

# **PLRC** *Pacific Life Research Center*

631 Kiely Boulevard \* Santa Clara, CA 95051 \* Phone 408/248-1815 \* Fax 408/985-9716 \* E-mail bob@plrc.org  
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## **UNDERSTANDING THE “WAR ON TERRORISM”: ENGINEERING PUBLIC OPINION Part 2 -- Pearl Harbor and 9-11<sup>1</sup>**

Compiled by Bob Aldridge

*News is an overt act which juts out of the routine of circumstance. ... A good public relations man advises his client ... to carry out an overt act ... interrupting the continuity of life in some way to bring about a response.*

– Edward L. Bernays (1990)<sup>2</sup>

Political leaders have many motives for going to war. American citizens are usually reluctant to take that step until some catastrophic event charges their emotions. In this paper I will discuss the triggering events of two wars – World War II and the War on Terrorism -- and illustrate how those events were used to create an overwhelming pro-war atmosphere. In both cases these events could have been stopped or mitigated but our country’s leader at the time chose to let them happen. The events that will be discussed are:

- a) How President Franklin D. Roosevelt allowed the Pearl Harbor attack to happen in order to create intensified public support for entering World War II.
- b) How President George W. Bush allowed the September 11<sup>th</sup> Terrorist attack to happen in order to motivate overwhelming support for the “War on Terrorism.”

It seems unbelievable that a political leader could allow such cataclysmic events to occur. 2,403 Americans died at Pearl Harbor. At least 2,779 perished on September 11<sup>th</sup>. Yet evidence of prior knowledge is monumental. The available information of impending aggression was so preponderant that failure to take defensive measures cannot be dismissed as incompetence or bureaucratic bumbling. The only logical answer is that those catastrophes were allowed to happen. I will address Pearl Harbor first.

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<sup>1</sup>This paper is part of a series on understanding why we are fighting terrorism. There is nothing new in it that hasn’t been published elsewhere, and of course the coverage is not comprehensive. The purpose of this paper is to compile some pertinent information together so that a pattern can be seen. In this paper I will illustrate how public opinion is manipulated to gain support for war. BA

<sup>2</sup>Cited in Ewen, p. 18.

## **UNIT 1: WORLD WAR II & PEARL HARBOR**

Late in 1933, President Franklin Delano Roosevelt (FDR) formally recognized the Soviet Union, an action that strong conservative elements in the US had opposed since the Bolshevik Revolution which occurred toward the end of World War I. One of the reasons FDR did so was that Japan was on a rampage in eastern Asia and many analysts thought recognition of the USSR might support Moscow's opposition to Japan's land grabbing.

Totalitarian dictatorships and militarism were springing up globally during the 1930s. Joseph Stalin muscled his way in as dictator of the Soviet Union. Benito Mussolini emerged in Italy and Adolph Hitler grabbed the reins of the Nazi party in 1933 – the same year FDR took office. Japan, determined to become a great naval power in the Pacific, terminated the 12-year-old Washington Naval Treaty with the US. In the face of all this foreign activity the US was again leaning toward isolationism. Shortly after Mussolini invaded Ethiopia, Congress passed the Neutrality Act of 1935. That was followed by the Neutrality Acts of 1936 and 1937. In essence, these Acts said that when the president proclaims a foreign war, it is illegal for Americans to sail on a belligerent's ship, to sell or transport munitions to a belligerent nation, or loan money to them. In applying these laws, there was to be no distinction between aggressor and victim. Of course this stand helped the new dictators who had already armed themselves to the teeth.

The Neutrality acts were tested during the Spanish Civil War of 1936-1939 in which Hitler and Mussolini helped General Francisco Franco overthrow the loyalist government. The success of that event further encouraged the dictators.

### **ISOLATION WHILE WAR CLOUDS GATHER**

Japan had been storming China. As a newly industrialized country it needed raw materials for its industrial machine as well as a market for manufactured goods. China was the obvious solution. Although the Nine Power Treaty of 1922, to which Japan was a signatory, supposedly created an "Open Door" in China, the door seemed to be more open to western powers – particularly the United States. So around 1931 Japan took military control of a large portion of northern China. This turned into full scale war following the "Marco Polo Bridge Incident" in 1937. America's neutrality was then strained to the breaking point. Although the neutrality acts required an embargo against all belligerents when the President proclaimed them to be at war, that would hurt China the most because Japan could produce its own weapons and China could not. So FDR simply decided not to call Japan's military excursions into the Chinese heartland a war because it had not been officially declared. Consequently, munitions supply lines continued to help China and, of course, protect America's interests in China. Because of this activity by FDR, along with his calling for "preparedness" at home, he was denounced as a warmonger. Nevertheless, Congress in 1938 passed a billion-dollar naval construction bill.

Europe was also in turmoil during the 1930s. Hitler hated the Treaty of Versailles and proceeded to violate it. In 1935 he introduced compulsory military service for German youth. In 1936 he took over the demilitarized German Rhineland. Then he started eliminating the Jewish population. In March 1938 he occupied Austria. The world stood by, hoping that last takeover would satisfy Hitler.

It didn't. Later in 1938 he demanded the German-inhabited Sudetenland which was part of Czechoslovakia. FDR burned up the wires with calls to Hitler and Mussolini. Britain and France managed to bring the issue to the conference table but then gave Hitler what he wanted. Still unappeased, Hitler in March 1939 took over the rest of Czechoslovakia while Europe stood agape.

Stalin had been a moderating influence on Hitler's aggression up to now. But when Germany and the Soviet Union signed a non-aggression pact on 23 August 1939, the road was open for Germany to invade Poland without interference from Stalin. First Hitler demanded that Poland return land that had been Germany prior to World War I. When Poland refused, and without a declaration of war, in the early morning hours of 1 September 1939 German armored divisions crossed the Polish border. And, as specified in a secret agreement with Hitler, Stalin also moved in to seize the portion of Poland which had previously been Russian. In addition, he invaded Finland and conquered Latvia, Lithuania, and Estonia. Britain and France, having guaranteed Poland's security, declared war on Hitler (but not Stalin). Poland fell in three weeks. World War II was under way



### *Neutrality While Supporting the Allies.*

Most of the world was appalled at the Nazi expansionism but the US still made its formal claims to neutrality. It soon became clear, however, that the Neutrality Acts would get in the way of helping Britain and France which were in desperate need of military equipment and munitions. So, on 13 September 1939, FDR called Congress into special session. After wrestling with the issue for six weeks Congress passed a haphazard Neutrality Act of 1939. This allowed the US to sell equipment to the Allies on a cash-and-carry basis – they paid cash when they picked up the war materials. Although all belligerents qualified for these purchases, only Britain and France could send ships to pick them up. And as historian Thomas A. Bailey expresses it: “America not only improved her moral position, but she simultaneously improved her economic position. The boom in war goods, though at first limited to the munitions industry, ... ultimately solved the decade-long unemployment crisis.”<sup>3</sup>

After conquering Poland, Europe was relatively quiet as Hitler shifted his troops and equipment to the western front. Then in April 1940, the Nazis conquered Denmark and Norway. Hitler carried his blitzkrieg on the Holland and Belgium the following month – and then launched a mighty assault on France. On June 10<sup>th</sup>, anxious to claim his share of the loot, Benito Mussolini declared war on Britain and France, and attacked France from the south. France fell in late June as the new British leader, Winston Churchill, managed to evacuate his troops during the so-called “miracle of Dunkirk.”

America was shocked to realize that only Britain stood between Hitler and the end of democracy in Europe. Neutrality was abandoned and hopes were now pinned on supporting Britain. FDR persuaded Congress into passing a whopping \$37 billion military budget.<sup>4</sup> He called for construction of 50,000 aircraft a year and a two-ocean navy that would also discourage Japan. A conscription bill (draft law) went into effect on 6 September 1940 and the Army started building up manpower.

As soon as he had safely won the 1940 election, and without consulting Congress or the legality under the Neutrality Act, FDR by presidential agreement with Winston Churchill transferred

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<sup>3</sup>Bailey, p. 868.

<sup>4</sup>\$37 billion in 1940 is equivalent to \$461 billion today.

50 World War I vintage destroyers to Britain in return for 99-year leases on eight strategically-located defense sites in the western hemisphere. This sparked heated debate across the nation. Finally Congress, in March 1941, opened the door for more transfers to Britain by passing “An Act Further to Promote the Defense of the United States,” more commonly called “The Lend-Lease Act.” This also geared US factories for war production. And after Germany started an undeclared war against Russia on 22 June 1941, because of a dispute over who would control the Balkans, the Lend-Lease Act was extended to Russia.

Then FDR specified certain ocean areas as neutrality zones. His final hope for peace was that Hitler would not torpedo US ships. But Hitler recognized the Lend-Lease Act as a virtual declaration of war. Torpedoing of the unarmed merchant ship *Robin Moor* in a neutrality zone on 21 May 1941 started the sinkings. That led to further US involvement when in July 1941 FDR ordered US naval vessels to guard merchant ships as far as Iceland. The British would escort them the rest of the way. Then, when the destroyer *USS Greer* was attacked, but not sunk in September, FDR issued “shoot on sight” orders for German U-boats.<sup>5</sup>

All of this was not without intense domestic turmoil. America was sharply divided between those who favored extreme help to keep Britain fighting and isolationists who advocated building a defense around America in case Britain falls. FDR was now anxious to stop Hitler but public opinion did not support him. Although a Gallup Poll in January 1941 indicated that 79 percent of the people were against negotiating a peace with Hitler, a whopping 88 percent opposed the US entering the war. Two more Gallup polls were taken on February 3<sup>rd</sup> and March 10<sup>th</sup> on whether the US should enter the war against Germany. The first was 85 percent “no” and 15 percent “yes.” The second was 81 percent “no” and 17 percent “yes.”<sup>6</sup> FDR needed something to change that opposition. Meanwhile, turmoil was forming in the Pacific.

## **DAY OF INFAMY – THE OFFICIAL STORY**

Japan became a formal ally of Germany and Italy through the Tripartite Pact signed on 27 September 1940, thus completing the Germany-Italy-Japan axis – the so-called “Axis Powers.” The Pact provided that if any of the three were attacked by a power not presently involved in the European or Chinese wars, the other two would come to its aid. That meant if the US declared war

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<sup>5</sup>Documents found in the Modern Military Branch collection of the National Archives, and in the Operational Archives and Library of the Naval Historical Center in Washington indicate that the “shoot on sight” policy went into effect two months earlier – in July. FDR merely used the *Greer* incident as an opportune time to make the policy public. (See Gannon, pp. 84-85.)

<sup>6</sup>The way this question was framed, the people were expressing what they desired, not what they thought would happen. It would not be honest to omit the results of other polls. As Michael Gannon points out, the public was realistic. (See Gannon, pp. 76-77.) A poll on 27 April 1941 asked: “Do you believe the United States will go into the war in Europe sometime before it’s over, or do you think we will stay out?” 82 percent said we would go in. The next day it was asked: “If it appeared that there was no other way to defeat Germany and Italy except for the United States to go to war against them, would you be in favor of the United States going to war?” 68 percent said they would. - - - Regarding Japan, the most dramatic poll took place on 7 September 1941 when the public was asked: “Should the United States take steps now to keep Japan from becoming more powerful, even if it means risking a war with Japan?” 70 percent said “yes” and 12 percent didn’t know. (All these statistics cited in Gannon, pp. 76-77.) If these polls are credible, then the anti-war resolve of the American public wasn’t as strong as many historians would have us believe.

on Japan it would automatically mean war with Germany and Italy.<sup>7</sup> The Tripartite Pact has been described by some analysts as Hitler's biggest blunder, because he did not want the US in the war until he had beaten Britain. But as tensions mounted in the Pacific, this Pact provided what historians have called FDR's back door to war.

### ***Economic Warfare.***

Japan was very vulnerable as an industrial power during the 1930s because it was highly dependent on foreign sources for oil and other essential raw materials. It also faced stiff competition in marketing its manufactured goods. It shocked Japan when, on 26 July 1939, the US gave the required six-months notice to abrogate the 1911 Treaty of Commerce trade agreement with Japan. Then on 5 July 1940, FDR invoked a partial export embargo on Japan.

