

9/11 Commission - Status of Investigation

A Report from 9/11 CitizensWatch

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What really happened on September 11, 2001?

Who was responsible? Were there warnings in advance or foreknowledge? Why was the military response to events delayed? Does the official story of 19 men on a suicide mission plotted by Osama bin Laden and the Al-Qa'ida from Afghanistan hold up under intense scrutiny? Has the administration deceived the American people about what they knew prior to the attacks? Why have no U.S. officials or Agency heads been held accountable?

Preface

9/11 CitizensWatch serves as a watchdog group working in an oversight capacity to hold the National Commission on Terrorist Acts Upon the United States responsible in fulfilling their mandate; to be sure they do everything in their power to be open, transparent and accountable to the American people and to insure they follow all lines of inquiry in assembling what the Commission insists will be "the definitive account" of what happened on 9/11.

Seeking Answers and Accountability

The survivors, the family members of victims, indeed all Americans who have been so severely affected by this tragedy and its aftermath deserve to have a full redress of their concerns and to have all their questions answered to their satisfaction in the course of what should be a complete and aggressive public investigation. This does not seem to be happening, and the progress of the Commission investigation to date suggests that it will not before their May deadline.

Resisting Investigation and Full Disclosure

Many questions remain unanswered to this day, in part because official inquiries, investigations, lawsuits and courts-martial have never been initiated, or because they have been obstructed and delayed. A wall of secrecy erected by the current administration, ostensibly to protect "national security" also surrounds the events of 9/11. By resisting calls for a full and open investigation, on the grounds that it would divert resources and energy from the war on terrorism, and by refusing to turn over or make public key documents (e.g. Presidential briefing of August 6, 2001 on Al-Qa'ida or the redacted 28 pages of the Joint Inquiry Report), the Bush Administration has presented at least the appearance of a cover-up.

This secrecy follows in the wake of the never produced "White Paper" Secretary of State Powell and Prime Minister Blair were to present at the UN as proof that Al-Qa'ida and bin Laden were complicit in the attacks. Whether this obfuscation is motivated by fear of embarrassment over purported incompetence, or to avoid accusations of gross or criminal negligence, there should be no tolerance for excessive secrecy relative to issues of public safety and the need for full accountability surrounding the worst crime against the U.S. in its history.

The Post 9/11 Agenda

In the meantime, 9/11 has been used as a pretext for taking the country into two wars abroad, diverting massive new funding and powers to military and intelligence agencies, attacking privacy and basic civil liberties, and redefining "justice" by putting suspects into categories that exempt them from both the Constitution and the internationally recognized rights of prisoners of war. Whole new government agencies have been created to consolidate power into the hands of those providing "security", and now one of twelve government employees are under the umbrella of the Office of Homeland Security. We are told by the current Administration to expect a "war that will not end in our lifetime" involving as many as 60 foreign countries. Neo-conservatives inside the Executive Branch are carrying out a blueprint for global domination and a Pax-Americana written well in advance of the events of 9/11 with war plans for both Afghanistan and Iraq in place well before the events of 9/11.

Growing Body of Independent Research

Due to efforts by victims' family members and independent researchers to raise and get answers to crucial questions, a massive collection of reported information, investigative leads and interviews, and official statements has been compiled, and displayed in thoroughly documented exhaustive timeline (www.cooperativeresearch.org).

Lawsuits and 'Discovery'

Family members who have refused government compensation for their loss, and thus retained their right to legal redress, have filed several lawsuits against the government, the airline industry, the NY Port Authority and key leaders in Saudi Arabia, charging either negligence or complicity. One lawsuit was filed against Iraq, though Bush has recently denied having any evidence of their involvement in the events of 9/11. The 'discovery process' allowed attorneys by the courts could yield details not forthcoming from the official government investigation

Congressional Joint Inquiry

A special *Joint Intelligence Committee Inquiry (JICI)* was initiated by the House and Senate Committees on Intelligence after both President Bush and Vice-President Cheney had pressured Senator Daschle to limit the scope of Congressional investigations. Early on, as many as half a dozen committees had planned or discussed holding hearings regarding the attacks but the primary inquiry was ultimately limited to intelligence matters, and conducted by the JICI. After a series of open and closed-door hearings, the JICI completed their report in December of 2002, but the release of their finished report was delayed for almost 6 months as the administration and the JICI negotiated over how much should be made public. Representative Max Cleland (D-GA) charged that the Administration was afraid that some of its conclusions about lack of evidence linking Iraq to the 9/11 attack would have undermined their publicly stated rationale for a drive to war. Large sections of the report were redacted at the time of the public release in August of this year. Many called for the declassification of the relevant pages, including Senator Shelby (R-AL), who insisted that 90-95% of the redacted material could be released without compromising national security or ongoing investigations.

The 9/11 Commission and their Government Mandate

Despite foot-dragging and delay on the part of the administration, relentless pressure by the 9/11 victims' family member organizations on President Bush led to the creation November 27th, 2002, of the National Commission on Terrorist Acts Upon the United States. This 18 month investigation is severely under-funded at \$12 million, compared to over \$50 million spent to look into Whitewater and "Monicagate" and a comparable sum allotted the Challenger disaster inquiry, that was launched within days after the event. The Commission's short-lived inquiry is already beyond the halfway point. The Commission's mandate is to take up where the JICI left off, and to look into a wide range of areas related to

the events of 9/11, including perpetrators, sponsors, aviation security, law enforcement, diplomacy, non-immigrant visas, border control and terrorist financing.

At a press conference held in New York City on March 31st, following their first open hearing, Chairman Kean and Vice-Chair Hamilton confirmed to 9/11 CitizensWatch that their investigation would also include an inquiry into the failure of air defenses and reported advance 'insider trading', neither of which was clearly delineated in the legislated mandate. They have held three public panels collecting testimony; and additional ones are being planned. Their final report is due out May 27th, when they are scheduled to disband.

Conflicts of Interest

Governor Tom Kean of New Jersey chairs this independent and bi-partisan panel. President Bush's first appointment for chairman, Henry Kissinger, was forced out because he was reluctant to comply with required disclosure of his firm's current clients, to prevent conflicts of interest. The first appointment for Vice-chair, former Senator George Mitchell withdrew for a similar reason. Former Senator Lee Hamilton replaced him. Conflicts of interest issues remain however, as many of the Commissioners have close ties to the airline industry and to the US intelligence community. Governor Thomas Kean has ties to the National Endowment for Democracy, a long-time conduit of CIA covert operations abroad, as well as a history of investments that link him to Saudi investors who have financially supported both George W. Bush and Osama bin Laden in the past. Lee Hamilton and Fred Fielding have been part of earlier investigations into White House excesses that were limited in scope and not fully responsive to public demands for thorough inquiry. Jamie Gorelick sits on a Presidential advisory board concerning intelligence. More recently, the Families Steering Committee, which is a liaison to the Commission, has called for the director, Phillip Zelikow, to step down, since he worked with Condoleezza Rice and others in the administration as part of the Bush transition team. Despite these possible conflicts, the panel is tasked with getting at the truth of what happened on 9/11 and what our response has been or should be to the event.

Rising Chorus of Questions and Skepticism

Investigative journalists and the media continue to look into aspects of the events that led up to and followed 9/11. New books are being released; and mainstream press such as the *Philadelphia Daily News*, *Vanity Fair* and *PBS* are raising serious questions. Prominent public figures are challenging the official narrative of what happened and why.

In general, foreign journalists and media outlets provide much better coverage of emerging news and ongoing questions than does the American media. Americans living and working abroad recently convened in Berlin for a series of open conferences. As a result of their meetings an open letter was drafted and delivered to the U.S. Embassy with a set of 7 detailed questions regarding 9/11, addressed to U.S. officials. This received widespread media coverage throughout Germany.

Authors Gore Vidal, Nafeez Ahmed, John W. Cooley, Peter Dale Scott, Ahmed Rashid, Michel Chossudovsky and others have provided the necessary historical context as well as a

growing critique of the official version of events. Former Secretary of State Madeline Albright has noted in her autobiography, *Madame Secretary*, that she questions the official story and the Bush administration negligence and response. She said on *CNN* recently that she was not surprised by the method of attack, since they had known of earlier plans to use planes as weapons. "I was surprised at how much the administration seemed to know about 9/11 right after the attack, and how little they knew right before."

Some prominent authors and lawyers have charged the Administration with criminal negligence, while others have put forward a body of evidence that suggests foreknowledge, acquiescence or complicity on the part of elements within the U.S. Government, in order to explain the failure of air defenses, a pattern of 'missed clues' or obstruction by the FBI, and lack of response by the National Security apparatus, despite warnings from 11 countries to US intelligence about an impending attack on the U.S.

