft attack

"American intelligence received many more clues before the 11 September attacks than previously disclosed, that terrorists might hijack planes and turn them into weapons, a joint congressional committee was told yesterday."

<http://news.independent.co.uk/world/americas/story.jsp?story=334633>

21. Washington Post: 9/11 Probe Says Agencies Failed to Heed Attack Signs

"U.S. intelligence agencies received many more indications than previously disclosed that Osama bin Laden's terrorist network was planning imminent "spectacular" attacks in the summer of 2001 aimed at inflicting mass casualties."

<http://www.washingtonpost.com/wp-dyn/articles/A36754-2002Sep18.html>

22. Yahoo News: Spy Agencies Had Pre-9/11 Threats on U.S. Soil

"U.S. intelligence agencies picked up threats of attacks inside the United States and of using airplanes as weapons during the spring and summer before last year's Sept. 11 attacks, but were more focused on the possibility of an assault overseas, a congressional source said on Tuesday." [http://story.news.yahoo.com/news?](http://story.news.yahoo.com/news?tmpl=story2&cid=578&ncid=578&e=1&u=/nm/20020917/ts_nm/attack_congress_intelligence_dc)

[tmpl=story2&cid=578&ncid=578&e=1&u=/nm/20020917/ts\\_nm/attack\\_congress\\_intelligence\\_dc](http://story.news.yahoo.com/news?tmpl=story2&cid=578&ncid=578&e=1&u=/nm/20020917/ts_nm/attack_congress_intelligence_dc)

23. Vanity Fair: Bin Laden Relatives Secretly Evacuated From NY

"Patrick Tyler of the New York Times is reporting from Washington: 'In the first days after the attacks on Sept. 11, the Saudi Arabian ambassador to Washington, Prince Bandar ibn Sultan, supervised the urgent evacuation of 24 members of Osama bin Laden's extended family from the United States fearing they might be subjected to violence.'"



[http://www.guerrillanews.com/cgi-bin/wwwthreads/showflat.pl?  
Cat=&Board=gnn&Number=204363&page=1&view=collapsed&sb=5&o=0&part=all](http://www.guerrillanews.com/cgi-bin/wwwthreads/showflat.pl?Cat=&Board=gnn&Number=204363&page=1&view=collapsed&sb=5&o=0&part=all)

24. Sydney Morning Herald: Administration Told US agents "Back off bin Ladens"  
"US special agents were told to back off the bin Laden family and the Saudi royals soon after George Bush became president, although that has all changed since September 11th, it was reported today."

<http://www.old.smh.com.au/news/0111/07/world/world100.html>

25. Ha'aretz Daily: CEO Says Workers Warned Hours Before World Trade Center Hit --  
FBI Investigating "Odigo, the instant messaging service, says that two of its workers received messages two hours before the Twin Towers attack on September 11th predicting the attack would happen, and the company has been cooperating with Israeli and American law enforcement, including the FBI, in trying to find the original sender of the message predicting the attack."

<http://www.haaretzdaily.com/hasen/pages/ShArt.jhtml?itemNo=77744>

26. NY Times: White House Approved Secret Evacuation of Bin Ladens After 9-11  
"Richard Clarke, who ran White House crisis team after Sept 11 terror attacks, says top White House officials personally approved evacuation of dozens of influential Saudis, including relatives of Osama bin Laden, from United States in days after Sept 11, when most flights were grounded." [http://www.truthout.org/docs\\_03/090503A.shtml](http://www.truthout.org/docs_03/090503A.shtml)

27. Tampa Tribune: Bodyguards tell of Secret Bin Laden Flight

"The hastily arranged flight out of Raytheon Airport Services, a private hangar on the outskirts of Tampa International Airport, was anything but ordinary. It lifted off the tarmac at a time when every private plane in the nation was grounded due to safety concerns after the Sept. 11 attacks. "

<http://www.dirtybush.com/connectthesedots.html>

28. UK Minister: "Bush had Foreknowledge of 9-11 attacks"

"...it is not surprising that some have seen the US failure to avert the 9/11 attacks as creating an invaluable pretext for attacking Afghanistan in a war that had clearly already been well planned in advance."

<http://www.guardian.co.uk/september11/story/0,11209,1036588,00.html>

(Compiled by Eric Smith, see also Global Research's bibliography on Foreknowledge of 9/11 at <http://globalresearch.ca/articles/CRG204A.html>)

From another source on the same topic:

Autumn 1998

US intelligence hears of a bin Laden plot involving aircraft in the New York and Washington areas.

[Senate Intelligence Committee, 9/18/02, New York Times, 9/18/02]

June 2001

German intelligence warns the CIA, Britain's MI6, and Israel's Mossad that Middle Eastern terrorists are planning to hijack commercial aircraft to use as weapons to attack "American and Israeli symbols, which stand out." A later article quotes unnamed German intelligence sources that state the information was coming from Echelon surveillance technology, and that British intelligence had access to the same warnings. However, there were other informational sources, including specific information and hints given to, but not reported by, Western and Near Eastern news media six months before 9/11.

[Frankfurter Allgemeine Zeitung, 9/11/01 -- <http://cooperativeresearch.org/timeline/2001/faz091101.html>; Washington Post, 9/14/01, Fox News, 5/17/02]

Late summer 2001

Jordanian intelligence (the GID) intercepts a message that states that a major attack, code named The Big Wedding, is planned inside the US and that aircraft will be used. senior Jordanian officials backed away from their earlier confirmations." Christian Science Monitor calls the story "confidently authenticated" even though Jordan has backed away from it. [International Herald Tribune, 5/21/02, Christian Science Monitor, 5/23/02]

Early August 2001

Britain gives the US another warning about an al-Qaeda attack. The previous British warning (see July 16, 2001) was vague as to method, but this warning specifies multiple airplane hijackings. This warning is included in Bush's briefing on August 6. [Sunday Herald, 5/19/02]

<http://www.sundayherald.com/24822>

August 2001

Russian President Putin warns the US that suicide pilots are training for attacks on US targets. [Fox News, 5/17/02 (story removed from site)] The head of Russian intelligence also later states, "We had clearly warned them" on several occasions, but they "did not pay the necessary attention."

[Agence France-Presse, 9/16/01 -- <http://cooperativeresearch.org/timeline/2001/afp091601.html>]

(Extracted from "The Complete 9/11 Timeline" at [www.cooperativeresearch.org](http://www.cooperativeresearch.org))

And yet another example from a whistleblower:

"Another authoritative warning came from Garth L. Nicolson, Chief Scientific Officer and Research Professor at the Institute for Molecular Medicine in Huntington Beach, California. Nicolson has been called to testify as an expert before the U.S. Senate in relation to the Department of Defense investigations of Gulf War chemical and biological incidents. Professor Nicolson testified that:

*"My wife, Dr. Nancy Nicolson and I received at least three warnings of the attack on the Pentagon on Sept. 11, 2001. The nature of these warnings (the specific site, date and source) indicated to us that they were credible. We have many contacts in the retired intelligence community, including Special Forces, and domestic and foreign intelligence services. Mostly there were individuals that we assisted with their health problems from the Gulf War, Vietnam or other conflicts.*

*'The most dramatic source was a Head of State of a North African country. This occurred during a visit to Tunisia in July 2001. This head of state was traveling under cover and met with us at our hotel. He warned us as to the correct date and one of the targets, the Pentagon. We were not given any information as to the method or any other targets.*

*'The information was passed on to the Director of Policy, DoD, the National Security Council, the leadership in the House of Representatives and the Inspector General of the U.S. Army Medical Corps, who happened to be visiting us a month or so before Sept. 11.*

*'To our knowledge no action was ever taken on this information. There has been some mention in the press that others also warned the U.S. Government that on Sept. 11, 2001 there would be a terrorist attack on U.S. soil. I do not know if any of the information from our sources or other sources was ever taken seriously by the National Security Council.'*  
[Nafeez Ahmed, "The War On Freedom," 2002. pp. 115-16]

### **“Intelligence failure” or breach of procedure?**

What the Joint Inquiry and this Commission continue to frame as a “massive intelligence failure” seems instead to be a breach of all standard operating procedures on the part of agencies that had used them effectively in the past. We either have the most massive incidentally simultaneous failure of every aspect of intelligence and military response to threats on 9/11 or we have an instance of something effecting the dismantling of normal response capability.

"As each day goes by," [9/11 Commissioner Max] Cleland said, "we learn that this government knew a whole lot more about these terrorists before Sept. 11 than it has ever admitted." (New York Times, Oct. 26, 2003)

The warnings to CIA and other US intelligence agencies from foreign governments were numerous and specific. The forewarnings to San Francisco Mayor Willie Brown, author Salman Rushdie and “Pentagon brass” not to fly on September 11th were ominously specific. The level of alert and readiness for an attack that summer was at its highest levels. The CIA was indeed tracking some of the plotters at international meetings. Yet, names did not appear on standard watch lists, and information normally shared across “The Wall” did not pass between agencies in regard to these matters.