The final economic blow came after the US intercepted and decoded a Japanese message to the Vichy government in France. It said that if that government would not allow Japan to occupy the southern half of French Indochina, Japan would take that area by force. The Vichy government consented and Japan moved into Vietnam. This further encircled the Philippines – southeast Asia to the west and Micronesia to the east. That prompted FDR to impose a complete embargo on 26 July 1941 – banning shipment of petroleum and petroleum products as well as all scrap iron and steel, closing the Panama Canal to Japanese shipping, and freezing all Japanese assets and credits in the US. British military historian J.F.C. Fuller labeled this act as “a declaration of economic war, and, in consequence, it was the actual opening of the struggle.”<sup>8</sup> University of South Carolina foreign policy lecturer Robert Smith Townsend also comments on FDR's “detering” Japanese aggression through economic pressure:

Here was no mere deterrence; here was deterrence that amounted to provocation. Was the provocation deliberate? Three times, twice to Lord Halifax and once to British premier Winston Churchill, Franklin Roosevelt intimated that he was trying to force “an incident” that would bring America more deeply into the fray. He may have hated war but he presided over policies that came to be undistinguishable from incitements to war.<sup>9</sup>

Faced with certain economic ruin, Japan was desperate.<sup>10</sup> There is no excuse for its actions before or after the economic embargo, but under US economic pressure Japan decided to strike out boldly. After the war, when on trial for war crimes, Japanese Prime Minister Hideki Tojo explained the Japanese feelings: “To adopt a policy of patience and perseverance under such impediment [the American pressure] was tantamount to self-annihilation of our nation. Rather than await extinction, it was better to face death by breaking through the encircling ring and find a way of existence.”<sup>11</sup>

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<sup>7</sup>This in fact did happen. The US declared war on Japan on 8 December 1941. Germany and Italy declared war on the US three days later – on December 11<sup>th</sup>.

<sup>8</sup>Fuller, J.F.C.; *The Second World War, 1939-45: A Strategic and Tactical History* (Cambridge, MA; Da Capo Press, 1993), p. 128. Cited in Bishop.

<sup>9</sup>Townsend, Robert Smith: *A Time For War: Franklin D. Roosevelt and the Path to Pearl Harbor* (New York, Prentice Hall, 1991), p. 401. Cited in Bishop.

<sup>10</sup>Japan at that time imported about 88 percent of its petroleum needs – 80 percent from the US.

<sup>11</sup>Cited in Bishop.

After the attack on Pearl Harbor, there were nine inquiries within the first few years. Most noted was the so-called Roberts Commission headed by Associate Supreme Court Justice Owen J. Roberts. It was commissioned by FDR in an attempt to mitigate public and congressional outrage over how such a surprise could happen. It took place from 18 December 1941 to 23 January 1942 and constructed a sequence of events leading up to the attack. The findings of the Roberts Commission follows, and were accepted as history for many decades.

### ***Hawaii's New Commanders and How They Were Warned.***

Admiral Husband E. Kimmel became Commander-in-Chief of the Pacific Fleet on 1 February 1941, and Lieutenant General Walter C. Short was appointed Commanding General of the Hawaii Department on 7 February 1941. The Roberts Commission acknowledged that “the policy of the United States as to affairs in the Pacific was in conflict with the policies of other governments. It was realized ... that unless these policies were reconciled war in the Pacific was inevitable.”<sup>12</sup> The report also noted that military supplies and equipment for the Hawaiian area, which were deficient due to the Lend-Lease Program for Britain, would not support a war for extended periods.<sup>13</sup> Nevertheless, the Army and Navy had worked out a local joint defense plan called “Joint Coastal Frontier Defense Plan, Hawaiian Coastal Frontier,” under which both commanders would formulate their own procedures. The Army, with its Army Air Corps, would handle close-in defense.<sup>14</sup> The Navy would provide defense farther out.<sup>15</sup> But the commanders were to consult with each other to assure adequate protection. The plan had several levels and those levels would go into effect depending on the nature of hostilities threatened.

On 24 January 1941, just before appointment of the two commanders, Navy Secretary Frank Knox wrote to Secretary of War Henry L. Stimson that if war happens with Japan it “is believed easily possible that hostilities would be initiated by a surprise attack upon the fleet or the naval base at Pearl Harbor.” The letter warned that the “inherent possibilities of a major disaster” warranted

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<sup>12</sup>Roberts Commission Report, p. 3.

<sup>13</sup>Serious deficiencies were the small quantity and antiquated condition of the Army Air Corps' land-based aircraft and the crucial inadequacy of anti-aircraft guns. This required that naval carrier-based aircraft and ship anti-aircraft guns be used while in port. In return, the Army provided its scant inventory of B-17D heavy bombers and obsolete B-18 medium bombers to help the Navy on long-distance patrol because of the vastly insufficient number of PBY patrol bombers (flying boats). Requests by both Kimmel and Short for additional supplies to adequately provide both close-in (Army responsibility) and farther out (Navy responsibility) defense were continually denied due to the lend-lease program with Britain. In addition, about one quarter of Kimmel's fleet (an aircraft carrier, three of the newest battleships and the only ones with anti-aircraft defense, four light cruisers, and eighteen destroyers) was taken from him during April and May 1941, and sent to the Atlantic. Ammunition was sparse and fuel was also in short supply. While the Pacific fleet required 25 oil tankers for proper operation, it had only eleven. Kimmel's best-trained officers were also continually siphoned from him.

<sup>14</sup>It should be noted that at this time the Air Force had not been established as a separate branch of the armed services. It was under the Army and was called the Army Air Corps (as distinguished from its Navy counterpart). The Air Force Chief of Staff was under the Army Chief of Staff and the Secretary of War. The Army Air Corps commanding general in Hawaii reported to Short.

<sup>15</sup>Although the Navy was tasked with the extended protection, the necessary long-range aircraft were not available. Kimmel only had 50 PBY flying boats for patrolling and he was promised 300 in all. The other 250 were sent to Britain. (See Beard, p. 278.)

speedy action to increase the joint readiness of the Army and Navy. Knox then said the “dangers envisaged *in order of their importance and probability* are considered to be: (1) air bombing attack, (2) air torpedo plane attack, (3) sabotage, (4) submarine attack, (5) mining, (6) bombardment by gunfire.”<sup>16</sup> (Emphasis mine) He then stated that all but the first two were presently satisfactory and concluded with recommendations to improve the joint defense plans and placed special emphasis on coordinating Army and Navy operations against surprise aircraft raids.

War Secretary Stimson replied that he had sent a copy of Knox’s letter to Lt. Gen. Short in Hawaii, suggesting that he cooperate with Admiral Kimmel in implementing it. Kimmel also received a copy. Plans were amended to comply and numerous joint exercises were conducted.

Kimmel and Short were advised by Washington on 16 October 1941 of a change in the Japanese cabinet and that hostilities between Japan and Russia were probable.<sup>17</sup> It was also possible that Japan might attack Britain or the US. The commanders were warned to take appropriate preventive action. The commanders testified that they did what was possible without curtailing the training, and they didn’t think the situation was grave enough to do that.

On 24 November 1941 the Chief of Naval Operations sent a message to Kimmel stating the Navy believed Japanese aggression could move in any direction, including an attack on the Philippines and Guam. The CNO added that doubts regarding the fruitfulness of negotiations (between State Secretary Cordell Hull and the Japanese envoy), statements by the Japanese government, and movement of Japan’s military forces all supported this opinion. He cautioned secrecy so as not to further agitate the tense situation and said the Army requested that Kimmel share this message with Short.

A flurry of activity occurred on 27 November 1941. Both Short and General Douglas MacArthur in the Philippines were notified that negotiations with the Japanese appeared to be ended and there was only slight possibility that they would come back with another offer. This was the day after State Secretary Hull sent the ultimatum to Japan (to be discussed below). They were told that Japanese action was unpredictable but hostile action was possible. They were also told that it was the United States’ (i.e. FDR’s) desire that, if hostilities cannot be avoided, Japan should commit the first overt act.<sup>18</sup> But that was not to restrict any type of defensive action Short may plan for Hawaii, and that he should immediately undertake reconnaissance and other measures he deemed necessary. In addition, Short was also ordered not to alarm the civilian population or disclose the intent of any action he might take. Secrecy was emphasized and a report of actions taken were to be reported back. On that same day the Chief of Military Intelligence directed the intelligence officer in Hawaii to inform General Short that negotiations with Japan had practically ceased, that hostilities might ensue, and that subversive action (sabotage) might be expected.

Short reported back to the Chief of Staff, as ordered, on what actions he had taken. He had interpreted these and previous messages to mean that Hawaii need only take action against sabotage

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<sup>16</sup>Roberts Commission Report, p. 5.

<sup>17</sup>On 16 October 1941, the moderate cabinet of Japan’s Prince Konoye lost to the more militant faction. General Hideki Tojo became prime minister. FDR’s back door to war was opening wider.

<sup>18</sup>When testifying before the Roberts Commission investigating the attack on Pearl Harbor, Brigadier General Leonard T. Gerow, chief of war plans for the army, in explaining the phrasing of “the US desires that Japan commit the first overt act,” said that “the President had definitely stated that he wanted Japan to commit the first overt act.” (Cited in Beard, p. 12, note 20.)

-- that any aggression was expected to take place in the Philippines or elsewhere – and executed Level A of the Defense Plan by alerting his command against sabotage.<sup>19, 20</sup> His interpretation of the messages and his course of action were not corrected by Washington.

Also on 27 November 1941, the Chief of Naval Operations sent a message to Kimmel and Admiral Hart (commander of the Asiatic Fleet) which was to be construed as a “war warning.” The CNO repeated the information that negotiations had ended and an aggressive move could be expected within a few days. He also said that an amphibious assault against either the Philippines or someplace in southeast Asia was indicated by the number and equipment of the Japanese troops and the organization of their naval task force. The fleet commanders were directed to execute a defensive deployment to prepare for war.<sup>21</sup> What was to become known as the “war warning message” read as follows:

THIS DISPATCH IS TO BE CONSIDERED A WAR WARNING X NEGOTIATIONS WITH JAPAN LOOKING TOWARD STABILIZATION OF CONDITIONS IN THE PACIFIC HAVE CEASED AND AN AGGRESSIVE MOVE BY JAPAN IS EXPECTED IN THE NEXT FEW DAYS X THE NUMBER AND EQUIPMENT OF JAPANESE TROOPS AND THE ORGANIZATION OF NAVAL TASK FORCES INDICATES AN AMPHIBIOUS EXPEDITION AGAINST EITHER THE PHILIPPINES THAI OR KRA PENINSULA OR POSSIBLY BORNEO X EXECUTE AN APPROPRIATE DEFENSIVE DEPLOYMENT PREPARATORY TO CARRYING OUT THE TASKS ASSIGNED IN WPL [WAR PLAN] 46 X ...<sup>22, 23</sup>

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<sup>19</sup>To understand the military focus on sabotage, and why preparations against it were part of the defense plan, one must realize that in 1941 there were some 161,000 Japanese living on Hawaii – about 37 percent of the population. About 40,000 of those were aliens. It was believed that the place was swarming with Japanese spies. As John T. Flynn pointed out: “While the General Staff felt certain the attack would come at least 3,000 miles from Hawaii, they were profoundly frightened lest an internal movement of suicide Japanese patriots would destroy planes and essential installations, crippling the base.” (See Flynn.)

<sup>20</sup>Earlier on the morning of the 27<sup>th</sup>, before he had received the war warning message, Short had met with Kimmel. He learned that the latest naval intelligence placed the main Japanese carrier fleet either in home waters or proceeding south. (See Gannon, p. 139.)

<sup>21</sup>This so-called “War Warning” message has been used extensively by apologists for the Roosevelt administration to show that Hawaiian commanders had received adequate warning of attack. But this message must be understood in context of command responsibilities in Hawaii at that time. Contrary to general belief, it was the Army, not the Navy, that was responsible for protecting the Pacific fleet while in port at Pearl Harbor. Admiral Kimmel interpreted this “War Warning” as pertaining to the Pacific fleet’s defensive responsibilities at sea, and was carried out accordingly. Those responsibilities included support of Allies in the Far East by diverting enemy strength away from the Malay barrier, protection of sea communications of the Allies within the Pacific area, support of British naval forces south of the equator, and protection of Allied territory within the Pacific Area “by destroying hostile expeditions and by supporting land and air forces in denying the enemy the use of land positions in the hemisphere.” (Admiral Kimmel’s 16 January 1945 testimony before the Joint Congressional Committee on the Investigation of the Pearl Harbor Attack. Cited in Toland, p. 184.)

<sup>22</sup>Cited in Toland, p. 7.

<sup>23</sup>The only operational order in this November 27<sup>th</sup> warning was “EXECUTE AN APPROPRIATE DEFENSIVE DEPLOYMENT PREPARATORY TO CARRYING OUT THE TASKS ASSIGNED IN WPL 46.” It followed the phrase about an expected attack in the Philippines, Thai, or Kra Peninsula. Rear Admiral Royal E. Ingersoll, assistant CNO, said later that this operational order applied mainly to the Asiatic Fleet and Admiral Hart, who was the co-addressee along with Kimmel for this message. (See Gannon, p. 150.)