The Search for the Truth and Policy Implications

9/11 CitizensWatch was formed to oversee the work of the national Commission, to insure transparency and public access, and to press the Commission to raise and answer the remaining questions in all the key areas of inquiry from the attack, the perpetrators, the sponsors, and the national command response that day as well as policies for the future. The families have called repeatedly for accountability and honest answers about what happened on 9/11, as well as why and how it happened.

Many feel that the Commission will not accomplish its stated mission given its limited time, resources and possible conflicts, and should the Commission fail, they are calling for the formation of a Citizens Truth Commission that will be truly independent, probative and credible. Without knowing the truth about 9/11, there is no way to form reasonable or workable decisions about domestic or foreign policies for the future.

Key Lines of Inquiry

Unanswered questions remain and invite full investigation. In addition to our expressed concerns about the process and conduct of the investigation itself, these are some of the key areas of inquiry we feel must be fully examined:

What was the real identify and background of the suspected hijackers?

Although the FBI named 19 suspects in the press shortly after the event, at least 8 people came forward in Saudi Arabia and Egypt afterwards claiming their identities had been stolen and their pictures printed in the official list. Who were the "guys with box knives" who took over the planes that day? One passenger on Flight 93 reportedly told his wife that they were Arab men with "red headbands", but no other reported passenger calls mentioned ethnicity. Though we know that at least some of the identified hijackers boarded Flight 77, the published flight passenger manifests on all the planes that crashed that day omit any Arab names. Each list is short of the stated totals of passengers and crew. Why would they have omitted names that would have supported the official story? One airline attendant on Flight

77 called her mother to relay information to the airline company that the plane was being hijacked and that there were "six of them", yet the official version lists only 5 hijackers on that flight. According to an early news report, an airline attendant on Flight 175 identified the seat numbers of the hijackers in her call to the airline officials, but none of those seats were assigned to the named suspects. These are basic issues that need investigation and clarity.

Could a small group of committed terrorists plan and execute these events?

Many former military and intelligence experts have raised doubts in public about the level of sophistication required to coordinate these hijackings as well as the flight maneuvers. American Airlines Flight 77 executed a 270-degree descending loop at over 450 knots, just before crashing into the Pentagon at ground level. World War II pilots were quoted in the *Washington Post* after the event who felt that this maneuver would have required the skills of a very experienced military or civilian pilot in such a large airliner. Hani Hanjour, who allegedly piloted Flight 77, was seen by flight instructors as barely competent to fly a plane. Rudy Dekkers, the flight instructor in Florida who trained other alleged pilots, revealed that if one of his students had tried to make a similar maneuver on a 747 flight simulator, the simulator would shut down. There are automatic over-rides built into commercial airliners to prevent pilot errors that would cause such dangerous levels of stress on the plane body, and whoever piloted Flight 77 would have had to have known how to disconnect them.

Similar problems would have faced the hijacking pilots in the other planes. Experienced pilots have instrumentation and computers to guide them, but they rely ultimately on instructions from tower to tower to keep them on course and help them land, especially above cloud cover or in heavy traffic areas. How would these hijacker pilots have known to guide the planes towards New York or Washington, much less to specific targets when they cut communications with towers, turned off transponders which give them local radar information in the area of the plane, and without visibility? Guiding such huge planes into the Twin Tower buildings would also have been very difficult at speeds over 560 knots, much less banking and turning them into the towers.

The unusual loop around the Pentagon taken by the pilot of Flight 77 raises several questions. Once the pilot had the target in sight, there was no reason to circle it. The Pentagon is in the center of a large and open military reservation area, so nothing was in the way of a direct approach. The loop was a very dangerous maneuver and it exposed the pilot to a possible military response for a longer period of time. The effect of the loop was to strike the side of the building that had been visibly under construction for some years, and which housed many unoccupied offices. Of the 185 deaths at the Pentagon site, the vast majority were on the plane or doing construction work outside. Similarly, the timing of the attacks on the Twin Towers happened before most people arrived for work, and all the flights involved were delayed in departure. Had the planes struck an hour later in New York City, the death toll might have been in the tens of thousands instead. Commercial flights that leave early on weekdays are also less crowded than at other times. All these factors suggest planning to minimize the numbers of deaths that day, which suggests an agenda beyond the goals of most terrorists.

Others said that this sort of operation would need over a year in the planning and the

assistance of a state-level intelligence agency. Suspicions continue about the involvement of foreign intelligence agencies or governments, and those of the Joint Inquiry were blacked out over 28 pages of its released Report. Senator Bob Graham has made clear that he suspects Saudi Arabian involvement. Other investigators point to the Inter-Services Agency intelligence network in Pakistan, which once served as the major conduit of funds from the CIA to Osama bin Laden and the Al-Qa'ida during the Afghan resistance to the former Soviet Union.

Who was the ultimate sponsor of the 9/11 attack?

In a covert operation, agencies spend more time and resources on the cover story than they do on the actual event. Part of that cover story is false sponsorship, to be sure that the actual author of the event is hidden from view and has "plausible deniability". This can involve the use of surrogate forces or actors, wittingly or unwittingly. Elements of the official story about evidence linking the attacks to the individual suspects have raised questions. One news report claimed that the passport of one of the alleged hijackers was found in the rubble of the Twin Towers within days after the attack. FBI were reportedly initially alerted by someone who flew out of Logan airport on 9/11 that he had been involved in a "road rage argument" with four Arab men over a parking space at Logan, and he was able to guide them to the car they used. This car was reportedly rented by one of the hijackers and contained a copy of the Koran and a flight manual in Arabic for a 747 airliner. At the same time, the activities of the 19 suspects raised suspicions in flight schools and in the neighborhoods where they lived in Virginia and Florida, but the complaints were never investigated.

If the perpetrators of the crimes of 9/11 are all linked back to Al-Qa'ida and Osama bin Laden, that will not necessarily tell us the sponsor of the events. Osama bin Laden has served in the interests of Saudi Arabia, Bosnia, Chechnya, Afghanistan, Pakistan and even the United States. Al-Qa'ida has already been used as an "intelligence asset", reportedly unwittingly, by the CIA, as well as foreign governments. In fact, General Mahmoud Ahmed, the director of Pakistani Intelligence (ISI) at the time of the attacks, was implicated in continued support for bin Laden as well as the transfer of \$100,000 to suspect Mohammed Atta in Florida in August of 2001. The reported carrier for these funds, Saaid Shiekh was later convicted in the murder of *Wall Street Journal* reporter Daniel Pearl. In the week prior to the attack, General Ahmed had meetings in the US with DCI George Tenet at the CIA, Secretary of State Colin Powell and Richard Armitage, a former Contragate figure now at the State Department. On the morning of the attack, Ahmed had breakfast with Senator Bob Graham and Rep. Porter Goss, who later headed the Joint Inquiry investigation. Graham denies uncovering any involvement of the "Pakistani government" in the 9/11 attack. Ahmed returned to Pakistan after the attack and resigned from the ISI, reportedly under pressure from US officials, thus avoiding a trial or scandal. Uncovering the truth about 9/11 may well compromise a network of deeper political connections between US and foreign intelligence agencies, secret regional agreements, drug traffic and organized crime, and foreign investments that include corporations and oil interests of the Bush family.

Were the 19 hijackers part of a suicide mission planned for months in advance?

There are few instances of authenticated mass suicides in history, even under war conditions. Individual acts of suicide for purposes of terror or military advantage are more common. The 19 suspects were well educated, intelligent young men from well to do families. They do not

have histories as devout Muslims, and their reported behavior prior to the attack seems clearly to have violated Muslim practices and codes. Suicide bombing attacks that involve more than one person often fall apart in the execution, with at least one person bailing out at the last minute. There are indications in the still to be released cockpit tapes on Flight 93 that the hijackers were fighting among themselves for control of the plane during the period when passengers stormed the cockpit door, and that this caused the plane to crash. It must be considered that only a few of these people, if any, knew this mission would end in sure death for all of them.

What is the history of Al-Qa'ida and Osama bin Laden?

President Carter's National Security Advisor, Zbigniew Brzezinski originally saw the potential to undermine the Soviet Union by involving them in a protracted war against fundamentalist Muslims in Afghanistan. CIA operations helped reactionary Mullahs topple the socialist government in Afghanistan, but they were ousted by a counter-coup. At that point, the Afghan government asked for support from the Soviet Union against the rebel forces. Brzezinski supported the fundamentalists, who had already been joined by the scion of a wealthy Saudi Arabian family, the bin Ladens. Both the American CIA under William Casey and the Saudi royal family financed and armed the "Saudi Afghans" as well as Muslims from around the world, recruiting them to fight the Soviet forces. The CIA worked through Pakistani ISI intelligence, and the Saudis through the Bank of Credit and Commerce International, BCCI. By that time, 80% of the world opium production had shifted from the Golden Triangle of Southeast Asia to the Golden Crescent around Afghanistan and the profits from that drug traffic helped to support the rebel forces.

