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Testimony of
The Honorable Curt Weldon
United States Representative
[R-PA, 7th District]

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I would like to thank you Chairman Specter and Ranking Member Leahy. I wish that a hearing such as this did not have to take place. Unfortunately, that is not the case. It is important that we - the House and Senate as the oversight bodies of the Executive Branch - not rush to move forward from the failures that led to September 11, 2001. The only way to move forward with new policies is to go back and really understand what went wrong - even if it means reexamining old territory. However, it is regretful that all of the Able Danger team members are not allowed to speak today. The victims and families of 9-11 and the Country deserve better.

I have served in the House of Representatives for 19 years. Currently, I am Vice Chairman of the Armed Services Committee and the Homeland Security Committee. The story that I will outline today is extremely troubling to me, and has raised significant questions that need to be answered.

In 1999, while serving as the Chair of the Research and Development Subcommittee, I had the responsibility of overseeing approximately \$35 billion of the Defense budget that funded all military R&D. This included all funding for each of the military services' (USN, USMC, USA, USAF) information dominance centers that were being stood up to monitor and prevent hackers from penetrating classified and unclassified systems.

The Army's Information Dominance System, located at Fort Belvoir, was one of the most capable. Known as the Land and Information Warfare Analysis Center (LIWA), this Center was doing much more than just information dominance. Through several site visits and briefings, I witnessed the LIWA's state of the art facility and initiatives, which included massive data mining, data collaboration and data analysis. I was so impressed with this capability that I increased funding authorization for the LIWA. It was because of the great work at LIWA, that I felt it was important to raise the capabilities of LIWA to the attention of Dr. John Hamre, then Deputy Secretary of Defense. Equally impressed after getting briefed on LIWA's capabilities, Dr. Hamre tasked them with doing an analysis of proliferation of sensitive military technologies. The provocative outcome would later prove harmful to the LIWA.

In the spring of 1999, I had an opportunity to personally witness the amazing capability of the LIWA. Two weeks after the United States commenced the bombing of Belgrade, I was contacted by leaders of the major political factions within the Russian Federation. They were extremely concerned that

our bombing of Serbia was premature causing the Russian people to distrust the United States. The Russians believed that this conflict could be avoided if they were asked to play a role in dealing with Milosevic.

Leaders of Russia's major political parties suggested that I put together a bi-partisan congressional delegation to travel to Belgrade with a similar one from the Russian Duma to meet with Milosevic directly. They were convinced that, with Russia's help, the ethnic cleansing and human rights abuses could be stopped.

Working with Steny Hoyer, we arranged a meeting with Strobe Talbot at the State Department to review the Russian offer. In our meeting Talbot expressed concern with any trip to Belgrade, because he was worried that it might send an adverse message. He did agree, however, to sending a bi-partisan Congressional Delegation to meet with the Russian leaders in Vienna. By the end of the week, I assembled an eleven member Congressional Delegation to meet with five Russian political leaders in Vienna. The Russians had informed me that they were bringing along a Serbian citizen who could establish and maintain contact with Milosevic. I was concerned that the Serb might be a part of the Milosevic regime and I also wanted to know more about this individual before agreeing to meet with him.

I asked then CIA Director George Tenet for a profile the Serb who would join the Russians. The next day I received a call from Tenet saying that the CIA did not know much - he only provided me with two sentences about this Serb. I made the same request from the Army's LIWA, who, within a matter of hours, provided me with multiple pages of information about the Serb and his family. I shared this information with my colleagues on the military flight to Vienna, which proved to be very useful and enabled the delegation to be better prepared.

Our meetings in Vienna were extremely successful - so much that we developed a two page document that laid the foundation for a final and peaceful resolution to the conflict. In fact, while in Vienna, Milosevic offered us travel by bus to Belgrade, at which time he would embrace the framework and release three American POW's to the Congressional Delegation. However, after consultation with both the White House and the State Department, I decided that we would not travel to Belgrade and return to Washington.