The FBI had investigative leads and complaints it did not follow up on in the usual way.

Whistleblowers have come forward to reveal missed opportunities as well as apparent mistranslations of key communications that could have led to the plotters.

The NSA had been successfully tapping Osama bin Laden's cell phone, but a still unidentified leak and press report led to them losing that source of information just prior to the beginnings of the plot. Other interceptions were not translated in time, or were not specific enough.

Despite warnings that had some people's "hair on fire" inside White House circles, and serious warnings given to the incoming Bush team, Condoleezza Rice, Dick Cheney and President Bush failed to make the terrorist issue a priority that summer and fall. Despite a clear memo about plans to attack inside the United States presented to Bush and his advisors on August 6, it did not concern them enough to cancel planned time off from White House duties.

### **John O'Neill**

The story of former FBI counter-terrorism expert who died in the Towers that day as head of WTC security is especially telling:

*Throughout the 9-11 Commission public hearings, whether the topic was Osama bin Laden, al Qaeda, counter-terrorism or the FBI, the name John O'Neill inevitably came up, if not on the record, in the minds of those who were fighting terrorism long before Osama bin Laden became a household name.*

[Louis Freeh – Statement p. 1-4 <http://www.fbi.gov/short/10-08-02jicifreeh.pdf> ]

*Of all the significant questions about bin Laden and al Qaeda, John O'Neill had the answers to most of them. But he wasn't a witness before the 9-11 Commission because he died on September 11th, 2001 at the World Trade Center, where he was on his first week of work as the new director of security after retiring from the FBI after 20 years of service as the chief of counter-terrorism.*

[ "The Testimony We Won't Hear" [http://www.foxnews.com/printer\\_friendly\\_story/0,3566,116564,00html](http://www.foxnews.com/printer_friendly_story/0,3566,116564,00html) ]

*In his place, one of his protégés Mary Deborah Doran testified as a Special Agent of the FBI assigned to the New York Division's Counter-terrorism Division.*

[ [http://www.9-11commission.gov/hearings/hearing12/doran\\_statement.pdf](http://www.9-11commission.gov/hearings/hearing12/doran_statement.pdf) ]

*O'Neill, the first FBI official to warn his superiors of the threat Osama bin Laden posed to U.S. national security, was not with the FBI on September 11th, 2001 because he was forced out of the agency by other agents who distained his flamboyant style and obsession with bin Laden.*

[Obsession: <http://www.pbs.org/wgbh/pages/frontline/shows/knew/interview/isham.html>]

*Born in Atlantic City, N.J., the son of resort cab drivers, O'Neill always wanted to become an FBI agent, working as a FBI tour guide while attending American University. After being promoted to chief of the FBI's counter terrorism section at FBI headquarters on January 1, 1995, O'Neill arrived at his office on February 5, 1995.*

*On his first day at his new job, O'Neill received a telephone call from Richard Clarke, the terrorism specialist at the National Security Council (NSC) in the White House. Clarke had never met O'Neill, but when he told him that there was new raw intelligence pinpointing the possible location of Ramzi Yousef, the mastermind of the 1993 World Trade Center bombing, O'Neill went into action. Without leaving his office for three days, O'Neill manned a battery of telephones linked to various agencies and agents in the field, and arranged for Yousef to be captured in Pakistan. [Clark: <http://www.wtp://www.pbs.org/wgbh/pages/frontline/shows/know/interviews/clark.html>]*

*Clarke, who testified before the 9-11 Commission in electrifying testimony that exposed the failures of both the Clinton and Bush administrations to address the issue of terrorism, dedicates his book "Against All Enemies," to John O'Neill.*

*O'Neill led the investigation into the bombing of the USS Cole, until U.S. Ambassador to Yeman Barbara Bodine refused to allow O'Neill back in the country, one of many bureaucratic hurdles O'Neill had to overcome in his 20 year career fighting terrorists.*

*O'Neill's main nemesis was Osama bin Laden, though he took on all terrorists as a major threat to the country and often tried to warn people of the dangers of terrorism and how to best fight the war, before anyone wanted to believe we were at war.*

[See: O'Neill speech – <http://www.nationalstrategy.com/speakers/oneill.html> ]

*There is no doubt that if John O'Neill was at the anti-terrorism office where he should have been, he would have received the field reports on Zacarias Moussaouri and Phoenix memo, and connected the dots before September 11th. O'Neill was not at his job, and was forced out of the FBI by individuals within the FBI who have yet to be identified.*

*O'Neill was a top candidate for the position of Chief of the New York FBI office, and later for the NSC anti-terrorism post being vacated by Richard Clarke, but he was considered unsuited for both positions because of three lapses in security. O'Neill had lost his palm pilot at Yankee stadium, which while retrieved, contained the names and phone numbers of every major security official in the world. When his car broke down in New Jersey one night while he was off duty, O'Neill picked up an official FBI car and let his girlfriend use the bathroom at an FBI safehouse, both of which violated FBI security procedures. What ended his career as the top FBI counter-terrorism agent however, was a set up, and a crime perpetuated by some of his fellow agents, who have yet to be identified and prosecuted.*

*In July 2000, O'Neill attended an FBI seminar at the Orlando, Fla. Marriott, where he was in a conference room with other FBI agents when his pager went off. Leaving the room to respond, O'Neill answered the call, but when he returned to the room he found it empty, not only of other agents, but his attaché case was gone. Inside was a top secret report on all anti-terrorist operations being conducted by the New York office.*

*O'Neill reported the theft immediately, and the attaché case was recovered by the local police in a nearby hotel room, missing some personal items – cigar cutter and lighter, but the papers were intact and testing showed they hadn't been disturbed. But O'Neill's career was effectively over.*

*The FBI began a yearlong criminal investigation of the briefcase incident, not to discover who stole it, but whether O'Neill should face a criminal charge. With a limited number of suspects who were in the conference room, and all of the hotel security cameras at the Marriott hotel where the conference was held, it should have been easy enough to identify who stole John O'Neill's attaché case, yet it appears that the FBI investigation went nowhere. The FBI didn't want to investigate itself.*

[The Counter-Terrorist – By Lawrence Wright – The New Yorker, 2002-01-14 – <http://www.newyorker.com/printable/?fact/02011fa> FACT1 ]

*Did bin Laden know O'Neill was at the WTC on 9-11? He did if he read the New York Times [http://www.freepublic.com/forum/a3b7f7e815369.htm] on August 8, 2001, when David Johnston and James Risen wrote an article "FBI Is Investigating a Senior Counter-terrorism Agent," a story based on information leaked from O'Neill's FBI files.*

*So instead of being on the job as the most competent counter-terrorism official in the FBI on September 11th, John O'Neill was forced from the agency and took the job as head of security at the World Trade Center, where he died assisting in the evacuation of the buildings.*

*For those who knew John O'Neill and what he was capable of doing, he was the missing witness who knew of the threat Osama bin Laden posed and tried to warn America, but few listened.*

[John O'Neill Wall of Heroes : <http://www.mindspace.org/liberation-news-service/heroes.html> ]

### **Planes as weapons threat and White House response, caught unawares?**

Condaleeza Rice stated that she could not have imagined planes being used as weapons until 9/11 happened, and Bush has made similar statements. However there were many indicators that Al Qaeda had planned to use such tactics, and against US targets, dating back into the 1990s.

The Joint Inquiry Report notes that the FBI was aware of Al Qaeda plans to attack the World Trade Center with small planes loaded with explosives (JIR, p. 128). Their inquiry found a dozen reports generated by U.S. intelligence, over the seven years prior to 9/11 of terrorist plans to use planes as weapons in France, Philippines, Israel, Afghanistan and the United States, including plans to attack the White House in that manner. (JIR pp. 209-211).

When asked about this, Joint Inquiry co-chair Richard Shelby confirmed that they had found numerous instances of just such a method of attack in reports from US intelligence sources. But when asked whether their inquiry had discovered any preparations being taken for such an attack, he said "on advice of counsel, my answer is no." And yet, preparations had been taken at the Pentagon in the late 1990's to install radar and cameras on the roof to prevent a plane attack, probably due to discovery of the Bojinka plan that named them as a target.

"Two years ago, federal prosecutors turned down a cooperation offer from a terrorist who claimed he was part of a well-financed 1995 plot to crash an airplane into the CIA headquarters. Abdul Hakim Murad said he got his pilot's license after training at several American flight schools, including one that is now under scrutiny in the terror investigation. Murad was convicted in 1996 for his role in a highly choreographed scheme to blow up 12 U.S.-bound jetliners flying out of Southeast Asia.

