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## Report due in Able Danger probe

By Rowan Scarborough  
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The Senate Intelligence Committee has taken closed-door statements in an inquiry that could clear up whether the intelligence program Able Danger identified September 11 hijacker Mohamed Atta a year before the attack.

A spokesman said yesterday that the committee likely will release a report or a statement in the next two weeks that makes conclusions, or at least determines the facts.

Most of the attention on Able Danger has come from the Senate Judiciary Committee, which already has conducted one public hearing on the intelligence-collection program. It is now asking the Pentagon to allow personnel associated with Able Danger, such as defense intelligence analyst Anthony Shaffer and Navy Capt. Scott Philpott, to testify in public about how Atta was purportedly identified.

But a final verdict could come sooner from the intelligence committee, based on closed-door briefings already provided by Mr. Shaffer, Capt. Philpott and Pentagon officials.

Mr. Shaffer and Capt. Philpott contend Able Danger identified Atta in 2000 as being linked to al Qaeda. A Pentagon investigation failed to turn up any document that supports their contention, officials said at a Sept. 1 press conference.

The Pentagon thus far has refused to allow Mr. Shaffer and Capt. Philpott to testify in open session, as requested by Judiciary Committee Chairman Arlen Specter, Pennsylvania Republican. Officials say such testimony would violate the practice of not testifying on classified programs in public.

"We're hard-pressed to send witnesses to testify in open session about a program that the other committees who have investigated have respected the classification aspects," a Bush administration official said.

The official said the Pentagon is not attempting to hide anything from Congress, noting that Mr. Shaffer, Capt. Philpott and others have been allowed to brief committee staffs.

Mr. Shaffer came forward earlier this year to say that Able Danger identified Atta during the Clinton administration.

He said government lawyers prevented the Pentagon from sharing information with the FBI, which, if notified, could have investigated the finding well before the September 11 attacks.

The Pentagon said it found no evidence that lawyers prevented the information from going to the FBI.

Rep. Curt Weldon, Pennsylvania Republican, has fueled the debate by saying government lawyers ordered the destruction of reams of Able Danger documents. At the Senate Judiciary

hearing last month, one of the men who destroyed the papers offered what appeared to be an innocent explanation: A Pentagon policy to protect privacy dictates that intelligence information on U.S. citizens be destroyed after 90 days unless the data has law-enforcement value.

Able Danger was a data-mining operation set up in 1999 that sought to make links between individuals using publicly available information.

"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," former Army Maj. Erik Kleinsmith, an Able Danger analyst, testified.

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