WAS AMERICA ATTACKED WITHOUT WARNING—
OR WAS THE WARNING DELIBERATELY SILENCED?

ABLE DANGER

WHAT THE 9/11 COMMISSION NEVER TOLD YOU



CURT WELDON
UNITED STATES CONGRESSMAN

FOREWORD BY JOHN CRANE
US DEPARTMENT OF DEFENSE FORMER ASSISTANT INSPECTOR GENERAL

Praise for *Able Danger* and Congressman Curt Weldon

"Former Congressman Curt Weldon is as courageous as he is determined. His exposure of the truths surrounding 9/11 and many other critical events leading up to the seminal and destructive attacks against the United States of America went unheeded, and Curt was politically punished for being one of the foremost truth tellers in America. Government leaders should have listened to Curt when he initially came forward with his evidence. What America continues to face is the undermining and overthrow of our democracy by subversive deep-state elements fully committed to destroying our constitutional republic. Curt's legacy will stand the test of time as more and more evidence comes out every day. Curt is also a testament to the phrase "first responder." He is the epitome of one who runs into the flames while others cower due to fear. Curt lives the phrase "bravery under fire."

—Michael Flynn, Lt. General US Army (ret), former Director of the Defense Intelligence Agency and National Security Advisor

"This is a very important book that tells the truth about the events surrounding 9/11. Congressman Weldon was at the center of the formation of the Gilmore Commission that warned of the danger before the 9/11 attacks. Further, this book exposes the terrible diplomatic errors that led to the US-Russian breach during the Balkan wars, which draws a straight line to today's wars in Ukraine. This book should be read by everyone who cares about the future safety of America."

—James S. Gilmore III, Chairman of the Gilmore Commission, former Governor of Virginia, and former Chair of the Republican National Committee

"Curt Weldon has written the definitive book on 9/11 that tells the truth in a way that hurts. It hurts because it shows that a few individuals were able to pull off a conspiracy against the American people. They chose to encourage the 9/11 Commission to tell the truth but not the whole truth. Readers will find definitive proof of a cover-up where former government officials and certain 9/11 Commission staff conspired to hide the truth to protect their reputations and those of other very senior government officials."

—Christopher M. Lehman, PhD, former Special Assistant to the President for National Security Affairs

"Two of the most consequential and suppressed intelligence programs in modern American history, the Pentagon's Able Danger and the NSA's ThinThread, together form a devastating indictment of institutional failure before September 11, 2001, and could have prevented the 9/11 attacks. Curt Weldon's extraordinary book, *Able Danger*, forces a long overdue reckoning as this classified SOCOM/DIA data-mining operation had, by early 2000, identified Mohamed Atta by name and mapped his Brooklyn-based al-Qaeda cell. Yet Pentagon lawyers, citing rules governing military intelligence activities on "US Persons," blocked Able Danger analysts from sharing that information with the FBI and then ordered the data destroyed, with Army intelligence chief Erik Kleinsmith later recalling the chilling instruction to "delete the data or you'll go to jail." When Lt. Col. Anthony Shaffer tried to bring those findings to the 9/11 Commission, he was silenced, his security clearance revoked, and his subsequent book, *Operation Dark Heart*, that referenced the program, was literally pulped and some 9,500 copies destroyed by the Pentagon before publication."

—Thomas Drake, NSA Senior Executive and Executive Program Manager for ThinThread

"Able Danger showed the US intelligence community the model of how combining the right data, tools, people, and processes can be more effective

than entire three-letter agencies in identifying national security threats. Using cutting-edge data mining and visualization tools, our team was able to map out the entire Al Qaeda terror network, identifying key locations and actors leading up to the worst terror attack in US history. Congressman Weldon was one of the few leaders who understood our capabilities as a path toward a future intelligence community in direct support of the warfighter. Curt's perspective, outlined in this work, offers a wholly different perspective into the same struggles our team faced in refuting the prevailing theme that US intelligence never did or could connect the dots required to thwart such a deadly foe. We did and were shut down before we could act."

—Erik Kleinsmith, former Chief of Intelligence, US Army Land Information Warfare Activity (LIWA)

"The cutting edge is a lonely place to be . . . and that is where the Able Danger team was. 1999—with global terrorism on the rise; US forces being the target; and the need to detect, map, prevent, and prevail against radical Islam being the overall commander's intent. While living in legally gray areas, the team worked to combine new technologies, for both analysis and weaponization against enemies, in support of the first ever effort of Special Operations Command (SOCOM) to pursue a strategic threat as the lead command.

The gray areas of then, have become black and white operational boundaries of today. The outcome of Able Danger was to establish a format for combating global threats that has endured and continues to be the format for success. The result was the use of the Able Danger planning to pursue Al Qaeda globally to kill, capture, or eliminate their leadership. The failure of Able Danger to prevent the 9/11 attacks was due to being overcome by an intrenched bureaucracy of failure, that was either complicit or stupid, that ignored and prevented the Able Danger team and SOCOM as a command from taking any action to stop the known terrorists from committing the 9/11 attacks.

History and the American people are owed a full accounting of why the most significant combination of new technology, techniques, and procedures were ignored before the 9/11 attack and was covered up by the 9/11 Commission, and why the team as individuals were targeted for retaliation by Pentagon leaderships when the investigation of the Pentagon failures were reported.

Evidence of the existence and impact of the Able Danger team's work was destroyed and buried. It's time to reexamine the operation and hold accountable those who covered up and have avoided accountability for the 9/11 attacks."

—Tony Shaffer, Director of Special Mission Task Force Stratus Ivy

"Congressman Curt Weldon is a principled patriot and visionary who has always protected US national security and fought for what he believes is right no matter who the opponent. While in Congress, Curt forced the Pentagon against its opposition to build the US Marine Osprey tiltrotor aircraft. Curt also was a driving force to overcome misguided critics and secure essential funding for missile defense systems that now protect the US and its allies. And as a freshman member of the minority political party, Curt forced the US House of Representatives to go on record with a unanimous vote declaring that the Soviet Krasnoyarsk radar was a violation of the ABM Treaty. Curt was so widely respected that he was selected to serve as vice chair of both the Armed Services and Intelligence Committee thus placing him in a position to provide significant first-hand insights into the events surrounding September 11, 2001."

—Bruce Weinrod, former Deputy Assistant Secretary of Defense for European and NATO Policy and Defense Advisor to the US Mission at NATO

"Personally, I had family in the city working at WTC and my physician-sister worked herself to exhaustion searching for DNA among the remains. In Virginia, I was proud to support our firemen and first responders in the Pentagon parking lot—I remember the sky was so blue on such an awful day. Professionally, I remain puzzled by my government's reaction. I led the analysis before 9/11 and the post-attack military response analytic effort. Our Able Danger team knew many things; we tried to warn our leaders. Kudos to the US SOCOM for trying to keep data safe and planning alive when the Pentagon was busy issuing gag orders and destruction mandates."

—Eileen "Rainmaker" Preisser, Director of Air Force GEOINT Office and former LIWA Senior Scientist

"A debt that can never be repaid."

—Hal Bruno, Journalist, Political Director of ABC News, and Volunteer Firefighter

"It's the goal of every political leader who is blessed with the opportunity to serve the public, to leave behind a legacy—a legacy that in some way makes our nation stronger, better, and safer. Curt, you've done just that through your dedication and your commitment to our nation's 1 million first responders."

—President George H. W. Bush, DC national live tribute—March 29, 2007

ABLE DANGER

WHAT THE 9/11 COMMISSION NEVER TOLD YOU

CONGRESSMAN CURT WELDON

MC 1987–2007
Vice Chair—House Armed Services Committee
Vice Chair—House Homeland Security Committee
Member—The COX Commission
Member—Speaker's Task Force on Russia
Member—Speaker's Task Force on China
Member—Speaker's Task Force on North Korea
Founding Chair—Congressional Fire Services Caucus and Institute
2025 Gusi International Peace Laureate (Asian Nobel)

FOREWORD BY JOHN CRANE



TUCKER CARLSON
BOOKS

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DEDICATION

This book is dedicated to the victims of the greatest human tragedy in the United States—the 9/11 attack on the World Trade Center—and to those who perished in Pennsylvania and at the Pentagon. It is also dedicated to the US soldiers and contractors who died in Afghanistan searching for Osama Bin Laden, the US sailors who died in the attack on the *USS COLE*, and the three heroic CIA career leaders who all died suddenly (after short illnesses) while working with me on this and other national security manuscripts. John Quirk telephoned me prior to his illness that he had received an "unusual" call from a retired senior CIA executive who had questioned and admonished him for working with me.

Dr. Peter Pry	April 2022
John Quirk	June 2022
Bob McCreight	October 2024

Peter, John, and Bob were outstanding experts in their chosen area of intelligence and exemplify the best that America has to offer as role models for the next generation of critical intelligence analysts.

I also dedicate this book to the Able Danger and other American intelligence heroes who suffered outrageous personal attacks and career-ending efforts to silence the truth. They represent the best of those who serve and must be honored. And finally, to the family members, co-workers, and friends who were subjected to harassment and personal attacks. The

actions against them are *not* representative of the nation that we all revere and must never happen to others who serve.

Special thanks to Professor Charles Hardy III for his academic and intellectual leadership in the creation and management of the Weldon Oral History collection maintained at West Chester University of Pennsylvania. A past president of the national Oral History Association, Dr. Hardy organized and conducted over one hundred hours of digitized, annotated, and indexed interviews with me, members of Congress (Republican and Democrat), US government agency leaders and operatives, and foreign leaders. Never released to the public, these interviews document much of my work and this story.

Finally, I dedicate *Able Danger* to the more than 343 FDNY/EMS responders who tragically died at Ground Zero on September 11, 2001, and after from injuries sustained at the site.

Joseph Agnello, Lad.118
Lt. Brian Ahearn, Bat.13
Eric Allen, Sqd.18 (D)
Richard Allen, Lad.15
Capt. James Amato, Sqd.1
Calixto Anaya Jr., Eng.4
Joseph Angelini, Res.1 (D)
Joseph Angelini Jr., Lad.4
Faustino Apostol Jr., Bat.2
David Arce, Eng.33
Louis Arena, Lad.5 (D)
Carl Asaro, Bat.9 Lt.
Gregg Atlas, Eng.10
Gerald Atwood, Lad.21
Gerald Baptiste, Lad.9

A.C. Gerard Barbara, Cmd. Ctr.
Matthew Barnes, Lad.25
Arthur Barry, Lad.15
Lt. Steven Bates, Eng.235
Carl Bedigian, Eng.214
Stephen Belson, Bat.7
John Bergin, Res.5
Paul Beyer, Eng.6
Peter Bielfeld, Lad.42
Brian Bilcher, Sqd.1
Carl Bini, Res.5
Christopher Blackwell, Res.3
Michael Bocchino, Bat.48
Frank Bonomo, Eng.230
Gary Box, Sqd.1
Michael Boyle, Eng.33
Kevin Bracken, Eng.40
Michael Brennan, Lad.4
Peter Brennan, Res.4
Capt. Daniel Brethel, Lad.24 (D)
Capt. Patrick Brown, Lad.3
Andrew Brunn, Lad.5 (D)
Capt. Vincent Brunton, Lad.105
F.M. Ronald Bucca
Greg Buck, Eng.201
Capt. William Burke Jr., Eng.21
A.C. Donald Burns, Cmd. Ctr.
John Burnside, Lad.20
Thomas Butler, Sqd.1
Patrick Byrne, Lad.101

George Cain, Lad.7
Salvatore Calabro, Lad.101
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Michael Cammarata, Lad.11
Brian Cannizzaro, Lad.101
Dennis Carey, Hmc.1
Michael Carlo, Eng.230
Michael Carroll, Lad.3
Peter Carroll, Sqd.1 (D)
Thomas Casoria, Eng.22
Michael Cawley, Lad.136
Vernon Cherry, Lad.118
Nicholas Chiofalo, Eng.235
John Chipura, Eng.219
Michael Clarke, Lad.2
Steven Coakley, Eng.217
Tarel Coleman, Sqd.252
John Collins, Lad.25
Robert Cordice, Sqd.1
Ruben Correa, Eng.74
James Coyle, Lad.3
Robert Crawford, Safety
Lt. John Crisci, H.M.
B.C. Dennis Cross, Bat.57 (D)
Thomas Cullen III, Sqd. 41
Robert Curatolo, Lad.16 (D)
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Michael D'Auria, Eng.40
Scott Davidson, Lad.118
Edward Day, Lad.11

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Manuel Delvalle, Eng.5
Martin DeMeo, H.M. 1
David DeRubbio, Eng.226
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George DiPasquale, Lad.2
Lt. Kevin Donnelly, Lad.3
Lt. Kevin Dowdell, Res.4
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Thomas Foley, Res.3

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Robert Foti, Lad.7
Andrew Fredericks, Sqd.18
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Thomas Gambino Jr., Res.3
Chief of Dept. Peter Ganci, Jr. (D)
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Thomas Gardner, Hmc.1
Matthew Garvey, Sqd.1
Bruce Gary, Eng.40
Gary Geidel, Res.1 B.C.
Edward Geraghty, Bat.9
Dennis Germain, Lad.2
Lt. Vincent Giammona, Lad.5
James Giberson, Lad.35
Ronnie Gies, Sqd.288
Paul Gill, Eng.54
Lt. John Ginley, Eng.40
Jeffrey Giordano, Lad.3
John Giordano, Hmc.1
Keith Glascoe, Lad.21
James Gray, Lad.20 B.C.
Joseph Grzelak, Bat.48
Jose Guadalupe, Eng.54
Lt. Geoffrey Guja, Bat.43
Lt. Joseph Gullickson, Lad.101
David Halderman, Sqd.18
Lt. Vincent Halloran, Lad.8
Robert Hamilton, Sqd.41
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Lt. Stephen Harrell, Bat.7
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Thomas Hetzel, Lad.13
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Jonathan Hohmann, Hmc.1
Thomas Holohan, Eng.6
Joseph Hunter, Sqd.288
Capt. Walter Hynes, Lad.13 (D)
Jonathan Ielpi, Sqd.288
Capt. Frederick Ill Jr., Lad.2
William Johnston, Eng.6
Andrew Jordan, Lad.132
Karl Joseph, Eng.207
Lt. Anthony Jovic, Bat.47
Angel Juarbe Jr., Lad.12
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Charles Kasper, S.O.C.
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Richard Kelly Jr., Lad.11
Thomas R. Kelly, Lad.15
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Lt. Ronald Kerwin, Sqd.288
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Robert King Jr., Eng.33
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William Krukowski, Lad.21
Kenneth Kumpel, Lad.25
Thomas Kuveikis, Sqd.252
David LaForge, Lad.20
William Lake, Res.2
Robert Lane, Eng.55
Peter Langone, Sqd.252
Scott Larsen, Lad.15 Lt.
Joseph Leavey, Lad.15
Neil Leavy, Eng.217
Daniel Libretti, Res.2
Carlos Lillo, Paramedic
Robert Linnane, Lad.20
Michael Lynch, Eng.40
Michael Lynch, Lad.4
Michael Lyons, Sqd.41
Patrick Lyons, Sqd.252
Joseph Maffeo, Lad.101
William Mahoney, Res 4
Joseph Maloney, Lad.3 (D)

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B.C. William McGovern, Bat.2 (D)
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Robert McPadden, Eng.23
Terence McShane, Lad.101
Timothy McSweeney, Lad.3
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B.C. John Moran, Bat.49
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Lt. Raymond Murphy, Lad.16
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Joseph Ogren, Lad.3
Lt. Thomas O'Hagan, Bat.4
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Robert Parro, Eng.8
Durrell Pearsall, Res.4
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Lt. Philip Petti, Bat.7
Lt. Kevin Pfeifer, Eng. 33
Lt. Kenneth Phelan, Bat.32
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Shawn Powell, Eng.207
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Michael Ragusa, Eng.279
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Adam Rand, Sqd.288
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Thomas Schoales, Eng.4
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Stanley Smagala Jr, Eng.226
Kevin Smith, H.M. 1
Leon Smith Jr, Lad 118
Robert Spear Jr, Eng.26
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B.C. Lawrence Stack, Bat.50
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Lawrence Virgilio, Sqd.18 (D)
Lt. Robert Wallace, Eng.205
Jeffery Walz, Lad. 9
Lt. Michael Warchola, Lad.5 (D)
Capt. Patrick Waters, S.O.C.
Kenneth Watson, Eng.214
Michael Weinberg, Eng.1 (D)
David Weiss, Res.1
Timothy Welty, Sqd.288
Eugene Whelan, Eng.230
Edward White, Eng.230
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Lt. Glenn Wilkinson, Eng.238 (D)
B.C. John Williamson, Bat.6 (D)
Capt. David Wooley, Lad.4
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FOREWORD

WHAT THE 9/11 COMMISSION NEVER TOLD YOU

Millions of Americans, joined with others around the world, remember precisely where they were and what they were doing when the first images of commercial jet aircraft flying into the upper floors of the towers of the World Trade Center were first broadcast on the morning of September 11, 2001.

First it was shock, then disbelief followed by horror, as thousands of innocent civilians were suddenly dying in real time with images so disturbing that American networks had difficulty showing scenes of Americans, in the dozens, jumping to their deaths rather than be incinerated in a holocaust of burning jet fuel. Then, as hundreds of New York firefighters were working their way up to the top floors to search for survivors, the two towers, one by one, in real time, collapsed, turning the most iconic office towers in the world into funeral pyres.

How could America again be experiencing an event with the cataclysmic impact of the attack that occurred at Pearl Harbor, Hawai'i on December 7, 1941—this time, televised without commercial interruption? America had just ten years earlier, after forty-five years of sacrificing its blood and treasure around the world, won a Cold War with the Soviet Union. The end of the Cold War was supposed to mark an End of History, a

peace dividend, and finally a return to American normalcy—the halcyon period of prosperity before the War to End All Wars that America had entered in 1917, over eighty years earlier. Yet, there in the Financial District of New York; there at the Pentagon, the military command center of the American Armed Forces, also burning from an attack; and finally, there in a field in Pennsylvania, the dream of normalcy had ended—history had restarted.

But what were the lessons to be learned, and what were the failures that had occurred within the civilian and military institutions of the executive branch—who should lead the oversight efforts demanded by both the president as chief executive and commander-in-chief, and by the legislative branch and the oversight committees of the House and Senate?

There was, and is, the need to establish a competent evidentiary record, an agreed upon ground truth, through the use of independent criminal and administrative investigators, auditors, and evaluators to understand the how and why of the events before 9/11, what happened on the day of 9/11, and what lessons were to be learned after 9/11 to ensure that an attack would never reoccur. What were the actions taken by federal officials who used their positional authority, under color of office, in the events before, during, and after 9/11? Did those actions contribute to 9/11, and did they act subsequently to obscure their culpability or the culpability of others?

Able Danger is the story of what happened before 9/11. The 9/11 Commission is, in part, the story of what happened during 9/11 with the deaths of so many firemen from collapsing buildings. And the actions of the inspector general of the Department of Defense (DOD IG), the actions of the Council of Inspectors General on Integrity and Efficiency (CIGIE), and the Office of Special Counsel (OSC) is the story of what happened after 9/11.

In establishing a competent evidentiary record, the investigators, auditors, and evaluators would need to adhere to clearly articulated federal

standards, to include: the Federal Rules of Evidence; the Government Auditing Standards by the Comptroller General of the United States (Yellow Book); the Quality Standards for the Federal Offices of Inspectors General; the CIGIE Quality Standards for Investigations (Silver Book); the CIGIE Quality Standards for Inspection and Evaluation (Blue Book); and the Department of Justice Guide to the Freedom of Information Act provide the transparency of evidence, proceedings, and conclusions to the American people.

In short, the establishment of a competent evidentiary record is to adhere to the two foundational pillars of the federal government which are: transparency and accountability. Federal standards are to both create a uniform transparent process and ensure that the investigators, auditors, and evaluators do not have: personal impairments; external impairments or impairments to professional judgements. Investigators, auditors, and inspectors, along with their organizations, must be independent, both in fact and appearance, in matters relating to their work, and they must document all known threats to independence or document that there are no known threats to their independence in every investigation, audit, or evaluation to which they are assigned.

In addition, according to the Whistleblower Protection Act, federal employees who disclose wrongdoing and/or misconduct, which is a condition of their employment, must be allowed safe channels to report their disclosures to Congress, inspectors general, the Office of Special Counsel, and their supervisory chain of command.

Unfortunately, the story of establishing an evidentiary record is one of failure.

Federal whistleblowers were retaliated against by inspectors general, witnesses were coerced to change testimony, and instead of illuminating weaknesses and institutional vulnerability to strengthen the national defense, a narrative construction was developed to conceal the failures, and

senior inspector general officials were willing to abuse their positional authority, under the color of office, to prevent anyone getting close to ground truth, and to protect significant other federal political officials in the events surrounding 9/11, and afterwards.

In fact, there was a collaborative inter-agency effort to obstruct the federal investigative process (criminal and/or administrative) and to degrade evidentiary base (witness statements and documentation) required to properly substantiate or non-substantiate a competent evidentiary record along with whistleblower disclosures, and disclosures of wrongdoing made against responsible inspectors general and other responsible officials operating under the color of office.

I have attested to the above statements of wrongdoing and misconduct as a whistleblower myself, and as the former assistant inspector general of the Department of Defense.

With regard to wrongdoing and misconduct in the DoD IG Report of Investigation of Able Danger, and the whistleblower disclosures of Lt. Col. Anthony A. Shaffer about the visual identification of Mohamed Atta before 9/11, I prepared an affidavit to the inspector general of the intelligence community (IC IG), as a disclosure of urgent concern, that was revised on February 28, 2020. (see appendix B) The affidavit outlines the obstruction of the federal investigative process by two DoD IG senior officials, acting under color of office, to avoid confirmation that Able Danger had identified Mohamed Atta before the September 11, 2001 attack. It specifies the investigative misconduct by the two DoD IG senior officials in manipulating the methodology and scope of the DoD IG investigation entitled *Alleged Misconduct by Senior DoD Officials Concerning the Able Danger Program and Lieutenant Colonel Anthony A. Shaffer, U.S. Army Reserve*.

The case of Lt. Col. Shaffer is only one example of documented misconduct by the DoD IG, the CIGIE, and the OSC, regarding events

triggered by 9/11, and their actions to actively and continuously obstruct the establishment of a competent evidentiary record.

Going forward, to establish a competent evidentiary record on all events related to 9/11, there needs to be a new review, and a focus on the loss of the independence and objectivity entrusted to oversight entities in the executive branch to include the inspectors general, and the Office of Special Counsel, whose mandate is to be a safe channel to protect whistle-blowers for the purpose of transparency, accountability, and the establishment of a competent evidentiary record.

—John Crane, former US Department of Defense Assistant Inspector General

INTRODUCTION

WAKE UP, AMERICA!

The terrorist attacks of September 11, 2001, could have been prevented. The tragic deaths of more than 343 FDNY Firefighters/EMS—totaling 2,977 responders and innocent victims, and hundreds more from injuries sustained as a result of 9/11 could have been averted. And outrageously, 2,456 US soldiers and 3,923 US contractors (including at least eighteen CIA officers) were brought home from Afghanistan in body bags as they looked for Osama bin Laden while he roamed in Baluchistan (Iran) with the full knowledge of a handful of US intelligence leaders.

This is the story of how Able Danger, a special TOP SECRET US Army intelligence program established by Chief of Staff General Hugh Shelton, discovered Al Qaeda cells worldwide and alleged 9/11 terrorist leader Mohamed Atta and his Brooklyn cell one year *before* the nightmare of September 11. This is the story of how anonymous US operatives bungled an excellent opportunity to *prevent* the 9/11 attacks. This is the story of how key 9/11 commissioners and staff tried deliberately to cover-up the Able Danger program and slanted the *9/11 Commission Report* to place blame. This is the story of how former Clinton and Bush administration officials and high-ranking bureaucrats in the intelligence community, who are implicated in the Able Danger affair, are still trying to cover-up the greatest intelligence failure in US history and trying to conceal a political scandal

greater than Watergate, by destroying the reputations and careers of genuine American heroes who were the Able Danger team.

The terrorist attacks of September 11, 2001, could have been prevented. The common wisdom of the mainstream media is that the September 11 attacks could not have been foreseen or thwarted. The 9/11 Commission perpetuated and reinforced this view, suggesting that such opportunities as may have existed to stop the 9/11 attacks were, at best, remote possibilities, long-shots.

One might ask, "Is this another 9/11 *conspiracy theory* advanced to gain notoriety, sell a book, or undercut our military and intelligence capabilities as a nation? And why did this guy wait so long to tell his story of what really happened?" In this book you will learn the full truth—my credibility as Armed Services oversight leader, my career leadership in the American Fire Service, as well as the outrageous and un-American actions taken by "deep-state" bureaucrats to keep me silent!

My involvement—and this story—did not begin on September 11, 2001. These began thirty-three years ago when I was invited by FDNY Commissioner Howard Safir and FDNY leadership to visit the World Trade Center site immediately after the 1993 WTC attack. Why me, you might ask? As founder and chair of the Congressional Fire Services Caucus in the US Congress (representing over 370 members of the House and Senate), I made it my business to be on scene within days of any major disaster in the nation. Hurricanes, earthquakes, wildfires, floods, and manmade disasters across the nation—I made it my job to respond and assist local Firefighters/EMS within days if not hours to observe, listen, and learn.

This manuscript was coauthored twenty years ago in 2006 with Dr. Peter Pry, a ten-year award-winning CIA analyst who served as my key staffer on the House Armed Service Committee. Peter died suddenly and unexpectedly in 2022.

To the extent that the mainstream media was concerned, as Seymour (Sy) Hersh explained to me in several private meetings arranged by former Congressman Dennis Kucinich (D-OH) years later, I would *never* be permitted to tell "my story" in any media outlet despite verification of every fact and detail that I explained and provided to him from my work as vice chair of the House Armed Services Committee, oversight chair of all DOD Research, Development, and Intel Funding Sub-Committee, and vice chair of the House Homeland Security Committee. I am now sharing the facts and details known to my colleagues in our investigations. My facts, documents, charts, and details are backed up by one of the largest congressional archives in history and includes an oral history consisting of over one hundred hours of digitized, indexed, and annotated personal interviews—all completed by Dr. Charles Hardy (historian and past president of the National Association of Oral Historians). Interviews were conducted with Democrat and Republican members of Congress, agency leaders and operatives, and intelligence assets as well as several foreign leaders never before released to the public.

Had my eleventh election (2006) not been deliberately disrupted *three weeks prior* to Election Day—by the prearranged illegal action of a raid by DC DOJ agents on my eldest daughter's home—I would have ascended to chair and ranking member of the House Armed Services Committee, where I would have convened public and classified hearings regarding what I witnessed and documented in my official capacities, personal observation, and interactions with Able Danger team members for two years prior.

The creation of the 9/11 Commission was forced by a resolution supported by bipartisan members of Congress, including myself. Like all Americans, I wanted the full truth of the entire incident—but unlike other Americans, I felt personally responsible for what could have been prevented! I even hosted the wife and family of my good friend, FDNY Chief Ray Downey, in my PA district one month after 9/11, where I

organized fifty thousand citizens who turned out to honor Ray as an American Hero symbol of 9/11.

You will learn that the Able Danger intelligence program identified Al Qaeda international terrorism activity well before 9/11. In this book, I focus on the team's identification of the worldwide Al Qaeda network of cells—one of which was in New York City and included the alleged leader of the 9/11 plot, Mohamed Atta—as well as their uncovering of religious connections and the involvement of foreign nations. I have copies of pre-9/11 Able Danger charts in my vast archive collection.

You will learn that Able Danger team members attempted on three specific occasions to transfer pre-9/11 intelligence information to the DOJ but were blocked for still unknown reasons. Names and specific details are available.

Able Danger was an innovative, multiservice, multiagency intelligence program. It is important to note that this was a national-level supported activity, not just a bunch of sideline efforts. It had funding. Much of the initial work was extremely innovative and required round-the-clock operational support worldwide. A unit within the US Army was nominated to stand up the effort. The unit was the pride of the Army. Able Danger wasn't just sifting through data—the team was running a high-stakes manhunt in the digital shadows. Behind locked doors and layers of classification, analysts were armed with software so advanced it bordered on science fiction for its time. These tools could swallow oceans of information—classified intelligence, photos and maps, open-source scraps from a TV clip to a science and technology conference presentation in a foreign language, fragments no one else thought twice about—and stitch them together with highly classified information into patterns, simulations, and threat maps. Neural networking at its inception and at its best!

What they were building wasn't a spreadsheet. It was a crime-scene reconstruction of future attacks, assembled before the crime ever happened.

Every data point was a potential clue. Every anomaly, a warning. And buried in that mountain of signals were the early footprints of terrorists moving into the United States—footprints the system was designed to catch *before* anyone ever died.

Able Danger Team members were drawn from joint intelligence operations and included several laboratory, national agency, and contractor organizations. The cross function team composition and the high-risk and fast turn-around missions allowed for creating intelligence analysis that was refreshing and astounding. They were among our best!

Using Pacific Northwest National Lab cutting-edge software (examples like SPIRE, STARLIGHT) and algorithms that would be recognized today as integral in ChatGPT or Google Maps, they created the innovative "intelligence fusion center" of the future, using techniques and processes not used by our other thirty-plus federal government intel systems. The arrival of the *Information Age* afforded the unique opportunity for the US Army to create, utilize, and showcase the future of security through Able Danger.

The objective of Able Danger was to expose terrorist operations (actionable intelligence) by discovering persons and organizations supporting terrorist activities, to learn the nuts and bolts of how international terrorism works, and by monitoring the activities of these persons and organizations, to anticipate and prevent terrorist attacks (especially Al Qaeda). Simply explained, Able Danger used supercomputers to mine and monitor the world's internet worked databases—representing by volume and quality a treasure trove of unclassified intelligence unprecedented in history, a virtual world library, readable by supercomputers virtually instantaneously.

Able Danger discovered terrorist leader Mohamed Atta and his Brooklyn cell, which played a key role in the September 11 attacks, one year *before* the attacks occurred.

According to the CIA and 9/11 Commission—the importance of Mohamed Atta to the 9/11 attacks on the United States cannot be overemphasized. Mohamed Atta was the operational leader of the September 11 plot. He allegedly commanded all of the September 11 terrorists, including the Brooklyn cell that he personally led. According to the CIA and 9/11 Commission, he organized and coordinated the activities of the September 11 terrorists within the United States.

Ironically, the *9/11 Commission Report* concludes that if the FBI had arrested even the least important of the 9/11 terrorists, the plot might well have been thwarted. The *9/11 Commission Report* makes much of the Bush administration's failure to investigate and arrest Zacarias Moussaoui, who came to the attention of the Minneapolis FBI on August 15, 2001, less than one month before September 11. FBI field agents became suspicious of Moussaoui because of his unexplained interest in training to fly Boeing 747s in a flight school in Minnesota.

The *9/11 Commission Report* concludes that, had the FBI further investigated or arrested Zacarias Moussaoui, the September 11 attacks might have been prevented: "A maximum US effort to investigate Moussaoui might have brought investigators to the core of the 9/11 plot, publicity about Moussaoui's arrest and a possible hijacking threat might have derailed the plot. With time, the investigation of Moussaoui might also have led to a breakthrough that would have disrupted the plot." The FBI had less than one month to investigate this suspect before the September 11 attacks?

Able Danger gave just such an opportunity to both the Clinton and Bush administrations by identifying Mohamed Atta and his Brooklyn cell *one year* prior to 9/11.

Nowhere in the *9/11 Commission Report* will you find any mention of the Able Danger program or its discovery of Mohamed Atta. These facts were disclosed to 9/11 Commission investigators by the Able Danger team.

But the 9/11 Commission deliberately excluded this information from its report.

Also excluded was the fact that Able Danger data vanished! More than two terabytes of data were ordered to be destroyed! Destruction documented!

The logical questions one would ask—fully answered in this book—are obvious.

1. Why was I involved and so knowledgeable about Able Danger?
2. What caused me to focus so intensely and be at the Ground Zero of the WTC 1993 attack and 9/11 attack?
3. And why did I wait twenty-five years to tell my story?

Before Congress, I served as mayor of my hometown of Marcus Hook (nominated by both parties both times that I ran) and Delaware County (PA) council chair. But my full-time profession was teacher, environmental educator, and director of technical training in the Home Office of the oldest and largest Property/Casualty Insurance Company in North America (INA/CIGNA). I created and delivered the National Public Entities Risk Management Program for RIMS, served on the National Fire Protection Association (NFPA) Standards Committee, and I developed and appeared as lead in numerous fire and emergency protection video training programs used by our fire protection specialists, arson investigators, building and casualty loss control specialists, and commercial underwriters for complex insured properties worldwide.

As volunteer fire chief and mayor of my hometown, I responded to the largest maritime disaster in the US in 1975 (Corinthos disaster—twenty-eight dead) and a 1976 leak of LNG stored in massive underground caverns that burned and destroyed a row of homes and threatened families. As fire chief and mayor, I testified before congressional hearings in DC and as an

expert witness in federal court for the US Justice Department regarding the Corinthos disaster and urban threats.

My life's passion—and commitment—has been the Fire and Emergency Services in which I served (all volunteer) as a firefighter, fire chief, PA State fire instructor, director of county Fire/EMS training, and keynote speaker at every major national fire and emergency services conference and event. Born the youngest of nine children into a volunteer fire service family, my life's calling will always be in support of the fire service of our nation.

Older than our nation by forty years, Benjamin Franklin started Union Hose Volunteer Fire Company in Philadelphia in 1736. Today, volunteer and paid Firefighters/EMS serve in thirty-three thousand departments managing fifty-five thousand local stations providing the life safety backbone of every community in our country. Firefighters/EMS have been the *heart and soul* of America for 290 years. Not well known—but totally fitting—five US presidents proudly served as volunteer firefighters in their colonial communities.

Frustrated with the lack of understanding of Firefighters/EMS when I arrived in Congress, I conceived, organized, and chaired the Congressional Fire Services Caucus (and Institute) which remains one of the largest bipartisan caucuses in Congress after thirty-seven years. During my tenure, Joe Biden, Al Gore, John McCain, William Roth, John Sarbanes, Steny Hoyer, Sherwood Boehlert, and many others were co-chairs of the more than 370-member caucus of the House and Senate.

First elected to Congress in 1987, I enjoyed large victory margins (60–70 percent) each cycle for ten terms in what had been a Democrat district. As you will read, the deep state (in cooperation with Bush 43 and Clinton White House operatives) disrupted my eleventh reelection that would have elevated me to House Armed Services ranking member and chair (with unlimited subpoena power). For twenty years in Congress, I served as a

member—and leader (vice chair)—of the House Armed Services Committee (HASC) and vice chair of the Homeland Security Committee.

My passion to serve on the HASC was driven by several forces—youngest of nine, six who served in the military and two who were married to vets, my high school goal was to attend the Air Force Academy. I received a nomination and passed preliminary tests but was not granted a waiver for my eye problems (which remained through life). We were (and are) a patriotic family, which ignited this inner desire to always focus on those who wear the uniform and face conflicts that I often questioned. A family friend and neighbor joined the USMC, rose to become General Bob Haebel, and admonished me as I left for DC to "never forget the Marines nor any soldier who served."

With the Soviet Union (Russia) posing the primary threat during my early years, my predecessor on the Delaware County Council (Faith Ryan Whittlesey) had been appointed as a Reagan advisor and nominated me to serve as a delegate of the State Department-funded program "American Council of Young Political Leaders" to join a ten-member bipartisan delegation—of individuals who one day might serve in DC—to spend two weeks in Leningrad (St Petersburg), Minsk, Moscow, and Tbilisi debating young leaders from the Komsomol who might one day lead the USSR. One of those young Komsomol delegates (Valentina Matvienko) serves today as the highest-ranking woman in the Russian government as Senate (Federation Council) leader.

So the dye was cast. Firefighter, DOD supporter, and security threat passion would drive my career. Ironically, in October 1999, *Congressional Quarterly* selected me as "One of the 50 *Most Effective* Members of the House and Senate," citing my leadership in foreign policy (Russia) and the nation's Fire Service. Just weeks after my 2006 election was deliberately disrupted by DC DOJ interference, President George H. W. Bush (former CIA director) delivered a public tribute to my leadership and credibility

before two thousand members and leaders at a DC dinner. And, in November 2025, I was awarded the Gusi International Peace Prize (Asian Nobel Prize) for my leadership in pursuit of peace and support for Firefighters/EMS worldwide).

As HASC vice chair, I also served as sub-committee chair for all research, development, and testing (RDT&E), funding and procurement chair, and facilities chair as our services stood up *Information Dominance Centers* in anticipation of the emerging threats of cyber-attacks as well as use of data systems for understanding emerging transnational terrorist threats. In 1997, I organized and chaired the HASC hearing (Emerging Technology Threats in the 21st Century) and focused on drones, cyber, EMP (directed energy), and cognitive warfare.

As you will read, I became dismayed in the 1990s that important intelligence necessary for prioritization and funding for our military was being deliberately spun by intelligence assessments provided to me and the other sixty members of the Oversight Committee. Defense reporters, like Bill Gertz and others, would ask questions and base facts in published stories on *anonymous sources.* Compounding my frustration for nonpartisan facts on which to base decisions, I became aware of an informal DC intel social group known as the "Cockroaches*,"* all of whom were former military intelligence and shared the same frustration regarding politicization of intelligence from inside the agencies.

Credible intelligence became a major concern as I fulfilled my sworn duty to make decisions regarding deployment and protection of our military based on facts. In this book, you will read factual accounts of intelligence failures that cost young American lives. And it wasn't just the unacceptable loss of American GI's lives! As domestic terrorism escalated—as evidenced in the Murrah Building bombing and WTC 1993 attack—I grew angry and frustrated.

FDNY Commissioner Howard Safir invited me to "come as quickly as possible to the WTC" after the 1993 bombing. Spending a day at Ground Zero with officials from FBI, ATF, and the FDNY, it was my first meeting with Ray Downey, who was the emerging rescue chief within the FDNY. As a former Marine and father of five (two eventual FDNY firefighter sons), Ray and I spent hours in person going through the bombed parking garage, talking to FDNY and NYC officials and on the phone discussing the '93 attack, problems, needs, and lessons learned. Lack of reliable intelligence, especially from the myriad of thirty-three classified federal systems, became extremely concerning.

Returning to DC that night immediately after my WTC visit, I delivered a one-hour special order on the House floor citing my observations and meetings with Ray and other FDNY officials, and announced that I would be introducing legislation that would create a special commission to plan and prepare in case of another similar attack. Working in my DC office at 11:00 p.m. that night, the phone rang and I answered. New York Governor Mario Cuomo called to thank me and lend his support to my efforts after having watched my special order carried live on C-Span. The "Gilmore Commission" was created—and issued multiple reports—prior to the 9/11 attack. There is no mention of the Gilmore Commission in the *9/11 Commission Report*.

The worst nightmare in US history occurred on September 11, 2001, and you'll read about my visit to Ground Zero, my frustration and outrage at the failure of intelligence, and my personal self-guilt for allowing anonymous bureaucrats to deny the recommendations and destroy the careers and lives of those who tried to warn and cover up the actual facts of 9/11 that were evident.

For twenty-five years, the mainstream media have labelled any and all investigations into the 9/11 disaster as "conspiracy theories." Yet, amazingly, US Special Forces Commander General Geoffrey C. Lambert, in

his award-winning *New York Times* bestseller *Horse Soldiers*, is asked the question about his thoughts regarding the 9/11 attack. General Lambert's response (on page 100) explains that within seconds he had known who masterminded and carried out the attacks, because for the previous several years, he had observed a top-secret Army intelligence program called "data mining," that had identified one man by the name of Mohamed Atta, who had ties with bin Laden. The people involved in the program had tried telling the FBI what they had discovered, including identification of the hijackers, but were denied!

An agency operative employed by Orion Scientific worked closely with the Able Danger team and was transferred to DC for one year prior to 9/11. She hung an Al Qaeda link analysis chart in her office and living room clearly showing a photo of Mohamed Atta. I have copies of this chart in my archive collection.

And when career intelligence Able Danger team member Lt Col Anthony Shafer received approval from his commanding general to publish the memoir of his stellar career, the book publisher was issued a "cease and desist" order to stop publishing. But the approved memoir *Dark Heart* was already in print! So, US taxpayers' money—in one of the only times in history—was used to purchase and trash all 9,500 first edition copies of *Dark Heart* despite no state secrets nor intelligence included in the book. What was included in the original book was Shafer's detailed description of having briefed 9/11 Commission Staff Director Philip Zelikow in a Bagram meeting while Shafer was back on duty in Afghanistan serving our country. In the approved published version, mention of the Zelikow briefing was redacted!

DOD Assistant Inspector General John Crane prepared a whistle-blower affidavit documenting deliberate orders to lie about Shaffer and Able Danger to the Congress.

Overt blatant and disgusting attempts were made to destroy Shafer's career and family for simply telling the truth about what he knew regarding 9/11. My one-hour special order on the House floor can be accessed through C-Span where I expressed outrage at the actions against Shafer as an attack worse than Watergate.

No mention of these facts is in the 9/11 Commission Report*! None!*

As one of nine members appointed to the COX Commission that investigated Chinese acquisition of sensitive US technology in the 1990s, we voted 9–0 documenting a pattern of deliberate indifference to emerging threats to US national security that is especially clear in retrospect. In my archive collection, I have full charts showing all transfers and illegal activities including the timeline. These charts were *not* produced by agency staff who deliberately mislead members The charts were produced by patriotic intelligence staffers who knew the facts regarding US technology transfers to China in exchange for campaign donations.

The Clinton administration responded to North Korean cheating on and withdrawal from the nuclear Non-Proliferation Treaty by negotiating the Agreed Framework. Pyongyang agreed not to build atomic bombs, in exchange for economic aid and vastly more powerful nuclear reactors from the West but proceeded to cheat on the Agreed Framework anyway. I led three bipartisan congressional delegations to Pyongyang and Panmunjom and authored the Peace Pipeline Initiative supported by Secretary of State Colin Powell but never implemented. Secretary Powell placed my Peace Pipeline Initiative on his State Department web page and hosted me to address the monthly Speaker's Program at the State Department.

For years, the Clinton administration rejected obvious evidence of emerging ballistic missile threats to the United States from rogue nations. They even cooked the books in a National Intelligence Estimate to dismiss the threat. My first legislation in Congress passed the House 418–0

documenting Russia's violation of the ABM Treaty, and my National Missile Defense Legislation passed with a veto-proof margin.

The first World Trade Center bombing, on February 26, 1993, which injured one thousand New Yorkers, should have sufficed as a wake-up call about the threat posed by terrorism. On June 25, 1996, a terrorist bombing of the US military barracks at Khobar Towers, in Saudi Arabia, killed nineteen US servicemembers. On August 7, 1998, Al Qaeda bombed the US embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania, killing 220 people. On October 12, 2000, less than one year before the 9/11 attacks on New York and Washington, Al Qaeda bombed the USS *Cole*, incapacitating a high-tech guided missile destroyer valued at a half-billion dollars and, more importantly, killing seventeen US sailors. Able Danger team members were emotional when they told me that two weeks prior to the attack on the USS *Cole*, they discovered intelligence that a US asset would be attacked in the Port of Ayden, Yemen. The *only* US asset, at that time, in the Port of Ayden, was the USS *Cole* and no warning was transmitted to *Cole* Commander Kirk Lippold.

Consequently, when the US Army asked permission of the Clinton administration's Justice Department to tell the FBI that terrorist Mohamed Atta was in Brooklyn, the "Firewall Memo" created by Clinton Attorney Jamie Gorelick trumped national security concerns, and common sense.

On three occasions, Able Danger team members had discovered that terrorist Mohamed Atta was in New York and tried to share their intel with DOJ. Members of the Able Danger team expected that the FBI would arrest Atta or use the lead to conduct a preemptive counterintelligence operation that would eliminate the obvious threat posed by Atta. Tragically, for whatever reason, the Able Danger team was forced to cancel its scheduled meetings with the FBI three times.

Thus, the Able Danger team was prevented from fingering Mohamed Atta to the FBI, sacrificing the best chance to stop the September 11

catastrophe—and the wars in Afghanistan and Iraq—on the altar of political correctness.

Philip Zelikow was appointed as staff director of the 9/11 Commission. Zelikow tried to bury Able Danger after being briefed by Shafer in Afghanistan, and as director, was responsible for final content. I forced the HASC to require Zelikow to appear before our committee, but he would only do so in a private session where I vented much of my frustration with the ongoing efforts to limit full facts.

Zelikow was told by then Major Anthony Shaffer of the Able Danger team about the Able Danger project and its discovery of Mohamed Atta. There is no question that Zelikow understood the significance of the Able Danger work product. He flew to Afghanistan and interviewed Shaffer, acknowledged to Shaffer in person the great significance of Able Danger to the 9/11 story, and promised to conduct follow-up interviews. They exchanged business cards, and Shaffer was admonished to contact Zelikow immediately upon arrival back in the US. When Shaffer returned to Washington, his efforts to contact Zelikow for follow-on about Able Danger, as Zelikow had requested, were rebuffed. Outrageously, Shaffer was personally and professionally attacked like some adversary!

In contrast, Able Danger, by discovering 9/11 terrorist leader Mohamed Atta and his Brooklyn cell, provided Presidents Clinton and Bush with specific and actionable intelligence for preempting the September 11 attacks. Yet the *9/11 Commission Report* is silent on Able Danger. Why? Gross incompetence is not the answer. The 9/11 commissioners and their staff are highly intelligent, highly qualified in their scholarly credentials, and exemplary in their past professional achievements.

And we must remember the famous caught-in-the-act episode of Clinton Director of National Intelligence Sandy Berger's shocking actions just weeks prior to his scheduled appearance before the 9/11 Commission. As reported in every national media outlet, Berger "stuffed classified

documents in his clothing" to hide his theft—and eventual destruction—of pre-9/11 intelligence documents including the *Millenium After Action Report*, and initially lied to Federal Archive officials. Ultimately realizing that his grossly illegal antics had been filmed on security cameras, Berger eventually admitted to stealing and destroying five documents and lying to a federal agent. His Clinton friend attorneys pleaded eleven felonies down to *one* misdemeanor—with no jail time!

In an October 15, 2005, interview on *Meet the Press*, former Clinton FBI Director Louis Freeh sharply criticized the 9/11 Commission for ignoring Able Danger, as the intelligence from that program could have stopped the September 11 attacks: "On the subject of the 9/11 Commission, I'm very interested, I know the country is, in the Able Danger report. You know, we have now very honorable military officers telling the United States, Tim, that in 2000, not only had Mohamed Atta been identified by photo and name but was earmarked as an Al Qaeda operative in the United States. Apparently, this information was brought to the 9/11 Commission prior to their report. There's no reference to it. That's the kind of tactical intelligence that would make a difference in stopping a hijacking. We're very interested in what the 9/11 Commission didn't do in respect to Able Danger."

You will meet the Able Danger team and intel cooperatives in the pages of this book: military officers, intel experts, and scientists of impeccable character, honesty, and competence. The team included at least one genuine military hero in the person of Lt Col Anthony Shaffer, who won the Bronze Star fighting terrorists in Afghanistan. Their honesty and trustworthiness are absolute.

Able Danger team members were crucified for telling the truth. Their careers were threatened and damaged. Lt Col Shaffer, who was the first to come forward, was singled out for special persecution. American media repeated the lies that are challenged in this book.

Most disturbingly, Shaffer and his comrades were gagged by the Department of Defense and legally prohibited from testifying before Congress about the Able Danger affair.

Over 250 members of Congress from both parties demanded that Secretary of Defense Donald Rumsfeld allow Able Danger team members to testify before Congress. The denial was explosive!

I was a participant and eyewitness to decisions made at the highest levels of the US government that ignored Able Danger. These wrong decisions, which I tried desperately to prevent, ultimately resulted in the tragedy of September 11. I spoke publicly, prior to 9/11, about our military intel capabilities based on the ongoing work of Able Danger in congressional meetings, member briefings, intelligence conferences, and on the floor of the US House of Representatives. I inserted language in two successive DOD authorization bills demanding an Intel Data Fusion Center.

For those who will ask the question, “Why did you wait so long to tell this story?” the answer will be obvious as you read this book. My background and focus forced me to question the obvious regarding transparent support for our Firefighters/EMS, our nation’s military, and the victims whose lives were lost.

Attempts were made to undermine my credibility. However, recognition of my leadership and credibility was affirmed by more than 180 senior generals, admirals and national leaders including Clinton Deputy Secretary of Defense John Hamre, Bush 43 Defense Secretary Donald Rumsfeld, Obama White House National Security Advisor/USMC Commandant James Jones, Reagan Secretary of Energy and Chief of Naval Operations James Watkins, Harvard University JFK Director and Deputy Secretary of Defense Graham Allison, Clinton CIA Director Jim Woolsey, ABC TV and National Fire Leader Hal Bruno, IAFC/CA Fire Chief Ron Coleman, and over 150 other leaders from both parties who authored personal letters to the House

Speaker urging my ascension to chair the Armed Services Committee in 2000.

Then 9/11 happened, and I told the truth! The House hearings and floor speeches are all documented and available. I exposed the lies about which I will fully verify. Two hundred forty-seven members of Congress signed my letter to Rumsfeld (see appendix E) demanding *Able Danger hearings*. Joe Biden openly supported and publicly endorsed my appearance before the Senate Oversight Committee while staff privately documented necessary spin in their final report.

And totally unannounced, three weeks prior to my eleventh election (all ten previous landslides) in 2006, DOJ DC hacks sent by Robert Mueller raided my daughter's home at 7:00 a.m. with all media pre-alerted. *No one from any agency ever talked to my daughter—ever!* That same day, DOJ DC hacks sent by Mueller raided the Center City law office of Democrat attorney and friend John Gallagher, never bothering to check that Gallagher had been working as an FBI counterintelligence asset, arranged two years prior by me! Gallagher was issued an apology and contract work from the CIA for years after. The one embarrassing file in John's possession documents the CIA hiring of a former top leader of the American Nazi Party! (All documented with details available in the Weldon Oral History Collection at West Chester University.)

I urge readers to watch the personal tribute to me for my "leadership for the nation," given in DC before two thousand members and leaders just weeks after Mueller's DOJ DC deliberately disrupted my election. This sabotage was verified by Sy Hersh and included involvement by Cheney and Bush White House staff in concert with Clinton cronies.

Together, in these pages, *we* will tell you, the American people, the truth about Able Danger, and the truth about how 9/11 could have been prevented. In ignoring the Able Danger affair, the 9/11 Commission

overlooked the most important object lesson for preventing future attacks on the United States.

This book is organized as a forensic analysis rather than a conventional narrative. Accordingly, readers will encounter certain facts, names, quotations, and events more than once. Such repetition is deliberate, allowing the evidence to be examined from multiple perspectives and its cumulative significance to become clear.

—Congressman Curt Weldon
Vice Chairman
House Armed Services Committee
House Committee on Homeland Security

CHAPTER 1

WHERE THERE IS SMOKE, THERE IS FIRE

You're working too hard, Curt!
I don't smell any smoke.

It was about 7:00 p.m., Thursday, May 5, 1988, when I first began to understand the greatest challenge of my life. As a first-term member of the US Congress, I was working feverishly to understand and make a difference within the federal government. As a teacher, former small-town mayor (Marcus Hook) and county chair (Delaware) of a large suburban Philadelphia County, I had experienced the impact of the federal government at the local level but now I was in a position to use my life experiences to make government work for the people.

My DC staffer John McNichol and I were working in my second floor Longworth Building office suite located directly across the street from the US Capitol Building. We were preparing for the visitation of a group of local Pennsylvania officials the next day, and I wanted everything to be perfect. Our office TV was tuned to national news, and the focus was on a Los Angeles high-rise building fire and explosions in Nevada and Louisiana. The news caught my attention—and then I smelled smoke! I yelled to John in the outer office and he responded, "You're working too hard, Curt. I don't smell any smoke."

As I checked the office suite, the smell grew more pronounced, so I opened the door to the hallway. Instantly, I knew there was a problem—a fire in the Longworth Office Building. As I tasked John to close all windows and call in the alarm, I proceeded out my office door to determine what was burning. As a lifelong volunteer firefighter and fire chief, I instinctively ran to the source of the smoke.

Two offices away, smoke was pouring from the closed door frame of the District Office of the Speaker of the House Jim Wright (D-TX). Fearing that lives might be at risk, I kicked open the door and crawled through the intense smoke-filled suite looking for any staffers who might have collapsed. Simultaneously, I yelled out to my staffer John, who was in the hallway, to grab portable fire extinguishers located in hallway cabinets. John carried five extinguishers to me but only two had been charged—the others were useless. I shouted to John to go back and "get me the 11/2 reconnected hose from the hose cabinet," to which John responded, "There's no hose in the cabinet."

Frustrated as I waited at the door of the Speaker's office, I realized there was nothing more I could do to control the fire until the DC Fire Department arrived except to make certain the building was being fully evacuated. By this time, smoke and heat were billowing down the hallway. Members and staff were running down stairways not knowing what was happening, elevators carrying folks from the upper seven floors were stopping on the "fire floor," and shouts and cries of panic resonated as occupants of the 251 congressional office suites, five large committee rooms, and multiple support rooms cascaded down open staircases looking for guidance and exits. Capitol Police were running through the hallways yelling "Fire!" "Fire!" "Get Out!" banging on office doors alerting anyone who might have been working late.

I stopped a Capitol Police officer and asked if detectors had been activated, and if elevators were on automatic recall as required? Had the

alarm system been activated? The response of "No," "No," "No" left me breathless. There were *no detectors, no automatic recall of elevators, no control of fireloading on ground floors, no enclosed nor protected stairwells, and no alarm system of any type (manual or automatic*).

As I exited the Longworth Building to arriving DC Fire Department apparatus and leadership, I met—for the first time—DC Fire Chief Ray Alfred. I said "Chief, you've got a working fire in the second-floor corner suite, and one room was 'fully involved' when I entered. There's no hose in the hose stations, so you'll have to lay lines—but I'm certain that you've *preplanned this building*." To which DC Fire Chief Ray Alfred responded "Congressman, we've never been allowed to preplan any of the buildings on Capitol Hill!"

As mentioned, being a local volunteer firefighter and fire chief, PA state fire instructor and volunteer county fire and EMS training director and loss control and risk management director for the largest property and casualty insurance company in North America (INA/CIGNA) responsible for training thousands of our inspectors for compliance with building and fire codes in every city, I was devastated! Dumfounded! How could this be? As the media arrived and stuck microphones in my sooted face, I said, "This building is a fire trap and should be shut down. It's in violation of every code related to life safety!" Obviously, a member of Congress calling a House office building a "fire trap" garnered massive attention on the nightly news.

Later that night, Speaker Jim Wright's Chief of Staff Marshall Lynam, called my cell phone to thank me for my efforts but asked if was planning to "blame the Speaker." "Absolutely not," I replied, "but I want every building on Capitol Hill brought into compliance with the NFPA Life Safety Code 101."

The next morning, following opening bell and morning prayer, Speaker Wright recognized the "Gentleman from Pennsylvania, Mr. Weldon," and

thanked me for my efforts. The Speaker went on to acknowledge the content of my *Privileged Resolution* "Regarding the Health and Well Being of the Members," and accepted my resolution naming a four-person member panel to recommend actions to require the House architect to bring every building on Capitol Hill to proper standards for life safety. I was one of the four members named to the panel.

As I reflected on this incident that could have caused loss of life and injuries to hundreds of members of Congress, staff members, support personnel, and constituents—including those handicapped, elderly and disabled—I asked myself:

> Where were the overseers? The Architect of the Capitol office?
> Where were the federal agency guarantors of building safety (NIST)?
> Where were the private Fire and Life Safety Associations (NFPA)?

The entire legislative leadership of our nation had been at risk for years—540 members of Congress and delegates working in buildings in violation of every building and life safety code mandated in cities across the nation—and not one of the above entities raised any concern prior to the fire in Speaker Wright's office suite.

The task force convened, and Capitol Fire Protection Engineer Ken Lauziere became a close friend. He had been advocating for fire and life safety systems and procedures for Capitol Hill buildings as mandated by National Codes and Standards for years—but the bureaucracy never responded! When the work was completed in all of the Capitol Hill office buildings, Ken and the Speaker presented me with an original manual call box from the Capitol no longer in use as a tribute to my persistence.

The Speaker publicly thanked me and presented me with an etched crystal vase. Minority Leader Bob Michel thanked me as did hundreds of members who had been working in unsafe environments. And everyone joined me as I created the Congressional Fire Services Caucus and Institute

designed to empower America's Firefighters/EMS nationwide. Speaker Wright's close friend Mason Lankford of the Fort Worth, TX, Fire Department, and Galveston Fire Chief Willie Wisko became two champions of our effort spreading the word throughout the fire service. ABC TV producer and Maryland volunteer firefighter Hal Bruno and famed FDNY author Dennis Smith joined our effort and helped spread the word.

Within two years, the Fire Caucus became the largest in Congress and grew to 370 members from both parties. Co-chaired, as noted above, by Biden, McCain, Gore, Roth, Hoyer, Boehlert, Sarbannes, Pascrell, and many others, we laid the foundation for massive improvements for volunteer and paid Firefighters/EMS nationwide. Our Annual Dinner speakers included Ron Howard (*Backdraft*), Kurt Russell, Charlton Heston, firefighters from foreign nations (Russia, China, Kuwait, Europe, Africa, Latin America, Asia), and our reach exploded worldwide as we ignited and empowered Firefighters/EMS worldwide.

Through this incident, I learned my primary mission in Congress—understand and challenge the government at all levels in every way! Take nothing for granted, respect and thank those who lead with integrity and honor, and *never* back down to those who manipulate their positions, unnecessarily risking American lives, especially those doing so for personal gain.

Growing up as the youngest of nine children in a poor blue-collar family, I learned the values of hard work, persistence, and collaboration in everything I did. I also learned patriotism and respect for our nation as my six brothers and two brothers-in-law served in our military services. Having relatives and friends injured and killed in overseas conflicts, my life's passion was also to protect those who wear the uniform.

In high school, my goal was to attend the USAF Academy. I received the nomination and passed all prerequisites—but a recurring series of eye problems would not allow a waiver. So I devoted my life's passion to the

Fire Service and preventing unnecessary loss of American lives through disasters and wars.

With the Soviet Union as our main adversary, one of my goals was to understand the USSR (Russia) and its people. As an education and political science major, I took French and Russian as languages and my professor (Dusan Glumac), who worked for the State Department (probably CIA), convinced me to become the first Russian studies graduate from West Chester University in 1969.

Thirty years later (1999), *Congressional Quarterly* would honor me as one of the "50 Most Effective Members of the House and Senate," citing my leadership on behalf of America's Firefighters/EMS and my leadership on National Security (Russia, FSU, China) Issues. My focus was intense but always bipartisan, supportive of military and intelligence but always challenging, listening to policy and perspective but always seeking firsthand accounting and unsanitized data and analysis.

I organized and led bipartisan delegations (Co-Dels) to 104 nations, creating and co-chairing bilateral bipartisan parliamentary initiatives with Russia, Ukraine, Azerbaijan, Moldova, Kazakhstan, Romania, Israel (security), Kuwait (security) as well as US/GCC (security). I also organized and chaired bipartisan US Ocean efforts with the Advisory Council on Protecting the Seas (ACOPS), Consortium for Oceanographic Research (CORE), the International Energy Advisory Council, and was awarded the National Ocean Leadership Award by the US Oceans Commission (Jean-Michel Cousteau, Dr. Sylvia Earle, and Chair Leon Panetta).

As the only US elected official to address the Moldovan Parliament, Libyan Jamahiriya, Azerbaijan Majlis, African Physiological Society, Chinese PLA National Defense University (twice), and inducted into the Russian Federation Academy of Social Sciences, my focus on transparent candid dialogue and accountable partnerships was the hallmark of our work.

In November 2025, the Gusi Peace Prize (Asian Nobel) was awarded to me in Manila in recognition of my international work for peace and collaboration worldwide.

My twenty-year leadership in Congress brought me to the unfortunate point of this book.

As vice chair of the Armed Services and Homeland Security Committees, I worked closely in support of US intelligence objectives and priorities and maintained close working relationships with CIA directors James Woolsey, Porter Goss, George Tenet, and Leon Panetta. In my leadership roles, I discreetly and actively helped US Security concerns—dozens of which are all documented.

But I quickly learned that Congress were not equal partners in understanding, analyzing, and responding to emerging threats. Intelligence agency leadership deliberately withheld and/or manipulated the intelligence provided to Congress on which we were to determine funding and policy priorities. The informal DC group of intelligence patriot friends who met periodically and called themselves the Cockroaches opened my eyes to the raw data prior to political manipulation for partisan purposes. Fully understanding the need for full vetting, I proposed a manageable integration process fully recognizing the constitutional role of the elected members of Congress.

My record in Congress (all in support of stated White House objectives) testifies to my commitment to full transparency.

- As one of nine members of the COX Commission created by Congress to investigate China's acquisition of our most sensitive technology. Our 9-0 vote reinforced the tragic news, but I went beyond the Report and worked with US intelligence patriots to document the deliberate efforts by highest level US leaders to transfer technology for financial gain and produced charts documenting those actions.

- As co-chair of DUMA/Congress with Steny Hoyer, our bipartisan delegation was lied to by CIA leaders to minimize the damage of massive US theft of Russian IMF and World Bank Funds that ultimately caused US Department of Justice indictments one year after our Moscow and DC meetings.
- As co-chair of DUMA/Congress with Steny Hoyer, I led an eleven-member CoDel to Vienna with State Department knowledge and support to remove Milosevic and end the Balkan War. We were lied to by CIA leadership regarding our efforts and our ability to lay the foundation for peace while also arranging the return of three US military personnel hostages.
- Our bipartisan work in Libya (including Senator Biden) in support of George W. Bush's outreach to Muammar Gadaffi laid the foundation to respond to Gadaffi's request during the revolution to meet and resign as leader. My delegation with Biden and Bush associates along with an NYC TV crew documented our delivery of Gadaffi's offer to resign to Secretary of State Hillary Clinton and President Barak Obama, only to be ignored.
- Our six-member bipartisan Co-Dels to North Korea in support of Bush goals of denuclearization were thwarted and ignored by Bush neocons, including the Peace Pipeline Plan publicly supported by Secretary of State Colin Powell.
- Our successful bipartisan efforts requested by Marine Corps leadership to overturn Secretary of Defense Dick Cheney's decision to cancel the V-22 Osprey Program resulted in overwhelming success and today four hundred Osprey's are flying because of congressional mandate overturning the policy decision.
- Our successful bipartisan effort in 2001 to overturn Bill Clinton's opposition to the AFG (Assistance to Firefighter Grants) Program for Fire Fighters in 2000—which we overwhelmingly approved yet it was

not funded by Bush in 2001—overwhelming bipartisan support empowered our success in securing the first $100 Million!

- Our successful bipartisan forced allocation of frequency spectrum for a national and interoperable communication system for Fire/EMS nationwide (evidenced at the Murrah Building bombing and WTC ’93) after surrounding the Capitol Building with three hundred fire trucks at noon on a session day and activating air horns and sirens while members demanded—and achieved—success in creating what is today known as FirstNet.
- As founder and co-chair of Knesset/Congress Security Task Force with Uzi Landau, Neil Abercrombie, Senators Jon Kyl and Dianne Feinstein, we successfully overcame administration objections and funded the Arrow and THEL missile defense systems, visually making our case by having the US Army position a SCUD missile system in the launch position directly adjacent to the US Capitol Building on a session day.

But my greatest challenge would require my most intense efforts, resulting in illegal, nefarious, and unscrupulous acts against my family and me by a handful of deep state scum to ultimately succeed in stopping my ascension to Armed Services chair (unlimited subpoena power), covering up details related to the outstanding work of US military hero career intelligence leaders (from all services) who developed, implemented, and operated a massive twenty-first century intelligence fusion capability that could have prevented the 9/11 WTC nightmare and the attack on the USS *Cole*.

If the above stories and initiatives had not all been bipartisan and fully documented, those embarrassed and at risk for exposure of their outlandish behavior and actions would work feverishly to spin the stories to the mainstream media, labelling our work as conspiracy theories or self-serving distortions. But when you take the time to document and back up your story

with numerous bipartisan leaders with credibility, one quickly learns that the only conspiracy theories have been deliberately generated by those most at risk of embarrassment and accountability.

This is that story!

CHAPTER 2

THE GILMORE COMMISSION

I agreed with Ray Downey that we as a nation were like the Titanic, *racing full speed ahead toward an iceberg, with no captain at the wheel.*

Black smoke, thick and oily, came pouring from the ground, rising and curling around the crystalline towers of the World Trade Center, like the breath of some sleeping subterranean dragon suddenly come awake. The dragon was full of fury at the modern city that had grown above its lair.

It was the first bombing of the World Trade Center on February 26, 1993. Terrorists, led by Ramzi Ahmed Yousef, and inspired by the fanatical and sightless Egyptian cleric "Blind Sheikh" Omar Abdel Rahman, exploded a truck bomb in an underground parking garage. Few were killed. But over one thousand people were injured, mostly from smoke inhalation. In moments, the streets of New York were turned into a battleground. Hundreds of victims milled desperately in the streets seeking help, seeking air, their faces blackened and many half-blinded with soot.

The first bombing of the World Trade center has largely been forgotten, overshadowed by the disaster of September 11. But even at the time, I do not think that official Washington or the media fully appreciated the horror of February 26. True, few people died. But terror is not necessarily proportionate to the number of fatalities.

Perhaps only a firefighter/fire chief can understand those who have faced death by fire. On that day, February 26, 1993, Ramzi Yousef and the

Blind Sheik forced thousands of Americans to taste death by fire, to know how it feels to choke on ashes, to be blinded by hot soot, to die in the dark. Every experienced firefighter knows that surviving such an experience does not automatically restore normalcy to the victims, or to their families. On February 26, in the time it takes a truck bomb to explode, many thousands of Americans became victims of terrorism.

As the founder and chair of the bipartisan Congressional Fire/EMS Caucus, I had connections with every Fire/EMS stakeholder group in the country and was contacted by FDNY officials, including Fire Commissioner Howard Safir. Responding to their invitation to visit the site on-scene, I immediately left DC to travel to the site of the WTC bombing. After meeting senior FDNY leadership, FDNY Deputy Ray Downey escorted me through the bombed out basement garage and we engaged in deep discussions about the incident, limitations hindering FDNY operations (lack of a national interoperable communication system among others), and the essential need for better intelligence from the federal government's multitude of agencies (thirty-three)—most of which were not linked for maximum analysis and warnings. Ray—retired USMC—and I decided then and there that a major priority would be better enhanced intelligence that could be shared with local responders in advance. I suggested, and Ray enthusiastically agreed, that Congress needed to convene a special commission to investigate the bombing and make recommendations in preparation for other similar incidents and attacks that might occur.

Heading back to DC after a full day at the WTC with Ray, FBI, and FDNY Leaders, I decided to deliver a special order on the House floor at the close of business that night. My special order, which can be viewed on C-Span archives, allowed me to document the entire day's events, meetings, and my call for a special commission. Surprisingly, when I returned to my DC Office at 11:00 p.m. after delivering the special order, my phone rang,

and when I answered, the caller asked, “Is this Representative Curt Weldon?” to which I responded, “Yes.”

“This is Mario Cuomo, governor of New York, and I wanted to call and thank you for your visit and remarks regarding the WTC bombing today.”

Skeptical, I laughed at the caller, thinking someone was playing a game, until the caller said, “This *is* Governor Mario Cuomo, I’m working late in my Albany office and had C-Span on and watched and listened to your entire presentation.” We had a great discussion about FDNY, city and state fire/EMS needs supported by agencies of the federal government. Governor Cuomo loved the idea of a commission. And the governor reinforced my call for a national intelligence fusion center.

The evil incarnate went on trial in New York when we arrested Ramzi Yousef and his followers. When on trial for his life, Yousef said his only regret was that he failed to kill 250,000 Americans. The terrorist objective in the first bombing of the World Trade Center was to destroy its foundation and topple one of the towers causing, or so the terrorists hoped, a killing field in downtown Manhattan greater than Hiroshima or Nagasaki.