Osama bin Laden's family fortune rested in large part on construction contracts with the American military and CIA, and they helped to build the bases for American troops in Saudi Arabia following the first Gulf War. American and NATO forces and engineers helped construct the caves that served as supply and command posts for the Afghan rebels and later for the Al-Qa'ida. Ordinance was supplied from US companies, from small arms and ammunition to Stinger missiles used to defeat Soviet helicopter attacks. Billions of dollars of assistance was poured into this effort during the Reagan and Bush administrations, ending with the fall of the Soviet Union. The fanatically fundamentalist Taliban rose to power after the US withdrew from the area, and it was seen as a stabilizing force in what had been a series of regional battles for control among "warlords" and tribes.

During that period the Bush family had numerous dealings with members of the bin Laden family through its oil investments abroad as well as Saudi investments in US oil companies like Bush's Harken Oil. George Bush, Sr. joined the board of a major military and energy investor in the region which included bin Laden family members, the Carlyle Group. Osama bin Laden, who had been a rich playboy abroad, returned to join the Afghan rebel efforts and eventually financed them. He was linked closely with rebel leader Hekmyatar, who was involved in the massive opium traffic as well. Al-Qa'ida, or "the base" grew out of religious schools financed by the Saudis and by the CIA which taught a fundamentalist and anti-Western form of Islamic beliefs, as well as military training camps in Afghanistan and Pakistan. Thousands of young Muslims were recruited into a global effort to create an Islamic state. However, little of this training and supply would have happened without steady support from the CIA and the Saudi government. The Taliban government in

Afghanistan, as well as other countries with large Muslim populations, harbored and protected Al-Qa'ida as well.

In the 1990's, the Bush administration ignored the civil rights excesses of the Taliban government they had helped to create. In 2001, they paid the Taliban millions of dollars to stop the growth of opium poppy, and the production levels dropped off severely. However, the Northern Alliance soon began to produce opium instead. The Taliban opposed a proposed gas and oil pipeline that was planned by U.S. oil and gas companies to bring cheap energy sources to the sea from the countries around the Caspian Basin. Oil company executives complained in Congressional hearings that the Taliban were blocking US access to a source that would soon yield 85% of the world's oil reserves. American plans for a military intervention into Afghanistan were finalized well in advance of 9/11. Divisions of US and British forces stood ready for the operation a full month in advance and surrounding countries were notified in July by Colin Powell of a pending invasion in mid-October.

After 9/11, the Taliban made repeated offers to turn over Osama bin Laden to US authorities for trial, but the US balked at the offers. Following the US attack on Afghanistan and the toppling of the Taliban, Osama bin Laden and the Al-Qa'ida forces moved into Pakistan and other countries. Opium production in Afghanistan rose again to nearly 80% of the world's production, and now accounts for 60% of the heroin in the United States. Bush claimed credit for "liberating" the women of Afghanistan, whose civil rights and social position had been destroyed by the US financed coups years before. A new oil and gas pipeline contract for \$3 billion has just been approved that will follow the old route through southern Afghanistan, involving unidentified foreign investors.

Osama bin Laden remains in hiding. Although reportedly shunned by the rest of the bin Laden family, Osama was apparently visited by family members at an American military hospital in Dubai prior to the 9/11 attacks. A large contingent of bin Laden family members, reported to be 140, were able to leave the United States beginning two days after 9/11, at a time when no commercial aircraft were flying. The White House authorized this flight. Some of those reported on the flights were under scrutiny for links to terrorist groups or funding. The FBI claims they were never asked to check the passenger lists. Ongoing investigations continue to reveal funding to the 9/11 plotters and to Al-Qa'ida since then comes from Saudi Arabian sources tied to both Osama bin Laden and the Bush family enterprises.

Why was there a pattern of FBI and CIA failure to fully investigate or report on the hijackers prior to 9/11?

The recently released Joint Inquiry Report from Congress makes clear that some of the suspects were known to have ties to Al-Qa'ida figures and other suspected terrorist supporters in the US and abroad. Some were under active surveillance by elements of the FBI, or in contact with FBI informants. John O'Niell, an FBI counter-terrorism expert, resigned, complaining that his attempts to investigate Saudi Arabian ties to Al-Qa'ida and people tied to the 1993 bombing of the World Trade Center were being blocked and frustrated by the Justice Department and FBI officials. Other FBI agents complained that national level counter-terrorism units in the FBI, the CIA and the NY police ignored their investigative leads and recommendations concerning terrorists and potential hijackers. The CIA repeatedly failed to put two hijackers, known to have attended an Al-Qa'ida meeting in Malaysia and to have planned to enter into the US, onto any special watch list for

surveillance or to block visas and entry. Several of the hijackers got passports to enter the US at the US Consulate in Dubai, reported to have created the "Visa Express" program at travel agencies for unqualified applicants who were being recruited and trained in the US to fight in the Afghan war. The FBI and the CIA ignored complaints by neighbors and flight instructors about the behavior of some of the hijackers. The Joint Inquiry report blames some of these failures on a culture of non-cooperation between the agencies and a reluctance to share classified information. Whistleblowers inside the agencies suggest that there were deeper political agendas involved in blocking their investigative efforts.

Were there specific forewarnings or foreknowledge of the event?

There was reportedly a very high level of alert and concern about an impending attack inside the United States in 2000 and 2001 based on NSA and CIA intercepts and intelligence data. In addition, at least 11 countries sent warnings of an attack prior to the event to various intelligence agencies in the US. Some of these were more specific than others, but collectively they warned of the time, the targets and the method of attack on 9/11. In addition, the press reported several specific warnings about flying that day. According to Newsweek and MSNBC, Pentagon brass were told not to fly on September 11. Mayor Willie Brown of San Francisco was reportedly told by his "security people" in advance not to fly that day. Attorney General Ashcroft stopped flying commercially in July and both Vice President Dick Cheney and Secretary of Defense Donald Rumsfeld made public announcements in the weeks prior to 9/11 that they would stop taking any commercial flights. These reports are not covered in the Joint Inquiry investigation, and it would be very useful to know exactly who got each warning and when, as well as what they did in response.

The foreign warnings were often specific about the use of planes as weapons, including having a plane loaded with explosives hit the Pentagon, White House or Twin Towers. The still secret August 6 intelligence briefing given the President in Crawford was titled "Bin Laden determined to strike the U.S." and made reference to the possibility of hijackings. Another report in July, still secret, referred to a "spectacular" attack "in the coming weeks" designed to inflict mass casualties against U.S. facilities and interests. Full disclosure and declassification of all warnings might reveal how much the Administration knew or could have known in advance of the attacks and what their responses were.

The Securities and Exchange Commission began an investigation in October of 2001 into an unusually high level of "put option" purchases on American and United airlines stock in the period just prior to 9/11, representing investments anticipating a fall in their stock prices. These options are purchased through financial brokers and do not publicly reveal the investors involved. The suspicion is that some knew of the pending attack and attempted to make a profit. A large number of these put options were never cashed in. The results of the SEC investigation, and its current status are being explored by the national Commission at the suggestion of 9/11 CitizensWatch researchers. After nearly two years without public comment on their investigation, the FBI, on September 18th, announced it had closed its investigation of what market watchers had called "the worst case of insider trading in history" saying that there was no link between the highly anomalous and suspiciously timed trades and accomplices to bin Laden.

Was it impossible to have anticipated or responded to the methods or targets of 9/11?

Although NSA Condaleeza Rice suggested that the use of planes as weapons was so "outside the box" that it could never have been predicted or anticipated, known facts belie that claim. The Joint Inquiry confirmed that before 9/11 at least twelve reports over a seven year period suggested that terrorists might use planes as weapons. The Al-Qa'ida had already used this method in Moscow as part of their support for the Chechnyan rebels, and were foiled in an attempt to fly a plane into the Eiffel Tower in Paris. Another Al-Qa'ida operative was arrested entering the US from Canada with plans to fly a plane filled with explosives into the Los Angeles Airport. Another terrorist arrested in the 1990's revealed Operation Bojinka, which included plans to fly an explosive-laden plane into the CIA headquarters. Some of the warnings from foreign countries in advance of 9/11 to the US intelligence community included details of using planes to attack the Pentagon, the White House and New York City. Given that this body of intelligence was known within the community well before the attacks, and now documented for the historical record in the Joint Inquiry Report, it is now clear that that National Security Advisor Rice and President Bush were at a minimum grossly misinformed in their denials regarding method of attack, or at worst deliberately deceitful. This followed statements by the Administration claiming that they received no warnings in the immediate period before the attack. In fact they received over a dozen warnings from overseas intelligence agencies including one made in the strongest possible terms by Russian President Putin as related in a live MSNBC interview.