The next day, November 28<sup>th</sup>, Short received two more sabotage warnings from Washington. The adjutant general of the Army urged “that you initiate forthwith all additional measures necessary to provide for protection of your establishments, property, and equipment against sabotage, protection of your personnel against subversive propaganda and protection of all activities against espionage.”<sup>24</sup> The message only authorized legal protective measures and said those should be confined to what is essential for security so as to avoid unnecessary publicity and alarm. The commander-in-chief of the Army Air Corps sent essentially the same message to his subordinate in Hawaii.

On November 29<sup>th</sup> Short replied to the Adjutant General’s message, outlining in detail all the measures he had taken to prevent sabotage. He testified to the Roberts Commission that since he received no further reply from the War Department that he considered his action all that was expected.

Also on November 29<sup>th</sup>, the Chief of Naval Operations sent a message to Kimmel which was similar to the messages Short had received. But in addition Kimmel was directed to take no offensive action until Japan committed the first overt act. Then the CNO ordered certain action if hostilities did occur.

The CNO, on the 30<sup>th</sup>, sent a message to the commander-in-chief of the Asiatic Fleet with an information copy to Kimmel. It said indications were that Japan was about to launch an attack on the Kra Isthmus in southeast Asia, and directed the Asiatic commander to do a little scouting but to avoid any appearance of attacking. Kimmel testified that he interpreted this message to mean the Navy Department was not expecting an attack on Hawaii.

On 1 December the Director of Naval Intelligence issued a bulletin entitled “Japanese Naval Situation.” It said that deployment of Japanese naval forces southward from Japan were indicated clearly and that preparations were under way for hostilities. It also pointed out that troop transports and supply freighters were also moving southward and that the buildup of an extensive task force could probably be expected in a few days. The message elaborated on what appeared to be two major task groups moving south (not toward Hawaii): “Each constitutes a strong striking force of heavy and light cruisers, units of the combined air force, destroyer and submarine squadrons. ... the major capital ship strength remains in home waters, as well as the greatest portion of the carriers.”<sup>25</sup> But were they in home waters? There were other reports that the main Japanese aircraft carrier force left home waters in late December and disappeared. Kimmel and Short were aware of that but the presumption was they were somewhere with the main invasion force. In reality, *Kido Butai* (strike force) was churning through the Pacific at 24 knots toward the aircraft launching point about 200 miles north of Hawaii.<sup>26</sup>

Three more messages from the Navy Department were received by Kimmel in December. One on December 3<sup>rd</sup> stated a belief that certain Japanese consulates were destroying their codes and burning secret documents. This is always interpreted as war within a few days. The codes have to be destroyed beforehand because enemy consulates are no longer privileged premises during wartime. On December 4<sup>th</sup> Kimmel received an “information only” copy of a message in which the addressee was instructed to destroy all classified documents and code machines except the bare essentials for

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<sup>24</sup>Cited in Gannon, p. 130.

<sup>25</sup>Cited in Roberts Commission, p. 9.

<sup>26</sup>Toland, pp. 8-9.

communication, and to immediately destroy those in event of emergency. The third, on December 6<sup>th</sup>, called attention to the tense situation and directed that naval commands in the outlying Pacific islands might be authorized to destroy confidential papers under condition of greater emergency, and that those essential for operation should be retained until the last minute.

### ***The Roberts Commission Findings.***

The Roberts Commission summarized at this point that none of these messages created in the minds of the Hawaiian commanders “apprehension as to probable imminence of air raids. On the contrary they only served to emphasize in their minds the danger from sabotage and surprise submarine attack.”<sup>27</sup>

The Roberts Commission also pointed out that apparently the Japanese had complete intelligence information about Hawaii. They knew that no US Navy task force was in the waters north of Hawaii and that there were no aircraft patrols around the islands. They also had maps showing exact locations of airfields and critical structures as well as pinpointing important naval vessels in the harbor. The Japanese pilots were apparently well prepared with maps and instructions on how each would attack specific targets.

At about 6:30 AM Honolulu time (noon in Washington) on December 7<sup>th</sup>, a warning message indicating an almost immediate break in relations was received. This warning was sent to Kimmel and Short but “due to conditions beyond the control of anyone concerned the delivery of this urgent message was delayed until after the attack,” which started at about 7:55 AM.<sup>28</sup> It will be shown below just how much it was “beyond the control of anyone concerned.”

The first six items in the Roberts Commission Report conclusion exonerated the officials in Washington – the Secretaries of State, War, and Navy; the Chief of Staff of the Army and the Chief of Naval Operations – by stating they had fulfilled their obligations and command responsibilities. The next twelve items of the conclusion spelled out what Kimmel and Short did and what they should have done, and placed the blame on them for not consulting and cooperating with each other, and not being prepared for the attack on Pearl Harbor. That is the conclusion and belief that has been popularly accepted ever since, in spite of an abundance of evidence and subsequent reports to the contrary.

## **DAY OF INFAMY – THE REST OF THE STORY**

During his presidential campaign of 1940, FDR promised that American boys would not participate in foreign wars *unless we are attacked*. His exact words were: “We will not participate in foreign wars, and we will not send our army, naval, or air forces to fight in foreign lands outside of the Americas, except in case of attack. ... The direction and aim of our foreign policy has been, and will continue to be, the security and defense of our own land and the maintenance of its peace.”<sup>29</sup> Yet FDR saw a need to stop Hitler and that would not be possible without US intervention. To fulfill both the need he perceived and his moral commitment to the American people, to say nothing of overcoming the overwhelming isolationist mood of the country, and act of aggression against the US

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<sup>27</sup>Roberts Commission, p. 9.

<sup>28</sup>Roberts Commission, p. 9.

<sup>29</sup>Cited in Beard, p. 3.

was needed. If need be, an attack had to be provoked. It was obvious that Hitler was not going to make the first aggressive move. So FDR chose Japan and the Pacific theater. He started the economic pressures described above.

### ***The McCollum Memorandum.***

In understanding FDR's intentions and activities leading up to Pearl Harbor, it would be instructive to know something about the influence of Arthur H. McCollum. He was born in Nagasaki of missionary parents and spent his boyhood in Japan. He not only spoke Japanese fluently, but understood the Japanese people. After graduating from the US Naval Academy, McCollum was assigned as Naval Attache for the US Embassy in Tokyo. In that job he taught Crown Prince Hirohito, the future emperor, how to dance the Charleston. Later, as head of the Far East Section in the Office of Naval Intelligence (ONI), McCollum had a unique capability for formulating foreign policy suggestion for the Asia-Pacific area. He was also FDR's routing manager during 1940 and 1941. In keeping FDR informed on Far East intelligence matters, McCollum saw every intercepted and processed report that went to the President – both diplomatic and naval.

Historian John Toland, in his 1982 book, *Infamy*, seemed to paint a somewhat sincere picture of McCollum with regards to trying to get information to fleet commanders. On page 62 he indicates that McCollum believed the commanders in the Pacific should have more information, and explains how McCollum drafted a 4 December 1941 message to do that. Then how that message was never sent because Rear Admiral Richmond Kelly Turner, Chief of the War Plans Division, said the November 27<sup>th</sup> war warning message sufficed. Again, on pages 66 and 74, Toland refers to McCollum's December 4<sup>th</sup> message which was never sent.

Toland does indicate that McCollum was aware that *Kido Butai* was being tracked and that it was close to Hawaii. On page 298, Toland places McCollum present when the location of *Kido Butai* was pointed out on the map to Dutch Captain Ranneft. (This incident will be discussed below.) But an entire new understanding of Arthur McCollum, and what led up to the attack on Pearl Harbor, emerged when a document written by him was declassified in 1994. It explained why much information he knew about never got to the fleet, and why he had an interest in the progress and location of *Kido Butai*.

That document was a 7 October 1940 memorandum McCollum, then a Lieutenant Commander, had composed and submitted to Captains Walter S. Anderson and Dudley W. Knox, two of FDR's most trusted military advisors.<sup>30</sup> The first few pages summed up the hostile conditions facing the US in Europe and the Pacific. British naval superiority in the Atlantic was currently protecting America from that direction. But Japan's growing hostility threatens the British supply line from the Far East through the Indian Ocean, and Japan must be diverted if British opposition in Europe is to remain effective. America's naval forces in the Pacific are adequate for that purpose and it is in US interests to eliminate Japan's threat by taking prompt and aggressive action. Since public sentiment in the US prevents taking a political offensive, additional naval forces should be sent to the orient and agreements reached with Britain and the Dutch government in exile to check Japanese encroachment in southeast Asia.

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<sup>30</sup>Captain Anderson was Director of ONI and Captain Knox was a naval strategist and head of the ONI library. Anderson was later promoted to rear admiral and became commander of battleships at Pearl Harbor.

Then McCollum suggested eight steps the US could take to fulfill this objective:

- A. Make an arrangement with Britain for the use of British bases in the Pacific, particularly Singapore.
- B. Make an arrangement with Holland for the use of base facilities and acquisition of supplies in the Dutch East Indies.
- C. Give all possible aid to the Chinese government of Chiang-Kai-Shek.
- D. Send a division of long range heavy cruisers to the Orient, Philippines, or Singapore.
- E. Send two divisions of submarines to the Orient.
- F. Keep the main strength of the US fleet now in the Pacific in the vicinity of the Hawaiian Islands.
- G. Insist that the Dutch refuse to grant Japanese demands for undue economic concessions, particularly petroleum.
- H. Complete embargo of all US trade with Japan, in collaboration with a similar embargo imposed by the British Empire.<sup>31</sup>

McCollum concluded his memorandum with a cross between suggestion and warning: "If by these means Japan could be led to commit an overt act of war, so much the better. At all events we must be fully prepared to accept the threat of war."<sup>32</sup>

Over the course of 1941, FDR implemented all eight of these steps to one degree or another. Agreements were made with Britain and the Dutch (points A and B). Support for China continued through Burma and other routes (point C). As described above, Roosevelt put a complete embargo on shipping goods and supplies to Japan, and froze the holdings of Japanese in the US (point H). The Dutch started tightening the screws on selling oil to Japan (point G).

Twenty-four submarines were sent to Manila (Point E).<sup>33</sup> The presence of the Asiatic Fleet in the Orient presumably satisfied point D. FDR also personally directed so-called pop-up cruises to antagonize the Japanese. He wrote: "I just want them to keep popping up here and there and keep the Jap's guessing. I don't mind losing one or two cruisers, but do not take a chance on losing five or six." Admiral Kimmel objected: "It is ill advised and will lead to war if we make this move."<sup>34</sup> Three such pop-up cruises are reported on White House records.

The remaining point (point F) was to move the Pacific Fleet from San Diego to Hawaii. When Admiral James O. Richardson, Kimmel's predecessor, was told about the plan to move the fleet to Hawaii, he retorted: "Mr. President, senior officers of the Navy do not have the trust and confidence in the civilian leadership of this country that is essential for the prosecution of a war in the Pacific."<sup>35</sup> Richardson quoted FDR as saying: "Sooner or later the Japanese would commit an overt act against the United States and the nation would be willing to enter the war."<sup>36</sup> Shortly thereafter

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<sup>31</sup>McCollum Memorandum, pp. 3-4.

<sup>32</sup>McCollum Memorandum, p. 4.

<sup>33</sup>Gannon states (p. 149) that the first submarine reinforcements were sent to the Asiatic fleet in October 1939, a year before McCollum's memo. It is not clear if more were sent after the memo was issued.

<sup>34</sup>Cited in Stinnett, *Day of Deceit*, p. 9.

<sup>35</sup>Cited in Stinnett, *Day of Deceit*, p. 19.

<sup>36</sup>Cited in Stinnett, *Day of Deceit*, p. 20.

Richardson was relieved and Kimmel assigned Commander in Chief of the Pacific Fleet. The fleet was moved to Hawaii and, although Kimmel objected, he kept those objections to himself.

At the Atlantic Conference, on the evening of 9 August 1941, FDR made a commitment to British Premier Churchill regarding joint action in the case of Japan invading British possessions in the Far East.<sup>37</sup> To reconcile that commitment to Britain with his promise to the American people that their boys would not fight in a foreign war unless attacked, FDR saw a need that (1) Japan must make the first overt act of war and (2) that overt act must be against some US possession (such as the Philippines, Guam, or Hawaii), not against British Singapore or the Dutch East Indies.