Ramzi Yousef ’s spiritual leader, Sheik Omar Abdel Rahman, was a blind Egyptian cleric filled with hatred for the United States. A fiery orator who arrived in the United States in 1990, the Blind Sheik was heard on FBI wiretaps trying to evade discovery as a co-conspirator in the first World Trade Center bombing. Accused of encouraging terrorist acts, as well as the murder of Rabbi Meir Kahane, in 1995 the Blind Sheik and ten disciples were convicted of plotting to blow up the United Nations and other targets, including tunnels and bridges, in Manhattan.

In Ramzi Yousef, the Blind Sheik, and the first World Trade Center bombing, we saw the face of our enemy. It was cruel, implacable, and fanatical to the point of self-destruction.

I still cannot understand—given our hard-won knowledge of the enemy after his attempt at mass murder against New York on February 26, 1993—

how President Clinton and leaders in both parties could fail to see that the terrorists would certainly strike again.

The Blind Sheik could see more clearly than the Clinton administration. Amazingly, the attack of February 26, 1993, did not move President Clinton to mobilize the nation for a war against terrorism. A war on terrorism did not fit in well with the preferred foreign policy agenda. The Clinton administration viewed the attack as a curious anomaly, not as a harbinger of the future. Time passed. The damage to the World Trade Center was repaired. And nothing was done to protect the United States from further terrorist strikes on our homeland.

Ray Downey understood that the Clinton administration and the nation as a whole were asleep to the terrorist threat. Ray knew that Washington needed a wake-up call. Ray was a fellow firefighter, a former Marine, and deputy fire chief for the City of New York.

Ray personally showed me the wreckage in the parking garage where the February 26 bomb exploded. Twisted steel and jagged blocks of concrete lay scattered everywhere, like a vast demolition site carved out of the bowels of the World Trade Center. With so much damage to the foundation, it seemed a miracle that more lives were not lost, as Ramzi Yousef had planned.

As we stood there looking at the damage, the veteran fire chief told me that he was certain the terrorists would try again. Ray was equally certain that Washington learned nothing from the attack of February 26. He was afraid that Washington would not do enough, and would not act in time to prevent the next attack. Ray Downey knew that the next attack on New York would be far worse than the bombing of February 26.

As a fellow firefighter, I promised Ray that I would do everything in my power to warn the nation about the looming terrorist threat. It was a responsibility I was glad to undertake. I agreed with Ray that we as a nation

were like the *Titanic*, racing full speed ahead toward an iceberg, with no captain at the wheel.

Working with Ray, we conceived the idea of a congressional commission to investigate the growing threat from terrorism, and to warn the nation. When presidential leadership is lacking, commissions are a good way for Congress to step into the breach and provide national leadership on an issue neglected by the chief executive.

A good commission must comprise a body of men and women respected for their expertise and sound judgment by everyone, regardless of party. Commissioners generally are not serving members of Congress nor the administration. A good commission can stand above the political fray. Good commissioners are much like the sages who advised the kings of old.

When an entire board of sages, famed for their wisdom and objectivity, warns Washington about the terrorist threat, who would dare not listen? This was my hope, and my reasoning, when I introduced the legislation to establish the Gilmore Commission, so named after its appointed leader and good friend—Virginia Governor Jim Gilmore. I made certain that Ray Downey, and local PA fire chief and friend Bill Jenaway, were both named to the commission.

Establishing a commission is one of the most challenging tasks any member of Congress can undertake. The mechanics of drafting the bill to establish a commission is itself an awesome task. Commissions are a new arm of Congress—for commissions are an extension of the Congress—with all of the complexities of administration and law that attend the creation of a mini-bureaucracy, made more complex still by the temporary nature of the commission and its peculiar purpose. Yet drafting the bill for the commission is the easiest part. The hard part is convincing Congress to establish the commission. Both the Democrat and Republican parties and the administration are always suspicious of commissions and reflexively opposed to their creation. No commission was ever established easily.

I kept my promise to Ray Downey. I drafted the bill for our commission. I convinced the House and Senate to pass the bill, empowering a congressional commission with the force of law to investigate the threat from terrorism. On October 17, 1998, Public Law 105-261 established the *Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction*, commonly known as the Gilmore Commission.

To make sure that the political and academic expertise on the commission was informed by practical experience, I made certain that my new friend—a seasoned New York Fire Chief, Ray Downey, old friend, and fellow trusted firefighter, fire chief, and building expert—would also serve. King of Prussia fire chief and INA Loss Control Director Bill Jenaway would serve with Ray on the commission.

The Gilmore Commission is now forgotten, overshadowed by the 9/11 Commission. Yet the Gilmore Commission anticipated that something like September 11 would happen, while the 9/11 Commission merely performed the post-mortem. Long before the attacks of September 11, 2001, the Gilmore Commission warned that terrorists would deliver a blow against the US homeland inflicting mass destruction, causing thousands of deaths, and probably in the near future.

Most significantly, the Gilmore Commission proposed reforms in the US intelligence community, a program for homeland security, and a strategy for waging war on international terrorism that—had the commission's advice been heeded—might have prevented the 9/11 tragedy. But President Clinton and National Intelligence Leadership ignored the Gilmore Commission.

The 9/11 Commission, that has received so many plaudits for its recommendations, was in few respects original. The 9/11 Commission merely repeated and built upon recommendations already made by the

Gilmore Commission in its five reports—well in advance of the September 11 tragedy.

In the end, it was all futile.

Earlier, I said that I kept my promise to Ray Downey. Ray would probably agree. But, in truth, I failed him. We both believed that the Gilmore Commission and our other efforts would make the system work, would motivate Washington to take the steps necessary to prevent the sequel to February 26, 1993. Despite my best efforts, September 11 happened anyway. September 11 happened, and thousands of Americans died.

Among the dead of September 11 was veteran fire chief, member of the Gilmore Commission, and my friend, FDNY Chief Ray Downey. On that day, I blamed myself for allowing anonymous deep state intelligence bureaucrats to deny the intel fusion capability that was perfected by the Able Danger program. As I spent the day at Ground Zero hours after the 9/11 attack, I was sickened at the destruction, the chaos, the deaths and the missing remains of hundreds of New York FDNY's finest, including Ray.

One month after 9/11, I arranged for a luxury bus to bring Ray's widow, five children, and their families, to my district in Pennsylvania. My personal tribute—and the collective tribute of fifty thousand of my constituents, who marched in parades across our county, was to honor FDNY Chief Ray Downey as a Hero—the Symbolic Hero of all 343 FDNY and hundreds of other responders who lost their lives on 9/11 at the WTC.

CHAPTER 3

THE INFORMATION DOMINANCE CENTER

It represents a revolution in intelligence collection as profound as the transition from zeppelins to satellites.

When Chief Ray Downey was still alive, and we were working together to warn the nation about the terrorist threat, I had high hopes that we could prevent the next big attack on the United States homeland, the attack that came on September 11.

From 1996 until 2002, I was chairman of the Research and Development Subcommittee of the House Armed Services Committee. In that role, my responsibility was to oversee approximately $40–60 billion of defense spending for cutting-edge technology, including oversight of our laboratories. In those technology lines, we had basic and applied research for the development, testing, and production of prototypes, and then production of military systems. My power as chairman to understand, nurture, and support specific military R&D programs proved important in the development of the technology that made Able Danger possible.

I learned about the new intelligence technology that evolved into the Able Danger program by an indirect path that started in China.

During the late-1990s, I was increasingly concerned about the growing US vulnerability to information warfare. My concern turned into alarm

when I was invited to speak at the National Defense University in Beijing, China. This is China's equivalent of West Point. I was the only elected US official ever invited to speak there—on two separate occasions. It seemed a unique opportunity to both improve US-China relations and, at the same time, learn what the best and the brightest in China's military officer corps were thinking.

China's military was obsessed with the idea that they could defeat a more powerful adversary, like the United States, through information warfare. Chinese military officers clearly understood that they would never be able to match the United States tank for tank or plane for plane. Instead, they had high hopes that they could level the playing field and defeat the United States by attacking our high-tech military information systems—computers, satellites, and C3I (command-control-communications-intelligence) systems—that are the real basis of our military power.

The Chinese generals believe that our Achilles' Heel is not on the battlefield, but in the sophisticated information systems that support US forces on the battlefield. China's version of information warfare would use tactics relying on computer viruses through electronic jamming to electromagnetic pulse attack to paralyze the vastly complex electronic infrastructure that is the US military's central nervous system.

Somehow, I must have made a good impression on China's military officers, despite the fact that I told them nothing more than can be read by the average American in the *Congressional Record*. They invited me back to speak a second time. On my second trip, I took twelve other members of Congress from both parties. Despite the concerns of US Embassy staff and China National Defense University Director General Pan, after my speech I divided the room of four hundred current and future People's Liberation Army (PLA) military officers into four groups and assigned three members of Congress to engage directly face-to-face on all topics. The planned thirty-minute session lasted two hours as interaction—often pointed but

never aggressive—focused on every aspect of US–China relations. We talked about Taiwan security and the need for transparent engagement, and we let them know that the US was determined to work to stabilize bilateral relationships. On the other hand, I learned a lot about the attitude of the Chinese military toward the United States, and about how they would wage war against us. Since they learned nothing, and we collected a substantial amount of intelligence valuable to our side, it was a good exchange.

Information warfare reared its head again when I served as one of nine members of the Cox Commission, a congressionally mandated commission charged by the Speaker to investigate the national security implications of massive technology transfers made with the full knowledge and consent of the Clinton administration. Enacted in 1998 by a 409–10 vote, our mandate was to assess Chinese acquisition of US technology. For seven months, we sat behind closed doors with the CIA and the FBI and learned about China's acquisition of sensitive US supercomputers and other technology.

We were outraged to know that China did not steal these US technologies. President Clinton allowed companies that made campaign donations to his reelection bid to sell items to China that were previously forbidden for sale by reason of national security. Presidential waivers gave China high-tech machine tools, technology for multiple-warhead intercontinental missiles, and advanced supercomputers.

President Clinton virtually gave away the store to the People's Republic of China, gifting Communist China with a "great leap forward" in military technology that poses a growing threat to us today. The sale to China of supercomputers was particularly troubling to me. Supercomputers were exactly the kind of technology that the Chinese generals needed to implement the plans for information warfare that I heard so frankly propounded at Beijing's National Defense University.

The Clinton administration assured the Cox Committee that US supercomputers would not fall into the hands of China's military, the

People's Liberation Army. Amazingly, President Clinton's State Department trusted Beijing's promise to provide "end use certificates," supposedly proving that the supercomputers would only be employed at academic research centers. However, the Cox Committee found that all of the supercomputers went to institutions affiliated with the PLA.

President Clinton attempted to justify his sale of sensitive technology to China on the grounds that relations between Washington and Beijing were warming. Lifting trade restrictions would accelerate the process of building friendship with China, according to the Clinton State Department. Yet, at the same time that President Clinton was selling supercomputers and other highly advanced technologies to China, Chinese spies were robbing the US national laboratories of the designs for our entire inventory of nuclear weapons. The theft was accomplished by computer, a stunning victory for China's new weapon—information warfare. As mentioned earlier, I possess the massive charts—prepared for me by patriotic intel staffers—that visually show dozens of technology transfers to China PLA and the actual six-year timeline for each of those transfers tied into campaign donations—all of which I placed in the *Congressional Record*. Included in the charts are the names of Chinese spies who gained access to the White House (for political fundraising purposes) more than fifty times in one year alone. In 1996, Sandy Berger arranged a *retroactive presidential waiver* for Loral CEO Bernie Schwartz after sensitive "stage separation technology" had been illegally transferred to the Chinese PLA.

That same year, as I placed in the *Congressional Record*, Loral Corporation CEO Bernie Schwartz became one of the largest donors to Clinton campaign coffers.

Fortunately, not everyone in the Clinton administration was a fool. Dr. John Hamre, then deputy secretary of defense, shared my concerns about the looming threat from information warfare. He set up a working group comprising the CEOs of major information technology companies to

develop means to protect US computer and communications systems. Hamre hosted a dinner at the Pentagon where he invited a very select group from the Hill, a couple of Senators and I were included, for a briefing on encrypted software as a line of defense against information warfare. I retained his personal letter to me acknowledging my role and its importance for the future security of the nation. Hamre later endorsed me in 2000 to become chairman of the House Armed Services Committee.

As chairman of the Research and Development Subcommittee, it was my job to investigate what we were doing to protect our information systems, and to promote programs that would head off the threat from, and advance US capabilities for, information warfare. Each of our services were standing up Information Dominance Centers, and as RDT&E chair, I was fully supportive, often adding more funds than requested. Knowing my keen interest in information warfare, Bob Lautrup, a staffer on the House Armed Services Committee, suggested that I visit Fort Belvoir, near Washington, DC. There, the US Army had established an operation called the Information Dominance Center (IDC).

The IDC was designed to provide round-the-clock security to US Army information systems. The center monitored Army information networks to guard against any penetration attempts or attempts to insert computer viruses, and was always prepared to fend off cyber-attacks. But the IDC was also working on offensive information warfare capabilities, including something called Land Information Warfare Activity (LIWA).

My trips to Fort Belvoir and the IDC took me to a secure military facility. I passed through several guarded gates. Inside the futuristic headquarters, I passed through several more gates and secure doors. I cannot recall if the room housing the center was underground or not—perhaps this was intentional. But I do remember the IDC was visually dramatic.

The center looked like something from a movie set. There were arrays of computers and terminals. There were large visualization screens for displaying data. The place was alive with activity. A small discreet group of career intelligence experts capably operated the center. I did not seek the name of the operation nor the specific assignment and purpose, but I was impressed.

This, deep in the heart of Fort Belvoir, was the command center for all classified US Army systems worldwide. Here, military scientists and technicians worked 365 days a year blocking cyber-attacks from hostile nations and terrorist organizations. These attacks were not rare or isolated incidents. Cyber-attacks are being made on the United States every day. The Information Dominance Center is intercepting tens of thousands of cyber-attacks every year.

The LIWA's senior scientist was Dr. Eileen Preisser. She was clearly a scientific genius, with a PhD in information technology. In fact, Dr. Preisser has two PhDs.

Dr. Preisser and her colleagues briefed me on the LIWA's operations, using the facility's giant visualization screens to display charts and data. The bottom line is that the LIWA is an Information Age intelligence operation. It represented a revolution in intelligence collection as profound as the transition from zeppelins to satellites. More precisely, this revolution in intelligence collection is as profound as the transition from a world where information is stored on paper and in books to the world of the Information Age, where knowledge is stored and disseminated electronically, and is potentially accessible to anyone with a personal computer, anywhere in the world.

Dr. Preisser explained that the LIWA could collect intelligence against all of America's potential enemies, including previously invisible enemies, such as drug cartels and terrorists. The greatest strength of these latter enemies had always been their ability to hide from our intelligence

community, to conceal their members, organizations, and operations from our traditional means of intelligence collection.

The LIWA, through information warfare, could tear away the cloak of secrecy hiding terrorists and their networks, so they could be targeted. Basically, LIWA used supercomputers to comb through all the trillions of pieces of data stored on the worldwide network. This included anything ever published electronically, and everything reported every day by all newspapers, radio, and television everywhere on the planet.

Batteries of supercomputers using sophisticated software developed by LIWA and by our laboratories (such as Starlight and Spires) would recognize and filter out any information on terrorists. Other LIWA software, designed to make linkages and conduct statistical probabilities analysis, would discern previously unknown suspects and organizations associated with terrorism from the mass of data. Their operations and activities could be tracked, even predicted.

The previously invisible world of international terrorism, under the relentless and unremitting gaze of LIWA's supercomputers, was becoming visible. Analysts at CIA and FBI, using their traditional intelligence techniques—which amounted to a smart guy reading international newspapers—could never collect, let alone process, enough data to preempt terrorist operations. They had to get lucky. LIWA was converting the global ocean of data, so deep and broad that it previously concealed terrorism, from terrorism's shield into its doom. What we can see, we can stop.

What I remember most about the briefing from Dr. Preisser and her colleagues was their enthusiasm. They knew that LIWA's new approach to intelligence collection was revolutionary. They were afire with intellectual excitement for the possibilities of defeating terrorists and our other enemies using Information Age technology. Even I, a non-expert, could see that their enthusiasm was warranted.

Wanting a similar twenty-first century briefing capability for members of Congress using visualization techniques in the LIWA, I had staff plan and develop a “21st Century Security Hearing Room” in the House Office Building that could provide live state of the art briefings and assessments to give members complete understanding and awareness of emerging threats and operations worldwide. Copies of those plans and proposals for a twenty-first-century interactive SCIF (sensitive compartmented information facility) are available for review. My intent was to create strong bonds between elected members of Congress and military and intelligence leaders serving our constituents.

I left the LIWA determined to help the development of this powerful new weapon against terrorism. Although I did not know it at the time, because the name was not used, this was my first encounter with the project known as Able Danger.

CHAPTER 4

THE BALKANS CRISIS

The world has never in this decade been so close as now to nuclear war.

The Balkans Crisis in the spring of 1999 provided me with an opportunity to test the new intelligence technology being developed at the Information Dominance Center. Unknown to me at the time, that same technology was also supporting the Able Danger project.

The Balkans Crisis of the late-1990s is treated by Washington officialdom and the media as ancient history now. But no one whose life was touched by that tragedy can ever forget it.

Slobodan Milosevic's genocidal campaign against the Muslim ethnic minority in Kosovo was really horrific. Women and children were being raped and tortured. Whole communities were executed and buried in mass graves. The images of the living victims, their tortured souls staring out of hollow eyes, and of the victimized dead, their broken bodies heaped in a mud hole, like so much garbage, are still with me. Europe had not seen the like since Hitler's holocaust against the Jews.

Certain liberal pundits have chastised Americans and the people of the West for caring more about genocide in the Balkans, against Europeans, than about genocide in Africa, such as the tribal massacres of Hutus against Tutsis in Rwanda and Burundi that killed about one million people in 1994. The implication is that US and West European public opinion and foreign

policy focused more on the Balkans holocaust than on the African holocaust because of racism. This criticism is unfair, and untrue.

The same media that charges the United States and Western Europe with "racism" for riding to the rescue in the Balkans, but not in Africa, always neglects to note the lack of media coverage of the African holocaust. Americans and Europeans cared more about the Balkans crisis than the crisis in Africa because the killing fields of Kosovo were on television every night, for all to see. The killing fields of Rwanda were covered by newspaper reports, but rarely by television. When TV cameras showed the face of human suffering in Somalia, where women and children were being starved by greedy warlords who were stealing the UN food aid, public outrage in the West moved the United States and our European allies to try to end that African holocaust. At the invitation of Defense Appropriations Chair Jack Murtha, I travelled to Somalia with six other members to thank our troops, admonish local leaders to stop the genocide, and severely prod Somalia's leaders to stop the illegal money flow and war lords from Al Shabab and others to bring stability to their country. Our safety on the visit was at such risk that DOD Leaders made us suit up in military gear as we entered Mogadishu and Baidoa amidst massive carnage all around us.

Those media pundits who charged the American people with racism for failing to stop the Hutus from massacring the Tutsis in Africa are hypocrites. Where was their outrage against ABC, CBS, NBC, and the BBC when that genocide was happening? They should examine the conscience of their own industry.

On the subject of hypocrisy, I find it interesting that the same media and politicians who criticized the liberation of Iraq without United Nations approval never or rarely criticized President Clinton for bypassing the UN on his way to bombing the Balkans. President Clinton avoided going to the UN because he knew that Russia would use its position in the UN Security Council to veto any proposed military intervention against Serbian

President Slobodan Milosevic's genocide in Kosovo. Russia had historical ties to Serbia, had fought to defend Serbia in World War I, and regarded Milosevic as a friend. Nor did Russia want UN military forces, which would be mostly US military forces, on its doorstep in the Balkans.

So President Clinton ignored the United Nations and instead mobilized NATO to bomb Serbia back into the stone age. It was the first, and is still the only, time that NATO went to war against a non-NATO country. NATO's bombing of the Balkans caused a crisis with Russia that has never received much attention.

I did not agree with President Clinton's decision to bomb Serbia, because he and his administration made little or no effort to enlist Russia against the ethnic cleansing in the Balkans. President Clinton waxed eloquently about the new US strategic partnership with Russia. But it was all lip service. President Clinton did little to convert Russia into an ally. As founder and co-chair of DUMA/Congress with Steny Hoyer, I spent much effort in building bonds with members of the Russian DUMA as I did with the Ukraine RADA with Marci Kaptur. Each year, Harvard University JFK School would invite me to address newly elected members of the Russian DUMA in efforts to strengthen bonds between our legislators.

Indeed, President Clinton's war in the Balkans very nearly converted Russia into an enemy. Instead of seeking Russia's counsel and help in the Balkans crisis, President Clinton kept Russia in the dark that NATO was planning a military solution. President Clinton notified Russian President Boris Yeltsin that NATO was going to attack Russia's old ally, Serbia, only two hours before the first bombs fell.

Yeltsin was furious. The Russian president regarded NATO's bombing campaign against Serbia as a betrayal of the post-Cold War understanding that the United States and Russia were supposed to be strategic partners. In response to NATO's attack on Serbia, President Yeltsin publicly announced

that further negotiations between Moscow and Washington on nuclear disarmament were suspended.

Virtually overnight, NATO's bombing of Serbia turned the Russian man in the street against the United States. Outraged by the aggression against Serbia, vast crowds demonstrated in the Kremlin's Red Square against the United States and NATO. Russia sent spy ships to the Mediterranean and Adriatic to monitor NATO military operations in the Balkans. The Russian general staff mobilized and put on alert an army division. Some analysts believe that the GRU, Russian military intelligence, used its satellites, radars and other technical assets to actively support the Serb Army against NATO. This may explain why Serbia was able to shoot down an F-117 stealth fighter, America's most advanced fighter aircraft, that is supposed to be invulnerable to all but the most sophisticated air defenses.

Matters were not helped in March 1999 when the Clinton administration —oblivious to the growing international crisis in the Balkans—after giving Moscow the standard twenty-four-hours' notice, flight-tested four strategic ballistic missiles, fired off the patrolling nuclear submarine *Henry M. Jackson*. The event was widely interpreted in the Russian press as American nuclear diplomacy over the Balkans crisis.

In April 1999, Boris Yeltsin cautioned, "NATO, the Americans, and the Germans" not to push Russia into military action in Yugoslavia as "there will be a European war for sure and possibly a world war." The Balkans crisis moved the Russian President on April 29, 1999, to sign secret orders authorizing, according to Russian press, "the development of the nuclear weapons complex and a concept for developing and using non-strategic nuclear weapons." In May 1999, Duma Defense Committee Chairman, Roman Popkovich, declared, "We must definitely include a provision in our doctrine to the effect that Russia reserves the right to deliver a first or preemptive strike."

On May 28, 1999, former Russian Prime Minister Viktor Chernomyrdin said to the *Washington Post* of the Balkans crisis that, "The world has never in this decade been so close as now to the brink of nuclear war."

The US Congress, through the DUMA/Congress partnership, did far more than the Clinton administration to win the trust of the Russian people and to avert a confrontation over the Balkans. I knew from my contacts in the Russian Duma and in the Kremlin that Moscow desperately wanted a real strategic partnership with the United States. Russian leaders and the Russian people wanted to join the West. But Moscow and the Russian "man in the street" were frustrated that politically, economically, and militarily, their country was excluded from the European Union, from NATO, and from meaningful participation in crucial decisions, like war or peace in the Balkans.

The Clinton administration missed a great opportunity to resolve the Balkans crisis without war when it failed to make Russia a true strategic partner. Russia had great influence on Serbia. Indeed, Serb President Slobodan Milosevic and his nation would be isolated, and probably could not long endure, without the support of Russia.

Two weeks after NATO began bombing Belgrade, the Serb capital, DUMA Chaiman Vladimir Ryshkov, a senior elected Russian official, contacted me as co-chair with Steny Hoyer. Vladimir warned that the bombing campaign could destroy not only Serbia, but all the progress made in building friendly relations between Russia and the United States. They warned that the Balkans crisis was causing a widening rift between Moscow and Washington that might never be repaired. They warned that NATO's bombing of Serbia was driving Russia toward a new Cold War.

Ryzkhov, whom Steny and I considered a friend, proposed a solution to the Balkans crisis that would also restore friendship between Washington and Moscow, by making Russia a true strategic partner of the United States. He proposed to me, in a telephone conversation, that a joint delegation from

the US Congress and the Russia Duma travel to Belgrade to meet Milosevic to find a solution to the Balkans crisis acceptable to both countries based on the Rambouillet Agreement. He said, “We’re convinced that we can get Milosevic to do what President Clinton wants, to stop the ‘ethnic cleansing’ and the violence, and to resign from office.”

In that phone call with Ryzhkov, I demanded five conditions in writing that I would take to leadership. When I hung up the phone, I contacted three Democrats (Steny Hoyer, John Murtha, and Maurice Hinchey) but informed *no* Republicans to avoid assertions of politics. I stipulated certain conditions. The Russians had to identify in advance who from the Duma would be at the meeting. They had to give a date and time certain for the meeting with Milosevic, and guarantee that the Duma representatives would be there. They had to arrange a visit with the three US POWs captured by the Serbs who were being held by Milosevic.

With the written guarantees from the Russian Duma deputy in my hand, I immediately went to Hoyer and explained the offer—and the opportunity. Steny grabbed me and said, “You’re coming with me to a meeting,” to which I replied “Okay.” We headed straight to the State Department DC headquarters to the office of Deputy Secretary Strobe Talbott. Steny arranged the luncheon meeting with Talbott in the top floor at the State Department, and we discussed the opportunity in detail. I had deliberately kept my Republican colleagues, including the Speaker of the House, in the dark about the Russian proposal. I did not want the Clinton administration to accuse me of playing politics with the Balkans crisis. Political partisanship that might undermine an opportunity to achieve peace in the Balkans had to be avoided at all costs. I explained the Russian offer to have DUMA leaders join a bipartisan US congressional delegation to meet with Milosevic, and the opportunity to verify that the three American POWs were being humanely treated.

Talbot thanked me but did not think that going to Belgrade was a good idea. He feared that Milosevic would use the meeting for destructive purposes somehow, perhaps to boost the morale of the Serb people to carry-on the war effort. Talbot was also concerned about the safety of the United States and Russian delegation. The US-NATO bombing campaign could not stop just to accommodate our meeting.

Hoyer suggested that, instead of meeting in Belgrade, the sides meet in a neutral city. Talbott agreed. We picked Vienna. I immediately contacted the Russians, and they agreed to the plan, to meet for two days, on April 30 through May 1, 1999, in Vienna, Austria.

It was then time to tell all our Republican and Democrat colleagues and make the peace mission a broad bipartisan effort. I wrote a letter to every member of the House of Representatives. I described the Russian proposal. I offered any Member of congress who had interest to contact me for a seat on the US delegation in Vienna.

The letters produced ten volunteers, besides myself. There were four Democrats, one Independent, and five Republicans: Neil Abercrombie (D), Roscoe Bartlett (R), Corrine Brown (D), Jim Gibbons (R), Maurice Hinchey (D), Dennis Kucinich (D), Joseph Pitts (R), Bernard Sanders (I), Jim Saxton (R), and Donald Sherwood (R).

I asked the State Department to send a representative to accompany the congressional delegation. They sent Andre Lewis, Colin Powell's nephew, who worked for US Ambassador Steven Sestanovich.

Before the congressional delegation left the United States, I received a phone call from the Russians. They told me that the Russian DUMA delegation was bringing with them a Serb, someone to represent Milosevic, Dr. Dragomir Karic, from an extremely prominent Serbian family of wealth and influence.

Knowing the DUMA deputies, I was still concerned about this unknown Serb. I saw an opportunity to put the US Army's Information Dominance

Center to the test. I discreetly asked the center to provide me with a profile on Dragomir Karic. At the same time, I asked CIA Director George Tenet for everything they had on Karic. Director Tenet admitted, “We don’t know much about this guy, but we think he and his family have ties to the communists in Moscow.” It took two days, but the CIA provided me with almost nothing—about two paragraphs of material on Karic.

In contrast, the IDC provided me with a ten-page briefing on Dragomir Karic and the Karic family within thirty minutes of my initial request. The level of detail was amazing. It described Karic in every possible dimension: his political influence, his financial status, his banking and economic ties, his personal background, his family and their background, even Karic’s social life, including details of the relationship between Karic’s wife and the wife of Slobodan Milosevic.

This was the new technology at the heart of Able Danger in action. In this 1999 test, the CIA performed poorly because it was still relying on twentieth-century, even nineteenth-century technology. The US Army’s IDC passed my test in flying colors because of their powerful new twenty-first-century intelligence technology, born of the Information Age.

The bottom line is that a CIA intelligence officer, however expert, who relies primarily on his memory and file cabinets to store and retrieve intelligence, cannot possibly compete with an equally expert intelligence officer at the IDC, who does the same job with a specially programmed supercomputer.

In contrast to the sparse and vague few sentences on Karic from the CIA, the IDC confirmed incontrovertibly that Dragomir Karic was a man of great influence with both Serb President Slobodan Milosevic and with Russian political leaders. I shared the information with all members of the delegation and explained the limitations of data provided by the CIA. The center’s information proved that the US Congress would not be wasting its time to send a delegation to Vienna to discuss the Balkans situation with the

Russian Duma. The actors on the Russian side, including Dragomir Karic, had the power to make a difference.

The IDC also provided me with copious and detailed intelligence on every member of the Russian delegation. This too was extremely valuable. As every psychiatrist and salesman knows, it is vitally important to understand a man's material interests, his personality and background, and perhaps especially his individual foibles, when trying to persuade him to your view, or when trying to sell him anything, whether it is a used car or world peace.

I personally briefed every member of the US delegation on the backgrounds of the Russian delegation, using the intelligence provided by the IDC.

The Russian delegation comprised three of the most powerful members of the Duma. Ambassador Vladimir Lukin, former Russian ambassador to the United States, was now a leader of the pro-Western "Yabloko" party faction in the Duma. Alexander Shapanov, leader of the Communist Party of Russia, was hostile to the United States, and chairman of the Duma's International Relations Committee. Alexander Ryzhkov was a leader of the "Our Home Is Russia" party in the Duma, and closely connected through Victor Chernomyrdin to the Kremlin, Russia's equivalent of the White House.

In Vienna, on April 30, 1999, the delegations from the United States and Russia met at the Rathauspark Hotel. From the beginning, even before we sat down to begin discussions, it was obvious from their sharp glances and body language that the Russians were angry. We tried to break the ice with a brief photo session for members of the media.

Behind closed doors, Russian Deputy Ryzhkov started the meeting by thanking the American delegates for coming to Vienna. He noted with approval the regular series of meetings between the Russian Duma and the US Congress that had been held over the past few years, making possible

this meeting, in the midst of the Balkans war. He thanked Steny Hoyer and me, the co-chairs of the Congress-Duma Working Group.

Then Ryzhkov got down to business, saying, “The topic of this working group is the situation in Kosovo. The political situation should not be resolved solely by the respective governments involved, but should involve the representatives of the people—in particular, the Duma and the US Congress.”

I established the Congress-Duma Working Group anticipating that a moment such as this might arise, a grave world crisis with the White House and the Kremlin on opposite sides, where the US Congress and the Russian Duma might be the last hope for finding common ground.

After Deputy Ryzhkov’s amiable remarks, the brief moment of civility vanished as Russian Ambassador Lukin erupted, “There is a crisis of confidence in relations between the United States and Russia” over NATO’s bombing of Serbia. “How both sides get through this crisis will determine the future course of the relationship,” warned Lukin. But even the angry Lukin offered some hope, “The question of trust is not simply a matter for governments to decide. It is an issue among our respective peoples as well.”

Vladimir Lukin, the former Russian ambassador, was stating plainly, in a not very diplomatic tone, that because of NATO’s intervention in the Balkans crisis, the United States and Russia were on the verge of becoming enemies.

I tried to calm things down, to steer the tenor of our discussion away from confrontation. I thanked “my colleagues from the Congress and the Duma for meeting in Vienna” on behalf of peace. I noted that, “All of us represent a broad diversity of popular opinion within our countries. Some of us support the president’s policy while some do not. However, all want to find a peaceful solution to the conflict.” I noted that, while we could not negotiate on behalf of the US government, we might agree on a framework for peace that could guide future negotiations between our governments.

Acrimony continued to dominate the meeting throughout the first day. The Russians saw the United States and NATO as an aggressor in the Balkans. “By what right did the United States assign itself the role of world policeman, and send NATO to bomb into oblivion Serbia, Russia’s ancient friend and ally?” was the gist of the Duma plaint. The Russians charged that the United States was seeking global hegemony, that the United States was violating Russia’s sphere of influence in the Balkans, and that the United States had betrayed its promise to treat Russia as a strategic partner.

Deputy Shapanov said bluntly that the Balkans crisis was really about the future of relations between the United States and Russia. “It is necessary to understand the mood in Russia,” Shapanov said. “The United States operates by evaluating the military threat, determining goals, and employing technology to meet those goals. However, Russia sees different threats.” Shapanov wondered aloud how both sides could agree to a solution in the Balkans if they perceived different threats. “We need to agree on what the threat is first,” he said. “We can identify specific steps later. It is important to find a way out of this situation such that Yugoslavia maintains its national dignity.”

Unspoken, but just beneath the surface of Russia’s anger over the Balkans, was fear of the United States. The Duma deputies were thinking, “If NATO can bomb Belgrade over ‘human rights’ today, might this become a pretext for bombing Moscow tomorrow?”

The low point of the meeting came as a shock, when the Russian Duma, in front of an official delegation of the US Congress, suddenly threw down the gauntlet by making a nuclear threat against the United States. Ambassador Vladimir Lukin, with the implicit consent of his Duma colleagues, furiously chastised the United States for attacking the Balkans, and said that Russia was not helpless to oppose US and NATO aggression, warning:

Hypothetically, if Russia really wanted to hurt the United States in retaliation for NATO's bombing of Yugoslavia, Russia could fire a submarine-launched ballistic missile and detonate a single nuclear warhead at high-altitude over the United States. The resulting electromagnetic pulse would massively disrupt US communications and computer systems, shutting down everything.

This shocking threat to make an EMP attack against the United States was made by Vladimir Lukin, a leader of the Duma faction that was most pro-American! Just in case we did not get the message, Alexander Shapanov, the Communist Party leader, chimed in with another nuclear threat, saying, "And if one missile did not prove sufficient to paralyze the United States, we could launch another."

Curiously, the Russian nuclear threat at Vienna in 1999 went largely ignored by the press, unlike the much publicized Chinese nuclear threat against Los Angeles during the Taiwan crisis of 1996. Yet, in contrast to the Chinese threat, which passed between two individuals on unofficial business, the Russian threat was witnessed by the entire US delegation and delivered during an official conference amidst NATO's first war.

Despite these nuclear histrionics from the Russian side, in between angry denunciations from the Duma, by slow degrees, sometimes almost imperceptibly, we actually made progress. By Friday afternoon, we achieved common agreement on a number of crucial issues. Neither the White House and the Kremlin, nor the US State Department and the Russian Foreign Ministry, had ever before achieved agreement on these issues. For the first time, the Russians agreed that Slobodan Milosevic had, in fact, committed "ethnic cleansing." For the first time, the Russians agreed that the Serbs needed to be disarmed. For the first time, the Russians agreed that an armed multinational force should be sent to Serbia to quell

the violence. For the first time, the Russians even entertained the notion that the multinational armed force might be NATO.

By nightfall, looking past the long and angry rhetoric from the Russians, thinking about those calm moments where there was a meeting of minds, I could see the beginning of a consensus between the sides. I focused the attention of both sides on this emerging consensus by getting everyone to agree on drafting a memorandum of understanding, to put in writing our agreements, instead of our differences.

The meeting turned in a positive direction. We all, both delegations, had dinner at the US Embassy. Everyone was in a hopeful mood. The day that began with hostility and witnessed nuclear threats finally became friendly, even boisterous. The Serb, Dragomir Karic, stood and surprised everyone by singing a splendid rendition of the Serbian National Anthem. The Serbs wanted peace too.

By Saturday morning, the first day of May, the American and Russian delegations had hammered out a memorandum of understanding that could serve as the basis for negotiations to end the Balkan War. The sides spent Saturday together, combing over the document, word for word. We changed words, sentences, and phrases. But the basic principles for a lasting peace remained intact. Ethnic cleansing had to stop. Serbian democracy would be liberated from the grasp of the armed militias. A multinational force would maintain order until the Balkans peace could stand on its own. This might not take long. After all, the Balkans had been at peace until the rise of Milosevic.

We had achieved, in our memorandum of understanding, an historic chance for peace in the Balkans. At the end of the day, everyone agreed with the document—all the Americans, all the Russians, and the Serb.

Indeed, perhaps the single most important actor, Slobodan Milosevic himself—the president of Serbia—agreed with our framework for peace. During our meeting, Dragomir Karic made repeated calls, in a separate

room, to Milosevic to inform him, and get his feedback, point-by-point, on the evolving memo of understanding.

When the document was complete, Karic made his last call to the president of Serbia. Milosevic said that he would accept the terms of the memorandum of understanding. Moreover, Milosevic invited us to come to Belgrade right away, so that he could publicly agree to the terms. He offered to provide transportation, a bus. NATO's bombing campaign made air travel to Belgrade impossible.

Finally, most remarkably, Milosevic said that, as a gesture of good faith in honor of the proposed terms for peace, he would release the three US POWs to our congressional delegation, if we came to Belgrade. Naturally, my congressional colleagues were all excited by this offer, both to achieve peace in the Balkans and to free our POWs. They insisted that we go to Belgrade immediately. But I said, "No."

The Clinton administration supported the congressional delegation to Vienna on the understanding that we would not go to Belgrade. Before going to Vienna, I promised Strobe Talbot that we would not go to Belgrade. We could go to Belgrade now only if the Clinton administration agreed. In light of our breakthrough in Vienna, I hoped that President Clinton would consent to Belgrade, since there was so much for the United States to gain.

Maurice Hinchy left the room and called the White House that Saturday afternoon. He talked to John Podesta, chief of staff, explaining the opportunity we had achieved for ending the war and recovering our POWs. The White House response was less than decisive. Podesta told Maurice, "I'll have to get back to you." Simultaneously, Andre Lewis called the State Department Operations Center and connected with Steve Sestanovich, who was in charge of the Russia desk. Andre put me on the phone. I explained what was happening in Vienna, the agreement on a framework for peace in

the Balkans, Milosevic's endorsement of the memo and his promise to free the US prisoners to the congressional delegation, if we went to Belgrade.

The State Department response to this historic opportunity was also underwhelming. Sestanovich said, "Congressman, I can't help you. It's above my pay grade. I'll have someone call you back."

About thirty minutes later, the third highest-ranking official in the State Department, Thomas Pickering, returned my call. I explained again what was happening in Vienna and read to him the memo of understanding. He said the memo was "interesting" and even "somewhat exciting." I asked for guidance, "How should I respond to Milosevic's offer to release the POWs?" I explained that every member of the congressional delegation, both Republicans and Democrats, wanted to accept the offer. We wanted to go to Belgrade to recover our captive people.

Pickering flatly refused to sanction my proposed rescue mission to Belgrade. He said, "I don't think you should go to Belgrade. Milosevic will use you, we can't trust him, and we can't guarantee your safety."

I pleaded, "What about freeing our POWs? Shouldn't we seize any opportunity to get our boys back?"

Pickering replied dismissively, "It's not worth the risk. Congressman, let me tell you something. Jesse Jackson's delegation has been in Belgrade for several days negotiating to free our POWs. Jackson is carrying credentials from President Clinton to serve as an ambassador without portfolio. Jackson has already met with Milosevic. But Milosevic has refused to give him the POWs. Jackson is leaving Belgrade this very afternoon empty-handed. So why do you think Milosevic will receive your delegation, and give up the POWs to you now, when Jesse Jackson has failed?"

I was incensed that our congressional delegation had been lied to when Strobe Talbott told Steny and I that *no one* should go into Belgrade. And it seemed very obvious to me why we could succeed where Jackson had

failed. Milosevic had agreed to release the POWs to us as part of a package deal, negotiated with the Russians and the Serbs, for achieving peace in the Balkans. Releasing the prisoners in that context would look like a gesture of goodwill to advance negotiations for peace, whereas releasing the POWs to Jackson would not advance Serb interests, and might even be misconstrued as weakness.

Moreover, since the Russians were part of the proposed deal, Milosevic would not likely reject that deal and break his promise to the Russians, angering and humiliating them. Russia was Serbia's solitary and indispensable ally. Serbia could not long resist NATO without Russian support.

Last but not least, while Milosevic had refused the POWs to Jackson, the Serb president promised to give the prisoners to us. I knew, because of the intelligence provided by the Information Dominance Center, that Dragomir Karic was a close and trusted advisor to Slobodan Milosevic. Karic had put his personal honor on the line. Karic promised the Russians and the US Congress that Milosevic was telling the truth, that Milosevic would in fact free our prisoners. All we had to do was go to Belgrade and bring our boys back home.

Pickering said, "No." I could not persuade him to let us go to Belgrade. I had to keep my word to Strobe Talbot and obey the Clinton administration in this matter, even though I knew they were wrong.

I told my colleagues in the congressional delegation that we would not go to Belgrade. All of the members, Democrats and Republicans, were very angry with me and the Clinton administration. They threatened to revolt. They would go to Belgrade on their own. I reminded them that I was leader of the delegation, that on principle they were obliged to respect my decision, and that as a practical matter they needed my approval to secure official transportation.

The Serb, Dragomir Karic, was furious. He called me a coward. Karic got in my face and yelled, “You’re afraid to stand up to your own president to end this war, to bring back your POWs.”

I replied calmly to everyone in the room, “America is a nation of laws and not men. My job is not to overstep the policy of the administration. Even though I did not vote for President Clinton’s policy, even though I do not agree with that policy, even though I think their decision to reject this opportunity is wrong, all of us must obey. We may disagree with the president on the floor of Congress. But here and now, near a war zone, in wartime, in the face of the enemy, we cannot undermine the president. We must stand united.” And so, I repeated that we would not go to Belgrade.

The Serb stormed out of the room. An hour later he came back. A frustrated Dragomir Karic declared, “I just called Serbia. Milosevic despises Clinton. He despises Jesse Jackson. He wanted to give your delegation the hostages. He did not want to give them to Jesse Jackson, or to anyone representing Bill Clinton. But he also did not want to keep the hostages, fearing they might be harmed by US bombing, or by vengeful Serbs, and Milosevic would then be blamed.”

Two hours later, an excited attaché interrupted the meeting to say, “CNN has just announced that Milosevic is releasing the American POWs and that Jesse Jackson will bring them home!”

The real story of how the American POWs were liberated from Serbia has never been told by the major media. Only the *Drudge Report* and an Oklahoma newspaper got the story right. History, written by the *New York Times* and the *Washington Post*, wrongly records that Jesse Jackson persuaded Slobodan Milosevic to free the prisoners. Eleven members of Congress, the Russian delegation, and the Karic family—all know the truth!

In retrospect, in my more cynical moments, I sometimes wonder if the real reason that the Clinton administration forbade us from going to Belgrade was for partisan political reasons. Can it be that the Clinton State

Department did not want the POWs released to me, a Republican, when they and Jesse Jackson had failed?

Nor does history, as reported by the *New York Times* and other major media, accurately record the central role played by the US Congress and the Russian Duma meeting in Vienna to hammer out a framework for peace. Six years after these events, I saw a television documentary titled *The Fall of Milosevic* that made no mention at all of our work in Vienna. Instead, according to this TV documentary, the Clinton administration's Strobe Talbot achieved the Balkans peace.

The truth is that our bipartisan congressional delegation achieved the political breakthrough with the Russians and the Serbs that made peace possible. Immediately after Vienna, by consent of all parties to our memo of understanding, the document was sent to all parties to the conflict, and to all interested parties. Our framework for peace went to the presidents of the United States, Russia, and Serbia; to the parliamentary leaders of all the NATO countries; to the leaders of the major factions in Serbia; and even to religious leaders of the warring sides, including the pope.

What happened next, immediately after Vienna, proves that our Congressional Delegation achieved the breakthrough that made peace possible. On May 14, two weeks after our Vienna meeting with the Russian Duma, the president of France, Jaques Chirac, flew to Moscow to seek Russian help in ending the Balkans war. Chirac met with Viktor Chernomyrdin. Chernomyrdin, who carefully monitored and approved every move made by the Russian Duma during our meeting, had for all practical purposes been a party to our Vienna framework for peace. Chirac came away from Moscow with proposals from Chernomyrdin that mirrored the Vienna framework.

After Vienna, the Clinton administration suddenly understood that negotiating with Moscow could drive a wedge between the Russians and Serbs that would pressure Milosevic to seek peace. Prior to the Congress-

Duma meeting in Vienna, the Clinton administration was treating Russia as a hostile party in the Balkans, not as a strategic partner. After Vienna, Strobe Talbot started talking with Viktor Chernomyrdin about how to achieve peace in the Balkans.

Peace did not result immediately after Washington and Moscow began working together. There were many complex diplomatic differences that the sides needed to negotiate and that were eventually resolved. Yet, after all the wrangling was done, the final political settlement in the Balkans bears an amazing resemblance to the basic principles of our Vienna framework.

At minimum, the congressional delegation to Vienna provided the Clinton administration with political cover so that they could start talking to the Russians about how to resolve the Balkans crisis, without being politically crucified by conservatives. But the facts indicate that the Vienna meeting was far more important than this. Given the march of events after Vienna, in retrospect it seems obvious that the Congress-Duma meeting pointed the way to the Balkans peace by making Russia a strategic partner and by achieving a framework for peace agreeable to all parties.

Able Danger, or the new intelligence technology that supported Able Danger, played a critically important role in the Balkans peace. The Congress-Duma meeting in Vienna might not have occurred, or might not have been successful, if we on the US side did not know that the Russians could, in fact, sway Slobodan Milosevic through his friend and advisor, Dragomir Karic.

The friendship between Dragomir Karic and members of our delegation continued, and we decided to invite the Karic family to the Annual Prayer Breakfast held every year in Washington, DC. A letter of invitation was signed by every delegation member and others who admired our work. Not surprisingly, the State Department *denied* visas for the Karics to fly to DC and actually attempted to embarrass me personally in 2006 when a few unsavory deep state actors convinced Robert Mueller and Bush White

House leadership to disrupt my election and prevent my ascension to chair the House Armed Services Committee. The State Department actually went so far as to publicly praise and award career staff for "standing up to a request by a pushy member of Congress on behalf of a questionable Serbian family." After I left Congress because of deliberate deep state actions, Karic family members sent me photographs (which I have shared and are available) of Dragomir Karic and his brother and family *in the White House* with Bill and Hillary Clinton and other government leaders. My archives also include documents and a personal letter showing that the Karic family had actually done work for the US CIA! (see appendix E)

CHAPTER 5

CIA IN THE DARK

At that precise moment, in May 1999, I knew America had an intelligence problem of shocking dimensions.

The revolutionary new data mining technology that was at the heart of Able Danger, a project name still unknown to me at the time, proved itself to me (and congressional colleagues) during the Balkans crisis. As noted in the previous chapter, the US Army's Information Dominance Center at Fort Belvoir used that technology to provide copious and vital intelligence on Dragomir Karic. Karic, a confidante of Serb President Slobodan Milosevic, proved a key figure during the meeting between the US Congress and the Russian Duma in Vienna. The Vienna conference achieved a breakthrough that ultimately became the basis for ending the Balkan War.

The Central Intelligence Agency, in contrast to the IDC, was unable to provide me with anything of value about Dragomir Karic. The CIA, even when tasked from the very top—by CIA Director George Tenet himself—could find nothing but a few dubious scraps about Dragomir Karic. Unless, of course, CIA Director George Tenant was directly lying to Congress.

When I returned from Vienna, after I informed the White House about Russia's willingness to be a partner for peace in the Balkans, I went home to Philadelphia. I wanted to spend some time with my family.

Shortly after I entered my front door on Friday, I got an emergency call from the FBI. They wanted me to return to Washington to talk about

Dragomir Karic. I agreed to meet with them after the weekend, on the following Monday afternoon—in my DC office.

A few hours later, I received an emergency page from my Washington staff, telling me to call my DC office immediately. The CIA wanted to talk to me as soon as possible. CIA left a number to call. I phoned CIA. The agent said, "Congressman, we're sending two agents to Philadelphia tonight. They'll meet you at the airport, at a hotel of your choosing, or at your home. But they have to meet you. It's urgent."

I was puzzled by the CIA's persistence. I could not imagine what they could want from me, or how I could possibly help them. All the results of the Vienna meeting had already been given to the White House and State Department. Besides, members of Congress usually task the CIA and FBI. It seldom happens the other way around.

I said, "I can't meet tonight. I need to spend some time with my family. I'm also already committed to attend some events in my district. What's the urgency?"

The CIA official said, "We've been ordered by the Department of State to brief the US ambassador negotiating the terms to end the Balkan War and establish peace in Kosovo. We need to know more about this Serb, Dragomir Karic, that you met with—in Vienna."

I told the CIA that the FBI had already asked for the same information, "Why can't the two agencies debrief me together?" The CIA reluctantly agreed to join a meeting with me and the FBI when I returned to Washington the following Monday.

On Monday afternoon, four agents appeared in my Washington office, two from the FBI and two from the CIA. They had pages of typed questions about Dragomir Karic and his family. I answered all of their questions, and more. It took me two hours to tell them everything I knew about Karic and his relationship with Milosevic and the Russian delegation.

When I finished, I could see from the look of amazement on their faces that the CIA and FBI agents were clearly astonished at my depth of knowledge about Dragomir Karic and the Karic family. To them personally, to the entire CIA and FBI, he evidently was a man of mystery.

Since Vienna, events had moved so swiftly that I had no time to reflect on the deeper significance of the CIA and FBI query into the identity of Karic. Up until that point, I regarded it as somewhat humorous that the two intelligence agencies had to come to me for information. But now, a disturbing thought crossed my mind.

At the end of the interview, I asked the CIA and FBI agents, "Do you know where I got my information about Dragomir Karic?"

They replied, "We assumed you got it from the Russians."

"No."

"Well, then you got it from the Serbs."

"No."

The CIA and FBI looked at each other, bewildered.

I said, "Before I left Washington, I called the US Army Information Dominance Center and asked for a profile on Dragomir Karic and the Karic family. They gave me all of this information, that I just provided to you, in less than one hour."

The CIA and FBI then asked, "What's the Army Information Dominance Center?"

At that precise moment, in May 1999, I knew America had an intelligence problem of shocking dimensions. It was two years and five months before 9/11.

CHAPTER 6

THE INTELLIGENCE REVOLUTION

The new revolution in intelligence may not, strictly speaking, be the grafting together of human spies and artificial intelligence, but it is something close.

The technology that was utilized at the US Army's Information Dominance Center to support programs like Able Danger represented nothing less than a revolution in intelligence. That revolution in intelligence is no less significant, in some ways is more significant, than the revolution wrought by signals intelligence, computerized code-breaking, or even the invention of spy satellites. All of these breakthroughs in intelligence technology vastly increased the scope and quality of intelligence collection.

However, the harnessing of supercomputers to mine worldwide databases, as demonstrated—and done—at the IDC, represented a revolution in both intelligence collection and analysis. The revolutions represented by the invention of signals intelligence, computerized code-breaking, and spy satellites all greatly enhanced the amount and quality of information available to intelligence analysts. But analysis of this information was done the old fashioned way, using the wits of human beings, and could produce finished intelligence no better than the experience and judgment of our best people.

In contrast, the supercomputers of the Information Dominance Center not only collected vast amounts of new information, but synthesized, ordered, and analyzed that information. The intelligence revolution represented by programs like Able Danger not only tapped into a vast reservoir of new information but used supercomputers to discover the needle in the haystack of a trillion bits of data, to "see" patterns in the vast oceans of data, to discover significance in a universe of data that would overwhelm an army of the best and brightest intelligence officers.

A Congressional Research Service study, *Data Mining and Homeland Security: An Overview* (January 27, 2006), provides a good technical description of the kind of intelligence operation that was conducted at the Information Dominance Center:

Data mining involves the use of sophisticated data analysis tools to discover previously unknown, valid patterns and relationships in large data sets. These tools can include statistical models, mathematical algorithms, and machine learning methods (algorithms that improve their performance automatically through experience, such as neural networks or decision trees). Consequently, data mining consists of more than collecting and managing data, it also includes analysis and prediction.

Data mining can be performed on data represented in quantitative, textual, or multimedia forms. Data mining applications can use a variety of parameters to examine the data. They include association (patterns where one event is connected to another event, such as purchasing a pen and purchasing paper), sequence or path analysis (patterns where one event leads to another event, such as the birth of a child and purchasing diapers), classification (identification of new patterns, such as coincidence between duct tape purchases and plastic sheeting purchases), clustering (finding and visually documenting groups of previously unknown facts, such as geographic location and brand preferences), and forecasting (discovering

patterns from which one can make reasonable predictions regarding future activities, such as the prediction that people who join an athletic club may take exercise classes).

As an application, compared to other data analysis applications, such as structured queries (used in many commercial databases) or statistical analysis software, data mining represents a *difference of kind rather than degree.*

Data mining as a new revolution in intelligence may not, strictly speaking, be the grafting together of human spies and artificial intelligence, but it is something close. The US Army IDC and programs like Able Danger had found a way to use supercomputers to boost the "brainpower" of the analytical process far beyond that of mere mortals.

Moreover, the kind of intelligence being collected and analyzed at the IDC, and particularly by the Able Danger program was, and is, more relevant to the war on terrorism than the revolutionary technologies that were so useful during the Cold War. Signals intelligence and computerized code-breaking, while vital against the war machine of the now defunct Soviet Union, are of much less utility against a low-tech terrorist enemy that has learned to avoid the use of cell phones. Spy satellites were great for monitoring the Soviet Union's construction of new missile systems and other strategic forces. But terrorism is not a very photogenic threat.

Not even terrorists can completely hide their activities, or even their identities, from the electronically archived global library. Indeed, the Internet and computer websites are part of global terrorism's recruitment and command and control system.

My personal experiences with the IDC were so impressive, and the potential for a great leap forward in the technology of intelligence collection and analysis so self-evident, that I became determined to help promote this new intelligence revolution. Indeed, I was, at the time,

Oversight Chair of the Research and Development Subcommittee of the House Armed Services Committee, and responsible for overseeing new technologies relevant to US national security. As such, it was my clear duty to advance the new technology invented at the IDC and help it come to maturity as a powerful new tool for the entire US intelligence and defense community. And I clearly recognized the application of this new capability to prevent another domestic catastrophe, as Ray Downey and I had discussed after the WTC ’93 attack, and resulted in the Gilmore Commission that included a focused effort to establish a National Intelligence Data Fusion Center.

Toward this end, I had been working with DOD Director of Information of Technology, Michael Maloof, who had been assisting my understanding of massive US technology transfers to China during my tenure as one of nine members of the Cox Commission (created by the House of Representatives in 1998). Michael assisted my efforts in collaboration with Dr. Eileen Preisser at the LIWA. Working with my Armed Services Committee staff, we developed an intelligence data mining working group.

At the time, Dr. John Hamre was the Clinton administration’s deputy secretary of defense, the second most powerful man in the Pentagon. Hamre was one of the more far-sighted members of the Clinton administration—highly respected by both Democrats and Republicans. John, like myself, always put national security above partisan politics. Partly for that reason, we were friends. John included me in discreet meetings with US corporate leaders regarding security and intelligence concerns as we entered the era of massive cyber growth and vulnerabilities, as well as opportunities. I requested that Michael Maloof personally brief John Hamre on our work.

Based on my visits and briefings as Oversight Chair, I explained to John Hamre what was happening at the IDC, and the potential of the new technology developed there to launch a revolutionary improvement in our intelligence capabilities. John immediately understood. He quickly became

an enthusiast for the new technology and joined me in looking for ways to help the new intelligence revolution happen. He scheduled a personal visit and brief at the Army LIWA Center and called me after with his thoughts.

One of John Hamre's ideas was to task the Information Dominance Center to attack the problem of technology transfers to China. The acquisition by Communist China of foreign technology that would greatly accelerate the modernization of their military forces was, and remains, one of the United States' gravest national security concerns.

Worry about China's acquisition of sensitive technologies was particularly acute during the Clinton administration. For reasons that are still controversial, President Clinton lifted or modified a wide range of restrictions on US trade with China. Consequently, Beijing was able to purchase from the United States equipment and technology previously prohibited for trade.

As previously discussed, Beijing was able to buy US supercomputers, on the condition that they promised not to use them for military purposes. Later it was discovered that China used the US supercomputers to advance the design of their nuclear weapons.

In another case, a US aerospace firm, Loral, provided Chinese missile engineers with technology and information that would enable them to use a single missile to put into orbit multiple commercial or scientific satellites. Stage separation technology was critical for any long-range missile capability and that was also transferred to China. Unfortunately, this technology enabled the Chinese military for the first time to design an intercontinental missile capable of delivering multiple nuclear warheads against the United States.

As one of nine members of the COX Commission empowered by House leadership to investigate Chinese technology transfers, I was aware of these mistakes as well as the ensuing investigation by the DOJ that likely would have resulted in criminal charges. In an outrageous act that infuriated me

and other members, White House National Security Advisor Sandy Berger arranged a *retroactive presidential waiver*, signed by Bill Clinton, approving these outrageous security violations.

These are just a few examples of a massive crisis in the transfer of sensitive US technologies to China that was happening in the 1990s. The Clinton administration argued that the overall policy of freer trade with China was sound, as China was not an enemy, and trade would help advance friendship between Washington and Beijing. Some critics of the Clinton administration claimed that the less restrictive trade policy had been purchased from the president by illegal campaign contributions funneled through various back channels to the president and the Democrat Party from the intelligence arm of the People's Liberation Army. I delivered a one-hour special order on the House floor documenting transfers, networks, and money flow through hundreds of shell companies and academic networks. Mike Maloof, director of Technology Security in the Office of the Secretary of Defense, assisted in the preparation of the infamous Chinese CPC PLA technology transfer charts.

John Hamre's informal tasking of the IDC to investigate US technology transfers to China was both very necessary for US national security, and personally heroic, since he worked for the Clinton administration. John's idea was that the center could further prove itself by discovering technology leaks to China that should not have happened, by stopping dangerous technology transfers before they occur, and by uncovering any networks or agents of the People's Liberation Army that may have penetrated US industry.

Protecting the United States from dangerous technology transfers from China, even while practicing a more open trade policy toward that country, was the golden fleece of intelligence community efforts at the time. The CIA and FBI had very limited success in this effort. If the IDC could do the

job, it would be a tremendous advertisement for their new approach to intelligence.

John Hamre's idea of using the center to attack the problem of sensitive technology transfers to China was a good one, and I fully supported it. Unfortunately, John and I did not and could not foresee that this tasking ultimately would have unexpected and catastrophic consequences for the IDC and the Able Danger program, all because of partisan politics.

For my part, as chair of the House subcommittee responsible for military research and development, I used my chairmanship as a bully pulpit to educate the Congress on the intelligence revolution underway at the center. I encouraged the defense and intelligence community to follow the lead of the IDC, and to think of new ways that the innovative technology developed at the center might be applied to attacking other national security problems. I delivered speeches at multiple Intel Conferences (all documented) and briefed Chief Ray Downey on the potential to help avoid another WTC attack. Last but certainly not least, I increased the funding for the IDC in several successive defense authorization bills.

I followed my own advice and conceived a way to bring the intelligence revolution to the US Congress. I called it the "Virtual Hearing Room" or the "21st Century Hearing Room."

As previously mentioned, the 21st Century Hearing Room was to have a secure facility on the Hill equipped with screens for showing data, real-time imagery, and holding televised conferences. The facility would be electronically connected to all the military services headquarters, to all the spy agencies, and to all the agencies responsible for domestic security, including those that would cope with natural disasters.

The idea behind the 21st Century Hearing Room, as the name implied, was to modernize the provision of national and domestic security intelligence to the Congress. Currently, the Congress relies on television

news and daily newspapers as its primary source of information about what is happening in the world, even when faced with grave international crises or national emergencies.

The Congress can and does task the Department of Defense and the intelligence community to provide briefings. But these take time, sometimes days, to arrange. The information is not provided in real time. Nor do congressional staff always make the right call about which departments, agencies, or persons need to be present at a briefing to Congress. Almost always, questions arise that can only be answered by an agency or person not present at the briefing. So a follow-on briefing has to be arranged, almost always entailing a further delay of at least several days before the Congress gets vital information.

Clearly, this ponderous nineteenth-century arrangement for information sharing between the departments and agencies of the Executive Branch and the Congress is, or should be, unacceptable to the Congress, especially in a fast moving crisis. The 21st Century Hearing Room would enable the Congress to be fully informed about anything, to be connected to any department or agency or person, virtually instantaneously.

The hearing room would, in terms of quality and timeliness of intelligence, put the president and the Congress on an equal footing. This was its most important purpose. All documentation, including diagrams, charts, and briefing materials are maintained in HASC files as well as my congressional archives (not yet released to the public).

The disturbing reality is that the Congress, by tolerating the continuation of a nineteenth-century system for intelligence sharing with the Executive Branch, was imperiling its own constitutional role as a partner with the president. Under the Constitution, Congress is supposed to be co-equal with the president in power and responsibility for United States national security. But the Congress abrogates that responsibility, and cannot

serve as an equal partner with the president on national security matters, when the Congress is not equally informed.

The American people, sensible as they mostly are, would be appalled to know that their elected representatives in the Congress are largely ignorant of classified information that can be vital to issues of war, peace, and national security on which members of Congress and Senators must vote. Even the hardest working House member or Senator must struggle against an antiquated and often irrational system to become as fully informed on classified matters as he or she should be. It is almost as if the system for providing classified information to the Congress is designed to keep Representatives and Senators ignorant.

Consider the situation on the House Armed Services Committee that is responsible for overseeing and making decisions about the future of the US Army, Navy, Marines, Air Force, the nuclear deterrent, and most of the intelligence community. Given these weighty national security responsibilities, one would think there would be a high priority on ensuring that members of the House Armed Services Committee are fully informed of classified intelligence relevant to defense programs and US national security. Unfortunately, this was not the case.

The House Armed Services Committee had a single secure room for holding TOP SECRET information, called a SCIF, that was, literally, the size of a broom closet. The sixty-odd members of the Committee could go there if they wished to read the latest classified reports from the intelligence community. But not all of the reports. The intelligence community is allowed to pick and choose what it shall send to the Congress. Only a tiny fraction of the intelligence reports produced are provided to the Armed Services Committee or to the Congress as a whole.

Nor does the intelligence community ever provide to the Congress intelligence source materials, or so-called raw intelligence, but only finished intelligence. “Finished intelligence” is the intelligence

community's interpretation of what the original source material means. Yet, in my experience, the so-called raw intelligence is often more interesting and relevant, better—truer—than the politically correct finished intelligence. On the other hand, the president, like the Congress, is also denied raw intelligence and only gets to see finished intelligence. Unfortunately, this is one problem that probably cannot be fixed by the 21st Century Hearing Room, unless a very aggressive Congress uses confrontational tactics in real time to force the intelligence community to share "raw intelligence."

It gets better. Congress may request a briefing on any intelligence report. But the intelligence community does not keep Congress apprised of all, or even of most, of the classified reports produced. You could not ask for a briefing on a report whose very existence has been kept secret. Those relatively few classified reports that are provided to Congress are only retained in the SCIF for, typically, two weeks. Then the reports are returned to the intelligence community.

Members of Congress are too busy to keep tabs on the classified reports quickly cycling into and out of the SCIF. So members of the Armed Services Committee hope that committee staff will keep them informed. However, only about four of the House Armed Services Committee staff had clearances to review the TOP SECRET reports in the SCIF. Two of these four staff, when I served, were the Majority and Minority staff directors, who are also too busy to read through the reports.

So the responsibility for keeping the sixty-odd members of the House Armed Services Committee informed on the latest classified intelligence reports devolved to two committee staffers, one for the Majority and one for the Minority. Previously, in the 1990s, these staffers were allowed to brief members on the latest classified intelligence in their offices, that can be electronically swept and made secure. That ended. Now, in the twenty-first century, all that the two staffers could do was tell the sixty members of the

House Armed Services Committee that there is a report in the SCIF that they should read.

Since cramming the House Armed Services Committee into a broom closet was impossible, the committee relied on briefings to inform the members on classified matters. Larger SCIF's were constructed as part of the Capitol renovation initiatives during my tenure, but they remain inadequate. The disadvantages of briefings, in terms of the quality and timeliness of information, has already been explained.

The public and many members of Congress are under the false impression that the president and the Congress are on equal footing in intelligence matters through the House and Senate intelligence committees. My HASC staffer and coauthor Dr. Peter Pry, who served ten years as CIA analyst, repeatedly admonished me that the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence being fully apprised of all the intelligence available to the president was a myth. The intelligence committees have failed to assert their power over the intelligence community, crippling their capability to perform oversight. Consequently, situations arise, as for example in the National Security Agency so-called wire-tapping scandal, where HPSCI staff could not adequately investigate the matter because they lacked appropriate clearances.

The Congress needs a 21st Century Hearing Room so that it can serve its constitutional role as a partner with the president in defending our nation. Congress needs to know the facts, and quickly, especially in the event of crises, whether it is the war in Iraq or Hurricane Katrina or the like.

Another project inspired by the US Army's Information Dominance Center that I undertook was the National Operations Analysis Hub (NOAH). Working with Michael Maloof and the Information Dominance Center, we conceived a plan for a center where all the intelligence agencies would pool their knowledge and unique talents and work together. Today,

this concept is known as “intelligence fusion.” It is the driving principle behind the recent centralization of intelligence under a National Intelligence director, who is supposed to forge close cooperation between the intelligence agencies, and so greatly improve their performance. We, the IDC and I, thought of “intelligence fusion” first.

Two years before the terrorist attacks of September 11, 2001, and five years before the 9/11 Commission proposed reforming the intelligence community through centralization and the creation of “fusion centers,” I proposed revolutionizing US intelligence through the creation of NOAH (see appendix C). On July 30, 1999, in a letter to Deputy Secretary of Defense John Hamre, I proposed doing what the intelligence bureaucracy would finally be compelled to do after the September 11 intelligence catastrophe, and over a half decade later:

Dear Dr. Hamre:
I believe the time has come to create a central national level entity that can acquire, fuse and analyze disparate data from many agencies in order to support the policymaker in taking action against threats from terrorism, proliferation, illegal technology diversions, espionage, narcotics, information warfare, and cyberterrorism. These challenges are beginning to overlap, thereby blurring their distinction while posing increasing threats to our Nation.

Before we take action to counter these emerging threats, we must first understand their relationship to one another, their patterns, the people and countries involved, and the level of danger posed to our Nation. The Department of Defense has a unique opportunity to create a centralized national center that can do this for the country. It would be patterned after the Army’s Land Information Warfare Activity (LIWA) at Fort Belvoir, but would operate on a much broader scale. This entity would allow for near-time information and analysis to flow to a central fusion center, which I

would designate the National Operations Analysis Hub (NOAH). I think this title fitting, as NOAH would provide a central hub built to protect our Nation from the flood of threats.

NOAH would be comprised of a system of agency-specified mini-centers or "pods" of participating agencies and services . . . . NOAH would link the policymaker with action recommendations derived from fused information provided by the individual pods. NOAH would provide the automation and connectivity to allow the pods to talk together, share data and perspectives on a given situation in a near real-time, computer-based environment.

. . . NOAH . . . would be a national level operations and control center with a mission to integrate various imagery, data and analytical viewpoints for decision-makers in support of national actions. I see NOAH as going beyond the capability of the National Military Command Center (NMCC) and the National Joint Military Intelligence Command (NMJIC), providing recommended courses of action that would allow us to effectively meet those emerging challenges from asymmetrical threats in near real-time . . . .

My letter to John Hamre also included a detailed blueprint for NOAH, the architecture developed in collaboration with the US Army Information Dominance Center. I ask the reader to consider whether the September 11 tragedy might have been prevented, if an entity like NOAH had been established in the year 2000, instead of 2005:

The NOAH center in the Office of the Secretary of Defense would be comprised of representatives from an initial cluster of pod sites to include: CIA, DIA, National Imagery and Mapping Agency (NIMA), NSA, NRO, Defense Threat Reduction Agency (DTRA), JCS, Army, Air Force, Navy, Marine Corps, ONDCP, FBI, DEA, Customs, National Criminal Investigative Service (NCIS), National Infrastructure Protection Center,

Defense Information Systems Agency (DISA), State, the five CINCs, DOE, INS, Commerce, Treasury.

