

Was 9/11 Commission a Whitewash?

by Oliver North

Posted Aug 19, 2005

The National Commission on Terrorist Attacks Upon the United States—otherwise known as the 9/11 Commission—was supposed to suggest changes in law and policy to help protect us from terror attacks. To make such recommendations, the commission needed to discern what happened. Regrettably, the commission's public hearings devolved into a political circus instead of a fact-finding exercise. Instead of solving the numerous riddles of how 19 terrorists murdered nearly 3,000 Americans, apologists for the Clinton Administration used the hearings to deflect blame—and point to the culpability of the Bush Administration.

Consider this exchange between Democratic commission member Tim Roemer and former Clinton Administration official Richard Clarke on March 24, 2004:

Roemer: “I want to know, first of all: Was fighting al Qaeda a top priority for the Clinton Administration from 1998 to the year 2001? How high a priority was it in that Clinton Administration during that time period?”

Clarke: “My impression was that fighting terrorism, in general, and fighting al Qaeda, in particular, were an extraordinarily high priority in the Clinton Administration—certainly no higher priority.”

Answers Needed

“No higher priority?” Given what we learned this week from Lt. Col. Tony Shaffer, a retired U.S. Army intelligence officer, and from newly declassified records from the State Department, Roemer and Clarke may wish to—in congressional parlance—“revise and extend” their remarks.

Shaffer was part of an undercover counter-terrorism unit code-named “Able Danger.” When I spoke with him last week he told me that the group, created in 1999, used open source “data mining” technology to identify and track terrorists. In 2000, the Able Danger unit identified the al Qaeda cell led by Mohamed Atta, holed up in New Jersey. A year later, Atta and his fellow jihadists—Khalid al-Mihdhar, Marwan al-Shehhi and Nawar al-Hamzi—would carry out the 9/11 attacks.

According to Shaffer, on three separate occasions, officers in the Able Danger unit tried to pass information on the Atta-al Qaeda cell to the FBI but were blocked by military lawyers because of concerns about the legality of collecting information on foreign terror suspects in the United States. Atta had entered the U.S. on a legal visa and the lawyers determined that he had to be treated like a U.S. citizen, even though he was associating with suspected terrorists. “Our lawyers told us to leave them [the Atta cell] alone because that was the policy guidance at the time.”

The “policy guidance” that kept intelligence agencies and domestic law enforcement officials from exchanging information was promulgated in 1995 by Jamie Gorelick, deputy attorney general in the Clinton Administration and later a member of the 9/11 Commission. Would passing the intelligence on the Atta cell to the FBI have prevented the 9/11 attack?

Rep. Curt Weldon (R.-Pa.) thinks so. After learning of the Able Danger unit, he said, “If we had taken out that cell, 9/11 would not have occurred, and certainly, taking out these three principal players in that cell would have severely crippled, if not totally stopped, the operation that killed 3,000 people in America.”

Whether Weldon is correct, we will never know. But we do know that when the 9/11 Commission was holding its hearings and preparing its report it did not include the Able Danger information. Last week, a commission spokesman at first denied knowing anything about Able Danger and later the chairman and vice chairman of the commission—Tom Kean and Lee Hamilton—said it was not “historically significant.”

Now they claim that the commission didn’t receive enough information on the Able Danger unit from the Pentagon. But Shaffer says that in 2003, while in Afghanistan, he told commission staff members about efforts to pass the Atta cell information to the FBI. He also told me that he offered to brief the commission more fully in January 2004 after he returned to the U.S. but that “the offer was declined.”

Unfortunately for the 9/11 Commission, Able Danger isn’t the only embarrassing recent revelation. Newly declassified documents obtained by Judicial Watch under the Freedom of Information Act show that in the summer of 1996, intelligence analysts at the State Department warned the Clinton Administration that Osama bin Laden’s “prolonged stay in Afghanistan—where hundreds of ‘Arab mujahidin’ receive terrorist training and key extremist leaders often congregate—could prove more dangerous to U.S. interests in the long run than his three-year liaison with Khartoum.” A year earlier the Clinton Administration rejected a Sudanese offer to have bin Laden detained.

And then there is the strange case of Clinton National Security Adviser Sandy Berger—who earlier this year pleaded guilty to removing and destroying classified documents from the National Archives pertaining to terror threats on U.S. soil. The crimes were committed as Berger was preparing to testify before the 9/11 Commission.

Did the 9/11 Commission choose not to hear from the Able Danger officers because Jamie Gorelick was a member of the commission? Were the commissioners aware of the State Department’s 1996 warnings on Osama bin Laden’s move to Afghanistan? Were copies of the documents shredded by Berger ever placed before the commission?

All of these questions need to be answered for the 9/11 Commission to be considered as something other than a whitewasher for the Clinton Administration. Most importantly: Has the Bush Administration solved the “communications problems” evident in the Able Danger case? If not, then we have learned nothing from the murders of 9/11.

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