### ***The Significant Quartet and Their Seniors.***

In 1928 McCollum was asked to teach a Japanese language course. An enduring friendship formed with him and three other officers in the class – Joseph J. Rochefort, Edwin Layton, and Ethelbert Watts. Those four names were destined to pop up frequently in the drama leading up to December 7, 1941. Rochefort became commander of Hawaii's Station-HYPO, the intelligence control center for the Pacific Fleet. Layton became Kimmel's intelligence officer and was the conduit of all intelligence to the admiral. McCollum became head of the Far East Intelligence Section of ONI and FDR's routing manager, with Watts as his assistant. In these positions, this "significant quartet," as I shall call them, controlled the pipeline of intelligence information to both Kimmel and FDR. These four – all sympathetic with McCollum's plan to force the Japanese into an overt act of war – actually controlled the point distribution of intelligence data, if it got that far.

The flow of intelligence information to outlying commanders was authorized by four top military officers. General George C. Marshall, Army Chief of Staff, and Brigadier General Leonard T. Gerow, Chief of Army War Plans Division, controlled the flow of intelligence to all Army commanders including Short. Admiral Harold R. Stark, Chief of Naval Operations, and Rear Admiral Richmond Kelly Turner, Chief of Navy War Plans Division, were the gate for all intelligence to Navy commanders, including Kimmel.

This arrangement at the working level managed to keep Hawaii in the dark as far as planning for an attack. Intelligence through official channels was restricted by the two generals and two admirals. If information filtered in from other locations it could be filtered out by the "significant quartet." Of course FDR and his war cabinet had access to intelligence – including Secretary of State Cordell Hull, Secretary of War Henry L. Stimson, Secretary of Navy Frank Knox, and FDR's personal confidant and advisor Harry Hopkins. The original recipients of McCollum's memorandum, Captains Walter S. Anderson and Dudley W. Knox, were undoubtedly in the loop, also. Stinnett cites about 35 people in his book who knew in advance about Pearl Harbor and says there were probably more.

With that understanding of how FDR had revamped the Pacific Fleet's command structure, and the flow of information to it, let us continue with how this facilitated the chain of events leading up to Pearl Harbor.

### ***Intelligence Suppression at Work.***

Evidence that McCollum's eight steps were having the desired effect surfaced in early 1941. Secretary of State Cordell Hull on January 27<sup>th</sup> received a message from the US ambassador in

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<sup>37</sup>This commitment was apparently not passed down to FDR's subordinates. After the war there were no witnesses to the agreement except British. Historian Michael Gannon expressed doubts about whether the agreement was actually made or whether the British only heard what they wanted to hear. (See Gannon, p. 118.)

Tokyo. The ambassador had heard from Peruvian Embassy officials that Japan was planning a surprise attack on Pearl Harbor in the event of trouble with the US (along the lines of McCollum's eight points). As chief of the Far East section of the ONI, McCollum was assigned to evaluate the message. Although this is exactly the scenario his memo was designed to provoke, he discounted the message as rumor and said Japanese naval activity indicated no such plan.

But Washington knew it was not a rumor. Japanese relations were deteriorating as McCollum's action proposals were applied. On 30 January 1941, an intercepted message from the Japanese foreign minister read: "In view of the critical situation between the two countries we must be prepared for the worst."<sup>38</sup>

There were other warning reports in 1941 of Japanese interest in attacking Pearl Harbor, and nothing was done about them. For instance, in June, the American commercial attache in Mexico sent Washington information about Japanese miniature submarines which could be used to attack ships in Pearl Harbor.<sup>39</sup> Washington did not take him seriously.

In August a British double agent, Dusko Popov, whose job was to feed controlled information to the Nazis, told the FBI he was being dispatched to Hawaii by the Germans to learn more about military targets on Oahu and in Pearl Harbor. The FBI said it looked too complete to be believed and could be a trap. Sir John Masterman, head of Britain's program to recruit and train double agents, said the information presented to the FBI "indicated very clearly that in the event of the United States being at war, Pearl Harbour would be the first point to be attacked, and that plans for this attack had reached an advanced state by August 1941."<sup>40</sup> The documents submitted by the double agent have since disappeared from FBI files.

The US ambassador in Tokyo apparently had an informant in the emperor's palace. He reported a November 2<sup>nd</sup> meeting of the Imperial Liaison Conference in which the emperor authorized Admiral Yamamoto to attack Pearl Harbor and destroy the Pacific fleet if war did happen. The ambassador closed his report with the warning: "War with the United States may come with dramatic and dangerous suddenness."<sup>41</sup> After sending the embassy's naval attache and his wife on a "vacation" to scout out the Inland Sea, the ambassador sent another warning on November 17<sup>th</sup> predicting sudden hostile action. In response to this message, and other intelligence about the buildup of *Kido Butai* in Hitokappu Bay, Washington declared the northern Pacific a "vacant sea." All shipping was diverted to a southern route, apparently to prevent discovery of the Japanese task force when it sailed.

Kimmel, in the meantime, was getting somewhat concerned over the spattering of information he was obtaining. Radio tracking stations had followed the main Japanese carrier force north to their assembly point at Hitokappu Bay. Kimmel wanted to know where those carriers were headed. On November 23<sup>rd</sup>, apparently ignoring the "vacant sea" order, he sent his fleet into the waters north of Hawaii – ostensibly on maneuvers to prevent an air attack but at the same time to scour the area for the Japanese carrier force. His operation was at the exact spot where the Japanese would launch their

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<sup>38</sup>Cited in Stinnett, *Day of Deceit*, p. 29.

<sup>39</sup>Although miniature submarines were not effective in the Pearl Harbor attack, one had run aground in the harbor and several others were sunk at sea.

<sup>40</sup>Cited in Toland, p. 260.

<sup>41</sup>Cited in Stinnett, *Day of Deceit*, p. 143.

planes on December 7<sup>th</sup>.<sup>42</sup> When Washington was informed, Kimmel was ordered to return to Pearl Harbor and send his carriers on another mission. This cancellation of Kimmel's exercise, and the reasons behind it, were never discussed in any of the Pearl harbor investigations.

Kimmel and Short were also kept out of the loop regarding many of the Japanese radio messages that were intercepted, decoded, and translated. In a 4 October 1940 letter from Rear Admiral Royal Ingersoll, Assistant Chief of Naval Operations, to all fleet commanders he said: "Every major movement of the Orange [America's code name for Japan] Fleet<sup>43</sup> has been predicted, and a continuous flow of Orange diplomatic activities has been made available."<sup>44</sup> This means that, by intercepting and processing encrypted radio communication, the Japanese warships were being monitored and Japanese messages to embassies and consular offices overseas were being read – the US could understand both their naval and diplomatic codes. To understand how radio was used, it would be helpful to know about the radio intercept stations (listening posts) around the Pacific rim at that time.

### ***Pacific Rim Radio Listening Posts.***

There were 22 Pacific listening posts in place in 1941. Seventeen were run by the US (13 Navy and 4 Army), four by the British, and one by the Dutch.<sup>45</sup> The Dutch station, called *Kamer-14*, was situated on Java in the Netherlands East Indies (now Indonesia). It was a full-service station which could intercept coded messages, decrypt and translate them, and obtain a radio direction finding (RDF) bearing on them. The main British station was at Singapore and it was also a full-service station. The second on Stonecutter Island in Hong Kong harbor was an intercept and RDF station. The other two were at Esquimalt and Ucluelet in Canada – both on British Columbia's Vancouver Island. They were for RDF only.

The four Army monitoring stations in the Pacific were MS-2 (San Francisco), MS-4 (Panama Canal Zone), MS-5 (Oahu, Hawaii), and MS-6 (Philippines). They all operated under the Army's Signal Intelligence Service (SIS) in Washington D.C., where intercepted messages were processed.<sup>46</sup>

The thirteen US Navy stations were divided into three geographic regions:

- **Navy Western Pacific Network.** Station-CAST on Corregidor in the Philippines was the regional control station. It was a full service station which could intercept and process all coded messages – both Japanese Navy and diplomatic – and take RDF bearings on radio signals.
- **Navy Mid-Pacific Network.** Station-HYPO, in the basement of the 14<sup>th</sup> Naval District administration building at Pearl Harbor, was the regional control station. It

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<sup>42</sup>The US had always considered the northern Pacific as a possible launch point for an air attack on Hawaii. In 1938, during maneuvers around Hawaii, Vice Admiral Earnest J. King launched a successful simulated surprise attack on Pearl Harbor from the aircraft carrier *USS Saratoga*.

<sup>43</sup>America's major war plan for 1940-1941 was code-named Rainbow. Each potential enemy was assigned a color. Orange designated Japan.

<sup>44</sup>Cited in Stinnett, *Day of Deceit*, p 23.

<sup>45</sup>The Dutch government was in exile in London at this time.

<sup>46</sup>In this sense, the word "processing" means decoding the message and then translating it from Japanese to English.

had no intercept or RDF capability. It only processed messages that were sent from other stations. This network concentrated strictly on naval and maritime messages. Station-HYPO did not process diplomatic or consular intercepts.

- **Navy US West Coast Network.** Station-SAIL in Seattle was the regional control station. It could intercept coded messages and take RDF bearings but could not decode messages. Station-SAIL sent still-encrypted messages to Washington D.C. for processing.

These Navy stations were under the control of Op-20-G (also known as Station-US), which was the Security Intelligence Section of US Naval Communications, Washington D.C. Op-20-G and the Army's SIS worked very closely in Washington. In fact, they would often rotate weekend duty for receiving and processing messages. These Navy geographic regions and the thirteen stations are described in Appendix-A. But let me review briefly which stations could actually decode messages intercepted by the Pacific rim network.

- In Washington, both the Navy Op-20-G and the Army SIS could decipher all codes that were broken – including diplomatic/consular codes as well as navy/maritime codes.
- Station-CAST could decipher all codes that were broken – including diplomatic/consular codes as well as navy/maritime codes.
- Station-HYPO only deciphered navy/maritime codes that were broken. It could decipher the J-19 consular code but did not monitor that frequency.
- The British station at Singapore and the Dutch *Kamer-14* on Java could apparently decipher all codes that had been broken.

For this paper we will be mainly interested in the Navy's Mid-Pacific Network and the Army's Monitoring Station-5 (MS-5). The Mid Pacific Network concentrated on Japanese Naval communications.<sup>47</sup> It did not monitor diplomatic and consular code frequencies – they were handled by the other two Navy networks in the Pacific and the Army's MS-5 on Hawaii (although MS-5 could not decipher anything). On the other hand, most Japanese messages intercepted by the Army's MS-5, located at Fort Shafter on Oahu, were those being sent to foreign embassies and consulate offices in the top diplomatic code known to as Purple, or in the main consular code called J-19.<sup>48, 49</sup> MS-5 did not decode any of the messages it intercepted because it had no equipment or trained personnel for processing. It sent them to the SIS in Washington by Pan American Clipper flight for decoding.<sup>50</sup>

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<sup>47</sup>Four naval code systems were used to assemble *Kido Butai* and guide it to Hawaii: (1) the JN-25 or "five number" code, also called AN-1; (2) the radio call sign code for officials, land stations, warships, and merchant ships; (3) the ship movement (SM) code to report arrivals and departures of ships; and (4) the merchant ship (MS) code. All of these codes had been cracked by the US, British, and Dutch by Fall of 1941.

<sup>48</sup>The Japanese used Purple code to communicate with its embassies overseas. The J-series code was used to communicate with the various consulates. Japan's Hawaiian consulate could not receive Purple.

<sup>49</sup>The J-series code was changed three times in 1941 (to J-17, J-18, and then J-19). J-19 was the latest and was used in the final weeks leading up to the Pearl Harbor attack. Each time it was changed, US cryptologists cracked it within one day.

<sup>50</sup>Toland says the Magic messages from Army MS-5 were sent to Washington by air mail. Stinnett says that Navy messages were sent to Washington by teleprinter (teletypewriter). The only explanation seems to be that the Navy messages (already decoded) could then be encrypted again in the US naval code for a faster means of transmission.