"The Pakistani-born man said that in addition to the jetliner bomb plot, he and his co-conspirators were looking into using his flying skills to crash an aircraft into the CIA headquarters in Langley, Va. "It was not something that we focused on. It was something that he said," recalled Dietrich Snell, the ex-prosecutor who convicted Murad. His plan to blow up jetliners collapsed when bomb-making chemicals that he and his co-conspirator, Ramzi Ahmed Yousef, were mixing caught on fire inside a Manila apartment. Murad was captured in January 1994 in Manila, where he told Philippine interrogators about a plot he called "bojinka," or "big sound." In that scheme, he, Yousef and at least 10 others planned to get off the planes at stops along the planes' routes. The bombs would be detonated by timers in sequence over the Pacific, and none of the terrorists would be killed... Snell recalled that Murad told investigators about the suicide mission to crash a plane into the CIA building. "I remember him saying he thought about maybe getting a small plane or somehow get access to a small plane and crash it into the CIA," Snell said, adding, "There was never any mention of hijacking." (Terrorist told of plan to crash into CIA's HQ, Greg B. Smith, NY Daily News, 9/25/01)

In addition, special preparations to prevent just such an attack on President Bush at the G-8 Summit in Genoa, Italy that summer were taken by the Secret Service which restricted air flights over the site, installed surface to air missiles, and moved Bush at points offshore and to various buildings to protect him. NORAD had planned a preparedness exercise called Amalgam Virgo 02 for the following year involving planes

used as weapons, and the Pentagon and the NRO held emergency procedure exercises simulating such an attack on their offices in advance of the attacks.

Such preparations across many agencies and so many internal reports contradict the statements from those responsible for responding to such threats on 9/11 and before that time. They had both imagined such attacks and prepared to prevent them. How, then did the plotters carry them out without any response that day?

There are other indicators of such foreknowledge, but the basic question is why did all the normal procedures for intelligence sharing, FBI tracking, passport and airline warnings and military emergency procedures fail to work on 9/11?

### **NORAD/FAA Response**

The Commission held two of its 19 public hearings on this topic, which involves some of the most complicated testimony and detail at the hearings. 9/11 CitizensWatch urged the investigative staff of the Commission, following the confused testimony of the NORAD commanders, to interview the pilots, air traffic controllers, base commanders, Pentagon security officers and others responsible for the mechanics of the response that day. The most restricted air space in the United States had been breached without any defense raised, the normal quick response of FAA and NORAD to air emergencies had been dismantled, the Pentagon itself had been successfully targeted without defensive measures taken, and the timing of events and delays in response were hard to reconcile or imagine.

The implications of this issue are central to understanding the real story of 9/11. There have been many timelines advanced about the events and responses, from the FAA, from NORAD, from public sources and from researchers, and they conflict. The initial timeline from NORAD differs from the one testified to at the last hearing. The Commission's version of the timeline appears in Staff Statement No. 17, but fails to resolve some earlier conflicting details and also fails to convincingly explain the source of the effective "stand down" of air defenses that day to such a massive attack.

Lost in the details of these timelines are some basic issues that the Commission does not address because of its assumptions and some misleading explanations given in testimony or their conclusions:

- ❑ Neither "fog of war" nor the unprecedented nature of the attack, nor the fact that there were one or more hijackings can explain the delayed response given standard procedure for air emergencies.
- ❑ Air emergencies begin at the first sign that a plane is not responding to commands, not communicating with the FAA towers, heading off course for any period of time, or losing its transponder electronic identification signal.
- ❑ Some combination of all these things happened on all four flights in the early part of the scenario, and all led to increased communication with the planes, cross talk



- among controllers, and alerts to both FAA, NORAD and military responders before they were identified as hijacked planes or suicide missions.
- ❓ Standard procedure requires an immediate response for any sign of an air emergency, and there is no delay period in scrambling to intercept during these events while FAA or other agencies try to determine the nature of the emergency at a distance. The first purpose of an interception is close assessment of the situation and then either surveillance, assistance or guided flight of the plane in trouble.
  - ❓ In the year previous to 9/11 the FAA/NORAD procedures had worked efficiently to respond in a timely fashion to 67 air emergencies.
  - ❓ Normal scramble times of between 6 and 10 minutes upon notification, which happens very soon after the first controller sights signs of trouble or miscommunication, because lives are at stake, were stretched to periods of over an hour and NORAD planes got no guidance toward their targets once in the air.
  - ❓ Additional scramble and defense procedures to protect P-56, the air space over the White House and Capitol, guided by the National Capitol Area Regional Communication Center, now located in Herndon, VA were not activated that day, despite radar alerts of an unidentified plane entering the restricted Air Defense Identification Zone 50 miles out from DC.
  - ❓ Additional planes and NORAD bases could have been tasked, including bases in Canada, northern Virginia, New Jersey and other Air National Guard sites closer to both New York and Washington than the Otis AFB and Langley AFB NORAD sites used. Based on a call from the Secret Service, planes from Andrews AFB were scrambled after the Pentagon was hit.
  - ❓ The scrambled planes were sent up too late to intercept the New York attack planes, but not to intercept Flight 77.
  - ❓ DOT Secretary Norman Minetta's testimony about a conversation between an unidentified young man and Vice President Cheney in the White House command room concerning Flight 77's approach into restricted space is consistent with a stand down order, but not a shoot down order.
  - ❓ The reported shoot down order did not follow down the chain of command, if given, which would normally result in disciplinary action.
  - ❓ The military and NORAD were alerted very early in the scenario by phone calls from FAA controllers to military bases, through phone bridges with FAA and other agencies, and through their own liaisons stationed at the FAA command centers involved, yet they did not respond in a timely fashion.

The NORAD timelines provided the 9-11 Commission all begin when the FAA officially notified the NEADS (North East Air Defense System) HQ in Rome, New York at 8:37:52 AM.

But the FAA air traffic controllers at the Boston Center, shortly after realizing they had a hijacking, first attempted to notify both the Massachusetts ANG at Otis AFB at

Cape Cod and the 177<sup>th</sup> NJANG wing at the Atlantic City Airport in Pomona, Egg Harbor Township, New Jersey.

*According to the Staff Statement #17 “Improving Homeland Defense,” released during the June 17<sup>th</sup> public hearing, “Boston Center did not follow the routine protocol in seeking assistance through the prescribed chain of command. In addition to making notification within the FAA, Boston Center took the initiative, at 8:34, to contact the military through the FAA’s Cape Cod facility. They also tried to obtain assistance from a former alert site in Atlantic City, UNAWARE IT HAD BEEN PHASED OUT (emphasis added). At 8:37:52, Boston Center reached NEADS. This was the first notification received by the military - at any level – that American 11 had been hijacked.”*

[[http://www.9-11commission.gov/hearings12/staff\\_statement\\_17.pdf](http://www.9-11commission.gov/hearings12/staff_statement_17.pdf) p.5 ]

*When that first call came in from FAA Boston Center to the 177<sup>th</sup> NJANG, there were two F-16s on the tarmac ready to take off, which if armed, could have easily intercepted the second hijacked plane UA 175, which entered New Jersey airspace four minutes flying time from Atlantic City.*

*Jack White, the former Facility Manager, Air Traffic Control Command Center of the FAA, “...The hijackings should have been reported by the controllers up their management chain to the regional operations centers. The regional operations centers should have passed the information to the Washington Operations Center. The Operations Center should have advised the FAA official assigned the responsibility of coordinating military assistance. I cannot say that during the attacks of 9/11 my personal understanding of the process was crystal clear, but I did know that the request for military assistance had to come from headquarters.”*

[Statement of John S. White to Commission, June 17, 2004, p.3]

### **PNAC and New Pearl Harbor**

Years before George W. Bush entered the White House, and years before the Sept. 11 attacks set the direction of his presidency, a group of influential neo-conservatives hatched a plan to get Saddam Hussein out of power.