Elements which would be connected to NOAH would include the White House Situation Room, a Congressional Virtual Hearing Room and a possible redundant (back up) site.

I quote at length from my letter to the deputy secretary of defense on July 30, 1999, and from the architectural blueprint for NOAH because these haunt me. Did I have in my hands the means to stop the nightmare of September 11 that killed three thousand Americans? I think so. Did I have in my hands the means to stop the Al Qaeda bombing of the USS *Cole* on October 12, 2000, less than a year before the September 11 attack, that killed a score of US sailors? Absolutely!

The architectural blueprint for NOAH that I offered to the deputy secretary of defense on July 30, 1999, described a number of benefits that would flow from NOAH. In retrospect, these are essentially the recommendations made by the 9/11 Commission for reforming the intelligence, defense, and law enforcement communities, to correct their failures that allowed the terrorist attacks of September 11 and on the USS *Cole*.

"The benefits of creating NOAH include," according to my 1999 letter to the Deputy Secretary of Defense, "For the intelligence community, a national collaborative environment will help end stovepiping and create more robust strategic analysis as well as near real-time support to field operations." The 9/11 Commission used the very word, "stovepiping," a lack of cooperation among intelligence agencies, as perhaps the single most important organizational failure leading to the September 11 catastrophe.

"The benefits of creating NOAH include," according to my letter, "for law enforcement, a national collaborative environment provides investigative and threat profiling support, and field station situational

awareness." The 9/11 Commission found that perhaps the single most important proximate cause of the September 11 disaster was the failure of FBI headquarters to approve the arrest of 9/11 terrorist Zacarias Moussaoui by suspicious field agents. It is hard to imagine that FBI headquarters would have committed such a blunder if NOAH existed, so that they were consulting closely with the CIA and the White House and understood the "clear and present danger" posed by Al Qaeda.

"The benefits of creating NOAH include," according to my letter, "for military commanders and planners, a national collaborative environment offers full battlefield visualization, threat profiling, situational awareness, as well as near real-time support to special missions . . . ." The USS *Cole* would not have sailed into a trap in Yemen if the captain had been warned of the threat, uncovered by Able Danger, as shall be described in the next chapter. NOAH would have ensured that the captain of the USS *Cole* received warning, and spared his ship and the lives of his crew.

The Deputy Secretary of Defense, John Hamre, supported NOAH and the other ideas for revolutionizing US intelligence. John encouraged me to meet with leaders of the intelligence community to promote NOAH and the new intelligence technology developed by the US Army Information Dominance Center. Hamre suggested that I convene a meeting in my office to convince the two largest agencies—CIA and FBI—to join in the creation of the NOAH that would include all thirty-three classified systems operated by US government agencies. On November 4, 1999, (two years *prior* to 9/11), I hosted that meeting attended by Hamre and senior leadership of the CIA and FBI. I distributed the NOAH Plan and said that I could arrange funding, and John Hamre supported the template. For some reason—still fully unknown to this day—the CIA balked, suggesting NOAH was unnecessary because of their support for something undefined called "CI 21."

I did my best. I went into the lion's den of the intelligence community and had numerous meetings hoping to persuade them of the virtues of NOAH and the work of the Information Dominance Center. I continued to deliver many speeches hoping to spark interest in intelligence fusion centers, in the possibilities represented by using supercomputers to do data mining, and in the opportunity to revolutionize intelligence.

The CIA and the FBI were not interested. They were perfectly content to continue doing business as usual. Indeed, I later learned that they perceived the new intelligence technology developed by the US Army Information Dominance Center as a threat to their own institutions. The CIA and the FBI worked behind the scenes to undermine the IDC and to terminate the innovative projects underway there.

Despite CIA's opposition, I continued to press for a national intelligence collaborative center like NOAH by placing language in three successive defense authorization bills. In the FY 2001 National Defense Authorization Act, I included a provision that required CIA to provide to the House Armed Service Committee a report on replacing intelligence stovepiping with intelligence sharing and collaboration between agencies through a national center. The CIA responded that the "overarching collaborative solution addressing the totality of the requirement is not practical."

After the 9/11 attacks, the intransigence on the part of CIA was overcome, too late. Five years after I proposed the NOAH, in January 2003, the Congress and President Bush created the Terrorist Threat Integration Center, now called the National Counterterrorism Center, that is essentially the same thing as the NOAH that I began fighting for in 1999. Unfortunately, it took the murder of thousands of Americans to finally make this happen. I then hoped that under the able leadership of John Negroponte as National Intelligence director, the days of toleration for intelligence agencies that refuse to share information, that refuse to work together, and

that refuse to embrace revolutionary new intelligence technology were behind us.

During my twenty-year tenure in the Congress, I supported and worked continuously to support our intelligence agencies and capabilities. Many decisions and actions that I made to this day have not been revealed due to sensitivity. I worked closely with CIA directors—Jim Woolsey continues as a close friend after endorsing my 2005 book *Countdown to Terror,* and George Tenet actually called my office and invited me to a private breakfast meeting in his CIA headquarter office shortly after taking office where he announced (in front of senior agency direct reports) the agency's full support for my previous and ongoing work. My key HASC staffer Dr. Peter Pry (ten-year decorated CIA analyst) joined me in the meeting with Tenet. I served in the House with Porter Goss and Leon Panetta. As chair of the Oceans Commission, Leon and International Ocean leaders Dr. Sylvia Earle and Jean-Michel Cousteau presented the commission's highest award to me for my leadership regarding ocean policy and stewardship. I maintain many friends in intelligence agencies for whom I have the utmost respect.

But the days of intelligence community internal gross incompetence and lack of leadership accountability were not behind us in 1999. The rejection of NOAH and bureaucratic undermining of Able Danger were inexcusable. Thus we lost the opportunity to prevent devastating terrorist attacks through NOAH and Able Danger, first on the USS *Cole*, and then on New York City and Washington.

CHAPTER 7

ABLE DANGER

The objective of Able Danger was simple: to go after Al Qaeda.

I never heard the term Able Danger until *after* the terrorist attacks of September 11, 2001. In the aftermath of September 11, five separate career intelligence officers and members of the Able Danger team came forward (individually) to tell me that they had identified the 9/11 ringleader, Mohamed Atta, and discovered much else about Al Qaeda and the five key international cells, over one year before the September 11 nightmare. Many, if not all of the Able Danger team, were consumed with frustration and guilt over the 9/11 catastrophe. Able Danger's intelligence about an Al Qaeda presence in the United States could and should have prevented the airliner hijackings, and the horrific blows against New York and Washington that killed thousands of Americans, and necessitated wars against Afghanistan and Iraq.

Able Danger was so secret, so deeply classified, that many of the analysts working in the program did not even know its real name. They called it simply "The Project."

The purpose of Able Danger was to gather actionable intelligence about the worldwide members, network, and operations of the terrorist group known as Al Qaeda. This intelligence would be used to disrupt Al Qaeda terror operations. Able Danger's ultimate aim was destroying Al Qaeda as a viable organization.

Prior to 9/11, although I did not know it at the time, by promoting the work of the US Army's Information Dominance Center, I was also advancing "The Project." Able Danger was among the most revolutionary of the new technologies that promised to revolutionize US intelligence capabilities.

Able Danger evolved from an advanced experiment in the application of data mining technology to counterterrorism, as explained by Erik Kleinsmith, one of "The Project's" technical leaders, in testimony to the Senate Judiciary Committee on September 21, 2005:

From March of 1999 until February of 2001, I was an active duty Army Major and the Chief of Intelligence of what was then called the Land Information Warfare Activity or LIWA. My branch provided analytical support to Army Information Operations, but because of the data mining capabilities that we possessed in the Information Dominance Center, we routinely provided direct analytical support to several combatant commands as well as other customers.

One of our most prominent operations was in support of the data mining proof of concept demonstration for the Assistant Secretary of Defense for Command, Control, Communications, and Intelligence or ASD-C3I. Called the JCAG project, it demonstrated how data mining and intelligence analysis could be conducted in a counterintelligence and technology protection capacity.

Able Danger was born of the JCAG advanced data mining experiment. "In December of 1999 we were approached by US Special Operations Command to support Able Danger." Kleinsmith continued, "I assigned the same core team of analysts that worked the JCAG project, and with Dr. Eileen Preisser as the analytical lead, four of us conducted data mining and analysis of the Al Qaeda terrorist network coordinating with SOCOM and other organizations throughout that time. In the months that followed, we

were able to collect an immense amount of data for analysis that allowed us to map Al Qaeda as a worldwide threat with a surprisingly significant presence within the United States."

Able Danger began in 1999, at the direction of General Peter Schoomaker, then leader of the Special Operations Command (SOCOM), and with the assent of General Hugh Shelton, then Chairman of the Joint Chiefs of Staff. "The Project" operated at the US Army's Information Dominance Center at Fort Belvoir until about the summer of 2000. Harassment of "The Project" by Pentagon lawyers and sabotage by jealous intelligence bureaucrats caused General Schoomaker to move Able Danger from Fort Belvoir to Garland, Texas. There "The Project" lasted until about May 2001, when it was "reorganized" out of existence, just four months prior to the "Pearl Harbor" of the war on terrorism on September 11, 2001.

The Able Danger program had two basic parts, a technological part and an operational part.

Technologically, Able Danger used supercomputers to mine all sources, both classified and unclassified databases, for intelligence on Al Qaeda. Highly advanced software and computer algorithms, designed especially for "The Project," sifted through trillions of bits of data, filtering out information relevant to Al Qaeda. As collection and analysis of intelligence was conducted at the speed of light, Able Danger could provide a virtual "moving picture" of Al Qaeda activities in near real time.

The vast scope of Able Danger's collection capacity combined with the speed of its analytical capabilities do not alone account for "The Project's" stunning success. Rather, the real technological heart of Able Danger was the unique sophistication of its electronic "brain." Able Danger's algorithms, filters, and other software enabled "The Project" to "see" so much and so deeply into the data that it could discover relationships and associations that would escape the notice of an entire agency of intelligence analysts made of flesh and blood.

Starting with four analysts, Erik Kleinsmith's part of the Able Danger project grew to twenty-four analysts. Kleinsmith explained to the House Armed Services Committee, in his testimony of February 15, 2006, how the technological powerhouse at the IDC made Able Danger a unique intelligence tool, vastly superior to anything then existing in the intelligence community:

While my branch was unique in terms of the types of analysis that we did, we were even more so because of the capabilities available to us in our Information Dominance Center or IDC. The IDC was and is not a unit or a particular software tool, but a physical center. . . . Working in the IDC, my analysts had access to state of the art data mining and visualization tools far above what a majority of the rest of the intelligence community had available at that time. My analysts and I could harvest and visualize huge amounts of structured and unstructured data on a daily basis. For example, instead of surfing through raw information or reading intelligence reports one message at a time, we could visualize thousands of messages simultaneously and, through proper analysis, identify the key entities and their relationships or "linkages" to one another.

"My branch could conduct preliminary analysis in a matter of hours," Kleinsmith noted, "on information that might take more traditional analysts weeks to manually plow through."

Able Danger's starting point for collection and analysis was Sheik Omar Abdel Rahman, the "Blind Sheik," and the other terrorists who bombed New York's World Trade Center in 1993. The "Blind Sheik" was the spiritual leader of the terrorists responsible for the first attack on the World Trade Center. From them, "The Project" searched outward to their friends and associates, to the friends of their friends and so on, collecting and analyzing information on all of their businesses and activities for any signs of involvement with terrorism.

Able Danger, in addition to analyzing the complex web of associations and activities among its targeted population, also had "drill down" capabilities for every individual in the system. Personal details in great depth could be accessed quickly. Data on individuals was checked by multiple means to avoid error. Also to filter out errors, data on each person was derived from multiple sources. Every person of interest had a photograph stored in his file, if one could be found or purchased. "The Project" was remarkably successful at collecting photographs of Al Qaeda terrorists and their associates.

All of this is, of course, is a very simplified, even simplistic, description of Able Danger's innovative technology, that comprised "The Project's" first part.

The second part of Able Danger was its support to actual counterterrorism operations. As Lieutenant Colonel Tony Shaffer testified to the House Armed Services Committee on February 15, 2006, Able Danger "was no 'experiment' or simply 'a planning exercise' as has been portrayed by some in the media and at the Pentagon." According to Lieutenant Colonel Shaffer, a decorated hero for fighting terrorists in Afghanistan, "The objective of Able Danger . . . was simple: to go after Al Qaeda." Shaffer:

Able Danger was a good news story: the Department of Defense's effort to target Al Qaeda's global structure . . . to identify their global centers of gravity, and by the full range of military options . . . decisively engage and defeat them . . . what is unique to Able Danger is that this effort was commenced in September 1999—fully two years before that clear and unforgettable September morning that will forever remain transfixed in our collective memory.

Able Danger was the right mission, at the right time, with the right people against the right enemy—an "out of the box" concept that at its heart

was an effort to bring back a modern version of the Office of Strategic Services (OSS); an organization that served at the forefront of this country's secret battles of World War II.

Using the then 1999-era cutting edge technology of "data mining" as pioneered by the US Army's Land Information Warfare Activity (LIWA), the Able Danger team was able to establish a "starting point" for the Able Danger effort . . . .

"The idea was to take the 'best and brightest' military operators, intelligence officers, technicians, and planners from the Special Operations Command (SOCOM), the US Army, and the Defense Intelligence Agency (DIA), in an entrepreneurial endeavor, much like bringing the best minds and capabilities from Ford Motor Company, General Motors, and Daimler-Chrysler, to focus on a single challenge," Lieutenant Colonel Shaffer continued. "In the case of Able Danger, the challenge was to discover the global 'body' of Al Qaeda—then, with this knowledge, prepare military and intelligence 'options' that would be supported by the 'actionable information' that was being produced by the project."

Shaffer, an experienced counterterrorism operative, led the second part of Able Danger, the operational part that would use Able Danger intelligence to hunt and kill Al Qaeda. This component, a special mission task force, was codenamed "Stratus Ivy." The particulars of Stratus Ivy could not be disclosed by Lieutenant Colonel Shaffer publicly but were discussed in classified session before the House Armed Services Committee. Stratus Ivy now needs to be fully declassified.

Ultimately, any project is only as good as its people. The Able Danger team, in the words of Lieutenant Colonel Shaffer testifying before the House Armed Services Committee, comprised, "Men and women of leadership and courage." I fully endorse Shaffer's description of the Able

Danger team, having come to know most of them personally in the course of my investigation.

The reader, in order to fully understand the Able Danger project and the credibility of its participants, should meet the Able Danger team. Lieutenant Colonel Tony Shaffer, already well known to you, will perform the introductions, drawn from his February 15, 2006, testimony before the US Congress. According to Lieutenant Colonel Shaffer, "Able Danger is a story of good guys and bad guys. The good guys were men and women of leadership and courage and include":

General Hugh Shelton, Chairman of the Joint Chiefs of Staff in the 1999 through 2001 period, who laid the groundwork for SOCOM to become a major force through the issuance of the Able Danger planning order—this order which made, for the first time in its history, SOCOM the "supported" or lead combatant command.

General Peter Schoomaker, then Commander of SOCOM, and currently Chief of Staff of the Army, whose vision regarding the developing Al Qaeda threat was second to none. Able Danger was his concept—his idea—to take an "out of the box" group of military planners, intelligence officers and operators, give them a clear mission, and set them loose to "do good things." His innovative approach to the problem . . . was critical to the fact that cutting edge technology was used with traditional Human Intelligence (HUMINT) operations, and to link both directly into military planning for highly precise, surgical operations designed to neutralize the Al Qaeda threat. In short, it was his vision to create a true OSS capability that would pursue enemies "over there" to keep "here" safe.

Lieutenant General Pat Hughes, the Director of DIA during the 1999–2000 period, who allowed my unit, Stratus Ivey, the charge to take on out of box ideas, and develop them into real intelligence operations. It was his constant encouragement that allowed for entrepreneurial concepts to

develop in this pre-9/11 era. He personally approved Stratus Ivy's mission and signed us up to support cutting edge black programs that became the mainstay of my unit's efforts.

Major General Robert Harding, the DIA Deputy Director for Operations during the 1999–2000 period, who protected and fostered the Stratus Ivy support to Able Danger, and other highly compartmented DOD programs. His simple guidance to me . . . said it all, "Keep me out of trouble and get Stratus Ivy going as far and as fast as you can"—which I did—that is, until his replacement, Major General Rod Isler, single-handedly shut down virtually every cutting edge effort Stratus Ivy was conducting . . . .

Mr. J. D. Smith, the retired Indian police officer, who used basic law enforcement investigative techniques, with 21st Century data mining and analytical tools, whose hard work resulted in the establishment of a new form of intelligence collection—and the identification of Mohamed Atta and several other of the 9/11 terrorists as having links to Al Qaeda leadership a full year in advance of the attacks.

Captain Scott Phillpott, who humbly calls himself "just a ship driver," is a US Naval Academy graduate, and one of the most brilliant minds ever produced by the Navy. It was through his intellectual force, by his sheer power of will, that the Able Danger project took cohesive form and became real.

Last but by no means least, Dr. Eileen Preisser, the brilliant double PhD whose understanding of both cutting-edge technology and human factors and neural networking served as the intellectual "glue" that put together the suite of technology and analysts that performed the astounding feat of identifying Atta and other pre-9/11 terrorist events.

Armed with the best people and the best technology in the world, the bottom line is that Able Danger should and could have prevented the September 11 nightmare that killed thousands of Americans and started the

long war on terrorism. As Lieutenant Colonel Tony Shaffer correctly concluded in his February 15, 2006, testimony to the US Congress: “Able Danger had the ability to target this adversary [Al Qaeda] preemptively, and it is my judgment, if fully implemented, we could have negated, disrupted, detected, and potentially have prevented the 9/11 attacks. In the case of Able Danger, we were defeated not by Al Qaeda, but by our own bureaucracy.”

Before the bureaucracy bungled the golden opportunity to prevent 9/11 offered by Able Danger, it bungled an earlier opportunity. Able Danger intelligence also should have prevented Al Qaeda’s attack on the USS *Cole*.

CHAPTER 8

THE CIA INTEL SOURCE THEY DIDN'T WANT KNOWN

As I tell the Able Danger story of patriotic leaders whose careers and lives were disrupted for simply working their hardest to protect our responders, our troops, and our nation, it is imperative that you know the full story. Spin masters in our agencies have worked feverishly to negate the importance and even the mention of Able Danger—creating the ultimate conspiracy lies.

And these spinmeisters deliberately did not include any mention of Able Danger in the 9/11 commission report. Over and over, the media repeatedly refuted the statements of Able Danger team members who verified that Mohamed Atta had been identified pre-9/11. "Show the proof " was the coordinated call to minimize the significance of the work of Able Danger, even though Atta was clearly visible in the Able Danger charts that I used in my testimony to the US Senate.

This clever—although sophomoric—repeated message that Atta had *not* been identified ignored written and verbal confirmations to me as the ultimate congressional oversight funding chair for Able Danger. One email indicated over seven hundred identifications of Atta in the US with various spellings and surnames. The confusion caused by the name variations of Atta allowed the intelligence agencies, the senate investigators, and the 9/11 Commission to profess to America that *the* Atta had not been identified prior to 9/11.

So, I thought it imperative to include portions of the extensive interview from my Oral History Collection with a non-Able Danger consultant who was paid by the US government (most likely through a CIA front company called Orion Scientific) to work with and for Able Danger.

Able Danger officially began in 1999, but we need to understand exactly what was incorporated as a strategic part of its success—information and facts completely and deliberately avoided by the 9/11 Commission staff, hidden from the 9/11 commissioners, ignored by the Senate Intelligence Committee, unknown to the Congress, and unknown to mainstream media easily duped into acceptable explanations.

Able Danger focused heavily on the thirty-three classified intelligence systems operated by US agencies, most of which are visible and well-known. But the secret success of Able Danger was in their unique ability to include and mine massive open source data systems that were largely ignored by our agencies in the 1990s. While Able Danger team members were aggressively using new cutting-edge software developed by our DOE/DOD labs, a largely unknown, key component of the success of Able Danger, especially as it relates to 9/11 and the USS *Cole*, was the inclusion of preexisting open-source data mining.

In 1994, an aggressive West Coast computer geek started working for the European Union running news and information services. Operated through a Georgia university, the effort was to find information that was not being covered by news media using an internet protocol called Gopher that was a predecessor to the World Wide Web. It was so successful that the NSA shut it down—until a call and emails from DOD leadership (all known) requested inclusion in a group performing open source intelligence. Thus, a US citizen academic anthropologist writer was requested (on six or seven separate occasions) to work for the secretary of defense, despite having no background, training, or previous contact with the US military.

“I have no security clearance,” the consultant declared. “We don’t care. We want you to work with us,” was the DOD response. And so it began! The writer and data miner was offered, and accepted, assignments initially with a company owned by General Dynamics, and was ultimately hired by Orion Scientifics with Bruce Teffts. Eventually, ongoing contact was with Tony Shaffer through JD Smith.

The full content of this in-depth interview is contained in the Weldon Oral History at West Chester University and is part of over one hundred hours of digitized, annotated, and indexed video interviews, all conducted by History Professor Dr. Charles Hardy, who also served as president of the National Association of Oral Historians. The archives include interviews with my Democrat and Republican colleagues as well as agency leaders and operatives, DC staff, and foreign leaders.

Clearly outlined in the interview was documentation of relevant open source Al Qaeda information delivered on an ongoing basis to the Able Danger team for their massive data mining and fusion with intelligence raw data. According to the consultant, “The day before I left Orion (May 1, 2001) our last threat assessment was that the United States was going to be hit, a US target, between September and December 2001!”

This statement from the interview adds verification of the identity of Mohamed Atta:

I got a call from the Inspector General’s Office after 9/11, and he wasn’t interested in anything except that photograph of Mohamed Atta el-Seyed. “Do you have a photograph of it? Did you have a photograph of it? Where would you find a photograph of it? Did Bruce Tefft have a photograph of it?” That’s the only thing they were interested in. I told him I had the photograph and the link chart as a wall decoration on my apartment wall and was aware of another copy of the same chart hanging on the wall in the Orion McLean office.

In McLean, I had it on the wall, so I was really familiar with it. They're fascinating. You can see how the central guy—we assume the leader, is the one with the most connections to it. You have a cell structure, and these guys talk to these guys. Sometimes they don't. They're really kept separate, but they all talk to the leadership. So when you've got somebody with—the one with most links to it, most communications, most things say it's the leader of that operation. And that was Mohamed Atta.

No in-person interview ever took place—by anyone! DOD, Inspector General, 9/11 Commission, Senate Intelligence Committee—*no one ever did an in-person interview*.

The phone interview report was twisted! "What I said was warped, but essentially, I said, 'Yes, we had it' and then I said, 'I will look' but could not locate the chart on my machine since I had moved back to CA. So the report of my one and only telephone conversation was, 'She doesn't have it.' They twisted the response to fit their intent!" our source stated.

In the phone interview, extensive discussion occurs regarding the uncomfortable feeling of being "pressured to say certain things"—that they did not identify Mohamed Atta, that they did not have his photograph, that they hadn't identified Atta nor identified other people in the group. And the interview only focused on identification of Mohamed Atta, which was deliberately meant to manipulate the factual information to fit the predetermined agenda.

Questions kept referring to Mohamed Atta, and I repeatedly stated that we absolutely had identified Mohamed Atta el Sayed—the CIA reported 9/11 leader. All of the public reports refer only to Mohamed Atta knowing full well his correct name was Mohamed Atta el Sayed cleverly creating doubts about the work of Able Danger.

During the 9/11 Commission Hearings, officials involved with Able Danger had their careers threatened, as I document in the book. Yet no further contact was made with our critical source, who has been told that protection would be provided but also offered this response.

It's going to sound a little paranoid, but we actually had physical proof that we were tapped. The family's business phone was tapped. Our faxes were tapped, telephones. We had our house broken into and searched. Nothing was stolen, but searched. We knew it, because one of the guys who did it mentioned how messy our office was.

Clearly, another deliberate and well-orchestrated effort to control the narrative at every level. All CIA and agency contact names are provided with glowing praise for the ongoing work relationship and activities. There is *no* attempt to embarrass nor bring discredit to any one person, but rather tell the factual story of pre-9/11 intelligence that has never been revealed to the Congress or the American people.

There's much more substance in the interview but it essentially includes special focus on advance knowledge of the attack of the USS *Cole* through a CIA protected asset (name known) who told US officials that an attack was planned against a Navy ship in Yemen well in advance of the devastating attack that killed seventeen sailors. "I know his information had been blackballed by US agencies," the consultant said.

The informant was issued a Green Card and ultimately protected by the CIA overseas [names known]. He warned specifically that there was going to be an attack at the USS *Cole* and yet they had been given orders not to shoot at little boats if they came up, as we all are now aware occurred. He added, "We knew that there was going to be an attack."

The US government 9/11 spinmeisters created the all-time conspiracy theory to deny facts, testimony, documentation, and reality. Mohamed Atta al Sayed's name was a tool that was used to lie to the American people.

My massive archives collection includes an email sent to me by a nationally prominent author in 2012 in response to email discussion regarding potential publication of the original Able Danger manuscript completed in 2006.

The author stated, "Very high-powered Phila atty on an unrelated matter . . . [no exaggeration there] mentioned our potential book. She said, 'Then you know about Able Danger?' I said, 'Yes.' And she said, 'I was never a big fan of his politically, but I was integrally involved in Able Danger, and in this case, Weldon was dead on.'"

The only high powered female Philadelphia attorney who knew about Able Danger and my involvement was a lead counsel for the Senate investigation of Able Danger.

This is not the America that I taught about in our public schools, that I protected as a volunteer firefighter and fire chief, that I worked twenty years on the Armed Services Committee to use every ounce of energy to prevent harm and death to our troops, and that I swore to uphold and defend when I took the Oath of Allegiance as an elected member of Congress.

CHAPTER 9

THE USS *COLE*

Take care of my girls.

On October 12, 2000, the USS *Cole* glided into the calm, blue waters of the Port of Aden, in Yemen, to replenish supplies and show the flag of US friendship. Enroute to the Persian Gulf to support US aircraft carrier operations enforcing the terms of the United Nations peace against a still defiant Iraq, the USS *Cole* represented a major military piece on the chessboard of Middle East diplomacy. The billion-dollar guided missile destroyer was a high-tech bodyguard for US aircraft carriers, and faced an array of potential threats from the air and missile forces of Iraq and Iran. The ship, a floating array of computer-controlled missile and gun batteries, was indispensable for protecting US naval and power projection capabilities in one of the most volatile and strategically important regions of the world.

Commander Kirk S. Lippold, the captain of the USS *Cole*, had no reason to think his ship and crew were in peril as he entered the Port of Aden. Connected by secure communications to Fleet and Navy Intelligence, and through them to the larger intelligence community back in Washington, there was no word of warning against his planned four-hour stopover at Aden. Indeed, the Clinton administration State Department encouraged such flag-showing as a means of bettering US relations with Arab governments in the Middle East.

Nonetheless, Commander Lippold was ready for trouble. He put his crew on BRAVO alert, a mid-level readiness condition that had armed sailors on deck, just in case.

A US Army major who served as deputy defense attaché at the US Embassy in Yemen observed the USS *Cole* as it came into Aden for refueling. He observed that a small boat, that appeared to be a tender, tied up one of the *Cole*'s mooring lines to the harbor refueling station, and then returned to the *Cole*, apparently to get another line.

Two men in the small boat appeared to stand up and wave at the sailors on the USS *Cole*. And then they vanished in an enormous blast that sent a visible shudder through the US warship.

The "tender" was a rubber dinghy concealing hundreds of pounds of plastic explosives, manned by a crew of Al Qaeda suicide bombers.

The explosion tore an enormous hole, measuring forty feet long and forty feet high, through the hull of the USS *Cole*. The blast, at the center of the ship, was well targeted, damaging the engine room, the mess hall, the living quarters, and buckling the decks. Some analysts believe that this was not a lucky shot by the terrorists, that the aimpoint for the explosion was chosen intelligently, perhaps even by examining blueprints for an *Arleigh Burke*-class destroyer, the USS *Cole's* family of ships.

Only heroic efforts by Commander Lippold and his crew saved the USS *Cole* from sinking. Nonetheless, the vessel had to be towed back to the United States for repair. It was disabled, neutralized as a military asset to the United States, for over a year. This was an enormous victory for terrorism, to destroy a high-tech, billion-dollar US warship with a rubber dinghy.

As bad as the military and political consequences of the bombing of the USS *Cole* were, the human costs were even worse. Of the USS *Cole's* complement of roughly three hundred officers and crew, about one in six

were casualties. Forty were seriously injured. Seventeen of the ship's crew died.

New York Times reporter N. R. Kleinfield deserves credit, two days after the bombing, for giving us a glimpse of the faces of the heroes of the USS *Cole.*

Seaman Lakeina Monique Francis, a mess management specialist, was only nineteen, and newly out of basic training. Her father was a Navy veteran. Her mother said she was proud to join the US Navy. She was just getting over seasickness, when she died on the *Cole*. Lakeina was from a small town in North Carolina, Woodleaf.

The other woman among the seventeen sailors killed on the USS *Cole* was Seaman Recruit Lakiba Nicole Palmer, from San Diego.

Ronchester Santiago, Petty Officer Third Class, joined the Navy in 1996. Before the explosion ended his life, he planned to leave the Navy in just two months, to study electrical engineering in college. He was twenty-two, from Kingsville, Texas.

Marc Nieto, Engineman Second Class, had been in the Navy six years. He planned to leave the Navy, move to Norfolk, Virginia, and wait there for his love, a fellow engineer on the USS *Cole.* She was injured in the blast. He was from Fond du Lac, Wisconsin, twenty-four years old.

Cherone Louis Gunn, Seaman Recruit, was a signalman. The son of a Navy veteran, Cherone planned to become a State Trooper. He joined the Navy for experience. He was twenty-two.

Timothy Lee Gauna, an information systems technician, was a radio specialist. His mother, looking through school photographs of him as she watched television coverage on the USS *Cole*, said he joined the Navy to become a computer scientist. From Rice, Texas, Timothy was twenty-one.

Joshua Parlett, an engine fireman, was one-year in the Navy. He joined immediately after graduating from high school. He was nineteen, from Churchville, Maryland.

Craig Bryan Wibberly, Seaman Apprentice, also joined the Navy directly from high school. He was fascinated by technology and, according to a friend, “Saw the Navy as his opportunity to build on those skills.” His father was a former Marine, who spent time with his son fishing and tinkering with the family’s 1971 Corvette. Craig was nineteen.

Patrick Roy, Seaman Apprentice, was a firefighter before joining the Navy. He was from Keedysville, a small town in Maryland, population five hundred. But this was no impediment to Patrick’s entering the prestigious Storm King School in Cornwall-on-Hudson, where he managed the wrestling team and was captain of the lacrosse team. He revisited his school before boarding the USS *Cole* and showed pictures of the ship to his former teachers. Tammy Purdy, the school’s director of alumni affairs, said, “He was very excited and a little scared.” Patrick was nineteen. Classes were canceled and the entire school assembled to pray for Patrick when they learned of his passing.

Richard Costelow, Electronics Technician First Class, was a Navy veteran, serving since the 1980s. He was thirty-five, from Morrissville, Pennsylvania.

Kevin Shawn Rux, Electronic Warfare Technician Second Class, was from a family of Navy veterans in his father and uncle. A former police officer, Kevin was from Portland, North Dakota, aged thirty.

Andrew Triplett, Ensign, served thirteen years in the Navy. He was thirty-one, and left a wife and two children in Virginia Beach.

Gary Swenchonis Jr., Seaman, had previously been a fire-fighter in Rockport, Texas. He also served four years in the US Army, at Fort Sill, Oklahoma. He joined the Navy to satisfy his wanderlust. “He was having a good time,” his mother said, “He had souvenirs he was going to send home. He had some pictures he was going to develop so we could all enjoy what he had seen.” Gary was twenty-six.

Timothy Lamont Saunders, Operations Specialist Second Class, was from Ringgold, Virginia.

James Rodrick McDaniels, Seaman, was from Norfolk, Virginia. He planned to marry his high school sweetheart upon returning from the Persian Gulf. “The Navy told me he’s coming back here soon” his mother said, “I can’t imagine being able to look at him messed up. He had the sweetest dimples. My boy was only nineteen. I can’t imagine putting him in the ground.”

Kenneth Eugene Clodfelter, Hull Maintenance Technician Third Class, was from Mechanicsville, Virginia. He planned to sign up for another tour of duty with the Navy. He was twenty-one.

Ronald Scott Owens, Electronic warfare Technician Third Class, was from Vero Beach, Florida. The twenty-four-year-old was the married father of a girl, aged four. A few days before the bombing of the USS *Cole*, he emailed his mother-in-law, Donna Scott, to say, “Take care of my girls.”

This tragic loss of life and the attack on the USS *Cole* could have been avoided.

The “spin” from the Clinton administration was that the terrorist bombing of the USS *Cole* was unavoidable because of a lack of sufficiently specific intelligence on the threat. “I don’t think we missed any specific threats,” Defense Secretary William S. Cohen told the *New York Times* on October 13, the day after the attack, “There are general threats in the region, and we understand that. And that’s the reason why we have such precautionary measures to take.”

But within days of Secretary Cohen’s statement, leaks to the press from intelligence community agencies and individual analysts appeared to contradict the Clinton administration’s claim that the attack on the USS *Cole* could not have been prevented.

On October 11, the day before the bombing of the USS *Cole*, the Central Intelligence Agency sent out a general warning of a likely attack on,

“US interests and Jewish tourists” in the region. The National Security Agency issued a second, more specific, warning about a possible attack in Yemen, according to the *Washington Times* (October 26, 2000). Shockingly, the NSA warning was not disseminated to military commanders until after the attack on the *Cole*!

The Clinton administration circled wagons, dismissing these intelligence reports as insufficient to have saved the USS *Cole*. Testifying before the House Armed Services Committee on October 26, two weeks after the *Cole* bombing, Walter B. Slocombe, the Clinton administration’s Undersecretary of defense for policy, attempted to trivialize the CIA and NSA warnings, “Neither report said there was an imminent attack on an American ship in Yemen or any place else.”

Slocombe, an intelligent man, surely knew better. Saving the *Cole* did not require specific intelligence on “an imminent attack on an American ship in Yemen.” The USS *Cole’s* purpose in Aden was primarily showing the US flag to further friendship with Yemen, a diplomatic mission of very low priority. If the ship’s captain, Commander Lippold, had any reason to believe there was danger to his vessel, whether because of heightened dangers in the Middle East as warned by CIA, or because of general terrorist activity in Yemen as warned by NSA, he could have canceled the port call.

But Commander Lippold was never given this choice, because he never received the CIA or NSA intelligence reports or any intelligence warnings about the increased threat in the Middle East generally and in Yemen specifically.

The Clinton administration’s assertions that the USS *Cole* was an inevitable tragedy because of the lack of specific intelligence was very publicly and convincingly contradicted the day after the *Cole* bombing. On October 13, Kie C. Fallis, an analyst with the Defense Intelligence Agency, who was responsible for monitoring terrorist threats in the Middle East,

resigned in protest that his superiors had ignored his warnings of an imminent threat to US forces in the region. Fallis claimed that he concluded from intelligence reports that there was a strong possibility of a terrorist attack. According to Fallis, he told his DIA superiors that US military commanders in the Middle East needed to be warned to do more to protect their forces.

Fallis blamed himself and DIA for missing an opportunity to save the USS *Cole.* Fallis embarrassed the Clinton administration by telling the truth. His opinion as an intelligence professional, as one of the analysts responsible for providing warning to US military commanders of terrorist threats in the Middle East, blew a huge hole in the credibility of Clinton administration arguments that there was not enough intelligence to save the USS *Cole*.

Fallis later cooperated with the House Armed Services Committee and the House Permanent Select Committee on Intelligence in investigating the USS *Cole* affair. The DIA tried to discredit Fallis by a whispering campaign against his character and by making embarrassing, unsubstantiated allegations against Fallis to committee staff.

It is my experience, when the intelligence community resorts to character assassination against a whistleblower, it is because they cannot win the argument by a dispassionate and logical examination of the facts.

I am convinced that, if my proposal to establish a counterterrorism center like NOAH had been embraced by the intelligence community, and if even a rudimentary center for collecting intelligence from all agencies and speedily warning field commanders was in place before October 12, 2000, the terrorist attack on the USS *Cole* would have been thwarted.

Unfortunately, the intelligence debacle that was the USS *Cole* affair did not serve as a wakeup call to the CIA, DIA, NSA, or other members of the intelligence community. They continued to oppose my efforts to establish a

National Operations Analysis Hub for sharing intelligence among all agencies in order to vastly improve capabilities for warning.

The intelligence community even resented and resisted a congressional investigation into the USS *Cole* affair. Intelligence oversight is the responsibility of the House Permanent Select Committee on Intelligence. Yet my committee, the House Armed Services Committee, took the initiative to investigate the intelligence failures in the *Cole* affair, dragging the HPSCI reluctantly along.

I followed closely the "joint" investigation of the USS *Cole* affair by the HASC and the HPSCI. Committee staff did the actual investigation and wrote the final report. I know that, at the staff level, the chief interest of the House Permanent Select Committee on Intelligence was to avoid in the final report using the phrase "intelligence failure."

The magnitude of the intelligence failure represented by the USS *Cole* affair was underestimated, even by the House Armed Services Committee, that was sharply critical of the intelligence community in the final report on the *Cole*. HASC members and staff, and most policymakers, did not know about the super-secret Able Danger program, or that Able Danger foresaw that Al Qaeda would strike in the port of Aden.

Although I was a leading proponent of the Information Dominance Center, I never heard the program name "Able Danger" until after the terrorist attacks of September 11, 2001. However, while promoting the Information Dominance Center, they frequently invited me to the center to receive briefings on their latest work. I remember receiving briefings on Russian proliferation of sensitive military technology, on US technology transfers to China, and on drug cartels. Each of these briefings featured a detailed analysis of the organization and mechanics of the illicit activities being carried out, right down to the individual people at every level of the transactions. It was amazing.

I remember on one occasion, in January 2001, receiving a briefing on a program that, I am certain, was Able Danger. At the time, no program name was given because of its sensitivity. I was told that General Henry H. Shelton, Chairman of the Joint Chiefs of Staff, received the original briefing, which was three hours long and extraordinarily provocative. Later, I learned that General Shelton had been briefed on Able Danger in January 2001. The briefing I received, in a secure vault in the Pentagon, was only forty-five minutes long. I was told that I could not see the entire briefing provided to General Shelton because much of the information pertained to operations that were ongoing right now.

The briefing was about a counterterrorism project being pursued by the US Army's Information Dominance Center. The project focused on Al Qaeda. A starting point for the project was the Blind Sheik Omar Abdel Rahman, the spiritual leader of the terrorists who tried to destroy the World Trade Center in 1993.

Mark Zaid, an attorney for one of the Able Danger team, who were gagged by the Pentagon and forbidden from testifying at a hearing before the Senate Judiciary Committee on September 21, 2005, did a good job testifying on behalf of the Able Danger team, putting into layman's terms a description of the program that sounded very like the briefing I received in January 2001:

With respect to Al Qaeda, the starting point were those terrorists who were associated with the 1993 World Trade Center bombing and the New York City terror plots. Sheik Omar Abdel Rahman, known as the "Blind Sheik," was one of those individuals who served as a focal point. By that I mean those supporting Able Danger would take specific names and attempt to obtain a list of individuals who were known to associate with the target names. . . . Again, what was being explored were associational links between individuals, meaning person "A" who was associated with Sheik

Abdel Rahman, and then identifying person "B" who was associated with person "A" and so on. Essentially, think in your mind how the game "Six Degrees of Kevin Bacon" operates. That is a simplistic explanation of part of Able Danger's activities.

The compiled information would be uploaded into an interactive computer program designed by a contractor that would create depictions of the links accompanied by all the underlying data to support those links. When possible photographic images of the identified individuals would be obtained and entered into the system. Every link and the data that supported the link could be accessed electronically with "drill down" capabilities, and usually the data had multiple sources.

The Able Danger project identified an Al Qaeda plot in Yemen, centering on the Port of Aden, directed against the United States *two weeks* before the bombing of the USS *Cole*. The Able Danger team warned CENTCOM (Central Command, the military authority responsible for the security of US forces in the Middle East). But for reasons still unknown, the warning was not passed to the USS *Cole*.

Lieutenant Colonel Tony Shaffer, part of the Able Danger team, testified on February 15, 2006, before the House Armed Services Committee, about Able Danger's discovery of intelligence that could, and should, have saved the USS *Cole:*

WELDON: What . . . happened with the Able Danger team in 2000 before the attack on the *Cole*?
SHAFFER: My understanding—and this is not my direct knowledge, but information I received from Captain Phillpott [the leader of the Able Danger project]—they discovered information about two weeks before the *Cole* attack, about the 1st of October, that there were activities of interest within the port of Aden in Yemen. That information was researched by the

intelligence analysts, and two days before the attack, was briefed to General Schoomaker, the commander of the Special Operations Command.
WELDON: Do you know what happened to it?
SHAFFER: I know that one of the individuals who was integrated within the Able Danger element at Garland, Texas, was a
CENTCOM intelligence representative. It is my understanding that information was provided from Captain Phillpott to the
CENTCOM intelligence representative, at which time Captain Phillpott requested they do something with it, they take action on it.

In the aftermath of the USS *Cole* disaster, CENTCOM must have realized its mistake in failing to heed the warning provided by Able Danger. Consider the testimony of Erik Kleinsmith before the same congressional hearing (February 15, 2006), who described his job, as part of the Able Danger team, as managing twenty-eight people "that specialize in integrating counterterrorism and asymmetric threat analysis with data mining technology." According to Kleinsmith's testimony, "The bombing of the USS *Cole* on October 12 brought USCENTCOM to the IDC [the Information Dominance Center, the home of Able Danger], who then became our primary customer . . . "

The case of the USS *Cole* demonstrates the superiority, over more traditional technologies and techniques used by other agencies, of the new intelligence technology developed by the US Army's Information Dominance Center and employed in programs like Able Danger. The CIA, with all its human agents and spy satellites, was able to provide a generic warning about an increased terrorist threat in the Middle East, but did not know specifically who would make the attack, or where. The NSA, despite its reputation for always possessing the most advanced intelligence technologies, knew that terrorists were up to no good in Yemen, but did not

know which group, did not know they would strike in the port of Aden, and were late providing warning.

In contrast with CIA and NSA, the IDC's Able Danger program discovered the essentials of the terrorist plot against the USS *Cole* two weeks before the attack. Able Danger discovered that there was a terrorist threat in Yemen. Able Danger discovered that the terrorist activities focused on the port of Aden. Able Danger knew that Al Qaeda was behind the plot. Able Danger discovered that Al Qaeda leader Osama bin Laden's commercial connections in the port of Aden had something to do with the threat. "If you want fresh fruit or vegetables you have to tell people when to be on the pier," a defense official responsible for overseas security operations told the *New York Times* (October 14, 2000), "If you want fuel, you have to tell people to be there." The Chief of Naval Operations, Admiral Vern Clark, told the press that the government of Yemen had been given ten to twelve days' notice of the arrival of the USS *Cole*.

Able Danger all but predicted the Al Qaeda attack on the USS *Cole*. Unfortunately, connecting the impending terrorist threat to this last dot, the USS *Cole* itself, was left to history.

Nonetheless, if CENTCOM had transmitted the Able Danger team's warning to Commander Lippold, the captain of the USS *Cole*, it is a certainty that Lippold and the *Cole* would have escaped their rendezvous with destiny at Aden. The *Cole* did not have to refuel or take on supplies at Aden. Commander Lippold had other options. As I explained on Commander Lippold's behalf at the House Armed Services Committee hearing of February 15, 2006:

We don't have the Commander of the *Cole* with us today, but many of us have talked to him. And his career, as I said earlier has been placed on hold because there are certain colleagues of ours in the Senate that are blaming him, which is absolutely outrageous. He has explained that he had three

options that day, and if he had known there was any hint of a problem at Yemen—at the port of Aden in Yemen—he would not have taken the *Cole* into that port. He would have gone to an alternative port; they would have refueled at sea.

It warrants repeating that Commander Kirk Lippold does not deserve to be blamed or penalized for the fate of the USS *Cole*. Commander Lippold's superiors, who failed to pass the warning provided by Able Danger, deserve to be blamed and penalized. Clinton administration officials in the White House and State Department, who conceived the idea of using US warships as pawns of diplomacy, by showing the flag in ports of potentially hostile countries, deserve to be blamed and penalized.

If Commander Lippold had received warning from Able Danger, he surely would have canceled the port call to Aden as his primary purpose there was a low-priority diplomatic mission. "We have been working to improve our relations with Yemen for some time," Admiral Vern Clark told the *New York Times* the day after the bombing of the USS *Cole*, "And I'm sure that was at the heart of the motivation" for the port call at Aden. President Clinton himself and CENTCOM chief General Anthony Zinni was part of the diplomacy courting Yemen, according to the *New York Times* (October 13, 2000):

American officials said today that the budding relationship with Yemen had recently seemed to be bearing fruit. In April, Yemen's president, Ali Abdullah Saleh, visited Washington and met with President Clinton. . . . General Anthony C. Zinni, the recently retired Pentagon regional commander for the Middle East, pressed the decision to brave the mixed security situation in Yemen.

Ironically, the Clinton administration's sacrifice of the USS *Cole* on the altar of friendship with Yemen has recently borne bitter fruit. On February

3, 2006, Jamal Ahmed al-Badawi, a leader of the bombing operation against the USS *Cole*, and twelve other Al Qaeda operatives, twenty-three terrorists altogether, escaped from prison in Yemen. “Most of these guys were old friends of the political security service,” a local Yemeni told the *New York Times* (February 16, 2006), “You can bet these men were sure that they were going to get out of prison when they got here.”

The most tragic aspect of the intelligence failure that produced the USS *Cole* was the failure of intelligence community leaders to fix their system afterwards. The USS *Cole* should have been a wake-up call to President Clinton, and to everyone, to take the necessary steps that would have saved New York and Washington from the September 11 disaster. In the absence of intelligence reform, even Able Danger’s discovery of 9/11 ringleader Mohamed Atta and his Brooklyn terrorist cell was not enough to avert an attack on the American homeland greater than Pearl Harbor.

CHAPTER 10

USS *COLE*: INTELLIGENCE OR LEADERSHIP FAILURE?

The version of the USS Cole affair given in the 9/11 Commission Report*, that tries so hard to exonerate the Clinton Administration, cannot be sustained when the facts about Able Danger are introduced.*

The failure of the Clinton administration to retaliate against Al Qaeda for the attack on the USS *Cole* invited a still bolder terrorist attack less than a year later, on New York and Washington. The *9/11 Commission Report* cites a source with access to bin Laden as claiming in February 2001 that, because there was no American strike in response to the USS *Cole* bombing, bin Laden "would launch something bigger."

Moreover, Al Qaeda's unchallenged victory over the United States in the USS *Cole* affair greatly raised Al Qaeda's prestige, recruitment efforts, and jihadist expectations. According to the *9/11 Commission Report*:

The attack on the USS *Cole* galvanized Al Qaeda's recruitment efforts. Following the attack, Bin Ladin instructed the media committee, then headed by Khalid Sheikh Mohammed, to produce a propaganda video that included a reenactment of the attack along with images of the Al Qaeda training camps and training methods; it also highlighted Muslim suffering in Palestine, Kashmir, Indonesia, and Chechnya. Al Qaeda's image was

very important to Bin Ladin, and the video was widely disseminated. Portions were aired on Al Jazeera, CNN, and other television outlets. It was also disseminated among many young men in Saudi Arabia and Yemen, and caused many extremists to travel to Afghanistan, for training and jihad.

The *9/11 Commission Report* interprets the USS *Cole* affair and its crucial aftermath as primarily an intelligence failure, because the intelligence community supposedly could not identify Al Qaeda as the culprit, leaving President Clinton unable to strike back. "The plot, *we now know* [emphasis added], was a full-fledged Al Qaeda operation, supervised directly by Bin Ladin," concludes the report. "He chose the target and location of the attack, selected the suicide operatives, and provided the money needed to purchase explosives and equipment."

Thus, the 9/11 Commission accepts the Clinton administration's assertion that Al Qaeda's role in attacking the USS *Cole* was unknown at the time. The *9/11 Commission Report* accepts, with minimal dissent, this version of events from President Clinton:

President Clinton told us that before he could launch further attacks on Al Qaeda in Afghanistan, or deliver an ultimatum to the Taliban threatening strikes if they did not immediately expel Bin Ladin, the CIA or the FBI had to be sure enough that they would "be willing to stand up in public and say, we believe that he [Bin Ladin] did this." He said he was very frustrated that he could not get a definitive enough answer to do something about the *Cole* attack. Similarly, Berger recalled that to go to war, a president needs to be able to say that his senior intelligence and law enforcement officers have concluded who is responsible. He recalled that the intelligence agencies had reached "no conclusion by the time we left office that it was Al Qaeda."

Contrary to President Clinton, the *9/11 Commission Report* offers this dissent from CIA Director George Tenet, that appears crafted in the report

to reflect more badly on Tenet, as an oblivious intelligence chief, than on the president:

On the question of evidence, Tenet told us he was surprised to hear that the White House was awaiting a conclusion from him on responsibility for the *Cole* attack before taking action against Al Qaeda. He did not recall Berger or anyone else telling him that they were waiting for the magic words from the CIA and the FBI. Nor did he remember having any discussions with Berger or the President about retaliation. Tenet told us he believed it was up to him to present the case. Then it was up to the principals to decide if the case was good enough to justify using force. He believed he laid out what was knowable relatively early in the investigation, and that this evidence never really changed until after 9/11.

The strongest dissent from President Clinton's view presented in the *9/11 Commission Report* comes from Richard Clarke, the White House counterterrorism chief, who suggests the White House "didn't really want to know" that the USS *Cole* was attacked by Al Qaeda:

Clarke recalled that while the Pentagon and the State Department had reservations about retaliation, the issue never came to a head because the FBI and the CIA never reached a firm conclusion. He thought they were "holding back." He said he did not know why, but his impression was that Tenet and Reno possibly thought the White House "didn't really want to know," since the principals discussion by November suggested there was not much White House interest in conducting further military operations against Afghanistan in the administration's last weeks. He thought that, instead, President Clinton, Berger, and Secretary Albright were concentrating on a last-minute push for a peace agreement between the Palestinians and the Israelis.

But even Clarke's testimony tends to absolve President Clinton, putting the primary blame for US passivity in the aftermath of the *Cole* affair back on the intelligence community, and on the Pentagon and State Department as well. Richard Clarke's credibility is enhanced by his treatment in the *9/11 Commission Report*. He is portrayed as the Clinton administration insider most critical of the Clinton White House. Clarke's credibility and supposed bipartisan credentials are important to those who would blame the Bush administration for the terrorist attacks of September 11, as is done unambiguously, even enthusiastically, by Clarke when he is resurrected later in the report as an authoritative and unbiased figure.

These ambiguous criticisms are the only dissents from President Clinton's view of the USS *Cole* affair and its aftermath offered by the *9/11 Commission Report*. Aside from a few paragraphs, most of the chapter on the USS *Cole* in the report is dedicated to supporting President Clinton's claim that the intelligence community was unable to finger Al Qaeda as the perpetrator of the attack on the *Cole*. The report appears to go to great lengths to support this view, even making much of CIA's use of the stock phrase "preliminary judgment" in briefings pointing at Al Qaeda, implying that this exonerates President Clinton from acting against Osama bin Laden for attacking the USS *Cole.* A preliminary judgment, the reader is supposed to understand, was not a sufficiently firm basis for President Clinton to retaliate against Al Qaeda. Yet those of us familiar with intelligence community briefings know that the phrase preliminary judgment is routinely used for almost everything, as a bureaucratic exercise in "CYA," even for matters where there is no doubt.

The report closes its treatment of the USS *Cole* affair by essentially supporting President Clinton's bald-faced attempt to shift responsibility for the US failure to retaliate, and ultimately for the September 11 catastrophe, onto President Bush. The report cites a December 1999 meeting between President Clinton and President-elect Bush to discuss national security,

alone by themselves. Clinton alleges telling Bush, “I think you will find that by far your biggest threat is Bin Ladin and the Al Qaeda . . . . One of the great regrets of my presidency is that I didn’t get him [Bin Ladin] for you, because I tried to.”

The *9/11 Commission Report* makes no effort to point out an obvious and gross inconsistency in President Clinton’s story. President Clinton claims that he gave stern and unambiguous warning to President Bush about the threat from Al Qaeda and bin Laden. Yet President Clinton also claims he never received sufficient intelligence to act against Al Qaeda and bin Laden in the matter of the USS *Cole*. Nor does the report offer any explanation why President Clinton should need any further justification to strike at Al Qaeda, when it was already known that Al Qaeda allies made the first bombing of New York’s World Trade Center in 1993 and Al Qaeda itself performed the 1998 bombings of the US embassies in Kenya and Tanzania, all during President Clinton’s watch.

In response to President Clinton’s devastating testimony, that clearly attempts to shift blame onto President Bush for inaction on the USS *Cole* affair and for the terror attacks of September 11, the *9/11 Commission Report* allows President Bush this rather lame rebuttal: “Bush told the Commission that he felt sure President Clinton had mentioned terrorism, but did not remember much being said about Al Qaeda.”

If history as reported by the report is true, then President Bush is left holding the bag for US passivity in the aftermath of the USS *Cole* provocation and for the terror attacks on New York and Washington less than one year later.

But history as reported by the report is not true, or at the very least is incomplete on a matter that changes everything. The Able Danger project discovered Al Qaeda’s plot against the USS *Cole* two weeks before the attack. The Able Danger project connected the attack to Al Qaeda’s leader, Osama bin Laden. The Able Danger team was sufficiently confident about

this threat to issue a warning to CENTCOM. After the bombing of the USS *Cole* confirmed the warning from Able Danger, there should have been no question about the role of Al Qaeda and bin Laden.

The version of the USS *Cole* affair given in the *9/11 Commission Report*, that tries so hard to exonerate the Clinton administration, cannot be sustained when the facts about Able Danger are introduced.

One is left wondering if Richard Clarke's speculation that the White House "didn't really want to know" about Al Qaeda's role in bombing the USS *Cole* accounts for why Able Danger's warnings went unheeded? Could it also be that the Clinton White House "didn't really want to know" about Al Qaeda's presence in New York, about Mohamed Atta and his Brooklyn cell?

If presidential politics were given precedence over national security, to what lengths did the Clinton White House go to remain blissfully ignorant of the politically inconvenient threats discovered by Able Danger? No good explanation has yet been found as to why CENTCOM did not relay Able Danger's warning to the USS *Cole*, and why the Able Danger findings did not inform White House decision-making on retaliation. Further, the origins of the order prohibiting the Able Danger team from informing the FBI about 9/11 ringleader Mohamed Atta and his Brooklyn cell remain a mystery. Finally, even more mysterious is why such a successful intelligence program as Able Danger should be attacked bureaucratically, and eventually terminated, even as it was trying to provide warning that would have prevented the September 11 disaster.

I will never forget Commander Scott Phillpott sitting in my Rayburn office discussing his role as a member of the Able Danger team. As a respected Annapolis graduate in the midst of a stellar career in the Navy defending our nation, I was struck by his deliberate passionate explanation of his commitment to our nation's security. And then I witnessed this national leader choke up and explain that "this was not the f—ing nation"

that he had sworn to uphold and defend at Annapolis. He went on to explain in detail how he and his team had identified a planned attack against an American asset located in the Port of Aden, Yemen weeks before the attack on the USS Cole. “We were jumping up and down in earnest to alert those in command—but they never transferred our warnings to the ship or the captain.” As tears streamed down his face, I felt the pain of a true leader, patriot, and example of what makes this nation great. My determination and commitment to tell the story of the Able Danger heroes would not be stopped no matter what was done to me personally!

CHAPTER 11

MOHAMED ATTA

You must make your knife sharp and you must not discomfort your animal during the slaughter.

The Able Danger team's discovery of Mohamed Atta, other 9/11 terrorists, and their Hamburg and Brooklyn cells over a year before the September 11 attacks represented a unique opportunity for the US government to stop this tragedy. The reader may judge the magnitude of this opportunity by considering just one of the clues to 9/11 uncovered by Able Danger—Mohamed Atta.

According to the CIA, Mohamed Atta al-Sayed, known as Mohamed Atta, was the operational leader of the terrorist attacks on New York and Washington on September 11, 2001.

Mohamed Atta was born in Egypt's Nile Delta, in the city of Kafir El Sheikh, on September 1, 1968. Atta was raised from childhood in Cairo. He attended Cairo University and graduated with a degree in architecture. During his Cairo period, as a young man, Atta seemed like a normal youth of the Egyptian middle class. His attitudes were secular, focused on his friends, family, and future career. Before he left Egypt, Mohamed Atta was not very religious.

In 1993, Mohamed Atta left Cairo for Hamburg, Germany. In the same year, he registered as a student in the Technical University of Hamburg-

Harburg. Atta entered the program for urban planning. He spent six years at the university, from 1993 to 1999.

Mohamed Atta's long immersion in the Western culture of Germany, alien to his Egyptian cultural roots, and cut off from his family for long periods, appears to have begun a process that gradually moved him toward anti-Western attitudes and radical Islam. Atta's alienation from the West and increased defensiveness about his own cultural roots is reflected in some of his university work. For example, Atta's thesis for his urban planning degree became a vehicle for exploring cultural conflict between the Muslim world and the West. The thesis examined conflict between Western modernity and traditional Arab civilization, as reflected in architecture. Atta's paper examined building projects and urban planning in Aleppo, a city in northwest Syria. He defended the traditional architecture and neighborhoods of Aleppo, objecting to Western-style modern skyscrapers and Western-style large-scale urban development. In Atta's view, these evils altered ominously the city skyline and old neighborhoods, a symbol of the profound disruption of traditional Arab communities, and the long social and cultural continuity that they preserved.

Mohamed Atta in Germany, as described by friends and acquaintances, was a different man from the person who grew up in Egypt. For example, Ralph Bodenstein was a German friend who claimed to know Atta well, having worked, traveled, and talked with him at great length. According to Bodenstein, Atta "was most imbued actually about Israeli politics in the region and about US protection of those Israeli politics in the region. And he was to a degree personally suffering from that."

Other of Mohamed Atta's German friends characterized him as a man of intelligence and strong religious conviction. They said he could become furious over US and Western policies toward the Middle East. Atta had angry arguments with some of his German acquaintances over the Oslo Accords and the Gulf War.

According to the *9/11 Commission Report*:

In his interactions with other students, Atta voiced virulently anti-Semitic and anti-American opinions, ranging from condemnation of what he described as a global anti-Jewish movement centered in New York City that supposedly controlled the financial world and the media, to polemics against governments of the Arab world. To him, Saddam Hussein was an American stooge set up to give Washington an excuse to intervene in the Middle East.

Mohamed Atta returned home to Egypt for a visit in 1998. Old friends who had not seen him for some years were surprised to discover that he had become a religious fundamentalist. By the end of 1998, Mohamed Atta clearly had become a jihadist and terrorist. Returning to Germany, Atta leased an apartment on November 1, 1998. There he lived with terrorists Said Bahaji and Ramzi bin al-Shibh. Thus was created the Hamburg cell, that allegedly became a key staging base for planning and penetrating the United States for the execution of the September 11 attacks.

Atta's modest apartment became a hub for Al Qaeda, and the cockpit for organizing the most devastating surprise attack on the United States in history, more costly in lives and material destruction than Pearl Harbor. Atta's Hamburg Cell met several times weekly to indoctrinate each other with anti-American and jihadist philosophy and discussions. They explored plans for various possible terrorist operations.

Atta hosted many Al Qaeda terrorists, who lived at different times in his apartment. Altogether, Atta shared his apartment with twenty-nine men at various times. Among these were 9/11 hijackers Marwan al-She-hhi, Waleed al-Shehri, terrorist Zakariya Essabar, and other committed jihadists. In addition to playing this leadership role, Atta was also trained by Al Qaeda to alter passports. Atta and his roommates al-Shehi, Bahaji,

Binalshibh, and Ziad Jarrah went to Afghanistan to meet Osama bin Laden and receive military training for terrorist operations in late-1999.

Khalid Sheikh Mohammed, the mastermind who conceived the 9/11 plot and Osama bin Laden's personal lieutenant who generaled the scheme, visited Germany frequently to meet with Mohamed Atta in his apartment. Perhaps more than anything else, this highlights the great importance of Atta to the 9/11 operation. The chain of command ran from Osama bin Laden, through Khalid Sheik Mohammed, to Mohamed Atta.

If Osama bin Laden was the commander-in-chief of Al Qaeda, Khalid Sheikh Mohammed was his field marshal, and Mohamed Atta was the field commander who was to actually lead Al Qaeda forces into enemy territory and execute the September 11 surprise attack.

On returning to Germany from Afghanistan, Mohamed Atta and the other 9/11 terrorists changed their appearance and behavior, apparently trying to blend in better with Western society. They shaved their beards and donned normal street clothes. They stopped meeting with other known jihadists and radicals.

In March 2000, while still residing in Germany, Atta queried thirty-one flight schools in the United States. He was seeking information on training to fly airplanes. From Germany, Atta traveled to Prague. After staying one night, he flew to the United States.

Mohamed Atta entered the United States on June 3, 2000. He opened bank accounts to provide for himself and the other 9/11 terrorists. He continued investigating flight schools to train his team.

In July 2000, Atta and 9/11 terrorist Marwan al Shehhi began flight training at Huffman Aviation, located in Venice, Florida. Atta told the staff at Huffman that he was related to the Saudi Royal Family and said that Marwan was his bodyguard.

In November 2000, Mohamed Atta and Marwan al Shehhi fulfilled the training requirements to receive aviation instrument certificates from the

Federal Aviation Administration. Almost immediately, on November 5, Atta purchased training videos for flying the Boeing 747 and Boeing 757. In December, Atta purchased flight training videos for the Airbus A320 and Boeing 767. These flight training materials for airliners are commonly available from pilot training schools. Atta purchased his training videos from Sporty's Pilot Shop in Batavia, Ohio.

On December 11, 2000, Mohamed Atta and Marwan al Shehhi both earned their pilot licenses. The two continued training, and on December 29, practiced flying a Boeing 727 on a simulator at the Opa-Locka Airport.

On January 4, 2001, Atta flew to Spain, probably to discuss progress in the 9/11 plot and to coordinate activities with fellow terrorist Ramzi bin al-Shibh. Atta returned to the United States on January 10, 2001.

Atta and Marwan traveled to Coral Springs, Florida on April 11. There Atta met several of the arriving "muscle hijackers" who were to allegedly subdue the passengers and protect the terrorist pilots during the hijackings. Atta arranged for their support and probably gave the muscle hijackers instructions on what was expected of them prior to and during the "planes operation."

On April 16, 2001, Atta was ticketed by police for not having a valid driver's license. Atta applied for and received a valid driver's license on May 2, from Lauderdale Lakes, Florida.

On June 28, 2001, Mohamed Atta traveled to McCarran International Airport, where he met with the other three terrorist pilots in the 9/11 plot.

In July 2001, Atta traveled again to Spain for a meeting to plan final details of the 9/11 attacks. Here it was decided to strike the twin towers of the World Trade Center. But a final decision was not agreed upon on the date of the attack or on all the targets. A strike on a nuclear power plant was considered but rejected. Another issue considered was Atta's troubles with 9/11 hijacker Ziad Jarrah, whose reliability was questioned. There was concern that Jarrah might back out. Zacarias Moussaoui was undergoing

training as a possible substitute for Jarrah, according to the *9/11 Commission Report*. Atta is believed to have met with other 9/11 hijackers while in Spain.

On August 4, 2001, Atta was back in the United States and probably went to the Orlando International Airport to pick up another suspected 9/11 hijacker, Mohamed al Kahtani from Dubai. Al Kahtani would likely have been a "twentieth hijacker" (nineteen hijackers participated in the 9/11 attack). But al Kahtani was not allowed entry by immigration officials who suspected he was up to no good. Atta appears to have phoned Al Qaeda to warn that al Kahtani was turned away by immigration officials. Atta's driver's license was revoked on August 23, after failing to appear in traffic court for driving without a license on April 16.

In the course of the summer of 2001, Atta flew to Las Vegas twice. These were for surveillance of airport and airliner security and practice runs in preparation for the 9/11 hijackings.

On September 11, 2001, in the morning, Mohamed Atta boarded American Airlines Flight 11, at Logan International Airport in Boston. Atta received a call from fellow 9/11 hijacker Marwan al Shehhi at 6:45 a.m. Apparently, this call was prearranged for Atta to confirm that the 9/11 "planes operation" should proceed.

American Airlines Flight 11 took off from Boston at 7:59 a.m. Eighty-one passengers were aboard. Less than thirty minutes into the flight, at 8:24 a.m., air traffic controllers heard a voice, later identified as Mohamed Atta's, saying, "We have some planes. Just stay quiet and you will be OK. We are returning to the airport. Nobody move, everything will be OK. If you try to make any moves, you'll endanger yourself and the airplane. Just stay quiet."

At 8:47 a.m., Mohamed Atta flew the first of four hijacked airliners into the North Tower of the World Trade Center. Thus, Mohamed Atta, who had trained for a career as an architect and urban planner, ended his life by

destroying some of the world's best examples of both. Terrorism annihilated what was best even in Atta himself.

The second and third hijacked airliners flew into the South Tower of the World Trade Center and the Pentagon. On the fourth hijacked airliner, United Airlines Flight 93, piloted by Ziad Jarrah, the passengers learned that they were enroute to a suicide mission. Their attempt to storm the cockpit forced the plane to crash in an empty field in Shanksville, Pennsylvania, about twenty-minutes' flying time from Washington, DC.

Later, US authorities found Mohamed Atta's luggage, that by accident was not placed aboard Flight 11. Atta's bags contained airline flight uniforms, flight manuals, and a four-page document written in Arabic. The document was a checklist of directions to the hijackers. Among Al Qaeda's instructions, which were to be delivered to the 9/11 terrorists through Mohamed Atta, was this: "You must make your knife sharp and you must not discomfort your animal during the slaughter."

The preceding synopsis of Mohamed Atta's life and activities leading up to the terrorist attack of September 11 allows us—in respect to the significance of Able Danger's discovery of Mohamed Atta prior to 9/11—to draw two major inferences. While specific details of airplanes, flights, and crash incidents have been under ongoing investigation, facts about Atta have been documented.

First, by identifying Mohamed Atta as a terrorist, the Able Danger team found the key to stopping the September 11 catastrophe. Atta was clearly the ringleader of the 9/11 terrorists. Third in command after Osama bin Laden and Khalid Sheikh Mohammed, Mohamed Atta was Al Qaeda's operational leader of the 9/11 terrorists within the United States, the man in charge who made everything happen. Atta personally met many of the 9/11 terrorists as they entered the United States, provided for their finances and housing, and arranged pilot training. Atta traveled back and forth between the United States and Spain to plot the 9/11 attacks, select the actual targets,

and evaluate the readiness of his terrorist teams with the Al Qaeda leaders. Atta was entrusted to deliver written instructions from Al Qaeda to his terrorist followers. Mohamed Atta personally gave the green light to begin the 9/11 operation. He personally led the actual attacks, making the first strike on 9/11 by flying his hijacked airliner into the World Trade Center.

Second, judging from Mohamed Atta's paper trail, Able Danger's data mining operation probably found a virtual goldmine of information on Atta that not only justified arresting him as a terrorist, but exposed the other 9/11 terrorists, and their network of hiding places and finances. Most of the facts uncovered by Able Danger about Mohamed Atta are unknown. For reasons still mysterious, which will be explored in the next chapter, the Able Danger project was terminated. Then, by order of the Department of Defense, in compliance with the Clinton administration's Justice Department, all of the Able Danger files, including those on Mohamed Atta, were ordered destroyed. This was a volume of data equivalent to one-quarter the Library of Congress.