**Figure 1**  
**CHRONOLOGY**  
**1941 EVENTS LEADING UP TO PEARL HARBOR**

- Jan 27<sup>th</sup> – US ambassador in Tokyo warns of possible surprise attack on Pearl Harbor.
- June – US commercial attache in Mexico warns Japanese miniature subs might attack Pearl Harbor.
- August – British double agent warns of Japanese interest in military targets at Pearl Harbor.
- Sep. 24<sup>th</sup> – “Bomb Plot” message sent to Hawaiian spy from Tokyo.
- Oct. 16<sup>th</sup> – General Hideki Tojo becomes prime minister of Japan. Rules with militaristic cabinet.
- Nov. 2<sup>nd</sup> – US ambassador in Tokyo warns that Emperor had authorized an attack on Pearl Harbor.
- Nov. 19<sup>th</sup> – “Winds Setup” message intercepted.
- Nov. 20<sup>th</sup> – Station-H in Hawaii detects split in Japanese carrier fleet. Two heading south and four heading east toward Hitokappu Bay and Hawaii.
- Nov. 23<sup>rd</sup> – Kimmel sends task force north to look for “missing” Japanese carriers. Ordered to return to Hawaii by Washington.
- Nov. 26<sup>th</sup> – US State Secretary Cordell Hull gives his ultimatum to Japanese ambassador.  
– Kido Butai leaves Hitokappu Bay for Hawaii.
- Nov. 27<sup>th</sup> – War warning messages sent to Kimmel and Short. Indicates attack expected in Philippines.
- Dec. 1<sup>st</sup> – Director of Naval Intelligence issued bulletin on two task forces heading to Philippines.  
No mention of Kido Butai.
- Dec. 2<sup>nd</sup> – Hawaiian spy reported information indicating Pearl Harbor is target. (Read before Dec. 7<sup>th</sup>.)  
– Kido Butai position tracked to half way between Japan and Hawaii.
- Dec. 3<sup>rd</sup> – Kimmel receives notice that certain Japanese consulates are destroying their code.  
– J-19 consulate code no longer used. Less secure PA code now used.
- Dec. 4<sup>th</sup> – Kimmel receives “info only” message that some US bases are destroying their code.  
– “Winds Execute” message received by Ralph Biggs at the Navy’s east coast intercept station.
- Dec. 5<sup>th</sup> – Sino-Korean Peoples agent warns that Pearl Harbor will be attacked this weekend.
- Dec. 6<sup>th</sup> – First 13 points of 14-point message intercepted and read in Washington..  
– Hawaiian spy reports Pearl Harbor ripe for sneak attack. (Maybe wasn’t read before Dec 7th)  
– Kimmel receives message that more Pacific US naval bases may have to destroy their code.  
– Kido Butai tracked to within 400 miles of Hawaii.
- December 7<sup>th</sup>** – 14<sup>th</sup> point of 14-point message received.  
– **Japanese attack Pearl Harbor**

No commanders in Hawaii knew the content of these Japanese messages until Washington had deciphered them, and then only if the information was sent back to Hawaii. The deciphered messages were known as Magic, or Magic messages.

Regarding the Purple diplomatic code, there was no Purple decoding machine in all of Hawaii. Even the Navy's regional control station – Station-HYPO – did not have a Purple machine because the Navy on Hawaii was told to focus on Japanese Navy communications.

Unlike the cooperation between Op-20-G and SIS in Washington, or between Station-CAST and MS-6 in the Philippines, there was no liaison between Station-HYPO and MS-5. They did not share intercepts. It seems evident that General Short did not even know that Station-HYPO could process the J-19 diplomatic code, which it didn't even monitor. And of course neither Hawaiian station could process the Purple code because there was no Purple deciphering machine in Hawaii.

### ***The Bomb Plot Message.***

There was one known spy in the Japanese Consulate in Honolulu – a disguised Japanese naval officer. He received his instructions and submitted all his information through the Consulate office using the consular J-series code. From March to August 1941 he had been providing Tokyo with a count of the ships in Pearl Harbor. In August he was asked to plot where all the ships were anchored and other tactical details. Then on 24 September he received what has been called the “Bomb Plot Message” from Tokyo. This message in the J-19 code was intercepted by MS-5 and sent by air to Washington. It was decrypted by SIS on October 6<sup>th</sup>. It must have been processed by Station-CAST about the same time. The message instructed the Japanese spy to map Pearl Harbor into five areas – (A) waters between Ford Island and the Arsenal, (B) waters adjacent to Ford Island on the south and west sides, (C) East Loch, (D) Middle Loch, and (F) West Loch and communicating water routes. Then the message requested the location of all vessels by type in each area, and how they were moored. This was in effect requesting a



*USS Arizona* 7 December 1941

bombing grid with coordinates of all targets. Other important messages received between then and November 8<sup>th</sup> were instructions to report all ship movements, to provide special scrutiny of naval air bases, and to provide information on strategic locations around Honolulu. None of these messages were provided to Kimmel or Short. Short, who was responsible for naval vessels security while they were in port, was merely alerted to watch carefully for sabotage and espionage.

On December 2<sup>nd</sup> and 6<sup>th</sup> the spy sent messages containing information that definitely indicating Pearl Harbor would be attacked. Robert Stinnett has documents obtained from FOIA requests that show the December 2<sup>nd</sup> message was decoded and translated by December 5<sup>th</sup>. There is no proof the December 6<sup>th</sup> message was processed before the attack.<sup>51</sup>

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<sup>51</sup>Cirignano

When Kimmel first heard of the “Bomb Plot” messages in 1944, he said: “These Japanese instructions and reports [withheld from me] pointed to an attack by Japan upon the ships in Pearl Harbor. ... No one had a greater right than I to know that Japan had carved up Pearl Harbor. ... Knowledge of these intercepted Japanese dispatches would have radically changed the estimate of the situation made by me and my staff [and] afforded an opportunity to ambush the striking force as it ventured to Hawaii.”<sup>52</sup>

Substantiating information on the Bomb Plot had reached Washington from another source in early Fall 1941. After failing to reach a responsible person in the State Department, an agent of the Sino-Korean People’s League called upon Eric Sevareid in the Washington office of CBS. The agent, Kilsoo Haan, told Sevareid that friends in the Korean underground had proof that the Japanese were going to attack Pearl Harbor before Christmas. One piece of the proof, recalled Sevareid later, was that “a Korean working in the Japanese consulate in Honolulu had seen full blueprints of our above-water and underwater naval installation – spread out on the consul’s desk.”<sup>53</sup> In late October Haan did convince Iowa Senator Guy Gillette that the Japanese planned simultaneous attacks on Pearl Harbor and the Philippines – as well as Midway, Guam, and Wake Islands – in December or January. Gillette alerted the State Department, ONI, and SIS. Major Warren J. Clear of Army intelligence in the Far East similarly warned that Japanese attacks were planned against a chain of islands including Hawaii and Guam.

### *The “Winds” Messages.*

Another important set of intercepts were the so-called “Winds” messages – the “Winds Setup” and the “Winds Execute.” On 19 November 1941 the Japanese Foreign Office sent to all foreign representatives the “Winds Setup” message in the J-19 consular code. British intelligence decoded it on November 25<sup>th</sup> and the US on November 28<sup>th</sup>. It gave certain code words that would be broadcast in plain Japanese language over Tokyo short-wave radio, in the form of a weather report, to notify all Japanese consulate offices if diplomatic relations were being broken off with either Britain, Russia, or the US. The code words to be used (translated) were:

“West wind, clear” would indicate a break with Britain.

“North wind, cloudy” would indicate a break with Russia.

“East wind, rain” would indicate a break with the US.

This “Winds Execute” message would be broadcast during a scheduled program, and would not be encrypted. When one of these execute messages was received, the consulates in the country specified were to destroy their code books. For an embassy or consulate to destroy its code books is a sure sign that war is imminent war – probably within a day or two. That is why intercepting the “Winds Execute” message was considered a critical warning.

On Java in the Netherlands East Indies (now Indonesia), the Dutch army intercepted a message in the consular code which they had broken. It described a simultaneous attack on Hawaii, the Philippines, Malaya, and Thailand which would be announced by Radio Tokyo as a weather broadcast. It was the “Winds Setup” message. Dutch General Hein Ter Poorten personally carried the decoded intercept to the American military observer, Brigadier General Elliott Thorpe. Since Thorpe didn’t have his code book with him, the senior naval attache at the American Consulate sent

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<sup>52</sup>Cited in Gannon, p. 193.

<sup>53</sup>Cited in Toland, p. 260.

the message to Washington for him, in the naval code. Thorpe later sent another message to Washington on his own. General Ter Poorten also sent the information to the Dutch military attache in Washington with instructions to pass it on to high US officials. General Marshall is reported to have said: "Can you take such reports seriously?"<sup>54</sup> The Thorpe and Poorten messages have disappeared from official files.

Early on December 4<sup>th</sup>, the "Winds Execute" message was received by Ralph Biggs at the Navy's East Coast Intercept Station. It said "East wind, rain." This meant war with the country to the east – the United States. Briggs made an entry in the daily log sheet describing this message. All references to these "Winds" messages disappeared shortly thereafter from US files, but there has been ample testimony that they did exist. Ralph Biggs was ordered by his commanding officer not to testify at the Joint Congressional hearing.

The "Winds" messages received a lot of attention during many of the investigations following Pearl Harbor. They indicated that war was imminent but not where the attack would take place. Those messages may have been used during the investigations as a red herring to draw attention away from other more revealing information.

### ***A Last Minute Warning.***

On Friday, December 5<sup>th</sup>, three more battleships arrived at Pearl harbor. The lone aircraft carrier, *USS Lexington*, left port with five heavy cruisers. That same day in Washington, Kilsoo Haan, the Sino-Korean People's League agent, called Maxwell Hamilton in the State Department warning that the Korean underground had discovered that Hawaii would be attacked the coming weekend. Haan immediately followed up with a written report:

Pursuant to our telephone conversation regarding our agents' apprehensions that Japan may suddenly move against Hawaii "this coming weekend," may I call your attention to the following relevant and pertinent information.

*One:* The publication of US Army Air Corps maneuvers throughout the Hawaiian Islands by the Japanese daily *Nippu Jiji*, Nov. 22, 1941. This timetable of air maneuvers is from November through Dec. 31, 1941, "every day except sundays and holidays."

*Two:* The Italian magazine "Oggi" of October 24, 1941 published an article in Rome forecasting war between Japan and America. ... by air and naval attack of the Hawaiian Islands and eventually attacking Alaska, California and the Panama Canal.<sup>55</sup>

Referring to an October 1940 Japanese book -- *The Three Power Alliance and the US-Japan War*<sup>56</sup> with a chapter entitled "The Japanese Surprise Attack Fleet" – which predicted that Japan would seek advantage by striking first in a war with the US, Haan continued: "It is our considered observation and sincere belief, December is the month of the Japanese attack, and the SURPRISE FLEET is aimed at Hawaii, perhaps the first Sunday in December...."<sup>57</sup>

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<sup>54</sup>Reported by Colonel Weijerman, the Dutch military attache in Washington, when he personally delivered the information to General Marshall. Cited in Toland, p. 317.

<sup>55</sup>Cited in Toland, pp. 289-290.

<sup>56</sup>Written by Kinoaki Matsuo, published in October 1940.

<sup>57</sup>Cited in Toland, p. 290.

The following Sunday, December 7<sup>th</sup>, after the attack, Hamilton called Hahn, demanding that Haan's warning of two days ago not be released to the press. "If you do," Hamilton threatened, "I can put you away for the duration."<sup>58</sup>

### ***The 14-Part Message.***

On December 6<sup>th</sup>, the day before Pearl Harbor was attacked, the Navy's Translation Section was deciphering the first 13 parts of a 14-part message. The 14<sup>th</sup> part was to be sent the next day. The first 13 parts of this message clearly indicated that Japan was very upset with State Secretary Hull's November 26th ultimatum to Japan's final offer during negotiations.<sup>59</sup> Both FDR and Admiral Theodore Wilkinson, Chief of Naval Intelligence, received decoded copies of the first 13 parts.. When FDR read them that evening he exclaimed: "This means war."<sup>60</sup>

By 9:00 AM December 7<sup>th</sup>, Washington time, the 14<sup>th</sup> part of the message had been received and decoded. It said that it was "impossible to reach an agreement through further negotiations."<sup>61</sup> That meant that negotiations had been terminated, a virtual declaration of war. The Japanese ambassador was instructed to deliver the message to US State Secretary Hull at 1:00PM (which would be 7:30 AM Hawaii time, a half-hour before the planned time of attack). Naval intelligence chief Admiral Wilkinson immediately delivered the processed message to Admiral Stark, who was CNO, and suggested that he call Kimmel immediately. But the CNO thought the November 27<sup>th</sup> "War Warning" was enough and tried to call FDR instead, but the line was busy

When Army Chief of Staff General Marshall read the message he quickly jotted a dispatch to Short, and the telephoned CNO Stark. Stark offered to send the warning message to Short via the Navy's rapid transmission facilities but Marshall said he would handle it. Although Marshall had a scrambler on his telephone, he marked the message "First Priority – Secret" and sent it by Western Union. It was decoded in Hawaii seven hours after the attack.