*The group, the Project for the New American Century, or PNAC, was founded in 1997. Among its supporters were three Republican former officials...Donald Rumsfeld, Dick Cheney and Paul Wolfowitz.*

*In open letters [to policy makers] the group called for "the removal of Saddam Hussein's regime from power" and a shift toward a more assertive U.S. policy in the Middle East, including the use of force if necessary to unseat Saddam.*

*Some critics of the Bush administration's foreign policy, especially in Europe, have portrayed PNAC as, in the words of Scotland's Sunday Herald, "a secret blueprint for U.S. global domination." And in a report just before the 2000 election that would bring*

*Bush to power, the group predicted that the shift would come about slowly, unless there were "some catastrophic and catalyzing event, like a new Pearl Harbor."*

*That event came on Sept. 11, 2001. By that time, Cheney was vice president, Rumsfeld was secretary of defense, and Wolfowitz his deputy at the Pentagon. The next morning — before it was even clear who was behind the attacks — Rumsfeld insisted at a Cabinet meeting that Saddam's Iraq should be "a principal target of the first round of terrorism," (from Bob Woodward's book *Bush At War*.)*

*In its 1998 open letter to Clinton, the group openly advocated unilateral U.S. action against Iraq... "The only acceptable strategy is one that eliminates the possibility that Iraq will be able to use or threaten to use weapons of mass destruction. In the near term, this means a willingness to undertake military action as diplomacy is clearly failing. In the long term, it means removing Saddam Hussein and his regime from power," they wrote. Of the 18 people who signed the letter, 10 are now in the Bush administration. As well as Rumsfeld and Wolfowitz, they include Deputy Secretary of State Richard Armitage; John Bolton, who is undersecretary of state for disarmament; and Zalmay Khalilzad, the White House liaison to the Iraqi opposition. Other signatories included William Kristol, editor of the conservative *Weekly Standard* magazine, and Richard Perle, chairman of the advisory *Defense Science Board*" (Project for a New American Century. "The Plan: Were Neo-Conservatives' 1998 Memos a Blueprint for Iraq War? ABC News, March 10, 2003; the report originally aired on Nightline on March 5, 2003).*

"Let's chase this rabbit into the ground here. They had a plan to go to war and when 9/11 happened that's what they did; they went to war." (Commissioner Max Cleland, *NEW YORK TIMES* 10/26/03)

### **Strategy of tension**

We have no way to know if these elements merely took advantage of the opportunity of the 9/11 attacks to benefit themselves, or if some segment of intelligence or military operations decided to let the attack come. It would not be the first time in US history that such a strategy had been contemplated or used. There are concrete political, geological and financial benefits from war to a certain strata of the corporate world and their international investments and operations. Access to resources, cheap labor and profits are part of the impetus of the "global free market". Many wars rely on deception and false sponsorship to create public support. It is not likely that this question will be explored by the Commission, but for historians, researchers and some family members, it remains. (See Appendix C: Notes On The Strategy of Tension, Len Bracken)

### **Anthrax attacks**

The Commission seems to have decided not to address the anthrax terrorist attacks that followed close on the heels of September 11th, though they clearly fall under its legal mandate.

"Capitol Hill Anthrax Matches Army's Stocks, 5 Labs Can Trace Spores to Ft. Detrick", Rick Weiss and Susan Schmidt, *Washington Post*, 16 Dec 2001

Early investigations into the source of the anthrax led to a US strain called Ames, often used for weaponization research by Army bioweapons labs. Despite some early polygraph interviews and a search at Ft. Detrick, the investigation in that direction seems to have ground to a halt.

Just before the outset of the 9/11 attacks the New York Times and the London Sunday Times broke the story of a growing international scandal involving US violations of its international biowarfare treaties, involving Operation Clear Vision and Project Jefferson, which were aimed at testing a makeshift anthrax lab, an “anthrax bomb” and the development of a new genetically modified strain of anthrax that would be more distributable and more resistant to antibiotics. The DIA announced at a press briefing that they had created a “new generation” of anthrax as part of Project Jefferson on September 9, 2001, on orders of Secretary Rumsfeld. In less than a month anthrax fitting this description was mailed to specific people, some of whom influence national perspective and policy and also opposed the current administration’s policies and the emerging Patriot Act, up to that point.

Just before the first anthrax envelope was mailed out the FBI contacted the University of Iowa at Ames, which for seventy years had maintained an extensive archive of every known strain of the natural pathogen anthrax, and provided culture samples for research on cures and weaponization to research facilities. After speaking with the FBI, the University agreed to destroy this valuable archive. A careful DNA and chemical analysis of the anthrax used in the attacks clearly identified it as an Ames strain, with sophisticated genetic engineering and advanced weaponization that could only have been created by an American biological warfare laboratory. Such analysis allows investigators to identify the specific batch from which the anthrax was cultured as well as a paper trail to the agency using it for weaponization research. With the archive destroyed, this was impossible.

The new strain was more resistant to the usual antibiotic treatments and more weaponized and distributable than had been seen up to that time, according to press reports. It had jumped from billions to a trillion spores per gram, showed no signs of milling, and no electromagnetic charge. The cure and preventive of choice was Cipro, a product of Bioport, a company linked to the Battelle Memorial Labs in Ohio and Porton, both bioweapons contractors. The White House staff were put on Cipro on September 12, the first anthrax mailing arrived in October.

There is clearly more to this story and the “Amerithrax” investigation continues under FBI direction, but most leads point to a US military bioweapon source. These leads might have told us more about the strategy of tension and false sponsorship for terrorist acts if they had been followed more rigorously.

**Commission policy recommendations:**

The Commission relied on a limited list of witnesses, most from intelligence sources, and

failed to include a broader range of voices and alternative views. Thus they will likely be guided by the assumptions and priorities of the security apparatus and the military and intelligence agency agendas more than a more objective public interest.

### **Centralization of intelligence functions, White House “czar”**

The commissioners also have been considering whether to recommend creation of a director of national intelligence, who would have operational and budgetary control over the CIA and the 14 other agencies in the intelligence community. While CIA leaders oppose such a plan, saying it would add a new layer of bureaucracy, some believe such a move is essential. "It is time to put somebody in charge of the entire intelligence community and give him the authority to manage and restructure the agencies as we sustain intelligence gathering in this new asymmetric non-state terrorist world," said Sen. Dianne Feinstein, D-Calif. (DMN 7/18/04).

At the CIA, acting Director John McLaughlin... offered a cautionary note to those considering an intelligence overhaul. "Remember, our country is at war," he said. "We can't risk any kind of disruption at this point that would in any way minimize the effectiveness of this agency and the rest of the intelligence community against people who at this moment are plotting attacks in the United States." (The Dallas Morning News, Michelle Mittelstadt, July 18, 2004)

Unless the Commission challenges the prevailing assumptions and directions of the responses top date, their recommendations will reinforce the current paradigm of excessive secrecy and classification, perpetual warfare, a breakdown of the Constitutional walls between intelligence, law enforcement and military, an erosion of Posse Comitatus and Constitutional rights, and the establishment of an even more centralized and therefore politicized intelligence function, the expansion of covert operations, as well as the possibility of creating an “MI-5” domestic intelligence

*Publicly and privately, they have grappled with the question of whether to strip the FBI of its counterintelligence and counter-terrorism mission and hand those functions to a new domestic intelligence agency along the lines of Britain's MI-5. FBI Director Robert Mueller has argued forcefully that such a move would be counterproductive. "I think we can, and are, fixing what has been wrong with the FBI," he told the panel earlier this year. (DMN 7/18/04)*

### **Foreign and Domestic Policy**

*“...the government should be charged with a systematic response that, one hopes, will end the way that the attack on Pearl Harbor ended -- with the destruction of the system that is responsible for it. That system is a network of terrorist organizations sheltered in capitals of certain countries. It is hard to say at this point what should be done in detail... But until now we have been trying to do this as a police matter, and now it has to be done in a different way. Of course there should be some act of retaliation. We do not yet know*

*whether Osama bin Laden did this, although it appears to have the earmarks of a bin Laden-type operation. But any government that shelters groups capable of this kind of attack, whether or not they can be shown to have been involved in this attack, must pay an exorbitant price.” (“Destroy The Network,” Henry Kissinger, WP, September 12, 2001)*

*In the largest reorganization of government since World War II, policy-makers created the Department of Homeland Security by merging 22 existing federal agencies. (Dallas Morning News, 7/18/04)*

We face the dangers of replacing an inclusive foreign policy with a Pax Americana, abandoning the principles of international law, rewarding the purported failures of various agencies with expanded budgets, dismantling established civil liberties in favor of military tribunals and massive surveillance, and taking all limits away from the powers of the executive branch if current trends continue. The Commission should be countering these trends in its recommendations, not reinforcing them.

#### **Conclusions:**

We do not anticipate that we will disagree with all the many conclusions and recommendations of the 9/11 Commission’s final report, we feel that the many issues we have raised in this initial critique concerning the marked flaws in their procedures and the obstacles and obstruction they faced from the start will flaw major parts of their report. We have pointed out some of the likely areas of omission and contradiction that have already appeared in their statements and questions. We hope they will back up their work with the fullest possible release of evidence available for public scrutiny, to provide a framework for public confidence as well as public criticism.

We have stood side by side with the victims’ families in our work and in support of similar issues they continue to raise. They and our country deserve nothing less than the most accurate account possible of what happened on 9/11 and who was behind that attack. We also deserve reasonable and credible explanations for the scenarios advanced by the Commission in light of the many contradictions pointed out since the incident by dedicated researchers and concerned family members. The families deserve to have all their reasonable questions answered as fully as possible by this investigation and report.