Nonetheless, we can infer from the preceding description of Mohamed Atta's activities that Able Danger's data mining operation uncovered enough information to shut down the whole 9/11 operation. Atta left a broad paper trail, leading to himself and his co-conspirators. His visa left a record of his travels, to Germany, the United States, and Spain, where not coincidentally known and suspected terrorists were also traveling at the same times and to the same places. Atta's financial transactions, that included receiving and sending money overseas, and with his fellow 9/11 terrorists in the United States, were accessible through bank records. Atta's addresses in Germany and the United States, where he resided with known and suspected terrorists, are a matter of public record. His phone calls are another record providing clues to his associations. He registered as a foreigner, allegedly from the Saudi royal family, for training as an airline

pilot. To thwart a police investigation and avoid arrest, Atta even applied for a valid driver's license.

It is known through sworn testimony before the United States Congress, that the Able Danger team not only discovered 9/11 ringleader Mohamed Atta, but much more about the 9/11 plot. Able Danger also identified three other 9/11 terrorists: Marwan al Shehhi, Khalid al Mihdhar, and Nawaf al Hazmi. Able Danger discovered that these were members of an Al Qaeda cell located in New York City, codenamed the "Brooklyn Cell." Able Danger discovered that there was a connection between the Brooklyn cell and Mohamed Atta's "Hamburg Cell" of Al Qaeda terrorists.

Able Danger found all of this alarming evidence, pointing clearly to an Al Qaeda plot led by Mohamed Atta to attack the American homeland, more than one year before the catastrophe of September 11, 2001. The Able Danger team clearly understood that they had detected a serious threat to the United States that warranted decisive action. They tried repeatedly to warn the FBI. Three separate meetings were scheduled by Able Danger team members with DOJ—and all three meetings were cancelled at the last minute (Details including names are all available).

For reasons still mysterious, that shall be explored in the next chapter, the Able Danger team's efforts to warn the FBI were stopped repeatedly by higher authorities.

The Able Danger team's claim that they detected Mohamed Atta and other evidence of an impending Al Qaeda attack on the United States prior to September 11 is challenged by the 9/11 Commission and the Department of Defense.

The *9/11 Commission Report*, published before the Able Danger revelations became public, asserts incorrectly that nothing was known of Mohamed Atta to the US intelligence community prior to the September 11 attacks. Embarrassed by the Able Danger revelations when these were publicly disclosed to Congress, the 9/11 Commission at first denied any

knowledge of Able Danger, then denied the Able Danger findings were historically significant, and then challenged the veracity of the Able Danger team.

The Department of Defense initial response to the Able Danger revelations was to attempt assassinating the character of Lieutenant Colonel Tony Shaffer, the first of the Able Danger team to talk to Congress. When others of the Able Danger team came forward to confirm Shaffer's testimony, Congress ordered the Department of Defense to conduct an investigation. As a result of its investigation, the Defense Department acknowledged the existence and purpose of the Able Danger program against Al Qaeda, just as Lieutenant Colonel Shaffer had described.

However, the Department of Defense falsely told the press that they found "no evidence" that Able Danger identified Mohamed Atta or provided other warning of the September 11 attacks. The Department of Defense did not emphasize to the media that, as DOD had destroyed the Able Danger files, their finding of no evidence to support the Able Danger team's testimony was a foregone conclusion. The Defense Department suggested that the Able Danger team may have mistaken Mohamed Atta for another terrorist who was not involved in the 9/11 plot, Mohammed Atef.

The mainstream media, desperate to defend the Clinton administration's reputation from the devastating implications of the Able Danger story, sided with the 9/11 Commission and the Department of Defense. The *Washington Post*, in particular, repeated lies by anonymous DIA bureaucrats attempting to trash Lieutenant Colonel Tony Shaffer who is, in fact, a genuine hero in the war on terrorism. The *Washington Post* simply parroted the line of the 9/11 Commission and the Defense Department on Able Danger, ignoring the contradictions and gaping factual holes in their version of the story.

Common sense alone, and a little knowledge about how the Able Danger project worked, is sufficient to refute claims that the Able Danger team did not discover Mohamed Atta.

The most basic building blocks of the Able Danger project were files on individual Al Qaeda terrorists. These files were collected and maintained by supercomputers conducting data mining operations. Great care was taken to ensure the accuracy of the files. Special software programs filtered the data and performed multiple checks to avoid errors, such as mistaken identity. Intelligence officers did not merely trust the machines but themselves were the man in the loop providing a human check on the files. Moreover, the computerized files on every individual terrorist had a drill down capability that would provide a data dump on that particular person, because Able Danger typically had massive amounts of data on each of its subjects.

As already demonstrated, Mohamed Atta left a long and wide paper trail, so in all likelihood Able Danger had copious files on him. Indeed, my own investigation found remnants of the Able Danger files that survived the Clinton Justice Department's ordered destruction of the files. These files indicate that Able Danger did, in fact, detect and compile copious information on Mohamed Atta.

Given the known facts about Mohamed Atta's visibility to a data mining operation prior to 9/11, and given the known facts about how Able Danger operated, it is implausible that Atta was invisible to the Able Danger team. And the allegation that they might have mistaken Atta for Atef, as suggested by some in the defense department, is obviously sheer nonsense.

The Able Danger program also supported another counterterrorism program, Stratus Ivy. The details of Stratus Ivy remain classified. But it is clear that the general purpose of Stratus Ivy was to exploit Able Danger intelligence to conduct counterterrorism operations in the field. These operations by US Army special forces were almost certainly lethal.

Therefore, the accuracy and reliability of Able Danger data was a matter of life or death. This too makes nonsense of the claim that the Able Danger team somehow mistook Mohamed Atta for someone else.

The Able Danger team were so certain that they detected Mohamed Atta and an impending Al Qaeda threat to the United States that they repeatedly tried to warn the FBI.

All of the preceding should suffice to prove that the claim is patently false that there is no evidence that Able Danger discovered Mohamed Atta. However, there is even more compelling proof that Able Danger did, in fact, detect Mohamed Atta, and could have stopped the 9/11 attacks.

The best evidence, and the only evidence any reasonable person needs, is the sworn testimony of the Able Danger team themselves. As discussed earlier, the Able Danger team comprised our best and brightest intelligence professionals waging the war on terrorism. All of the Able Danger team were deeply patriotic and dedicated their professional and personal lives to the defense of the United States. The Able Danger team held this nation's highest security clearances. They worked in a profession where the highest standards of honesty and integrity are professional job requirements, as the failure to see and report facts accurately could cost lives. The collective truthfulness of the Able Danger team is beyond question.

What then should a reasonable person conclude when four of the most senior members of the Able Danger team, including its leader, risk their careers by defying a hostile Department of Defense, and risk their reputations and the peace of their personal lives by braving a hostile media, to give sworn testimony on Able Danger? Why would these elite military and intelligence professionals, with brilliant careers behind and ahead of them, risk everything to lie that Able Danger was a lost opportunity to stop the September 11 attack? Surely, their professional and personal lives would be better served by silence. Their only possible motives for speaking out about Able Danger, for telling the truth, is that these of our best and brightest are dedicated to truth, and to love of country.

Dr. Eileen Preisser—USAF Career Intelligence

Captain Scott Phillpott—US Naval Academy Graduate/Intel Leader
Lt Col Anthony Shaffer—US Army Career Intelligence
J. D. Smith—Law Enforcement Officer
Major Erik Kleinsmith—US Army Intelligence

It is incontrovertible that Able Danger's detection of Mohamed Atta was an excellent and almost unique opportunity, rare in the annals of such historic opportunities, to prevent the catastrophes delivered upon New York and Washington on September 11, 2001.

As mentioned earlier, in an October 15, 2005, interview on *Meet the Press*, former Clinton FBI Director Louis Freeh sharply criticized the 9/11 Commission for ignoring Able Danger, as the intelligence from that program could have stopped the September 11 attacks: "On the subject of the 9/11 Commission, I'm very interested, I know the country is, in the Able Danger report. You know, we have now very honorable military officers telling the United States, Tim, that in 2000, not only had Mohamed Atta been identified by photo and name but was earmarked as an Al Qaeda operative in the United States. Apparently, this information was brought to the 9/11 Commission prior to their report. There's no reference to it. That's the kind of tactical intelligence that would make a difference in stopping a hijacking . . . we're very interested in what the 9/11 Commission didn't do in respect to Able Danger."

Ironically, the 9/11 Commission, that has been so wrongly dismissive of Able Danger, concluded in its report that if the FBI had arrested even the least important of the 9/11 terrorists, the 9/11 plot might well have been thwarted. The *9/11 Commission Report* made much of the Bush administration's alleged "failure" to investigate and arrest Zacarias Moussaoui, who came to the attention of the Minneapolis FBI on August 15, 2001, less than one month before September 11.

The report concluded that, had the FBI further investigated or arrested Zacarias Moussaoui, the September 11 attacks might have been prevented: "A maximum US effort to investigate Moussaoui . . . might have brought investigators to the core of the 9/11 plot . . . publicity about Moussaoui's arrest and a possible hijacking threat might have derailed the plot. With time . . . the investigation of Moussaoui might also have led to a breakthrough that might have disrupted the plot."

Yet Zacarias Moussaoui was the least important of the 9/11 terrorists. In fact, he did not even participate in the airliner hijackings and attacks on the World Trade Center and the Pentagon. Moussaoui's role was to serve as a substitute hijacker in case any of the terrorist team needed a replacement.

If the investigation or arrest of the relatively unimportant Zacarias Moussaoui could have stopped the terrorist attacks of September 11, the investigation or arrest of 9/11 leader Mohamed Atta would have prevented the attack, surely. Without Mohamed Atta, the 9/11 terrorist operation would have been decapitated and leaderless. If publicizing the arrest of Moussaoui might have derailed the 9/11 plot, publicizing the arrest of Atta, the 9/11 ringleader, certainly would have done so. Indeed, whether or not Atta's arrest was publicized, the disruption to the plot caused by the arrest of its leader, and the leads acquired just from his personal phone contacts, would have been sufficient to stop 9/11 dead in its tracks. New York and Washington would, with certainty, have been spared untold tragedy.

Able Danger gave just such an opportunity by identifying not only Mohamed Atta, but other 9/11 terrorists and much else about the plot. Where the Bush administration's FBI discovered Zacarias Moussaoui only twenty-six days before the September 11 attacks, the US Army tried to warn the Clinton administration's FBI about Mohamed Atta *one year* before the September 11 disaster.

Yet the Clinton administration failed to act on this golden opportunity to kill the 9/11 plot in its cradle.

To repeat, history does not lie. In spite of all the rhetoric and hysteria that attempted to undermine and destroy the identification of Mohammad Atta pre-9/11, one only has to read the words of one of America's military heroes, Major General Geoffrey Lambert, who was commander of Army Special Forces spread across the world (9,500 strong). In the 2009 *New York Times* bestseller *Horse Soldiers*, eventually turned into an award-winning Hollywood film, Tony Shaffer described Lambert's response to the attacks on the World Trade Center and the Pentagon as he sat in his office at Fort Bragg on the morning of September 11, 2001:

Lambert knew that Fifth Group's bell had been rung. It had taken him *about ten seconds* to figure out who had masterminded the attacks, and who had carried them out. For the past several years, he had observed a top-secret intelligence program called data mining that had identified one man, an Egyptian by the name of Mohamed Atta, as a terrorist with links to a Saudi named bin Laden, who was a financier of terrorist training camps for men like the Egyptian. Months earlier, the people involved in the program had tried telling the FBI what they had discovered. . . .

CHAPTER 12

LEADERSHIP FAILURE

The order to destroy Able Danger, the order that threw away a golden opportunity to stop the 9/11 attack, may have been motivated by presidential politics.

The Bush Administration

Soon after President George W. Bush took office in January 2001, I met with incoming Bush administration officials to promote the idea of a national intelligence collaborative center, like NOAH, and to promote the work of the US Army's Information Dominance Center, the home of Able Danger. At this time, I still had not heard the project name "Able Danger" and did not know the specific details of the project's great intelligence coup against Al Qaeda. Able Danger's detection of Mohamed Atta and so much else about the 9/11 plot, which actionable intelligence was very closely protected. However, I was aware that the Information Dominance Center was applying its data mining operations against terrorism and achieving great success, just as it had against WMD proliferation by Russia, US technology leaks to China, drug cartels, and other intelligence targets.

Steve Cooper was one of the new members of the Bush administration who I talked to about NOAH and about the great opportunity to revolutionize intelligence by having other agencies follow the lead of the US Army's Information Dominance Center. Steve had been the chief

information officer for Dow Corning. President Bush brought him into his administration to look at how to integrate data systems across the US government.

Steve Cooper and other incoming Bush administration officials were positively disposed to my suggestions when I met with them. From January into March 2001, Tony Shaffer, then a major, briefed senior members of the new Bush administration on the work of the Information Dominance Center, Stratus Ivy, and Able Danger. Major Shaffer received a positive response, as he later testified to Congress on February 15, 2006:

DCI [Director of Central Intelligence] George Tenet, during this briefing, the DCI approved our conduct of this special project—I did specifically mention the Able Danger effort to him regarding the use of its methodology to separate out "US Persons" issues. Chairman of the Joint Chiefs of Staff Hugh Shelton . . . approved the project. His comment was, "The people of this country think we are doing things like this. We should be doing things like this." Director of the Joint Staff, Lieutenant General Peter Pace . . . was briefed, seemed impressed, and supported the project. He did not seem to be aware of Able Danger when I mentioned the name of the project as part of the briefing. Mark Garlasco and I were directed to brief the National Security Council (NSC) on the operation on two separate occasions.

Despite the advent of new leadership with the Bush administration, it was already too late to save Able Danger. Unknown to me, behind the scenes in the intelligence community, and because of earlier actions under the Clinton administration, by the time of the Bush administration, Able Danger was already fatally stricken by its enemies. The Clinton administration intelligence community, Justice Department, perhaps with the knowledge President Clinton himself, had already destroyed the technological heart of Able Danger, and silenced its warning that could have thwarted the 9/11 terrorists. Senior intelligence community officials, who were part of the

permanent bureaucracy, including many holdovers from the Clinton administration, also advised the new leadership not to pursue a national intelligence collaborative center, and not to revolutionize intelligence by following the example of the Information Dominance Center.

The Clinton Administration

Why did the Clinton administration fail to act on Able Danger's warning about Mohamed Atta and the terror network that would wreak havoc on New York and Washington and kill three thousand Americans?

The immediate cause of the warning failure seems appallingly petty. It concerned the definition by the Clinton administration's Justice Department of the legal phrase "US persons." Justice Department regulations defining US persons were and are confusing, and can be interpreted broadly by bureaucrats to include, not just US citizens, but aliens of varying legal status located within the United States. Justice Department regulations prohibit US intelligence operations aimed at foreign enemies, like Able Danger, from passing on information about a US person to domestic law enforcement agencies, like the FBI.

The Able Danger team, Major Shaffer in particular, tried repeatedly to meet with the FBI, in order to warn about Mohamed Atta and the Al Qaeda network inside the United States These meetings were repeatedly prevented, to the chagrin and puzzlement of Major Shaffer, who was kept in the dark about why the meetings were canceled and who was canceling them. The meetings were being canceled by US government lawyers fearful that a warning from Able Danger to the FBI would violate the prohibition on sharing information about US persons.

The still dangerously bewildering definition of US persons was well illustrated on September 21, 2005, in a hearing before the Senate Judiciary Committee. The topic "US persons" was a known subject of the hearing. Four years after the 9/11 attacks, Mr. William Dugan, the assistant to the

secretary of defense for Intelligence Oversight, still seemed uncertain whether or not 9/11 terrorist Mohamed Atta was protected by the US persons clause:

SENATOR SPECTER: Mr. Dugan, Mohamed Atta was not a US person was he?
DUGAN: Based on what I've read in the press, since September 11, 2001, I don't believe he was. He wasn't a permanent resident alien. He wasn't a US citizen. He wasn't in any of the other categories. He wasn't in the country lawfully. For instance, a student visa or a tourist visa, that is not the same thing as a permanent resident alien. So the . . .
SENATOR SPECTER: Mr. Dugan, you're the acting Assistant Secretary of Defense for Intelligence Oversight. Can't you give us a more definitive answer to a very direct and simple question like: "Was Mohamed Atta a 'U.S. Person'?"

More important than the US person conundrum to the warning failure that allowed the 9/11 tragedy to happen, was the intelligence community's hostility to the Able Danger project, especially CIA and DIA. Intelligence Community bureaucrats reacted to the success of the US Army's Able Danger program with jealousy and fear. As shall be detailed later, they did everything in their power to undermine Able Danger. The US persons issue was probably not a reason, but an excuse, for still unknown authorities within the Clinton administration to order the destruction of the Able Danger database.

The most important cause of the warning failure that resulted in 9/11 was a failure in leadership by the Clinton administration, and by President Clinton himself. President Clinton and his hand-picked national security experts, even after experiencing eight years of escalating terror attacks, failed to understand that Islamic terrorists had declared war on the United States. Even after the first World Trade Center bombing, after the bombing

of the US barracks at Khobar Towers, after the bombing of US embassies in Africa, and after the bombing of the USS *Cole*, President Clinton and his team failed to grasp that this was a real war, and that the United States was seriously at risk.

President Clinton and his administration were blind to the Al Qaeda threat, blind to the opportunity represented by the Able Danger project, and blind to the consequences of imposing dysfunctional Justice Department regulations on Able Danger. And President Clinton and his administration's role in obstructing warning of the 9/11 plot, and in destroying the Able Danger program, may well be more direct than the preceding implies, and more sinister.

In their investigative hearings on the Able Danger affair, US Congress found that the Clinton administration had misapplied the US person rule to Able Danger. The Able Danger team could legally have warned the FBI about Mohamed Atta, and should not have been prevented from doing so. The Able Danger database was not in violation of the US persons rule, and should not have been destroyed. It strains credulity that these were honest mistakes. Most disturbingly, it is known that the order to destroy Able Danger came from some powerful, high authority in the Clinton administration. The identity of that authority is one of the unsolved mysteries of the Able Danger affair.

Understanding the failure of the US Government to prevent the 9/11 catastrophe has long been a legitimate focus of concern for the American people. Unfortunately, the 9/11 Commission, though constituted to provide the definitive answer about 9/11, failed in its purpose because it deliberately ignored the Able Danger affair.

What follows is the missing history of why 9/11 happened, the heart of the matter about why the US Government failed to prevent the September 11 nightmare. As these events are so central to the 9/11 tragedy, and of such historical significance, I thought it best to avoid paraphrasing as much as

possible, and let Able Danger team members Major Erik Kleinsmith and Major Shaffer speak for themselves, in their own words, about the destruction of Able Danger.

Erasing the Able Danger Database

Major Erik Kleinsmith managed the supercomputers and databases that supported the Able Danger program. In May 2000, a Clinton administration official ordered Major Kleinsmith to erase the Able Danger database, which contained information on Al Qaeda equivalent to one-quarter the Library of Congress and all the data on Mohamed Atta and the network of 9/11 terrorists within the United States. He destroyed the Able Danger files personally.

In testimony to the House Armed Services Committee on February 15, 2006, Kleinsmith described his role at the US Army's Information Dominance Center, at the Land Information Warfare Activity (LIWA), about one year prior to the terror attacks of September 11, 2001:

I was Chief of Intelligence of that organization, in charge of twenty-four personnel, including officers, soldiers, and civilian intelligence analysts. My branch's primary mission was to provide intelligence support to LIWA for information operations that included Army and joint deception, psychological, and information security operations. To do this, my branch conducted analysis on a wide array of threats ranging from foreign-based hacker groups to terrorist networks and other asymmetric threats.

At the same hearing, Kleinsmith noted that soon after its beginning, Able Danger met with rapid success collecting intelligence against Al Qaeda:

Coordination for our support to SOCOM's [Special Operations Command's] Able Danger project began in December of 1999. After an assessment of our capabilities compared to other intelligence organizations,

SOCOM requested our support in January of 2000. By February we were conducting massive data mining and analysis of Al Qaeda and other terrorist groups associated with that network.

On the question of Mohamed Atta, Kleinsmith said in his February 15, 2006, testimony that he did not remember identifying Atta specifically, because "hundreds" of terrorists were identified. He observed that "the more important point" was that Able Danger discovered that Al Qaeda had "a surprisingly large presence in the United States":

One of the pivotal questions that has come up since 9/11 is whether or not Mohamed Atta or any of the other hijackers were identified by the infamous chart produced during this time. I reiterate my answer that I gave to the Senate Judiciary Committee that I do not remember seeing Mohamed Atta's name or face on the single specific chart that I delivered to Steve Hadley. The more important point is that our team was tracking hundreds of names and creating dozens of charts for SOCOM. And while most of these charts contained information and intelligence that needed further analytical vetting, we were still able to identify a significant worldwide footprint with a surprisingly large presence within the United States.

Kleinsmith does not personally remember identifying Mohamed Atta by face. But, based on firsthand knowledge of their character and credibility, he did support the testimony of others on the Able Danger team who remembered identifying Mohamed Atta. During testimony before the Senate Judiciary Committee, on September 21, 2005, Kleinsmith said that he believed Mohamed Atta was identified by the Able Danger team:

SENATOR SPECTER: Are you in a position to evaluate the credibility of a Captain Phillpott, of Colonel Shaffer, Mr. Westphal, Ms. Preisser, Mr. J. D.

Smith, as to their credibility, when they say they saw Mohamed Atta on the chart?
KLEINSMITH: Yes, sir. I believe them implicitly, from the time that I worked with all of them, and everyone you had mentioned was part, and I had contact with at this time.
SPECTER: You had contact with all of them?
KLEINSMITH: Yes, sir. I cannot corroborate them completely and say that, yes, they saw it, because I myself do not remember seeing either a picture or his name on the charts. But I believe them implicitly. When they say they do, I believe them.

Sometime around May 2000, just as Able Danger achieved its intelligence coup against Al Qaeda, Major Kleinsmith received a mysterious order to halt the Able Danger project, described in his testimony to the House Armed Services Committee at the hearing of February 15, 2006:

In the middle of our preliminary analysis of the [Able Danger] data, we were ordered to cease our support to SOCOM due to what we were told were intelligence oversight concerns. While I received the order through my chain of command, we knew that the order came from somewhere in the Pentagon. Even today, neither I, nor any of the other team members I have spoken with, can say exactly where the order originated. This order, along with a subsequent six month struggle for LIWA and INSCOM to get permission to restart our work was a huge source of frustration felt by both our team and our SOCOM contacts. SOCOM finally grew so impatient with our inability to overcome our work stoppage that they decided to move their analytical operation to Garland, Texas, and continue their own efforts without our support.

Then the axe fell, and Major Kleinsmith was ordered to destroy the Able Danger database:

It was during this work stoppage around May 2000 that I was required to delete all of the raw information, data, and products that we had collected and developed during our support of Able Danger. I was required to do this to comply with intelligence oversight regulations covering incidental collection of data on US persons. These regulations dictated that information on US persons could be held for only ninety days without a further determination of the validity of the information. In using data mining tools, we had to assume that there was information on US persons throughout all of our datasets. Since we were barred from working with any of the data for either analysis or vetting of US persons, it all had to go when the ninety days were up.

Major Kleinsmith, understanding that the order to destroy the Able Danger data base was an intelligence catastrophe, deliberately delayed as long as possible carrying out the order to "delete" Able Danger. "I would wait until the very last day in hopes that we would be able to restart our [Able Danger] mission again," Kleinsmith told the House Armed Services Committee.

Kleinsmith described in some detail his destruction of the Able Danger database, a moment seared in his memory, to the Senate Judiciary Committee in his testimony on September 21, 2005. His testimony indicates that Pentagon lawyers forced Major Kleinsmith to erase the Able Danger database, because of concern over violating Clinton Justice Department regulations protecting US persons:

SENATOR SPECTER: . . . Mr. Kleinsmith, what knowledge, if any, do you have about the allegation of destruction of documents?
KLEINSMITH: The allegation of the destruction of documents is correct. I am the one who deleted all of the documentation that we had gathered at the IDC [Information Dominance Center].
SPECTER: And you deleted the data?

KLEINSMITH: Yes, sir.
SPECTER: Precisely, what do you mean by that?
KLEINSMITH: We had collected data from all of our different harvests, and we had two different data sets. So we had an unclassified or Internet poll that we had done. We also had what we term as "all source," and this is data that was combined together from both classified and unclassified sources. We also had printouts of charts that we had produced . . . as well as one chart or two that Orion Scientific had provided to us, but we had already gone beyond their analysis. So both soft copy and hard copy was deleted and destroyed.
SPECTER: Well, what kind of information was deleted?
KLEINSMITH: Everything. Everything that we had.
SPECTER: What was the essential substance of it?
KLEINSMITH: We had done internet polls related to a preliminary analysis of Able Danger, and what I mean by that is we were trying to get a worldwide perspective of exactly where this organization functioned and operated just as a start, and that was in terms of Al Qaeda. . . .
SPECTRE: And when was that information deleted?
KLEINSMITH: I deleted that data roughly May, June timeframe of 2000.
SPECTRE: May, June 2000. And did somebody instruct you to delete the information?
KLEINSMITH: We were visited by INSCOM's General Counsel, and the man was named Tony Gentry. But he was only there ten days prior to remind me of the intelligence regulation that we were operating under, and the intelligence oversight regulation we referred to was Army Regulation 381-10. And in that . . . we are allowed to, under procedure 3, allows us to temporarily retain information about "United States Persons"—may be retained temporarily for a period not to exceed ninety days, solely for the purpose of determining whether that information may be permanently retained under the other procedures. So that while we were shut down, we

were unable to do any further analysis, vetting of data or investigation into the data that we had polled. Because of that, the ninety-day mark had hit and he came down to remind me again, and it was more of a friendly visit and not an adversarial visit, and that was when he told me jokingly, "Remember, delete this data, or you guys will go to jail." . . . So we deleted the data and destroyed the charts.

Major Kleinsmith deeply regretted destroying the Able Danger data and understood, as the joking Pentagon lawyers obviously did not, the gravity of this act. Interestingly, his superior officers, Major General Lambert and Colonel Worthington, were unaware—until too late—that he had been ordered to destroy the Able Danger database. Major General Lambert was "livid" when he found out, and publicly berated Major Kleinsmith for following orders when they met by accident in the middle of an airport. Kleinsmith described the incident in his February 15, 2006, testimony before the House Armed Services Committee:

I happened to be going through the Dallas airport en route to Fort Huachuca to teach a class, and had run into Major General Lambert and Colonel Worthington, who was Commander Phillpott's boss at the time. And he was quite understandably livid when they had learned—and I had informed them that we had destroyed the data, not them personally, but through Commander Phillpott. But he was understandably very upset that we had to do this. And I received, in good old-fashioned terms, a good military butt chewing . . . right there in the airport. But I completely understood his upset. And again, I sympathize with him not because we lost the data. We could have done the harvest again. We could have recreated some of those databases. . . . What was upsetting to us the most was that we had destroyed the work that we had done. And so the particular places in the US, it wasn't guaranteed that we would find those again. That was the hard part of telling

him that we had lost any kind of support that we had done. We would be back to square one if we started up.

Subsequent investigation by the US Congress of the US persons regulation found that the law did not, in fact, require erasure of the Able Danger data. Speaking before the Senate Judiciary Committee on September 21, 2005, William Dugan, the Assistant to the Secretary of Defense for Intelligence Oversight, noted that the US persons regulation had "13 categories, I won't list them all . . . but the ones most likely to be used in the war on terrorism are information obtained with consent, publicly available information, foreign intelligence, counterintelligence and threats to safety from international terrorist organizations" that allowed the collection, retention, and dissemination of intelligence on US persons. In destroying Able Danger, the Pentagon lawyers, or whoever was ultimately responsible, got the law wrong.

Speak No Evil

Major Tony Shaffer personally witnessed the failure to pass Able Danger's warnings about Mohamed Atta, other 9/11 terrorists, and the Al Qaeda network in the United States to the FBI. As chief of Stratus Ivy, Major Shaffer was responsible for utilizing Able Danger intelligence in counterintelligence operations to disrupt and destroy terrorist plots.

When Able Danger discovered Mohamed Atta and the Al Qaeda network in the United States, it was Major Shaffer's job to provide this information to the FBI. He tried repeatedly to meet with the FBI, but was prevented from warning FBI agents about Mohamed Atta, because his several scheduled meetings were canceled by government lawyers.

The ultimate cancellation of warning to the FBI about Mohamed Atta occurred when the Able Danger project was abruptly terminated. Major Shaffer witnessed firsthand the silencing and destruction of Able Danger by

intelligence community bureaucrats who opposed the program. On February 15, 2006, in testimony before the House Armed Services Committee of the US Congress, Shaffer, now a lieutenant colonel, bravely named names of the culprits in the intelligence and defense bureaucracies who undermined Able Danger and silenced the warnings that could have prevented the 9/11 attack:

We face two enemies at this point—the first, Al Qaeda—insidious and adaptive—but vulnerable and flawed—tied to a tenth–century philosophy of life and warfare. . . . The second, a more vexing and implacable enemy that is our own "bureaucracy"—where career bureaucrats, who are more concerned about self-aggrandizement and advancement, who gamble with the security of future generations Through these bureaucrats' collective actions, both in the initial Able Danger failure and their current cover-up and obfuscation of Able Danger, they continue to wager our children's future. . . . As one of the reports in the press commented regarding this story, there are "bad guys" who were not held accountable for their failures. There were those who were fearful of what we were doing, who played politics and short-changed the nation in both their duty and loyalty to the country, and in the end put their career ahead of doing the right thing.

Among the "bad guys" who destroyed Able Danger, and failed the nation on 9/11, according to Lieutenant Colonel Shaffer, was Mr. William Huntington of the DIA:

Mr. William Huntington, who was promoted to serve as the deputy director of the Defense Intelligence Agency, who after becoming the deputy director of HUMINT [Human Intelligence] in . . . early 2001 . . . passed the buck. When I attempted to brief him on the . . . Able Danger methodology . . . to sort through and separate US person information from foreign intelligence information, refused to hear the briefing, announcing that "I can't be here. I

can't see this," as he left his office and refused to return. . . . By doing this, he could later feign ignorance of the project should it have been compromised to the public. It is my belief that he is an example of the cultural problem—senior bureaucrats who are more focused on their own career and having "plausible deniability" to never allow anything "controversial or risky" to touch them . . . . I have direct knowledge of two officers—one a senior DOD civilian, the other a senior active duty military officer—both former members of Defense HUMINT—that Mr. Huntington directed to lie to Congress to conceal the true scope and nature of problems within Defense HUMINT.

Lieutenant General Bob Noonan:

Lieutenant General Bob Noonan, the commander of the US Army Intelligence and Security Command (INSCOM) in 1999 and 2000, who became the Army's G2/deputy chief of staff for intelligence . . . in 2001. Though initially in favor of LIWA participating in sensitive operations such as Able Danger, chose in 2000 to protect his promotion to lieutenant general rather than protect both the LIWA support to, and data created for, SOCOM and the Able Danger project.

Major General Rod Isler:

Major General Rod Isler . . . deputy director for Operations overseeing Defense HUMINT in the spring of 2001, who opposed every sensitive operation that my unit, Stratus Ivy, was conducting for DOD and other US government agencies. In a spring 2001 confrontation over several controversial, cutting edge, operations, to include one . . . to seek out information on a specific classified target . . . Major General Isler ordered Status Ivy and me to "cease all support" to Able Danger in the February

2001 timeframe. At the point of near insubordination, I fought the decision —this action cost me my job as chief of Stratus Ivy.

Colonel Mary Moffitt:

Colonel Mary Moffitt . . . who dismantled the Defense HUMINT support to Able Danger just months before the 9/11 attacks. Colonel Moffitt became focused on shutting down our support to Able Danger under the guise of "reorganization" and in the end, disestablished Stratus Ivy and its cutting edge focus.

And Mr. Robert Giesler:

A senior DOD officer, Mr. Robert Giesler, who was in charge of a classified DOD element . . . whose behind the scenes opposition to the project resulted in widespread difficulties with senior DOD leadership on this and related initiatives. In essence, this Mr. Giesler's . . . attitude was the "not invented here" syndrome—if he or his folks did not think of it or control it, it was not worthwhile. At one point, when Stratus Ivy had to reduce direct support to his unit in favor of supporting the Able Danger effort, Mr. Giesler accused me of being "like Kelly"—the Clint Eastwood character in the movie *Kelly's Heroes*—and that I had "hijacked" DOD capabilities for my own personal effort. He felt we had no business to be targeting Al Qaeda as "they will never attack us here."

At the same hearing, Lieutenant Colonel Shaffer recounted how he was prevented from warning the FBI about Mohamed Atta, and how the termination of Able Danger silenced any possible warning of the impending 9/11 attacks. Able Danger suffered a death by a thousand cuts beginning with legal prohibitions on intelligence collection and analysis imposed by the US persons rule, that were misapplied, or deliberately concocted, to

cripple the Able Danger program. The quotes that follow are all from Lieutenant Colonel Shaffer's testimony before the House Armed Services Committee on February 15, 2006:

In the late January early February 2000 timeframe, when SOCOM lawyers review the [Able Danger] data, all information relating to [Mohamed] Atta, and the other terrorists that are identified as working and living in the US, or have connections to US persons become "off limits" due to their US person status. The Able Danger team members, according to Captain Phillpott, are restricted from review, use or exploitation of the information because of their (SOCOM lawyer's) policy that we could not use US person information . . . I witness this effect directly through my repeated reserve tours with Able Danger and did see one of the original runs of LIWA information charts that had a quadrant of "yellow stickies" that covered the faces of individuals whom the SOCOM lawyers had determined were "off limits" to the Able Danger effort.

Rivalry between intelligence agencies was another contributing factor to the destruction of Able Danger that silenced its warning about the 9/11 plot. Lieutenant Colonel Shaffer personally witnessed his own agency, the Defense Intelligence Agency, undermine the US Army's Able Danger project because of institutional jealousy:

February to March 2000, I am invited to attend a briefing of Major General Lambert, SOCOM J3 and Colonel Riley, the first chief of the Able Danger effort, to Mr. Jerry Clark . . . Deputy Director of DIA. During the briefing, I am frequently asked by Major General Lambert to "fill in details" that Colonel Riley was not able to provide. At the end of the briefing Jerry Clark comments afterward that I, "Seemed to know a great deal about Able Danger." I confirmed to him that I had been working directly with SOCOM in Tampa as a reservist on the project. At the conclusion of the briefing, and

when the SOCOM officers leave the room, Mr. Clark gives guidance to the DIA officers present, especially the DIA senior executive in charge of information technology, to drag their feet and slow down the process of providing both infrastructure . . . and data to the SOCOM effort as he did not see the need to "share" DIA's best resources. It was clear that DIA, my own organization, did not want to provide all the support necessary to preclude SOCOM getting ahead of DIA's analytical effort on the Al Qaeda target.

April 2000. After the Able Danger project picked up momentum and looked to become a success, Mr. Art Zuelike, SIS, chief of the Transnational Warfare Directorate of DIA . . . calls me in and "demands" that my unit, Stratus Ivy, give up primacy on the DIA role in support of Able Danger, and we subordinate our role under his Transnational Counterterrorism Division [that] I "read-in" to the Able Danger effort in an earlier briefing. With permission of the Directorate of Operations (Major General Harding), I refuse his request. Mr. Zuelike then begins to withdraw his support for the effort, choosing instead to "create his own"—secretly. We (SOCOM and I) find out later that he sends . . . one of his analysts . . . to spy on SOCOM at the Garland, Texas, site to learn the methodology so that they could recreate their own effort in the DC area.

Major Shaffer also witnessed how Pentagon lawyers shut down Able Danger over the US persons issue. General Schoomaker, head of Special Operations Command, tried desperately to save Able Danger. General Schoomaker secretly established a parallel Able Danger project away from Washington, DC, where he hoped it could operate free from absurd interpretations of the US persons rule, in Garland, Texas:

April-May 2000. Army [Information Dominance Center] gets cold feet due to "oversight" on US person issues. despite a "personal for" message from General Schoomaker, Commander of SOCOM, to General Shinseki, Chief

of Staff of the Army, to allow LIWA/IDC to continue to support the Able Danger effort, the message is never answered, and Army lawyers (in particular, Tom Taylor . . .) effectively shuts down all Army support. General Schoomaker directs the establishment of a replica of the [Able Danger] technology-at a classified location [in Garland, Texas].

Nonetheless, despite General Schoomaker's best efforts to protect Able Danger from the lawyers, Major Shaffer continued to personally witness numerous acts of sabotage against the highly successful project by jealous bureaucrats:

June 2000. At the request of SOCOM . . . with the permission of DIA/Directorate of Operations leadership, I approach Major General Noonan, Commander of Army Intelligence and Security Command (INSCOM) to request that Dr. Eileen Preisser be attached to my unit, Stratus Ivy, so that she could continue to support Able Danger. This request is denied—I am told later, privately, that Major General Noonan felt that by trying to take Dr. Preisser that I was trying to "steal his capability"!

August 2000. DIA's Directorate of Intelligence (DI) refuses at first to provide SOCOM 100 percent of all DIA information. Eventually, the DI gives in, but forces the DO to "pick up and sign for" the DIA information. The DIA/DI provides the information in an "un-useable" format—but due to an experienced Raytheon programmer being assigned, she is able to create an algorithm that corrects the problem. It is believed that DIA provided the data in un-useable form intentionally.

The endless harassment of Able Danger ultimately had fatal consequences for the nation. Major Shaffer personally was assigned the task of arranging a meeting so that intelligence on Mohamed Atta, other 9/11 terrorists, and the Al Qaeda network in the United States discovered by Able Danger could be passed to the FBI for action. Major Shaffer tried three times to warn the

FBI, but every meeting was canceled. He later learned that government lawyers canceled the meetings because of concerns over the US persons rule:

Late Spring/Early Summer 2000. Based on my unit's enhanced relationship with the FBI, I set up three separate meetings between SOCOM (Colonel Worthington, the then Able Danger chief) and FBI Counterterrorism Special Agents in Washington, DC.

SOCOM cancels all three meetings—reason: SOCOM lawyers would not permit the sharing of the US person information regarding terrorists located domestically due to "fear of potential blowback" should the FBI do something with the information and something go wrong. The lawyers were worried about another "Waco" situation. *The critical Counterterrorism information is never passed from SOCOM to the FBI before 9/11. This information did include the original data regarding Atta and the terrorist cells in the New York and DC area.* [Emphasis added.]

Despite all the efforts to undermine Able Danger, the project was still waging a successful intelligence war against Al Qaeda as late as the autumn of 2000. General Schoomaker's retirement in October 2000, however, deprived the project of its strongest champion and protector, with disastrous consequences. As Lieutenant Colonel Shaffer testified to the House Armed Services Committee on February 15, 2006:

September to October 2000. The Able Danger effort is established and up and running. General Schoomaker retires in October 2000, to be replaced by Air Force General Holland. General Holland, in my judgment, did not understand the concept, and orders the effort (December 2000) to terminate its activities in Garland, Texas, and for the personnel to return to Tampa. There he directs the Able Danger effort to become a J2/Intelligence effort

and the Special Operations Joint Intelligence Center (SOJIC) is created in its place.

January-March 2001. DIA is requested to provide updated information for the effort to be re-established in Tampa. DIA begins to drag its feet across the board with the departure of Lieutenant General Hughes, Major General Harding, and Colonel York. Stratus Ivy is prohibited by DIA/DO's new leadership, Major General Isler, from participating in the NSA and DIA data transfer [to Able Danger] . . .

2001 spring. The Special Operations Joint Integration Center (SOJIC) is created—watered down by MITRE contractors. The teeth and operational focus [of Able Danger] were removed and the capability to do the complex data mining and mission planning support . . . is eliminated.

In May 2001, Commander Scott Phillpott, chief of the Able Danger program, made a last desperate effort to save his beleaguered project by appealing to Major Shaffer for help.

May 2001. Scott Phillpott calls me in desperation in the May 2001 timeframe on my mobile phone. He asked if he can bring "the Able Danger options" that Able Danger had come up with to DC and to use one of my Stratus Ivy facilities to do the work. I tell him with all candor that I would love nothing better than to loan him my facility and work the options with him (to exploit them for both intelligence potential and for actual offensive operations) but tell him that my DIA chain of command has directed me to stop all support to him and the [Able Danger] project.

Lieutenant Colonel Shaffer concludes his history of Able Danger's death by a thousand cuts with the project's last gasp in May 2001: "In good faith, I ask my boss, Colonel Mary Moffitt, if I can help Scott [Phillpott] . . . and that there would be a DIA quid pro quo of obtaining new 'lead' information from the [Able Danger] project. She takes offense at me even mentioning

Able Danger . . . tells me that I am being insubordinate, and begins the process of removing me from my position as chief of Stratus Ivy. As a direct result of this conversation, she directs that I be 'moved' to a desk officer position to oversee Defense HUMINT operations in Latin America."

Four months later, Mohamed Atta led his Al Qaeda terrorists in attacks against New York and Washington on September 11, 2001.

See No Evil

From the perspective of the Able Danger team, comprised of mid-level officers like Major Tony Shaffer and Major Erik Kleinsmith, all of the harassment and sabotage against their project was being carried out by Pentagon lawyers and by generals and senior bureaucrats in rival intelligence programs and agencies. These were the actors visible to them, people who they personally witnessed undermine and then destroy Able Danger. Of necessity, the congressional testimony of Kleinsmith and Lieutenant Colonel Shaffer focused entirely on the culprits known to them through direct personal knowledge. Shaffer, Kleinsmith, and others of the Able Danger team did not witness, and could not for the purposes of testimony affirm or deny to the US Congress, that the hostile actors in their workaday world were following orders from higher authorities outside the Pentagon, perhaps in the Justice Department, or in the White House.

However, the testimony of Kleinsmith and Shaffer does contain tantalizing clues that the destruction of Able Danger, which inadvertently silenced its warning about Mohamed Atta and 9/11 plot, was orchestrated by authorities above the view of the Able Danger team—authorities high in the Clinton administration.

For example, Kleinsmith testified that the order to cease support to Special Operations Command and to destroy the Able Danger database came from some unknown actor high in the Pentagon. Kleinsmith: "While I received the order through my chain of command, we knew that the order

came from somewhere in the Pentagon. Even today, neither I nor any of the other team members I have spoken with, can say exactly where the order originated." Whoever this mysterious actor was, he obviously had greater authority than Special Operations Command. It seems strange that an order of such gravity, that crippled and then destroyed Able Danger, would be accepted by Able Danger's high-ranking patrons, like General Schoomaker, Commander of SOCOM, without being able to ascertain the order's point of origin.

Another clue to the identity of the mysterious actor who ordered the destruction of Able Danger is in Lieutenant Colonel Shaffer's testimony that General Schoomaker made a written personal appeal to save Able Danger to the chief of staff of the Army, General Shinseki, only to be ignored. Senior generals normally support one another enthusiastically. Indeed, a written personal request would normally be pro forma to a virtually guaranteed positive response, or the request would not be made in the first place. That a personal request from the commander of SOCOM to the US Army chief of staff would go unanswered is astonishing.

One can infer from the preceding that the culprit ultimately responsible for the destruction of Able Danger outranked General Shinseki. This inference is reinforced by General Schoomaker's decision, also described in Lieutenant Colonel Shaffer's testimony, to quietly create another Able Danger program in Garland, Texas, hidden from the malefactors in Washington. It is highly unlikely that General Schoomaker would create a new Able Danger project entirely on his own authority, without the knowledge and consent of his boss, General Shinseki. This suggests that the commander of SOCOM and the chief of the US Army were both trying to save Able Danger, but could only do so clandestinely, because they could not overrule their Washington adversary.

Therefore, the person ultimately responsible for destroying Able Danger was not a Pentagon lawyer. The chief of staff of the US Army and the

commander of SOCOM are not in the habit of running and hiding from Pentagon lawyers. General Schoomaker and General Shinseki, independently and certainly together, had the power to crush any cabal of lawyers in the Pentagon.

Yet another clue about the malefactor who destroyed Able Danger is in the proximate cause for terminating the program, the notorious US persons rationale. Kleinsmith, Shaffer, and all the Able Danger team always come back to this, that Pentagon lawyers supposedly stopped the program because of legal concerns that rules against collecting intelligence on US persons were being violated.

It is strange that Pentagon lawyers would be so concerned about Able Danger's alleged violation of the US persons rule, which ordinarily would be far off their radar screens. Normally, the legal staff of the Department of Defense is preoccupied with administering military justice, conducting thousands of trials every year, and ensuring DOD compliance with numerous federal regulations, the Environmental Protection Agency being one of their toughest adversaries. Especially in the aftermath of the killing of US servicemen at Khobar Towers and the bombing of the USS *Cole*, why would Pentagon lawyers, of all people, object to Able Danger, the Pentagon's single most successful intelligence operation against Al Qaeda? Indeed, it is normally the job of Pentagon lawyers to legally defend such programs from objections that others may raise. Nor has it ever been adequately explained how the DOD legal staff became aware of Able Danger, as the program was so highly classified that many participants did not even know its name or fully understand the purpose of the black program that they only knew as "The Project."

On the other hand, the Clinton administration's Department of Justice cared passionately about enforcing the US persons rule.

The Clinton administration came to power with a different ideological perspective on terrorism than previous administrations. The administration

viewed terrorism as primarily a problem for law enforcement, and not primarily as a military threat. Moreover, President Clinton and most of his chief advisors, who regarded with great disdain CIA and FBI transgressions against the civil rights movement of the 1960s, were determined that US civil rights would not again be trammeled, this time by the CIA's and DOD's pursuit of terrorists.

Accordingly, the Clinton Justice Department avidly reinforced the firewall separating the activities of US law enforcement agencies, like the FBI, from US foreign intelligence agencies, like the CIA and DOD, to strengthen the civil rights protections of American citizens. The US persons rule, that broadly defined a US person to include non-citizens, was intended to increase the protection of US citizens from unwarranted spying by creating a wide buffer zone of prohibited activity around US citizens and their non-citizen associates.

Thus, the US persons rule was one of the primary legal instruments of the Clinton Justice Department to protect civil rights from violation by US intelligence agency counterterrorism operations. As the US persons rule became the proximate cause for the destruction of Able Danger, this points toward the Clinton Justice Department as the culprit, or as one of the higher culprits, who threw away the opportunity to stop the 9/11 attacks.

Another outstanding fact points toward the Clinton Justice Department. Lieutenant Colonel Shaffer's testimony notes that the Pentagon lawyers did not want Able Danger's warning about Mohamed Atta and the Al Qaeda plot passed to the FBI because they feared "another Waco." Shaffer: "SOCOM lawyers would not permit the sharing of the 'U.S. Persons' information regarding terrorists located domestically due to 'fear of potential blowback' should the FBI do something with the information and something go wrong. The lawyers were worried about another 'Waco.'"

Why would Pentagon lawyers fear another Waco? The 1993 police operation in Waco, Texas against the Branch Davidians religious cult, an

operation that went awry and burned to death a number of children, was not a Department of Defense operation. The Waco affair became a political black eye for the Clinton administration. But it is not the job of DOD legal staff to second-guess what another department or agency might do with intelligence originated from DOD, and especially not to speculate about the political consequences. For Pentagon lawyers, the question of intelligence sharing with the FBI should and would be a narrow legal question. Yet their chief concern was political, "another Waco."

The Waco operation, a massive political embarrassment to President Clinton, was led and directed by Attorney General Janet Reno, the head of Clinton's Department of Justice. The fact that fear of another Waco was the given reason for stopping Able Danger warning to the FBI is another indicator that Clinton's Justice Department also interfered with Able Danger, and so facilitated the catastrophe of September 11.

The Justice Department almost certainly provided the means to destroy Able Danger through misapplication of the US persons rule. However, the person ultimately responsible for ordering the destruction of Able Danger probably was not located in the Department of Justice. Recent new evidence points higher, to the National Security Council, in the White House.

During the transition from the Clinton administration to the Bush administration, President Clinton's "terrorism czar," Richard A. Clarke, drafted a memo for President Bush's national security advisor, Condoleezza Rice, advising the new presidential administration on the threat posed by Al Qaeda. The sensitive memo, leaked to the press in April 2006, was drafted by Clarke and reviewed by top officials of the Clinton National Security Council in January 2001, just a few months after the end of the Clinton administration.

The Clarke memo is important because it reflects the views of President Clinton's National Security Council experts, and by inference the views of

President Clinton himself, on the Al Qaeda threat.

The Clarke memo, dated January 25, 2001, is entitled "Presidential Policy Initiative/Review—The *Al Qida* [sic] Network." From the perspective of a post-9/11 world, the memo starts off well, describing Al Qaeda as a serious potential threat to United States overseas interests. But then the memo, without acknowledging any error or mistake, in effect admits that during its eight years in power the Clinton administration neglected to do anything about the Al Qaeda threat. The memo tries to excuse this lassitude by suggesting it is appropriate that major policy decisions about Al Qaeda "were deferred to the Bush administration."

Next, the memo implies that the Bush administration might want to follow the Clinton administration's example and "not be forced into knee jerk responses" against Al Qaeda. The memo acknowledges that Al Qaeda attacked the USS *Cole*, that the Clinton administration did not retaliate, and counsels the Bush administration to delay retaliation until "a time, place, and manner of our own choosing."

Finally, the memo suggests that Al Qaeda might not be such a serious threat after all. President Clinton's terrorism czar counseled the Bush administration to assess whether "the *Al Qida* [sic] network poses a first order threat to US interests in a number of regions, or is this analysis a 'chicken little' over reaching and can we proceed without major new initiatives and by handling this issue in a more routine manner?"

The Clarke memo indicates that the Clinton administration did not really see Al Qaeda as a serious threat to the United States, or at least not an imminent threat that demanded immediate and extraordinary action by the United States. As the Clarke memo contradicts much about what President Clinton and his top advisors told the 9/11 Commission, it shall be treated in greater detail in a later chapter.

For our present purposes, ascertaining who in the Clinton administration may have ordered the destruction of Able Danger, the Clarke memo points

to the White House, to President Clinton's National Security Council. The Clarke memo indicates that the Clinton administration did not want to launch any dramatic initiatives against Al Qaeda, but instead preferred to take its time and look for opportunities. The memo also indicates that the Clinton administration feared being "forced into a knee jerk reaction" against Al Qaeda.

Given the Clinton administration's view of the Al Qaeda problem as described in the Clarke memo, Able Danger's discovery that Al Qaeda attacked the USS *Cole* and had an alarming presence in the United States must have been inconvenient intelligence for those in the White House who preferred a wait and see attitude toward Al Qaeda. Able Danger must have been frightening to those in the White House who, above all, feared being forced into knee jerk responses.

The Able Danger did inevitably create pressure within the administration, at least from the Department of Defense and Stratus Ivy, to take action against Al Qaeda. When the Able Danger team tried to pass intelligence on Mohamed Atta and the Brooklyn cell to the FBI, the prospect arose of a highly public counterterrorism operation in New York, that would surely inflame public opinion against Al Qaeda, and provoke public calls for an aggressive campaign against the terrorists. So-called knee-jerk responses from within the administration or from the public could force President Clinton to declare an unwanted war on terrorism (a year or more before the 9/11 attacks), and all because of Able Danger.

This would not be the first time that the Clinton administration destroyed a highly successful intelligence program for reasons of higher policy. For example, at my direction, the House Armed Services Committee and the General Accounting Office of the US Congress conducted an investigation that found the Clinton administration, during its first term, destroyed an intelligence project called the "Russian Fission Program" at the Department of Energy because of its politically incorrect message.

DOE's Office of Foreign Intelligence, in its Russian Fission Program, anticipated before anyone else that Russian political instability and the proliferation of Russian technology to rogue states posed a serious threat to the United States. Everyone agrees with this now. But when the DOE program raised the first warning, the Clinton administration saw this "inconvenient intelligence" as threatening administration policy on deep cuts in US defense spending. The Russian Fission Program also contradicted President Clinton's declaring victory in the successful conversion of Russia into a stable friend of the United States.

Investigation by the US Congress found that the Clinton administration terminated the Russian Fission Program, destroyed the project's files, and erased a videotape summarizing the project's findings.

From my work in Congress, I know of numerous other examples of how the Clinton administration inappropriately politicized intelligence and interfered with the intelligence process in order to support or protect their own preferred national security policies. Another investigation by the House Armed Services Committee and the General Accounting Office found that the Clinton administration had cooked the books in National Intelligence Estimate 95-19 to support its policy on preserving the Antiballistic Missile Treaty and on not deploying national missile defenses to protect the United States. The GAO report, *Foreign Missile Threats: Analytic Soundness of Certain National Intelligence Estimates*, found that the quality of analysis in NIE 95-19 was poor, and inferior to earlier NIEs on the same subject, that arrived at different conclusions.

The Clinton administration also suppressed intelligence on the presence of Chinese M-11 missiles in Pakistan, in order to avoid having to impose sanctions on China. It fired or forced into retirement numerous excellent analysts, including Gordon Oehler, director of the Non-Proliferation Center at the CIA, who produced politically incorrect intelligence. Gordon's conscientious reporting to the US Congress about the facts concerning

Chinese and Russian proliferation of nuclear, biological, chemical, and missile technology to rogue states was a constant irritant to the Clinton administration. I could go on and on with examples of politicized intelligence under President Clinton.

The Clinton administration's history of managing intelligence by manipulation, by killing the messenger, makes it entirely plausible, even likely, that the White House ordered the destruction of Able Danger.

This conclusion is reinforced by the actions of Mary McCarthy, a senior member of Clinton's National Security Council. McCarthy became notorious in May 2006 when she was fired from the CIA for leaking to the press classified information highly damaging to the Bush administration's war on terrorism. Ms. McCarthy was a known fierce partisan and generous contributor to the Democrat Party. Although she denied leaking, her CIA colleagues accused McCarthy of revealing to *Washington Post* reporter Dana Priest—who was a harsh critic of the Bush administration—that US allies in Europe cooperating with CIA were allowing the secret imprisonment and interrogation on their territory of Al Qaeda terrorists. Revealing the so-called secret prisons embarrassed the Bush administration and friendly governments, undermining domestic and international support for the war on terror.

If McCarthy was willing in 2006 to endanger national security by leaking classified information just to injure the Bush administration politically, even at the risk of prison, surely during the Clinton administration she, and others of her ilk, would not hesitate to destroy Able Danger for reasons of policy, or politics. McCarthy reviewed and agreed with the Richard Clarke memo of January 25, 2001, written by the Clinton transition team to the incoming Bush administration, advising a "go slow" policy toward the Al Qaeda threat. Able Danger intelligence certainly did not support such a policy.

Nor was Mary McCarthy alone in the Clinton administration as a person willing to break the law in order to advance a partisan political agenda. President Clinton's top national security advisor and McCarthy's boss, Sandy Berger, would later be convicted of attempting to steal and destroy records from the National Archives. Those records reportedly included the Richard Clarke memo of January 25, 2001, which reflected poorly on President Clinton's counterterrorism policies leading up to the 9/11 attack.

Finally, presidential politics may well have been a contributing factor, perhaps the most important factor, in the destruction of Able Danger.

The reader will recall in chapter 6 that John Hamre, then Clinton's deputy secretary of defense, joined me in promoting the US Army's Information Dominance Center (home of Able Danger) and its revolutionary new intelligence capabilities. To demonstrate the great potential of the Information Dominance Center, John tasked the IDC to tackle the problem of sensitive US technology leaking to the People's Republic of China, a grave threat to the United States.

I agreed with John Hamre that this was a good project. It would enable the IDC to further prove itself to a skeptical intelligence community, and to senior intelligence customers in the Executive Branch and the Congress. Ironically, the Information Dominance Center's very successful response to John Hamre's "China Project" actually led to the destruction of Able Danger.



Congressman Curt Weldon at US Senate Able Danger Hearing with pre-9/11 Al Qaeda link charts. (2005)



Meet the Press with Tim Russert. (2005)



Initial Organization of National Fire/EMS Caucus with Democrats and “Ben Franklin” with Doug Walgren, Tim Butters (IAFC), and Mason Lankford (Fort Worth, TX FD). (1988)



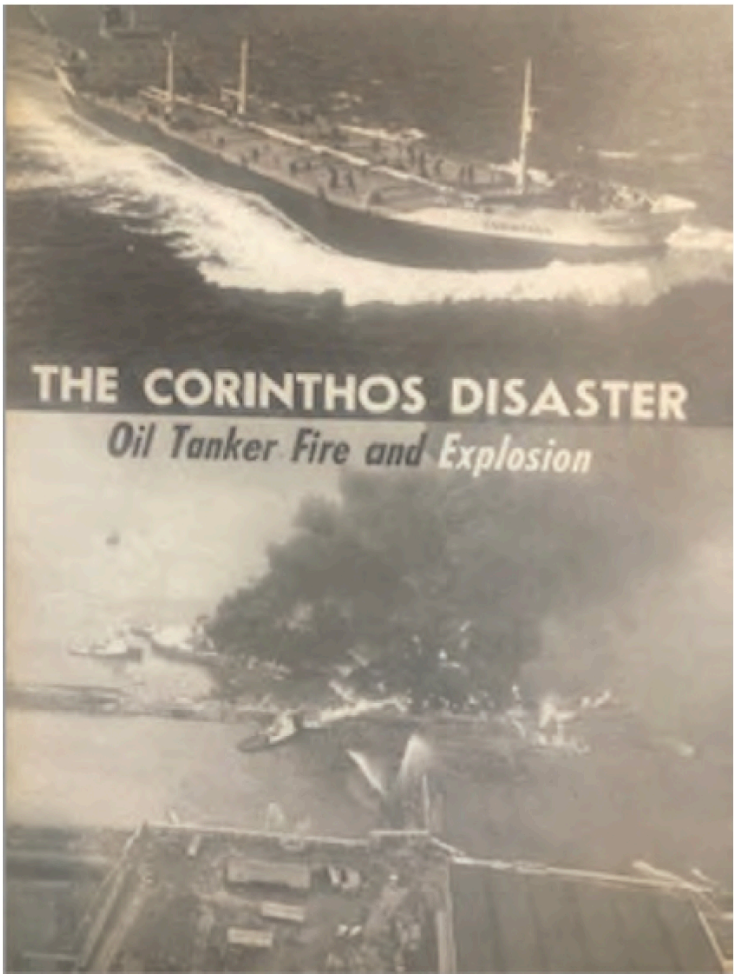
Weldon at CFSI dinner with President Bill Clinton. (1994)



FDNY Rescue Chief Ray Downey.



FDNY Rescue Chief Ray Downey's widow Rosalie Downey and family (five children, spouses, and grandchildren) escorted to Weldon's PA Congressional District one month after 9/11 for massive parade and tribute from 50,000 people.



Largest disaster in the US (twenty-eight died) in 1975. Weldon was deputy chief, and at twenty-eight years old, testified before Congress and was an expert witness in the federal court proceedings.



Weldon with Alaska First Responders in Valdez, Alaska. (1989) (Source: *The Fire Book*)

Weldon Battles *REAL* Congressional Fire

By Tim Butters
IAFC Government Relations



Congresswoman Helen Delich Bentley (R-MD), carrying Baby Bleep, and staff members rush from the Longworth Building. (Photo by Tami A. Heilemann-Hession)

As Congressman Curt Weldon (R-PA) sat in his office on Thursday, May 5, with staff members watching evening news reports of the Los Angeles high-rise fire and the explosions in Nevada and Louisiana, he suddenly became aware that something was burning nearby. A former fire chief, Weldon, like other seasoned fire fighters, could tell that the smell was more than a trash can fire or a light ballast.

Just two doors down, in the Longworth House Office Building, heavy black smoke was rolling out of the office door of the Speaker of the House, Jim Wright. Together with a member of the Capitol Hill police, Weldon grabbed an extinguisher, instructed one of the staffers to start alerting the floor occupants and his aid, John McNichol, to pull the standpipe line from the nearby standpipe cabinet. The cabinet, it turned out, was empty.

Since the District of Columbia Fire Department had not yet arrived, Weldon and police officer Tom Powell were on their hands and knees atempting to extinguish the blaze while McNichol handed them fire extinguishers in a bucket-brigade style. Weldon was successful in getting into the fire area, but expelled the dry powder extinguisher and had to back out due to low visibility.

Unconfirmed reports are that the fire started in a room containing a photocopy machine and computer and other electronic equipment. Initial damage is estimated to be $20,000. There were no injuries reported in the fire which was confined to Wright's office. It was apparent that the fire did generate considerable heat and smoke, as was evidenced by the blistered plaster ceilings and darkened windows. According to Weldon, the fire spread for about 10 minutes after it broke out shortly after 6 p.m.

Following the blaze, Weldon angrily stated his concerns about the total lack of fire protection in Congressional offices. Standing before a sea of local and network television crews, radio and newspaper reporters during an impromptu news conference on Friday, May 6, Weldon said he planned to bring this to the attention of the entire House of Representatives when they return from a weekend recess. "I'm totally frustrated by a congressional building that has no fire alarms and absolutely no fire hoses in the standpipe cabinets," said Weldon.

This incident is ironic in a number of ways. First, it happened in the same week as the fatal incidents in Los Angeles, Nevada and Louisiana. Secondly, it happened to the Chairman of the newly formed Fire Service Caucus. (McNichol said three more members joined the caucus once they learned of Weldon's actions.) Additionally, the fire struck the day before Weldon planned to introduce a bill to strengthen the Hotel/Motel Fire Safety Act (HR 3704), which calls for the installation of smoke detectors and sprinklers in hotels and motels used by federal employees on official travel. Weldon's version would also require sprinklers and smoke detectors in all hotels and motels built with HUD Urban Development Grants.

In view of Weldon's Congressional actions, and his aggressive fire attack on Thursday's blaze, Weldon has still got it in his blood, and the fire service should be well served by this Congressional fire fighter. ✠

Longworth House Office Building fire, May 5, 1988.



Meeting with exiled Afghan King Zahir Shah who was living with his son near Rome. The purpose was to convince the king to return to Kabul and convene a “Loya Jorga” of all tribal leaders and convince them to accept US troops and not harass or kill them. (2002)



Chinese PLA National Defense University. (1994)



Congressman Weldon with CIA Director James Woolsey and Roscoe Barlett in Russia. (2002)



Weldon's second of three bipartisan delegations to North Korea and meeting with President Kim Yong Nam in Pyongyang, North Korea. (2003)



Milan Panic, President Bill Clinton, Dusan Mitvic, and Bogoljub Karic at the White House. (1994) (Source: *The Karic Family Strength*, 2018)



Bogoljub and Milanka Karic with Hilary Clinton. (1994) (Source: *The Karic Family Strength*, 2018)



Dragomir Karic, US House Speaker Newt Gringich, and Bogoljub Karic. (1994) (Source: *The Karic Family Strength*, 2018)



Capitol press conference—ladder trucks and raised flag. The Capitol press conference was called by Weldon to demand a National Interoperable Communication System. Weldon had over one hundred firetrucks surround the Capitol. (1995)



Capitol press conference with Steny Hoyer and members of Congress regarding the National Interoperable Communication System which was successful, in its creation. Today it is called First Net. (1995)



Weldon at FDNY press briefing after the WTC ’93 attack—with FDNY Commissioner Howard Safir and leadership. (1995)



Weldon with FDNY fire chiefs. (1995)



Annual National Fire/EMS Caucus dinner—with President George W. Bush and Hal Bruno. (2002)



President Al Whitehead and VP Harold Schaitberger honor Curt Weldon with the IAFF National Award and Lifetime Membership for leading and empowering Firefighters/EMS nationwide. (1989)



Firefighters helping Firefighters after Katrina. FEMA Director Dave Paulison with Weldon and LA State Senator Steve Scalese. (2006)



DC Fire Dept Ride Along with Chief Ray Alfred and members Elton Gallegly, Pete Geren, Jim Nussie, and staff.



US Marine Corp General Jim Jones with Congressman Weldon in front of the first V-22 Osprey aircraft delivered to the Pentagon. After the Pentagon, under Secretary of Defense Dick Cheney

cancelled the V-22 program, Weldon led the successful effort for full restoration. Weldon was invited to fly in the first delivery flight by General Jones. Jones eventually served as White House National Security Advisor during the Obama administration. (1999)



Congressman Solomon Oritz (D-TX), Congressman Roscoe Barlett (R-MD), and Weldon in Banda Aceh, Indonesia, with relief supplies. (2004)



Weldon delegation—Congressman Elliot Engel (D-NY) and Congressman Sylvester Reyes (D-TX)—with the kids in Banda Aceh, Indonesia, with relief supplies following the 2004 tsunami.



Ocean/Marine Sanctuary Award—with Jean-Michel Cousteau, Dr. Sylvia Earle, and Chairman (future CIA Director) Leon Panetta. (2004)



2025 Gusi Peace Prize—Curt Weldon honored among the international laureates.



Curt Weldon

Founder
Congressional Fire Services Caucus

Curt Weldon is a former US Congressman, firefighter and fire chief, and founder of Congress's Fire/EMS Caucus and Institute. In 2025 he launched FIRE/EMS 290 and ONE WORLD FOR LIFE. A long-time disaster responder and author, he will receive the International Gusi Peace Award in late 2025.

Excitement has gripped America as we prepare to celebrate the 250th anniversary of this great nation in 2026. Our military services have all organised gala parades and events this year as they celebrated anniversaries.

But the oldest and most exciting and traditional anniversary celebration will not occur until 2026. Forty years older than our nation, the Fire/EMS Service began in 1736 when Ben Franklin and neighbours organised the Union Hose Volunteer Fire Company in Philadelphia.

"We will dramatically change the paradigm by adding prediction and prevention using technology."

Two hundred and ninety years of volunteer and paid service to the people of our nation, without regard to race, creed or economic status, is why Firefighters and EMS earn 98 per cent support in every poll. Serving in 33,000 departments operating out of 55,000 stations, challenges confront every organisation and demand a national strategy.

As a lifetime firefighter and fire chief elected mayor, county chairman and twenty-year member of Congress, I have travelled to all fifty states, won major fire service recognition and was on scene within hours at disasters in the United States and worldwide. From my first-hand observation and perspectives, 2026 is the perfect year to plan and initiate change – FIRE/EMS 290.

FIRE/EMS 290 calls for the first ever White House Conference on Firefighters and EMS, announcing formation and funding of eight major task forces designed to propel the fire service into the twenty-first century. These task forces — focused on firefighter health and welfare, recruitment for the next generation, responder financial benefits, national EMS readiness, wildfire and disaster resilience, a technology directorate, and two legacy projects including a Fire/EMS museum and a 120,000-acre international training and simulation centre — collectively form the backbone of a new agenda for reform. Managed through existing fire service NGOs and coordinated by ONE WORLD FOR LIFE, their mission is immediate impact in the United States, with expansion to benefit more than twenty-five million firefighters and EMS personnel worldwide.

Through ONE WORLD FOR LIFE and FIRE/EMS 290, we will change the disaster paradigm by adding prediction and prevention using technology developed by our military and private-sector leadership. During my tenure in Congress, I served as oversight chair of all R&D Technology funds for our military and intelligence.

Task Forces will be privately funded through existing fire service NGOs, coordinated by ONE WORLD FOR LIFE with initial planning and implementation. Results will directly benefit the US fire service and eventually expand to empower the global fire and EMS community.

I have devoted my life to the men and women of the American Fire/EMS service, paid and volunteer. From firefighter and fire chief to state fire instructor, county fire and EMS training director and founder of the Congressional Fire/EMS Caucus, my goal — and the goal of OWFL — is to empower the men and women of the fire service as the backbone of our communities for 290 years. ■

2025 International Fire and Safety Influencer Award. (Source: *International Fire and Safety Journal*, December 2025)

The center produced a briefing that revealed in great detail how the Chinese military was using proxy companies and institutes to penetrate US industry, universities, and science centers, in order to obtain advanced technology for military purposes. Like Able Danger, which relied on the same data mining supercomputers and personnel, the IDC's China Project produced charts showing not only the US-China institutional relationships, but identifying individual people.

Among the individuals identified in the China Project were high-ranking members of the Clinton administration, including very senior members of Vice President Al Gore's presidential campaign team as well as senior leaders from both parties with ties to Stanford University.

The China Project did not conclude that these senior Democrats were guilty of leaking sensitive technology to China, or guilty of any inappropriate behavior. Indeed, many senior Republicans were also named in the China Project. The Democrat and Republican names appeared only because the IDC data mining operation found some association between them and the Chinese military, not necessarily an inappropriate association. Those who understand how data mining works, by sifting through a vast universe of names and associations, mostly innocent, to arrive at the few suspicious ones, would not be offended or alarmed to see their names in the mix.

