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J thought you would find this story from NYPOST.COM interesting:

from Jim Whalen

## COMMISSION COVERUP?

By DEBORAH ORIN

IT'S starting to look as if the 9/11 Commission turned a blind eye to key questions that could embarrass one of its own members — Clinton-era Justice Department honcho Jamie Gorelick.

This week brought the stunning revelation that elite military spies pinpointed Mohammed Atta and three other hijackers as a terror cell more than a year before 9/11 — but were barred from alerting lawmen to try to lock them up.

A prime reason why that warning never came is that Gorelick — as top deputy to then-Attorney General Janet Reno — issued a 1995 order creating a "wall" that blocked intelligence on terrorists from being shared with law enforcement.

Commission staffers at first denied knowing about the elite military unit known as Able Danger, but later admitted they were briefed — twice — and Atta was specifically named. Still, it was conveniently left out of the 9/11 report.

It gets worse. Gorelick's defenders might argue that hindsight is 20-20. But that excuse doesn't work in this case, because she was warned way back then — when the see-no-evil wall was created.

That warning came right from the front line in the War on Terror — from Manhattan U.S. Attorney Mary Jo White, who headed up key terror probes like the prosecutions for the first World Trade Center bombing in 1993.

White — herself a Clinton appointee — wrote directly to Reno that the wall was a big mistake.

"It is hard to be totally comfortable with instructions to the FBI prohibiting contact with the United States Attorney's Offices when such prohibitions are not legally required," White wrote on June 13, 1995.

"The most effective way to combat terrorism is with as few labels and walls as possible so that wherever permissible, the right and left hands are communicating."

That memo surfaced during the 9/11 hearings. But The Post has learned that White was so upset that she bitterly protested with another memo — a scathing one — after Reno and Gorelick refused to tear down the wall.

With eerie foresight, White warned that the Reno-Gorelick wall hindered law enforcement and could cost lives, according to sources familiar with the memo — which is still secret.

The 9/11 Commission got that White memo, The Post was told — but omitted any mention of it from its much-publicized report. Nor does the report include the transcript of its staff interview with White.

White yesterday declined comment via spokesman Marvin Smilon. The 9/11 Commission spokesman, Al Felzenberg, didn't respond to repeated phone calls.

At the time that the first White memo surfaced, it was a hypothetical question — the wall could have prevented intelligence from getting through to stop 9/11 if there had been any intelligence.

But now that the 9/11 staff acknowledges there was intelligence about an Atta cell more than a year before the terror attacks, it's fair to ask if the attacks might have been stopped were it not for the Reno-Gorelick wall.

The CIA may have failed to detect the hijackers, but it appears that military intelligence did better. Maybe the real problem wasn't an intelligence failure — as the 9/11 Commission concluded — but, rather, the Reno-Gorelick wall.

The latest revelations show that skeptics like Sens. Jon Cornyn (R-Tex.) and Christopher Bond (R-Mo.) were right to demand that Gorelick testify publicly about the wall — a demand that the 9/11 Commission flatly rejected last year.

Rep. Curt Weldon (R-Pa.) — who revealed how the Able Danger military spies tried to sound the alarm — yesterday accused the commission of ignoring inconvenient facts.

"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," he wrote.

Or, as a frustrated Cornyn said in 2004: "[Gorelick] is a person with knowledge of relevant facts. Either the commission wants the whole truth or it does not."

It's about time that the 9/11 Commission faced that question.

*Deborah Orin is The Post's Washington bureau chief.*

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