We will be working now on a much more comprehensive response to the Final Report to be released by the Commission. Hundreds of researchers will be working to examine the report and its evidence, and to compare it to the thousands of collected articles, timelines, and other government documents that relate to the 9/11 story. That alternative report will not answer all the questions either, but it will provide new facts and evidence, alternative perspectives and perhaps most importantly a different set of recommendations for domestic and foreign policy aimed at responding to terrorism here and abroad.

9/11 CitizensWatch was formed to monitor and challenge the 9/11 Commission to fulfill

its serious mandate of leaving no stone unturned in their efforts to examine and construct the truth about the attacks on 9/11 and what they mean for America. If they fall short of that mandate, or fail to satisfy the families and the broader public in their report, then the impetus will be toward additional inquiries, release of records and evidence and a Citizens Truth Commission to hear and evaluate the testimony this Commission has perhaps ignored.

We encourage all those who have knowledge of the events and suspects, the government agency responses, and other knowledgeable perspectives on a response that will ensure our future safety to come forward and share what they know with the public. We encourage the Commission to end its work with more transparency than has marked it to date, and to join with all of us to continue in the search for the truth. Democracy is only what we make it, and it demands all we have.

**APPENDICES (with author's permission):**

**A - Daniel Alcorn, Esq., on secrecy**

**B - Peter Dale Scott, Ph.D. on Ali Muhammad**

**C - Len Bracken on strategy of tension**

**D - Kyle Hence on insider trading**

**APPENDIX A**

**Why Not Consider Living Up to Our Principles?**

**By Daniel Alcorn**

April 20, 2004 ©

Revelations before the 9/11 Commission lead to the conclusion that our long-standing secrecy oriented national security system failed us leading up to the September 11th terror attacks. Inspired by calls for rethinking of this national security apparatus, here

goes a proposal that probably will not be well received by the secrecy system.

Our nation stands for the democratic principle of disclosure to the public of government information. This principle is the law of the land as enacted in the Freedom of Information Act, but is also reflected in many of our customary democratic practices such as judicial proceedings that are open to the public, and a free press closely covering the activities of government officials. Unfortunately our principle of openness has been eroded by the secrecy system, which has accompanied our large security apparatus put in place since the start of World War II. Presidents, lawmakers and judges have all been deferential to this secrecy system for fear of the asserted consequences of release of information.

Yet as is on full display in the 9/11 events, government secrecy did not protect us from an immediate threat and instead appears to have contributed to the failure of the security system. Let me explain. The White House fought to keep secret the President's Daily Briefings, particularly the one dated August 6, 2001. The principle the White House pursued was one of total secrecy for these documents (created with your tax dollars). As information emerged fitfully and incompletely in Ms. Rice's testimony we learned that the headline of one of the briefing items states, "Bin Laden Determined to Strike In United States", and that there was knowledge of ongoing preparations for hijackings. Almost full release of the briefing after Rice's testimony adds some detail to these disclosures.

Now to my near revolutionary point- perhaps we would have been safer if the essential information in the August 6, 2001 briefing had been shared with all of us through the news media on August 6, 2001.

Certainly the events of 9/11 would have come as less a surprise if we had known in essence what our government knew on August 6. Rather than 9/11 being a bolt out of the blue, we would have had some understanding of what was happening. But to carry this point further, it is entirely conceivable that by releasing the information to the public our state of vigilance might have been vastly increased. The current state of the evidence before the 9/11 Commission is that key personnel in the FAA and FBI were unaware that a threat existed in August-September 2001. If the threat information had been reported in the news media, the word might have gone out to these government personnel in a way it apparently did not within the government channels. Perhaps with this state of general awareness government personnel might have 'connected the dots' and been listened to within the government.

Maybe the passenger screeners at the airports would have perked up and become more cautious in their work. Perhaps passengers in airports and on airplanes might have become more vigilant. Could it be that our principles of openness and democracy are right- that an informed and aware public is our best protection and that an informed public from August 6, 2001 onward might have led to a thwarting of the threats? I do not pretend to know all the answers to these questions but I have a strong feeling they should be part of the discussion.

These ideas are so heretical to the secrecy system that I am reluctant to even share them for fear of the reaction. Which shows how pervasive this system has become in a free nation. When I expressed similar ideas to the government's information security



oversight officer at a meeting designed to be a forum for freedom of information advocates, he thought the ideas were intellectually interesting, but not part of the discussion occurring within the government. Within the government the concern was to share information with other government components, but not with the public. I wasn't invited to the next meeting.

But inspired by that old American spirit of rebelliousness, I do challenge us to think about whether we really are more secure in a fossilized secrecy system. Or is it conceivable that we might be safer in a revitalized democratic based system in which the maximum possible amount of important information is shared on a timely basis with the citizens who pay to have it collected and analyzed?

Our leaders rightly talk eloquently of our commitment to freedom and democracy. But we may have lost the point along the way, which is that these principles work in practice, and they apply to our security arrangements as well as other governmental functions.

**Daniel Alcorn is a Washington, D.C. Freedom of Information attorney.**

## **APPENDIX B**

### **9/11 Commission Misses FBI's Embarrassing Al Qaeda Dealings**

Commentary, Peter Dale Scott,  
Pacific News Service, Jun 24, 2004

*Editor's Note: The name "Ali Mohamed" came up briefly in 9/11 Commission hearings. Had commission members done their homework, writes PNS contributor Peter Dale Scott, they could have probed the links between Mohamed and the FBI, which likely released the terrorist years ago in a bungle that may have contributed to the loss of hundreds of lives.*

It is clear that important new evidence about al Qaeda has been gathered and released by the 9/11 Commission. But it is also clear that the commission did nothing when a Justice Department official, in commission testimony last week, brazenly covered up the embarrassing relationship of the FBI to a senior al Qaeda operative, Ali Mohamed. By telling the Royal Canadian Mounted Police (RCMP) to release Mohamed in 1993, the FBI may have contributed to the bombing of the U.S. Embassy in Kenya five years later.

The official testifying was Patrick J. Fitzgerald, U.S. Attorney for Northern Illinois, who prosecuted two terrorism cases involving Mohamed. As Fitzgerald told the commission, Ali Mohamed was an important al Qaeda agent who "trained most of al Qaeda's top leadership," including "persons who would later carry out the 1993 World Trade Center bombing."

As for Ali Mohamed's long-known relationship to the FBI, Fitzgerald said only that,

"From 1994 until his arrest in 1998, he lived as an American citizen in California, applying for jobs as an FBI translator and working as a security guard for a defense contractor."

Whatever the exact relationship of Mohamed to the FBI, it is clear from the public record that it was much more intimate than simply sending in job applications. Three years ago, Larry C. Johnson, a former State Department and CIA official, faulted the FBI publicly for using Mohamed as an informant, when it should have recognized that the man was a high-ranking terrorist plotting against the United States. In Johnson's words, "'It's possible that the FBI thought they had control of him and were trying to use him, but what's clear is that they did not have control.'" (San Francisco Chronicle, 11/04/01)

Ali Mohamed faced trial in New York in 2000 for his role in the 1998 Nairobi Embassy bombing. He pleaded guilty to a reduced charge of conspiracy and avoided a jury trial. While pleading guilty, Mohamed admitted he had trained some of the persons in New York who had been responsible for the 1993 World Trade Center bombing.

In Mohamed's plea-bargain testimony, as summarized on a U.S. State Department Web site, he revealed that in late 1994 the FBI ordered him to fly from Kenya to New York, and he obeyed. "I received a call from an FBI agent who wanted to speak to me about the upcoming trial of United States v. Abdel Rahman (in connection with the 1993 WTC bombing). I flew back to the United States, spoke to the FBI, but didn't disclose everything that I knew."

One year earlier, according to the Toronto Globe and Mail, Ali Mohamed had been picked up by the RCMP in Canada in the company of an al Qaeda terrorist. Mohamed immediately told the RCMP to make a phone call to his FBI handler. The call quickly secured his release.

The Globe and Mail later concluded that Mohamed "was working with U.S. counter-terrorist agents, playing a double or triple game, when he was questioned in 1993." His companion, Essam Marzouk, is now serving 15 years of hard labor in Egypt after having been arrested in Azerbaijan, according to Canada's National Post newspaper. As of November 2001, Mohamed had still not been sentenced, and was still believed to be supplying information from his prison cell.

The RCMP's release of Mohamed may have affected history. The encounter apparently took place before Mohamed flew to Nairobi, photographed the U.S. Embassy, and took the photo or photos to bin Laden. (According to Mohamed's confession, "Bin Laden looked at the picture of the American Embassy and pointed to where a truck could go as a suicide bomber.")

The 9/11 Commission should have had a serious discussion of the U.S. intelligence agencies' relationship to Mohamed. It has been widely reported, and never denied, that

after he first came to the United States from Egypt he worked first for the CIA and then the U.S. Army Special Forces.