However, when the China Project was briefed to senior policymakers, the Clinton administration was preparing to support Al Gore's presidential bid. They would be hypersensitive to anything that might undermine Gore's presidential candidacy. China was a hot button issue. The Clinton White House suffered politically from scandals over the sales of US supercomputers to China and the penetration of US nuclear weapon laboratories by Chinese spies. Al Gore himself was scandalized by

accusations of accepting campaign contributions fronted by an Indonesian businessman who had ties to Chinese military intelligence.

The Clinton administration may have feared that leaks from the IDC could cause a devastating political scandal and sink Gore's presidential hopes. The China Project did result in unprecedented blowback from the Clinton administration aimed at the center, as noted in the retrospective testimony of Erik Kleinsmith to the House Armed Services Committee on February 15, 2006:

WELDON: Mr. Kleinsmith, were you aware at the time that there was a major brouhaha erupting in Washington because the LIWA facility had been tasked by Deputy Secretary of Defense John Hamre to do a profile of Chinese proliferation, and that when that profile was done through the LIWA process, it identified some very, very well-known public names in this country? Were you aware of that, and could that have been another reason why those people [Pentagon lawyers] were reminding you of that ninety-day period [to destroy the Able Danger files, to include the China Project].
KLEINSMITH: I was actually part of that team as well, and the analyst that I had assigned to work with Dr. Eileen Preisser to include myself and two other individuals. The same four persons, all of us that worked for Able Danger also worked on that project.
WELDON: What happened when . . . what "hit the fan" when that report eventually made its way to the Hill, and some of the names that surfaced came out? What response did you feel at the LIWA?
KLEINSMITH: We received much more attention than I was used to as an Army major.

The order to destroy Able Danger, the order that threw away a golden opportunity to prevent the 9/11 attack, may have been motivated by

presidential politics. The ultimate culprit may not have sat in the National Security Council, but in the Oval Office.

CHAPTER 13

SEPTEMBER 11, 2001

Today our government failed the American people.

"Ray Downey is dead." I can still hear the disembodied voice on the phone, a voice emotionally catatonic, shell shocked, with an undertone of awed disbelief. It is one of the things I remember most clearly about September 11, 2001. Our lives, our recollections of our life histories, are made up of such significant moments, weighty points in time that seem to capture a larger event, and become beacons in our memories. We remember with crystalline clarity the moment of our wedding vows, the birth of a child, the death of a parent. These unforgettable moments summon up other images, a record in the imagination, of a decades-long marriage, the raising of a son to manhood, the passing of a generation. For me personally, one of those unforgettable moments that summons up a flood of memories about September 11 is that voice on the phone saying, "Ray Downey is dead."

Ray Downey, who saved hundreds of lives in the course of a thirty-nine-year career as a firefighter, who warned about an imminent terrorist threat to the United States as a member of the Gilmore Commission, who trained a generation of New York City firefighters, who was so respected by his colleagues that they nicknamed him "God," was dead. My friend was dead. On September 11, Ray Downey died as he lived, a hero.

Two thousand nine hundred seventy seven Americans died on September 11, 2001. They were not merely victims. Each in their own way

was reaching for the American Dream, working to better their lives, living in freedom. Through the miracle of God's design, when men and women in a free society work to improve their lives, to become more prosperous, to earn more choices, we all benefit. Through Adam Smith's "invisible hand," the individual and collective choices of a free people—whether those choices are economic, political, social, or personal—all contribute to the building of freedom for everyone.

Freedom is not just an abstraction. Freedom is a concrete reality made actual, sustained, and strengthened by the billions of free choices, great and small, made every day in the lives of the People. Whether they knew it or not, the 2,977 Americans who died on September 11, by the very act of living free, were championing and building and making successful the great American experiment in Liberty. They may not have been famous, but their lives were not trivial. Tyranny so hated and feared them that it reached across the Atlantic Ocean to slay the 2,977. They all died heroes.

My details regarding pre- and post-9/11 intelligence are documented and backed up by multiple documents and my personal observations. According to US intelligence, this is how it happened. Over the past twenty-five years, massive new data and factual revelations have seriously questioned, challenged, and openly disputed these "facts" as contained in the original 9/11 Commission Report. Without question, a new *Presidential 9/11 Commission* is warranted and critical.

Mohamed Atta allegedly flew the hijacked American Airlines Flight 11 into the North Tower of the World Trade Center on September 11, 2001, at 8:46 a.m. The airliner sliced through floors 93 to 99. Aviation fuel, the thousands of gallons required for a flight to the West coast, ignited.

The impact of the airliner, equivalent to a missile weighing hundreds of tons, and the fireball immediately killed hundreds of people. Hundreds more were trapped, still alive.

Suffocating, oily smoke from the burning jet fuel engulfed the floors above the impact area, including the roof of the North Tower. All elevators stopped working. The crashing airliner severed all three of the stairwells, the emergency exits, so descent was impossible below the 92nd floor. Everyone above floor 92, up to the top of the North Tower, the 110th floor, was trapped.

Survivors, hundreds of people, are known to have been trapped above the 92nd floor of the North Tower, and even as far down as the 22nd floor, because of frantic phone calls by individuals and groups from those locations. Unusual explosions were heard by occupants and firefighters throughout both towers.

Five seconds after American Airlines Flight 11 crashed into the North Tower, the New York Fire Department was on its way. Fourteen minutes after the impact, most of the senior leaders of the New York Fire Department, including the commissioner, and seven of the eleven most senior fire chiefs, were coming to the rescue. They led twenty-one engine companies, nine ladder companies, and four elite rescue teams, comprising altogether some 235 firefighters.

Ray Downey was among the first responders to the North Tower.

The situation in the North Tower was the kind of emergency Ray Downey prepared for all his professional life. As chief of Special Operations in the New York Fire Department, Ray's specialty was rescuing people trapped in damaged buildings. Ray taught courses to a generation of firefighters on this kind of rescue operation. He wrote articles, made instructional videos, and thought deeply about innovative approaches to improve the effectiveness and safety of conducting rescues under hazardous conditions.

Ray had vast practical experience saving lives as a firefighter. He was decorated twenty-one times for valor, more than any other member of the

New York Fire Department. He was the right man for the North Tower catastrophe.

Within seventeen minutes of the impact of Flight 11 into the North Tower, Ray Downey and the other chiefs on the scene made the right decision to focus on rescue operations and successfully evacuated hundreds of civilians. By this time, over one thousand firefighters, police, and other emergency personnel were on the scene or enroute. It was the largest rescue operation mobilized in such short time in American history.

Ray and his colleagues were the right men doing the right thing in the right place. But the fates decided it was the wrong time.

At 9:03 a.m., United Airlines Flight 175 was allegedly flown by Al Qaeda hijackers into the South Tower of the World Trade Center. It was seventeen minutes after the attack on the North Tower.

Flight 175 smashed into the 77th through 85th floors of the South Tower. The airliner banked in its trajectory just before impact. Consequently, the damage zone in the South Tower, compared to the North Tower, was more vertical than horizontal, impacting more floors, but causing slightly less damage on the impacted floors. The difference was just enough to leave one of the stairwells intact from at least the 91st floor to street level in the South Tower.

Only a single person survived in the South Tower's 81st floor, the center of the impact zone. This survivor actually witnessed the wing of Flight 175 smash through his office. He described the 81st floor, immediately after impact, as a scene of utter desolation, a field of wreckage and a smothering atmosphere of fumes from aviation fuel, just before ignition. Incredibly, a fire warden rescued this man.

Hundreds of people were crowded into the 78th floor Sky Lobby, within the impact zone, waiting for evacuation, when Flight 175 struck. Many deaths and severe injuries resulted. Among the survivors at least one man kept his head and tried to organize an escape down the stairwell. The

uninjured helped the walking wounded. Others remained behind to care for those too severely injured to walk.

Fifteen minutes after the strike on the South Tower, severe smoke reached the 100th floor, trapping those on the ten higher floors and those who sought refuge on the roof. Pockets of safety from the smoke remained. For example, it is known that at least one hundred people were still alive on floors 88 and 89 because of calls to 911.

Unfortunately, because 911 operators were unaware of the severity of the catastrophe at the World Trade Center, many people calling 911 were advised to stay where they were and await rescue. At both Towers, to escape the smoke and fire, people were leaping from the roof or out of windows to their deaths. The first fatality among the New York firefighters occurred when a jumper landed on a firefighter, killing both.

FDNY Battalion Chief Orio Palmer led one of the first FDNY teams (each loaded with forty to sixty pounds of gear) into an elevator to the 40th floor. In audio FDNY communication records released years after 9/11, Orio's voice rings out clearly as he leads his team walking up a stair tower stopping every five to ten floors to report their progress. Amazingly, Chief Palmer and crew arrive on the 78th floor of impact and clearly stated "We're here, on the 78th floor of impact. We have two fires—and we can handle them."

Within two minutes, the entire Tower collapsed, killing Orio and his crew. The South Tower collapsed at 9:59 a.m.—fifty-six minutes after impact. The North Tower collapsed at 10:58 a.m. and the forty-eight-story Building 7—never struck by a plane—collapsed within itself shortly thereafter. Since 9/11, thousands of architects and engineers have risked their professions and questioned the account contained within the *9/11 Commission Report* about the World Trade Center Towers, the Pentagon, and the Pennsylvania crash.

As a career volunteer Firefighter/Chief/PA State Fire Instructor/Countywide Fire Training Director with a degree in Fire Science and eighteen-year career as Director of Risk Management/Loss Control Training for the largest and oldest Property/Casualty Insurance Company in North America (INA/CIGNA), I am fully aware that *no* high rise building in world history has ever collapsed from a plane hitting it, and no high rise building in world history has ever collapsed from fire! But that is NOT the focus of this book.

This book focuses on intelligence failures pre- and post-9/11 and other incidents and does not attempt to evaluate issues regarding structural failures and collapse, alleged evidence of preplaced thermite and accelerants, allegations of remote control of aircraft, and other theories all in need of full and complete investigation by a new *Presidential 9/11 Commission*.

I was on scene at the WTC Ground Zero with FDNY officials hours after the collapses as frantic searches were underway for victims, firefighters, and responders. What amazed and shocked me was the lack of structural components of three massive buildings and contents among the massive layers of dust and particles spread over the entire affected area.

Heroically, despite the collapse of the South Tower, firefighters continued rescue operations at the North Tower. Communications breakdowns prevented the first responders inside the North Tower from being informed about the collapse of the South Tower. But many firefighters in the North Tower saw or heard the fall of the South Tower. Some were even knocked to the floor by the shockwave from the collapsing skyscraper next door. Nonetheless, they struggled on, trying to save lives.

Ray Downey was among these heroes.

On the same tragic morning, far to the south, across the Potomac River from Washington DC, Al Qaeda terrorists allegedly struck the Pentagon. It was 9:37 a.m. when the chaos occurred at the Pentagon. One hundred

eighty-nine people died. Again, this entire incident requires a massive technical reevaluation, including interviews with Pentagon employees during the attack as well as outside film footage not included in the original investigation.

Shortly after 10:00 a.m., the passengers of United Airlines Flight 93, the fourth hijacked plane, were storming the cockpit, trying to overpower the Al Qaeda terrorists and retake control of the aircraft. They almost succeeded.

United Airlines Flight 93, traveling at 580 miles per hour, crashed outside Shanksville, Pennsylvania. The airliner hit an empty field. It was just twenty minutes from Washington DC. Al Qaeda's objective, to destroy the Capitol Building or the White House, was defeated by the heroes of Flight 93. Again, new facts require and mandate a new investigation but are not the subject of this book.

On the morning of September 11, 2001, 2,977 Americans died in the span of two hours, and thousands more in the ensuing years as a direct result of 9/11. It was deadlier than Pearl Harbor or the D-Day invasion, the biggest loss of American lives as a result of a foreign attack on our soil in history. The New York and Port Authority police lost sixty-one officers, more than any other police force in history. The New York Fire Department lost 343 firefighters, more fatalities than any other fire department in history.

Among the dead was Ray Downey.

Ray was a former Marine, the most decorated firefighter in the history of the New York Fire Department, and a genius at fire rescue operations. Ray served as rescue operations commander in: the Philippines earthquake of 1990, Hurricane Andrew in 1992, the first World Trade Center bombing in 1993 (when I first met Ray), Hurricane Opal in 1995, the Oklahoma City bombing in 1995, Hurricane Fran in 1996, the Puerto Rico Humberto Vidal explosion in 1997, the New York ice storms of 1998, and the Bronx garage collapse in 2000.

Ray was a man of deep faith, deeply involved in his community, and by all who knew him well, beloved. He was a good husband and father, married to his wife, Rosalie, for forty-one years. Together they raised five children. Two of his sons followed Ray's footsteps and became New York firefighters.

As a member of the Gilmore Commission, Ray warned that terrorists would follow-up their first attempt to destroy the World Trade Center in 1993 with another attack. At Ray's funeral, Jim Boyle, former head of the Uniformed Firefighters Association, observed, "Ray actually predicted a 9/11-type of attack three or four years ago, and he said the Fire Department was going to be the first line of defense."

On September 11, 2001, America lost three thousand Ray Downeys. Every one of the dead was special in some way, beloved to someone, irreplaceable to someone, irreplaceable to God.

When the 9/11 attacks began, when the first airliner struck the North Tower, I was in Washington DC, in the Capitol Building, briefing the press with colleagues Solomon Ortiz (D-TX) and Sylvestre Reyes (D-TX) on the need for strengthening US national security. My message was conveyed with deadly eloquence when we watched the Towers fall on television in the corner of the Capitol Press Briefing Room.

The Capitol Building was evacuated in anticipation that it was a likely target. We moved the press conference to the roof of a nearby church two blocks from the Capitol. There we scanned the horizon, waiting for an attack. Asked for a comment by CNN Reporter Judy Woodruff, I said, "Today our government failed the American people." I never said anything with greater sincerity.

Fortunately, the unarmed passengers of Flight 93 did the job of the US government. They forced the terrorists to crash the hijacked airplane and saved the Capitol or the White House from demolition.

At noon on September 11, I got that call that I will always remember, telling me, “Ray Downey is dead.” I told the New York Fire Department that I would be there in twenty-four hours. I rode the train to New York, as all the airlines were grounded. I was picked up at Penn Station by a NY fire official and driven to the secured area around the attack site. We were escorted through security and walked the last ten to fifteen blocks to the World Trade Center Ground Zero headquarters and became overwhelmed with emotion as we visually scanned that scene of utter devastation.

While walking among the rubble of the collapsed North and South Towers, I saw two young men wearing jerseys bearing the name “Downey.” Ray’s two sons, who are both New York firefighters, were looking for their father’s remains.

One month after the 9/11 attacks, I rented a luxury bus, sent it to New York, and brought Ray’s family to my district in Delaware County, Pennsylvania. I organized a tribute FDNY Chief Ray Downey as the symbol of the heroes of 9/11. I had my staff organize a mammoth parade through the heart of Delaware County that included school groups, fire companies, churches, youth groups, veterans groups, and even private companies. Forty thousand people turned out. At Rose Tree County Park, with Ray’s family, I arranged a ceremony honoring Ray posthumously as an American hero. I gave family members Eagle Medallions, made at the Franklin Mint in my district, honoring Ray Downey. Ray’s two sons, who are now Battalion Chiefs in the New York Fire Department, remain good friends of mine. Joe Downey is FDNY deputy chief for rescue, and in August 2025, I met Joe’s twenty-five-year-old son—one of the newest members of FDNY, like his father, uncle, and grandfather.

There is no finer tradition in our nation than the fire service, which includes paid and volunteer firefighters and emergency medical service providers operating out of fifty-five thousand local stations managed by thirty-three thousand independent Fire/EMS departments (80 percent

volunteer). Older than our nation by forty years, the first independent volunteer fire company in Philadelphia (Union Hose Volunteer) was started by Benjamin Franklin in 1736. Five United State presidents and many Founding Fathers served as volunteer firefighters.

Ray was my friend. We had a special bond because I myself served as a firefighter and former fire chief. After the first terrorist attempt to destroy the World Trade Center in 1993, as we stood before the rubble of that first bombing, Ray made me promise to do everything in my power to prevent another such catastrophe.

Now I stood on the rubble of the fallen World Trade Center, and I knew that I failed Ray Downey and 342 other FDNY Heroes. I failed to stop the catastrophe. My failure cost Ray his life, and thousands of lives. Unnamed and anonymous bureaucrats have never been held accountable for America's greatest loss!

What more could I, personally, have done to prevent the 9/11 attacks? I should have more aggressively promoted the US Army's Information Dominance Center, where the Able Danger program, though unknown to me at the time, had discovered Al Qaeda cells worldwide—including NYC and Mohamed Atta, and could have stopped the 9/11 plot. I should have more aggressively promoted my idea for the NOAH counterterror-ism center, that also might have prevented the September 11 disaster. I should have twisted arms and broken heads at CIA. I should have found a way to take hostage the intelligence community budget, in order to force the incompetent intelligence bureaucracy to do the right thing.

Perhaps all of this was beyond my power. But I vowed to Ray Downey a second time, while his spirit still lingered over the ruins of the fallen World Trade Center, that I would never again trust unknown CIA bureaucracy. I would more wholly trust my own common sense, and redouble my efforts to force the CIA and the stubborn intelligence

bureaucracy to focus less on fighting “turf ” battles, and more on winning the war on terrorism.

Accountability is the first step toward winning the war on terrorism. Why did the US government fail to protect the American people? How could terrorist preparations for the 9/11 attacks escape the notice of our intelligence community and be allowed to happen?

And how could George W. Bush stand on top of the rubble fifty feet from where I was standing, with his hand in the air and a microphone in the other shouting “We’re coming to Afghanistan to get you, bin Laden!” And then, from the same intelligence heroes involved with Able Danger and Intel, learn that Osama bin Laden was *not* in Afghanistan, but roaming in Baluchistan (Iran) with the full knowledge of US intelligence leaders!

CHAPTER 14

THE WHITE HOUSE

I've got to show this to the man.

The actual name—Able Danger—finally came to my attention. For the first time, I learned the name of the TOP SECRET program and details about the operations and accomplishments of the now defunct project just days after the terrorist attacks on New York and Washington of September 11, 2001. Some former members of the now disbanded Able Danger team, including Dr. Eileen Preisser, came to my office. They told me the whole shocking history of Able Danger's discovery of the Al Qaeda charts, Mohamed Atta and other 9/11 terrorists, of the uncovering of an Al Qaeda conspiracy within the United States, and of the lost opportunity to prevent the September 11 catastrophe.

The members of the Able Danger team deserve enormous respect from their fellow Americans, not only for their heroic but failed effort to prevent the 9/11 attacks, but for their courage in coming forward immediately after the 9/11 attacks to tell the truth. This is not the normal reaction of the typical Washington bureaucrat. In my experience, members of the intelligence and defense communities rarely voluntarily associate themselves with failures, however understandable or heroic the failure may be. Evading responsibility for failure is the name of the game in Washington. Not so with the Able Danger team.

Lieutenant Colonel Tony Shaffer, in his testimony before the House Armed Services Committee of February 15, 2006, recalled the moment in September 2001, in the immediate aftermath of the September 11 attacks, when Dr. Eileen Preisser decided that she could no longer remain silent about Able Danger:

SHAFFER: . . . September 2001 Eileen Preisser calls me for coffee and tells me she has something she needs to show me. At coffee she shows me a chart she had brought with her—a large desktop- size chart. On it she has me look at the "Brooklyn Cell"—I was confused at first—but she kept telling me to look—and in the "cluster" I eventually found the picture of Atta. She pointed out (and I recognized) that this was one of the charts I had LIWA produce in January 2000, and that I had taken down to Tampa.

"I was shocked," Shaffer continued, "and had a sinking feeling at the pit of my stomach—I felt that we had been on the right track—and that because of the bureaucracy we had been stopped—and that we might well have been able to have done something to stop the 9/11 attack. I ask Eileen what she plans to do with the information and chart. She tells me that she does not know. But she plans to do something."

Dr. Preisser came to me with the sad history of Able Danger and the chart that was proof positive that the 9/11 attacks could have been stopped. In the same congressional testimony, Lieutenant Colonel Shaffer recounts that the brave Dr. Eileen Preisser was willing to follow me anywhere with the Able Danger issue, to make sure that the whole truth is known about the US government's lost opportunity to prevent the 9/11 attacks. She went with me all the way to the White House:

SHAFFER: Last week of September 2001. I am on my normal afternoon run from the Pentagon to the Lincoln Memorial—and I receive a call from Dr. Preisser. She tells me, "You'll never guess where I am." She tells me

about sitting in the outer office of Scooter Libby and the fact that she, Congressman Weldon, Congressman Chris Shays, and Congressman Dan Burton are going in to brief Stephen Hadley on the Atta chart. I am both amazed and satisfied that the Atta information and our work on Able Danger had been provided to proper government leadership and fully expected that the Able Danger team might even be reconstituted. It was not.

When, two weeks after the 9/11 attacks, Dr. Eileen Preisser had come to my office with the Able Danger story and the chart showing Mohamed Atta, I decided on the spot that we had to inform the White House. I consulted with two of my congressional colleagues, Oversight Chair Dan Burton and Rep. Chris Shays, and they agreed. They and Dr. Preisser accompanied me to the White House, to the office of the Deputy National Security Advisor, Dr. Stephen Hadley. In testimony before the Senate Judiciary Committee on September 21, 2005, I described my September 2001 meeting with Hadley:

WELDON: Mr. Chairman, two weeks after 9/11, some of the folks at the US Army's LIWA, involved in Able Danger, came into my office and brought me a chart, a chart that had Al Qaeda linkages and pan-Islamic terrorist threats, I think was the way the chart was categorized.

I took that chart immediately down to the White House and provided it to Stephen Hadley, and I took with me Dan Burton, Chairman of the Government Operation Oversight Committee.

SPECTOR: And when was that?

WELDON: That was two weeks after 9/11, so it would have been September 25th. And I took it down immediately. As soon as I got it, I said, "I've got to get this down to the White House."

Stephen Hadley's response to me was, "Where did you get this from, Congressman?"

I said, "I got it from the Army's Information Dominance Center."

I said, “This is the process that’s been used—that I’ve been trying to convince the government for three years to put into place—that the CIA has refused to accept.” Because up until the establishment of the TTIC, the Terrorism Threat Integration Center, the CIA was . . . a disaster in itself for our national intelligence estimates. . . .

And he said to me—and I will remember his quote, it sticks out in my head: “I’ve got to show this to the man.”

And I said, “The man?”

He said, “Yes, the President of the United States.”

So I gave him the chart.

Now some say, “Why didn’t you keep a copy of the chart?” Well, my goal wasn’t to keep a copy of a chart involving something that just happened to destroy the lives of 3,000 people. I gave it to our Deputy National Security Adviser. And that information was information gleaned from the work of Able Danger . . .

In retrospect, I wish I had made a copy of the original Able Danger chart. I should have provided Hadley with a copy of the original chart and retained the original for myself. The chart described the Al Qaeda network, including its presence in the United States. The chart was proof positive that Able Danger discovered specific, actionable intelligence that could have thwarted the 9/11 attacks. The chart was one of the last surviving remnants of the Able Danger project, that somehow escaped the wholesale destruction of all the Able Danger materials carried out during the Clinton administration.

And then I realized that I did have copies that had been provided to me by Able Danger team members. Those copies of the Able Danger charts that I have in my archive collection.

Four years later, in 2005, the 9/11 Commission would challenge the credibility of the Able Danger team, asserting that there is no evidence they

discovered Mohamed Atta or uncovered an Al Qaeda presence in the United States before the 9/11 attacks. Four years later, in 2005, Stephen Hadley would claim that he does not remember details of our meeting of September 2001 to discuss Able Danger. Nor does Hadley remember the Al Qaeda chart produced by Able Danger. Stephen Hadley, promoted from deputy status and in 2006 the president's chief national security advisor, "lost" the chart that proved definitively that the US government could have prevented the September 11 disaster!

But everyone else who attended the post-9/11 meeting with Stephen Hadley remembers the Able Danger chart on the threat from Al Qaeda to the United States. In fact, in meetings arranged by Dennis Kucinich (D-OH), Seymour Hersh and I met twice alone in a DC hotel where I outlined my findings and showed him copies of my Able Danger charts. In our second meeting, months after Sy and I originally met, he confirmed every detail of my facts and told me that the Able Danger original chart was still on the hard drive of the NSA.

Perhaps naively, after our seemingly very successful September 2001 meeting with Deputy National Security Advisor Stephen Hadley, I thought to myself, *mission accomplished*. I thought the White House would surely conduct an independent investigation of Able Danger. I thought Hadley would learn how and why the system failed to heed the warning provided by Able Danger that resulted in 9/11. I thought the system—that failed to save the lives of three thousand Americans—would be fixed.

About one year later, Congress forced a reluctant president to establish the National Commission on Terrorist Attacks Upon the United States—popularly known as the 9/11 Commission. I confidently assumed that the 9/11 Commission, with its almost unlimited investigative powers and resources, would put Able Danger under a microscope. I assumed the 9/11 Commission would certainly discover and make sound recommendations to fix the systemic problems that converted Able Danger's intelligence victory

over Al Qaeda into the unprecedented national catastrophe that was September 11.

I was wrong.

I began to learn that I was wrong almost from the beginning of the 9/11 Commission. Early on, near the inception of the 9/11 Commission in September 2002, I offered to testify before the commission, to share what I knew about the many problems in the intelligence community that made possible the 9/11 catastrophe. I most especially wanted to share my ideas for reforming the intelligence community to avoid future 9/11s.

The 9/11 Commission was not interested in hearing from me. The commission ignored my requests to testify. As congressional leader of all Firefighters/EMS in the Congress since 1987, when I created and chaired the Congressional Fire/EMS Caucus and Institute with 370 members of the House and Senate, the commission did not want me to testify about what I knew, what I witnessed, and what knowledge I had about the creation of the Gilmore Commission and my on-scene involvement with FDNY Leaders and Responders at Ground Zero on 9/11.

The 9/11 Commission also treated members of the Able Danger team with indifference. Lieutenant Colonel Tony Shaffer, in his February 15, 2006, testimony to the US Congress, described how the 9/11 Commission showed great interest when they first learned about Able Danger. Dr. Philip Zelikow, the executive director of the 9/11 Commission, even took the extraordinary step of flying to Afghanistan, where Major Shaffer was actively fighting Al Qaeda and Taliban terrorists, to learn about Able Danger. Zelikow brought an investigative team with him to hear Shaffer:

SHAFFER: While I was assigned to Bagram, Afghanistan, I was given permission by my on-the-ground Army chain of command to brief Dr. Zelikow [the 9/11 Commission executive director] and his investigators, at the SECRET level, on Able Danger. I prepared a page and one-quarter of

bullet points . . . for use in briefing the staffers. There were probably about ten people in the room when I conducted my briefing—four staffers and six DOD folks.

I conducted a briefing of about one hour and a quarter to Dr. Zelikow and the staffers . . . Dr. Philip Zelikow, executive director of the 9/11 Commission, approached me at the conclusion of the meeting and gave me his card and said, "What you have said here today is very important. Please contact me upon your return to the United States so we can continue this dialogue." By the 9/11 Commission's own public statements made in September 2005 regarding Able Danger, I was the first officer to tell them about the existence of the project.

However, later, the 9/11 Commission slammed the door in Shaffer's face when he tried to obey Dr. Zelikow's direction to provide more detailed testimony about Able Danger, upon his return to the United States:

Upon my return from Afghanistan, I took about thirty days of leave—and then, assigned to work as the Deputy Chief and Operations Officer of the Afghanistan Operations Task Force, I returned to duty the first week of January 2004. . . . It was this first week of January 2004 that I called the number given to me on Dr. Zelikow's card. I was told by the person who answered the phone that, "Yes, we remember you. Let me talk to Dr. Zelikow to find out when he wants you to come in." I also notified my DIA chain of command, both verbally and in writing, that I had been contacted by the 9/11 Commission in Afghanistan and had recontacted them, via phone the first week of January—and told my DIA chain to expect to be contacted with a request for me to meet with the 9/11 Commission on Able Danger. As I recall, I notified my immediate boss, Air Force Colonel John Longenecker and his boss Navy Captain Mike Andersen—and the e-mail, I believe, went even higher up the chain.

I did not hear anything back from the 9/11 Commission. So I called them again about a week or ten days after my initial call (second or third week of January 2004). I spoke to the same person again, but his tone was different. He tells me that, "They have found all the information they need on Able Danger, so there would be no need for me to come in to speak to them."

"I was shocked . . . since they had never . . . asked . . . 'Who else knows this information too?'" Shaffer continued, "But figured they may have found Captain Scott Phillpott or Dr. Preisser since they had similar knowledge of the [Able Danger] project."

Lieutenant Colonel Shaffer guessed right. Captain Scott Phillpott, the leader of the Able Danger team, also tried to tell the 9/11 Commission about Able Danger's discovery of the 9/11 plot, and of the failure to stop it. The 9/11 Commission was deaf to Captain Phillpott's testimony too.

In March 2004, when the 9/11 Commission was nearing the end of its work, as they still showed no interest in my testimony, I reached out to the commission again. I sent my chief of staff, Russ Caso, over to the 9/11 Commission with a package of materials on intelligence failures and my own recommendations for reforming the intelligence community. I received no response from the commission.

The 9/11 Commission published its report with great televised fanfare, releasing the report in a public hearing before the US Congress, on July 22, 2004. The report reconstructed in meticulous detail the events leading up to the 9/11 attacks. The report carefully dissected mistakes made by the US government that contributed to the 9/11 attacks.

But the *9/11 Commission Report* deliberately ignored the single biggest failure by the US government, ignored the best opportunity, the lost opportunity, to save three thousand American lives. The report said absolutely nothing about Able Danger.

CHAPTER 15

THE 9/11 COMMISSION

The Able Danger affair is . . . an inconvenient fact that cannot be reconciled with an interpretation of the history of the September 11 catastrophe that would find the two administrations, Clinton and Bush . . . equally at fault.

The National Commission on Terrorist Attacks Upon the United States, commonly known as the 9/11 Commission, was the single most famous, most influential, and in some important respects the most successful such body, in US history. Established by the president and the US Congress on November 27, 2002 (under Public Law 107-306), the 9/11 Commission was created to investigate why and how the government of the United States failed to prevent the terrorist attacks of September 11, 2001. It delivered its report, the *9/11 Commission Report*, to the US Congress, before a standing room only audience of reporters, on July 22, 2004.

The 9/11 Commission had virtually unlimited powers and resources to achieve its purposes. The commission's powers derived not just from its mandate under law, but also from an outraged American people, including the families of the three thousand Americans killed on September 11, who demanded a thorough and truthful investigation of the catastrophe.

No person and no institution were above the reach of the 9/11 Commission. Even President Bush and President Clinton were compelled to testify before the commission. The commission's popular mandate gave it a unique opportunity to discover and speak the truth.

Commissions of the US government typically shun publicity, hold hearings behind closed doors, and offer their report with little fanfare to those in the US government who requested it. Commissions often have little expectation that their report will be profoundly influential, and no expectation that the commission report will be widely read.

But because of the American people's keen interest, the 9/11 Commission conducted most of its hearings in public. Most of the hearings were televised and watched with great interest by a national audience. *The 9/11 Commission Report*, printed and distributed by W. W. Norton, a top publishing house of popular literature, became a bestseller.

The *9/11 Commission Report* is widely regarded as the definitive history of the events leading to the terrorist attacks of September 11, 2001. The recommendations of the 9/11 Commission became the basis for dramatic changes in the structure and operations of the US intelligence community, including the establishment of a director of national intelligence to oversee the entire intelligence community. And they were enacted with amazing speed, within four months of the publication of the report.

Never before has any commission been so influential with the American people or so swiftly achieved such profound change in the national security institutions of the United States as the 9/11 Commission.

The 9/11 Commission was so successful because it won the trust of the American people and so popular that it has become a sacred cow. Even presidents dared not challenge the 9/11 Commission. But the trust of the American people in the 9/11 Commission was betrayed.

As has been demonstrated, the Able Danger project, its discovery of Mohamed Atta and other 9/11 terrorists, is central to understanding the US government's single greatest failure to prevent the September 11 disaster. No history of the 9/11 attacks is complete, or even adequate, without the story of Able Danger. No recommendations for intelligence reform based on

lessons learned from the 9/11 attacks, that are formulated in ignorance of the Able Danger affair, are trustworthy.

I do not know why the 9/11 Commission chose to ignore the Able Danger affair. I do not know if this was a collective decision by all the 9/11 commissioners. I do not know if this was the unilateral decision of a single individual, the 9/11 Commission Executive Director Philip Zelikow.

I do know that the political stakes in the content of the *9/11 Commission Report* were rightly perceived as gargantuan. Everyone in the nation knew that the report would speak definitively on the roles and responsibilities of the Clinton and Bush administrations in the events that spawned America's Pearl Harbor of the twenty-first century. Careers and reputations were at stake for presidents and bureaucrats alike. The future aspirations of the Democrat and Republican Parties could be at stake, depending on how blame for the September 11 catastrophe was apportioned.

I do know that the 9/11 Commission was bipartisan—not in the sense that the commissioners were all moderates, or all centrists in their political views. The 9/11 Commission was sharply divided ideologically.

I do know that Jamie Gorelick was a controversial choice to serve as a 9/11 Commissioner. Gorelick had served previously in the Justice Department under President Clinton. As readers of this book should know by now, and as readers of the *9/11 Commission Report* know, the policies of the Department of Justice on the sharing and use of foreign intelligence against US persons played an important role in lost opportunities to stop the 9/11 attacks. Indeed, the Clinton Justice Department appears to have been a key actor in converting Able Danger's spectacular intelligence victory over Al Qaeda into the stunning defeat of September 11.

Jamie Gorelick's appointment as a 9/11 commissioner violated tradition and common sense. Commissions are supposed to be independent and objective. For these reasons, previous service in the administration under

scrutiny by a commission normally automatically disqualifies a candidate for service on that commission.

I cannot prove Gorelick played any role in the decision to ignore Able Danger, but her appointment as a 9/11 commissioner was highly inappropriate.

I do know that Dr. Philip Zelikow, the top staffer on the 9/11 Commission, had ignored Able Danger and that Zelikow, like any executive director, played a crucial role in producing the *9/11 Commission Report*. Zelikow arranged the hearings and led the research effort that provided the 9/11 commissioners with the information that became the basis for their judgments. The executive director is a gatekeeper, deciding what information should rise to the attention of the commissioners. Most commission executive directors even usually write the first draft of the commission report.

Conceivably, the failure of the 9/11 Commission to address Able Danger could be the responsibility of one man, the commission executive director, Dr. Philip Zelikow. Although Zelikow worked for the Bush administration as an aide to Secretary of State Condoleezza Rice, his background suggests divided loyalties. Before becoming the executive director of the 9/11 Commission, Zelikow was in academia, and had taught for eight years (1991–1998) at Harvard University's John F. Kennedy School of Government, known for its liberal views on foreign policy and harsh criticism of Republican administrations. Zelikow mined the JFK School's archives to write several books about the Kennedy administration, the "Camelot Years" for the Democratic Party, and coauthored several books with liberal academics. He had also coauthored a book with Condoleezza Rice (*Germany Unified and Europe Transformed*), but this was an exception to his pattern of favoring Democrats to share his byline.

However, other scenarios explaining the 9/11 Commission's blackout of Able Danger are at least equally plausible.

For example, the commission as a whole may have agreed collectively that they had a higher, unwritten, mandate that superseded their responsibility to tell the truth. After all, the United States was actively waging a controversial war on terrorism. Even the 9/11 commissioners were soldiers in that war, as the commission's most important purpose was to help prevent a repetition of the September 11 catastrophe. If the *9/11 Commission Report* placed too much blame on the Clinton administration, it would further polarize the nation politically. Unifying a divided America behind an unpopular Republican president to effectively prosecute the war on terror would become more difficult. Future 9/11 attacks would become more likely.

I do not know if the 9/11 Commission suppressed the Able Danger's findings, which place blame for the September 11 catastrophe squarely on the shoulders of the Clinton administration, to serve a higher interest, in order to promote political unity at a time of national peril.

What I do know is that an accurate history, let alone *the definitive history*, of the 9/11 attacks has not yet been written. Much more investigation is warranted. The 9/11 Commission is now part of the mystery, and itself warrants investigation.

I also know that omission of Able Danger is not the only failing of the *9/11 Commission Report*. Careful reading of the report reveals an artfully hidden agenda that seeks to protect the reputation of the Clinton administration at the expense of truth.

Those who have already read the report may find my indictment of the report's objectivity very hard to believe. The report is unquestionably a great work of scholarship: copiously sourced and well-written, it has all the earmarks of great historical literature. Indeed, the report's description of Al Qaeda's planning and execution of the 9/11 attacks, and the defense by America's first responders against those attacks is, in fact, great history.

However, on the issue of presidential accountability, the report has a carefully disguised and clear political agenda that jettisons the truth.

The *9/11 Commission Report* is a masterful balancing act that attempts to apportion blame for 9/11 more or less equally between the two presidents and their counterterrorism policies. Clinton was at the helm for eight years, and Bush in charge not even two years before 9/11. The report understates and conceals the errors and faults of President Clinton, while greatly exaggerating those of President Bush, in order to parse the blame for 9/11 equally. Indeed, because the report tries piling-up an equal amount of fault on President Bush over a much shorter period, and because 9/11 happened on President Bush's watch, President Bush comes off the more culpable.

A full dissection of the report is not possible or desirable here. I ask the patient reader, however, to suspend judgment and bear with me through a review of some ingenious examples of subtle bias in the report slanted in favor of President Clinton and against President Bush.

The next chapter shall examine some inconvenient facts deliberately omitted from the *9/11 Commission Report*, probably because they were too embarrassing to the Clinton administration. The inclusion of these facts in any history would make too difficult or impossible to apportion equal blame on both the Clinton and Bush administrations.

Able Danger is the single most inconvenient fact for those who would hide from the American people the truth—that the failure to stop 9/11 falls most heavily, almost entirely, on the Clinton administration.

The *9/11 Commission Report* on Clinton Counterterrorism Policy

The *9/11 Commission Report* accepts at face value President Clinton's own description of his counterterrorism policies. The report begins its assessment of the Clinton administration with, and sustains throughout, a breathless recitation of President Clinton's bold initiatives to combat

terrorism. The chapter title is “Counterterrorism Evolves.” The overall effect certainly creates a most positive impression of a Clinton administration that was fully aware of the terrorist threat, and acted dynamically and innovatively against the threat, as is obviously the intention of the report in these examples:

President Clinton was, from the very beginning of his administration, according to the report, tough on terrorism:

When President Clinton took office, he decided right away to coordinate counterterrorism from the White House. (p. 100)

President Clinton launched cruise missile strikes:

When explaining the missile strike against Iraq provoked by the plot to kill President Bush, President Clinton stated: “From the first days of our Revolution, America’s security has depended on the clarity of the message: Don’t tread on us. A firm and commensurate response was essential to protect our sovereignty, to send a message to those who engage in state-sponsored terrorism, to deter further violence against our people, and to affirm the expectation of civilized behavior among nations.” (p. 100)

President Clinton launched legislative initiatives:

In his State of the Union message in January 1995, President Clinton promised “comprehensive legislation to strengthen our hand in combating terrorism, whether they strike at home or abroad.” In February, he sent Congress proposals to extend federal criminal jurisdiction, to make it easier to deport terrorists, and to act against terrorist fund-raising. In early May, he submitted a bundle of strong amendments. (p. 100)

President Clinton launched presidential directives:

President Clinton issued a classified directive in June 1995, Presidential Decision Directive 39, which said that the United States should "deter, defeat, and respond vigorously to all terrorist attacks on our territory and against our citizens." The Directive called terrorists both a matter of national security and a crime, and it assigned responsibilities to various agencies. Alarmed by the incident in Tokyo [a terrorist attack using nerve gas in a Tokyo subway] President Clinton made it the very highest priority for his own staff and for all agencies to detect and respond to terrorism that involved chemical, biological, or nuclear weapons. (p. 101)

President Clinton gave counterterrorism top priority:

When announcing his new national security team after being reelected in 1996, President Clinton mentioned terrorism first in a list of several challenges facing the country. (p. 101)

President Clinton launched more directives:

[President Clinton] issued two Presidential Decision Directives, Numbers 62 and 63, that built on the assignments to agencies that had been made in Presidential Decision Directive 39; laid out ten program areas for counterterrorism; and enhanced, at least on paper, Clarke's authority to police these assignments. (p. 101)

President Clinton was desperately worried about terrorist use of weapons of mass destruction and cyberterrorism:

Explaining the new arrangement and his concerns in another commencement speech, this time at the Naval Academy, in May 1998, the President said: "First, we will use our new integrated approach to intensify the fight against all forms of terrorism; to capture terrorists, no matter

where they may hide; to work with other nations to eliminate terrorist sanctuaries overseas; to respond rapidly and effectively to protect Americans from terrorism at home and abroad. Second, we will launch a comprehensive plan to detect, deter, and defend against attacks on our critical infrastructures, our power systems, water supplies, police, fire, and medical services, air traffic control, financial services, telephone systems, and computer networks . . . . Third, we will undertake a concerted effort to prevent the spread and use of biological weapons and to protect our people in the event these terrible weapons are ever unleashed by a rogue state, a terrorist group, or an international criminal organization . . . . Finally, we must do more to protect our civilian population from biological weapons. (pp. 101–102)

Finally, the *9/11 Commission Report* sums up President Clinton's awareness and determination to act against the terrorist threat by essentially giving him an "A-Plus." According to the report: "Clearly, the President's concern about terrorism had steadily risen. That heightened worry would become even more obvious early in 1999, when he addressed the National Academy of Sciences and presented his most somber account yet of what could happen if the United States were hit, unprepared, by terrorists wielding either weapons of mass destruction or potent cyberweapons."

The problem with the report's very positive assessment of President Clinton on counterterrorism is that the report confuses rhetoric with substance. Except for President Clinton's occasional cruise missile strikes, President Clinton's war on terrorism was mostly waged with paper and hot air. Even President Clinton's 1993 cruise missile strike on Iraq was primarily symbolic, and not adequate or proportionate to Iraq's assassination attempt against a former US president, which amounted to a new declaration of war by Saddam Hussein. The *9/11 Commission Report* accepted President Clinton's view of the cruise missile strike as heroic and

pretended not to see that the strike was a mere gesture, done mainly for domestic political reasons, by a president desperate to avoid another war with Iraq.

President Clinton's other cruise missile strikes, against a suspected nerve gas factory and against Al Qaeda training camps, were also militarily ineffective. President Clinton's purpose in launching cruise missiles was diplomatic "signaling," to warn rogue regimes not to support terrorism, as is reflected in the names of the president's experiments in using cruise missiles to deliver a political message—"Operation Infinite Reach" and "Operation Infinite Resolve." Afghanistan's Taliban and Al Qaeda were unimpressed.

As portrayed in the *9/11 Commission Report*, Clinton's speeches, presidential decision directives, and legal initiatives showed that President Clinton was tough on terrorism. Surely the 9/11 Commission knew better. The commission did not let such nonsense pass for a real war on terrorism when they judged President Bush, as shall be seen later.

The President Clinton described in the report bears little resemblance to the President Clinton I knew while working with his administration on national security policy and defense budgets, when I served as chairman of the Research and Development Subcommittee of the House Armed Services Committee. What I remember about President Clinton is that he drastically slashed the manpower, force structure, and budgets of the US Army, Navy, Air Force, Marines, and of the entire intelligence community. The US Congress struggled through two administrations against a President Clinton determined to cash in the mythical defense budget dividend that was supposed to result from the end of the Cold War.

President Clinton dangerously hollowed out US military strength, reducing to imprudently low levels the readiness of our armed services. Were it not for intervention by the US Congress, President Clinton would have greatly reduced or eliminated many of the hi-tech military systems that

have been decisive in the current war on terrorism, such as B-2 bombers, cruise missiles and other precision munitions, and advanced reconnaissance and intelligence capabilities. In 1997, I personally described President Clinton's defense policy as an "impossible situation" because "We have a president with an internationalist foreign policy and an isolationist defense budget." The war on terrorism is fought with men, technology, and money, not with presidential decision directives and speeches at the Naval Academy.

The *9/11 Commission Report* alleges that President Clinton was deeply concerned about terrorists using chemical, biological, or nuclear weapons. Yet when I held a series of congressional hearings to warn that missing Russian tactical nuclear weapons could become a terrorist threat, the Clinton administration attempted to dismiss the threat, despite overwhelming evidence to the contrary. When General Aleksandr Lebed, then National Security Advisor to Russian President Boris Yeltsin, offered to work with the United States against nuclear terrorism, the Clinton administration ignored General Lebed's offer.

If President Clinton was really so concerned about weapons of mass destruction terrorism, why did his administration oppose the US Congress's attempt to levy sanctions against Russia for proliferation of chemical, biological, nuclear, and missile technologies? Why did President Clinton oppose the US Congress for attempting to levy sanctions on China for proliferation of chemical, biological, nuclear, and missile technologies?

As to the claim by the *9/11 Commission Report* that President Clinton was particularly concerned about the threat from cyberterrorism (see the report quote from pages 101–102) to critical US civilian infrastructures—this is preposterous. It is true that Clinton appointed a presidential commission, the Marsh Commission, to examine cyberterrorism. But fortuitously, from President Clinton's viewpoint, the Marsh Commission

called for more paper studies and bureaucratic reorganization, but no new defense expenditures to deter or fight the bad guys.

The Marsh Commission also grossly underestimated foreign threats. Nuclear terrorists could unleash an electromagnetic pulse (EMP) attack that would so devastate US critical infrastructures that we could cease to exist as an organized society. Congressman Roscoe Bartlett and I personally fought the Clinton administration for four years to establish an EMP Commission that, in July 2004, proposed a five-year plan for protecting United States military forces and civilian infrastructures from EMP attack. So much for President Clinton's grave concern about terrorist threats to critical infrastructures.

Nor did the intelligence community—the first line of defense against terrorism—fare better than the US Army, Navy, Marines, and Air Force, under President Clinton. The Central Intelligence Agency and the entire intelligence community suffered severe cuts in manpower, research and development, and overall budgets imposed by President Clinton. The *9/11 Commission Report* tries to cover President Clinton for gutting the intelligence community with a rhetorical device intended to make the CIA budget a matter of perception: "But the CIA still believed that it remained underfunded for counterterrorism." Wrong. The CIA was—in fact—underfunded for counterterrorism.

Frankly, in contrast to the report, President Clinton's rhetoric about terrorism was widely understood in the US Congress as a politically expedient pose to appear tough on some national security issue, while promoting draconian cuts in the strength of the United States armed forces and the intelligence community.

The Report on Clinton's Blown Opportunities to Kill Bin Laden

The 9/11 Commission Report recounts in meticulous detail numerous opportunities to kill Osama bin Laden when President Clinton was in office. The Clinton administration failed to kill bin Laden at least nine times—usually through inaction.

The report was so concerned about fixing immediate responsibility for these failures on some person or agency that the report tends to "forget" about President Clinton. While focusing on the tactical minutiae of each failure, the report also forgets that each of these lost opportunities to kill Osama bin Laden represented, more importantly, a lost opportunity to prevent the 9/11 attacks. After all, bin Laden is important chiefly because, as the head of Al Qaeda, he provided the leadership and material support that made the 9/11 attacks possible.

A charitable explanation is that the authors of the *9/11 Commission Report* relied on the reader's common sense to know that a blown opportunity to kill bin Laden is also a blown opportunity to prevent the 9/11 attacks, and that the buck stops with the president. But as the 9/11 attacks and the question of ultimate accountability are the primary purpose of the report, one would think the report would not forget to address these issues directly, or leave the clever reader to deduce from an encyclopedia of facts the correct inferences.

President Clinton is conspicuous by his absence from the detailed history of blown opportunities to kill bin Laden in the report. Yet, President Clinton in each and every case was responsible for the failure, not merely in a theoretical sense because he was the chief executive, but directly, because of the effect of his counterterrorism policies on operations.

Unstated in the *9/11 Commission Report*, but apparent in the facts to the thinking reader, is that President Clinton never understood that Islamic terrorists had declared war on the United States, that the United States was at war with terrorism. Throughout both of his administrations, President Clinton treated the hunt for bin Laden more like a law enforcement problem

than a military problem. He never understood that bin Laden was an enemy who must be killed. Instead, President Clinton always hoped bin Laden might be brought to justice instead by capture.

Ambivalence by President Clinton impacted operational plans against bin Laden, as capturing is much harder to achieve than killing. Moreover, given that assassination is illegal under US law, the president's ambivalence toward killing bin Laden, even though it could be done legally as an act of war, had a self-deterring effect on the United States and its agents.

The sad history of President Clinton's failed efforts against Osama bin Laden, as sanitized by the report to protect the reputation of the president, is briefly summarized below:

The *9/11 Commission Report* describes an operation in May 1998 to use Afghan "tribals" to capture bin Laden in May 1998 that was abruptly canceled over concerns that he might be killed. The authors of the report blamed the CIA: "The CIA's senior management clearly did not think the plan would work." Yet the report acknowledges that this was the best opportunity to capture Ben Laden: "No capture plan before 9/11 ever again attained the same level of detail and preparation. The tribals' reported readiness to act diminished. And bin Laden's security precautions and defenses become more elaborate and formidable." Nonetheless, the report excused the Clinton administration in its last word on this blown opportunity to stop 9/11: "The decisions of the US government in May 1998 were made, as Berger has put it, from the vantage point of the driver looking through a muddy windshield looking forward, not through a clean rearview mirror."

The report also gives President Clinton great credit for a failed attempt, in August 1998, to kill bin Laden with cruise missile strikes on his camp in Afghanistan that "probably missed bin Laden by a few hours." Yet the report is uncritical, even praises President Clinton, for wasting forty-eight hours before the strike notifying congressional leaders and foreign

counterparts. Might those foreign counterparts have given bin Laden warning? Why did the commander-in-chief not strike right away?

The bad guys in the *9/11 Commission Report* are congressional Republicans, including Newt Gingrich, who dismissed the ineffectual cruise missile strikes as "pinpricks." Even Hollywood is blamed for the movie *Wag the Dog*, that led some to suggest that President Clinton's cruise missile strikes were intended to distract public attention from his sexual scandal with White House intern Monica Lewinsky. The authors of the report also pointed an accusing finger at President Clinton's Republican critics: "The failure of the strikes, the 'wag the dog' slur, the intense partisanship of the period . . . likely had a cumulative effect on future decisions about the use of force against Bin Ladin" So, through this legerdemain, the report implies that President Clinton's subsequent failures against bin Laden could be blamed on the intense partisanship of Republicans!

Another Clinton administration scheme—to buy bin Laden from the Taliban by asking Saudi Arabia to pay $250 million—was abandoned, according to the report, in part because of possible objections from First Lady Hillary Rodham Clinton. Hillary Clinton disliked "the Taliban's record on women's rights. The proposal seems to have quietly died." The report makes no comment on the appropriateness of the First Lady having knowledge and influence in a clandestine counterterrorism operation.

The *9/11 Commission Report* also describes a lost opportunity to kill bin Laden with a cruise missile strike when he traveled to Kandahar and spent the night at the Haji Habash house in December 1998. President Clinton decided not to act. The report notes, "Some lower-level officials were angry. 'Mike' [a CIA officer] reported to Schroen that he had been unable to sleep after this decision. 'I'm sure we'll regret not acting last night,' he wrote, criticizing the principals for . . . 'worrying that some stray shrapnel might hit the Habash mosque and offend Muslims.'" The report blames "the

principals" and "the military" for failing to act: " . . . the principals decided against recommending to the President that he order a strike . . . the military was concerned that a few hours had passed since the last sighting of Bin Ladin." Where was President Clinton? What did he think? The report says nothing.

The report describes a plan developed by General Peter Schoomaker, chief of Special Operations Command, to use an AC-130 gunship, instead of cruise missiles, to kill bin Laden. The AC-130 gunship could target more precisely and would cause less collateral damage. The report cites Richard Clarke's claim that General Zinni opposed the idea, while also noting, "Zinni himself does not recall blocking the option."

What did President Clinton think? The report does not say.

The report describes another plan developed by General Schoomaker to kill bin Laden, using "boots on the ground"—elite special operations soldiers. This idea was also rejected. The report notes that the founder of Delta Force, General William Boykin, told the commission that "opportunities were missed because of an unwillingness to take risks and a lack of vision and understanding." The report blames the Joint Chiefs Chairman, General Hugh Shelton, not President Clinton: "President Clinton relied on the advice of General Shelton, who informed him that without intelligence on Bin Ladin's location, a commando raid's chance of failure was high."

The *9/11 Commission Report* describes another lost opportunity to kill bin Laden with a cruise missile strike when he was discovered at a desert camp in February 1999, in the company of royals from the United Arab Emirates. The Clinton administration did not attack because "policymakers were concerned about the danger that a strike would kill an Emirati prince or other senior official," according to the report. Richard Clarke blew this opportunity permanently when he made a phone call warning UAE officials not to associate with bin Laden. The report notes, "Imagery confirmed that

less than a week after Clarke's phone call the camp was hurriedly dismantled and the site was deserted . . . . 'Mike' thought the dismantling of the camp erased a possible site for targeting Bin Ladin." Did Clarke phone the UAE on his own authority? Where was President Clinton in all this? The report does not say.

In February 1999, the *9/11 Commission Report* describes yet another blown opportunity to kill bin Laden. This time, the report cannot hide President Clinton's role, which perhaps explains why the incident is treated in merely two short paragraphs. According to the report, "In February 1999, Tenet sought President Clinton's authorization to enlist Massoud [chieftain of the anti-Taliban Northern Alliance in Afghanistan] and his forces as partners. In response to this request, the president signed the memorandum of notification whose language he personally altered." In the report, Tenet is cited as characterizing President Clinton's changes to the memorandum as no big deal, "expressing a preference for capture." Yet six pages earlier, before the reader fully understands the import of the memorandum, the report concedes that President Clinton's changes were very significant: "President Clinton crossed out key language he had approved in December and inserted more ambiguous language. No one we interviewed could shed light on why the president did this. President Clinton told the commission that he had no recollection of why he rewrote the language." According to CIA officers cited in the report, "Massoud's reaction when he heard that the United States wanted him to capture and not kill Bin Ladin" was to say, "You guys are crazy." The report concedes that the CIA officers believed "the capture proviso inhibited Massoud and his forces from going after Bin Ladin." But the report apologizes for President Clinton by asserting, "The idea, however, was a long shot."

In May 1999, "It was in Kandahar that perhaps the last, and most likely the best, opportunity arose for targeting Bin Ladin with cruise missiles before 9/11," according to the report. Again, President Clinton failed to act.

"When the decision came back that they should stand down, not shoot, the officer said, 'we all just slumped.' He told us he knew of no one at the Pentagon or the CIA who thought it was a bad gamble. Bin Ladin 'should have been a dead man' that night, he said," according to the report. This time, the report blames CIA Director George Tenet, citing second-hand information from Richard Clarke that, "Tenet assessed the chance of the intelligence being accurate as 50–50 . . . Tenet's assessment was the key to the decision." Yet the report also notes that Tenet was out of town at the time and, in his absence, being represented by his deputy, John Gordon.

As to President Clinton's role in blowing the last, and most likely the best opportunity to kill Osama bin Laden, the *9/11 Commission Report* is silent.

The Report on Clinton's Presidential Daily Brief (December 4, 1998)

To bolster their case that President Clinton was actively engaged against the Al Qaeda threat, the authors of the *9/11 Commission Report* included one of the classified articles from the Presidential Daily Brief (PDB). The PDB is a highly classified intelligence community report written for and briefed exclusively to the president and his closest advisors on a daily basis. Like a TOP SECRET morning newsletter, the PDB is intended to warn the president of actual and potential crises and major developments on the world scene.

A Presidential Daily Brief had never before been declassified for public review, until the report. This achievement, the declassification of a document so tightly compartmentalized and so sensitive to the Office of the President, testifies to the power of the 9/11 Commission.

The bin Laden article from the Presidential Daily Brief of December 4, 1998, declassified and published in the main text of the *9/11 Commission Report*, is reproduced below:

PRESIDENTIAL DAILY BRIEF
December 4, 1998

SUBJECT: Bin Ladin Preparing to Hijack U.S. Aircraft and Other Attacks

1. Reporting [—] suggests Bin Ladin and his allies are preparing for attacks in the U.S., including an aircraft hijacking to obtain release of Shaykh 'Umar' Abd al-Rahman, Ramzi Yousef, and Muhammad Sadiq 'Awda. One source quoted a senior member of the Gama'at al-Islamiyya (IG) saying that, as of late October, the IG had completed planning for an operation in the U.S. on behalf of Bin Ladin, but the operation was on hold. A senior Bin Ladin operative from Saudi Arabia was to visit IG counterparts in the U.S. soon thereafter to discuss options—perhaps including an aircraft hijacking:

- IG leader Islambuli in late September was planning to hijack a U.S. airliner during the "next couple of weeks" to free 'Abd al-Rahman and the other prisoners, according to what may be a different source.
- The same source late last month said that Bin Ladin might implement plans to hijack U.S. aircraft before the beginning of Ramadan on 20 December and that two members of the operational team had evaded security checks during a recent trial run at an unidentified New York airport [—].

2. Some members of the Bin Ladin network have received hijack training, according to various sources, but no group directly tied to Bin Ladin's al-Qa'ida organization has ever carried out an aircraft hijacking. Bin Ladin could be weighing other types of operations against U.S. aircraft. According to [—] the IG in October obtained SA-7 missiles and intended to move them from Yemen into Saudi Arabia to shoot down an Egyptian plane or, if unsuccessful, a U.S. military or civilian aircraft.

- A [—] in October told us that unspecified "extremist elements" in Yemen had acquired SA-7s. [—]

3. [—] indicate that Bin Ladin organization or its allies are moving closer to implementing anti-U.S. attacks at unspecified locations, but we do not know whether they are related to attacks on aircraft. A Bin Ladin associate in Sudan late last month told a colleague in Kandahar that he had shipped a group of containers to Afghanistan before the East Africa bombings.

- In other [—] Bin Ladin associates last month discussed picking up a package in Malaysia. One told his colleague in Malaysia that "they" were in the "ninth month [of pregnancy]."
- An alleged Bin Ladin supporter in Yemen late last month remarked to his mother that he planned to work in "commerce" from abroad and said his impending "marriage," which would take place soon, would be a "surprise." "Commerce" and "marriage" often are codewords for terrorist attacks. [—]

The *9/11 Commission Report* congratulated the Clinton White House for its decisive response to the Presidential Daily Brief on the bin Laden threat:

To address the hijacking warning, [the White House] agreed that New York airports should go to maximum security starting that weekend. They agreed to boost security at other East coast airports. The CIA agreed to distribute versions of the report to the FBI and FAA to pass on to the New York Police Department and the airlines. The FAA issued a security directive on December 8, with specific requirements for more intensive air carrier screening of passengers and more oversight of the screening process, at all three New York City area airports.

Why these basic and very obvious precautions were worthy of so much attention from the *9/11 Commission Report* is somewhat bewildering, unless understood as an attempt to burnish the Clinton administration's disappointing credentials as an effective fighter of Al Qaeda. The report never put the Clinton administration's actions in proper perspective. If the

Clinton White House failed to heed the PDB of December 4, 1998, and did not undertake these basic precautions, it would be guilty of gross dereliction.

The report does not condemn the Clinton administration, as seems warranted by the PDB, for failing to redouble their efforts to neutralize bin Laden through offensive military action. At minimum, the PDB should have moved President Clinton to write a clear and unambiguous memorandum calling for bin Laden's elimination, without confusing wriggle words expressing preference for capture.

I ask the reader to remember the positive spin the report put on the Clinton administration's reaction to the PDB of December 4, 1998. Later, we shall examine the report's highly critical and unfair treatment of the Bush administration's response to a PDB of August 6, 2001, describing a future bin Laden threat to the United States. Yet the Bush administration responded more decisively than did the Clinton administration, despite the fact that the PDB provided to the Bush administration contained no specific, actionable intelligence.

Nor did the authors of the *9/11 Commission Report* chastise the Clinton administration for failing to exercise common sense and, in response to the PDB of December 4, 1998, press the intelligence community to examine possible future Al Qaeda threats to the US homeland. Yet the report levels exactly such criticism at the Bush administration where, as shall be seen, the criticism is unwarranted.

The Report on President Clinton's View of Al Qaeda

In judging the competence of the Clinton administration against the Al Qaeda threat, nothing could be more important than the personal views of President Clinton. If President Clinton himself was not in the saddle and ready to ride against Osama bin Laden, then his administration would be crippled—leaderless—in the fight against Al Qaeda.

Did President Clinton understand that bin Laden posed such a grave threat that the United States was, in effect, at war with Al Qaeda? The historical record suggests not. Recounted earlier were the Clinton administration's many failed attempts to neutralize or eliminate bin Laden, failed because of indecision, lack of leadership, and ambivalence by the president himself.

However, the authors of the *9/11 Commission Report* wrote that President Clinton was firmly in the saddle and riding against bin Laden and offered as proof a number of statements by President Clinton that no one else, besides the president, can remember, and that cannot be independently verified.

For example, the report accepts President Clinton's word that "at some point" in 1999–2000 he "expressed his frustration with the lack of military options to take out Bin Ladin" to the Chairman of the Joint Chiefs of Staff, General Hugh Shelton. General Shelton does not recall what would seem to be very important and very memorable words from the president:

At some point during this period, President Clinton expressed his frustration with the lack of military options to take out Bin Ladin and the Al Qaeda leadership, remarking to General Hugh Shelton, "You know, it would scare the shit out of Al Qaeda if suddenly a bunch of black ninjas rappelled out of helicopters into the middle of their camp." Although Shelton told the Commission he did not remember the statement, President Clinton recalled this remark as "one of many things I said."

For example, the report claims that On March 25, 2000, President Clinton pressed Pakistani President Musharraf for help against bin Laden. The evidence for this is President Clinton's assurance that this did, in fact, happen during a brief "one-on-one meeting":

President Clinton told us that when he pulled Musharraf aside for a brief, one-on-one meeting, he pleaded with the general for help regarding Bin Ladin. “I offered him the moon when I went to see him, in terms of better relations with the United States, if he’d help us get Bin Ladin and deal with another issue or two.”

Finally, the authors of the *9/11 Commission Report* joined President Clinton in a flagrant attempt to rewrite history to condemn new President Bush for ignoring an alleged prescient warning by former President Clinton to beware Osama bin Laden. President Clinton’s story clearly sets up President Bush to take the fall for the 9/11 attacks. The report, slightly to its credit, at least mentions that President Bush “did not remember much being said about Al Qaeda” during his December 2000 transition meeting with former President Clinton:

In December, Bush met with Clinton for a two-hour, one-on-one discussion of national security and foreign policy challenges. Clinton recalled saying to Bush, “I think you will find that by far your biggest threat is Bin Ladin and the Al Qaeda.” Clinton told us that he also said, “One of the greatest regrets of my presidency is that I didn’t get him [Bin Ladin] for you, because I tried to.” Bush told the Commission that he felt sure President Clinton had mentioned terrorism, but did not remember much being said about Al Qaeda. Bush recalled that Clinton had emphasized other issues such as North Korea and the Israeli-Palestinian peace process.

In summing up President Clinton’s personal views of bin Laden and Al Qaeda, the authors of the *9/11 Commission Report* accepted at face value President Clinton’s post-9/11 claim that bin Laden and Al Qaeda were his top priorities: “President Clinton was deeply concerned about bin Ladin.” Astonishingly, the report accepts President Clinton’s claim, even while acknowledging that President Clinton said “little about Bin Ladin and

nothing about Al Qaeda" in his numerous public speeches. This contradiction the report attempts to disappear by asking the reader to believe President Clinton's lame excuse that he "deliberately . . . intended to avoid enhancing Bin Ladin's stature by giving him unnecessary publicity."

The *9/11 Commission Report* on Bush Counterterrorism Policy

While the *9/11 Commission Report* largely let President Clinton and his partisans describe and evaluate the success of their own counterterrorism policy toward Al Qaeda, the authors did not extend the same courtesy to President Bush. Instead, the description and grading of the Bush administration's counterterrorism policy was written largely by Richard Clarke. Clarke, one of the Bush administration's harshest critics.

The authors of the report attempted to portray Richard Clarke as nonpartisan by noting that he had served in the administration of President George H. W. Bush, Bush's father. Clarke, however had been elevated to "counterterrorism czar" by President Clinton, under whom he had served in the White House inner circle for two terms. President George W. Bush and his National Security Advisor, Condoleezza Rice, in an act of bipartisanship unusual for any White House, retained Clarke in his post as counterterrorism czar. However, in the new Bush administration, Clarke was no longer among the inner circle of advisors closest to the president. Clarke regarded his loss of status among the White House staff as a demotion and he resented this bitterly.

Nonetheless, if there is a hero in the White House in the *9/11 Commission Report*, it is Richard Clarke. Because Clarke served in both the Clinton and Bush administrations on counterterrorism, the authors treat his opinions as if they were "objective," and a reliable interpretation for judging the merits of Bush administration counterterrorism policy.

Consequently, the authors of the report offered up, without comment or criticism, and often as the last word summing up a chapter or section,

nuggets of wisdom from Richard Clarke on the Bush administration's alleged slowness and lack of seriousness against Al Qaeda. Here are a few examples:

Clarke would later express irritation about the [Bush administration's] insistence that a strategy for coping with Al Qaeda be framed within the context of a regional policy. He doubted that the benefits would compensate for the time lost.

While Clarke remained concerned about the pace of the policy review, he now saw a greater possibility of persuading the [Bush administration] to recognize the changed nature of terrorism.

In May or June [2001], Clarke asked to be moved from his counterterrorism portfolio to a new set of responsibilities for cybersecurity. He told us that he was frustrated with his role and with an administration that he considered not "serious about Al Qaeda."

Clarke kept arguing that moves against the Taliban and Al Qaeda should not have to wait months for a larger review of U.S. policy in South Asia.

The authors of the *9/11 Commission Report* wielded Richard Clarke like a club against the Bush administration, with devastating rhetorical effect, quoting Clarke's jeremiad against Bush counterterrorism policy delivered in a personal note dated September 4, 2001, just seven days before Al Qaeda struck New York and Washington on September 11:

The Principals Committee had its first meeting on Al Qaeda on September 4. On the day of the meeting, Clarke sent Rice an impassioned personal note. He criticized U.S. counterterrorism efforts past and present. The "real question" before the principals, he wrote, was "are we serious about dealing with the al Qida threat? . . . Is al Qida a big deal . . . *Decision makers should imagine themselves on a future day when the [Bush administration] has not succeeded in stopping al Qida attacks and hundreds of Americans lay dead*

in several countries, including the U.S.," Clarke wrote. "What would those decision makers wish that they had done earlier? That future day could happen at any time."

The report did acknowledge but did not quote at length from similar warnings made by Richard Clarke to the Clinton administration. Clarke's commentary, it must be remembered, was coming from the counterterrorism czar. Part of his job had been to constantly agitate for attention and resources from the administration. If on September 11, 2001, the United States was attacked by China instead of Al Qaeda, one could assuredly find equally prescient jeremiads from those in the White House and Pentagon holding the portfolio on "the China threat." Because Clarke was a Clinton partisan, and personally resentful over a perceived loss of status under the Bush administration, it should come as no surprise that his criticisms of Bush policy were rather shrill.

Perhaps aware that Richard Clarke was not the most credible witness to indict President Bush, the *9/11 Commission Report* rolled out the now infamous Presidential Daily Brief of August 6, 2001. In a chapter sensationally titled, "The System Was Blinking Red," the report included the text of a PDB article entitled "Bin Ladin Determined to Strike in U.S." As noted earlier, the declassification of Presidential Daily Briefs for public review was unprecedented, and attests to the power of the 9/11 Commission, and to the importance ascribed by the commission to the PDB of August 6, 2001, reprinted here below:

PRESIDENTIAL DAILY BRIEF
August 6, 2001

Bin Ladin Determined to Strike in U.S.

Clandestine, foreign government, and media reports indicate Bin Ladin since 1997 has wanted to conduct terrorist attacks in the U.S. Bin Ladin implied in television interviews in 1997 and 1998 that his followers would follow the example of World Trade Center bomber Ramzi Yousef and "bring the fighting to America."