Since no instructions were received by either Kimmel or Short since November 27<sup>th</sup>, they presumed that negotiations had resumed. Two other messages were intercepted by MS-5 the day before the attack – December 6<sup>th</sup> – but did not weave their way to Washington soon enough to be deciphered. They provided Tokyo with the current inventory of ships at Pearl Harbor, advised that there seemed to be no air patrols or barrage balloons, and that no torpedo nets were detected in the harbor. If MS-5 in Hawaii had been provided trained personnel with a decryption machine, these obvious instructions for an imminent attack would have been a cogent warning.

### ***Tracking Kido Butai – Traffic Analysis.***

It seems to me (the compiler) that it is not necessary to depend on intelligence derived from processing Japanese codes in order to show that FDR and Washington knew that *Kido Butai* was

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<sup>58</sup>Cited in Toland, p. 311. Haan did not release his warning until after the war.

<sup>59</sup>This 26 December 1941 document is called "Hull's Ultimatum." It called for Japan to withdraw from China and Indochina. The US ambassador to Japan called it "The document that touched the button that started the war." (Quoted in Willey abstract.) Some historians and authors maintain that this ultimatum was planned by FDR to touch off the act of aggression that would take the United States into World War II.

<sup>60</sup>Cited in Toland, p. 5.

<sup>61</sup>Cited in Toland, p. 10.

heading for Hawaii. Such intelligence is compelling evidence of foreknowledge, and possible even provocation, but it diverts attention from the main point. The debate over cryptographic analysis never seems to end. Controversy over such things as what revision of the various Japanese codes the US was reading before Pearl Harbor, whether or not certain messages were decoded before December 7th, whether or not there was actually a “Winds Execute” message or was merely Safford’s misinterpretation, whether or not the “Bomb Plot” was unique to Pearl Harbor or other potential targets were likewise being mapped, whether or not Australian planes actually spotted *Kido Butai* steaming toward Pearl Harbor on December 6th,<sup>62</sup> whether or not the 14-point message really constituted a declaration of war or was merely a strong diplomatic statement, whether or not the Honolulu spy’s December 2<sup>nd</sup> and December 6<sup>th</sup> reports were decoded before the attack, and whether or not weather conditions prevented Marshall from using his scrambler phone on the morning of December 7th. This endless chain of rebuttals and counter-rebuttals are diverting attention from other activity which provides conclusive proof that the attack on Pearl Harbor was known beforehand and was allowed to happen.

In 1930, when there were only two stations in the Pacific rim radio intercept network,<sup>63</sup> the nine newly-trained technicians at Station-Baker on Guam heard a flurry of radio messages from the Japanese fleet. By piecing together the intercept patterns alone, before messages were ever decrypted and translated, they were able to locate the entire fleet and determine that it was engaged in a massive exercise at sea. When the intercepts were finally processed months later, it became apparent that the Japanese Navy was practicing for the invasion of Manchuria the following year. The Guam operators had detected this activity months earlier without even decoding the messages. After that the US Navy began investigating ways to acquire all possible intelligence from intercepted radio signals by means other than cryptographic analysis. This eventually became known as “traffic analysis.” It included watching for all types of shipping – including supply ships and oil tankers which always accompanied a naval armada and sometimes provided a needed edge in determining the main force location.<sup>64</sup> “Traffic analysis” is the one aspect of instant intelligence that cannot be refuted, and the thing that was kept out of all the Pearl Harbor investigations.

Through the use of radio direction finding (RDF), cross bearings could be provided to give the exact location of ships transmitting radio messages. In addition, radio intercept stations used oscilloscopes to identify the radio fingerprint of each station. No two stations were alike. Each transmitted unique spurious sounds. Each ship could be identified, not only by its radio call sign but also by the character of its radio signal. US radio technicians became so expert that individual operators could sometimes be identified just by the manner in which he used the telegraph key.

A cogent example of “traffic analysis” intelligence on Japanese fleet movements took place at Station-H in Hawaii – the radio intercept station for Station-HYPO and on the opposite side of the island. Homer Kisner was the Pacific Fleet’s radio intercept traffic chief and was in charge of Station-H. In April 1988 and April 1998 interviews with Kisner, author Robert Stinnett learned that on Thanksgiving Day 1941 (20 November 1941) Station-H had detected a split in the Japanese aircraft

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<sup>62</sup>See Beard, pp. 276, 277 and 280-281.

<sup>63</sup>The first shore based intercept radio station in the network was Station-Able located at the US consulate in Shanghai. It was later discontinued.

<sup>64</sup>In addition to aiding “traffic analysis,” the tankers accompanying *Kido Butai* routinely reported their longitude and latitude several times a day, which simplified tracking using cryptographic analysis.

carrier fleet.<sup>65</sup> Two light carrier divisions (four carriers) had gone south with the Philippines invasion force, and three heavy carrier divisions (six carriers) proceeding easterly toward Hawaii.<sup>66</sup> This was when the negotiations between Hull and the Japanese ambassador were getting pretty heavy. It was less than a week before “Hull’s ultimatum.” The aircraft carrier force was splitting up to support both the invasion of the Philippines and the attack on Hawaii.<sup>67</sup>

Captain Duane Whitlock was an enlisted operator at Station-CAST in late 1941. In his *Naval War College Review* article he describes how, by using “traffic analysis” alone, the operators at that station, and the British station at Singapore, detected a new order of battle for the Japanese Navy, including the separation of the aircraft carriers.<sup>68</sup> Later, a detailed component description of two Japanese task forces approaching the Philippines was produced. The formation of *Kido Butai* at Hitokappu Bay was also monitored. “Traffic analysis” became an important technique in immediately determining the battle order (i.e. which ships are where and the composition of various enemy task forces) without decoding any messages. Whitlock indicated that this could have happened for the task force approaching Hawaii, but he vaguely implied the official line that *Kido Butai* maintained radio silence.<sup>69</sup>

Rudolph J. Fabian was a Navy lieutenant at Station-CAST during that time. While testifying at the Hewitt inquiry (to be discussed below) in 1945, he concluded his presentation “by acknowledging that information on the location and movements of Japanese warships was obtained by traffic analysis and not from decryption.”<sup>70</sup>

Journalist turned historian Robert Stinnett described in his book how radio messages from *Kido Butai* were being intercepted. David Kahn wrote a book on US code breaking and he severely criticized Stinnett’s book. “Central to the surprise [attack] was the radio silence of the strike force,” Kahn said. “The Japanese commanders and radio operators alike, say unanimously they never transmitted any messages.”<sup>71</sup> When Stinnett was confronted with this comment, he pulled out copies of the actual messages that were intercepted. Some 844 messages were sent by Japan’s First Air

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<sup>65</sup>Thanksgiving day 1941 was on the third Thursday of the month – November 20<sup>th</sup>. Legislation to establish Thanksgiving as the fourth Thursday in November didn’t take effect until 1942.

<sup>66</sup>See Stinnett, *Day of Deceit*, pp. 53 *et. seq.*

<sup>67</sup>Homer Kisner was never called to testify at any of the Pearl Harbor investigations, including the 1995 hearing (discussed below). Neither were any of his 65 radio operators. Eighty-six percent of Station-H message sheets and intercept logs are still locked up – secret – because of “national security.”

<sup>68</sup>See Whitlock.

<sup>69</sup>Although Captain Whitlock seemed to perpetuate the official story of radio silence in his 1995 article, he verified in an interview with Robert Stinnett that Station-CAST had been tracking the carriers of *Kido Butai* (see Stinnett, *Day of Deceit*, pp. 185-187). Whitlock also told Stinnett that the information was sent to Station-HYPO in a US Navy code called TESTM. No testimony or evidence on TESTM dispatches were introduced at any of the Pearl Harbor inquiries. Neither was Captain Whitlock asked to testify.

<sup>70</sup>Gannon, p. 208. This is the only time (at least that I could find) that Gannon mentioned “Traffic Analysis” in his book, and even then he did not explain what it was. Omission of such an important part of history seems inconsistent with a factual report presentation.

<sup>71</sup>Cited in *The Pearl Harbor Deception*.

Fleet – the aircraft carrier part the *Kido Butai* moving toward Hawaii – in the JN-25 main operational code alone, as it prepared for the Pearl Harbor attack.<sup>72</sup>

Station-H in Hawaii intercepted an important message on 24 November 1941. It contained the instructions from Admiral Yamamoto to his fleet about radio silence. Contrary to what most historians believe, Yamamoto's order did not call for strict radio silence. It allowed for emergencies and the commanders' discretion.<sup>73</sup>

When *Kido Butai* started their 12-day voyage eastward from Hitokappu Bay on 26 November 1941 (the day of "Hull's ultimatum") the weather was stormy. They had chosen the tossing wintry seas because other ships avoided the northern route at this time of year. But they did not observe radio silence. Immediately after the task force got under way, the admiral commanding the carriers started transmitting to converse with two other admirals – the commander of the submarine contingent of *Kido Butai* and Japan's Central Pacific commander on the island of Truk. Extensive communication continued for several days and then tapered off – until an emergency did arise.

A strong storm hit the northern Pacific on 30 November 1941. It scattered the ships of *Kido Butai* and the radio had to be used extensively to reassemble the task force. Although the power was kept low for tactical communication that normally carried no farther than 100 miles, this incident happened just after the strongest solar storm in at least 100 years and the disturbed ionosphere bounced radio signals all over the Pacific.<sup>74, 75</sup>

Early in the morning on 1 December 1941, the Matson passenger liner *SS Lurline* was just out of Los Angeles on its way to Hawaii. Leslie E. Grogan, the first assistant radio operator, detected a faint signal which, as he listened, gradually became louder. He could make out the call letters of JCS, Yokohama. Grogan wrote in his journal:

The Japs are blasting away on the lower Marine Radio frequency – it is all in Japanese code, and continues for several hours. Some of the signals are loud, and others weak, but in most every case, the repeat-back is acknowledged verbatim. ... The main body of signals came from a Northwest by West area, which from our second night from Los Angeles bound for Honolulu – would be North and West of Honolulu. Having crossed the Pacific for 30 years, never heard JCS Yokohama Japan before at 9 P.M. our time on the lower Marine frequency from some point in the Pacific. If anyone were to ask me, I would say it's the Jap's Mobilization Battle Order.<sup>76</sup>

The next night the signals were again heard. Grogan noted in his journal that he and his co-worker were making a concise record to turn over to Naval Intelligence when they arrive in Honolulu on December 3<sup>rd</sup>. On the final night at sea the signals were stronger yet. Grogan wrote in his journal that they provided "good Radio Direction Finder bearings, mostly coming from a Northwesterly

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<sup>72</sup>Cited in Stinnett, *Day of Deceit*, p. 76.

<sup>73</sup>Admiral Yamamoto's order regarding radio silence is published in Stinnett, *Day of Deceit*, p. 124. It reads: "From 26 November ships of combined fleet will observe radio communications procedures as follows. (1) Except in extreme emergency, the main force and its attached forces will cease communications. (2) Other forces are at the discretion of their respective commanders. (3) Supply ships, repair ships, hospital ships, etc., will report directly to parties concerned."

<sup>74</sup>See Stinnett Interview Transcript, answer to last question from Audience Member #15.

<sup>75</sup>See Willis. The solar storm of 18-19 September 1941 was the strongest since at least 1847.

<sup>76</sup>Cited in Toland, p. 279. The actual journal entry is longer and can be seen in Toland.

direction from our position. ... with all the tension we've seen up to now, its safe to say something is going to happen, and mighty soon, ..."77

The *SS Lurline* docked at 9:00 AM that morning. Grogan turned his information over to Naval Intelligence in Honolulu. The Lieutenant Commander in charge was courteous but not too enthused. He said he would forward the information on, but there is no record of it ever having gone anywhere.

When the *SS Lurline* docked in San Francisco on its return journey, it was met by Twelfth Naval District Intelligence personnel demanding the ship's log for the recent journey. Those records have since disappeared, as did Grogan's report to Naval Intelligence in Hawaii on December 3rd, but Grogan's personal journal remained in his possession.

Reports of these signals were also being reported to Twelfth Naval District Intelligence in San Francisco, which was charged with locating the missing Japanese carriers. One of their wire services reported peculiar radio signals from west of Hawaii that didn't make sense at that frequency. After checking with other services and shipping companies, the weird signals were located by plotting the RDF bearings on a great circle chart. Then the signals were reported to the commanding officer. Besides the *SS Lurline* and the 12<sup>th</sup> Naval district in San Francisco, these radio signals were intercepted by five other naval listening posts – Stations-ITEM, -CAST, -H, -KING, and -SAIL. By December 3<sup>rd</sup>, the signals indicated a place northwest of Hawaii. By December 6<sup>th</sup> the *Kido Butai* task force was positioned about 400 miles north-northwest of Pearl Harbor. All of this was also passed on to the commanding officer in San Francisco.