Mohamed trained the WTC bombers at an Islamist center in Brooklyn, N.Y, where earlier he had been recruiting and training Arabs for the U.S.-supported Afghan War. A British newspaper, the London Independent, has charged that he was on the U.S. payroll at the time he was training the Arab Afghans, and that the CIA, reviewing the case five years after the 1993 WTC bombing, concluded in an internal document that it was "partly culpable" for the World Trade Center bomb.

The commission may have failed to explore these matters for the same reason it suppressed testimony from a former FBI translator, Sibel Edmonds. She said a foreign organization had penetrated the FBI's translator program. Attorney General John Ashcroft has since ordered Edmonds not to speak further about the matter, asserting "state secrets" privilege.

Sadly, the only public commission discussion of Mohamed came from commission member Timothy Roemer, who naively repeated Fitzgerald's statement and went no further: "He comes to the United States and applies for jobs as an FBI translator and as a defense contractor," Roemer said.

## **APPENDIX C**

### **Notes On The Strategy of Tension**

Len Bracken

*Operation Gladio.* The phrase "strategy of tension" is most closely associated with Italian politics and the falsely sponsored terrorist events beginning with the Piazza Fontana massacre in December 12, 1969, going on to the assassination of Prime Minister Aldo Moro in 1978, but also comprising many other planned or failed coup attempts. The U.S. sponsored Operation Gladio, named after the Latin word for sword, entailed using staged provocations to justify the overthrow the Italian government by a secret force of 15,000 troops should it veer too far to the left.

The left-wing Red Brigades, for example, were infiltrated and militarized, enabling the Italian military intelligence service, in concert with Americans in NATO and the Propaganda Due, or P2, Masonic lodge, to use falsely attributed terror for political ends—namely to escalate social tension, purportedly arising from the left during what were known as the "years of lead," to the point that citizens would want a military or neo-fascist takeover of the country to restore order. Evidence of this strategy was uncovered during the Portuguese Revolution (1974-75), when revolutionaries discovered an international neo-fascist network operating, in part, out of a publishing house on the outskirts of Lisbon. Subsequent evidence was revealed by judicial and parliamentary inquests in Italy. General Gianadelio, the former head of Italian military counter-

intelligence, testified that Americans used these false-flag operations, deploying right-wing terrorists disguised as left-wing revolutionaries who had been trained at a clandestine NATO military base in Sardinia, “to stop Italy from sliding to the left.”

British journalist Philip Willan, in his book *Puppetmasters: The Political Use of Terrorism in Italy*, goes so far as to say that Mario Moretti, the man most responsible for the assassination of Moro, was working for Italian and U.S. intelligence agencies, having made numerous well-documented trips to the CIA station in Paris. Moretti, who had been known for his right-wing beliefs, made a highly suspicious public conversion to the left prior to joining the Red Brigades.

Jean-Francois Brozzu-Gentile, *L’Affaire Gladio* Paris: Albin Michel, 1994

Gianfranco Sanguinetti, *On Terrorism and the State*, London: Chronos, 1982 and *The Real Report on the Last Chance to Save Capitalism in Italy*, Flatland: Fort Bragg, 1997

Philip Willan, *Puppetmasters: The Political Use of Terrorism in Italy*, London: Constable, 1991

Mark Zepezauer *The CIA’s Greatest Hits*, Tucson: Ondonian, 2002

*Operation Northwoods*. According to secret documents obtained by James Bamford for his book *Body of Secrets*, “the Joint Chiefs of Staff,” in the early 1960s, “drew up and approved plans for what may be the most corrupt plan ever created by the U.S. government. In the name of anticommunism, they proposed launching a secret and bloody war of terrorism against their own country in order to trick the American public into supporting an ill-conceived war they intended to launch against Cuba.”

As a prelude to making his shocking revelations about Operation Northwoods, Bamford describes how the Senate had investigated the relationship between Joint Chiefs Chairman General Lyman Lemnitzer, his fellow chiefs, and “extreme right-wing groups,” and then quotes from the 1963 book by Donald Janson, *The Far Right*: “Concern has grown that a belligerent and free-wheeling military could conceivably become dangerous to the stability of the United States as the mixture of rebelliousness and politics had in nations forced to succumb to juntas or fascism.”

Bamford sketches an outline of the plan Codenamed Operation Northwoods: “... the plan, which had the written approval of the chairman and every member of the Joint Chiefs of Staff, called for innocent people to be shot on American streets; for boats carrying refugees fleeing Cuba to be sunk on the high seas; for a wave of violent terrorism to be launched on Washington, D.C., Maimi, and elsewhere. People would be framed for bombings they did not commit; planes would be hijacked. Using phony evidence, all of it would be blamed on Castro, thus giving Lemnitzer and his cabal the excuse, as well as the public and international backing, they needed to launch their war.”

According to Bamford, “The idea may actually have originated with President Eisenhower in the last days of his administration. With the Cold War hotter than ever and the recent U-2 scandal fresh in the public’s memory, the old general wanted to go out with a win. He wanted desperately to invade Cuba in the weeks leading up to Kennedy’s inauguration; indeed, on January 3 he told Lemnitzer and other aides in his Cabinet Room that we would move against Cuba before the inauguration if only the Cubans gave him a really good excuse. Then, with time growing short, Eisenhower floated an idea. If Castro failed to provide that excuse, perhaps, he said, the United States ‘could think of manufacturing something that would be generally acceptable.’ What he was suggesting was a pretext—a bombing, an attack, an act of sabotage—carried out secretly against the United States *by* the United States. Its purpose would be to justify the launching of a war. It was a dangerous suggestion by a desperate president.”

Lemnitzer perceived the Kennedy brother to be soft on Cuba, so he and his fellow chiefs knew “there was only one option left that would ensure their war.” According to Bamford, “They would have to trick the American public and world opinion into hating Cuba so much that they would not only go along, but would insist that he and his generals launch their war against Castro.” The goal, as one of the secret documents states, was “developing the international image of the Cuban government as rash and irresponsible, and as an alarming and unpredictable threat to the peace of the Western Hemisphere.” Bamford has harsh words for the authors of this plan: “Operation Northwoods called for a war in which many patriotic Americans and innocent Cubans would die senseless deaths—all to satisfy the egos of twisted generals back in Washington, safe in their taxpayer-financed homes and limousines.”

When plans were scuttled to blow up John Glenn during his February 20, 1962 rocket launch from Cape Canaveral, Florida and blame Castro, Bamford says that, “The suggested operations grew progressively more outrageous.” One of these, he writes, “called for an action similar to the infamous incident in February 1898 when an explosion aboard the battleship *Maine* in Havana harbor killed 266 U.S. sailors. Although the exact cause of the explosion remained undetermined, it sparked the Spanish-American War with Cuba. Incited by the deadly blast, more than one million men volunteered for duty. Lemnitzer and his generals came up with a similar plan. ‘We could blow up a U.S. ship in Guantanamo Bay and blame Cuba,’ they proposed.” They added that, “Casualty lists in U.S. newspapers would cause a helpful wave of national indignation.” (James Bamford, *Body of Secrets*, Anchor Books, New York, 2002, pp. 80-84)

*Lusitania*. The sinking of the cruise ship *Lusitania* in 1915 by German U-boats is another example in which historians have questioned the official version of events and seen the attack as a useful pretext for war. In this case, the fact that so many Americans were aboard when it sank was beneficial to the British because it created sympathy for their side and later served as a factor in the United States joining the First World War. A specialist in British naval history, Patrick Beesly, supports the controversial claim made by journalists that Winston Churchill, then head of the British Admiralty, intentionally

sent the vessel into harm's way to lure America into the war. In his book, *Room 40 British Naval Intelligence 1914-1918*, Beesly says that because of "unsatisfactory nature of the official enquiry" and continued secrecy, among other reasons, he was "reluctantly driven to the conclusion that there *was* a conspiracy to deliberately put the Lusitania at risk in the hopes that even an abortive attack on her would bring the United States into the war. Such a conspiracy could not have been put into effect without Winston Churchill's express permission and approval." (Patrick Beesly, *Room 40 British Naval Intelligence 1914-1918*, Harcourt, Brace Jovanovich, New York, 1982, p. 122).