After U.S. missile strikes on his base in Afghanistan in 1998, Bin Ladin told followers he wanted to retaliate in Washington, according to a [—] service.

An Egyptian Islamic Jihad (EIJ) operative told an [—] service at the same time that Bin Ladin was planning to exploit the operative's access to the U.S. to mount a terrorist strike.

The millennium plotting in Canada in 1999 may have been part of Bin Ladin's first serious attempt to implement a terrorist strike in the U.S. Convicted plotter Ahmed Ressam has told the FBI that he conceived the idea to attack Los Angeles International Airport himself, but that Bin Ladin lieutenant Abu Zubaydah encouraged him and helped facilitate the operation. Ressam also said that in 1998 Abu Zubaydah was planning his own U.S. attack.

Ressam says Bin Ladin was aware of the Los Angeles operation.

Although Bib Ladin has not succeeded, his attacks against the U.S. Embassies in Kenya and Tanzania in 1998 demonstrate that he prepares operations years in advance and is not deterred by setbacks. Bin Ladin associates surveilled our Embassies in Nairobi and Dar es Salaam as early as 1993, and some members of the Nairobi cell planning the bombings were arrested and deported in 1997.

Al-Qa'ida members—including some who are U.S. citizens—have resided in or traveled to the U.S. for years, and the group apparently maintains a support infrastructure that could aid attacks. Two al-

Qa'ida members found guilty in the conspiracy to bomb our embassies in East Africa were U.S. citizens, and a senior EIJ member lived in California in the mid-1990s.

A clandestine source said in 1998 that a Bin Ladin cell in New York was recruiting Muslim-American youth for attacks.

We have not been able to corroborate some of the more sensational threat reporting, such as that from a [—] service in 1998 saying that Bin Ladin wanted to hijack a U.S. aircraft to gain the release of "Blind Shaykh" 'Umar 'Abd al-Rahman and other U.S.-held extremists.

> Nevertheless, FBI information since that time indicates patterns of suspicious activity in this country consistent with preparations for hijacking or other types of attacks, including recent surveillance of federal buildings in New York. The FBI is conducting approximately 70 full field investigations throughout the U.S. that it considers Bin Ladin related. CIA and the FBI are investigating a call to our Embassy in the UAE in May saying that a group of Bin Ladin supporters was in the U.S. planning attacks with explosives.

The clear intent of the authors of the *9/11 Commission Report* in publishing the Presidential Daily Brief of August 6, 2001, was to blame the Bush administration for the Al Qaeda attacks on the United States of September 11, 2001. The PDB is supposed to be a smoking gun proving President Bush's guilt. After all, the PDB warned "Bin Ladin Determined to Strike in U.S." on August 6, and Bin Ladin did strike the U.S. a little over one month later.

Although the report did not explicitly condemn President Bush for 9/11, the implication was clear. The report chastised the Bush administration for

failing to follow-up the PDB: “We have found no indication of any further discussion before September 11 among the President and his top advisors of the possibility of a threat of an Al Qaeda attack in the United States.” President Bush’s critics seized on the Presidential Daily Brief as proof positive of the president’s failure. Unlike President Clinton’s PDB, the Bush PDB became the subject of heated debate in televised hearings of the 9/11 Commission.

Yet it was all smoke and mirrors to cast the Bush administration in an unfavorable light, unfairly.

The *9/11 Commission Report* dedicated only a single sentence to the fact that the Presidential Daily Brief of August 6, 2001, was drafted in response to queries by President Bush himself: “During the spring and summer of 2001, President Bush had on several occasions asked his briefers whether any of the [Al Qaeda] threats pointed to the United States.”

So the PDB that was supposed to prove President Bush’s negligence toward Al Qaeda, proved in fact that the president was thinking more deeply than many in the intelligence community, who were focused only on Al Qaeda threats overseas. If President Bush had not provoked the intelligence community to think about Al Qaeda threats to the US homeland, the PDB of August 6, 2001, would not exist. Even the report concedes that “the Presidential Daily Brief titled ‘Bin Ladin Determined to Strike in U.S.’ . . . was the 36th PDB item briefed so far that year that related to Bin Ladin or Al Qaeda, and the first devoted to the possibility of an attack on the United States.” The report forgets to credit President Bush for his prescience.

Crucially, the Presidential Daily Brief of August 6, 2001, contained no specific, actionable intelligence that would have enabled President Bush to stop the 9/11 attacks. Moreover, the PDB did make reference to “70 full field investigations” by the FBI that suggests the system was working hard to protect the United States homeland from Al Qaeda.

The *9/11 Commission Report* allowed President Bush only five sentences to defend himself from the charge that the PDB of August 6, 2001, somehow proved his negligence in failing to stop the attacks of September 11. But the report implicitly allowed those false charges to stand. The report pretended to be agnostic on the question of Bush's guilt, making no comment on the president's brief, but logical and entirely correct, defense:

The President told us the August 6 report was historical in nature. President Bush said the article told him that Al Qaeda was dangerous, which he said he had known since he had become President. The President said Bin Ladin had long been talking about his desire to attack America. He recalled some operational data on the FBI, and remembered thinking it was heartening that 70 investigations were underway. As best he could recollect, Rice had mentioned that the Yemenis' surveillance of a federal building in New York had been looked into in May and June, but there was no actionable intelligence.

The authors of the report also tried to indict the Bush administration for missing opportunities to stop the 9/11 attacks. They came up with "at least two," and at most three, missed opportunities: 1) the failure of the CIA and FBI to share information that might have identified 9/11 terrorists Khalid al Mihdar and Nawaf al Hazmi as Al Qaeda agents present in the United States; 2) the failure of the FBI to arrest 9/11 terrorist Zacarias Moussaoui, that "could have derailed the plan" for 9/11; and 3) the failure of the CIA to identify Khalid Sheikh Mohammed, the mastermind of 9/11, as an Al Qaeda member, whose known association with Moussaoui might also have exposed the 9/11 plot.

Although these three missed opportunities to stop 9/11 did happen on President Bush's watch, the failures did not happen in the White House. All of the missed opportunities were missed because of mistakes made by foot

soldiers in the war on terrorism: field agents and analysts and their immediate superiors. That they came so close to stopping 9/11 is more deserving of praise than criticism, and suggests that the Bush White House was in fact already waging a war on terrorism, before 9/11.

In contrast, if President Bush's troops failed to stop 9/11 on three occasions, President Clinton's White House failed to stop 9/11 on nine occasions. And President Clinton's failures were of his own making, due to ambivalence and lack of leadership by the commander-in-chief.

One can find some truth about the Bush administration's counterterrorism policy buried in the *9/11 Commission Report*. Buried beneath Richard Clarke's caustic commentaries, a misleading Presidential Daily Brief, and the minutiae of understandable mistakes by FBI and CIA field agents and analysts, the report did hurriedly convey some important facts.

On page 202 of the report, the careful reader will see that among the first actions of the incoming Bush administration was to reverse the deep budget cuts of the Clinton years and enact "a substantial increase in counterterrorism funding" across the board, for the entire intelligence community: "The [Bush] administration decided to propose to Congress a substantial increase in counterterrorism funding for national security agencies, including the CIA and the FBI. This included a 27 percent increase in counterterrorism funding for the CIA."

The discerning reader will see on pages 211–212 that the Bush administration innovated a daring technical approach to the Osama bin Laden problem—a crash program to develop an armed version of the Predator unmanned reconnaissance aircraft, capable of killing with Hellfire missiles. General Jumper, who was in charge of developing the armed Predator, described the program as moving faster than any, "In the modern era, since the 1980s . . . I would be shocked if you found anything that went faster than this." The Bush White House was pushing the armed Predator

program and wanted it to be ready to go after Osama bin Laden by September 1, 2001: “White House officials had seen the Predator videos of the “man in white” [bin Laden]. On July 11 [2001], Hadley [White House Deputy National Security Advisor] tried to hurry along preparation of the armed system. He directed McLaughlin [CIA Deputy Director], Wolfowitz [Deputy Secretary of Defense], and Joint Chiefs Chairman Richard Myers to deploy Predators capable of being armed no later than September 1.”

The alert reader also will find fleetingly mentioned on page 212 that before 9/11 the Bush White House “concluded that it was legal for the CIA to kill Bin Ladin or one of his deputies with the Predator. Such strikes would be acts of self-defense that would not violate the ban on assassination in Executive Order 12333.”

The discerning reader will notice, circuitously mentioned on page 214, that President Bush approved the drafting of a new presidential directive that authorized lethal force against Al Qaeda and the overthrow of the Taliban regime in Afghanistan, superseding the Clinton-era directives:

. . . Hadley instructed DCI Tenet to have the CIA prepare new draft legal authorities for the “broad covert action program” envisioned by the draft presidential directive. Hadley also directed Tenet to prepare a separate section “authorizing a broad range of other covert activities, including authority to capture or to use lethal force” against Al Qaeda command-and-control elements. This section would supersede the Clinton-era documents. Hadley wanted the authorities to be flexible and broad enough “to cover any additional [Bin Ladin] related covert actions contemplated.”

The alert reader will discover on page 258 that in July 2001—less than two months before 9/11—alarmed by the threat from Al Qaeda, the Bush administration launched counterterrorism operations in twenty countries: “Disruption operations against Al Qaeda-affiliated cells were launched involving twenty countries. Several terrorist operatives were detained by

foreign governments, possibly disrupting operations in the Gulf and Italy and perhaps averting attacks against two or three U.S. embassies."

In sum, the Bush administration's counterterrorism policy, even perceptible in the report, was much more aggressive and energetic than President Clinton's. The Bush White House drafted a new presidential directive that authorized lethal force against bin Laden and Al Qaeda and war against the Taliban to replace the Clinton administration's ambivalent, self-defeating directives that focused on capture. The Bush administration applied new technology—the armed Predator—for the purpose of killing Osama bin Laden. Unfortunately, the Bush White House missed its September 1, 2001, deadline for deploying the Predator, and was unable to alter the tragic history of September 11.

But the bottom line is that the Bush administration moved faster and accomplished more in eighteen months than did the Clinton administration in eight years against the Al Qaeda threat. Both Presidents failed to stop September 11. But most of the history that made September 11 inevitable was written during the Clinton administration's eight years of missed opportunities.

The greatest of the missed opportunities to stop September 11 was the Clinton administration's bungling and subsequent destruction of the Able Danger project. President Bush told the 9/11 Commission, "If his advisers had told him there was a cell in the United States, they would have moved to take care of it. That never happened." That never happened because the Clinton administration destroyed Able Danger and the vital intelligence that would have enabled the Bush administration to act.

The Able Danger affair is conspicuous by its absence from the *9/11 Commission Report*. It was an inconvenient fact that the authors of the report could not reconcile with their commitment to place equal blame for the September 11 catastrophe on the Clinton and Bush administrations.

CHAPTER 16

INCONVENIENT FACTS

The censorship of Able Danger by the 9/11 Commission was part of a larger pattern of ignoring inconvenient facts.

As explained in the previous chapter, the authors of the *9/11 Commission Report* attempted to shift blame for the 9/11 catastrophe from the Clinton administration onto the Bush administration by means of various rhetorical devices, using a double standard to assess the counterterrorism policies of the two administrations, cherry-picking facts, and slanted interpretations.

The bias of the report can be seen most clearly in its exclusion of inconvenient facts that simply cannot be reconciled with the report's attempt to whitewash the Clinton administration.

An entirely new book could be written on matters relevant to 9/11, matters embarrassing to the Clinton administration, that the report should have at least touched upon, including President Clinton's deep cuts in the defense and intelligence budgets; his dithering over emerging nuclear and missile threats in Iran and North Korea; and his refusal to sanction China and Russia for proliferating weapons of mass destruction. I witnessed all these during my years of service on the House Armed Services Committee. All of these revealed to me a pattern of delay and obfuscation on national security matters. President Bush inherited from President Clinton crises in all these areas, including terrorism.

This chapter shall briefly examine a few of the many inconvenient facts that the *9/11 Commission Report*—inexcusably—ignores. Readers may judge for themselves whether the report's censorship of the facts and testimony that follow proves my case that the report attempted to whitewash the Clinton administration on 9/11. The censorship of Able Danger by the 9/11 Commission *and both* the Clinton and Bush administrations was part of a larger pattern of ignoring inconvenient facts.

FBI Director Louis Freeh

Common sense would suggest that the researchers and writers of the *9/11 Commission Report* would have interviewed and respected the testimony of President Clinton's FBI director, Louis Freeh, who for years was the single most important official protecting the United States homeland from terrorist attack. Freeh also had played a leading role investigating terrorist attacks against US bases and personnel overseas. The report, however, excluded vitally important testimony from President Clinton's FBI director.

In his book, *My FBI: Bringing Down the Mafia, Investigating Bill Clinton, and Fighting the War on Terror*, Freeh portrayed President Clinton as indifferent to the terrorist threat. He wrote that he tried for months to persuade President Clinton to use his influence with the Saudis to allow FBI agents to interview suspects in the terrorist bombing of Khobar Towers, which killed nineteen and wounded 372 US soldiers in 1996, and that President Clinton refused or missed opportunities to help.

Freeh also offered devastating testimony about President Clinton's failure to persuade the Saudis to cooperate more fully with the FBI on the Khobar Towers investigation. The occasion was a White House meeting with Saudi Crown Prince Abdullah. President Clinton did not press Prince Abdullah to cooperate with the FBI, but instead solicited a donation for the Clinton Presidential Library, according to Freeh:

That September, Crown Prince Abdullah and his entourage took over the entire 143-room Hay-Adams Hotel, just across Lafayette Park from the White House, for six days. The visit, I figured, was pretty much our last chance.

Again, we prepared talking points for the president. Again, I contacted Prince Bandar and asked him to soften up the crown prince for the moment when Clinton—or Al Gore, I didn't care who—would raise the matter and start to exert the necessary pressure. And again, nothing happened. Sandy Berger would later insist that Clinton had leaned hard on Abdullah for cooperation, but that's not the way I heard it. The story came back to me, from "usually reliable sources," as they say in Washington, was that Bill Clinton briefly raised the subject only to tell the crown prince that he certainly understood the Saudi's reluctance to cooperate. Then, according to my sources, he hit Abdullah up for a contribution to the still-to-be-built Clinton presidential library.

FBI Director Louis Freeh is vastly overshadowed in the *9/11 Commission Report* by Clinton partisan Richard Clarke, who assumes heroic proportions in the report. Yet the FBI director was a far more important official than Clarke in counterterrorism. Moreover, like Clarke, Freeh served in both the Clinton and Bush administrations, but as FBI director, in a more important post. Freeh's bipartisan credentials are just as strong, if not stronger, than those of Richard Clarke.

The authors of the report, however, ignored Freeh's scathing testimony about the Clinton administration's incompetence and indifference toward fighting terrorism, in favor of the Bush-bashing Clarke. What did FBI Director Freeh, America's top cop against terrorism, think of Richard Clarke? Here is what Free wrote about Clarke—who he called "the self-appointed Paul Revere of 9/11"—," in *My FBI*:

To hear Dick Clarke tell it, he was everywhere in the months, even years before September 11, 2001, prophetically warning of what was to so tragically befall this country. Presidents, cabinet secretaries, agency heads, national security advisers, leaders of Congress—they all had the benefit of his wisdom, apparently, and almost to a person they failed to heed it. I must have been among them because Clarke includes ten references to me in the index of his best-selling book *Against All Enemies*. But here's what I remember about Dick Clarke: almost nothing of any significance.

While the *9/11 Commission Report* made Clarke out to be a major figure in the war on terrorism prior to 9/11, Freeh, who as director of the FBI was certainly in a position to know, disagreed:

Clarke's portfolio shifted slightly in the Bush administration to information security, but in both roles he was basically a second-tier player. The only time he ever became visible was after a crisis. I'd turn on the secure television from the White House, and there Clarke would be, wanting to know in a very bureaucratic fashion what everyone was doing so he could report back to his superiors. As far as my senior associates and I were concerned, he never had a reputation as someone who pushed for things no one else wanted to do. That's the persona he created for himself post-9/11.

There is much more in *My FBI* that contradicts the benign portrayal offered in the *9/11 Commission Report* of President Clinton and Richard Clarke as champions in the war on terrorism. So why did the authors of the report virtually ignore the critical testimony of former FBI Director Louis Freeh?

After I first revealed the hidden truth about Able Danger, Freeh wrote an opinion piece for the *Wall Street Journal* (November 17, 2005) titled, "Why did the 9/11 Commission Ignore Able Danger?" and appeared on *Good Morning America* to openly criticize and challenge the 9/11 report.

In his op-ed, he wrote the following:

The Able Danger intelligence, if confirmed, is undoubtedly the most relevant fact of the entire post-9/11 inquiry. Even the most junior investigator would immediately know that the name and photo ID of Atta in 2000 is precisely the kind of tactical intelligence the FBI has many times employed to prevent attacks and arrest terrorists. Yet the 9/11 Commission inexplicably concluded that it 'was not historically significant.' This astounding conclusion—in combination with the failure to investigate Able Danger and incorporate it into its findings—raises serious challenges to the commission's credibility and, if the facts prove out, might just render the commission historically insignificant itself. . . .

. . . Yet amazingly, commission leaders acknowledged that their staff in fact met with a Navy officer ten days before releasing the report, who, 'asserted that a highly classified intelligence operation, Able Danger, had identified Mohamed Atta to be a member of an al Qaeda cell located in Brooklyn.' (Capt. Phillpott says he briefed them in July 2004). The commission's statement goes on to say that the staff determined that 'the officer's account was not sufficiently reliable to warrant revision of the report or further investigation,' and that the intelligence operation 'did not turn out to be historically significant.' Despite substantial corroboration from other seasoned intelligence officers.

The Sandy Berger Cover-Up

Can you imagine how the liberal mainstream would have reacted if Condoleezza Rice or Bush National Security Advisor Stephen Hadley, acting on a request from President Bush, had stolen and destroyed classified documents from the National Archives that the 9/11 Commission had requested for its investigation? We would have never heard the end of it. Rice's reputation and political career would have been ruined, deservedly so, over the outcry. She would almost certainly have gone to jail.

Here is what did happen between September 2 and October 2, 2003: President Clinton's former national security advisor, Sandy Berger, stole and destroyed classified documents from the National Archives that were relevant to the 9/11 Commission investigation. According to a CNN report of April 1, 2005, "Clinton had asked Berger to review thousands of documents related to the millennium terror plot and its aftermath for submission to the September 11 Commission."

National Archives monitors caught Berger red-handed trying to smuggle highly classified papers out of the building by stuffing them in his coat, pants, and socks.

The mainstream media showed remarkably little doggedness in pursuing the Sandy Berger scandal, despite its clear relevance to the work of the 9/11 Commission and what would have been of the keen interest to all Americans. Indeed, CBS News anchor, Dan Rather, appeared to blame the Bush administration for the scandal, remarking that the incident "was triggered by a carefully orchestrated leak about Berger—and the timing of it appears to be no coincidence." Rather was accusing the Bush administration of somehow entrapping Sandy Berger to distract public attention from President Bush's presumed responsibility for the September 11 catastrophe.

In 2006, just a few months before deep state operatives deliberately disrupted my reelection that would have elevated me to chair of the House Armed Services Committee, I went to the same National Archives room where Berger had stolen the classified documents to ascertain exactly what he had attempted to take. Before I went there, CIA personnel warned my staff that I was viewing extremely sensitive materials. My sole purpose was to verify, as I did, that Sandy Berger deliberately removed (stole) five classified documents all relating to pre-9/11 intelligence, destroyed all five documents, and lied to a federal agent when initially questioned. Berger had committed eleven felonies, which would normally mandate jail time for any US citizen.

But the Bush Justice Department did not seem interested in punishing Berger. On April 1, 2005, he avoided jail in a plea bargain exchange (arranged by Howard Sklamerg—the same attorney who would order the raid on my daughter's home one year later; three weeks prior to my 2006 election. And as I stated earlier, *never talked to my daughter! Ever! No one from any agency!*).

The sweetheart Berger plea bargain "deal" for lying but eventually admitting to *eleven felonies* was reduced to a *single misdemeanor* charge of unauthorized removal and retention of classified material, a $10,000 fine, and loss of security clearance for three years. At Berger's sentencing on September 8, according to the Associated Press, US Magistrate Deborah Robinson increased the fine recommended by the Justice Department to $50,000 stating, "The court finds the fine is inadequate because it doesn't reflect the seriousness of the offense."

Sandy Berger got off with a slap on the wrist. He should have gone to jail. And the cover-up was licensed by *both* the Clinton and Bush administration.

Within months, everything was forgotten and forgiven between Sandy Berger and the watchdog press. The crime did not ruin Berger's reputation and career. He remained such a respected and influential figure in the Democrat Party that he was a big draw for fundraisers, and welcomed as a supporter by Democrat candidates for high office. He also assigned his chief of staff to run the campaign of my 2006 opponent as he, Clarke, and others mentioned—all maxed out in donations. And after my 2006 loss, my staff uncovered a memo dated September 2006 from the NRCC to my staff expressing amazement that my opponent's Philadelphia TV ad buy had been decreased by $500,000 for one week only in October, three weeks prior to the election. The week of the decreased ad buy was the exact week of the raid of my daughter's home! As Sy Hersh verified to me in my meetings, Bush White House staff would have been briefed—and allowed

—a raid on the home of the daughter of a senior member of Congress who held offices as vice chair of Armed Services and Homeland Security and who would ascend to chair the Armed Services Committee (unlimited subpoena power) had I won my eleventh reelection. The stench is in both parties.

The double standard for Democrat and Republican scandals always amazes me. Contrast the happy outcome for Sandy Berger and the gravity of his offense—burglarizing the National Archives and destroying classified materials relevant to 9/11—with the fate of Richard Allen, a high-ranking Reagan administration official, who was hounded out of Washington merely for accepting a wristwatch as a gift.

Berger never adequately explained why he stole documents relevant to the work of the 9/11 Commission from the National Archives. In 2005, Berger was still telling the press that he had made an "honest mistake." He even had the nerve to suggest that his crime somehow served the work of the 9/11 Commission, stating on April 1, 2005 that: "Everything that I have done all along in this process has been for the purpose of aiding and supporting the work of the 9/11 Commission and any suggestion to the contrary is simply, absolutely wrong."

Both the press and the 9/11 Commission were apparently content with this explanation.

Former President Clinton's reputation, which seems to survive anything, was also not touched by the Berger scandal. The press was uninterested in the fact that Berger's crime against the history of 9/11 was committed while acting on behalf of ex-President Clinton.

Clinton's assigning Berger to review thousands of classified documents in order to "help" the 9/11 Commission should itself have been interesting, if not alarming, to the press and the 9/11 Commission. While he was President Clinton's National Security Advisor, Berger had the reputation of being a political troubleshooter skilled at spinning and disappearing

national security embarrassments. Here is how Louis Freeh described Berger in *My FBI*: "[E]verything was the politics of getting Bill Clinton reelected and, later, of preserving Clinton's legacy and the Democratic Party's hold on the presidency."

. . . Sandy had come out of the political side of the Clinton machine. He'd been part of the campaign. Even when he was deputy national security advisor, he sat in on the once-a- week political meetings at the White House, and they weren't discussing foreign policy. Unlike his predecessor, Tony Lake, who had a long academic and professional background in foreign affairs, Sandy had been a trade lawyer with the Washington mega-firm of Hogan and Hartson. Don't get me wrong; Sandy did have a very sincere interest in foreign policy—of that I'm certain—but the lens through which he seemed to view everything was the politics of getting Bill Clinton reelected and later, of preserving Clinton's legacy and the Democratic party's hold on the presidency.

Berger's theft of classified documents from the National Archives was no "honest mistake." There was no possibility that Berger was "confused" or somehow misunderstood that the documents were not to be removed from the National Archives. The documents were stored in a special, high-security, underground vault, beneath the massive Archives building, where tourists view the Declaration of Independence and the Constitution, protected behind bulletproof glass.

Berger was escorted by monitors who acted as guards while in the vault. The monitors became immediately suspicious during Berger's first visit to the National Archives vault in September 2003 when he repeatedly asked for privacy in the vault, supposedly because he had to make sensitive phone calls. He raised their suspicions further when he took numerous trips to the lavatory, apparently to escape his escorts.

When Berger notified the National Archives that he would return on October 2 to review more, the monitors marked the documents. And this time, they watched him like hawks. When Berger was ready to leave, they found documents missing from the files, and hidden on Berger's person.

In a search of Berger's home and office, the FBI recovered stolen documents. The documents were classified at the "code word" level, the highest level of secrecy. Berger had stolen five documents, three of which he had tried to destroy by cutting them up with scissors.

Berger did not succeed in censoring the classified historical record from review by the 9/11 Commission, if that was his intention. The National Archives had protected the original documents. Berger only got copies.

Exactly why Sandy Berger stole the documents remains a mystery. The National Archives goes to great lengths to protect original documents and makes copies of everything. It seems unlikely Berger thought he could expunge the historical record. More likely, Berger, a lawyer, needed the documents to study, and possibly share with others who were preparing a coordinated script—or more accurately, an alibi—for former President Clinton and other Clinton administration officials who were to testify before the 9/11 Commission on their counterterrorism record.

Another line of speculation is that Berger wanted to be arrested. The stolen documents would then become the object of a criminal investigation by the Justice Department, which might constrain them from declassification and review and perhaps publication by the commission.

The 9/11 Commission did examine the documents stolen by Sandy Berger from the National Archives, but the *9/11 Commission Report* says nothing about the Sandy Berger affair, as if the theft never happened. The report says nothing about the documents, as if they do not exist, or of the content, which remains a mystery to the public and to most government officials. The documents remain classified "code word," accessible only to

those with proper clearances and a need to know. Few have seen the documents.

Even today, the documents are virtually inaccessible to anyone but high-ranking government officials. When I first requested to review the documents stolen by Berger, the Justice Department turned me down flat. Their excuse? The documents were part of a past criminal investigation and "Mr. Berger is entitled to his privacy."

The National Archives politely informed me that, even though I had "code word" clearances and a need to know, my rank as vice chairman of the House Armed Services Committee was insufficient to allow me access to the "Berger File," which contained the stolen and now recovered documents. A letter from the chairman of the House Armed Services Committee is the minimum necessary to see the documents, the National Archives told me. Duncan Hunter, chairman of the HASC, provided me such a letter.

While the National Archives was very helpful and professional, and did everything possible to facilitate my request, the ultimate decision on whether I could see the Berger File was not theirs. The memos of interest, I was told, were considered the personal property of former President Clinton on loan to the National Archives. Permission for their review would need to be "coordinated" with the Clinton Presidential Library.

So I have yet to see what Berger stole.

Here again, the 9/11 Commission failed the public trust to conduct a complete and truthful investigation by producing a report that did not address the Sandy Berger theft and cover-up or the content of the stolen documents. The 9/11 Commission moved mountains to declassify Presidential Daily Briefs to President Clinton and President Bush. The commission should have declassified, and published for public view, the contents of the "Berger File."

The Clarke Memo of January 25, 2001

The *9/11 Commission Report* makes much of a memo that Richard Clarke wrote to Condoleezza Rice early in the Bush administration. This "elaborate memo," as the report describes it, was crucial to the report's assertion that Clarke was a far-sighted, heroic figure, who struggled valiantly to convince a stubborn Bush administration to take seriously the threat from Al Qaeda.

The authors of the report considered the Clarke memo of January 25, 2001, so important that the section on Bush administration counterterrorism policy, titled "Early Decisions," begins—not with the views of President Bush or his National Security Advisor—but with reference to this memo by Richard Clarke, a holdover from the Clinton administration.

"Within the first few days after Bush's inauguration, Clarke approached Rice in an effort to get her—and the new President—to give terrorism very high priority and to act on the agenda that he had pushed during the last few months of the previous administration." So begins the *9/11 Commission Report*'s section on Bush administration counterterrorism policy, with the implication that President Bush did not give terrorism "very high priority." The report continues, "After Rice requested that all senior staff identify desirable major policy reviews or initiatives, Clarke submitted an elaborate memorandum on January 25, 2001."

According to the report, in his January 25, 2001 memo, Clarke urged the Bush administration to give top priority to the terrorist threat, and to immediately undertake a number of dramatic counterterrorism initiatives:

"We *urgently* need . . . a Principals level review on the *al Qida* network," Clarke wrote . . . . He wanted the Principals Committee to decide whether Al Qaeda was "a first order threat" or a more modest worry being overblown by "chicken little" alarmists. Alluding to the transition briefing that he had prepared for Rice, Clarke wrote that Al Qaeda "is not some narrow, little terrorist issue that needs to be included in broader regional

policy." Two key issues that had been deferred, he noted, concerned covert aid to keep the Northern Alliance alive when fighting began again in Afghanistan in the spring, and covert aid to the Uzbeks. Clarke also suggested that decisions should be made soon on messages to the Taliban and Pakistan over the Al Qaeda sanctuary in Afghanistan, on possible new money for CIA operations, and on "when and how . . . to respond to the attack on the USS *Cole*."

The Clarke memo of January 25, 2001, as represented in the *9/11 Commission Report*, defined a dynamic attitude and aggressive set of policies for fighting terrorism, supposedly represented by Richard Clarke, that contrasted dramatically from the supposedly plodding and lackadaisical Bush administration.

In another section on Bush administration counterterrorism policy titled "The New Administration's Approach," the report gave Clarke the last word. The report tells us that Richard Clarke in June 2001 was "frustrated" with the Bush administration for not being "serious about Al Qaeda" because the administration had taken so long to agree to the aggressive counterterrorism policies that he proposed in his January 25, 2001, memo. Clarke was so frustrated with the Bush administration, according to the report, that he asked to be removed from the counterterrorism portfolio and given another job. The report admits, "If Clarke was frustrated, he never expressed it to her, Rice told us."

Indeed, common sense would suggest that Clarke should have been elated, rather than frustrated, if the Bush administration adopted "his" aggressive counterterrorism policies merely five months after his January 25 memo, since he had been unable to convince President Clinton to adopt these policies for eight years. White House aides do not get "frustrated" and resign their portfolios when meeting with such success. This part of Clarke's story, at least, does not make sense. The report should not have

credited, and so generously featured as the last word on "The New Administration's Approach" to terrorism, a tale so transparently illogical, and contradicted by the National Security advisor, Condoleezza Rice.

But there is something much bigger wrong with the picture painted by the *9/11 Commission Report*.

The Richard Clarke memo of January 25, 2001, does not say what the report purports it says. The authors of the *9/11 Commission Report* cherry pick the memo, and by selectively quoting the memo, rearranging the order of sentences, and paraphrasing in a misleading way to create an impression that the memo is more aggressive—and less ambiguous—than it really is. Since the report went to extreme lengths to share Presidential Daily Briefs with readers, one would think the authors would publish the full Clarke memo, especially since it figures so prominently in the report's critique of the Bush administration.

The actual memo appears nowhere in the report, not even in an appendix. There is, of course, a reason for its absence.

The real Richard Clarke memo of January 25, 2001, does not support report's criticism of the Bush administration. The reader is invited to compare the misrepresentation of the Clarke memo quoted earlier, with the full text of the actual Clarke memo of January 25, 2001:

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20504
January 25, 2001
INFORMATION
MEMORANDUM FOR CONDOLEEZZA RICE
FROM: RICHARD A. CLARKE
SUBJECT: Presidential Policy Initiative/Review—The *Al-Qida* Network

Steve asked today that we propose major Presidential policy reviews or initiatives. We *urgently* need such a Principals level review on the *al Qida* network.

Just some Terrorist Group?

As we noted in our briefings for you, *al Qida* is not some narrow, little terrorist issue that needs to be included in broader regional policy. Rather, several of our regional policies need to address centrally the transnational challenge to the U.S. and our interests posed by the *al Qida* network. By proceeding with separate policy reviews on Central Asia, the GCC, North Africa, etc. we would deal inadequately with the need for a comprehensive multi-regional policy on *al Qida*.

Al Qida is the active, organized, major force that is using a distorted version of Islam as its vehicle to achieve two goals:

- to drive the U.S. out of the Muslim world, forcing the withdrawal of our military and economic presence in countries from Morocco to Indonesia;
- to replace moderate, modern, Western regime[s] in Muslim countries with theocracies modeled along the lines of the Taliban.

Al Qida affects centrally our policies on Pakistan, Afghanistan, Central Asia, North Africa and the GCC. Leaders in Jordan and Saudi Arabia see *al Qida* as a direct threat to them. The strength of the network of organizations limits the scope of support friendly Arab regimes can give to a range of U.S. policies, including Iraq policy and the peace process. We would make a major error if we underestimated the challenge *al Qida* poses, or over estimated the stability of the moderate, friendly regimes *al Qida* threatens.

Pending Time Sensitive Decisions

At the close of the Clinton administration, two decisions about *al Qida* were deferred to the Bush administration.

- First, should we provide the Afghan Northern Alliance enough assistance to maintain it as a viable opposition force to the Taliban/al

Qida? If we do not, I believe that the Northern Alliance may be effectively taken out of action this Spring when fighting resumes after the winter thaw. The al Qida 55th brigade, which has been a key fighting force for the Taliban, would then be freed to send its personnel elsewhere, where they would likely threaten U.S. interests. For any assistance to get there in time to effect the Spring fighting, a decision is needed now.

- Second, [s]hould we increase assistance to Uzbekistan to allow them to deal with the al Qida/IMU threat? [Redacted, Operational detail, removed at the request of the CIA]

Three other issues awaiting addressal now are:

- First, what the new administration says to the Taliban and Pakistan about the importance we attach to ending the al Qida sanctuary in Afghanistan. We are separately proposing early, strong messages to both.
- Second, do we propose significant program growth in the FY02 budget for anti-al Qida operations by CIA and counter-terrorism training and assistance by State and CIA?
- Third, when and how does the administration choose to respond to the attack on the USS *Cole*. That decision is obviously complex. We can make some decisions, such as those above, now without yet coming to grips with the harder decision about the *Cole*. On the *Cole*, we should take advantage of the policy that we "will respond at a time, place, and manner of our own choosing" and not be forced into knee jerk responses.

Attached is the year-end 2000 strategy on al Qida developed by the last administration to give to you. Also attached is the 1998 strategy. Neither was a "covert action only" approach. Both incorporated diplomatic, economic, military, public diplomacy and intelligence tools. Using the 2000

paper as background, we could prepare a decision paper/guide for a PC review.

I recommend that you have a Principals discussion of *al Qida* soon and address the following issues:

1. Threat Magnitude: Do the Principals agree that the *al Qida* network poses a first order threat to U.S. interests in a number of regions, or is this analysis a "chicken little" over reaching and can we proceed without major new initiatives and by handling this issue in a more routine manner?
2. Strategy: If it is a first order issue, how should the existing strategy be modified or strengthened?
3. Two elements of the existing strategy that have not been made to work effectively are a) going after *al Qida's* money and b) public information to counter *al Qida* propaganda.
4. FY02 Budget: Should we continue the funding increases into FY02 for State and CIA programs designed to implement the *al Qida* strategy?
5. Immediate [Redacted] Decisions: Should we initiate [Redacted] funding to the Northern Alliance and to the Uzbek's?

Please let me know if you would like such a decision/discussion paper or any modifications to the background paper.

Concurrences by: Mary McCarthy, Dan Fried, Bruce Reidel, Don Camp

Attachment

Tab A December 200 Paper: Strategy for eliminating the Threat from the Jihadist Networks of al Qida: Status and Prospects

Tab B September 1998 Paper: Pol-Mil Plan for al Qida

While the authors of the *9/11 Commission Report* quoted selectively from the Clarke memo above to portray the Bush administration as under-motivated against terrorism, the memo itself indicts the Clinton administration and "counterterrorism czar" Richard Clarke himself. The

memo admits that by the close of the second Clinton term—after the first World Trade Center bombing, the attack on Khobar Towers, the bombing of US embassies in Kenya and Tanzania, and the attack on the USS *Cole*—the Clinton administration still had no strategy against Al Qaeda.

The Clarke memo starts out well enough, sounding "tough on terrorism" and cognizant of the Al Qaeda threat. But the reader must remember that Clarke is writing to a new, incoming Bush administration that already perceived Al Qaeda as a major threat, because of the attacks noted earlier, not least the bombing of the USS *Cole* on October 12, 2000, just before the presidential election. Clarke would instantly lose credibility if he began his memo with the ambiguous, cautionary, "go slow" message that is his conclusion.

The reader will note that the *9/11 Commission Report* reverses the order of the introductory and concluding sentences in its paraphrase of the Clarke memo, so the memo is misrepresented as beginning on a cautionary note, and ending on a call for action. Just the opposite is true in the actual memo —it begins on a dynamic note, and ends with ambiguous, cautionary recommendations.

As noted earlier, the real Richard Clarke memo of January 25, 2001, is more an indictment of the Clinton administration than of the Bush administration. The Clarke memo states, "At the close of the Clinton administration, two decisions about al Qida [sic] were deferred to the Bush administration." Then the Clarke memo describes "three other issues awaiting addressal."

So the Clinton administration, after eight years, had not acted on five strategic issues regarding Al Qaeda. The "counterterrorism czar" Richard Clarke was either ineffective, or himself not highly motivated to do anything. It is interesting that the Clarke memo does not even get "Al Qaeda's" name right, using the phonetically allowed but uncommon "al Qida" that is employed by no one now.

The five Al Qaeda issues neglected by the Clinton administration, deferred until the Bush administration, in the Clarke memo are: 1) Should the US support the Northern Alliance against the Taliban, or not? 2) Should the US help Uzbekistan fight Al Qaeda, or not? 3) Should the US strongly warn the Taliban and Pakistan against supporting Al Qaeda, or not? 4) Should the US significantly increase CIA's counterterrorism budget for fighting Al Qaeda, or not? 5) When and how should the US respond to the attack on the USS *Cole*?

Collectively, these five issues, that the Clarke memo admits were not addressed by the Clinton administration, constitute virtually *all* of the important pillars for building a strategy against Al Qaeda. If the Clinton administration, and Richard Clarke, could not answer these most basic questions, one wonders if they planned to do anything at all against Al Qaeda?

The Clarke memo suggests not. Note that, as regards avenging the USS *Cole*, the Clarke memo advises that the United States "respond at a time, place, and manner of our own choosing" and "not be forced into knee jerk responses." Moreover, the memo observes that the USS *Cole* situation "is obviously complex" and that the Bush administration need not worry about "coming to grips with the harder decision about the *Cole*."

All of this is "bureaucratese" for doing nothing in response to Al Qaeda's attack on the USS *Cole*.

The Clinton administration's dithering in response to Al Qaeda's attack on the USS *Cole*, reflected in the Clarke memo, almost certainly contributed to the 9/11 attacks. The *9/11 Commission Report* correctly observes that failure to promptly retaliate for the attack on the USS *Cole* tempted bin Laden "to launch something bigger." The report leads the reader to conclude, wrongly, that President Bush was more to blame than President Clinton for failing to avenge the USS *Cole*. The Clarke memo of

January 25, 2001, fingers Clarke himself and the Clinton administration as the culprits.

Even more damning to the Clinton administration, and to Clarke himself, is the paragraph in the memo titled "Threat Magnitude." The Clarke memo asks in its concluding section, "Do the principals agree that the al Qida [sic] network poses a first order threat to US interests in a number of regions, or is this analysis a 'chicken little' over reaching and can we proceed without major new initiatives and by handling this issue in a more routine manner?"

How in the world could the Clinton administration, and "counterterrorism czar" Richard Clarke still entertain the possibility that Al Qaeda was not a serious, first-order threat? The Clarke memo contradicts President Clinton's claim that his administration saw Al Qaeda as the "biggest threat" facing the United States.

Despite the false inferences made by Richard Clarke and the *9/11 Commission Report*, based on misrepresentation of the Clarke memo of January 25, 2001, there is no question that President Bush and his administration were highly motivated to act against Al Qaeda, and did so early on. The Bush administration acting on its own, not guided by Clarke's memo, built a strategy against Al Qaeda that answered affirmatively most of the questions raised in the Clarke memo by June 2001.

In early March 2001, President Bush declared to his national security advisors, "I'm tired of playing defense. I want to play offense. I want to take the fight to the terrorists."

Accordingly, by June 2001, the Bush administration strategy called for supporting the Northern Alliance against the Taliban, helping the Uzbeks fight Al Qaeda, strongly warning the Taliban and Pakistan not to support Al Qaeda, and significantly increasing the counterterrorism budget for the entire US intelligence community.

As noted in an earlier chapter, the Bush administration also drafted a new executive order to eliminate Clinton administration ambiguity about killing Al Qaeda leadership. President Bush authorized a crash program to develop an armed version of the Predator to kill Osama bin Laden.

In the scales of truth, these inconvenient facts—and the inconvenient fact that is the real Clarke memo of January 25, 2001—far outweigh the fiction about the Bush administration's counterterrorism policy that the *9/11 Commission Report* attempts to foist upon the reader.

Able Danger

By far the biggest inconvenient fact excluded from the *9/11 Commission Report* is the Able Danger affair.

The reader who has followed my analysis of the report through this and the preceding chapter surely, at this point, needs no help from me connecting the dots. Obviously, if the report slanted the history of 9/11 to protect the reputation of the Clinton administration, or to apportion blame equally between the Clinton and Bush administrations, which amounts to the same thing as protecting the reputation of the Clinton administration, certain inconvenient facts that simply cannot be reconciled with these objectives had to be excluded from the record.

For example, FBI Director Louis Freeh's testimony proving President Clinton's irresponsible indifference toward the terrorist threat had to be ignored.

Sandy Berger's burglary of the National Archives, in an attempt to steal documents embarrassing to the Clinton administration's counterterrorism policy, could not even be mentioned.

The actual text of the Richard Clarke memo of January 25, 2001—that demonstrated that President Clinton and Richard Clarke had done nothing in eight years to build a real strategy against Al Qaeda—could not be published.

If these lesser embarrassments to President Clinton were not allowed in the *9/11 Commission Report*, then the Able Danger affair absolutely could not be admitted. The inconvenient fact that Able Danger provided the Clinton administration with specific, actionable intelligence—that could and should have prevented the September 11 attacks—places responsibility for three thousand dead Americans squarely on the Clinton administration and the Bush administration—both prior to 9/11.

The Able Danger affair torpedoes any possible defense of the Clinton administration.

Even the noble motive of maintaining national unity in the face of a long world war on terrorism does not justify concealing the truth about how and why the US government failed to prevent 9/11. The 9/11 Commission was constituted to answer that most basic question: Why did 9/11 happen?

The question still haunts Americans today. The unanswered question has a corrosive effect on morale. It gnaws away at our consciences and undermines confidence that the United States, its government and people, really can win the war on terrorism, and more importantly, can trust our government!

The unanswered question about 9/11 eats at the confidence of everyone, the man in the street, as well as our national leaders. It consumes even our best and brightest leaders in the war on terrorism, men like former FBI Director Louis Freeh, who wrote, conscience-stricken, in *My FBI* that:

[N]one of our efforts averted what was to come. None of what we did stopped nineteen terrorists from hijacking four commercial airliners on September 11, 2001, and flying two of the planes into the World Trade Center towers, a third into the Pentagon, and a fourth—but for the bravery of the passengers aboard—into the heart of the nation's capital.

We had rolled up an astounding array of terrorists, thwarted dozens of plots, increased our knowledge of terrorist networks exponentially.

Thousands of men and women, our agents and others, had spent tens of thousands of hours in the hunt. Some had risked their lives time and again. . . .

But nothing we tried, nothing we did, prevented Osama Bin Ladin from funding 9/11 or Khalid Shaikh Mohammed from planning it or Mohamed Atta and his coconspirators from carrying it out.

Freeh wrote despairingly, “The question is, why?”

The answer is Able Danger.

CHAPTER 17

SHOOTING THE MESSENGER

While the 9/11 Commission was celebrating its ignorance of Able Danger, I was trying to save the brave Lieutenant Colonel Shaffer from being crucified professionally and personally by the DIA and its minions in the press.

After first reading the *9/11 Commission Report*, I nearly hurled the book across the room in frustration. It was July 2004. The 9/11 Commission had just delivered its findings to Congress. America had waited over three years for the commission to explain how and why 9/11 happened.

Along with the rest of America, I had waited for three years and naively hoped that the 9/11 Commission would do its job, despite their repeated refusals to accept my help.

What we got in the report was a coverup of blunders and misjudgments —and especially a coverup of the Able Danger affair—that were the primary reasons why the US government failed to prevent the September 11 catastrophe. I was also alarmed that the report, while it diagnosed correctly many of the maladies in the intelligence community, misdiagnosed the core malady as organizational, and recommended as a cure the reorganization and centralization of the intelligence community under a National Director of Intelligence. I feared this recommendation by the 9/11 Commission would be counterproductive, dangerously so.

In my experience, the core problem with the intelligence community that contributed to 9/11 and many other intelligence failures was the tendency toward "group think": a lack of imagination and a tendency to suppress innovative or dissident views and daring new approaches to intelligence. This was a cultural rather than an organizational problem and would likely be reinforced by centralization of the intelligence community under a single, all-powerful "czar."

Instead of centralization, what the intelligence community really needed was a cultural revolution. New leadership in all the agencies, dedicated to abolishing group think and encouraging innovation and diverse thinking in intelligence collection, analysis, and operations was the cure for the 9/11 malady. If the National Intelligence director used power to work a cultural revolution in the intelligence community, then the 9/11 Commission cure for group think—centralization—might work. But the iron law of bureaucracy—that homogenized thinking and group think will advance to the frontiers of every bureaucratic empire, unless constantly resisted—is very much against the ultimate success of a centralized intelligence community.

I knew I had to do something, to somehow respond to the *9/11 Commission Report*. But the situation seemed hopeless. The political momentum behind the report and the 9/11 Commission recommendations, supported by an America outraged by 9/11 and clamoring for Washington to act decisively on intelligence reform, seemed unstoppable.

Besides, at the time I was desperately trying to prevent a repeat of the September 11 catastrophe. While the 9/11 Commission was drafting its report, I was working with the CIA and trying to persuade its leaders to exploit a source, that I called "Ali," who was warning of another terrorist plot to attack the United States comparable to or bigger than 9/11. Ali was well-connected to the Iranian revolutionary underground, and to high-ranking Iranian officials sympathetic to the revolutionary movement. These

officials were willing to talk about Iran's support of international terrorism and Iran's nuclear weapons program—for a price.

Ali had been referred to me by two outstanding and trustworthy members of the House, both of whom were Democrats, Jack Murtha and Ron Klink. I had the highest respect for Murtha, Defense Appropriations chair and a former Marine, who represented the Johnstown area of Pennsylvania. Ron Klink, a former KDKA reporter from Pittsburgh had been referred to me to investigate a "source" who had information about Iran that would be helpful to US national security. On March 7, 2003, I met with Ron and listened to his important information that Murtha had suggested I investigate.

As the aggressive vice chair of the Armed Services Committee, I had several extremely competent, reliable, and trustworthy committee staffers who worked for me apart from my congressional district staff. I could assign investigations to them knowing full well that they would not play games or spin intelligence the way that the intelligence agencies had, as I had encountered repeatedly in my work with Russia, China, the Balkans, and 9/11. Dr. Peter Pry, who had worked ten years for the CIA, was one of my primary investigators. Peter, who was recognized by the CIA for his outstanding work, did much of my investigative work and in 2005–06 drafted the original manuscript for parts of this book. He also did all of the investigative work, interviews, and research regarding Ali and actually met with Ali in Paris on several occasions to explore information and explosive facts.

The CIA refused to work with Ali, despite his proven track record of providing excellent intelligence, and never explained to me or Peter its aversion to Ali, except to attack his credibility because of his friendship with Manucher Gorbanifar, whom it blamed for their humiliation in the Iran-Contra affair under President Reagan, and claimed was a "proven liar."

But Ali, who insisted his information was not from Gorbanifar, had provided accurate, high-quality intelligence over and over again, for over two years.

He had warned us that Iran had a clandestine nuclear weapons program, and was using centrifuges to enrich uranium, before this became a matter of public record. He told us that Iran was sending delegations seeking cooperation on nuclear weapons with North Korea, and perhaps even trying to buy a nuclear weapon from Pyongyang; a fact later independently verified by a North Korean defector. He told us that Iran's promise to the European Union to suspend uranium enrichment was a deception, and that Iran had accelerated its enrichment efforts at Isfahan in September 2003; a fact that a high-ranking Iranian official, Hassan Rowhani, admitted in 2006. He warned us about Iran's nuclear deception at the very time and place it was happening; about an assassination attempt against the Ayatollah Sistani one month before the attempt, which fortunately failed; and about Iran's support of Bani Sadr to destabilize Iraq before Bani Sadr started his violence against US troops and became widely known to the US media. Ali also provided accurate details about Iran's support of terrorism and other programs to destabilize Iraq.

Perhaps Ali's most controversial warning was that a group known as the "Toronto-19" were part of a terrorist plot to hijack an airliner in Canada and fly it into the Seabrook Nuclear Reactor near Boston, to cause an "American Chernobyl." The Chernobyl Nuclear Reactor accident in Ukraine in 1986, the worst such accident in history, is estimated by the United Nations to have slowly killed one hundred thousand people from radiation poisoning and contaminated large swaths of land, rendering it dangerous or uninhabitable, perhaps for centuries. A successful attack on the Seabrook Nuclear Reactor could potentially kill thousands of Americans —perhaps as many as eight hundred thousand Americans—through

radiation poisoning. Even this extraordinary warning from Ali proved consistent with the known facts.

Throughout the spring and early summer of 2003, Ali repeatedly warned of an Iranian-sponsored terrorist operation called *Ya Mahdi, Ad Rekni*! (Mahdi, Save Us!), ominously named for the 12th Imam, the Mahdi, who had disappeared eleven centuries ago and whose return would begin a global apocalypse for all infidels. He warned that the terrorist operation being staged from Canada against the Seabrook Nuclear Reactor was scheduled to strike in November 2003 and that the terrorists would be Pakistanis. Taking this warning seriously, I went over the heads of all the skeptical intelligence agencies to the House and Senate intelligence committees and then directly to the Nuclear Regulatory Commission.

In August 2003, just two months before the attack on the Seabrook Nuclear Reactor was supposed to occur, the Royal Canadian Mounted Police and their Public Security and Anti-Terrorism Unit arrested the Toronto-19. Most of the men they arrested were Pakistanis who had entered Canada illegally before 9/11. And at least one of the group was a known member of an Al Qaeda fund raising organization. Others seemed interested in studying or stealing anything related to nuclear technology. Two of the Toronto-19 were arrested trying to penetrate the security perimeter of Canada's Pickering Nuclear Reactor. Another member, who was training to pilot airliners, flew over the Pickering Nuclear Reactor, as if practicing for the attack on Seabrook.

Although I cannot prove it, I believe the arrest of the Toronto-19 did prevent an American Chernobyl. It would be imprudent to assume otherwise, given Ali's record of accurate intelligence reporting.

After watching the CIA ignore Ali for two years, I finally became convinced that I was witnessing another intelligence failure of massive proportions unfold before my eyes—just like CIA's rejection of my idea for

the NOAH intelligence fusion center that might have prevented the September 11 catastrophe.

After listening to my many friends who worked in the CIA and whom I respected (like Dr. Pry), trying to make the CIA work for two years, and after failing for two years, I had no choice but to go over the heads of the Washington intelligence bureaucracy and speak directly to the American people about Ali's warnings and my recommendations for intelligence reform. In June 2005, I published *Countdown to Terror: The Top Secret Information That Could Prevent the Next Terrorist Attack on America and How the CIA Has Ignored It*.

Countdown to Terror was unique. Never before has a book been published divulging intelligence from a currently active source in the middle of a war. My intentions in publishing *Countdown to Terror* were threefold. First, to bring the pressure of public outrage to bear on the CIA and to finally compel the Agency to work with Ali. Second, to use the Ali affair as a case study to get the backing of the American people for my intelligence reform program and for a cultural revolution in the intelligence community, which I explained in great detail in the book. Finally, to break the story about the Able Danger affair, ignored by the 9/11 Commission.

My book was endorsed by former CIA Director James Woolsey and by Jack Caravelli, who was Al Gore's advisor when he was vice president. But, as Sy Hersh warned, with few exceptions, mainstream media answer to a different calling focused on personal success instead of truth.

Countdown to Terror received scathing, inaccurate reviews from the mainstream media. *Washington Post*'s Dana Priest, for example, accepted at face value false claims by retired CIA officials that, because Ali knew Gorbanifar, he too must be a liar. Priest, who never interviewed me, also made up quotes and falsely claimed that my book advocated war with Iran, when just the opposite is true.

Perhaps it was just coincidental, but several months after trashing my book, Ms. Priest received intelligence information from "anonymous sources" who verified the use of "black site" prisons that won her a 2006 Pulitzer Prize. Amazing how intelligence can control release of classified information as anonymous sources to spin any story desired.

Countdown to Terror states that, "War against Iran is not the answer." It was so praised by the US Iranian diaspora that they hosted me in California for appearances on live television and radio shows broadcast into Iran. The response of the Iranian people was so positive that the book was translated into Farsi and became a bestseller *in Iran*! I actually purchased a copy of the Farsi version online years later.

Frankly, it was painfully obvious that the critics of *Countdown to Terror* never even read the book. The so-called watchdogs in the liberal press just parroted CIA's objections. And the *New York Times* and *Washington Post* refused to publish my letters rebutting their stories.

None of the critics of *Countdown to Terror* in the CIA or their parrots in the liberal media, ever explained how they could reconcile their claim that Ali was a liar with the fact that he was so often proven right and, so often told the truth. The record of Ali's remarkably accurate intelligence reporting is still there for the American people to see for themselves, in *Countdown to Terror*.

Unfortunately, my message in *Countdown to Terror* about intelligence reform and the Able Danger affair was completely lost in the CIA-stoked controversy swirling around Ali's veracity, that should have been beyond question to anyone who bothered to read the book. The bulk of my recommendations actually emanated from career CIA dedicated professionals, including Dr. Peter Pry, and dozens of other friends who did great work for our nation.

Another, better opportunity to tell the American people about the Able Danger affair arrived in my office in the persons of Captain Scott Phillpott

and Major Tony Shaffer. In separate meetings, independently of each other, Phillpott and Shaffer told me that they had informed the 9/11 Commission staff about the Able Danger project, the discovery of Mohamed Atta and other terrorists in the Brooklyn cell, and the lost opportunity to prevent the September 11 nightmare. Captain Phillpott, who headed the Able Danger project, and Major Shaffer, who headed the operational part of Able Danger called Stratus Ivy, were witnesses who obviously should have been taken seriously, if only because of their resumes, by the 9/11 Commission staff. At our meetings, both told me of their bewilderment and frustration that the *9/11 Commission Report* completely ignored the Able Danger affair.

While Major Shaffer was in my office, I had Russell Caso, my chief of staff, call the 9/11 Commission to query them if they were aware of the Able Danger project. Russ phoned the 9/11 Discourse Project, the successor to the 9/11 Commission, and quizzed Chris Cojm, the executive director, about his knowledge of Able Danger. After quickly consulting with others about Able Danger, Mr. Cojm told Russ: "Yes, we heard of it. . . . It did not fit in with the story we wanted to tell."

I nearly fell out of my chair to hear such a flagrant, if unwitting, admission of bias by the 9/11 Commission.

Shaffer's testimony before Congress on February 15, 2006, verifies this telling incident that happened during our meeting in May 2005:

During my first meeting with Congressman Weldon I was asked some questions about what became of the overall Able Danger effort—he had heard some details from Captain Phillpott in their first meeting (that preceded my meeting with the Congressman by several days)—he asked me to provide my details—which I did. I gave him the same SECRET level briefing I had given the 9/11 Commission in October 2003 at Bagram, Afghanistan. During the briefing, Congressman Weldon asked Russ Caso, his Chief of Staff, to call the 9/11 Commission and find out if they (the 9/11

Commission) had ever heard of Able Danger. Mr. Caso left the room and called Chris Cojm at the 9/11 Discourse Project and asked him if they had ever "heard of something called Able Danger." Chris quickly checked and told Russ, "Yes—we had heard of it." Russ then asked him why they had not put it in their final report. Cojm's answer was this: "It did not fit in with the story we wanted to tell."

"Russ came back in and told Congressman Weldon and me of the comment," Shaffer concluded. "Both Congressman Weldon and I could not hide our astonished looks at hearing the news."

Congressional hearings on Able Danger now seemed to me to be the best way to get at the truth. Indeed, I considered them absolutely mandatory. If the 9/11 Commission would not do its job, then the US Congress would complete the unfinished business of the 9/11 Commission.

I asked Major Shaffer if he was willing to serve as a witness before the US Congress and tell the American people about the Able Danger affair, and the truth about how and why the 9/11 attacks happened. Tony did not take my request lightly. He knew that going public about Able Danger could destroy his professional career, and perhaps even his personal life. So he sought guidance from his superiors in the US Army, as he said in his congressional testimony, "I soon called the Army Deputy G2, Mr. Ford, and asked him for guidance as to what I should do about Congressman Weldon and his staff asking hard questions about Able Danger and what had happened. His answer was simple and direct: 'Tell them the truth and answer their questions.'"

Shortly after Major Shaffer started working with me to prepare congressional hearings, the Defense Intelligence Agency canceled his clearances and started procedures to fire him on ridiculous, trumped-up charges. The DIA claimed that none of this had anything to do with Tony preparing to tell the Congress about Able Danger. This was an obvious lie

by a DIA bureaucracy anxious to shutdown potentially embarrassing hearings about Able Danger.

Now I had no alternative but to go public in a big way with the Able Danger story to save my key witness from being crucified. The American people have sound judgment. They can always be relied upon to render a just verdict, providing they are told all the facts in an unbiased way by the government and the press.

On June 27, 2005, I delivered a floor speech in a "special order" explaining the Able Danger affair and its relevance to 9/11 to my colleagues in Congress and to the American people. The press ignored what I shared in the hearings for weeks before some realized that Able Danger was a big story. By the end of the summer there was a media feeding frenzy over Able Danger.

Unfortunately, the mainstream press, understanding that the Able Danger story threatened the legacy of the Clinton and Bush administrations, became co-conspirators with DIA in its effort to destroy Major Shaffer's credibility. DIA bureaucrats illegally leaked false allegations, and misleading information from Tony's personnel files, reported without fact checking by DIA's parrots at the *New York Times* and *Washington Post*.

One of the false allegations was that Major Shaffer was guilty of theft. DIA and the press, however, left out the minor detail that Tony's "theft" was stealing pencils from his father, to share with his friends, when he was fifteen years old!

Shaffer was eventually cleared of these absurd charges, and promoted to Lieutenant Colonel by the US Army. But at the time, in August 2005, it looked like DIA, the *Washington Post*, and the *New York Times* might succeed in destroying Tony's reputation, and stopping the hearings that would tell the American people about the Able Danger affair.

Initially, the 9/11 Commission denied any knowledge of Able Danger and its discovery of Mohamed Atta prior to the September 11 attacks. The

vice chairman of the commission, Lee Hamilton, told the press on August 11, 2005, "The September 11 Commission . . . did not learn of any US government knowledge prior to 9/11 of surveillance of Mohamed Atta or of his cell . . . Had we learned of it obviously it would've been a major focus of our investigation." The vice chairman also asserted to Fox News that it was "inconceivable" that staffers would have missed such a reference. Hamilton acknowledged that Able Danger "could be a very crucial incident in terms of the lead-up to 9/11. It could reveal flaws in the intelligence sharing or the lack of intelligence that we have not yet focused on."

Then, on August 10, I wrote a tough letter to the 9/11 Commission, and made it public. The letter made it impossible for the 9/11 Commission to deny that their staff was told about Able Danger and its discovery of Mohamed Atta:

Weldon Letter to 9/11 Commission

August 10, 2005

The Honorable Thomas H. Kean, Chairman
The Honorable Lee H. Hamilton, Vice Chairman
9/11 Public Discourse Project
One DuPont Circle, NW
Suite 700
Washington, DC 20036

Dear Chairman Kean and Vice Chairman Hamilton:

I am contacting you to discuss an important issue that concerns the terrible events of September 11, 2001, and our country's efforts to ensure that such a calamity is never again allowed to occur. Your bipartisan work on The National Commission on Terrorist Attacks Upon the United States shed light on much that was unclear in the minds of the American people

regarding what happened that fateful day, however there appears to be more to the story than the public has been told. I bring this before you because of my respect for you both, and for the 9-11 Commission's service to America.

Almost seven years ago, the National Defense Authorization Act for Fiscal Year 1999 established the Advisory Panel for Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction, otherwise known as the Gilmore Commission. The Gilmore Commission reached many of the same conclusions as your panel, and in December 2000 called for the creation of a "National Office for Combating Terrorism." I mention this because prior to 9/11, Congress was aware of many of the institutional obstacles to preventing a terrorist attack, and was actively attempting to address them. I know this because I authored the language establishing the Gilmore Commission.

In the 1990s, as chairman of the congressional subcommittee that oversaw research & development for the Department of Defense, I paid special attention to the activities of the Army's Land Information Warfare Activity (LIWA) at Ft. Belvoir. During that time, I led a bipartisan delegation of Members of Congress to Vienna, Austria to meet with members of the Russian parliament, or Duma. Before leaving, I received a brief from the CIA on a Serbian individual that would be attending the meeting. The CIA provided me with a single paragraph of information. On the other hand, representatives of LIWA gave me five pages of far more in-depth analysis. This was cause for concern, but my debriefing with the CIA and FBI following the trip was cause for outright alarm: neither had ever heard of LIWA or the data mining capability that it possessed.

As a result of experiences such as these, I introduced language into three successive Defense Authorization bills calling for the creation of an intelligence fusion center which I called NOAH, or National Operations and Analysis Hub. The NOAH concept is certainly familiar now, and is one of several recommendations made by your commission that has a basis in

earlier acts of Congress. Despite my repeated efforts to establish NOAH, the CIA insisted that it would not be practical. Fortunately, this bureaucratic intransigence was overcome when Congress and President Bush acted in 2003 to create the Terrorism Threat Integration Center (now the National Counterterrorism Center). Unfortunately, it took the deaths of 3,000 people to bring us to the point where we could make this happen. Now, I am confident that under the able leadership of John Negroponte, the days of toleration for intelligence agencies that refuse to share information with each other are behind us.

The 9-11 Commission produced a book-length account of its findings, that the American people might educate themselves on the challenges facing our national effort to resist and defeat terrorism. Though under different circumstances, I eventually decided to do the same. I recently published a book critical of our intelligence agencies because even after 9/11, they were not getting the message. After failing to win the bureaucratic battle inside the Beltway, I decided to take my case to the American people.

In recent years, a reliable source that I refer to as “Ali” began providing me with detailed inside information on Iran’s role in supporting terror and undermining the United States’ global effort to eradicate it. I have forwarded literally hundreds of pages of information from Ali to the CIA, FBI, and DIA, as well as the appropriate congressional oversight committees. The response from our intelligence agencies has been underwhelming, to put it mildly. Worse, I have documented occasions where the CIA has outright lied to me. While the mid-level bureaucrats at Langley may not be interested in what I have to say, their new boss is. Porter Goss has all of the information that I have gathered, and I know he is ready to do what it takes to challenge the circle-the-wagons culture of the CIA. And Pete Hoekstra, the Chairman of the House Intelligence Committee, is energized as well. Director Goss and Chairman Hoekstra are

both outstanding leaders that know each other well from their work together in the House of Representatives, and I will continue to strongly support their efforts at reform.

All of this background leads to the reason I am writing to you today. Yesterday the national news media began in-depth coverage of a story that is not new. In fact, I have been talking about it for some time. From 1998 to 2001, Army Intelligence and Special Operations Command spearheaded an effort called Able Danger that was intended to map out al Qaeda. According to individuals that were part of the project, Able Danger identified Mohamed Atta as a terrorist threat before 9/11. Team members believed that the Atta cell in Brooklyn should be subject to closer scrutiny, but somewhere along the food chain of Administration bureaucrats and lawyers, a decision was made in late 2000 against passing the information to the FBI. These details are understandably of great interest to the American people, thus the recent media frenzy. However, I have spoken on this topic for some time, in the House Armed Services and Homeland Security Committees, on the floor of the House on June 27, 2005, and at various speaking engagements.

The impetus for this letter is my extreme disappointment in the recent, and false, claim of the 9-11 Commission staff that the Commission was never given access to any information on Able Danger. The 9-11 Commission staff received not one but two briefings on Able Danger from former team members, yet did not pursue the matter. Furthermore, commissioners never returned calls from a defense intelligence official that had made contact with them to discuss this issue as a follow on to a previous meeting.

In retrospect, it appears that my own suggestions to the Commission might have directed investigators in the direction of Able Danger, had they been heeded. I personally reached out to members of the Commission several times with information on the need for a national collaborative

capability, of which Able Danger was a prototype. In the context of those discussions, I referenced LIWA and the work it had been doing prior to 9/11. My Chief of Staff personally handed a package containing this information to one of your commissioners at your Commission's appearance on April 13, 2004, in the Hart Senate Office Building. I have spoken with Governor Kean by phone on this subject, and my office delivered a package with this information to the 9-11 Commission staff via courier. When the Commission briefed Congress with their findings on July 22, 2004, I asked the very first question in exasperation: "Why didn't you let Members of Congress who were involved in these issues testify before, or meet with, the Commission?"

The 9-11 Commission took a very high-profile role in critiquing intelligence agencies that refused to listen to outside information. The commissioners very publicly expressed their disapproval of agencies and departments that would not entertain ideas that did not originate in-house. Therefore it is no small irony hat the Commission would in the end prove to be guilty of the very same offense when information of potentially critical importance was brought to its attention. The Commission's refusal to investigate Able Danger after being notified of its existence, and its recent efforts to feign ignorance of the project while blaming others for supposedly withholding information on it, brings shame on the commissioners, and is evocative of the worst tendencies in the federal government that the Commission worked to expose.

Questions remain to be answered. The first: What lawyers in the Department of Defense made the decision in late 2000 not to pass the information from Able Danger to the FBI? And second: Why did the 9-11 Commission staff not find it necessary to pass this information to the Commissioners, and why did the 9-11 Commission staff not request full documentation of Able Danger from the team member that volunteered the information?

Answering these questions is the work of the commissioners now, and fear of tarnishing the Commission's legacy cannot be allowed to override the truth. The American people are counting on you not to "go native" by succumbing to the very temptations your Commission was assembled to indict. In the meantime, I have shared all that I know on the topic with the congressional committee chairmen that have oversight over the Department of Defense, the CIA, the FBI, and the rest of our intelligence gathering and analyzing agencies. You can rest assured that Congress will share your interest in how it is that this critical information is only now seeing the light of day.

Sincerely,
Curt Weldon

Member of Congress
cc: Richard Ben-Veniste, Fred F. Fielding, Jamie S. Gorelick, Slade Gorton, Bob Kerrey, John F. Lehman, Timothy J. Roemer, James R. Thompson, Dennis Hastert, Peter Hoekstra, Frank Wolf, Pat Roberts, Richard Shelby

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On August 11, 2005, the day after I released my letter to the commission, 9/11 Commission Vice Chairman Lee Hamilton told the press that, "The September 11 Commission . . . did not learn of any US government knowledge prior to 9/11 of surveillance of Mohamed Atta or of his cell. . . . Had we learned of it obviously it would've been a major focus of our investigation." He also told Fox News that it was "inconceivable" that staffers would have missed such a reference and acknowledged that Able Danger "could be a very crucial incident in terms of the lead-up to 9/11. It could reveal flaws in the intelligence sharing or the lack of intelligence that we have not yet focused on."

After the publication of my letter, the 9/11 Commission members admitted that they had been told about Able Danger, and not once, but twice. They now tried to reverse themselves and contradicted their own earlier acknowledgement that Able Danger "could be a very crucial incident" in understanding the 9/11 attacks. Two days after my letter, on Friday August 12, 2004, the chairman and vice chairman of the 9/11 Commission, Thomas Kean and Lee Hamilton, told the press that Able Danger "did not turn out to be historically significant, set against the larger context of US policy and intelligence efforts that involved Bin Ladin and Al Qaeda."

Al Felzenberg, chief spokesman for the 9/11 Commission staff, then admitted the October 2003 meeting with Major Shaffer in Afghanistan to learn about Able Danger, but denied that Shaffer said anything about discovering Mohamed Atta before 9/11. This, however, was the very reason Shaffer had wanted to meet with the 9/11 Commission in the first place.