On May 17, 1999, approximately two weeks after returning from Vienna, the FBI requested to be debriefed on the Serb whom my delegation had met in Vienna. I immediately scheduled a meeting for that following Monday, May 24, 1999, at 3:30pm. On the Friday before the FBI briefing, the CIA requested to be briefed as well. I was informed that the State Department had tasked the CIA to brief our Ambassador who was negotiating the final terms of the agreement to end the war in Kosovo. I convinced the CIA to join in the FBI briefing. That Monday, I briefed four agents in my office.

Following the briefing, I asked the agents if they knew where I had obtained this information on the Serbian. They said the information either must have been provided by the Russians or the Serb himself. I told the agents they were wrong, and that I had obtained the information on the Serb from the

LIWA before I left Washington. The agents indicated to me that they did not know what the LIWA was. It was then that I knew our government had a serious problem on its hands of stove-piped intelligence agencies, insufficient information sharing and redundant classified systems. It was also during that time I learned that the CIA, and much of the intelligence community, was not using open-source information in developing their intelligence estimates and profiles.

Following these events, I convened an ad hoc group of intelligence officials to strategize on the creation of a national collaborative center modeled after the LIWA proto-type. This effort led to the development of a nine-page brief entitled NOAH - National Operations and Analysis Hub. I briefed the NOAH concept to Dr. John Hamre, then-Deputy Secretary of Defense, who expressed interest in developing this initiative. In fact, he said that DOD could provide funding for such a Center, but that he would need my support in convincing the FBI and CIA to participate - noting that their participation was critical. At Hamre's suggestion, I convened a meeting in my office on November 4, 1999 to brief DOD, CIA and FBI on the NOAH concept. Senior officials from each agency were in attendance. At the conclusion of the brief, the CIA official said that the NOAH was unnecessary.

Despite the reluctance of the CIA, I continued to press for a national collaborative center in three successive Defense Authorization Bills, and also delivered speeches and presentations on the topic around the country. The FY01 Defense Authorization Bill required the CIA to provide the House Armed Services Committee with a Report on a National Collaborative Capability, in which the CIA responded that, the "overarching collaborative solution addressing the totality of the requirement is not practical." Not only was it practical, but it became a reality when President Bush announced the TTIC (now the NCTC) in January of 2003. It should not have taken this long, considering Congress had called for this capability in prior years.

During 1999 and 2000, I was aware that the LIWA was providing massive data mining and analysis for a number of extremely important intelligence and anti-terrorism initiatives - including international drug cartels; corruption in Russia and Serbia; terrorist linkages in the Far East; proliferation activities both within and against the United States; as well as an extensive global analysis of Al Qaeda.

In fact, in the weeks following 9/11, I was provided an extensive analysis chart of Al Qaeda, which I immediately took to the White House and personally delivered to then-Deputy National Security Advisor Steven Hadley. Mr. Hadley was extremely interested in the chart and said that he would take it to the President.

I continued to vigorously support the concept of data mining and analysis, particularly when the TTIC was announced.

In the spring of 2005, I attempted to re-create the chart that I had presented to Hadley in 2001, so I queried my contact from LIWA. It was then that I received a brief to create a new expanded data mining and analysis capability known as Able Providence (which I would like to submit for the record). Able Providence was an initiative that would be supported through

the Office of Naval Intelligence. The Navy was so enamored with getting Able Providence up and running that they even provided my Chief of Staff with the appropriate budget line number to direct any additional congressional funds.

It was during the briefings on Able Providence that I was provided additional information about Able Danger. I was told that Able Danger had amassed significant data about Al Qaeda and five worldwide cells - one of which had linkages to Brooklyn and has been referred to as the Brooklyn cell. I was told that Able Danger identified the Brooklyn cell - to include Mohammed Atta and three other 9/11 hijackers - more than one year before September 11, 2001. Additionally, I was informed of an effort to share specific information with the FBI about Al Qaeda in September 2000 - one year before 9/11 - and that three meetings for that purpose were abruptly cancelled hours before they were scheduled to take place.