*Pearl Harbor*: Historians continue to debate the foreknowledge enjoyed by President Franklin Delano Roosevelt prior to the Pearl Harbor attack, which brought the United States into the Second World War. In *Pearl Harbor: Final Judgment*, Henry Clausen and Bruce Lee name names and ultimately find that Roosevelt was guilty of "contributory negligence" for failing to immediately alert his commanders that the country was at war, "some sixteen hours before the Japanese attack." (Henry Clausen and Bruce Lee, *Pearl Harbor: Final Judgment*, Da Capo, New York, 1992, p. 309) Other historians are less charitable, such as Robert Stinnet in *Day of Deceit: The Truth about Pearl Harbor* (Free Press, New York, 2000); and James Rusbridger and Eric Nave in *Betrayal at Pearl Harbor: How Churchill Lured Roosevelt into World War II*. (Summit Books, New York, 1991). At the very least it has been established, beyond the famous "Winds Code" intercepts, that J. Edgar Hoover had a German secret service document that pinpointed Pearl Harbor as the primary target of attack, which he did not share. (John Bratzel and Leslie Rout, Jr. "Research Note: Pearl Harbor, Microdots, and J. Edgar Hoover," *American Historical Review*, volume 87 (1982), p. 1342-51).

*Tonkin Gulf Incident*. In *A Grand Delusion: America's Descent into Vietnam*, Robert Mann states that regarding the Tonkin Gulf Incident, "At least one high-level national security official, Under Secretary of State George Ball, firmly believed that, in sending the Maddox so close to the North Vietnamese shore, the United States was 'looking for an excuse to initiate bombing.' The DeSoto patrols in August, he said, were 'primarily for provocation.'" The incident in question that inspired the fateful congressional resolution never happened—it was a case of friendly fire: "Days later, naval officials concluded that these reports were in error. Men on one destroyer had witnessed gunfire of another destroyer and mistook them for muzzle flashes from an attacking enemy boat." (Robert Mann, *A Grand Delusion*, Basic Books, 2001 New York p. 351)

*First World Trade Center Bombing*. The FBI's informant was pulled off the case that led to six deaths and over 1,000 injuries, right before the fatal event in 1993. According to the *Wall Street Journal*, the informant, Emad Eli Salem, "helped organize the 'battle plan' that the government alleged included plots to bomb the United Nations and FBI buildings in New York, and the Holland and Lincoln tunnels beneath the Hudson River. Working with a charismatic Sudanese man named Siddig Ali, a follower of Sheik Omar, Mr. Salem recruited seven local Muslims to scout targets, plan tactics and obtain chemicals and electrical parts for bombs, the government alleged. The FBI supplied a safehouse in

Queens.” Prior to his removal from the case, Salem was to have substituted a harmless powder to avoid carnage. Salem recorded his conversations with his FBI case officers, portions of which were reprinted in the *Wall Street Journal* and *New York Times*: “Since the bomb went off, I feel terrible. I feel bad. I feel here is people who don’t listen.” His case officer responded: “Hey, I mean it wasn’t like you didn’t try, and I didn’t try.” (reprinted in *The Oklahoma City Bombing and the Politics of Terror* by David Hoffman, Feral House, Venice, 1998, p. 350)

*Oklahoma City Bombing.* In this case evidence points to multiple explosions, destruction of evidence, many suspects, informants and provocateurs who were excluded for various reasons. The government prosecuted Tim McVeigh as the primary suspect. After mentioning many anomalies in the case, Gore Vidal mentions a key lead that was never followed up: “McVeigh’s sister read a letter he wrote her to the grand jury stating that he had become a member of a ‘Special Forces Group involved in criminal activity.’” The terrorist attack paved the way for Clinton’s Anti-Terrorism Act of 1996, which gave the police significantly expanded powers. (Gore Vidal, *Perpetual War for Perpetual Peace* Thunder’s Mouth Press, New York, 2002, p. 113).

## APPENDIX D

### ***Making a Killing: A Glimpse of Globalization's Shadow Financial Network and its Defenders***

March 11, 2002

© COPYRIGHT 2002 Kyle F. Hence ([kylehence@earthlink.net](mailto:kylehence@earthlink.net)); All Rights Reserved.  
[May Be Reprinted, Distributed Or Posted On Web Sites For Non-profit or fair use Purposes Only]

(EXCERPT)

### ***Part II -- Billions in Pre-911 Insider Trading Profits Leaves a Hot Trail: How Bush Administration Naysayers May Have Let it go Cold***

Part I of *Making a Killing* provided a glimpse of a shadowy, legitimized global financial network that is employed by criminals of all kinds to carry out or manage the profits from all manner of nefarious activity. It documented how the Bush Administration in 2001 undermined, stalled and withdrew from a global effort to clamp down on money laundering. We learned the indirect connection Enron had to intense lobbying efforts, which ultimately swayed the Administration. And how following the attacks of 9-11, Bush changed his tune and working with allies in the war on terrorism, seized over \$100 million linked to Al Qaeda and other terrorist groups. Unfortunately, this is likely the tip of the iceberg of drug and terror money that is managed by the highest echelons of double-breasted Gucci suited criminals.

In Part II, we will examine closely what is likely the largest, most globalized and heinous case of insider trading in economic history and how it offered authorities a hot money to follow. If successful in tracking the perpetrators, authorities would not only be successful in implicating obvious accomplices in the 9-11 attacks, but also would be able to strike deeply into the infrastructure of a shadow financial network and hundreds of billions of dollars that flow through it.

### **Massive pre-attack 'insider trading' offer authorities hottest trail to accomplices**

As of mid-March, authorities say they have frozen over \$100 million in terrorist assets. But how to strike deeper to prevent future attacks? Some believe the answer lies at the end of the paper trail that investigators are following from huge insider trading placed on carefully selected stocks in the days leading up to 9-11.

According to Phil Erlanger, a former Senior Technical Analyst with *Fidelity*, and founder of a Florida firm that tracks short selling and options trading, insiders made off **with billions** (not mere millions) in profits by betting on the fall of stocks they knew would tumble in the aftermath of the WTC and Pentagon attacks. [erlangersqueezeplay.com] Andreas von Bulow, a former member of the German Parliament, once responsible for the oversight of the German secret services, estimated that profits by insider traders were \$12-15 billion. CBS offered a far more conservative figure when it reported (Sept 26) that "at least seven countries are dissecting suspicious trades that may have netted more than \$100 million in profits."

Regardless of estimates, to Dylan Ratigan of *Bloomberg Business News*, the evidence was compelling; "This is the worst case of insider trading ever." [Good Morning Texas, Sept. 20, 2001] The sheer scope, size and the uncanny timing of 9-11 insider trading demanded an aggressive investigation. But the stakes involved, with nearly 3000 dead, have never been higher for financial crimes investigators.

Suspicious trading was first identified by Japanese authorities. But soon concerns were raised and a pattern could be discerned in countries around the world including Singapore, Hong Kong, Italy, France, Switzerland, the Netherlands, Great Britain, Germany and Canada. Jonathan Winer, an ABC News Consultant said "it's absolutely unprecedented to see cases of insider trading covering the entire world from Japan to the US to North America to Europe." [*World News Tonight*, Sept. 20, 2001] Investigators were soon hot on the trail on a matter of obvious national security to many nations.

*Bloomberg News* reported that Former chief of Enforcement at the SEC; William McLucas said regulators will "certainly be able to track down every trade, where the trade cleared, where the trade was directed from." However, Treasury Secretary O'Neill downplayed hopes for a successful investigation by pointing out the challenge of penetrating veils of secrecy before a name can be attached to a suspicious trade; "You've got to go through ten veils before you get to the real source." [AP; September 20, testimony before Senate Banking Committee] . Talk about lowering the bar of



expectations; very unsettling coming from someone who could help bring to justice those guilty of the worst terrorist attack history--the massacre of thousands.

In the months since these comments, tightlipped authorities have revealed few details. Any questions put to those prosecuting the war on terrorist funding cannot be answered. The familiar refrain is heard; "our investigation is ongoing." Though widely reported in September and October of last year, months have elapsed since the insider trading received attention. The unresolved crime of 9-11 insider trading is a dark cloud that hangs over this administration and its prosecution of the 'war on terrorism.' What is worse is that those who profited remain free to use those profits of death to finance their next attack.

For those who dismiss the whole phenomena, here's what we do know thus far from reports from major newspapers and television news outlets around the globe. Taken separately any of the following details or comments is notable, but taken together and placed in context, the evidence of unprecedented profiteering by terrorists and/or those with prior knowledge is clearly undeniable.

#### ***Massive Put Options spikes and 'Naked' calls***

*Bloomberg News* reported that put options in *UAL Corp* (parent for *United Airlines*) surged 285 times the average volume and 75 times the total number of put options traded up until that time. This was the largest reported spike. In another observation of the same phenomena reported in the September 22<sup>nd</sup> *Herald Sun*, *UAL* put options contracts soared 90 times in one day over total from the previous three weeks. That's 90x not 90%. On September 10, put option contracts on *AMR* (parent for *American Airlines*) spiked 60 times the daily average and five times the total of all \$30 put options traded before September 10. [Montreal Gazette, "Pre-attack trading probed: Regulators in U.S., Europe and Asia check put options"; Judy Mathewson and Michael Nol, September 19]

"I saw put-call numbers higher than I've ever seen in 10 years of following the markets, particularly the options markets," said John Kinnucan, principal of *Broadband Research* quoted in *The San Francisco Chronicle*.