Felzenberg did admit to the press that 9/11 Commission staff member Dieter Snell had met with "a military officer" (Captain Scott Phillpott) who told him about Able Danger's discovery of Mohamed Atta. Incredibly, Felzenberg admitted that commission staff decided to ignore what the Able Danger team had discovered because the "military officer" allegedly gave Snell an incorrect date about when Mohamed Atta arrived in the United States. Based on that flimsy excuse, the 9/11 Commission staff decided not to investigate further or to reference Able Danger in the *9/11 Commission Report*. Felzenberger told the press, "There was no way that Atta could have been in the United States at that time [in late 1999 or early 2000. Atta arrived in the US in June 2000], which is why the staff didn't give this tremendous weight when they were writing the report."

Captain Phillpott was working from memory when he gave Snell the mistaken date of Atta's arrival in the United States. He was accurate, however, when he talked about the Able Danger findings and told Snell that

all the Able Danger files and materials had been destroyed by order of the Clinton administration four years earlier. Able Danger had also uncovered copious information about Mohamed Atta's activities in 1999 and 2000 in the Hamburg cell.

The important point—which Phillpott clearly communicated to the 9/11 Commission staff—was that Able Danger had discovered Mohamed Atta in the United States at least one year before Atta led the attacks of September 11.

It is understandable that Captain Phillpott may have misremembered the date of Mohamed Atta's arrival in the United States. It is not understandable that the 9/11 Commission staff did not immediately investigate what he told them about Able Danger's pre-9/11 findings about Mohamed Atta and Al Qaeda activities in the United States.

According to a press interview with Felzenberg, "The Sept. 11 commission issued its final report on July 22, 2004. Mr. Felzenberg noted that the interview with the military officer had taken place in the final, hectic days before the commission sent the report to the printers."

Is it possible that the 9/11 Commission staff ignored the Able Danger affair merely because they found out about it when the final report had already been going to press? A more sinister motive can be inferred from Felzenberg's remark in the same interview that they ignored Able Danger because, "This information was not meshing with the other information that we had."

The 9/11 Commission got a free ride from the mainstream press, and is still getting one today, in their handling of the Able Danger intelligence. As late as February 2006, just before congressional hearings on Able Danger, 9/11 Commissioner Bob Kerrey was openly encouraging the 9/11 Commission Executive Director Philip Zelikow to keep his mouth shut about Able Danger and not speak to the press: "I think he's doing the right

thing by not responding." Kerrey's encouragement of stonewalling the press received no rebuke from the *New York Times* or *Washington Post*.

Interestingly, Kerrey, a former Democratic senator from Nebraska, suggested to the press that Zelikow's objectivity in the *9/11 Commission Report* is proved by his unflattering portrayal of Bush administration counterterrorism policy in chapter 8:

Zelikow has no motivation. It's not like he's covering for Condi Rice. You can't make a political statement that he's covering somehow for somebody . . . because Zelikow was bringing all sorts of other things that were disadvantageous to [the Bush] administration, including language that said that in the Summer of 2001, in spite of repeated warnings to the contrary, the administration did nothing. That was the final report language in chapter 8. There were many details in that report that were disadvantageous to his friend Condoleezza Rice . . .

Zelikow's friendship with Condoleezza Rice, with whom he coauthored a book, and his employment by the Bush administration that was remarkable for its bipartisan hirings, by no means proved that Zelikow was himself objective and non-partisan. Zelikow was lucky to have friends who were objective and nonpartisan, and capable of overlooking his hatchet job on the Bush administration in the *9/11 Commission Report*. Kerrey's remarks confirm that Zelikow was the source of "Bush-bashing" in the *Report*, giving Zelikow a motive for ignoring the Able Danger affair, that exonerates President Bush from blame for 9/11. Kerrey's remarks also suggest that Kerrey does not understand even the simplest and most basic facts about Able Danger, such as its negative implications for President Clinton, not President Bush.

While the 9/11 Commission was celebrating its ignorance of Able Danger, I was trying to save the brave Major Shaffer from being crucified professionally and personally by the DIA and its minions in the press.

I appealed to Senator Arlen Spector, chairman of the Senate Judiciary Committee, to hold a hearing that would give Major Shaffer an opportunity to tell his story to the people. Senator Specter tried to hold a hearing on Able Danger featuring Tony and others from the Able Danger team as witnesses on September 21, 2005. At first, the Department of Defense appeared to resign itself to this hearing. Challenging the oversight powers of the Senate of the United States could spark a constitutional crisis—and the DOD lawyers knew it.

Yet, on the eve of the Senate Judiciary Committee hearing, the Defense Department lawyers imposed a legal gag order on Major Shaffer—and on all the Able Danger team—prohibiting them from testifying before Congress about the Able Danger affair.

We were on the verge of losing the war over telling the American people about Able Danger. We needed to do something to break through the legal gag order. But what?

CHAPTER 18

AN APPEAL TO THE AMERICAN PEOPLE

In October 2005, the possibility seemed very real that the Able Danger story would be silenced, and forgotten to history. What do we stand for, if not the truth? . . . if we allow this to stand as Democrats and Republicans, then none of us deserve to be here.

As the congressional year drew toward closing in October 2005, we seemed on the verge of losing the struggle to open an investigation into the Able Danger affair and its implications for the September 11 nightmare. Pentagon lawyers imposed gag orders on the Able Danger team to prevent them from testifying to Congress. DIA's press campaign of character assassination against Tony Shaffer—that was flatly contradicted by the US Army promoting Shaffer to Lieutenant Colonel—succeeded in intimidating many members of the Able Danger team. The 9/11 Commission, instead of admitting their error, dismissed the Able Danger affair as "historically insignificant." This was an absurd and unsupportable position to anyone familiar with the facts about Able Danger.

Yet the press was divided over the significance of Able Danger. Half the press focused on the facts and understood that no investigation of the 9/11 attacks would be complete without a rigorous investigation of the Able Danger affair. But the other half of the press seemed ignorant and

uninterested in the facts about Able Danger. The *Washington Post* in particular was more interested in deferring to the wisdom of the 9/11 Commission, repeating scurrilous lies by DIA about Tony Shaffer's

character, and dismissing the Able Danger affair as a fantasy concocted by an unbalanced individual.

Had I just been some crazed lifelong firefighter that could not accept the agency spin created by career bureaucrats working in both political parties? In 2000, Donald Rumsfeld authored this letter endorsing me to become Chair of the House Armed Services Committee.

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November 13, 2000

Dear Mr. Speaker:

First, my congratulations on your victory for the majority in the U.S. House of Representatives. Clearly, your efforts have been rewarded. I wish you well in your important responsibilities.

As you may know, Congressman Curt Weldon and I stay in touch on national security issues. Indeed, I have traveled with him to meet with members of the Russian Duma in Moscow.

Curt indicated there is consideration as to the possibility of an increase in his responsibilities with respect to national security areas in the coming Congress, and asked me to drop you a note. I am happy to do so to let you know of my high regard and respect for the many contributions Curt has made in these areas. I never cease to be amazed at the energy, effort, and dedication that he brings to his work in the Congress, and particularly with respect to some of the most important national security issues facing our nation.

As you know, I have always believed that it is important to reach out on national security issues to ensure that we have as broad a base of support for U.S. foreign policy and national security strategies, so that the world understands that our policies and approaches have the support of the American people and therefore will have continuity over a sustained period of time. I have been impressed that Curt's approach is, in fact, just that – to figure out what is in the best interests of our country and then work energetically to help to garner broad support in both parties to move those policies forward.



NOV-13-2000 14:28 P.02

I am delighted that Curt is in Congress, that his focus has been on national security issues, and that he contributes so much to our country.

With my best wishes,

Sincerely,

The Honorable J. Dennis Hastert
Speaker of the U.S. House of Representatives
H-232 Capitol Building
Washington, DC 20515-6501

DR/esy
110200.1

cc: The Honorable Curt Weldon

That same year, Dr. John Hamre authored his letter endorsing me to become chair of the House Armed Services Committee. USMC General James Jones, who would go on to become White House NSA advisor to President Obama, authored his letter of endorsement (see appendix A). Joined by more than one hundred fifty other national security leaders, generals, admirals, cabinet officials, academics, and every major fire/EMS leader in the US who publicly spoke out (in writing) that I was qualified and had bipartisan leadership qualities necessary for the oversight security of our nation.

But, after 9/11 and my first-hand observations and assessment, I could not allow a grand lie to be thrust upon the American people, the families of 2,977 victims, and responders, and especially my 343 FDNY friends and colleagues. For those who will say it was just me, I ask that you read the November 9, 2005, signed letter in the appendix demanding that Able

Danger team members testify about the largest loss of US life on our soil in history. And then look at the names of the hundreds of members of Congress from both parties who agreed with me. This has not been my battle—it is the nation's battle for the soul of our country. And I will not stop until we (the firefighters, the responders, the victims, and the entire nation) knows the truth!

And, if my credibility was an issue, as yellow journalists tried to portray as my 2006 election was deliberately disrupted by deep-state actors (all of whom are now known by my close friends who are former CIA, FBI. DOD, DOJ leadership), why would President George H. W. Bush (former CIA director) deliver the public tribute to my work as an example of the "goal of every public official to leave the country safer and stronger" just weeks after deep state scum?

Spineless losers who served with Clinton and Bush as well as Deep State anonymous bureaucrats could not allow my eleventh reelection which would have thrust me into position as Republican chair—or full HASC Committee chair—knowing I would have *Unlimited Subpoena Power* and would have immediately scheduled public hearings on 9/11 and other scandals that have cost the lives of untold thousands in the US and worldwide.

In late October 2005, there were no more prospects for congressional hearings in 2005, the long holiday recess was just weeks away, and the next possibility for hearings was in 2006, months away. The Washington press corps has a short memory. The press interest stirred by Able Danger in the summer and fall of 2005 would not necessarily continue in 2006. Nor could congressional hearings go forward while key witnesses were gagged and prohibited from testifying.

In October 2005, the possibility seemed very real that the Able Danger story would be silenced and forgotten to history.

One lesson I have learned from my long service in Washington is that the American people—not the press, but the people themselves—are their own best watchdogs. The people are smarter than the press, and have longer memories. Unlike the press, that often has its own agenda or are manipulated by their corporate financial handlers (as later verified to me by my thirty-year career as an ABC TV news icon), the people can always be relied upon to put the nation first. Ultimately, everyone in Washington, from the president on down, answers to the people. The People are the boss.

On October 20, 2005, I went over the heads of the Washington bureaucrats and talked straight to the bosses from the floor of the US Congress (available through US House archives and C-Span). I put my case to the bosses—*you*! I made an appeal to the American people that Able Danger was not historically insignificant, and not the fantasy of a madman or liar. I pled my case that the Able Danger affair was crucial to understanding the events that led to the September 11 disaster. The Able Danger affair deserved a full and fair investigation.

The American people listened and answered. Never before in my recollection was there such an overwhelming and positive response to a congressional floor speech. My office was flooded with phone calls and email from all over the nation supporting an investigation of the Able Danger affair.

The popular outcry for an investigation of Able Danger was so great that it was heard everywhere on Capitol Hill and ensured that the US Congress would hold hearings in 2006. Able Danger would not be forgotten.

The people listened—and responded! One year later, deep state and Clinton scum (all now known), with Bush White House scum (also all known) took away the power of my six hundred thousand constituents and illegally disrupted my election by raiding my daughter's home with all media pre-alerted *three weeks prior to election day! No one* from any

agency ever talked to my daughter or me—*never*! As Sy Hersh verified to me, they had accomplished the objective like you would expect in some Third World nation!

One of the best things about working for the American people is their common sense and fairness. They are the best bosses in the world.

Weldon Floor Speech
October 20, 2005

Mr. Speaker, I rise tonight to talk to our colleagues and through our colleagues to the American people about an issue that troubles me greatly.

I have been in this institution nineteen years, and during those nineteen years I have been on the Committee on Armed Services. Currently, I am the vice chairman of that committee and chairman of the subcommittee that oversees the purchase of our weapons systems. In the past I have chaired the research subcommittee, and I have spent every available hour of my time working to make sure that our military troops were properly protected and have the proper equipment and training.

I am a strong supporter of our military. Whether it was in the last two years of the Reagan administration, the four years of the Bush administration, the eight years of the Clinton administration, or the current administration of President George W. Bush, I have been a strong supporter of our military. I am a strong supporter of President Bush. I campaigned for him. I am a strong supporter of Secretary Rumsfeld. I say all of that, Mr. Speaker, because tonight I rise to express my absolute outrage and disgust with what is happening in our defense intelligence agencies.

Mr. Speaker, back in 1999 when I was chair of the Defense Research Subcommittee, the Army was doing cutting-edge work on a new type of technology to allow us to understand and predict emerging transnational terrorist threats. That technology was being done at several locations, but

was being led by our Special Forces Command. The work that they were doing was unprecedented. And because of what I saw there, I supported the development of a national . . . collaborative center that the CIA would just not accept.

In fact, in November 4 of 1999, two years before 9/11, in a meeting in my office with the deputy secretary of defense, deputy director of the CIA, deputy director of the FBI, we presented a nine-page proposal to create a national collaborative center. When we finished the brief, the CIA said that we did not need that capability, and so before 9/11 we did not have it.

When President Bush came in after a year of research, he announced the formation of the Terrorism Threat Integration Center, exactly what I had proposed in 1999. Today it is known as the NCTC, the National Counter-Terrorism Center. . . .

. . . I now have learned . . . that one of the tasks that was being done in 1999 and 2000 was a top secret program organized at the request of the chairman of the Joint Chiefs of Staff, carried out by the general in charge of our Special Forces Command, a very elite unit focusing on information regarding Al Qaeda. It was a military . . . effort to allow us to identify the key cells of Al Qaeda around the world and to give the military the capability to plan actions against those cells so they could not attack us as they did in 1993 at the Trade Center, at the Khobar Towers, the USS *Cole* attack, and the African embassy bombings.

. . . that secret program called Able Danger actually identified the Brooklyn cell of Al Qaeda in January and February of 2000, over one year before 9/11 ever happened. In addition, I learned that not only did we identify the Brooklyn cell of Al Qaeda, but we identified Mohamed Atta as one of the members of that Brooklyn cell along with three other terrorists who were the leadership of the 9/11 attack.

I have also learned . . . that in September of 2000, again, over one year before 9/11, that Able Danger team attempted on three separate occasions to

provide information to the FBI about the Brooklyn cell of Al Qaeda, and on three separate occasions they were denied by lawyers in the previous administration to transfer that information.

Mr. Speaker, this past Sunday on *Meet the Press*, Louis Freeh, FBI director at the time, was interviewed by Tim Russert. The first question to Louis Freeh was in regard to the FBI's ability to ferret out the terrorists. Louis Freeh's response, which can be obtained by anyone in this country as part of the official record, was, "Well, Tim, we are now finding out that a top secret program of the military called Able Danger actually identified the Brooklyn cell of Al Qaeda and Mohamed Atta over a year before 9/11."

And what Louis Freeh said . . . is that that kind of actionable data could have allowed us to prevent the hijackings that occurred on September 11.

So now we know, Mr. Speaker, that military intelligence officers working in a program authorized by the chairman of the Joint Chiefs of Staff, the general in charge of the Special Forces Command, identified Mohamed Atta and three terrorists a year before 9/11, tried to transfer that information to the FBI, were denied; and the FBI director has now said publicly if he . . . had that information, the FBI could have used it to perhaps prevent the hijackings that struck the World Trade Center, the Pentagon, and the plane that [crashed] in Pennsylvania, and perhaps saved 3,000 lives and changed the course of world history.

Mr. Speaker, I rise tonight because we have been trying to get the story out about Able Danger and what really happened. Unfortunately . . . I have to rise tonight to tell you that as bad as this story is, and as bad as it is that the data was not transferred to the FBI, and as bad as it is that the 9/11 Commission totally ignored this entire story and referred to it as "historically insignificant," even though it was authorized by the chairman of the Joint Chiefs of Staff, even though Louis Freeh has now said that it could have provided information to prevent the attacks against us, the 9/11 Commission ignored it. Not because the commissioners ignored it, but

because someone at the staff level on the 9/11 Commission staff decided for whatever reason that they did not want to pursue the Able Danger story.

Mr. Speaker, in August and September I met with the military officials involved with Able Danger and one by one they told their story, until . . . leaders in the Defense Intelligence Agency, including the deputy director, decided they do not want the story told. I think because they perhaps are fearful of being embarrassed and humiliated.

So what direction [have] they taken, Mr. Speaker?

They have gagged the military officers. They have prevented them from talking to any member of Congress. They have prevented them from talking to the media. And the Defense Intelligence Agency has begun a process to destroy the career and life of Lieutenant Colonel Anthony Shaffer.

Now, it might be easy for us to ignore this. . . . We all have busy careers and worry about reelections every two years, and worry about our own families and our jobs. But I cannot do that in this case and neither can this body, and neither can the other body. You see, Lieutenant Colonel Shaffer took an oath to defend our Constitution. He took the words "duty, honor, country" seriously and devoted twenty-three years of his life in four deployed intelligence operations of our military to protect America.

During the time he served our country, he has received the Bronze Star, an award that does not come easily, for showing acts of courage, leadership, and bravery in the course of his activities. He has received public commendations from previous directors of the Defense Intelligence Agency, including General Patrick Hughes, including generals at Special Forces Command, and including Admiral Wilson of the Defense Intelligence Agency. He has received dozens of letters and commendations for his work. . . .

But you see, Mr. Speaker, there is a problem. The deputy director of the Defense Intelligence Agency was in a meeting with Lieutenant Colonel Shaffer almost a year before 9/11, and Lieutenant Colonel Shaffer showed

him a disk in his office about Al Qaeda and Mohamed Atta, and the deputy director of the Defense Intelligence Agency stopped the briefing and said, "You cannot show me that. I do not want to see it. It might contain information I cannot look at."

Now, Tony Shaffer was not in the room alone. . . . There were other people, and we know their names. So we have witnesses. Now, the deputy director has denied that meeting and denied he was there and denied this particular story, but the fact is, he knows we are going to pursue it.

So what has happened to Lieutenant Colonel Shaffer, Mr. Speaker? The Defense Intelligence Agency has lifted his security clearance. One day before he was to testify before the Senate Committee on the Judiciary, in uniform, they permanently removed his security clearance. And now the Defense Intelligence Agency has told Colonel Shaffer's lawyer that they plan to seek a permanent removal of his pay and his health-care benefits for him and his two children. Why, Mr. Speaker? Because Lieutenant Colonel Shaffer, like Commander Scott Phillpott of the Navy, like J. D. Smith, and like a host of other Able Danger employees, has told the truth.

Now, Mr. Speaker, I sat here in the 1990s and I sat here during the 9/11 investigation and watched a ridiculous situation develop with Sandy Berger, the National Security Advisor under President Clinton. He walked into the National Archives before he was to testify before the 9/11 Commission looking through documents. He took documents out of the Archives and stuffed them in his socks and pants so that no one would see them as he left the National Archives. Now, that is a felony, tampering with Federal documents and removing classified information that the 9/11 Commission needed to see.

Sandy Berger initially lied about it. He said he did not do it. Then he admitted it, and he was given a punishment. And, oh, by the way, his security clearance was temporarily lifted, but he will get it back again, for lying, for stealing, and for committing an act of outrage against our

country's security. Lieutenant Colonel Shaffer, a Bronze Star twenty-three-year military veteran, simply told the truth, and now his life is being ruined.

His career is ended. He is no longer in military intelligence. They have taken his security clearance, and they are about to destroy him as a person. They are about to deny him the basic health care and the salary that he has earned, and they are doing it in this way. This is outrageous. It is evil. They do not want to fire Tony because they also do not want him to talk to the media. So by suspending him and removing his pay and his health care, they hurt him bad, but he cannot talk because he is under suspension and his lawyer has advised him to talk to the media, to talk to Members of Congress, even when he is not being paid, would cause him further problems and totally prevent him from ever having this gross problem reversed. Mr. Speaker, this is outrageous . . . this is not America . . . .

Mr. Speaker, I have today asked for an independent investigation of the Defense Intelligence Agency and their efforts at destroying Tony Shaffer's life. This is outrageous, Mr. Speaker. They trumped-up charges against him. They said while he was overseas in Afghanistan, forward deployed, that he forwarded cell phone calls from his official phone to his personal phone; and when they checked that out, it ran up a cost to the taxpayers of about $60. The second verbal charge they gave him was that he went to a course at the Army War College and he got reimbursed for his travel, his mileage and tolls, $100 some dollars. And they said he received a commendation for which he was not entitled, even though it was signed by his commanding officer and the acting Secretary of the Army.

But they went beyond that, Mr. Speaker. They went beyond that with this man. They said he had $2,000 of debt, personal debt. Well, I would like to have every Pentagon employee tomorrow, I would like to have the senior leadership show us what debt they have in the Defense Intelligence Agency so we can make that public.

They even went to this length, Mr. Speaker: The Defense Intelligence Agency wrote in an official document that Lieutenant Colonel Shaffer stole public property. A serious charge. Well, when you check what the public property was, it was an assortment of pens, government pens. But what they did not say in the Defense Intelligence report was that he took those pens when he was fifteen years of age and was with his father when he was on assignment at one of our embassy outposts. He took the pens to give to other students at the school when he was fifteen years of age. And, by the way . . . it was Tony Shaffer himself who admitted to that "thievery" when he applied for his security clearance. So the Defense Intelligence Agency knew that during his entire career of twenty-three years, but they put that in the document against him.

This is a scandal, Mr. Speaker. It is an outrage. It is a travesty. Everyone that worked with Tony Shaffer, the Navy officers, the private citizens, have all said the same thing. This is a scandal to get Tony Shaffer because he has told the truth.

Now, this Defense Intelligence Agency and this deputy director had the audacity to have their legal counsel send Tony Shaffer's lawyer a letter on September 23. I cannot put that letter in the record because it is privileged information, but it will eventually come out. But in that letter, in the second to last paragraph, the legal counsel for the Defense Intelligence Agency says to Mr. Shaffer's lawyer, he cannot receive any more classified information from the Defense Intelligence Agency because . . . his security clearances have all been removed. Therefore, he is not allowed to look at anything that is secret or confidential.

Now, that is a letter sent by the general counsel of the DIA on September 23 of this year. Two weeks later, Mr. Speaker, to show the stupidity of the Defense Intelligence Agency, they send seven packages to Mr. Shaffer's lawyer of his personal belongings, which the deputy director of the DIA told my staff three months ago did not exist anymore. And in

those seven boxes . . . were five classified memos. The Defense Intelligence Agency sent five classified memos to Lieutenant Colonel Shaffer, which they told him on September 23 he was not allowed to have access to.

Mr. Speaker, that is a felony; and I have asked the inspector general and the legal officials to investigate and prosecute the Defense Intelligence officials who sent five classified documents through the mail or by hand delivery to Tony Shaffer.

In addition, Mr. Speaker, the Defense Intelligence Agency, in its absolute total stupidity, included in those boxes $500 worth of federal property, including a multi-hundred dollar GPS system owned by the federal government, which they sent to Tony Shaffer, I guess to keep. They also sent . . . twenty-five pens, brand new, and marked on them is "Property of the U.S. Government." The Defense Intelligence Agency, in its absolute utter stupidity, sent Tony Shaffer Federal property, which they accused him of taking when he was fifteen years of age.

Mr. Speaker, there is something desperately wrong here. There is a bureaucracy in the Defense Intelligence Agency that is out of control. They want to destroy the reputation of a twenty-three-year military officer, Bronze Star recipient, hero of our country, with two kids, because people in defense intelligence are embarrassed at what is going to come out.

And what is going to come out, Mr. Speaker? Well, we are going to find out . . . that that unit, Able Danger, not only identified Mohamed Atta before 9/11, not only did they try to pass that information to the FBI, not only was that large data destroyed in the summer of 2000, but now . . . I can add a new dimension to the whole story. Yesterday . . . I met with another Able Danger official. . . .

This official, Mr. Speaker, has impeccable credentials. I cannot reveal his name today. I will to any member of this body, any of our colleagues who want to come to me, I will tell you privately who this official is, and you will agree with me when I tell you his name that he has impeccable

credentials. This official yesterday . . . in a meeting in my office, told me that he has never been talked to by the Pentagon. He has never been talked to by the Defense Intelligence Agency in their supposed investigation. He has never been talked to by the 9/11 Commission staff in their investigation. Yet this position had a leadership position in Able Danger.

This official told me that there is a separate cache of information collected from over twenty federal agencies in 1999 and 2000 on Able Danger that still may exist. Now, the Pentagon has told us all this material was destroyed. And now I have a senior official telling me there is a second pot of information that may well exist.

Furthermore, at the hearing over in the Senate Committee on the Judiciary, when Senator Specter asked why this information was destroyed, the witness who destroyed the data said, "Well, I was told that we could not keep this data for more than ninety days because it might involve information that contains 'U.S. Persons'—so we had to destroy it."

Well, I found out that is not the story. The reason the data was destroyed was because Special Forces Command asked the Army for that data and within a matter of days, that data was destroyed so the Army would not pass it to Special Forces Command. Yet there still is, was, and I hope still is, a massive pot of data.

But furthermore, that official that I talked to yesterday will also say that there was no ninety-day requirement, as was testified before the Senate Committee on the Judiciary. He said on a regular basis they kept information from Able Danger data mining for months and months. In fact, he will say he had a discussion with a lawyer in DOD named Schiffren who told him, "Do not worry about it. Just fill out a document, sign your name that you need it, put it in the box, and you can keep it as long as you want."

Mr. Speaker, that is entirely contradictory to what he Defense Intelligence Agency has been telling us, to what DOD has been telling us. Now we have someone who is willing to come forward and say that ninety-

day period is not real, they kept Able Danger information for months and months and months.

Mr. Speaker, there is something desperately wrong here. A sitting president of the United States resigned his position because he tried to cover up a third-rate burglary when some low-level operatives from the Republican Committee to reelect him broke into the Democrat headquarters in Washington, DC. No one was killed. No money was stolen. No state secrets were stolen. It was a third-rate burglary, but it caused the resignation of Richard Nixon.

Mr. Speaker, we are talking about the deaths of 3,000 Americans.

Mr. Speaker, we are talking about 2.5 terabytes of data about Al Qaeda. That is equal to one-fourth of all the printed material in the Library of Congress.

Mr. Speaker, we are talking about Mohamed Atta and three of the terrorists that attacked us on 9/11.

Mr. Speaker, we are talking about military intelligence officers, including an Annapolis graduate who will command one of our destroyers in January of 2006, who risked his entire career to state on the record, "I will swear until I die that I saw Mohamed Atta's face every day starting in January of 2000, a year and a half before 9/11."

Mr. Speaker, this is not somebody off the street. This is a graduate of Annapolis, a twenty-three-year Naval officer who will command one of our destroyers in January who is agreeing with Lieutenant Colonel Shaffer. We have three other people who have testified under oath that they saw the same photograph, and the person I met yesterday will testify that he had the name of a Mohamed Atta before 9/11, but not the face.

Mr. Speaker, this is not some third-rate burglary coverup. This is not some Watergate incident. This is an attempt to prevent the American people from knowing the facts about how we could have prevented 9/11 and people are covering it up today. They are ruining the career of a military

officer to do it and we cannot let it stand. I do not care whether you are Democrat or Republican, you cannot let a lieutenant colonel's career be ruined because of some bureaucrat in the Defense Intelligence Agency. If we let that happen, then no one who wears the uniform of this country who is serving today expects us to back him or her up, and that is not happening. We are seeing lying, distortion.

Mr. Speaker, do you know, Wolf Blitzer on CNN told my staff that a Department of Defense employee told him that Lieutenant Colonel Shaffer was having an affair with one of my employees. How low can we go, Mr. Speaker? How low can we go to allow this Defense Department to try to ruin the reputation and the personal life of a lieutenant colonel with a Bronze Star?

What do we stand for, if not the truth? Is it more important that we be politically correct? Is it more important that I not rock the boat because my party is in the White House, because I campaigned for Bush, and support Don Rumsfeld? Is that more important? If that is more important, I do not want to be here. I will leave my post. But I will not do it until we get justice for this man and for these people who the 9/11 Commission called "historically insignificant."

. . . Mr. Speaker, if we allow this to stand as Democrats and Republicans, then none of us deserve to be here. When we all go overseas and meet the troops, we tell them how proud we are of them. We provide funding for them. We give them training and take care of their families. What we are allowing to happen right now is the Defense Intelligence Agency to ruin the career and the life of a man who spent twenty-three years protecting his nation. If Lieutenant Colonel Shaffer was telling his story alone . . . that would be one thing. But he has been corroborated over and over again. I have met with at least ten people who fully corroborate what Tony Shaffer says. Those meetings with the FBI, the FBI employee still works there, and she told the Senate Committee on the Judiciary, "I set

those meetings up with the FBI to transfer information about Al Qaeda and Able Danger." So she is still there and she testified.

What we have here, I am convinced of this now, is an aggressive attempt by DIA management to cover up their own shortcomings in not being able to do what the Able Danger team did: they identified Mohamed Atta and the Al Qaeda cell of Brooklyn one year before 9/11. But even before that, as the story unfolds, they also identified the threat to the USS *Cole* two weeks before the attack, were screaming not to let the USS *Cole* come into the harbor at Yemen, because they knew something was about to happen.

Mr. Speaker, bad news never comes easy; but in a democracy, the bad news has to come out so we can make sure it does not happen again.

Mr. Speaker . . . the American people deserve to have answers here. They deserve to know why 3,000 people died. They deserve to know what we could have done to better prepare ourselves and to work to prepare for the next incident. . . .

Mr. Speaker . . . I am not a conspiracy theorist, but there is something desperately wrong. . . . There is something outrageous at work here. This is not a third-rate burglary of a political campaign headquarters. This involved what is, right now, the covering up of information that led to the deaths of 3,000 people, changed the course of history, led to the invasion of Iraq and Afghanistan, and has disrupted our country, our economy, and people's lives.

Mr. Speaker, we could ignore this. I cannot. If it means I have to resign from this body, I will resign. I will not allow, after nineteen years in this body, and as vice chairman of the Committee on Armed Services, bureaucrats in the Defense Intelligence Agency to concoct stories, to talk about the theft of pens when this lieutenant colonel was fifteen years old, to talk about this man's personal debt of $2,000. I would hate to check the

indebtedness of members of Congress. I know mine is more than $2,000. . . .

Mr. Speaker, I hated to take the floor tonight, but I did not know what else to do. We have committees of Congress working on this. I want to thank the gentleman from Virginia (Mr. Wolf), Chairman of the Appropriations Committee on Oversight. He is as outraged as I am. I want to thank the gentleman from Wisconsin (Mr. Sensenbrenner), who is looking at this, and the gentleman from California (Chairman Hunter). The Committee on Armed Services has a full-time staffer assigned to get to the facts of this. I want to thank the gentleman from New York (Mr. King), Chairman of the Committee on Homeland Security, because he is looking at this. I want to thank the gentleman from Michigan (Mr. Hoekstra) and the Permanent Select Committee on Intelligence. He has met with Tony Shaffer and has offered to get more information. I want to thank my colleagues on the other side of the aisle for standing up and beginning to ask questions. And I want to thank Senator Specter and Senator Biden, who attended a Committee on the Judiciary hearing and expressed their outrage. I want to thank Senator Sessions, Senator Kyl, and Senator Grassley, who were all there. In fact, Senator Grassley called it a coverup.

Mr. Speaker, I cannot tell you the number of members who have come to me and said this is unacceptable. I would hope that as a result of what we have heard tonight, every member of Congress will ask for an inquiry. . . .

Back in 1999 and 2000, they did not have a clue. They had millions of dollars, hundreds of millions of dollars, and could not do what a twenty-member team did in being able to identify Mohamed Atta before the 9/11 attacks. DIA does not want that to come out, Mr. Speaker. They do not want that to come out. Heaven forbid, the Defense Intelligence Agency, with hundreds of millions of dollars, would have a twenty-member team do what they could not do because they were using new technology and new

software. They do not want that to come out. . . . And that is why today the deputy director is trying to ruin the career of Lieutenant Colonel Shaffer.

The only way to resolve this, Mr. Speaker, is to have a full and independent investigation by the inspector general of the Pentagon. I have asked Secretary Rumsfeld today to do that. I would ask my colleagues on both sides of the aisle to join me in that request. Let the independent inspector of the Pentagon go in, not DIA. DIA cannot investigate itself. It does not have the capability to do that. It does not have the integrity to do that. Let the inspector general do the investigation, and while that is being done, protect Lieutenant Colonel Shaffer. He does not deserve to have his career ruined or destroyed for telling the truth. . . .

. . . I ask all of our colleagues, Mr. Speaker, on both sides of the aisle to join us. This is not Republicans or Democrats. It is about what is fundamental to this country. I would ask our constituents across America we represent to join us, to express their outrage, to email, make phone calls, write letters to the secretary of defense, the president of the United States, to members of Congress, to simply let the story be told. Let the Able Danger story finally come out to the American people. Let them understand what really happened. Let Scott Phillpott talk. Let Tony Shaffer talk. Let the others who have been silenced have a chance to tell their story to Congress and openly to the American people. In the end, the country will be stronger.

CHAPTER 19

THE ABLE DANGER HEARING, FEBRUARY 15, 2006

I have met with an official who has actually done data runs for me on pre-9/11 data. . . . He's come up with over 800 hits on the name Atta using pre-9/11 data. He's come up with five specific hits on Mohamed Atta.

The outcry by the American people against the gag order imposed on the Able Danger team, and against the character assassination of Lieutenant Colonel Shaffer, was irresistible. The Pentagon lawyers surrendered. They agreed to allow Lieutenant Colonel Shaffer and others of the Able Danger team to testify to the US Congress in an unclassified hearing, publicly, before the American people.

This was a great victory, and not only for revealing the truth about the Able Danger affair and 9/11, but for democracy, for the principle that the best government is open government, where issues are publicly discussed and debated, before and with the participation of the whole people.

Even in Washington, DC, the capital of the freest people on Earth, we in Congress must be ever vigilant to resist the persistent efforts of the permanent Washington bureaucracy to conduct government behind closed doors, in secret. Secrecy too is a necessary and inevitable part of good government, especially when sensitive sources and methods vital to national security must be protected. However, all too often Washington

bureaucrats abuse secrecy to hide political embarrassments and protect their own careers from the wrath and justice of the people. But not this time. This time the people spoke, and Washington obeyed. The gag order was lifted, and an open hearing on the Able Danger affair was scheduled for February 15, 2006.

One day before the Able Danger hearing, I arranged with Congressman Christopher Shays to include Tony Shaffer as a witness in his hearing on "National Security Whistleblowers." Chris Shays was among my colleagues who worked with me on the Able Danger issue. He shared my outrage over DIA's Soviet-like tactics to destroy and silence Lieutenant Colonel Shaffer, a genuine hero in the war on terrorism. As chairman of the Subcommittee on National Security, Emerging Threats and International Relations in the House Government Reform Committee—the committee that guards against government corruption, among other oversight powers—Chris Shays was perfectly positioned to help.

On Valentine's Day, February 14, 2006, Tony Shaffer testified in a public hearing, chaired by Chris Shays, about DIA's attempt to destroy his career and discredit his character in retaliation for talking to Congress about Able Danger. Numerous other whistleblowers who were also persecuted by government bureaucrats for exposing incompetence and corruption in national security matters also testified.

After months of being beaten up by a liberal press that was usually biased against him, Lieutenant Colonel Shaffer finally had an opportunity to tell his personal story, speaking directly to the people, and not through the intermediary of a DIA parrot in the *Washington Post*. Moreover, the hearing showed the people that Tony Shaffer's story is not unique. Many honorable men and women serving in the defense and intelligence communities have had their careers and personal lives ruined by vengeful bureaucrats as punishment for exposing wrongdoing, for trying to do the right thing.

Although the hearing on National Security Whistleblowers did not provide a venue for more than a cursory airing of the Able Danger affair, it did allow Lieutenant Colonel Shaffer to expose the dishonesty of his critics and establish his credibility on the eve of the Able Danger hearing:

WELDON: Mr. Chairman, I want to go through some examples of the outrageous actions of the Defense Intelligence Agency with
Mr. Shaffer. . . . In your file, you have received letters of commendation from a number of DIA directors? . . .
SHAFFER: Sir, over my ten years at DIA, I received from the director of DIA, General Pat Hughes, Vice Admiral Tom Wilson, and several of their subordinate officers, to include compliments for my three briefings to the director of Central Intelligence, George Tenet. . . .
WELDON: So, Colonel Shaffer, are you not also the recipient of the Bronze Star?
SHAFFER: Yes, sir. I received that for my first deployment to Afghanistan, in support of both Joint Task Force 180 and Joint Task Force 100.
WELDON: And how long have you served in the military as an intelligence officer?
SHAFFER: As an intelligence officer . . . twenty-two years, total about twenty-four years . . .
WELDON: What was the purpose of Able Danger?
SHAFFER: . . . to first detect, fix by figuring out where they're all located, and then go after, using offensive methodology, the structure of Al Qaeda. not Bin Ladin himself, but the structure, the Al Qaeda mechanism, cells et cetera.
WELDON: Are you aware that at least seven other people who testified under oath that they also identified Mohamed Atta?
SHAFFER: Yes sir, I'm aware of that. . . .

WELDON: In September of 2000, what did you do, because you had been working with the FBI in some other top secret programs?
SHAFFER: . . . We attempted, because of my relationship with the FBI special agents on that project, to broker a transfer of information relating to the Able Danger project from Special Operations Command to . . . the FBI here in Washington.
WELDON: How many times?
SHAFFER: By my count, three. Twice by my deputy, once by me. . . .
WELDON: Did those meetings take place?
SHAFFER: No, they did not.
WELDON: Why not?
SHAFFER: My understanding is, they were canceled by the Special Operations Command, legal advisors to the command.
WELDON: So, we had information about the Brooklyn Cell of Al Qaeda with Mohamed Atta, and we could not transfer it to the FBI.
SHAFFER: That's correct.
WELDON: . . . The 9/11 Commission was supposed to look at the details leading up to 9/11. You were on duty in Afghanistan in October 2003. Tell us about who went through Bagram that you were made aware of.
SHAFFER: I was made aware of Dr. Phillip Zelikow the executive director of the 9/11 Commission, and three staffers . . . They . . . requested anyone come forward who had information regarding pre-9/11 intelligence. . . .
WELDON: So when you got back, you tried to meet with the 9/11 commissioners, because you met with Zelikow. And what did they say?
SHAFFER: I contacted them twice in January of 2004. First time they said, "We remember you. We'll ask you to come by. Just stand by." I didn't hear anything back from them for a week. I call again. The second time they said, "We don't need you to come in now. We found all the information we need on Able Danger."

WELDON: Now, Colonel Shaffer, in an article that appeared last week, Dr. Zelikow was interviewed . . . and in there, Dr. Zelikow said he never met you.
SHAFFER: Yes, sir. I did meet with him. I specifically have a business card he provided me. . . .
WELDON: Who gave you that business card?
SHAFFER: Dr. Philip Zelikow in a private meeting in Bagram, where he approached me after my briefing on Able Danger and said, "What you said today is very important. We need to continue this dialogue upon your return to the United States. Please call me."
WELDON: When you came back to Washington, your career started to take a turn for the worse. Am I correct?
SHAFFER: Yes, sir.
WELDON: They pulled your security clearance.
SHAFFER: Yes, sir. . . .
WELDON: They accused this man of taking government pens when he was fifteen years old, as part of their official effort to destroy him . . . how close were you to having the benefits taken away from you and your kids?
SHAFFER: Within days, sir. As a matter of fact, we thought the paperwork had already moved forward, before Deputy Secretary of Defense England was able to intercede.

On January 11, 2006, a few weeks before the Able Danger hearing, 9/11 Commissioner Bob Kerrey told the press that the 9/11 Commission Executive Director, Philip Zelikow "has no recollection of being told about [Able Danger] . . . I think the majority of the Commission members, myself included, believe Phil Zelikow. We believe he's telling the truth."

GSN: One last question. Did Philip Zelikow ever submit a written report to the 9/11 Commission regarding Able Danger?

KERREY: He submitted a detailed written explanation of what happened. Basically, he says he has no recollection of being told about this and, had he been told about it, he certainly would have brought it to the attention of commission members. I think the majority of the commission members, myself included, believe Phil Zelikow. We believe he's telling the truth. But, I don't have the basis to resolve the conflict between these two men. Congress does.

Clearly, personal loyalty to Philip Zelikow was clouding the judgment and commitment to truth of at least some 9/11 commissioners. At this point, the evidence was overwhelming that the 9/11 commission staff was told about Able Danger by both Lieutenant Colonel Shaffer and Captain Scott Phillpott. The 9/11 Commission staff themselves admitted that Captain Phillpott told them about Able Danger. So Kerrey's suggestion to the press that the dispute over Able Danger boiled down to conflicting stories from two men, Shaffer and Zelikow, was inaccurate. Captain Phillpott also contradicted Zelikow.

In his January 2006 interview, Kerrey did not repeat the canard that Able Danger was "historically insignificant." I took this as a possible positive sign that the 9/11 Commission might finally understand the importance of Able Danger. Alternatively, less hopefully, perhaps the 9/11 Commissioners realized that attempting to dismiss Able Danger as historically insignificant was no longer a credible excuse. To Kerrey's credit, he strongly supported hearings on Able Danger by the US Congress, telling the press, "I would call on the House Armed Services Committee to hold hearings and ask witnesses to come forward."

On February 15, 2006, the House Armed Services Committee held a "Joint Subcommittee Hearing on the Able Danger Program." The Subcommittee on Strategic Forces, chaired by Congressman Terry Everett, and the Subcommittee on Terrorism, Unconventional Threats and

Capabilities, chaired by Congressman Jim Saxton, combined forces to make the public hearing possible.

For the first time, key members of the Able Danger team would be able to tell their story to the US Congress and the American people. The cavernous auditorium in 2118 Rayburn Building, the largest of the House Armed Services Committee hearing rooms, was filled to capacity with the public and press. It was standing room only. The full transcript of the hearing remains available.

I will briefly treat several salient aspects of the hearing that, to a rational and objective person, should prove beyond reasonable doubt the thesis of this book—that the Able Danger project could and should have prevented the September 11 disaster, and that the 9/11 Commission knowingly failed to report this.

First, all three of the Able Danger team who spoke at the hearing—Lieutenant Colonel Tony Shaffer, Mr. J. D. Smith, and Major (ret.) Erik Kleinsmith—testified that the intelligence uncovered by Able Danger could have prevented the 9/11 attacks:

WELDON: Colonel Shaffer, is it your opinion—you've heard what FBI Director Louis Freeh said about the possibility of this information perhaps having been able to prevent 9/11. Do you believe that? SHAFFER: Based on my knowledge of what Dr. Smith came up with, J. D. Smith came up with and others came up with, absolutely. Yes, sir. Plus, the added fact that we had operational capabilities which could have been focused to further penetrate the organization, yes sir.
WELDON: Mr. Smith, do you believe this information, if it would have been properly transferred, could have helped the FBI as Louis Freeh said, perhaps prevent 9/11?
SMITH: Absolutely.

WELDON: Absolutely. Mr. Kleinsmith, do you believe that this information could have helped, as the FBI Director said, perhaps prevent 9/11?
KLEINSMITH: Yes, sir.

Including Captain Scott Phillpott, four members of the Able Danger team have come forward and told the US Congress that the intelligence produced by that project could have prevented the September 11 catastrophe. Understandably, many of the Able Danger team members fear retaliation from DIA or the Department of Defense if they speak out publicly. The public crucifixion of Tony Shaffer in the press is an intimidating example for those who would come forward.

Nonetheless, there are now altogether ten members of the Able Danger team who have come forward publicly and privately, all telling the same story. Many of those who do not wish to risk speaking publicly have signed sworn affidavits testifying that Able Danger identified Mohamed Atta before 9/11, providing a golden opportunity to stop the September 11 catastrophe.

A second salient, highly significant, aspect of the Able Danger hearing concerned Dr. Philip Zelikow, the executive director of the 9/11 Commission.

Zelikow refused to face Lieutenant Colonel Shaffer and others of the Able Danger team publicly. Despite 9/11 Commissioner Kerrey's public recommendation that Zelikow testify at the hearing, Zelikow did as little as possible to comply with this recommendation, short of flatly refusing to testify.

Zelikow insisted on testifying in classified session, thereby closing the hearing to the public and press. The classification of Zelikow's testimony even excluded one of the Able Danger team, J. D. Smith, preventing him from responding to Zelikow during the closed part of the hearing. Zelikow

became an advisor to Secretary of State Condoleezza Rice—a promotion he received as a result of his "good service" on the 9/11 Commission—so the US Congress was obliged to agree to the condition that Zelikow testify in a closed, classified session.

Ironically, when Philip Zelikow was executive director of the 9/11 Commission, he organized hearings where two presidents of the United States testified. Condoleezza Rice, then the National Security Advisor, and other officials far more senior than he testified in open session, facing the public and the press. Now, Zelikow exploited his position in the Bush administration to exclude himself from testifying publicly on his work for the 9/11 Commission. Zelikow obviously believes that the search for truth is well served by public disclosure, even by presidents, but not by Philip Zelikow.

I cannot disclose Philip Zelikow's testimony at the Able Danger hearing because it is classified. However, I can say, without breaking any of the rules protecting classified testimony, that nothing Zelikow said was legitimately classified or deserved the protection of a closed session of Congress. Moreover, I am certain that the public would not have found Zelikow's testimony persuasive. He did not exonerate the 9/11 Commission.

I have challenged the classification of Zelikow's testimony at the Able Danger hearing. I sought the declassification of his statement and responses so that they will lose their protected status and become part of the public record.

Finally, perhaps the most significant aspect of the Able Danger hearing concerned the undersecretary of defense for intelligence, Stephen Cambone.

The supreme irony of the Able Danger hearing was the tacit alliance between some Bush administration defense bureaucrats and Philip Zelikow, who maligned President Bush in the *9/11 Commission Report*. Stephen Cambone, tried much harder than Zelikow to protect the credibility of the

9/11 Commission from the Able Danger affair. Unlike Zelikow, at least Cambone was willing to testify and submit to cross-examination publicly.

The Able Danger hearing proved, for Cambone, an embarrassment.

Steve Cambone has developed a reputation as one of Defense Secretary Rumsfeld's best and brightest. As undersecretary, the press widely assumed that Cambone was an expert on the Able Danger project. The conservative and liberal press alike often deferred to Cambone on Able Danger, and would give him the last word on the credibility of the Able Danger team.

Steve Cambone claimed, prior to and during the hearing, that his exhaustive investigation uncovered no evidence that Able Danger discovered Mohamed Atta prior to 9/11. Coming from an official in his position, Cambone's allegation was devastating to the credibility of the Able Danger team and to the historical significance of the Able Danger affair. If Able Danger did not discover Mohamed Atta, then this seriously undermined the claim that the project could have thwarted 9/11.

Cambone's allegation that there was "no evidence" Able Danger detected Mohamed Atta before 9/11 misled many in the press and public to doubt the significance of Able Danger. Almost entirely because of Cambone's allegation—that there is no evidence Able Danger found Atta—doubts about the significance of Able Danger persist today.

But Steve Cambone was mistaken—or *he lied*!

Cambone's allegation that there is no evidence Able Danger detected Mohamed Atta before 9/11 is false. The Able Danger team itself is the best evidence that they did, in fact, detect Mohamed Atta before 9/11. These distinguished officers and scientists are truly America's best and brightest. They have no reason to lie about failing to save the United States from the 9/11 disaster. Indeed, as events have proven, their personal interests would be far better served by silence about Able Danger.

Further, Cambone misled the press and public by creating the impression that his exhaustive investigation should have uncovered

documentary evidence of Able Danger's detecting Mohamed Atta, if it happened. But the Able Danger team was ordered to destroy all of their files. Erik Kleinsmith, one of the Able Danger witnesses, described to the US Congress how he personally destroyed the files.

Somehow the press kept forgetting that all documentation of Able Danger was supposed to be destroyed, thinking that Cambone could somehow rematerialize the vanished files. Cambone encouraged this impression. He was always careful to state, briefly, that the Able Danger files were destroyed. But then Cambone would launch into lengthy descriptions of his exhaustive search that created the false impression among the press and public that he should have found something, if the Able Danger story was true. Consider, for example, part of Cambone's testimony on his exhaustive search at the Able Danger hearing:

CAMBONE: The [Department of Defense] undertook its recent review of Able Danger in good faith, and with due diligence. No chart or charts with Mohamed Atta's name or photo have been found. No data sets that contain such information have been found—that is to say, dating back to the period in interest—nor were we able to create such data sets when we went through the search in the 2005 time frame. It is true that material associated with ABLE DANGER was purged from various systems. But in each case, we believe that it was done consistent with standard policies.

The truth is that the undersecretary of defense for intelligence, Stephen Cambone, did not conduct an exhaustive search for evidence that Able Danger detected Mohamed Atta before 9/11. Steve Cambone did not even conduct a real investigation. He issued no subpoenas for Able Danger files to any agency. He put no witnesses under oath. He did not bother to keep records of witness testimony. He did not even interview many of the members of the Able Danger team!

Cambone perhaps regarded his Able Danger "investigation" as a troublesome duty compelled by Congress, perhaps only by this cantankerous member of Congress, and deserving only of a pro forma gesture so the undersecretary could get back as soon as possible to his real work.

The phony nature of Cambone's "investigation" was publicly exposed during the Able Danger hearing. Under cross-examination, it became evident that Steve Cambone and his entire team, all present at the hearing, were ignorant of the most basic facts about the Able Danger project:

WELDON: Did you talk to the director of the [Able Danger] Garland facility?
CAMBONE: I have not talked to these individuals. The people here at this table are the ones who did the interviews.
WELDON: Which one of you talked to the director of the Garland facility? Which one of you? Do you know his name?
CAMBONE: We talked to Captain Phillpott . . .
WELDON: No. That's not the director of the Garland facility. Scott Phillpott ran the Able Danger linkage with LIWA [Land Information Warfare Activity at Fort Belvoir's Information Dominance Center]. Who ran the Garland facility. . . ? Do you even know his name? Do any of you?
CAMBONE: Just—well, I don't have his name, sir.
WELDON: Do any of you have the name?
CAMBONE: Apparently, the people here don't have his name.
WELDON: Mr. Chairman, the director of the Garland operation run by the Raytheon Corporation . . . was Dr. Bob Johnson, the son of Sam Johnson, honored POW Congressman. . . . None of these people have even talked to Dr. Bob Johnson. Dr. Bob Johnson has told me in personal interviews . . . that the information at the Garland facility was more extensive than what

was available at the LIWA. Let me ask this question. Has all of that data also been destroyed?
CAMBONE: I was told that what was transferred was a fraction of the data that was there, and not all of it.
WELDON: Is there any data still in the LIWA files, prior to 9/11 information?
CAMBONE: Not that we're aware of . . . We've had LIWA searched extensively . . .
WELDON: Will you acknowledge that two or three weeks ago you found a file with LIWA-based Able Danger information in it? That was overseen—the removal overseen by a general. Will you acknowledge that?
CAMBONE: I'm unaware of that, sir.
WELDON: For the record, Mr. Chairman, I will provide the information with the date and time certain, that LIWA information was found in a file cabinet as recently as three weeks ago. Now you're saying there's no data available to LIWA. In the record, I want to enter the fact that, as recently as two weeks ago, I have met with an official who has actually done data runs for me on pre-9/11 data. . . . He's come up with over 800 hits of the name Atta, using pre-9/11 data. He's come up with five specific hits of the name Mohamed Atta. . . . He's come up with five specific hits of Mohammed Atef, as opposed to Mohamed Atta, as well as a number of other hits. This is done in the last month by a current employee using pre-9/11 data that you've just testified was all destroyed.
CAMBONE: No, no.
WELDON: Mr. Chairman, I can't go through all the questions I have in this hearing. But I hope just these brief interludes will show the fact that there's been no analysis—by the 9/11 Commission or anyone else.

It should surprise no one that Steve Cambone could find "no evidence" that Able Danger detected Mohamed Atta prior to 9/11, since Cambone never

really tried to look for such evidence. Unfortunately, this salient point, proven during the Able Danger hearing, has somehow escaped notice of the press.

Likewise, the press failed to notice—or failed to understand the significance—of my discovery of Able Danger files proving the detection of Mohamed Atta prior to 9/11. At the Able Danger hearing, I publicly announced that a repository of Able Danger files had escaped destruction and been located. These files had eight hundred hits on Mohamed Atta dated prior to the September 11 disaster.

Because of Cambone's unfounded and irresponsible allegation that there is no evidence Able Danger detected Mohamed Atta before 9/11, history has been stuck on *hold*. Questions about Able Danger have focused on the veracity of the Able Danger team versus Philip Zelikow, versus the 9/11 Commission, and versus Steve Cambone. Larger questions about the significance of Able Danger to the September 11 tragedy, and its implications for future intelligence reform, are neglected.

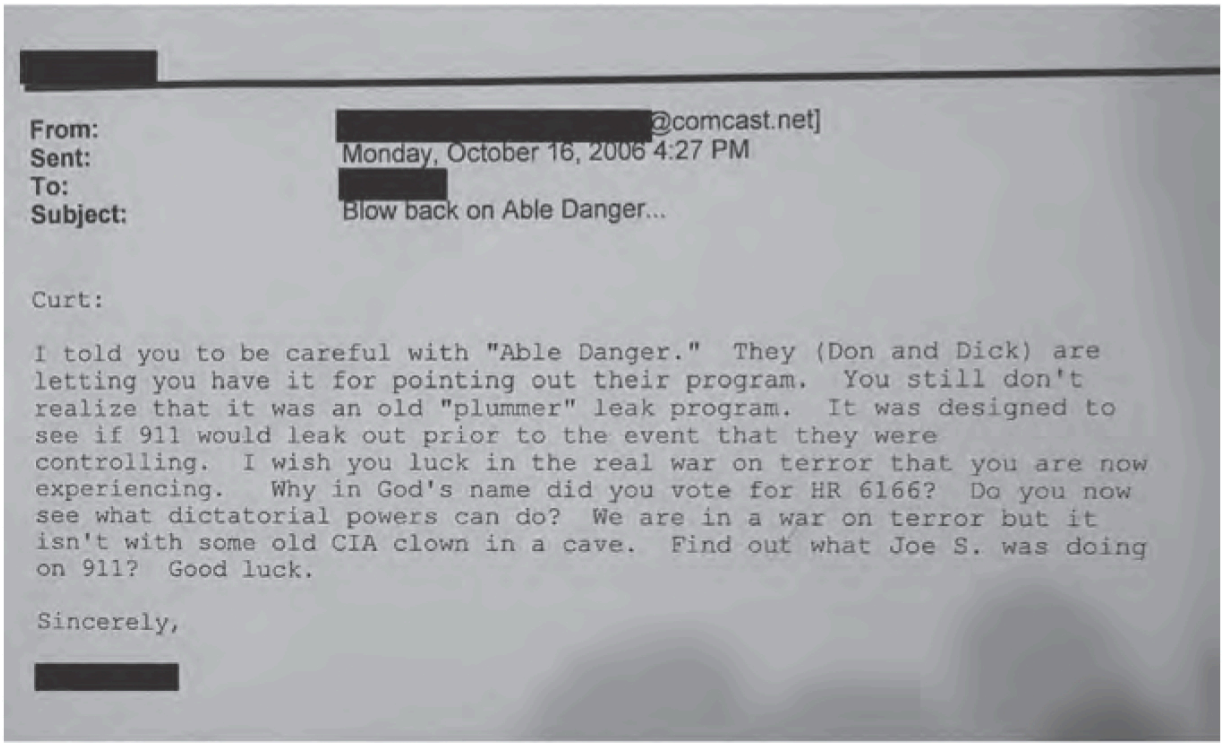
* * *

Able Danger documents and reviews the chronology of the Army program that, according to Louis Freeh and others, could have prevented the 9/11 attack.

Unless, of course, if this personal warning email sent to me from a senior Pentagon official friend with direct and ongoing access to Secretary of Defense Donald Trump and Vice President Dick Cheney—on the very day (October 16, 2006) and just hours after the raids on my daughter's home and John Gallaghers law office—means exactly what it states.

I was warned and then brutally attacked because I revealed the Able Danger program that had been designed to identify any "pre-action or raw intel" that might thwart the 9/11 devastating scandal being *undertaken and managed* by Rumsfeld and Cheney coupled with deep state leadership.

Treason to its ultimate extreme absolutely demands the creation of a Presidential 9/11 Commission to thoroughly conduct interviews under oath and examine facts and documents supporting this heretofore unthinkable nightmare scenario and scandal!



[redacted]

From: [redacted]@comcast.net]
Sent: Monday, October 16, 2006 4:27 PM
To: [redacted]
Subject: Blow back on Able Danger...

Curt:

I told you to be careful with "Able Danger." They (Don and Dick) are letting you have it for pointing out their program. You still don't realize that it was an old "plummer" leak program. It was designed to see if 911 would leak out prior to the event that they were controlling. I wish you luck in the real war on terror that you are now experiencing. Why in God's name did you vote for HR 6166? Do you now see what dictatorial powers can do? We are in a war on terror but it isn't with some old CIA clown in a cave. Find out what Joe S. was doing on 911? Good luck.

Sincerely,

[redacted]

CHAPTER 20

WHERE WAS OSAMA BIN LADEN POST-9/11? US INTEL LEADERS KNEW—AND IT WAS NOT AFGHANISTAN!

As I frantically rushed to catch the Amtrak Train from Philadelphia to NYC after 9/11, I didn't know what to expect. New York State and FDNY officials agreed to meet me at Penn Station and escort me to Ground Zero. The train had no passengers except DC officials also heading to Ground Zero and as we departed the train in Penn Station the eerie sight of no passengers in the entire station struck me. Once outside, I assumed that the FDNY vehicle parked at the curb was for me—and I was correct. As we travelled downtown to the World Trade Center complex emotions were rampant as no one knew what would happen next.

Chaos filled the streets as we moved away from Penn Station heading south. I was informed by FDNY officials that no vehicles could proceed to the actual WTC area and that we would be dropped off at a school being utilized as a credential facility and would have to walk the remaining distance to WTC Ground Zero.

With one staffer and FDNY escort, we visited Ground Zero headquarters, received an update, and observed frantic rescue efforts underway. As we spent more time and learned more, we were informed that George W. Bush would be visiting Ground Zero shortly. About thirty yards

away, we eventually saw and heard President Bush, with one hand holding a megaphone and the other raised, shouting out, “I can hear you! The rest of the world hears you! And the people who knocked these buildings down will hear all of us very soon.” The date of the Bush visit was 9/14—three days after the attack—and I was there thinking about what could and should have prevented the nightmare the results of which I was now witnessing!!

But I patriotically supported our president. I support his stated efforts to get those who had done the attack. Returning to DC, we were told that terrorists from Al Qaeda based in Afghanistan were the perpetrators—led by Osama bin Laden. As vice chair of armed services, I pledged my full support as Bush declared that US troops would be deployed to Afghanistan.

Understanding the history of attacks against Russian troops when they were based in Afghanistan by many of the Afghan tribes, I again used my personal intelligence network led by decorated Vietnam veteran Al Santoli to plan an immediate trip to Europe to meet discreetly with Afghan King Zahir Shah who was living in exile with his family and key supporters. Our goal was to convince the king to return to Kabul asap and convene a *Loya Jorga* of all tribal leaders to convince them that US troops were not their enemies and that they should not attack US forces as they arrived in country. As documented in photos, my small bipartisan congressional delegation did exactly that and we did it successfully. King Zahir Shah returned to Kabul before and while our troops were arriving to search and capture bin Laden and his Al Qaeda partners.

You can imagine my depression—and eventual outrage—when I learned that bin Laden might not be in Afghanistan as the Congress and the American people, were being told. As I have explained in this book, I became convinced that I could not trust intelligence briefs provided to me—a fact reinforced directly as a result of my work with the Army LIWA and Able Danger intelligence patriots. I realized that I *could not trust* the intelligence being fed to me as vice chair of the Armed Services Committee.

Previously in this book, I explained the existence of an informal group of patriotic intelligence professionals who met socially in DC that included several of my ex-military staff. The group called itself the Cockroaches and they supported our country and each other. Because of my aggressive support of the Able Danger team as they were harassed and threatened, many of these intelligence heroes trusted me and fed me raw data from our intelligence networks that I could then use discreetly to challenge sanitized intelligence reports being fed to me and the committee by deviant CIA and other intelligence leaders. We met periodically—often early morning in the Members Dining Room of the Capital.

As our troop deployments to Afghanistan increased with the spin created in the mainstream media to emotionally charge the public, I received a raw data intelligence report one day that startled me. “Bin Laden has been sighted in Ladiz,” I was told discreetly by my Intel friends. Having no idea about a town called Ladiz, I walked to a bookstore that evening on Pennsylvania Avenue two blocks from my office and purchased a map of the region. I spent an hour searching Afghanistan for Ladiz but had no success. So I then searched all of neighboring Pakistan for Ladiz but had no success. Finally, almost ready to give up, I located the small city of Ladiz in Baluchistan. I was completely shocked because Baluchistan—and Ladiz—are in Iran!

How could this be? Bush is sending thousands of troops to Afghanistan and yet bin Laden is in Iran! It must be a mistake, I thought. A mistake until I served as acting chair of a full Armed Services closed formal intelligence briefing on our deployments days later. In front of the full committee (sixty members)—in closed session—I posed the question to the CIA briefers, “I have information that bin Laden was recently sighted in Ladiz.” To which the briefer responded “Mr. Chairman, we’ve had similar reports which we can neither confirm nor deny.” I was ready to jump out of my seat, but I

remained calm. Why did I not receive a blanket denial—did our intelligence apparatus not know where bin Laden was hiding?

Weeks later, my intelligence friends briefed me that recent raw data intelligence hits (much like Able Danger), located bin Laden being treated at a military hospital in Tehran, Iran. Again, at an Armed Services closed briefing, I asked the question based on personal intelligence data not yet sanitized by the agency, and the answer I received shook me to my bones —"Mr. Chairman, we've had similar reports but we can neither confirm nor deny them." Thousands and thousands of US troops and contractors being deployed to Afghanistan, publicity spewing out the need for US support of our troops in harms way—and the US intelligence agency twice encourages the possibility that Osama bin Laden is in Iran!

Sometimes in life—and in my position in Congress—things happen for a reason. The most respected Democrat House member on defense issues, former Marine DOD Approps Chairman Jack Murtha, called me and told me that Congressman Ron Klink (D-PA) from Pittsburgh had information that Murtha asked me to pursue. Because of my respect for Jack, I would never turn him down, and we worked closely together on defense matters (he on DOD appropriations and me on DOD authorization).

Ron Klink came to my office and brought a tall, lanky mid-Westerner with him and said, "Curt. Jack said to share some information with you because of your work on security and in the Middle East." I thanked Ron for coming, met his acquaintance (whose full details I still possess) and asked how I could assist. "My friend has information and a request if you can assist him. It's important for the country and our security," Ron said as he asked for my assistance.

Ron's friend explained his background and previous work "on behalf of our nation in the Middle East and Asia." I won't divulge the US agency who employed him, but he had been an NOC (non-official cover), his request to me was for my assistance to travel to Tehran, Iran, because his

friends and former coworkers were aware that Osama bin Laden was in Baluchistan, Iran. The former NOC was willing to travel to Tehran, leave his credentials in his hotel, capture bin Laden and bring him back dead or alive. He reminded me that the USG had placed a $25 million reward for the arrest and capture of bin Laden.

Simultaneous—but totally separate within weeks—a US citizen from Maine who chaired the International Falconry Association, was brought to my office by the Migratory Bird staff of the Department of Interior. The initial request for the meeting did not surprise me because I served as Republican House member of the Migratory Bird Commission and North American Wetlands Conservation Council with John Dingell (D-MI), two senators and three cabinet members.

As the two men entered my office, the Maine citizen had two falcons perched on his shoulders, which I have never experienced up close. As I looked at the two beautiful birds, I asked, "How can I assist you?" He told me that his entire life had been devoted to falcons as he served as chair of the International Falconry Association whose purpose was to protect falcons worldwide. He explained that he trained the children of the Middle Eastern royal families in the sport of falconry, and that he requested my help to go into Iran. Iran would accept him because of his work with falcons in the region.

"Why do you want to go to Iran?" I asked. "Because my falconers have seen Osama bin Laden's falcons flying in Baluchistan. I want to travel there. I will tag bin Laden's birds so the US can retrieve him. And then I will use the award to continue my falcon work worldwide." Totally frustrated, I thanked the falconer, Ron, and Jack but did not pursue or help because of my ongoing battle with certain senior intelligence actors. I quickly realized that I was in the center of a storm of deceit, lies, and cover-up relating to the largest loss of US life in history, and now young American

soldiers were being placed at risk—and dying—looking for a target whom our US intelligence leaders (and others) knew was not in Afghanistan.

Twenty years in Congress doing my job to the fullest—organizing and empowering America's Firefighters/EMS nationwide, working closely with members of both parties to avoid war and protect US military personnel at home and abroad, endorsed publicly by hundreds of senior US military, foreign policy, and intelligence leaders to become chair of the Armed Services Committee—and now the battle would discreetly, and illegally, shift to a carefully and discreetly planned attack on my family *three (3) weeks prior to election day 2006*!

As I think back to that terrible time and devastating impact on my family as I lost the election to an opportunist who was born in the district, whose wife worked for US intelligence in DC but only moved back to fulfill the promise Bill Clinton made on national television in September 2006 stating that "there is no more higher priority for me in the 2006 election nationwide than to elect the Democrat in the PA-7 race."

As Sy Hersh would later verify to me years later, the approval to deliberately disrupt my 2006 election was carried out by a Republican administration. Sy verified that approval to stop my career was orchestrated by Vice President Cheney and a handful of losers serving in the Bush 43 White House. I have all names and will reveal when appropriate.

Interestingly, the first two substantive calls that I received one day after my 2006 election loss were from two leaders with whom I had worked closely and knew well and enjoyed mutual respect—Senator Joe Biden and Congressman Steny Hoyer. Joe grew up one mile from my hometown, and our kids attended the same high school—my son was Ashley's classmate and friend at Archmere Academy. Steny and Joe were my partners and friends in many of my successes in Congress—we co-chaired the Congressional Fire Caucus that I founded, we co-chaired the SMART Region Technology Initiative for the four-state region that I founded, Steny

and I co-chaired DUMA/Congress leading delegations to Russia and FSU nations, and Joe and I co-chaired congressional delegations to Libya, Iraq, and hosted North Korea UN leaders in DC. Both good friends, their comments were personal, supportive, and contained the same simple phrase, “Curt—I’m sorry about what they did to you!”

After my career was ended, caused by deep state actors, all verified, I left Congress in 2007. Several years after, I received calls at my home from former CIA bin Laden Task Force Director Michael Scheuer and General Tom McInerney asking me to work with the falconer and them on a film about what transpired regarding bin Laden and 9/11. They both validated everything—but I worried that deep state actors would again harm my family.

Since 9/11 and my exit from Congress in 2007, I have *ten* silver bullet verifications that Osama bin Laden was roaming freely in Baluchistan, Iran after 9/11 until the Iranian government (Ahmadinejad) learned that a secret deal had been cut to place bin Laden in Iran through Qasem Soulemani of the IRG with the full knowledge of certain (and known) US intelligence leaders.

What does this mean? Besides the 2,977 deaths at 9/11 and follow-on deaths from injuries and sicknesses resulting from 9/11, 2,461 US soldiers died in Afghanistan looking for bin Laden, eighteen CIA operatives were killed, and 3,923 US contractors were killed in Afghanistan—all devoted to our president’s plea to get bin laden.

Total US citizens and patriots killed because of 9/11 as fully validated—

9,379 innocent Americans!

CHAPTER 21

CONCLUSIONS AND RECOMMENDATIONS

Understanding the Able Danger affair is indispensable to diagnosing "lessons learned" from 9/11 and prescribing correctives to prevent future catastrophic intelligence failures.

The Able Danger project did, in fact, detect Mohamed Atta, the ringleader of the 9/11 WTC nightmare, over one year before the September 11 catastrophe. Able Danger also detected three other 9/11 terrorists—Marwan al Shehhi, Khalid al Mihdhar, and Nawaf al Hazmi. The Able Danger team discovered the Brooklyn cell of Al Qaeda that launched the 9/11 attacks. Able Danger discovered the Hamburg Cell in Germany, where Mohamed Atta became part of the Al Qaeda plot to attack the United States. Able Danger uncovered the Al Qaeda network in the United States and worldwide that engineered the September 11 nightmare.