In fact, special preparations had been made to prevent just such an attack prior to 9/11. Ronald Reagan had made provisions for troops protecting the White House against terrorist attacks to stand by him at his second inauguration with a surface-to-air missile launcher. As early as 1999, according to the chief of security at the Pentagon, they were on "Delta Alert", their highest level of readiness, based on phone bomb threats by Muslims, and had installed special radar and cameras on the roof of the building "so they don't try to fly a plane into the building". In October of 2000, the Pentagon organized a security drill based on the scenario of a plane attacking the building. The Pentagon has had surface-to-air missile ports in the inner courtyard area since the 1950s.

Testimony before the national Commission revealed that NORAD had taken part in an exercise called Operation Amalgam Virgo 01 in 2001 that simulated a plane being used as a weapon to hit a target inside the US. And at the economic summit in Genoa in the summer of 2001, special precautions were taken to stop any commercial air traffic over the summit area, and Bush was removed to a secret location to avoid being attacked by a plane.

Washington, DC airspace has long been guarded against such an attack with special radar surveillance by the military of the secure P-56 zone around the Capitol and White House. Alerts extend much further to allow intercept of any commercial or private plane that is on a course headed into the secure zone. Following an attack on the White House during the Clinton years by a small airplane, the Secret Service had installed a surface-to-air missile port on the White House lawn. Military officials claimed later not to have seen the plane on radar because it was "below tree cover", but later admitted it was on their radar logs between 2:00 and 3:00 am, when they "have other duties".

On September 11, the NORAD air defense and rapid response system was in a state of

heightened readiness due to an exercise being conducted called *Vigilant Guardian*. All personnel were on hand, radar systems *operational* and planes at standby for the exercise early that morning. Despite this, all levels of FAA and NORAD response to the unprecedented event of four nearly simultaneous hijackings inexplicably failed to operate in a timely way. When any plane goes off course for a period of minutes, fails to communicate with tower, loses a transponder signal, or fails to respond to tower commands, an alert is relayed from air traffic control to the FAA to the NORAD defense systems, (and, in the case of serious emergency, the Pentagon's National Military Command Center) which can scramble fighter jet interceptors in the span of a few minutes.

These incidents and responses are routine procedure for small aircraft, and even more so in the case of commercial airlines, which can put hundreds of lives at risk. This response does not rely on FAA confirmation of a hijacking, or approval above the Pentagon and FAA command level. The purpose of such interception is to assess the problem, alert the pilot, signal for landing, and if necessary to fly a pattern that will force and guide a landing. There were 67 such routine responses in emergency situations during 2001 prior to 9/11. A hijacking will still trigger such an interception, with special instructions and procedures for fighter escorts.

During testimony at the second round of Commission hearings former FAA Administrator Jane Garvey could not provide a timeline for their alert system on 9/11. We must ask, "after eighteen months, why not?" An FAA spokesperson later provided clarification in a single page response claiming that Flight 77, which reversed course at 8:50 and struck the Pentagon at 9:41, was officially declared a hijacking by the FAA at 9:24 that morning. The two earlier flights that had struck the Twin Towers at 8:43 and 9:05 am, United 175 and American 11, went off course, cut communications, and turned off transponder signals shortly after 8:10 am, but apparently were not designated as hijackings by the FAA even after the first one hit the North Tower. By 9:02 most of the country knew that this was neither accident nor coincidence, and that these were hijacked planes being used as weapons. Testimony before the Commission revealed that NORAD, FAA, and NMCC at the Pentagon, and other agencies established an open phone bridge to convey information on events at 8:24 am. Local authorities and media in Washington, DC were aware of the deviance of Flight 77 and that it was headed towards DC. At 9:12, a message was relayed to all ATC centers in America that Flight 77 had been hijacked. According to local news reports, the Capitol, Pentagon and White House had begun evacuations in anticipation of an attack.

Flight 77 cut communications, reversed course and turned off transponder signals well before 9:24, and yet, following the events in New York it was difficult for the FAA to determine this was a hijacking?

Despite the forewarnings and exercises, the special NORAD readiness, and all previous ready responses, there was no attempt to scramble jet interceptors in response to these unprecedented events until after the first plane hit the North Tower in New York at 8:43 am. Interviewed on CNN in the Pentagon War Room last September 11, Brigadier General Ashley Montague attempted to explain that they "did not respond right away because the FAA was tracking four seemingly unrelated hijackings." That statement is incomprehensible on several levels. Following standard procedures, the first response should have come at the time the first plane cut communications or turned off course and reversed to go towards

NYC, at 8:10 am, leaving ample time for interceptors to reach the flight and perhaps change its course before it could reach the target. More to the point, an even longer time window for later hijackings should have certainly allowed those planes to have been intercepted.

F-16 and F-18 fighter jets can travel at speeds above the sound barrier, from 1,500 to 18,000 miles per hour on "full throttle". In Senate hearings a few days after the attacks, General Richard Meyers of the Joint Chiefs of Staff testified that no planes were scrambled that day to intercept the hijacked planes. Later reports claimed that pilots had scrambled jets from both Otis AFB in Connecticut and from Langley, AFB in southern Virginia. General Meyers told the Commission that he spoke with NORAD commander Eberhardt after the second attack, but he was already on record as first speaking with Eberhardt after the Pentagon was hit.

Military officials at Otis, and the pilots themselves said they were going "full burner" and "flying like scalded apes" towards NY once activated. However, the NORAD commander's testimony to the Commission gives conflicting estimates of their speed, claiming that at the time the second tower was hit these two planes were still "180 miles outside New York City, or 17 minutes flying time". A simple calculation shows that the estimated speed of these planes was closer to 600 miles per hour, well below the maximum, unless one believes they would have slowed down approaching target. Similarly, the Langley pilots only approached Washington after Flight 77 crashed into the Pentagon, unable to cover the 130-mile distance in time. Yet, given the reported departure times from both Otis and Langley, these planes could easily have intercepted the flights well in advance of their targets if flying anywhere near top speeds. Is it possible they were scrambled even later than officials claimed?

The Langley pilots revealed in *Among the Heroes* that they were not scrambled to defend DC, but were headed towards New York City and were asked to confirm a hit on the Pentagon, which they did by noting a plume of smoke as they passed off the east coast. Activated fighters that defend DC's P-56 air space from Anacostia Naval Air Station were also not scrambled in defense of the world's most restricted air space under an imminent threat of attack. Nor were planes scrambled from nearby Andrews AFB (12 miles), much closer than Langley field (130 miles). Andrews AFB, is the home of Air Force One and two "battle-ready" fighter squadrons in the "highest state of readiness". Other reports on Sept. 11 stated that planes were launched from Andrews, yet only after the Pentagon was hit. Andrews AFB fighter planes were reportedly on "exercises" in North Carolina, and already in the air, making it even easier to task them for defense during the almost 40 minute period after Flight 77 turned towards DC.

Even more disturbing to researchers were reports that the Otis pilots had arrived in NYC too late to intercept the attack planes that hit the Twin Towers, and aware of Flight 77 being off course, turned to intercept it, only to be called back to defend NYC skies instead. Fighter pilots at Pomona AFB, near Atlantic City, NJ, were on monthly exercises headed towards New York City at the time the first plane struck the tower, but were not tasked to intercept the second flight. Instead, for the first time in their military careers, they were called back to base. They loaded weapons and returned to New York City much later.

Certainly the targets of the terrorist attacks were not a complete surprise. Terrorists linked to Al-Qa'ida had bombed the Twin Towers in 1993. On a merely symbolic level those towers

and government buildings in DC were obvious and logical targets for foreign terrorists. RAND Corporation and other studies from the 1970s on had discussed stages of terrorist attacks and possible responses, and Washington, DC was commonly part of those scenarios. Doubtless, special precautions had been taken at the Twin Towers after the 1993 attack, and their chief of security was the FBI's counter-terrorism expert John O'Neill. The New York police counter-terrorism units declined to rely on the FBI after the 1993 attack when it was revealed that inside informants had given warnings to the FBI about the bombing plans moving forward, and the FBI did not intervene to stop them. One news report mentioned the presence of a surface-to-air missile on the Tower roof that had been put there decades ago. Had the New York Port Authority not taken any special precautions or preparations for another attack, or an attack by a plane into consideration prior to 9/11?

What were the national command responses?

Recently revealed regulations seem to put decisions about intercepting hijacking into the hands of the Secretary of Defense. But Donald Rumsfeld reportedly was doing "paperwork" in his office, undisturbed until the plane hit the Pentagon at 9:41 am. The acting Chairman of the Joint Chiefs of Staff, Richard Myers, was similarly incommunicado and undisturbed at a meeting with Rep. Max Cleland that morning, despite the fact that Myers testified that he knew of the first tower being hit by an airplane. He was not available to respond until after the Pentagon had been struck. Similarly, George Bush was informed of both planes hitting the Towers as they did, but continued reading to children at an elementary school in Florida for another 25 minutes, and made no public statement until after the Pentagon was hit. Later that evening in a nationally televised address, President Bush claimed that, "I implemented our nation's emergency defense procedures immediately after the first attack on the World Trade Center" contradicting his documented behavior. Only the Secret Service seemed to be responding to these events in a timely way, rushing Dick Cheney and Condoleezza Rice into the White House situation room after the first plane struck.