This new information was startling, and caused me to review the 9/11 Commission Report to see if any reference to Able Danger was contained therein. Realizing that no such reference existed, I asked my Chief of Staff to personally contact the 9/11 Commission and determine if they had been briefed about Able Danger. On May 18, 2005, the 9/11 Commission Deputy Staff Director Chris Kojm said that the staff had been briefed, but had decided "not go down that route". Still puzzled that no mention of Able Danger had been made, I raised this question with 9/11 Commissioner Tim Roemer during a meeting in my office on May 23, 2005. He told me that he had never been briefed on Able Danger. 9/11 Commissioner John Lehman said the same thing during a lunch on June 29, 2005. He expressed dismay and suggested that I pursue the issue further.

How could it be possible that two 9/11 Commission staffers received two briefs, by two different members of Able Danger, in two different countries, on the same subject, yet no such information was brought to the level of a Commissioner. One is left to wonder if there was a similar information sharing problem within the commission.

On June 27, 2005, dismayed by the fact that Able Danger was omitted from the 9/11 Commission Report, I took to the floor of the House of Representatives to outline the entire Able Danger story for my colleagues and the American people. In the weeks following that speech, I methodically briefed the Chairs of House Armed Services, Intelligence, Homeland Security and FBI Appropriations Oversight Committee.

The New York Times picked up the story in August and ran three straight days of stories. On each day, the 9/11 Commission changed their story.

. First, they said that they were never briefed.

. Second, they said that they were briefed and that there was never a mention of Mohammed Atta.

. Third, they said they were briefed, Atta was mentioned, but they found Able Danger to be 'historically insignificant'.

As someone who had supported the creation of the 9/11 Commission and their recommendations, even though more than half were already recommended by the Gilmore Commission, I was incensed by this cavalier attitude. Along with my

Chief of Staff, we pursued the operatives involved in Able Danger throughout the months of July and August. We identified five officials who confirmed the facts of Able Danger, as well as knowledge of massive data and materials tied to the effort. We identified an FBI agent who played a role in arranging meetings to share information on U.S. persons that were abruptly cancelled. We also identified a technician who did Able Danger analysis and an individual who admitted to destroying Able Danger data - up to 2.5 terabytes. This data contained information on U.S. persons with ties to terrorism that could have helped prevent 9-11 and possibly even be used to track terrorist movements today. The person who destroyed this data has also spoken about how Major General Lambert, the J3 at U.S. Special Operations Command, was extremely upset when he learned that his data had been destroyed without his knowledge or consent.

On at least four occasions, I personally tried to brief the 9/11 Commissioners on: NOAH; integrative data collaboration capabilities; my frustration with intelligence stovepipes; and Al Qaeda analysis. However, I was never able to achieve more than a five-minute telephone conversation with Commissioner Tom Kean. On March 24, 2004, I also had my Chief of Staff personally hand deliver a document about LIWA, along questions for George Tenet to the Commission, but neither was ever used. [I would like to submit for the record.] Had the Commission been more thorough, I would have provided all of the leads that I recently pursued on my own. In the end I was ignored by the Commission. In fact, on the day the Commission provided the first brief for House Members in the Cannon Caucus Room, I attended and was the first to be recognized. I asked the Commission why they did not meet with Members who had worked intelligence and security issues prior to 9/11, and Lee Hamilton told me that "the Commission did not have time to meet with every Member who had information to share."

I have never alleged any wrong doing, conspiracy or cover-up. However, I have been bewildered by the response to Able Danger - both by the 9-11 Commission and the Pentagon.

Fundamental questions need to be answered -

1. Why was Able Danger a historically insignificant event even though we knew that Al Qaeda was responsible for
 - o 1993 Bombing on World Trade Center
 - o Khobar Towers
 - o Embassy Bombings in Africa
 - o USS COLE
2. Who ordered the destruction of 2.5 terabytes of data about Al Qaeda and why?
3. Any why wasn't the customer at SOCOM ever consulted or briefed?
4. Who stopped the meetings between the FBI and Able Danger personnel in September 2000 and why?
5. What was the extent of the 3 hour brief provided to General Shelton in January 2001 regarding Able Danger?
6. Why did the 9/11 Commission change their response several times when queried about Able Danger and attempt to spin Able Danger based on misinformation?
7. Why have threats been made to Able Danger witnesses who were simply

telling their stories?

As it stands now, the 9/11 story has not been fully examined and told. The families of the victims and the American people deserve answers and we must not stop until we get them.

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