At the same time the *SS Lurline* was picking up radio signals, on December 2<sup>nd</sup>, Captain Johan E.M. Ranneft, the Dutch naval attache in Washington, visited the Office of Naval Intelligence (ONI) to discuss the Pacific situation. McCollum and Captain (later Admiral) Theodore Wilkinson, director of the ONI, were present. When Ranneft asked about the Japanese carriers that were supposed to be heading eastward (presumably those which were discovered by Station-H on Thanksgiving day), one of the Americans pointed to a spot on the map halfway between Japan and Hawaii and said, "This is the Japanese task force heading east."<sup>78</sup> An amazed Ranneft wrote in his official diary: "Conference at Navy Department, ONI. They show me on the map the position of two Japanese carriers. They left Japan on easterly course."<sup>79</sup> According to Ranneft's diary there were two separate movements of Japanese ships plotted on the ONI map. One was located directly west of Hawaii, the other was a movement of aircraft carriers moving easterly from Japan.<sup>80</sup>

Ranneft again visited the ONI on December 6<sup>th</sup> to see Wilkinson and McCollum. When he asked about the Japanese carriers this time, someone pointed a finger at the map about 400 miles north of Honolulu.<sup>81</sup> The ONI knew exactly where *Kido Butai* was the day before the attack. But the Hawaiian commanders weren't told.

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<sup>77</sup>Cited in Toland, p. 280.

<sup>78</sup>Cited in Toland, p. 283.

<sup>79</sup>Cited in Toland, p. 283.

<sup>80</sup>Cited in Stinnett, *Day of Deceit*, p. 43.

<sup>81</sup>Toland, p. 298.

Information concerning the tracking of Kido Butai has mysteriously disappeared from official files. This information was gleaned through personal interviews with Robert Stinnett and sundry other documents that escaped destruction such as Radioman Grogan's journal and the official diary of Dutch Navy Captain Johan E. Ranneft. All of these are incontrovertible evidence that cannot be dismissed with the "radio silence" claim. None of this information was introduced at any of the Pearl Harbor investigations, nor were any of the station operators asked to testify.

It was by tracking radio signals that Washington learned that *Kido Butai* consisted of two forces. The main force known as the First Air Fleet was moving across the northern Pacific toward Hawaii. It consisted of six aircraft carriers and two fast battleships escorted by two heavy cruisers, a light cruiser, and eight destroyers – followed by oilers and a supply ship.<sup>82</sup> The second force, composed of 30 submarines and other auxiliary vessels, was moving eastward through the central Pacific.

### ***Keeping the Hawaiian Commanders in the Dark..***

The Army's MS-5 listening post did not decode any messages so all information that Lt. Gen. Short received came from Washington or from Admiral Kimmel. Washington, of course, was able to control what was sent to Short. Keeping information from Kimmel was more difficult. It depended mainly on two of the "significant quartet" – Joseph J. Rochefort, commander of Station-HYPO, and Edwin Layton, Kimmel's intelligence officer.

As mentioned above, Hawaii did not have a machine to decode Purple messages. Sometime in April 1941, Kimmel's intelligence officer, Lieutenant Commander Layton, learned that Station-CAST in the Philippines had a Purple machine and requested one for Hawaii. Commander Arthur McCollum sent his refusal from Washington on April 22<sup>nd</sup>, saying: "The material you mentioned can necessarily have but passing and transient interest as action in the political sphere is determined by the government as a whole, and not by the forces afloat..." McCollum concluded: "In other words, while you and the Fleet may be highly interested in politics, there is nothing you can do about it."<sup>83</sup> Was that arrogance or humor? Maybe there was a hidden irony, considering that both Layton and McCollum belonged to the "significant quartet." Layton's request may have been routine, to satisfy Kimmel, knowing it would be refused. And McCollum may have been indulging in satiric humor, referring to their common knowledge of events planned.

Rear Admiral Royal Ingersoll, assistant CNO, ordered Station-CAST in the Philippines to supply processed Purple messages to both General MacArthur and Admiral Hart (commander-in-chief of Asiatic Fleet), but omitted any mention of Station-HYPO or Kimmel. Navy yeoman Robert Dowd, who worked at Station-CAST, said he was sure diplomatic messages were sent to Station-HYPO. Rear Admiral Richard Noyes, chief of the Navy's Communication Division, told the Joint Congressional Investigation on 16 February 1946: "I knew perfectly well that they [Station-CAST] could decipher the diplomatic traffic and send it to Honolulu."<sup>84</sup> But no Purple messages got to Kimmel.

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<sup>82</sup>The composition of the First Air Fleet and of Kido Butai vary with different sources. All agree, however, that there were six heavy aircraft carriers.

<sup>83</sup>Cited in Toland, pp. 57-58.

<sup>84</sup>Cited in Stinnett, *Day of Deceit*, p. 112.

Intrigue deepened when the Bomb Plot message was intercepted. It was in the J-19 consular code, which Station-CAST could process, had they been monitoring that frequency. Nevertheless, this message should also have been sent to Hawaii from Washington. Kimmel never received it. But Brigadier General Sherman Miles, the Army intelligence chief, dismissed the “Bomb Plot” type of communications as “chitter chat.”<sup>85</sup> It was not sent to either Kimmel or Short.

For one reason or another (see Appendix-A) processing the “B” revision of the JN-25 main Japanese Navy operational code was not done in Hawaii prior to December 7<sup>th</sup>. During the 1995 Congressional hearings (discussed below) Edward Kimmel, the admiral’s son, said: “Sometime after July 1941, the Navy High Command, without telling Admiral Kimmel, began withholding from him important, secret Japanese messages. ... The only explanation given for this appears to be the action of Admiral Richard Kelly Turner, Chief of the Navy’s War Plans Division. Admiral Turner took the position that no intelligence should be sent to the fleet except that which had been evaluated by him since intelligence could directly affect fleet operations and he had responsibility for giving operational orders to the fleet.”<sup>86</sup>

Rear Admiral Donald M. Showers (retired) also testified at the 1995 hearings that critical errors made by Washington “were compounded by inept interpretations of available intelligence by such persons as Admiral Turner, who lacked understanding of intelligence and analysis. The Director of Naval Intelligence, on the other hand, was forbidden by directive from providing his professional intelligence interpretation to the fleet. To claim that Admiral Kimmel was uninformed ... is too mild. He was in fact misled, ...”<sup>87</sup>

FDR made arrangements with RCA Wireless – the commercial telegraph company in Honolulu that was transmitting the encrypted Japanese Consulate messages in December – to provide copies immediately to Station-HYPO. But for some reason the messages sent by the spy at the Japanese Consulate never got decoded. Rochefort, Station-HYPO’s commander, said there was too much of a work load to decode them. Yet the designator known to be that of the Japanese spy was clearly stamped on those messages, and that was supposed to flag them as top priority. Other lower-priority messages were processed instead.

Rochefort and Layton were obviously screening messages from the Hawaiian commanders. But Captain Irving Mayfield, intelligence officer for the 14<sup>th</sup> Naval district, was apparently not in on the conspiracy. His potential interference with a cover-up was solved by a ruse that got him out of the picture. Walter Anderson, one of the original recipients of McCollum’s memorandum, was now a rear admiral and commander of battleships for the Pacific Fleet.<sup>88</sup> Anderson called Mayfield to serve on a court marshal board on one of the battleships.

Two lieutenants who worked under Mayfield did the translating for Station-HYPO, but they did not know how to decipher the messages. That is why many of the critical messages bearing the designator of the Japanese spy were not decoded – to prevent these two men from learning the contents and sounding the alarm. And some that were decoded contained errors to mask their critical significance. The Japanese spy’s message of December 2<sup>nd</sup> was an example. According to Japanese records and testimony by Japanese naval personnel after the war, this message (identified by a

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<sup>85</sup>Cited in Stinnett, *Day of Deceit*, p. 102.

<sup>86</sup>1995 Hearings.

<sup>87</sup>1995 Hearings.

<sup>88</sup>Robert Stinnett made it abundantly clear in his book, *Day of Deceit*, that Rear Admiral Anderson declined officer living quarters at the Pearl Harbor base and took up residence on the far side of Diamond Head. That is where he safely was on the morning Pearl Harbor was attacked.

Japanese Consulate file number) said the US had not been alerted and gave the all clear for the attack. Station-Hypo's translation was quite different. The discrepancy cannot be resolved because the original coded message received from RCA Wireless has never been released by the US.<sup>89</sup>

Kimmel was apparently informed about the submarines and that some carriers were reported early in their journey. On December 1<sup>st</sup> he read a document from Rochefort about a radio broadcast from one of the carriers in the task force, but he was not informed about the "Traffic analysis" of *Kido Butai*.<sup>90</sup> On December 2<sup>nd</sup>, Kimmel asked his intelligence officer, Edwin Layton, where those missing carriers were, and was incorrectly told they were still missing. Kimmel exclaimed "What, you don't know where [the heavy carriers] are?" The officer replied, "No sir, I do not. I think they are in home waters but I don't know where they are. The rest of these units, I feel pretty confident of their location."<sup>91</sup> On December 3<sup>rd</sup>, Admiral Kimmel received two dispatches but nothing about the Japanese carriers. Between the 1<sup>st</sup> and 6<sup>th</sup> of December, the Japanese spy in Honolulu dispatched ten messages which were immediately in US hands. None of the information went to Kimmel or Short.

On December 3<sup>rd</sup>, a message was intercepted which ordered Japanese embassies and consulates in the Pacific and in Washington to destroy their code books. This was a sign that war was imminent because destroying codes is done only days before war is to break out. But this message had a more specific indicator. All were ordered to destroy all codes **except** the consulate in Hawaii and the embassy in Washington. They were instructed to keep certain codes for last minute instructions. That could mean only one thing – that the attack was going to be against the US, and specifically against Hawaii. Kimmel was informed of this message by Edwin Layton but didn't grasp its full significance.

When the Japanese consulate in Hawaii stopped using the J-19 code on December 3<sup>rd</sup>, messages were sent in a less secure code which the US called PA. Between December 3<sup>rd</sup> and 6<sup>th</sup>, RCA furnished all messages in the PA code to Station-HYPO where they were shelved. The radio intercepts of these messages were sent to Washington by other stations, where they were buried.

These messages would have been cogent warnings to Kimmel and Short had they received them. The last one from the Honolulu spy on December 6<sup>th</sup>, for instance, discussed the absence of barrage balloons and ended: "I imagine that in all probability there is considerable opportunity left to take advantage for a surprise attack against these places."<sup>92</sup> When this message was decoded by Rochefort's assistant a few days after the attack, the translation of that line read: "The whole matter seems to have been dropped."<sup>93</sup> The lieutenant who translated the message could not explain the discrepancy.

It was not until the 4 July 1945, during the Hewitt inquiry (discussed below), that the reason was found. The message had been incorrectly decoded by Rochefort and his assistant, There were 88 decryption errors in that one incriminating message. It was the only message of all that were

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<sup>89</sup>See Stinnett, *Day of Deceit*, pp, 108-109.

<sup>90</sup>Since 1 November 1941, RDF reports were omitted from the intelligence summaries Rochefort prepared for Kimmel.

<sup>91</sup>Cited in Toland, p. 283.

<sup>92</sup>Cited in Stinnett, *Day of Deceit*, p. 116.

<sup>93</sup>Cited in Stinnett, *Day of Deceit*, p. 115.