Transportation Secretary Norman Minetta told the Commission that he went to the White House Situation Room and heard Cheney being asked by an aide about such an order at regular intervals as Flight 77 was approaching the Pentagon, evoking an angry response from Cheney confirming the order to shoot the plane down just moments before it hit the target. Even without such a shutdown order, a number of standard interception strategies should have been carried out long before the plane approached DC airspace or the Pentagon.

NORAD testimony revealed that after the Pentagon was hit Secret Service agents at the White House called Andrews AFB directly asking for them to put up a defense to Flight 93 or other aircraft, and Andrews responded at that point. NORAD's testimony about "the fog of war" suggested that "confusion" within the military played a key role in the failure to intercept. In fact, Joint Chiefs Chairman Myers, is on record as saying that the Pentagon's "crisis-action team was up" at 8:50 am, just after the first attack. This means that the FAA, the secret service, NORAD, and the Pentagon were all in constant communication with one another, and had access to every radar screen in the country. Why did they wait another 35 minutes before launching any intercept planes? There should have been no need for the Secret Service to call Andrews AFB directly, when the acting commander of the Air National Guard, stationed at Andrews is an integral part of that "crisis-action team."

Press reports noted that the Pentagon was put on its lowest alert status, Alpha, after the Twin Towers were hit, and after the building was attacked, alert status moved to Charlie. Yet, in 1999, the building was at maximum Delta alert based on phone calls. A recent *Washington Post* article revealed that the Marine Corps attorney general and his assistant were in the Pentagon during the attack. The assistant had just returned to report that the alert status of the building had not changed when the plane hit.

Pentagon officials claimed after the attack that they "had no mechanism" to defend the building from such an attack. In light of their exercises and special radar precautions this seems unlikely. Bush and Cheney both confirmed to press sources that a "shoot down" order was issued that morning after the second Tower was hit. In fact, several White House officials told the press that they first believed Flight 93, which crashed in Pennsylvania, was shot down by interceptors because of the order. However, the NORAD commander told the Commission that he had only heard a "rumor" of such an order, and the pilots of the scrambled jets claim not to have gotten such an order, and were not sure they would have followed it out due to the large number of civilian lives at stake.

One Pentagon reporter claimed that the delay was explained by the fact that, just days before the attack, NORAD had deactivated over half of its scramble-ready fighters nationwide. This has yet to be confirmed, but the timing is interesting if true. NORAD can task any available plane in such an emergency, and whatever planes were on ready that morning for Vigilant Eagle must have covered the logical target areas of New York and Washington, DC in their scope.

These facts indicate a complete breakdown or stand down of routine FAA and NORAD procedures relating to any potential air emergency, much less a hijacking or the even more serious events of 9/11. They hint at a breakdown in the chain of command in relation to the shoot down orders. The timelines provided to the Commission by FAA and NORAD do not match what is known from multiple sources about the real events of that morning, and the Commission staff acknowledged that it "raised more questions than it answered".

NORAD officials also claimed that their radar system was inadequate because it was all "pointed outward" for attack from abroad due to Cold War assumptions, and that they were incapable of radar tracking inside the US, or even communication with their own scrambling pilots in emergencies. While NORAD doubtless shares radar information and communication and control in emergencies with the FAA, so as to coordinate with civilian aircraft in the area at the time, their own role in using radar logs to track lost planes inside the US for the FAA belies their claim that they had no way to see "inside". FAA may guide NORAD alerted pilots through the airspace, but it is not conceivable that they are incommunicado with the military chain of command that activates them.

What is clear is that there was ample time from the moment the first plane went off course or cut communications for FAA and NORAD to follow procedures and intercept both flights headed towards NYC before gaining their targets. If "incompetence" could explain these delays, why have there been no FAA or Pentagon inquiries or reprimands of those involved? There was more than ample time after 9:05 am, when the whole country knew that we were under attack by planes being used as weapons, and that two more planes were off course and heading towards DC, to have intercepted those planes as well. No testimony or official

statement to date has done anything to explain this stand down/ breakdown on 9/11.

Are we to believe that the trillions of dollars spent since WWII for defense budgets were not sufficient for the Pentagon to defend its own building? Is it possible that the preparations and studies and warnings focused on terrorist attacks against obvious US targets did nothing to prepare us for that day? And finally, how do we explain the lack of response to specific warnings across many intelligence agencies in advance of these events, in the face of a heightened national alert that summer?

So many of these facts point to the conclusion that we could and should have anticipated such an attack on just these targets, and in some cases clearly did so, that it begs the question of whether some segment of the military or intelligence community did know of them and failed to stop them from happening.

What was the response to 9/11 events at the national command level?

As noted earlier, key figures in the command chain level seem to have been outside the loop, and also seem to have been left undisturbed even after the country was clearly under a terrorist attack. This despite recent warnings received by the intelligence community of an imminent attack that could involve hijackings and knowledge of a method of attack that might involve "planes as weapons". Key figures who did not respond included Acting Chairman of the Joint Chiefs, General Richard Myers, Secretary of Defense Donald Rumsfeld, and President George W. Bush. Vice President Dick Cheney and Condoleezza Rice were apparently active and making decisions from an early point. However, the National Military Command Center at the Pentagon was not responding in a timely way to the crisis despite, according to the FAA, being tied into a tel-con linking all the relevant agencies including the Secret Service in real-time from 8:46AM EST onward.

Directors of Emergency Planning in every major city, including New York and Washington, DC were all out of their towns, attending a national conference that day in Colorado. Despite their absence, emergency procedures, alerts and evacuations were going on in the nation's Capitol. Local media reported the threat of two additional planes approaching DC at least a half an hour before the Pentagon was hit, and evacuation plans were being implemented at the White House, the Capitol and the Pentagon. After the Pentagon was hit, DC authorities closed down National Airport flights, AMTRAK train service, certain Metro lines and stops, and made certain major roads one-way, going out of town. By late morning, federal employees were told to leave town, and Park Police could be seen on local TV carrying automatic weapons in the streets. DC came very close to declaring martial law.

President Bush's response and actions raise many questions. Bush was informed when the first plane hit the tower in New York City. A press reporter asked Bush whether he was aware of the event in New York, and Bush said he "would have something to say about it later." He later told a student that he "saw the plane hit the building" He said he considered it an accident by a bad pilot, but no film footage was available that early. Informed later that the second plane had hit and that the country was under attack by aide Andrew Card, Bush seems momentarily concerned, but he returns to reading to the grade school children for another 25 minutes before preparing to make a statement to the nation.

Bush was then taken up in Air Force One, without military escort, and began communication with Cheney at the White House over a secure phone line, but this was after the Pentagon had been hit. Cheney informed Bush that the code name for Air Force One had been compromised and that a threat had been called in. Bush's pilot later reported that another aircraft was approaching the plane and that he took evasive maneuvers. Shortly afterwards, according to Bush in his remembrance of events aired last September 11 on *60 Minutes*, the secure phone line on the plane went dead, cutting him off from official communications and from giving orders for a period of almost two hours.

Bush was then taken to command and control centers in underground bunkers in Louisiana and Nebraska, and Secret Service agents resist returning him to Washington, DC. Bush was anxious to assert control and to be on national television, and finally forced the Secret Service to take him back to DC, waiving their responsibility to assure his life. In the interim, Dick Cheney was effectively in control. At some point shortly after the attack, a "Continuity of Government" was announced, putting the DOD, FEMA and the National Security Council in charge of running the government and making local decisions as well. Vice President Cheney, top level government agency representatives and a select group of Congressional leaders form the "continuity of government" team, doing shifts around the clock at a special command and control center in Bluemont, Virginia, which had to be reopened and re-supplied for task. The *Washington Post* noted that this arrangement was still in place months after 9/11 in a headline story titled "Shadow Government Operating in Secret". Cheney revealed last year at the Commerce Club in San Francisco that he has the "black box", a command and control device for national emergencies that is supposed to be with the President 24/7.

Congress continued to function, but clearly under threat. The Capitol began an evacuation during the attacks on 9/11, and subsequent reports speculated that the Capitol was the target of Flight 93, which crashed in Pennsylvania. Only a few weeks later, certain Congressional leaders who had been the leading opponents of Bush's domestic agenda and the proposed USA Patriot Act, Senators Daschle and Leahy, were the target of an anthrax mail weapon which also threatened liberal media figures Tom Brokaw and Dan Rather, and killed a tabloid photo editor in Florida. Other Congressional offices were contaminated, as well as post offices that handled the envelopes, and several postal employees were killed or made ill by the anthrax. Congress was evacuated almost immediately and voted in a climate of intense fear almost unanimously to pass the USA Patriot Act, giving unprecedented powers to the FBI, CIA and Justice Department, as well as curtailing privacy and other civil liberties in the emergency.