Able Danger intelligence provided a golden opportunity to prevent the 9/11 attacks on New York and Washington that killed 2,977 and 9,379 Americans total (not including those victims, responders, and patriots who have subsequently died as a result of the 9/11 attack); that led to wars in Afghanistan and Iraq; and that has forced upon the United States a global war on terrorism that may last generations. Rarely does history offer a nation such a splendid chance to alter its fate.

Able Danger was not merely one of some dozen lost opportunities to prevent 9/11. Most of the other lost opportunities are premised on the assumption that the killing of Osama bin Laden would have thwarted 9/11—but this is problematical. Khalid Sheikh Mohammed and other terrorists were just as committed as bin Laden to the "planes operation."

The deeper story of motive, operation, and massive new information regarding the buildings, aircraft, and background information is not the focus of this book but should be undertaken through a *Presidential 9/11 Commission.*

The *9/11 Commission Report* identifies the best opportunity to stop the September 11 attacks as the detection by the FBI of Zacarias Moussaoui. If Moussaoui was arrested and a maximum effort made to locate the other 9/11 conspirators using leads from Moussaoui, the plot might have been derailed, according to the report. But this too is all highly problematical. Moussaoui's suspicious behavior was noticed by a solitary local FBI agent less than one month before 9/11, leaving very little time to ramp up a national investigation, even if Washington could be persuaded to do so. Moreover, Moussaoui's connection to the 9/11 plot was tangential.

In contrast, Able Danger discovered the 9/11 ringleader, about 20 percent of the 9/11 manpower, counting Atta and three other terrorists, and the Al Qaeda network in the United States supporting the September 11 conspiracy. Able Danger detected all this over *one year* before the 9/11 attacks. Able Danger had this vital intelligence *before* attempting to contact the FBI.

It is a virtual certainty (as FBI Director Louie Freeh stated in his a post-9/11 op-ed and on *Good Morning America*) that, if the Able Danger team were permitted to communicate their intelligence to the FBI, given a year to work the problem, the FBI would have bagged all or most of the 9/11 terrorists and preempted the "planes operation."

Understanding the Able Danger affair is *central* to understanding why the U.S. government failed to prevent 9/11. Understanding the Able Danger affair is *indispensable* to diagnosing lessons learned from 9/11 and prescribing correctives to prevent future catastrophic intelligence failures.

I do not pretend that this book provides all the answers about the Able Danger affair and the September 11 nightmare. Indeed, as I write these last pages, I am keenly aware that in this book I have probably raised more questions than provided answers. Certainly, the most important questions remain unanswered. For example, why was the Able Danger team prevented from transferring their intelligence on the Al Qaeda presence in the United States to the FBI? Was it really just the Pentagon lawyers? Was it the Justice Department? The White House? Or was it more nefarious?

Moreover, why did the 9/11 commission ignore Able Danger? Ironically, in so doing, the 9/11 Commission made itself part of the mystery surrounding the catastrophe of September 11, 2001, and is itself deserving of an independent investigation.

Although many questions remain unanswered, we know enough about the Able Danger affair to draw some lessons and make prescriptions for reforming the intelligence community.

The primary reason Able Danger failed to communicate its intelligence about 9/11, and was ultimately terminated, is because the project operated too deeply in the dark, visible only to a tiny number of customers in the Department of Defense and the Executive Branch. When the Able Danger team ran afoul of one or more of these customers, they were doomed, with no possibility of appeal.

Part of the solution is to increase the visibility of intelligence programs to select members of Congress in the oversight committees for Intelligence and Armed Services in the House and Senate. Broadening the customer base for special intelligence programs outside the Department of Defense and the White House, to include the Congress, would increase patronage for

these programs, and greatly increase the opportunity for program managers to appeal bad decisions effecting their programs for a fair hearing.

If the Able Danger team was at liberty to tell me about their project and about their failed efforts to warn the FBI about Mohamed Atta, you can be sure September 11 would not have happened. I would have mobilized the Congress to make sure Able Danger intelligence was provided to the FBI, and fast. I would have protected the Able Danger project from termination, and ensured its growth. The proof that I would, in fact, have done these things is in this book. The skeptical reader may refresh their memory by re-reading the chapters about my aggressive promotion of the Information Dominance Center—the home of Able Danger—and my efforts to establish a counterterrorism intelligence fusion center called the NOAH as well as the Secure Congressional Virtual Hearing Room.

My original coauthor of this manuscript, Dr. Peter Pry, enjoyed a stellar ten-year career as an analyst in the CIA before joining the HASC and serving as my principal staffer on every aspect covered in this book. Like two other former CIA associates and close friends (one of whom was actually threatened for helping me by a former candidate for CIA director), Dr. Peter Pry passed away suddenly in 2022.

Peter's internal assessment of necessary changes in the CIA included a major contributing factor to the demise of Able Danger and the failed warning about 9/11 is the dysfunctional culture of the intelligence community. The intelligence community is dominated by group think, stifles innovative and daring projects, fears initiative, and is so riven with bureaucratic jealousy that the success of others invites sabotage more often than imitation. The intelligence reforms enacted after 9/11 have done little or nothing to cure these core maladies that contributed to the September 11 catastrophe.

In an earlier book that Peter and I coauthored in 2005, *Countdown to Terror*, we prescribed reforms for transforming the culture of the

intelligence community, based on another case study of intelligence failure, that are equally applicable to the intelligence failure represented by the Able Danger affair and 9/11. The reforms suggested then, and reinforced now, *were not* the ideas of a member of Congress who supported—but never served in—intelligence. All of these recommendations were put forth by Dr. Peter Pry, award winning ten-year CIA analyst based upon his career work in intelligence within the CIA and as an intelligence staff expert of the House Armed Services Committee. In *Countdown to Terror,* Dr. Pry explained these reforms in much greater detail, but I will briefly outline here:

Congressional Oversight. The House and Senate Intelligence and Armed Services committees can become true oversight committees, if staff could not rotate their careers into the intelligence community; if all national intelligence officers were chosen with the advice and consent of the House and Senate committees on intelligence and armed services; and if intelligence community managers were responsible to Congress for competent management. The Office of Congressional Affairs in the various intelligence agencies almost invariably views Congress as an adversary. These offices should be abolished. Replace them with an intelligence community phone book so that members of Congress and staff holding appropriate security clearances will have direct access to all intelligence managers and analysts. This will make the intelligence community more useful and responsive to Congress and increase the flow and timeliness of information to the House and Senate.

Discourage "Group Think." Intelligence agencies and the intelligence community as a whole place a high premium on "speaking with one voice" and advancing an "agency" and "community" view of intelligence issues. The destructive effect of group think is probably the single greatest weakness of the intelligence community. Group think can be countered by changing the analytical culture to give more emphasis to diverse and

alternative views, and by encouraging and rewarding intellectual individualism and competing schools of thought. Senior analysts should be allowed to write individual papers expressing their personal views, signed by them, and provided to policymakers.

Bolder HUMINT Operations. Aversion to operational risk or playing safe is exactly the wrong attitude to take in the war on terrorism. HUMINT operations hold the key to victory or defeat in this war. We need new, bold leadership in the intelligence community willing to take the risks that are necessary to win. Satellites will not win the war on terrorism.

New Leadership. Far too many intelligence community leaders are incompetent, arrogant, and entrenched. This applies to leadership in virtually all areas: collection, analysis, and development of new technology. A mass purge of the intelligence community could be quick and cause less pain than imagined. A straightforward solution might be to fire everyone above the level of GS-15 or SES-1, sparing most junior managers. Everyone remaining would move up, the lower ranks replacing the higher ranks, a new generation replacing the old generation. The liberal press was appalled when we first proposed purging the intelligence community in *Countdown to Terror*. I am appalled that thousands of Americans died as a direct result of 9/11 because of intelligence failure, and no one in the intelligence community was fired. Rank-and-file intelligence officers who do all of the work, and who have spent careers watching senior managers take all the credit, are not averse to this suggestion. One intelligence officer told *Washington Times* (November 19, 2004), “I can give them a whole list of people to fire.” A CIA intelligence officer, writing anonymously to the *Washington Times* (June 15, 2006), urges, “Get rid of senior operations officers at Langley who have not been in the field ten or fifteen years. There are far too many of these Washington managers. . . . Their experience is obsolete.”

New Recruitment. The security clearance process must be streamlined so that desperately needed talent can be recruited into the intelligence community to fill immediate needs in the war on terrorism. Top priority must be given to recruiting linguists. The criteria for recruitment of intelligence officers must be broadened, made more inclusive, to reflect the ethnic and cultural realities of modern America. Recent immigrants constitute a growing portion of the national population, while Americans travel more, and many more have lived overseas. These Americans have the very skills in foreign languages and cultural knowledge most urgently needed by the intelligence community.

And finally, as a twenty-year member who served as vice chair of Armed Services and Homeland Security as well as special congressional oversight commissions regarding China, Russia and North Korea, every new member of Congress must be given a *Congressional New Member Briefing Regarding Intelligence* prepared and delivered by *Former Members of Congress from Both Parties*! Only elected members should attend these briefings and candid discussions must occur regarding agency manipulation of members, staffers and intelligence data. When a former CIA director openly laughs about knowledge of agency lies and misconduct in speaking to a large group (documented), when a Senate leader like Chuck Schumer admonishes a presidential candidate not to question intelligence, actually stating on nationwide TV—"Let me tell you, you take on the intelligence community, they have six ways from Sunday at getting back at you," this is a fundamental problem.

Good intelligence is vital for America's security, but there are those anonymously protected within the agencies who manipulate and malign for personal and/or partisan purposes. I suggest that Congress create and empower a new *Church Commission* to investigate and recommend a credible organization mandating inherent integrity in all matters involving US intelligence.

The president and bipartisan leadership of the Congress must also establish (and enact into law) with harsh penalties, any and all actions by leaders and/or employees of US intelligence agencies (and contractors) against any elected official in the executive, legislative, and judicial branches of our government.

Members elected to Congress have *no idea* what to expect when they take the oath of office. As mandated by our Founders, Congress must include those who best represent the people of our states. But many are not attorneys. Many do not possess great wealth. Many have never served prior to assuming their elected position. *Every newly elected member* must be provided a full, in-depth assessment of the potential "dark-side" of their new position—as best described by Senate Majority Leader Chuck Schumer in his public admission on MSNBC TV in 2017: "Let me tell you, you take on the intelligence community, they have six ways from Sunday at getting back at you."

On our 250th Anniversary as a nation, this is *not* what our Founders envisioned, and it must be corrected immediately!

APPENDIX A

ENDORSEMENT LETTERS

Graham T. Allison

faxed + mailed 12/4/00

HARVARD UNIVERSITY
JOHN F KENNEDY SCHOOL OF GOVERNMENT
Robert and Renée Belfer Center for Science and International Affairs

Graham T. Allison
Director

79 John F. Kennedy Street
Cambridge, MA 02138
tel: [redacted] • fax: [redacted]

December 4, 2000

House Speaker J. Dennis Hastert
United States House of Representatives
Washington, DC 20515

Dear Speaker Hastert:

I am writing to support the proposition that Congressman Curt Weldon should become the new Chairman of the House Armed Services Committee. As a citizen, a long-time student of American national security, and a sometimes executive branch official and advisor, I believe Congressman Weldon is particularly well qualified for this significant position of leadership in the House of Representatives at this critical point in American security and defense policy.

First a word about my own grounds for writing. I have known Congressman Weldon professionally for approximately a decade, particularly in the context of U.S.-Russian relations and U.S. policy aimed at shaping a positive evolution of Russia's defense posture, economic development, and democratization. I know of no member of the House who has demonstrated a deeper understanding of American national interests in developments in Russia; more effectiveness in working with fellow members of Congress, administration officials, and the broader policy community in attempting to advance American interest on this agenda, and greater courage and stick-to-it-tiveness than Congress Weldon.

Before elaborating on this judgement, let me say a brief word about myself. I am a registered Democrat who is proud to have served under Ronald Reagan as Secretary of Defense Weinberger's special advisor (at the same time Colin Powell was his military assistant); as Assistant Secretary of Defense in the first Clinton Administration with responsibility for coordinating strategy and policy towards Russia and the former Soviet Union (and eliminating the strategic nuclear weapons arsenals left in Ukraine, Kazakhstan, and Belarus); and as an advisor and member of the Secretary of Defense's Defense Policy Board for Secretaries Weinberger, Carlucci, Cheney, Aspin, Perry and Cohen. A professor of political science at Harvard for the past quarter century, I was "Founding Dean" of the modern John F. Kennedy School of Government, serving from 1977 to 1989. During my tenure as Dean, a fledgling institution grew more than twenty fold to become a leading school of government and public policy in the country – and one that I am proud to say happily included folks like Dick Thornburg (just before he was Attorney General) and Alan Simpson (until he left us just recently) and scores of other faculty members who served with distinction in Republican and Democratic administrations alike. Currently I direct the School's Center for Science and International Affairs, which is our principal international center that focuses on national security, international security, and specifically Russia and the former Soviet Union. My personal work

E-mail: graham_allison@harvard.edu
WWW Home Page: [illegible]

over the past dozen years has concentrated on Russia where I count myself fortunate to have been a participant in our extraordinary victory in the Cold War, and the challenge of living with that aftermath (particularly the nuclear weapons and weapons useable nuclear material left in a number of the newly independent states, and spread across 11 times zones in Russia).

It is in this capacity that I have encountered Congressman Weldon. For the past half dozen years Harvard has run an Executive Program for generals from the Russian General Staff, and an equal number from the U.S. military. We have an analogous Executive Program for new members of the Russian Duma. Congressman Weldon has been a regular speaker to both groups. Few Americans communicate so persuasively as he on American's readiness to work with a democratic, cooperative Russia that is prepared to work with us. As I am sure you have heard Curt say in other contexts on this subject, he is fierce in focusing on and defending American national interests. Simultaneously, he recognizes that Russia is a great power (even if a very sick great power) that has enormous capacity to affect American vital interests for ill, or for good. And he has been an imaginative, committed, and tireless emissary in communicating to Russian Duma members (of whom he knows more than any other individual I know), leaders across the Russian government, generals, and whomever else he encounters, that he and fellow Americans of goodwill are eager for Russians to succeed in creating a modern democratic state.

In one of the more peculiar twists and turns of my career, towards the end of his life, I found myself working actively with former President Nixon who stated a truth I deeply believe. As former President Nixon often said: he was "anti-Soviet but pro-Russian." Unlike some of our Cold War colleagues, Nixon recognized that Russians had indeed courageously stood side-by-side with Americans in the war against Hitler. One of the reasons why the military-to-military programs between American and Russian military officers has been so successful is that these professionals more readily recognized that a clear-eyed appreciation of the national interests of our two states need not be principally adversarial. Nixon urged the Clinton Administration to be bolder and more imaginative in engaging a democratizing Russia, as we had engaged Germany after World War Two, to attempt to shape what would become a more cooperative partner.

Congressman Weldon has similarly sought out arenas where the U.S. and Russia share important interests that each can best advance by cooperative actions. In assisting Russian development of mortgage programs to allow an emerging middle class to own apartments, promoting joint actions to protect the environment, or teaching lessons of experience from U.S. Congressional history, Congressman Weldon has helped many Russian influentials understand that we want them to succeed in becoming a normal participant in the new global system. At the same time, as I have seen him do on many occasions, Congressman Weldon rightly criticizes Russian actions he judges mistaken (from misguided sales of arms and technologies to limits on a free press) and makes his interlocutors understand that such actions will have significant negative consequences.

Watching Congressman Weldon's performance as Chair of the Armed Services R&D Committee, I have been impressed by his ability to build a strong bipartisan consensus for a national agenda. Particularly in national defense policy, when the gap between current programs and annual budgets amounts to almost $100 billion a year, Congress will have to play a significant role in reordering defense priorities.

At a moment when risks of partisan division and paralysis threaten American national interests across the board, the nation needs leaders who are able to mobilize and defend a broad, sane center. Nowhere is this more important than on the defense front. Congressman Weldon has demonstrated a remarkable ability to do just that.

I hope this information is of some value to you and your colleagues as your make hard decisions about the next Congress. If I can provide further specifics, or answer any questions, please don't hesitate to have your staff call me.

Sincerely,

Graham T. Allison

General James Jones



29 November 2000

Dear Mr. Weldon,

I was delighted to have received a copy of your vision for the House Armed Services Committee and am pleased to be afforded an opportunity to provide some thoughts on your proposed changes.

Our ascendancy to superpower status in the 20th Century resulted from the integration of our military, economic, cultural, diplomatic, and technological capabilities. As we step into the 21st Century, we find ourselves in a rare situation in that while our Nation has interests that span the globe, it also has the resources and talent to support those interests. Our ability to sustain and improve our position will rest squarely on the priority we place on resourcing a national security framework that fully integrates all elements of national power.

I believe the Nation needs to move beyond traditional thinking with regard to military forces and their contribution to national defense. America's military Services are critical contributors to national *security* in the broadest, and most fundamental, sense. The holistic approach to national security matters outlined in your "vision" is essential to ensure we do not under-represent the contributions, or under-resource the capabilities, of our military forces. Gaps in a strategic security framework often create power vacuums that are usually filled by entities inimical to our interests. Proper attention to, and resourcing of, our National security requirements will ensure such gaps do not occur.

If implemented, your recommendations for better management of requirements, resources, and planning will have a dramatic impact on our ability to truly support a long-term view. Currently, we often find ourselves confronting *"20-year threats"* via a *"six-year defense program, managed by three-year personnel, attempting to develop a two year budget that is funded by a one year appropriation."* This situation often handicaps our best efforts to prepare for the future. Your plan to coordinate efforts within the government, as well as with industry and the media, to gain more effective oversight through life-cycle management and visibility, and to utilize liaisons to engender more effective and responsive work on security issues will go a long way to improving this situation.

The Marine Corps has also realized the potential of outreach programs, such as you have addressed. In addition to our traditional fellowship programs, the Corps has implemented a Year Out Program, whereby select Marine Corps officers are placed with innovative commercial corporations to gain insights into better business practices while also reinforcing our connection to American society.

Three items on your list of legislative priorities particularly caught my attention. The creation of a National Operations and Analysis Hub will generate greater awareness among Members of the House regarding the contributions of the military Services to the security posture of our Nation. Your emphasis on quality of life issues will directly impact our ability to recruit and retain the "best and brightest." Lastly, oversight of defense

spending will facilitate earnest debate on the capabilities needed for National security, leading to judicious use of precious resources.

I was heartened to see your inclusion of Marine Corps aviation within the Sea Power Subcommittee. The Corps is absolutely committed to an integrated, combined arms approach to warfare. In utilizing this approach, the Marine Corps provides forces that are inherently versatile, agile, and immediately responsive—with the broadest array of capabilities—to address emergent crises.

The Marine Corps is ready to support your efforts to inform and educate Members of Congress not serving on defense-related committees. Our Office of Legislative Affairs has been, and will continue to be, very proactive in offering opportunities for Members to visit and interact with Marines of all ranks—both in academic and training settings and in operational environments with forces forward deployed.

Your vision and accompanying strategy for the House Armed Services Committee are exciting propositions well suited to the emerging demands of a new millennium. The Marine Corps stands at-the-ready to support the HASC, the House of Representatives, and the Congress at-large in any way we can.

Semper Fidelis,

J. L. JONES
General, U. S. Marine Corps
Commandant of the Marine Corps

The Honorable Curt Weldon
House of Representatives
Washington, DC 20515-0000

Herman Pirchner Jr.

AMERICAN FOREIGN POLICY COUNCIL

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www.afpc.org

December 4, 2000

The Honorable Dennis Hastert
Speaker
United States House of Representatives
Washington, D.C. 20515

Dear Mr. Speaker:

The names on this letterhead are among the dozens of senior officials and former officials who have traveled with me to Russia over the past 10 years. During that time I have participated in meetings with almost all of Russia's senior officials. This experience has given me the basis for multiple comparisons. One I wish to share with you.

Over the past three years, I have had the opportunity to watch Curt Weldon interact with dozens of Russia officials. These talks have included the thorniest of problems in US/Russia relations (missile defense, the misuse of US foreign aid, etc.). His frank arguments receive serious consideration by Russian officials because most of those officials (especially in the Duma) view Curt Weldon with great respect. These personal relations are a unique American asset. It is my hope that this asset may be put to better use by Curt receiving expanded responsibilities on the House Armed Services Committee.

Sincerely,

Herman Pirchner, Jr.
President

1521 16TH STREET, N.W. • WASHINGTON, D.C. 20036 • TEL: [redacted] • FAX: [redacted]

DEC-04-00 MON 17:08 AFPC FAX NO. [redacted] P. 01

R. James Woolsey

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R. JAMES WOOLSEY
DIRECT LINE
[redacted]

TELEPHONE:
FACSIMILE: [redacted]

October 17, 2000

Hon. J. Dennis Hastert
Speaker of the House
United States House of Representatives
H-232 Capitol Building
Washington, D.C. 20515-6501

Dear Mr. Speaker:

It was a pleasure to have a chance to talk with you for a minute after our National Security Advisory Group meeting on September 13, about the promise of ethanol as a renewable fuel that would reduce our dependence on the Mid-East. Events of the last two weeks certainly highlight the vulnerabilities we face because of this.

I didn't know if you had seen the Article, "The New Petroleum", that Senator Lugar and I co-authored last year in Foreign Affairs on this point, so I am including a copy. I know that he would be delighted to talk to you about this at any time and so, of course, would I.

On a separate matter, my friend Congressman Curt Weldon has asked if I would give you a candid assessment of him with a view, I believe, to a possible increase in his responsibilities in the next Congress. I am delighted to do so.

From my perspective Curt has done a remarkable job as Chairman of the R&D Subcommittee of Armed Services. Not only is he thorough, careful, and farsighted about his responsibilities, he has an eagerness and ability to understand the interaction of the technical and strategic issues, an understanding which is very important to doing this difficult job well. I speak from experience on this subject not only as a former Under Secretary of the Navy but, more to the point, as former General Counsel to the Senate Armed Services Committee (in the early 70's, when Senator Stennis was Chairman). In his combined understanding of strategy and technology the member of our Committee then to whom I would most compare Curt was the then-freshman Senator, Sam Nunn.

Second, Curt has a real gift for putting our defense needs in the context of our relations with our major potential adversaries and trying to find ways to reduce the international tensions

that can threaten the peace. There are, broadly speaking, three approaches toward dealing with Russia that are in contention today. One is the Administration's, which I believe has been too accommodating. A second is to keep Russia at arms length. The third, which I would favor, is Curt's, which I would characterize as "tough love (or at least friendship)". Curt has a complete, and very well-thought-out policy toward Russia. It emphasizes working with the Duma, cooperating on some space exploration and other technology programs, focusing on fostering changes in Russian society (such as increased home ownership, via improved mortgage availability, to build up the Russian middle class), combating proliferation, and many other features. It is remarkably broad and carefully balanced. I wish the executive branch were doing half as well.

Third, Curt has a real commitment to working, when possible, in a bipartisan fashion. While strongly supporting the Republican Party's best thinking on a range of issues, such as National Missile Defense, he has made it a point to make common cause with Democrats when at all possible. This is true both inside the Congress and, as is the case with me (still, somewhat forlornly, a Scoop Jackson Democrat), with those outside the Congress as well. This is increasingly important, it seems to me, and Curt communicates on all matters related to defense and foreign affairs that he is interested in the result, not in partisanship.

I traveled once to Russia with Curt. I haven't seen schedules quite that packed with substantive meetings since Steve Solarz used to descend on us in Vienna (when I was an Ambassador and arms control negotiator for President Bush) with requests for dawn-to-late-night meeting schedules. On trips that Curt heads up you never need to be concerned that press reports will say that members and staff spent their time shopping. Sleep might be a problem, but not shopping.

I think that Curt is a Member who brings great credit to his constituency, his party, the Congress, and the nation. I am delighted that someone of his dedication and ability represents in the Congress both his own constituents and also all of us who are interested in these important issues.

Sincerely,

R. James Woolsey

Enclosure

Mitchell B. Reiss

DEPARTMENT OF STATE
DIRECTOR, POLICY PLANNING STAFF
WASHINGTON

October 3, 2003

The Honorable Curt Weldon
2466 Rayburn House Office Bldg.
Washington, D.C. 20515

Dear Mr. Congressman:

Thank you for taking the time yesterday to share with me your thoughts on the conduct of our foreign policy and to highlight important issues in Russia and North Korea. I very much appreciated your candor and your offer to be of assistance.

I am very impressed with the excellent work you are doing and want to reiterate my offer to be of assistance to you and your staff in any way I can.

I hope that we will have the chance to continue our conversation sometime in the near future.

Until then, with best wishes,

Yours sincerely,

Mitchell B. Reiss

APPENDIX B

JOHN R. CRANE AFFIDAVIT

Affidavit

John R. Crane

My name is John R Crane. I am the former Assistant Inspector General for Communications and Congressional Liaison for the Department of Defense, Office of Inspector General [Hereinafter DoD IG]. I was a member of the Senior Executive Service (SES) from 2004 to February 2013. I served as the Assistant Inspector General for Communications and Congressional Liaison and was a Responsible Management Official [Hereinafter RMO] in regard to requests by Congress to investigate allegations made by LTC Anthony A. Shaffer, U.S. Army Reserve in regard to Able Danger and the identification of terrorist networks conducting attacks against U.S. citizens, Federal infrastructure and military assets around the world.

DoD IG Review of the Disclosures of LTC Anthony A. Shaffer in Regard to Able Danger and the Identification of Mohamed Atta

This affidavit makes a record of the obstruction of the Federal investigatory process in, violation of 18 U.S.C. § 1505, I witnessed by Henry C. Shelley Jr., Deputy General Counsel, DoD IG, and legal advisor on the Able Danger investigation.[1] The misconduct, under color of office, by Henry C. Shelley Jr., prevented the use of standard Federal investigative methodologies to develop a valid evidentiary base that then resulted in the erroneous findings contained in the Report of Investigation by the Office of the Deputy Inspector General for Investigations entitled: *Alleged Misconduct By Senior DoD Officials concerning the Able Danger Program and Lieutenant Colonel Anthony A Shaffer, U.S. Army Reserve* (Report No. H05L97905217) issued on 18 September 2006 [Hereinafter Able Danger].[2] Able Danger has been the primary official Federal finding on issues related to protected disclosures made by LTC

[1] The DoD IG Office of General Counsel (IG OGC) was a subsidiary legal entity within the DoD Office of General Counsel (DoD OGC) that by statute reports directly to the Secretary of Defense (SECDEF). The client of the DoD IG OGE was the SECDEF rather than the DoD IG.

[2] DoD IG Case Number H05L97905217 was originally brought to the DoD IG through the Director of Civilian Reprisal Investigations (CRI), Daniel P. Meyer, under color of office, in the course of his outreach duties to Washington attorneys representing Intelligence Community (IC) employees. Various members of Congress sent letters to the SECDEF and to the DoD IG to conduct an inquiry into allegations made by LTC Anthony A. Shaffer to include: Congressman Weldon, 18 October 2005; Chairman Hunter, House Committee on Armed Services, 20 October 2005; Chairman Grassley, Senate Committee on Finance, 21 October 2005; Senators McCain and Lieberman, 20 December 2005; and Congressmen Hoekstra and Wolf, 8 February 2006. *See:* http://www.dodig.mil/FOIA/ERR/r_H05L97905217-PWH.pdf.

been the primary official Federal finding on issues related to protected disclosures made by LTC Anthony A. Shaffer. The misconduct, under color of office, by Henry C. Shelley Jr., included violations of the Whistleblower Protection Act of 1989, as amended [5 U.S.C. § 2302], to include prohibited personal actions in the form of retaliation against LTC Anthony A. Shaffer for making disclosures in the course of his official duties regarding misconduct by RMOs, political and military, under color of office, in regard to the Able Danger.[3]

LTC Anthony A. Shaffer, alerted the 9/11 Commission and the U.S. Congress of the existence of the Able Danger program initiated to identify and deter terrorist networks before the attacks on 11 September 2001, in which terrorists commandeered four commercial airliners with the intent to destroy specific civilian and military targets.[4] Able Danger resulted in the identification of a photo of Mohamed Mohamed el-Amir Awad el Sayed Atta [Hereinafter Mohamed Atta] a ringleader in the attack of 11 September 2011, as well as, other members of a Brooklyn-based al-Qaeda cell in 2000.

The successful terrorist attacks on the north and south towers of the World Trade Center in New York, New York, and the Pentagon in Arlington County, Virginia, resulted in 2,996 deaths at the World Trade Center, 189 deaths at the Pentagon, along with 25,000 injuries and over $10 billion in infrastructure and property damage.

The DoD IG investigation of 18 September 2006 focused on nine specific allegations involving the Able Danger program to include allegations of whistleblower reprisal against LTC Anthony A. Shaffer. Subsequently, on 22 December 2006, a staff report (SSCI #2006-4735) by the Senate Committee on Intelligence (SSCI) was issued that was informed by and mirrored the erroneous findings of the DoD IG report. The SSCI staff report focused on a smaller subset of four Able Danger allegations on which previous erroneous findings had already been made by

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Grassley, Senate Committee on Finance, 21 October 2005; Senators McCain and Lieberman, 20 December 2005; and Congressmen Hoekstra and Wolf, 8 February 2006. *See:* http://www.dodig.mil/FOIA/ERR/r_H05L97905217-PWH.pdf.

[3] The Whistleblower Protection of 1989, as amended [5 U.S.C. § 2302]. *See:* https://www.law.cornell.edu/uscode/text/5/2302

[4] The *9/11 Commission* was created by Congress. The mission of the Commission was to prepare a full account of circumstances surrounding the September 11, 2001, terrorist attacks and report its findings to the President and Congress. *See:* https://www.9-11commission.gov/report/911Report.pdf.

the DoD IG.[5] The Able Danger report was provided to the SSCI to become part of the SSCI evidentiary base used by the SSCI in reaching their investigative conclusions.

The information disclosed by LTC Anthony A. Shaffer, in the course of his official duties, in regard to Able Danger focused on the role of RMOs, both political and military, in regard to critical errors made in terminating the Able Danger program that had identified Mohammed Atta, and then their role in illegally destroying, without outside legal review, the Federal record that had been developed. The disclosure by LTC Anthony Shaffer challenged RMOs, both political and military, as to their culpability in allowing the success of the most significant terrorist attack in U.S. history with attendant political, financial and military consequences.

DoD IG Review of Unlawful Misconduct by Douglas J. Feith, Under Secretary of Defense Policy in Regard to Pre-Iraqi War Intelligence Activities

Contemporaneous with the investigation of Able Danger, the DoD IG in regard to the analysis of intelligence information both before and after the attacks of 9 September 2011 [also at congressional request as in the case of Able Danger], issued a report entitled: *Review of the Pre-Iraqi War Activities of the Office of the Under Secretary of Defense for Policy* (Report No. 7-INTEL-04) issued on 9 February 2007 [Hereinafter Feith Report].[6]

Both the Able Danger report and the Feith Report, whose binding legal determinations were provided by Henry J. Shelley Jr., under color of office, resulted in providing legal cover to senior political and military RMOs who were the subjects of DoD IG investigations. The DoD IG was created in 1982 as an amendment to the Inspector General Act of 1978, as amended, [Title 5. Appendix – Inspector General Act of 1978] to "create independent and objective units" to "conduct and supervise audits and investigations relating to the programs and operations" of

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[5] Senate Select Committee on Intelligence staff review of Able Danger, December 22, 2006, SSCI #2006-4735. *See:* https://fas.org/irp/congress/2006_rpt/abledanger.pdf.

[6] *Review of the Pre-Iraqi War Activities of the Office of the Under Secretary of Defense for Policy* (Report No. 7-INTEL-04) issued on February 9, 2007. *See:* http://nsarchive2.gwu.edu//NSAEBB/NSAEBB456/docs/specialPlans_47.pdf.

their agencies.[7]

Henry J. Shelley Jr., in a conflict of interest, under color of office, provided his binding legal determinations on both Able Danger and the Feith Report while serving in the DoD OGC whose statutory responsibility is to represent and give legal support to the SECDEF. In rendering binding legal determinations that directed the findings of the reports of the DoD IG, Henry J. Shelley Jr., obviated both the independence and objectivity of the DoD IG and instead represented the interests of senior RMOs, both political and military, rather than the independent and objective interests of the DoD IG.

The contentious legal determination in the Feith Report, made by Henry C. Shelley Jr., under color of office, was the foundation for the DoD IG finding that gave cover and protection to Douglas J. Feith, Under Secretary of Defense (Policy), the key Presidentially Appointed Senate Confirmed (PAS) RMO from findings of misconduct.

On the one hand, the DoD IG report confirmed Douglas J. Feith had, from September 2001 through June 2003, created alternative intelligence assessments, outside statutory authority, containing conclusions inconsistent with the consensus of the Intelligence Community, that were used to link Saddam Hussein to al-Qaeda and that became a basis to justify decisions by the Commander-in-Chief to initiate armed conflict against Saddam Hussein in Iraq.

On the other hand, Henry J. Shelley Jr., under color of office, made a determination that it was inappropriate but still legal, although outside the statutory authority of U.S.C. Title 50 that identifies which Executive Branch components comprise the Intelligence Community and can make intelligence assessments, for Douglass J. Feith to prepare, in effect, rogue alternative intelligence assessments and conclusions outside the scope of his responsibilities as an RMO, and then present those intelligence assessments and conclusions to the Commander-in-Chief. The intelligence assessments and conclusions provided by Douglas J. Feith were later cited by Vice

[7]The Inspector General Act of 1978, as amended. *See:* https://www.ignet.gov/sites/default/files/files/igactasof1010(1).pdf.

President Richard "Dick" B. Cheney as the "best source of information" on the connection between al-Qaeda and Saddam Hussein

Taken together, the legal determinations on behalf of the DoD IG by Henry C. Shelley Jr., under color of office, in both Able Danger and the Feith Report acted to shield RMOs, political and military, from culpability for both the failure to prevent terrorist attacks on 11 September 2011, and in the development of alternative intelligence assessments, outside statutory authority, with conclusions in regard to a relationship of al-Qaeda to Saddam Hussein that were subsequently found to be without basis.

The actions of Henry C. Shelley Jr., under color of office, were part of a coordinated effort to not only shield RMOs, political and military from culpability, but in the case of LTC Anthony A. Shaffer, were designed as a prohibited personnel action under the Whistleblower Protection Act of 1989, as amended.

Henry C. Shelley Jr., obstructed the Federal investigatory process, in violation of 18 U.S.C. § 1505, to challenge the veracity of LTC Anthony A. Shaffer as a predicate action to his removal from Federal service at the Defense Intelligence Agency (DIA). Henry C. Shelley Jr., not only developed the predicate used to remove LTC Anthony A. Shaffer from his position, but then served as an RMO and deciding official regarding the removal of LTC Anthony A. Shaffer.

Based on the conflict of interest and abuse of authority by Henry C. Shelley Jr., under color of office, Mr. Daniel P. Meyer, Director, Civilian Reprisal Investigations and I made a protected disclosure under the Whistleblower Protection Act of 1989, as amended, to Mr. Peter Levine, General Counsel, Senate Committee on Armed Services (SASC) to state that the binding legal opinions and other actions by Henry C. Shelley Jr., were violations of statute to include obviating the independence and objectivity of the DoD IG mandated by the Inspector General Act of 1978, as amended.

In response, in acknowledgement of the conflict of interest and abuse of authority exhibited by Henry C. Shelley Jr., the SASC authored language in the FY2008 National Defense

Authorization Act that became Public Law 110-417 to amend §8 of the IG Act of 1978, as amended, to add subsection (h) to create an independent counsel for the DoD IG and established that the client of Henry C. Shelley Jr., newly appointed Acting General Counsel, was the DoD IG rather than the SECDEF.

The Inspector General Act of 1978 was amended to state:

(h)(1) There is a General Counsel to the Inspector General of the Department of Defense, who shall be appointed by the Inspector General of the Department of Defense.
(2)(A) Notwithstanding section 140(b) of title 10, United States Code, the General Counsel is the chief legal officer of the Office of the Inspector General.
(B) The Inspector General is the exclusive legal client of the General Counsel.
(C) The General Counsel shall perform such functions as the Inspector General may prescribe.
(D) The General Counsel shall serve at the discretion of the Inspector General.
(3) There is an Office of the General Counsel to the Inspector General of the Department of Defense. The Inspector General may appoint to the Office to serve as staff of the General Counsel such legal counsel as the Inspector General considers appropriate.

Able Danger: State-of-the-Art Analytics Program to Identity Command and Control Infrastructure of al- Qaeda and Other Terrorist Networks to Prevent Attack

The Able Danger program was initiated in October 1999, by General Henry H. Shelton, Commander in Chief of United States Special Operations Command (SOCOM) and was concluded in January 2001.

Able Danger was a Top Secret program created in response to the rise of al-Qaeda, founded in 1988 by Osama bin Laden, and the success of al-Qaeda to carry out terrorist attacks on U.S. citizens, Federal infrastructure and military assets around the world. On February 26,

1993, al-Qaeda trained terrorists bombed the World Trade Center in New York killing six and wounding 1,500. In August 1998, al-Qaeda terrorists carried out bombings against U.S. embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania killing more than 200 people and injuring more than 5,000 others. On 12 October 2000, al-Qaeda terrorists attacked the USS Cole in Aden Harbor, Yemen killing 17 U.S. Navy sailors.

The goal of Able Danger was to identify and exploit vulnerabilities associated with the command and control infrastructure of al-Qaeda to include its leadership and other affiliated organizations. In that regard, Able Danger employed state-of-the-art analytics to engage in data mining to identify linkages and patterns for intelligence analysts and operations planners. The data was supplied by various intelligence agencies and other government databases along with open source material from the World Wide Web.

LTC Anthony A. Shaffer was a member of the Able Danger Program who along with others stated under oath that Able Danger had identified two of three Al-Qaeda cells before they launched the attacks against the World Trade Center on 11 September 2001. Among the terrorists identified was a ringleader of the attack, Mohamed Atta, and other members of a Brooklyn based al-Qaeda cell.

In addition, LTC Anthony A. Shaffer stated that there was a failure to share the intelligence on the terrorists with the FBI before the attacks and subsequently the data that would have proved the detection of Mohamed Atta was destroyed.

The Able Danger report discounted the claims of LTC Anthony A. Shaffer.

The Director of Able Danger reported to Major General (MG) Geoffrey C. Lambert, U.S. Army, former Director, Center for Operations, Plans and Policy, United States Special Operations Command. In the book *Horse Soldiers: The Extraordinary Story of a Band of US*

Soldiers Who Rode to Victory in Afghanistan, by Doug Stanton, issued in 2010, MG Lambert confirms the statements of LTC Anthony A. Shaffer in regard to attempts to inform the FBI. [8]

Obstruction of Federal Investigatory Process to Avoid Confirmation that Able Danger had Identified Mohamed Atta Before 11 September 2001 Attack

As the Assistant Inspector General for Communications and Congressional Liaison I had deep and direct knowledge of the efforts by Henry C. Shelley Jr., to prevent the use of standard investigative methodologies to develop a valid evidentiary base that resulted in erroneous findings in the Able Danger report, as well as the internal debate within the DoD IG that challenged the direction and findings of the Able Danger report.

I was in routine contact with the professional staff of the House and Senate Armed Services Committees and the House and Senate Select Committees on Intelligence and provided briefings related to the progress of the investigation and attended the hearings conducted by Congress in regard to Able Danger. In addition to Congress and the media, the progress of the investigative report was closely monitored by the Office of the Secretary of Defense to include the Assistant Secretaries for Legislative Affairs and Public Affairs.

The DoD IG response to the nine specific allegations raised by the media, the Congress and LTC Anthony A. Shaffer, due to the implications of the findings, was an extremely high-profile investigation.

This affidavit memorializes my involvement in the Able Danger investigation and what concerns I expressed as the report was being prepared by Henry C. Shelley Jr., and Donald M.

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[8] Doug Stanton in the book Horse Soldiers: the Extraordinary Story of a Band of US Soldiers Who Rode to Victory in Afghanistan, 2010, pg. 27, Stanton describes the thoughts of MG Lambert, U.S. Special Forces Command, Fort Bragg on the morning of September 11, 2001: "It had taken him ten seconds to figure out who had masterminded the attacks, and who had carried them out. For the past several years, he had observed a top-secret intelligence program called data mining that had identified one man, an Egyptian by the name of Mohammed Atta, as a serious terrorist with links to a Saudi named bin Laden, who was a financier of terrorist training camps for men like the Egyptian. Months earlier, the people involved in the program had tried telling the FBI what they had discovered, but Army lawyers had discouraged the disclosure, even though the project had identified the hijackers. Lambert figured they knew everything there was to know about Osama bin Laden and his military training camps in Afghanistan, but none of the legal minds could decide if the surveillance was lawful. Now Lambert felt sick that more effort had not been made to warn some."

Horstman, Director, Office of Investigation of Senior Officials (ISO). My concerns in regard to the investigative methodology and findings included:

Investigative misconduct regarding methodology and scope of the investigation

Henry C. Shelley Jr., and Donald M. Horstman created a series of manufactured straw men to falsely define the scope of the investigation to draw conclusions that had no merit. I identified the straw men to Henry C. Shelley Jr., and vigorously disagreed with the obstruction of the Federal investigatory process used to develop a valid evidentiary base that would result in erroneous findings.

1. Review of Non-Existent Able Danger Records

The Able Danger report states: "Our review of Able Danger team records found no evidence that Able Danger team members had identified Mohammed Atta or any of the other terrorists who participated in 9/11."

The statement is a straw man and has no logical underpinning because the Able Danger records had been destroyed before the start of the investigation. How could the DoD IG have reviewed records that were non-existent?

The Able Danger report, however, even states on (p. 3) "We found that large quantities of data that had been collected at two locations as part of the Able Danger data mining mission were destroyed. One intelligence analyst told us that he destroyed approximately "2.5 terabytes" of Able Danger data that had been collected at the Land Information Warfare Activity (LIWA).

Because of the destruction of evidence, there could have been no affirmation of the memories of LTC Anthony A. Shaffer and other witnesses who consistently testified that Mohammed Atta had been identified by the Able Danger program. On the other hand, the memories of the witnesses could not be disproved.

2. Existence of Mohamed Atta in Databases Reviewed by Able Danger

The Able Danger report created a straw man by failing to acknowledge the existence of databases reviewed by Able Danger that were then available for subsequent review after 9/11.

As noted earlier, Able Danger employed state-of-the-art analytics to engage in data mining from data that was supplied by various intelligence agencies and other government databases along with open source material from the World Wide Web. Investigation by Congress revealed that Mohammed Atta and other 9/11 terrorists appeared hundreds of times in U.S. government databases prior to 9/11. Mohammed Atta operated within the U.S. commercial banking system, repeatedly entered the U.S. and traveled abroad, applied for a driver's license under his own name, was ticketed for driving without a license and enrolled in flight training school to learn how to fly commercial aircraft.

It would have been inconceivable for Able Danger not to have identified Mohammed Atta since subsequent reviews using the same analytical techniques clearly and repeatedly identified Mohammed Atta.

The preponderance of the evidence clearly indicated that Mohammed Atta had been identified.

3. False Collective Memory of Witnesses

The Able Danger report labels the consistent testimony of multiple witnesses, including LTC Anthony A. Shaffer, and CAPT Scott Phillpott USN, head of Able Danger, who state that Able Danger had identified Mohammed Atta as a false collective memory.

Corroborated witness testimony is an established basis for reaching a preponderance of evidence standard in attempting to establish fact. In Able Danger,

however, the corroboration of five witnesses were discounted and instead the Able Danger report reached the conclusion of collective false memory. Subsequent to the Able Danger report the Department of the Army gave LTC Anthony A. Shaffer its full faith and confidence and LTC Anthony A. Shaffer was given an Army command. Another witness, CAPT Scott Phillpott USN, was given the full faith and confidence of the Navy and also given a new command

To counter the consistent recall of witnesses, the Able Danger report created a straw man and concluded that a chart made by the Orion Scientific Corporation (Orion) in May 1999, and entitled: *The Al-Qaeda Network: Snapshots of Typical Operational Cells Associated with UBL*, is the chart that witnesses believe contained a photo of Mohammed Atta. The chart does not contain the photo of Mohammed Atta and the witnesses do not positively affirm that the Orion chart is the chart that contained a photo of Mohammed Atta. Instead, the witnesses state that they did identify a photo of Mohammed Atta that appeared in work developed by the Able Danger program.

Rather than accept the witness accounts that the analytical efforts of Able Danger had identified Mohammed Atta, in the same manner that subsequent analytical efforts had identified Mohammed Atta, the Able Danger report instead creates the straw man of an Orion chart and then attempts through repeated interviews to convince the witnesses that the chart without Mohammed Atta was in fact the chart they had seen and so they could not have seen a photo of Mohammed Atta.

The witnesses, military officers and Federal employees, were individually interviewed and were separated in time and space when interviewed. The idea of collective false memory has no established psychoanalytical basis and there is no body of peer reviewed findings or data that would explain the existence of the sort of collective false memory identified by the DoD IG in regard to the identification of a photo of Mohammed Atta.

The preponderance of the evidence clearly indicated that Mohammed Atta had been identified.

4. Investigative misconduct in the manipulation of the evidence to include testimony

Protected whistleblower disclosures from Daniel P. Meyer, Director, Civilian Reprisal Investigations, stated that an investigator who interviewed the Able Danger witnesses stated at a staff meeting, chaired by Donald M. Horstman, that:

"Tell me what you want the witness(es) to say and I will make them say it."

In addition, Daniel P. Meyer, was concerned that the repeated interviews of the witnesses were conducted not according to the Federal standards of Administrative Investigation, but according to the Federal standards of Criminal Investigation that allowed for more aggressive and repeated questioning to include attempts to mislead witnesses and attempts to direct a witnesses through hostile questioning.

On the basis of the reported misconduct and obstruction of the Federal investigatory process the acting Inspector General, Thomas F. Gimble, and I interviewed Dr. Eileen Preisser, Able Danger, analytical lead, Land Information Warfare Activity (LIWA), at the Pentagon outside the presence of administrative investigators from the ISO.

The purpose of the meeting was to determine whether Dr. Eileen Preisser, would provide testimony that the Able Danger program had identified Mohammed Atta.

I attended as the RMO to address all congressional and media inquiries and wrote the Forward to the Able Danger report and was the DoD IG Point of Contract for the Office of the Secretary of Defense to include the Assistant Secretaries for Legislative Affairs and Public Affairs. In addition, I had directly provided the whistleblower disclosures from Daniel P. Meyer of misconduct to Thomas F. Gimble.

In particular, the question was whether Dr. Eileen Preisser had met with LTC Anthony A. Shaffer at a Starbucks coffee shop on September 18, 2001, during which Dr. Eileen Preisser showed LTC Anthony A. Shaffer a chart produced by the Able Danger program that included a photograph of Mohamed Atta.

Dr. Eileen Preisser confirmed that the meeting with LTC Anthony A. Shaffer had occurred and then showed us a series of paper charts with matrix photos of terrorist cells to include the Brooklyn cell that had launched the first attack on the World Trade Center along with a chart in regard to the cells responsible for the attacks in Kenya and Tanzania. Finally, Dr. Preisser used her laptop computer to show the chart that she had shown to LTC Anthony A. Shaffer at the Starbucks that LTC Anthony A. Shaffer testified contained the photo of Mohamed Atta.

Dr. Preisser was adamant that she had seen a photograph of Mohamed Atta on Able Danger program charts and that DoD IG investigators had tried to distort her testimony to claim that she had seen a photo of Mohamed Atta on an Orion chart entitled: *The Al-Qaeda Network: Snapshots of Typical Operational Cells Associated with UBL.*

Dr. Eileen Preisser stated that the DoD IG investigators had established a false premise and then used that false premise to discredit her recollection. In effect, the basis of the DoD IG interview was to use the fact there was no photo of Mohamed Atta on a chart made by the Orion Scientific Corporation (Orion) of the al-Qaeda network chart to challenge the basis of her testimony even though Dr. Preisser insisted that the photo of Mohamed Atta was not on the Orion chart.

The preponderance of the evidence clearly indicated that Mohammed Atta had been identified.

5. Obstruction of Federal Investigative Process to Reach a False and Predetermined Conclusion

I immediately returned from the interview of Dr. Eileen Preisser and stated to Henry J. Shelley Jr., that I had a statement to give in regard to Dr. Eileen Preisser that would contradict the foundation of the DoD IG finding that Mohamed Atta had never been identified. I also stated that Dr. Eileen Preisser had claimed that investigators during the course of multiple interviews had tried to confuse her and distort her testimony.

Henry J. Shelley Jr., stated that he would not use my testimony since my meeting with Dr. Eileen Preisser was outside the investigative process he had allowed and contradicted the conclusions he had already briefed to the DoD General Counsel.

As a result, Messrs. Henry C. Shelley Jr., and Donald M. Horstman, as the RMOs for the Able Danger report, prevented my testimony on the interview with Dr. Eileen Preisser to be included in the Able Danger report.

Obstruction of Federal Investigatory Process to Avoid Finding Reprisal Against LTC Anthony A. Shaffer

The findings of the Able Danger report in regard to collective false memory had a determinative impact on the credibility of the testimony provided by LTC Anthony A. Shaffer in regard to Able Danger and the prohibited personnel practices taken against LTC Anthony A. Shaffer for making protected disclosures to Congress.

The finding of collective false memory challenged the not only the recall of LTC Anthony A. Shaffer, but also cast doubt on the potential underlying credibility of LTC Anthony A. Shaffer and all the Able Danger witnesses who testified they had seen the photo of Mohammed Atta.

The Able Danger report challenged LTC Anthony A. Shaffer and, in effect, stated that expert testimony offered to Congress by LTC Anthony A. Shaffer was false. Not only that, but the IG DoD investigative interviews of LTC Anthony A. Shaffer were crafted to challenge LTC Anthony A. Shaffer as a credible witness. LTC Anthony A. Shaffer rather than being one of five

witnesses with corroborating memory of seeing a photo of Mohammed Atta instead became a target of the investigation.

Henry C. Shelley Jr., and Donald M. Horstman as the RMOs who had obstructed the Federal investigative process and created an erroneous analysis challenging LTC Anthony A. Shaffer in the Able Danger report were then also the RMOs who judged the credibility of the testimony of LTC Anthony A. Shaffer and whether he had been subjected to prohibited personnel practices for his whistleblowing activities.

It was a clear conflict of interest for the RMOs making erroneous findings against LTC Anthony A. Shaffer in Able Danger investigation to also become RMOs in the determination of whether prohibited personnel actions had been taken against LTC Anthony A. Shaffer.

In regard to the prohibited personnel practices investigation of LTC Anthony A. Shaffer and the credibility of LTC Anthony A. Shaffer as a witness, the Able Danger report states that the preponderance of evidence shows that LTC Anthony A. Shaffer lied about the DIA mailing classified materials to LTC Anthony A. Shaffer when returning his personal property.

In reaching the conclusion, the Able Danger reports fails to mention that two attorneys witnessed LTC Anthony A. Shaffer receiving the classified material from DIA. The Able Danger report excludes sworn testimony from the attorneys supporting the account of LTC Anthony A. Shaffer and vouching for his credibility.

Proceeding from the finding of collective false memory and excluding sworn testimony from attorneys vouching for his credibility, the Able Danger report then finds that LTC Anthony A. Shaffer while meeting with the 9/11 Commission in October 2003, did not make specific claims in regard to the identification of Mohammed Atta. The Able Danger report then concludes that LTC Anthony A. Shaffer did not make a protected disclosure under the Whistleblower Protection Act of 1989, as amended.

The security clearance of LTC Anthony A. Shaffer was revoked on 28 February 2006, but only after LTC Anthony A. Shaffer had also made disclosures to Chairman Curt Weldon, House Committee on Armed Services, and other members of Congress and their staff starting on 14 May 2005, and had made statements to the media beginning in August 2005. All of these actions were known to DIA managers and supervisors during their consideration of revoking his security clearance.

Yet, the Able Danger report does find that a factor in the negative performance assessment of LTC Anthony A. Shaffer by his superior was that "LTC Shaffer had exhibited poor judgment by failing to inform his superiors before he met with the 9/11 Commission and staff" in regard to Able Danger. It should be noted that there is no requirement in the Whistleblower Protection Act of 1989, as amended, to brief superiors before receiving protection for legally protected disclosures.

In addition, other testimony in the Able Danger report showed that other RMOs within DIA believed "that LTC Shaffer was an officer who sometimes needed to be 'reined in' because of his tendency to skirt the chain of command to further his own goals."

The Able Danger report finds a fact pattern that would confirm a basis for prohibited personnel practices but uses erroneous findings generated outside the normal Federal investigatory process to dismiss the testimony of LTC Anthony A. Shaffer and exonerates the motives of RMOs who would have every reason to attempt to suppress the protected disclosures of LTC Anthony A. Shaffer to the 9/11 Commission, Congress and the media through congressional hearings.

Conclusion – Federal Merit System Protections Afforded to LTC Anthony A. Shaffer Were Negated through Violations of the Federal Investigatory Process and the Misapplication of the Whistleblower Protection Act of 1989, as Amended

Henry C. Shelley Jr., violated the due process protections guaranteed to LTC Anthony A. Shaffer under the Federal Merit System by obstructing the Federal investigative process to

develop erroneous findings in the Report of Investigation by the Office of the Deputy Inspector General for Investigations entitled: *Alleged Misconduct By Senior DoD Officials concerning the Able Danger Program and Lieutenant Colonel Anthony A Shaffer, U.S. Army Reserve* (Report No. H05L97905217) issued on 18 September 2006.

The misconduct under color of office, by Henry C. Shelley Jr., included misapplication of the Whistleblower Protection Act of 1989, as amended, 5 U.S.C. § 2302, by upholding prohibited personal actions against LTC Anthony A. Shaffer for making disclosures, in the course of his official duties, regarding misconduct by RMOs, political and military in regard to Able Danger.

I hereby attest that the above statements are true, accurate and complete to the best of my knowledge, and belief.

Executed on 28 February 2020.

John R. Crane

Subscribed, and sworn before me

This 28th day of February 2020

Notary Public

JOSHUA MITCHELL HAMES
NOTARY PUBLIC
REGISTRATION #7833042
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES AUGUST 31, 2023

APPENDIX C

NATIONAL OPERATIONS AND ANALYSIS HUB (NOAH) OVERVIEW

PRESENTED 11/4/99 FBI, DOD, CIA, CW OFFICE

National Operations and Analysis Hub (NOAH)

The Challenge

- The United States continues to rely upon decades-old approaches in dealing with threats to our national security. It is time to consider new approaches beyond those developed in the 1950s if we are to successfully meet the challenges and issues facing us in the 21st century.

- This new approach supports the needs of the nation's policymakers, military commanders, and law enforcement agencies in taking action against asymmetrical threats such as terrorism, proliferation, illegal technology diversions transfers, espionage, narcotics, information warfare and cyberterrorism.

- The challenges facing policymakers, the military, and various law enforcement agencies are beginning to overlap, blurring their distinction and jurisdiction while posing an increasing threat to our nation, both domestically and internationally.

Addressing the Threat

- Numerous federal agencies continue their efforts to deal with these threats, often separate and distinct from the work of other agencies. This presents a serious problem because agencies often fail to share or bring together vital information that can assist in a timely solution.

- We don't need another analytical center. Instead, we need a national level "fusion center" that can take already analyzed data and offer courses of action for decision-making.

- On July 30, 1999 I wrote Deputy Secretary of Defense Hamre on the need for such a central national-level entity – the National Operations Analysis Hub.

- This central national-level hub would be comprised of a system of agency-specified mini-centers, or "pods," of participating agencies and services associated with growing national security concerns. In all, some 33 such agencies would initially participate.

- Patterned after the Army's Land Information Warfare Activity center at Fort Belvoir, NOAH would display collaborative threat profiling and analytical assessments. With the aid of a variety of electronic tools, it would integrate various imagery, data, and analytical viewpoints for decisionmakers in support of national actions.

Benefits

- For national policymakers, such a national collaborative environment offers situation updates across a variety of issues and offers suggested courses of action — based on analysis — to help government officials make more informed decisions.
- For the intelligence community, a national collaborative center such as NOAH will help end stovepiping and create more robust strategic analyses as well as near-real-time support to field operations.
- For law enforcement, such a national-level center provides investigative and threat profiling support, and field station situational awareness.
- For military commanders and planners, the national-level center offers full battlefield visualization, threat profiling, robust situational awareness, as well as near real-time support to special missions such as peacekeeping, humanitarian aid, national emergencies or special operations.

The NOAH center in the Office of the Secretary of Defense would be comprised of representatives from an initial cluster of pod sites to include: CIA, DIA, National Imagery and Mapping Agency (NIMA), NSA, NRO, Defense Threat Reduction Agency (DTSA), JCS, Army, Air Force, Navy, Marine Corps, ONDCP, FBI, DEA, Customs, National Criminal Investigative Service (NCIS), National Infrastructure Protection Center, Defense Information Systems Agency (DISA), State, the five CINCS, DOE, INS, Commerce, Treasury.

Elements which would be connected into NOAH would include the White House Situation Room, a Congressional Virtual Hearing Room and a possible redundant (back up) site.

The benefits of creating a NOAH include:

a. For national policy makers, a national collaborative environment offers situations updates across a variety of issues and offers suggested courses of action, based on analysis, to help government officials make more informed decisions.

b. For the Intelligence Community, a national collaborative environment will help end stovepiping and create more robust strategic analyses as well as near real-time support to field operations.

c. For military commanders and planners, a national collaborative environment offers full battlefield visualization, threat profiling, robust situational awareness, as well as near real-timer support to special missions such as peacekeeping, humanitarian aid, national emergencies or special operations.

d. For law enforcement, a national collaborative environment provides investigative and threat profiling support, and field station situational awareness.

APPENDIX D

F. MICHAEL MALOOF STATEMENT

Congressman Weldon asked me to look into the feasibility of a fusion center of federal intelligence and law enforcement agencies. The 1999 National Operations & Analysis Hub, or NOAH, report was the product of analysis and research conducted by Eileen Preiser and myself. We visited the fusion center the Army had developed with data-mining capability at Ft. Belvoir to see if such a system could be broadened into a national fusion center for use by commanders and policy makers.

The report underscored the need and feasibility of creating a National Fusion Center which would bring together the data-mined information from some thirty-four federal intelligence community and law enforcement agencies to assist not only the commander, but also the policymaker in looking at options on an issue in near real-time.

At Congressman Weldon's request, I briefed then Deputy Secretary of Defense John Hamre along with leaders from the intelligence community.

The proposal was met with instant hostility from the IC, seeing that it would have infringed on their individual rice bowls, especially the notion of sharing information with other agencies. It also brought to a head the cultural differences between the intelligence and the law enforcement communities in information sharing. I firmly believe, if we had the fusion center up and running in 1999 and analysis under Able Danger, there may never have been the massive terrorist attack on September 11, 2001, also known as 9/11. The experience of pushing such a concept immediately put me at odds with DIA and CIA. Subsequently, the IC revoked my security clearances when they came up for renewal.

I looked upon my work at the Defense Department as a mission, not just a job. In trying to make things right while on my watch, nothing good came of that effort for me personally, except to have had the honor of working with Congressman Weldon and equally committed members involved in Able Danger. To this day, I still haven't recovered since I could no longer be hired in my area of expertise, especially since my clearances were revoked. It was a career killer.

F. Michael Maloof
July 15, 2026

APPENDIX E

DRAGOMIR KARIC LETTER

Dragomir Karić

Belgrade, 6 November 2006

My dear friend Curt,

I was particularly touched, in your reply, by the conclusion that you will „always stand proudly with the Serbian nation and the whole region for the peace and solidarity with the American nation. Our Congress delegation of 11 members has respected your commitment to the cause to stop ethnic cleansing and to remove Milošević".

Despite all attacks and torture you must have suffered in the midst of elections, my dear Weldon, you have remained the same – you are thinking of some people in the far away Balkans, to whom you have always wished peace and prosperity.

Allow me to remind you also of the fact which will remain in our memory for ever. The memory of a man who unselfishly has helped his and my country and other nations also in this part of Europe because the calming of passions and the ceasing of the destruction and war in Serbia was actually also in the interest of the USA, Europe and all the nations in this part of the world. We have crossed the road which was thorny for both of us, had also some "step on mines" and without sufficient understanding, even when we fought for individual humanitarian causes.

You are right to remember that we, my brothers and I, have contributed to the liberation of the three American prisoners. It is also true that the administration of the United States, probably since you are a Republican and not a Democrat, has omitted the chance to get these three men sooner and easier.

It is true that we were hosts to Jessie Jackson and the delegation in Belgrade, with the full knowledge of the State Department and other agencies from the USA. Surely, it would not have been possible to organize it without the knowledge of President Clinton and Foreign Secretary Albright. For that matter, it is not a coincidence that Bogoljub and I had a ten year visa for entering and staying in the United States, but suddenly, under certain influences, it ceased to be valid anymore.

Remember, dear Weldon, how my family and our employees had meetings in Belgrade and other cities with delegates from the USA to help the battle against terrorism in this part of Europe. It was somewhat easier for us, especially in Kosovo and Metohija, since we are a patriotic family with a Christian faith. We were and we are appreciated in Peć, precisely because we were, when the clashes begun, saving entire Albanian families. Our homes have remained intact since they have been guarded by Albanian people who would like to have these times come back when the two nationalities could live freely and under equal conditions as citizens of Kosovo and Metohija.

It is not disputable that Serbian firms, among them figures also Aeroinženjering, have given plans of the sites which they have built in Iraq, at the request of the US Embassy.

We have always been great friends of the American nation. Apart from you and your family, and many other highly respected American citizens, it makes no sense, even in the dirtiest journalist mind, to avoid mentioning that my brother Bogoljub and his wife Milanka were invited by Mr Clinton and his wife Hillary, that Bogoljub had a meeting with Mr. Gingrich, speaker of the American Congress. And now some local papers as well as the dishonored CIA, FBI and the personal security of the president of the USA shove all this under the carpet. Who would be the people in the United States to convert such things because of some electoral needs and fear of Bogoljub Karic's charisma and political abilities, and call him a 'terrorist'. It seems that this is also the case for Milanka, a woman who dedicated her life to her children, her family and humanitarian work as president of the Karic Foundation. Anyway, isn't it that two American ambassadors in Belgrade are personal friends with the Karic family and that is a small truth of what is now proclaimed in public. Our family friends are the families of Ambassador Miles and of Ambassador Montgomery.

The daughter of Ambassador Miles has stayed at our home in London while attending the school there. We also enjoy cordial and friendly relations with Ambassador Montgomery. His wife was esteemed professor at our University, Braca Karić. We have preserved this friendship and frequently consult them about different questions.

At this moment, I can only hope and pray to God that the enemies who purposefully and who knows for what reasons try to stop you on your way of winning the election in your Philadelphia, will not stand any chances and that they will never be able to stop you from winning the election and taking over the position of Chairman of the Military Committee in the US Congress.

I wish you success and I ask you to understand that this Company was shamefully used to create damage and to continue to spread lies and politically persecute Bogoljub since he is the only opponent to them. Bogoljub is in their way and disturbs them since he has the vision how to save Serbia from economic disaster and lead it as a clean, proud and democratic country into the family of nations in the European Union.

Remain assured that nobody will ever succeed in repressing the truth and that the truth will finally prevail. Everything we have ever done, we did in the interest of our nation and for the peace in the world.

Cordially yours,

Dragomir

APPENDIX F

LETTER TO DONALD RUMSFELD SIGNED BY 247 MEMBERS OF CONGRESS

Congress of the United States
House of Representatives
Washington, DC 20515

November 9, 2005

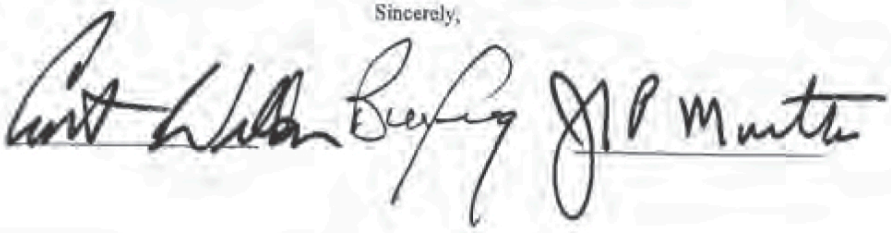
The Honorable Donald Rumsfeld
Secretary
Department of Defense
Pentagon
Washington, DC 20301

Dear Secretary Rumsfeld:

We the undersigned are formally requesting that you allow former participants in the intelligence program known as ABLE DANGER to testify in an open hearing before the United States Congress. Until this point, congressional efforts to investigate ABLE DANGER have been obstructed by Department of Defense insistence that certain individuals with knowledge of ABLE DANGER be prevented from freely and frankly testifying in an open hearing. We realize that you do not question Congress's authority to maintain effective oversight of executive branch agencies, including your department. It is our understanding that your objection instead derives from concern that classified information could be improperly exposed in an open hearing. We of course would never support any activity that might compromise sensitive information involving national security. However, we firmly believe that testimony from the appropriate individuals in an open hearing on ABLE DANGER would not only fail to jeopardize national security, but would in fact enhance it over the long term. This is due to our abiding belief that America can only better prepare itself against future attacks if it understands the full scope of its past failures to do so.

On September 21, the Senate Committee on the Judiciary conducted a hearing on ABLE DANGER which Bill Dugan, Acting Assistant to the Secretary of Defense for Intelligence Oversight, certified did not reveal any classified information. Congressman Curt Weldon's testimony at that hearing was largely based on the information that has been given to him by ABLE DANGER participants barred from open testimony by DOD. Their testimony would therefore closely mirror that of Congressman Weldon, who did not reveal classified information. Therefore we are at a loss as to how the testimony of ABLE DANGER participants would jeopardize classified information. Much of what they would present has already been revealed. Further refusal to allow ABLE DANGER participants to testify in an open congressional hearing can only lead us to conclude that the Department of Defense is uncomfortable with the prospect of Members of Congress questioning these individuals about the circumstances surrounding ABLE DANGER. This would suggest not a concern for national security, but rather an attempt to prevent potentially embarrassing facts from coming to light. Such a consideration would of course be an unacceptable justification for the refusal of a congressional request.

Sincerely,

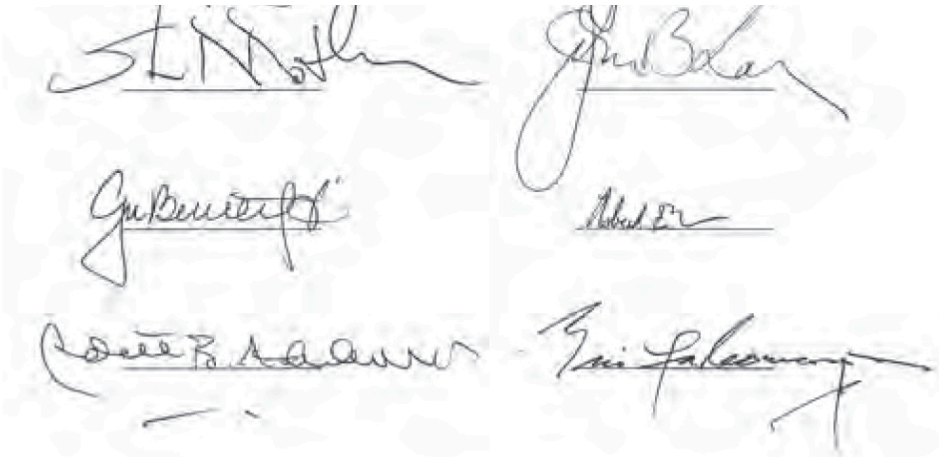


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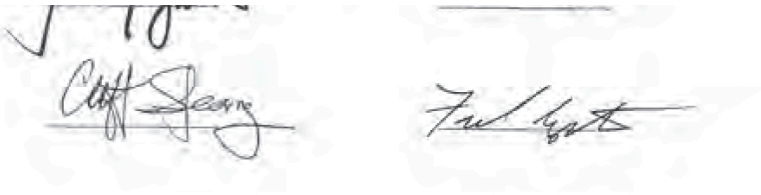
























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