*Bloomberg.com* and *Erlangersqueezeplay.com* published reports identifying a clear pattern of highly unusual, and in some cases, massive spikes in put options in stocks that would have been deemed by those with detailed prior knowledge most likely hardest hit in the market aftermath of a WTC attack. These were primarily airline (*UAL* and *AMR*, notably not *Delta*), insurance, brokerage and hotel stocks. Phil Erlanger also noted a pattern of significant spikes in 'naked calls' in the same stocks. Naked calls are a high-risk form of short selling not backed up by stock position in the company at issue.

Thirty-eight companies were placed on a SEC list and circulated amongst brokerages that placed the put options on behalf of clients. These included among many others, TD Waterhouse, NFS (subsidiary of Fidelity of Boston), Alex Brown/Deutsche Bank,

Goldman Sachs, and Lehman Brothers. [The San Francisco Chronicle; AP]. In the January 2002 Congressional record, an informal survey conducted by Levin-Grassley staffs, revealed that 10 of 22 responding securities and brokerage firms, managed accounts for 45,000 offshore clients.

Below are a few standouts on the SEC list ['\*' indicates a WTC tenant; (-x) represents the multiple over average volume]:

Airlines: *UAL* (285x), *AMR* (60x)

Insurance sector: *Marsh & McLennan* (93x)\*, *Citigroup* (45x), *Swiss Re*, *XL Capital*

Brokers: *Bear Stearns* (60x), *Morgan Stanley* (27x)\*, *Merrill Lynch* (12x)

*Compiled from Bloomberg News Report, Tuesday, September 18, 2001*

Not included on the SEC list, but featured on the Erlangersqueezeplay.com report, were hotel chains *Marriott*, *Hilton* and *Starwood Hotels*. Most anomalous were the huge put option trading spikes placed in only two of the three major US airlines. Almost always, if investors believe the airline industry is due to drop, they will short all three major carriers. This was not the case here because *Delta* did not see spikes similar to *UAL* and *AMR*.

Analysts also noted that though the insurance sector was one of the strongest in a depressed stock market, there were huge spikes in put options in *Marsh & McLennan* and in *Citigroup*. *Marsh & McLennan*, the biggest insurance broker, was a World Trade Center tenant with 1,700 employees. It also saw, next to *UAL*, the highest spike in put options; thus you have a confluence of facts that, in the minds of many experienced traders and experts, amounts to unequivocal evidence of foul play. Clearly traders placed bets based on sure-fire insider prior knowledge. The odds against this happening randomly or coincidentally are astronomical; probably incalculable.

The put options, though they received the bulk of news coverage, were reportedly only one of several instruments used by the insiders. Suspicious trading in 5-year bonds and in oil and gold futures was also noted, and presumably investigated.

### ***Oil and gold futures***

The *Associated Press* reported on September 22<sup>nd</sup> that a German Central Bank study strongly points to "terrorism insider trading" not only in airline and insurance companies but also in gold and oil futures. These he said, "could not be chalked up to coincidence." *Bundesbank* President, Ernst Welteke, said that though it would be "extremely difficult to really verify" but he believed "in one or the other case it will be possible to pinpoint the source."

### ***Unusual high volume in pre-attack 5 year bond trading***

*The Wall Street Journal* reported on October 2 that the Secret Service had begun a probe into an unusually high volume of five-year US Treasury note purchases made prior to the

attacks. The Treasury note transactions included a single \$5 billion trade. The *Journal* noted that "Five-year Treasury notes are among the best investments in the event of a world crisis, especially one that hits the US. The notes are prized for their safety and their backing by the US government, and usually rally when investors flee riskier investments, such as stocks." The value of these notes, the Journal pointed out, has risen sharply after the events of September 11th.

### ***'Last hours' surge of financial activity at WTC***

According to a Reuters report of December 16, German data retrieval experts, hired by WTC tenant firms, were mining data off damaged hard disks recovered from the ground zero. The goal is to discover who was responsible for the movement of unusually large sums of money through the computers of the WTC in the hours before the attack. Peter Henschel, director of *Convar*, the firm responsible, said, "not only the volume, but the size of the transactions was far higher than usual for a day like that." Richard Wagner, a data retrieval expert estimated that more than \$100 million in illegal transactions appeared to have rushed through the WTC computers before and during the disaster.

The evidence and comments offered by traders, analysts, bankers and others in the immediate aftermath indicates there was, in fact, a carefully planned and sophisticated effort of massive profiteering from the precipitous fall of stocks that occurred when trading opened following the attack. This is expert documentation and observations based on years of experience. The implications are absolutely frightening. And all the more reason for authorities to pull out all the stops to identify and prosecute those responsible and shut down the global financial network facilitated the most heinous of crimes. Unfortunately, that's not exactly what's happened.

### ***'Naysayers' raise suspicions; Enron diverts attention from dire National security issue***

Months have passed since the launch of investigations by the SEC, NYSE, CBOE (Chicago Board of Options Exchange), Department of Justice, FBI, Secret Service, CIA, Department of Treasury, and the NSA. And yet there is no news, no suspects, no prosecutions, nothing. There are fears now that early 'naysayers' may have let a hot trail to go cold and allowed the terrorist insiders to cover their tracks. Despite all the evidence to the contrary, the FBI's Dennis Lormel said on October 3, 2001 before Congress that there were "no flags or indicators" referring to mere "rumors" about the pre-attack insider trading...

In light of the weighty and compelling evidence, Lormel's insistence there were "no flags or indicators" of possible terrorist insider trading, is blatantly wrong or worse, suspect. Most of the information above, including Bloomberg trading charts documenting massive put options spikes, was in the public domain prior to his testimony. Yet, Lormel claimed there was no indication of suspicious trading. Why then were investigations launched by over a dozen nations and 8 or 9 U.S. government agencies, exchanges and commissions? How does one account for supporting comments of the traders and analysts with years of

hands-on experience in the markets?

Lormel's testimony, coming from an official charged with tracking down, and starving terrorists of funding to protect Americans does little to inspire confidence; especially in the wake of the worst intelligence failure in US history. On the contrary, such remarks only raise very uncomfortable suspicions and legitimate concern that the forces behind walls of financial secrecy are so powerful as to thwart or intimidate the highest echelon of those responsible for executing our nation's war on terrorism. Or on drug trafficking. Or on *Enronomic* tax evasion and corporate fraud for that matter.

The obvious challenge for authorities is to put these suspicions to rest and follow the money trail to those complicit in the attacks. To do so, requires investigators to break through the veils of bank secrecy in offshore tax havens that may protect terrorists and Enron profiteers alike. Unfortunately, thanks to the Bush Administrations withdrawal from last year's FATF efforts, investigators may be having difficulty in doing so. And once again, the trail may have gone cold. And yet it is not unreasonable to expect that given such a matter of national security, Congress and the authorities would pull out ALL the stops. They would act quickly to force financial entities to divulge the names of those who placed the trades in question.

Surely, 'the most powerful nation in the world' can apply enough pressure on non-cooperating financial jurisdictions to force them to reveal the identities of terrorists who could attack again at any moment. The reality of the threat of more attacks precludes the use of past excuses and inaction. The Cayman Islands, Nauru, indeed most offshore havens lack standing armies. While it may be perhaps 'the hardest of nuts to crack,' the urgency and justification demands we do whatever is necessary to do so, at little risk to our nation's armed forces.

A real war on terrorism would lead to seizures of billions not millions. Nothing close to this level has yet occurred and the investigation has yielded little in five months. According to a statement by Representative LaFalce on the Congressional Record, the Treasury Department, as of late January had failed to exercise, even once, their new powers to pressure non-cooperating overseas and offshore financial facilities. Investigators into pre-attack trading have not implicated a single insider, terrorist or otherwise. UN efforts are creeping along ineffectively with many nations failing to fully cooperate or not cooperate at all, as divulged to the press by American UN Ambassador Negroponte at a February event aired on C-SPAN. There is a distressing and suspicious pattern here. The administration's will to pursue this matter is sorely lacking.

Another case in point: In December of 2000, the U.S. and Russia co-sponsored a UN Security Council resolution to freeze monies linked to designated terrorists. The list included five alleged close associates of Bin Laden--Amin al-Haq, Saqar al-Jadawi, Ahmad Sa'id Al-Kadr, Sa'd A-Sharif and Bilal bin Marwan. **Inexplicably the U.S. Treasury did not officially place these five on the U.S. blacklist until October 12,**

**2001. Why the delay of ten months and who is responsible for it?** Naturally, this case raises further suspicion, as it rightly should, regarding the intent and integrity of those charged with protecting our national interests and security.