Investigations into the anthrax attack revealed a very sophisticated processing and weaponization of the toxin, increasing the spores per gram from billions to a trillion, making it very easily distributable by reducing the electromagnetic charges between spores, and also making it resistant to the usual antibiotics that are used to treat inhaled anthrax. The sophistication of the production as well as the DNA signature of the spores led the government back to the University of Iowa at Ames, and "Ames strain" samples that were commonly weaponized and studied at Ft. Detrick, MD, a military headquarters for biowarfare agents.

In early September, the *New York Times* and the *London Sunday Times* ran articles about an

international debate spurred by revelations that the CIA was involved that year in covert operations called Clear Vision, to build simple labs that could be used to reproduce anthrax and an "anthrax bomb" that was to be tested by smuggling it into the country undetected. And they also noted that the Defense Intelligence Agency and Jefferson, to develop a genetically altered strain of anthrax that would be more distributable and more lethal, under orders from Secretary of Defense Rumsfeld. These operations clearly violated international treaties that forbid development and testing of biowarfare weapons, and the US authorities claimed this was solely for defensive purposes. On September 9, two days before the attack, the DIA held a press conference in Washington, DC to announce that they had "developed the next generation of anthrax". The envelopes were sent just about a month later, in early October. According to the *New York Times*, ten days before the anthrax envelopes were mailed, the FBI called the University of Iowa at Ames and convinced them to destroy their 70-year archive of anthrax strains, which could have led to the specific DNA-matched batch of anthrax used in the weaponization process, and revealed who ordered it from Ames.

The FBI investigation halted at the gate to Ft. Detrick, and at one point they publicly stated that their most likely suspect in the anthrax event was the CIA. After months of silence, suspicion centered on a former bio-defense expert, Stephen Hatfield, who had worked at Ft. Detrick, generated in large part by articles pointing to him from a researcher at the Federation of American Scientists. Charges against him have never been filed, but surveillance of his activities continues. It is not likely that a lone individual could have created the most sophisticated anthrax weapon ever seen.

Again, these facts raise serious questions about chain of command and other Constitutional questions relating to emergency provisions that override the checks and balances of government processes. They raise additional questions about the many stalled investigations that seem to point to US intelligence agency ties to the events of 9/11 and afterwards. And in all cases, these questions remain unanswered.

Where does the accountability for the tragedy of 9/11 lie?

The crime against humanity that occurred that day must first be held accountable to those who plotted and carried it out, and those who conspired with or assisted them in the operation. To date, these people are for the most part presumed dead or unidentified, although a few suspected co-conspirators are on trial here and abroad. Beyond that level of legal and moral accountability for the crime, families of the victims have been raising the question of the accountability of those whose combination of negligence, lack of timely response or abandonment of duty may have made the situation worse and the human costs higher.

Family members and others have brought a series of lawsuits in this regard, including ones against the New York Port Authority and elements of the Saudi Arabian government. Skyscraper and airline safety are also major issues they want to address in regard to the Twin Towers and the airline security procedures on that day. Some researchers have called for more thorough forensic architecture work to determine why the Towers collapsed in the way they did, apparently imploding downwards. Evidence suggests that the Twin Towers were constructed and protected from disaster in ways that were less than adequate or legally required. Some families have questioned the reliability and effectiveness of current

communication technology used by first responders in New York that day. The Port Authority recently released the transcripts of the emergency response teams' communications, only as the result of a court suit. Other data and transcripts concerning the four planes is still withheld from public scrutiny.

No military court of inquiry or courts-martial proceeding has taken place in regard to 9/11, an attack that effectively damaged the national headquarters of the Defense Department. Such procedures are routinely carried out when any other major disaster happens involving military equipment or bases, often resulting in change of command. No Congressional inquiry or internal agency investigation has held anyone responsible for what was being called the most massive intelligence failure in US history on 9/11. Some of those in key positions have not only received no reprimand; they have been promoted. The families and the public do not seek a witch hunt process to blame the events on a few people, but they do seek a full accounting of the facts and a sense of accountability in regards to the agencies in place that day and the procedures put in place since then to prevent such attacks and protect the public.

The Bush Administration has built a growing wall of official secrecy around the events of 9/11 and government operations in general. They have resisted and undermined efforts to have full and open investigation of the events of 9/11. President Bush has repealed Clinton-era directives forcing release of classified files. Attorney General Ashcroft has declared that "the full weight of the Justice Department" will be put behind any agency being sued under provisions of the Freedom of Information Act for release of classified records. The government has hired teams to go through existing public archive material to reclassify previously open records. Bush also instituted a provision to protect presidential papers of previous administrations from public disclosure, at the current president's discretion, and has moved to delay release of records classified more than 25 years ago.

Given this climate, it is not surprising that the national Commission was confronted with reluctance on the part of the Bush administration to release the classified version of the Joint Inquiry Report to its members, including transcripts of closed-session testimony taken by the Inquiry that had been attended by one of the Commission members at the time, former Rep. Tim Roemer. More recently the Commission leadership complained publicly that it was not getting the cooperation it needed from key government agencies in release of requested classified files, including the Pentagon and NORAD, among others. Noting that it faces a strict timeline, the Commission called on President Bush to fulfill his promise of "full cooperation" with their investigation by pressing for release of all pertinent records.

The redacted version of the Joint Inquiry Report omits many items, but most glaring is a full 28-page section blanked out for "national security" which concerns the possible involvement of other countries in the events of 9/11. While Saudi Arabian involvement was clearly hinted at in statements from the family members as well as Senator Bob Graham on the day of release, he and others on the Inquiry leadership have stated that "other countries" are named in the full Report as well. Without access to the facts, without full transparency and public disclosure, accountability and democratic process cannot be established or be effective.

What Can Be Done?

The Joint Inquiry by Congress was admittedly restricted in scope to questions of intelligence response and failures prior to the attack, with recommendations for the future. That study failed to address the events of 9/11 in any depth, the complete background of the suspects, and the advance warnings from foreign intelligence. Their investigation did unearth serious failures of communication and collaboration between different agencies tasked to counter terror, despite that fact that all put it at very high priority. They also revealed possible involvement or support by other countries in the attack, but the Administration blocked public release of that section of the report. They revealed instances in which direct warnings and recommendations by FBI agents to begin investigation and surveillance of terrorists and flight schools went unheeded at higher levels. Despite their recommendations for additional consolidation and funding for intelligence agencies, their premise defining 9/11 as an "intelligence failure" is still open to question. The Joint Inquiry also failed to fully explore the interconnection of US intelligence-led covert operations in Afghanistan and the creation of Al Qa'ida and support for bin Laden, or the international intelligence support for bin Laden by US allies up to the time of the attack. Ties between Bush family members, their investments and the bin Laden family, including those who financed Al Qa'ida were not explored, despite their implications regarding former CIA DCI and President George H.W. Bush and his son who is currently President.

Can the new national Commission get at the truth about 9/11?

That is exactly its public mandate. However, the limited life and resources allocated to the national Commission inquiry will probably not be adequate to resolve many of the unanswered questions of 9/11, but it is adequate time to raise them and point the way toward further research and inquiry. The \$3 million original budget and the \$9 million supplemental funding for this investigation pale in comparison with the costs of investigating the shuttle disaster or Whitewater. The more public testimony the Commission takes about the actual events of that day, the better. The more transparent the investigation and its results are, the better the public will be served. These issues are ones being raised by 9/11 CitizensWatch in all its dealings with Commission officials and staff. A public watchdog function is critical to make sure key questions are at least addressed.

The legislation drafted to create the Commission on Terrorist Acts Upon the United States exempts it from any formal public advisory role and the provisions of the Freedom of Information Act. This limits both transparency and public input and access to some degree. Family members and 9/11 CitizensWatch members have had good access to investigative staff, officers and Commission members, and have attended both private and public meetings with them. Investigators have been responsive to the leads and lists of questions provided by researchers and family members as well. As noted above, families and others have raised questions about the conflicts of interest Commission members might have in conducting a full investigation due to their personal ties to US intelligence agencies, advisory and oversight positions in relation to those agencies, airline industry connections, or other investments. But in all public statements, the Commission members have echoed their commitment to the mandate of getting at the truth about 9/11 and then making recommendations for future responses by the government to terrorist acts.

The Commission has an open agenda and a wide range of possible responses to the facts it gathers. However, the way in which it frames its questions and the assumptions it holds can make all the difference in both what facts are sought and what conclusions are reached. The findings, conclusions and recommendations of the Congressional Joint Inquiry were limited not only by the scope of their inquiry into "intelligence failures" but in the hidden assumptions behind that approach to the facts. For instance, even though 11 different warnings were reportedly sent by other countries about the pending attack, including Britain, Germany, Egypt, Russia, Italy and Israel, none of these seem to have been acknowledged or investigated by the Joint Inquiry staff in regard to which agencies received them and how they were handled. In a similar vein, the Warren Commission exhausted much more staff time collecting information on the background of Lee Harvey Oswald than it did on the forensic work necessary to determine who or how many gunmen shot JFK. Without asking and answering the most basic questions, like the ones above, the Commission cannot hope to make reasonable recommendations about the future.

The Commission has held three public hearings to date, and issued an interim report on its progress and obstacles. The first hearing focused on victims and first responders on 9/11 and their family members, both in New York and at the Pentagon. The second took extensive testimony from FAA officials, airline safety experts and NORAD officers. The most recent focused on terrorism and Al Qa'ida, but not on the hijackers themselves. Regular public hearings were planned, but currently there is discussion about having multiple hearings just in advance of its closing period. Some of the testimony has been relevant, but the range of witnesses has been limited. The Commission has not, to our knowledge, solicited public or family input on what witnesses should testify in each investigative area. The majority of witnesses to date have been from the administrative not the functional level of operations that day, or experts even more removed, and cannot be fully relied on to know the truth about those events. Delaying testimony until the end of the process also limits their ability to follow up on what they learn in each hearing. NORAD responses, for instance, "raised more questions that it answered" according to staff investigators.

Another troubling concern has been the decision by Commission Chairman Tom Kean and the staff to take all testimony without putting witnesses under oath, a standard procedure in Congressional hearings and most public inquiries into matters of fact involving criminal issues or deaths. Kean and former Rep. Lee Hamilton have stated that they feel witnesses will be less forthcoming if put under oath and possibly accompanied by legal counsel, although this seems counter-intuitive to most legal proceedings. Even depositions and affidavits taken out of court are done under a statement of oath. Nor has the Commission compelled any testimony by means of its power of subpoena.

Public confidence in the findings and recommendations of this Commission will rest on its accuracy, thoroughness and transparency. The Commission should be pushing for public disclosure of key pieces of evidence that will support their conclusions and inform the public. Items that cannot, for security reasons, be released in full should be released in part or summarized regarding the key questions they answer.

Among items of key concern that are still concealed are the text of the August 6, 2001 Presidential intelligence briefing and other reports and briefings at that level concerning specific threats, transcripts from the recording devices on the aircraft involved in the attack,

cell phone communications logged or recorded by airline or government officials, transcripts of the interagency phone bridge and other logs or recorded communications relating to military and FAA responses that day, still undisclosed photographic and video recordings of the attack on the Pentagon and its aftermath, records relating to all preparations and exercises done in advance of the attack that anticipated that method, full disclosure of SEC banking records identifying investors who took out airline put options in advance of the attack, all investigative records and airline records relating to the suspected perpetrators of the attacks, and other relevant documents about the events of that day.

The Commission should construct a credible timeline of the events as well, reconciling or contrasting conflicting reports about the events. The Joint Inquiry report gives extensive background on a few key suspects, but almost none on the majority of them, failing to even list all their names. Official versions of their activities conflict with local reports and independent research, especially in regard to Mohammed Atta. The Commission should complete a full reconstruction and timeline, as well as any known links of the suspects to any organization that provided support, including the US. At least one suspect received US government funding and several were trained at US military facilities for a period.

The final Report of the Commission should not draw conclusions beyond the facts established. It may be necessary to request an extension of its life to complete the massive mandate it has taken on. The Commission should be very clear about which agencies cooperated and complied with its requests for information and which did not. The Commission should consider recommending how ongoing investigations and new facts can be examined in the future in an independent fashion, and provide for continuing release of classified or other records that come to light. The Commission should release as much corroborating information as possible regarding any conclusion reached or not reached, as well as releasing any pertinent correspondence with families or members of the public or government agencies and officials that raise or shed light on key questions regarding 9/11. At the very least, the Commission can ask the serious unanswered questions, even if it does not eventually answer them.

Are there other ways to find the truth?

Without the persistence since 9/11 of the victims' families and an international network of independent researchers and lawyers, the current Commission would not have been formed. Meticulous independent researchers raised questions, compiled public sources and reports, examined official claims, and gathered independent testimony. Family members pressed for a Congressional inquiry and for an independent panel to find the truth and establish accountability. All of us raised critical unanswered questions at press conferences, on the media and at public forums.

Small independent organizations formed to represent family and researcher concerns, and to demand the truth. September 11 Families for Peaceful Tomorrows addressed the broader foreign policy issues and opposed a vengeful military response to the events. Other family groups questioned safety issues and negligence, sought full disclosure, raised questions and brought lawsuits. Some of these suits may uncover part of the truth about 9/11 and what was behind the attack.

Still unfinished government investigations by the Securities Exchange Commission, the FBI, the Immigration and Naturalization Service, and internal reviews by the Secret Service, Pentagon, NORAD, CIA, FAA and other agencies should be called upon to make public more of the factual record about 9/11. All government agencies should be required to release relevant classified documents to the Commission, and as far as practicable to the public. Full release of key information in the Joint Inquiry Report remains critical to public confidence in the record. Although the conclusions reached and discussed by mainstream American media are often flawed, they are a continuing source of factual information, when culled, that often contradicts their editorial stance. Combined with international press accounts, a much fuller picture of the events of 9/11 has emerged over time. Recently, US press sources revealed what had only been rumored before, that a large contingent of bin Laden family members left the US immediately after 9/11 when no commercial flights were available, with special permission from the White House.

Advance planning for the war on Iraq was made clear in press accounts about the Project for a New American Century, a neo-conservative group that included Wolfowitz, Rumsfeld and Pearle prior to their appointments in the Bush Administration. Rep. Dennis Kucinich, a presidential candidate, has called for repeal of the USA Patriot Act and is pressing for new legislation. Authors and investigators continue to publish or post information on the Internet, not all of it well sourced or accurate. However, a massive body of good evidence has already been compiled that is public, and has also been given to the Commission staff for consideration. 9/11 CitizensWatch and family members continue to meet and work with Commission staff, officers and members to be sure the right questions are raised and answered in their ongoing work.

A spate of books has been released recently on the issue of 9/11 written by both American and foreign authors. At least one blames Saudi and Pakistani officials for involvement in the plot. Another raises questions about the source and nature of the threats, and one blames Clinton for failing to capture bin Laden even though Reagan and Bush, Sr. also turned down similar opportunities. Peter Dale Scott's *Drugs, Oil and War* is an excellent review that puts the deep politics of different US operations in Vietnam, Colombia and Afghanistan into perspective. See www.911citizenswatch.org, www.unansweredquestions.org, and www.cooperativeresearch.org for more details and investigative data. The 9/11 CitizensWatch site will soon be dynamic, and will have a large archive of updated materials and public sources relating to 9/11.

If the national Commission is unable or unwilling to address or answer the questions that surround the events of 9/11 in the public mind, or to raise its recommendations beyond calls for a fortress state, expanded intelligence powers and a permanent war to end terrorism, then there will be public momentum for a more thorough reckoning. Calls have already been made for a fully independent People's Truth Commission into 9/11, if required. Its scope and agenda might be wider than any inquiry to date, including an analysis of the responses to 9/11. It would have to rely on public documents, government whistle-blowers, independent funding, and Commissioners of public stature and integrity to get at the truth without the power of subpoena for records and witnesses. It would not be limited in its scope of inquiry or its conclusions based on fact. It would have full public input and scrutiny as well.

Finally, international sources continue to reveal new facts, carry out their own investigations and call for the truth. A recent panel in Berlin explored the work of their journalists and experts as well as American investigators into 9/11, and a public poll in Germany showed high levels of suspicion about the official story and the level of US intelligence involvement in the event. A recently resigned British minister of the environment has made strong public statements about the possibility of US government foreknowledge of the 9/11 attack and their use of the event as a pretext for global warfare and hegemony. Germany, Pakistan and other countries continue to arrest and prosecute alleged members of Al Qa'ida and other terrorist groups.

Do alternatives exist to the response to 9/11?

The Commission is tasked with making recommendations for the future that can prevent any repetition of such attacks, but these must rely on knowing the full truth about 9/11 and why it happened. In the aftermath of 9/11 much has changed. Civil rights and liberties have been curtailed and challenged by new legislation and new powers given to CIA, FEMA, the Pentagon and the Justice Department. Special emergency provisions put a new bureaucracy of "security personnel" in charge of many public spaces. Ethnic profiling, assaults and bias have increased against people of Middle East origin and Muslims. Posse Comitatus provisions that separate military and police functions have been challenged. Justice has been redefined as revenge, and legal protections undermined by putting people into an extra-legal status. Mass arrests and questioning, and secret detentions have begun. COINTELPRO practices of spying on political and religious groups have been called for anew.

Security alerts and emergency provisions allow for changes in legal authority and state powers, including martial law provisions if the government declares Code Red status. The new Office of Homeland Security has an unprecedented reach that now puts one of every twelve government employees under its direction. Proposals for increasingly invasive technological assaults on privacy and civil liberties continue to be proposed and implemented. Fear is guiding decisions about how to protect against every possible worst-case scenario, and a military response has been proposed that may last beyond our lifetimes to curtail terrorism. All these provisions are deemed necessary based on the events of 9/11, but do they really provide protection and security, or have they in fact increased the level of threat. Will we trade real liberty and democracy for security? Is that our only option?

The attacks of 9/11 were crimes against humanity, not acts of war. International procedures and tribunals exist for dealing with investigation, interrogation, arrest and trial of suspected criminal violators in these cases. The Taliban made initial offers that followed these recognized procedures, but they were rejected by US authorities. "We will either bring them to justice or bring justice to them," President Bush said. He also lauded "Old West" wanted posters that read "Wanted: Dead or Alive", encouraging a sort of vigilante justice that had no relation to criminal procedures, protections or due rights at trial. A war on Afghanistan, which had already been planned and prepared for in advance of 9/11, replaced legal sanctions and encouraged additional terrorist responses. Capturing Osama bin Laden and his associates was "not our goal" admitted VP Dick Cheney, after the invasion began.

The attack on 9/11 must also be put in the broader historical perspective of US covert and overt wars and operations in hundreds of countries abroad over the last 50 years, and the

politics and foreign policies that relate to access to resources and oil for US corporations and eventual consumption. That history, much of it still hidden to most of the public, reveals US involvement in assassinations, coups, covert funding and weapons for wars and internal conflicts, protection of corporate investments and advantages, proliferation of weapons of mass destruction, and support for undemocratic regimes. We were told that the motive behind 9/11 was a hatred of our pluralism and freedom, and our relative wealth and power. Why then is Canada, a large, wealthy, pluralist and democratic country not under similar attack? Perhaps it has to do with their foreign policies. Much has been done in the name of the American people that has led to anger, resentment and a motive for revenge among a portion of the world's people.

In the end, though, support for violence and the desperate acts of terrorism can only grow where continuing injustice has led to despair. In that climate, those calling for revenge find sanctuary, support and sanction. However, if that sense of despair and hopelessness is reversed, if justice is restored, then the base of support for terrorism and violence quickly dissolves. This lesson is just as visible in Ireland as it's reverse is visible in Israel. If our only response to terror is increased war and violence abroad, then it will increase and our safety and security will decrease in proportion. No set of security precautions can ever provide real safety against every form of attack; it cures the symptom not the cause at best. These approaches of a fortress state, reduced civil liberties, and permanent war not only damage quality of life, but send us into perpetual debt at the cost of our most precious resource, freedom and democratic rule.

A policy of domestic social and economic justice and real participatory democracy, as well as a foreign policy that intervenes with the humility of being invited and toward the open and public good can restore justice and hope around the world and regain the respect and friendship of the people of the world, so much of which has been squandered by our responses to 9/11 so far. A new policy that shows respect for the principles of international law and international relations, instead of the disdain of a Pax-Americana empire, will create additional support abroad. US positions that continue to block international consensus on issues of environment, trade and weapons only create ill will as well. We must join the world community before they join us in seeking global justice, democracy and the rule of law.

Congress must also take back its Constitutional right and sole duty to declare wars, and refuse to cede those decisions to the President. "I will take full responsibility for decisions about war and peace," Bush said recently, but those decisions do not belong to him. Congress knew that the American people opposed both the wars on Afghanistan and Iraq from the massive responses they got in their offices, yet they caved in and approved both interventions. The unilateralist Bush administration policy extends not only to the United Nations and other countries, but also within our government and the separation of powers, as well as flaunting public opposition. The lies that were told to the American public to rally support for the wars undermined the nature of a real democracy. The staggering cost of these wars and their aftermath are leading to a larger deficit and budget cuts in crucial areas of social services, education and health care. The Constitution needs to be restored on many levels, and the voice of the people, an informed public must begin to rule again. This requires reopening the commonwealth of mass media to the people for full disclosure and informed debate on issues.

None of this lessens the ultimate responsibility for the crime of mass murder carried out on 9/11 to be placed on the perpetrators, whoever they were, and their ultimate sponsors. None of it excuses the act or the philosophy of blind hatred and revenge that may have led up to it. But it also does not excuse a similar response on our part that is taking innocent lives abroad in much larger numbers. Violence only begets more violence until one party or nation breaks the chain and moves to justice and peace. The US has more strength, resolve and resources to do that than almost any other country or people in the world. The size, strength and nature of this threat do not compare to or justify the current response.

9/11 CitizensWatch welcomes ongoing citizen and public involvement in researching the facts and raising the issues involved. We work to serve as a public watchdog over the current Commission, and continue to critically evaluate the Joint Inquiry Report and other official statements and investigations into the events of 9/11. We want a fully transparent Commission investigation, with public testimony under oath by critical witnesses to the events. We seek the broadest possible public disclosure of all the relevant facts and records. We work with a family member advisory committee and with the family groups to call for full accountability and to get at the truth. We identify and raise the unanswered questions that raise serious and reasonable doubts about the official versions of the reality and context of 9/11. We support any honest legal, investigative or journalistic effort to unearth and compile the facts and get at the truth. We hold no predetermined or final conclusions about what happened on 9/11, but we do hold the US government accountable for informing the public and the families of the victims as fully as possible about what really happened. And if the current national Commission, for whatever reasons, fails to carry out its mandate, then we support the formation of an independent and probative People's Truth Commission to get at the facts.

In order to be credible in the final analysis, the Commission process must meet the highest standards of investigative protocol and rigor. Thus far, we feel the Commission has failed to do so by allowing Administration or Intelligence agency "minders" to sit in on their interviews, tolerating excessive and inexplicable delays, obstruction and secrecy on the part of NORAD, the Department of Justice, and the Bush Administration, and in refusing to require that testimony be given under oath in an effort to get the unfettered truth and resolve discrepancies and confusion over the timeline and other significant life-or-death national security issues.

CitizensWatch expresses 100% support for, and alignment with, the concerns expressed in the Family Steering Committee (FSC) "report card" released last week in anticipation of the September 'Interim Report' being offered by the National Commission.

The Commission's final investigative report must be able to stand the test of time and intense scrutiny, particularly from family members of the victims, who are very well informed. These family groups began their engagement with the Commission at its outset, and have already invested over a year in research and analysis.

Despite lacking the power of subpoena, and without enjoying the insider access that the Commission does, the family members and a growing international community of professional researchers and investigative journalists have done an excellent job thus far of raising key issues and questions about 9/11, as has been publicly acknowledged by the

Commission. The Commission has had ample time to follow on from the initiative of the Family Steering Committee and the citizen-led inquiries, and have been offered lead and direction from each. Yet, in our view they have failed to aggressively and publicly follow the lines of inquiry into the most difficult and uncomfortable questions, especially those that challenge the "official story", or prove embarrassing to Presidents, past and present, or the intelligence communities now being charged with prosecuting the "war on terror" and being granted huge budget increases to do so.

In addition to family concerns 9/11 CitizensWatch notes the lack of public testimony by pilots, ground personnel, air traffic controllers and key members the national leadership that could help illuminate the source of the failure to protect the airspace over the nation's Capitol for over an hour after multiple hijackings had been confirmed and conveyed in real time through a multi-agency 'tel-con', and over thirty minutes after hijacked flight 77 was identified on approach to the D.C. area. Questions regarding Saudi Arabian or other foreign state involvement, and the insider trading investigation have not yet been raised in any public hearings. Announcement by the FBI that they have closed their insider trading investigation should not deter the Commission from holding their own hearings. In our view, by comparison to the investigation led by Eleanor Hill and the Joint Congressional Inquiry, the Commission, at least on its public face, has been less thorough and aggressive in seeking the truth.

The authors recognize the limited nature of this interim status report and acknowledge that there remain additional areas of inquiry that have yet to receive attention either formally by CitizensWatch or the 9/11 Commission. In the case of CitizensWatch this is a function of both limited time and resources and a general sense that some issues must be addressed and responded to before others can be fairly or effectively addressed. CitizensWatch is committed to examining, evaluating and presenting all credible and well-documented evidence and advancing the lines of inquiry they suggest. We encourage whistleblowers and concerned citizens who may be able to offer useful testimony or evidence to come forward and contact CitizensWatch or a trusted media outlet. NOTE: a full hyper-linked and footnoted version of this document will soon be posted at www.911citizenswatch.org. We will inform our media list at the time of its posting.

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* To make tax-deductible donations write out checks to Washington Peace Center and designate them to 9/11 CitizensWatch.