## Figure 2

### PEARL HARBOR INVESTIGATIONS

1. Knox Inquiry  
11-12 December 1941  
Navy Secretary Frank Knox personal inquiry. His report defended Kimmel. FDR squelched it.
2. Roberts Commission  
18 December 1941 to 23 January 1942.  
Chaired by Associate Supreme Court Justice Owen T. Roberts. Report exonerated Washington and placed the blame on Kimmel and Short.
3. Hart Inquiry  
22 February to 15 June 1944.  
Conducted by retired Admiral Thomas A. Hart. He wrote that what he had learned threw some suspicions on the Navy Department's role.
4. Navy Court of Inquiry  
24 July to 27 September 1944.  
Chaired by retired Admiral Orin G. Murfin. While not exonerating Kimmel, the findings were critical of the Navy Department.
5. Army Pearl Harbor Board  
7 August to 6 October 1944.  
Chaired by Lieutenant General George Grunert. While not exonerating Short, the findings were critical of the War Department.
6. Clarke Investigation  
20 September 1944 to 4 August 1945.  
Conducted by Army Colonel Carter W. Clark. Sought information to water down Army Pearl Harbor Board findings.
7. Clausen Investigation  
24 January to 12 September 1945.  
Conducted by then Army Major Henry C. Clausen. Findings mitigated Army Pearl Harbor Board report to protect the War Dept.
8. Hewitt Inquiry  
14 May to 11 July 1945.  
Conducted by Admiral H. Kent Hewitt. Findings tended to mitigate the Navy Court of Inquiry findings and exonerate the Navy Dept.
9. Joint Congressional Committee on the Investigation of the Pearl Harbor Attack.  
15 November 1945 to 31 May 1946.  
Chaired by Senator Albin Barkley. Majority report, with some disclaimers, tended to exonerate Washington and blame Kimmel and Short.
10. Thurmond-Spence Joint Congressional Probe  
27 April 1995.  
Chaired by Senator Strom Thurmond. Report found that Kimmel and Short were not derelict in their responsibilities and recommended that They be posthumously restored to their highest wartime rank.
11. Dorn Report  
Submitted 15 December 1995.  
Prepared to rebut the Thurmond-Spence Probe findings by Undersecretary of Defense Edwin Dorn, after a piecemeal Pentagon study. Report said that although Kimmel and Short were not derelict in their duties, and others should share the blame, the Hawaiian commanders should not have their wartime rank restored. Report did not mention who else was to blame or why they weren't likewise discredited.

decrypted after December 7<sup>th</sup> that contained errors. Coincidence? More likely the first step in a cover-up that has lasted over 60 years.

Not only was Kimmel not informed about critical information derived from coded message intercepts, he was not told about locating Japanese warships by radio direction finding and the other aspects of “traffic analysis.” He did not know that Station-H, right there on the same island, had detected a split in the Japanese carrier force on Thanksgiving day. Kimmel did not even know about the spy in Honolulu. Rochefort’s daily intelligence summaries to Kimmel during the first week of December made no mention of the aircraft carrier component of *Kido Butai*.<sup>94</sup> Admiral Kimmel and Lieutenant General Short were kept in the dark.

## **PERPETUATING THE COVER UP**

The first Pearl Harbor investigation was by Navy Secretary Frank Knox. He conducted it in Hawaii four days after the attack. When Knox asked Kimmel if he had received the dispatch the night before the attack, he said he had not.

### ***First Investigation – The Knox Inquiry.***

In his report, Knox was pretty sympathetic with Kimmel and Short because they had not been privy to the Magic messages. Kimmel had prepared adequately against submarine attack which he believed to be the main threat. Short had taken steps to prevent sabotage. FDR did not like the report and did not allow it to be published. Instead, he wrote down what both the Navy and War Departments were to make public. They were only to say that the US military was unprepared for the attack but fought bravely once it had begun. Nothing more was to be released because mentioning decoded messages would tip off the Japanese and they would change their code. Of course this slimmed-down press release inferred that Kimmel and Short were culpable.

### ***Second Investigation – The Roberts Commission.***

The second Pearl Harbor investigation was the FDR-appointed Roberts Commission which has been discussed above. Kimmel and Short could not call witnesses on their behalf nor could they cross examine witnesses that were called. None of the Magic messages were introduced except for the 14-part messages of December 6<sup>th</sup> and 7<sup>th</sup>. No “Winds” messages were introduced. Nothing on “traffic analysis” was introduced. Testimony of the numerous radio operators in the Pacific was not heard. The commission simply did not know how well informed Washington was before the attack. The Roberts Commission ended on 23 January 1942 and FDR approved the findings the next day.

Criticism of the Roberts Commission report began immediately and was strong. The *New York Times* on 26 January 1942 said: “However grave the responsibilities of each of these commanders may have been, the Roberts Commission seem too sweeping in exculpating their superiors in Washington ...”<sup>95</sup> And the *New York Herald Tribune* editorialized: “The want of

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<sup>94</sup>Rochefort knew of the new radio call signs for which Station-CAST had cracked, and of Admiral Yamamoto’s seven messages on December 5<sup>th</sup> to the carriers in *Kido Butai*. The only report to Kimmel on Saturday morning, December 6<sup>th</sup>, was that Admiral Yamamoto had “originated several [radio] messages to the carriers.” (Cited in Stinnett, *Day of Deceit*, p. 183.) Kimmel apparently took this to mean the carriers with the forces approaching the Philippines.

<sup>95</sup>Cited in Beard, p. 222.

foresight at Pearl harbor was paralleled higher up.”<sup>96</sup> Admiral James Richardson’s comment was the most condemning: “It is the most unfair, unjust, and deceptively dishonest document ever printed by the Government Printing Office. I cannot conceive of honorable men serving on the commission without greatest regret and deepest feelings of shame.”<sup>97</sup>

### ***Third Investigation – The Hart Inquiry.***

A little over two years later, on 12 February 1944, Navy Secretary Knox ordered retired Admiral Thomas C. Hart<sup>98</sup> to examine witnesses under oath – and to notify Kimmel that he could be present with counsel, and could introduce and cross-examine witnesses. This was the third investigation which began on February 22<sup>nd</sup>.

Kimmel was approached by Captain Laurence Safford. Safford had founded the Navy’s cryptographic organization and had designed the machines used to decipher Japan’s Purple code. He informed Kimmel that he was shocked to discover the Roberts Commission report made no mention of the hundreds of Magic messages, with which he was so familiar, or of the “Winds Execute” message, and he offered to testify for Kimmel. This was the first time Kimmel had heard of the Magic messages. Safford testified under oath that he had last seen the “Winds Execute” message on 14 December 1941, just before turning it over to the Director of Naval Communications for use by the Roberts Commission. It was never used and it has never been seen again.

### ***Fourth and Fifth Investigations – Navy Court of Inquiry and Army Pearl Harbor Board.***

The fourth and fifth investigations were the Navy Court of Inquiry and the Army Pearl Harbor Board. They took place almost simultaneously between July 24<sup>th</sup> and October 6<sup>th</sup> of 1944. At the Navy Court, Safford testified in detail regarding the “Winds Execute” message but he could not locate a copy in all the files, and charged that they must have been destroyed. Other crucial Magic messages were introduced as evidence.

The Magic messages were also permitted as evidence for the Army Board. In addition, Colonel Rufus Bratton, Chief of the Far Eastern Section of Army Intelligence in 1941, and Colonel Otis Sadtler, a senior SIS officer, testified about the “Bomb Plot” message. They did manage to get the information to MacArthur’s office in the Philippines but thought it should also go to Pearl Harbor. General Charles Willoughby, MacArthur’s chief intelligence officer, later wrote that the “Bomb Plot” message “was no longer a case of diplomatic curiosity; coordinate grid is the classical method for pinpoint target designation; our battleships had suddenly become ‘targets’.”<sup>99</sup> This is the information Kimmel and Short were denied prior to the attack.

The Navy Court’s findings completely reversed the Roberts Commission and stated that Kimmel had not received all information available. It charged that CNO Admiral Stark had “failed to display the sound judgment expected of him in that he did not transmit to Admiral Kimmel ... important information which he had regarding the Japanese situation.”<sup>100</sup>

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<sup>96</sup>Cited in Beard, p. 223.

<sup>97</sup>Cited in Stinnett, *Day of Deceit*, p. 255.

<sup>98</sup>Admiral Hart was Commander-in-Chief of the Asiatic Fleet at the time Pearl Harbor was bombed and the Philippines were invaded.

<sup>99</sup>Cited in Toland, p. 101.

<sup>100</sup>Cited in Toland, p. 107. Also see Bartlett, p. 78.

The Army Board also nullified the value of the Roberts Commission. After giving Short a mild hand slap for not being more alert, the report castigated Army chief of Staff General Marshall for failing to keep Short fully informed about the imminence of war, failing to correct Short's interpretation of warnings as referring to sabotage, failure to alert Short about a break in diplomatic relations on December 6<sup>th</sup> and 7<sup>th</sup>, and failure to determine the readiness of Short's command.<sup>101</sup> A supplemental top secret report was more scorching. It censured Marshall and the War Department: "The messages actually sent to Hawaii by either the Army or Navy gave only a small fraction of the information. No direction was given the Hawaiian Department based on this information except the 'Do-Don't' message of November 27, 1941. It would have been possible to have sent safely information, ample for the purpose of orienting the commanders in Hawaii. ..." <sup>102</sup>

The Navy and War Departments were furious. These reports would have to be turned around in some manner. FDR remarked: "I think the less said the better."<sup>103</sup> For the time being, the press was told, these reports would be kept confidential. Stimson and James V. Forrestal (now Secretary of Navy) wrote press statements which summarized and mitigated the Army and Navy reports. The media didn't buy it. They accused the administration of suppressing the Pearl Harbor story.

### ***Sixth Investigation – The Clarke Investigation.***

The War and Navy secretaries then carried out further investigations in an effort to refute the Army Board and Navy Court findings. General Marshall initiated the one-man sixth investigation – the Clarke investigation – to discredit Captain Safford's earlier testimony that the "'Winds Execute'" message must have been destroyed. Colonel Carter Clarke did this by simply obtaining a denial from the ones accused of destroying those records.

### ***Seventh Investigation – The Clausen Investigation.***

Another one-man investigation – the Clausen (seventh) investigation – was carried out by Lieutenant Colonel Henry C. Clausen of the Army's Judge Advocate General department. He succeeded in getting several former witnesses to reverse their testimony about seeing the "Winds Execute" message. Bruce Bartlett sums up about the Clarke and Clausen investigations: "Their ostensible purpose was to follow unexplored leads and dig up new evidence. Their real purpose seems to be to discredit testimony damaging to [General] Marshall."<sup>104</sup>

### ***Eighth Investigation – The Hewitt Inquiry.***

The eighth investigation was the Hewitt Inquiry conducted by the Navy. Admiral H. Kent Hewitt<sup>105</sup> and counsel John F. Sonnett, a special assistant to Forrestal, focused on getting Captain

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<sup>101</sup>See Bartlett, p. 78.

<sup>102</sup>Cited in Toland, p. 107.

<sup>103</sup>Cited in Toland, p. 127.

<sup>104</sup>Bartlett, p. 79.

<sup>105</sup>Hewitt was not the first choice to conduct this investigation. Admiral James O. Richardson, who FDR fired, was asked first. He declined, saying: "I do not consider myself available because I am prejudiced. I believe Mr. Franklin Roosevelt is primarily responsible for the disaster at Pearl Harbor and [CNO] Stark is most culpable. I am greatly prejudiced against Stark and against the President so I therefore disqualify myself as an impartial investigator." (Cited in Bartlett, p. 80)

Safford to change his former testimony about the “Winds Execute” message, or to admit that he had confused one of the other “Winds” code messages with the “East wind, rain” message he had been expecting. Safford wrote in a Confidential Memorandum for the record that Sonnett’s purpose “seemd to be to refute testimony (before earlier investigations) that was unfavorable to anyone in Washington, to beguile ‘hostile’ witnesses into changing their stories, and to introduce an element of doubt where he could not effect a reversal of testimony. Above all, he attempted to make me reverse my testimony regarding the “Winds Execute” message and to make me believe I was suffering from hallucinations.”<sup>106</sup>

The badgering did not make Safford alter his testimony. But the tactic did work on another key witness to the “Winds Execute” message. Captain Alan Kramer finally gave in and said he saw a “Winds Execute” message but it may have been one of the other codes for Britain or Russia, rather than the US. Hewitt wrote in his final report that “no message was received prior to the attack which used the code words relating to the United States [East wind, rain].”<sup>107</sup>

After the surrender of Japan, it was no longer possible to hide the Army Board and Navy Court reports on the grounds of national security. President Truman released them on 29 August 1945, nine months after they were filed, but they were released simultaneously with the endorsements and later “findings” of the War and Navy Departments which reversed and discredited the Army Board and Navy Court reports. Although the endorsements were designed to overshadow the reports, some insightful editors and news commentators were not fooled. John Flynn’s scathing essay published in the 2 September 1945 issue of the *Chicago Tribune* had a strong effect.<sup>108</sup> All of this clamor led to the Joint Congressional Committee to Investigate Pearl Harbor – the ninth investigation which began on 15 November 1945 and went to the end of the following May.

### ***Ninth Investigation – The Joint Congressional Committee to Investigate Pearl Harbor.***

The Joint Committee was composed of five senators and five representatives which were split along party lines – two of each were Republicans and three of each Democrats. In the 6½ months of hearings the minority Republicans were able to bring out some good testimony about how much Washington knew and how much Hawaii didn’t, but the pro-administration Democrats were able to limit evidence considerably.

For instance, the Joint Committee tried to obtain information on whether Hawaii was furnished with the decrypted JN-25 code messages. The Navy was asked to produce the JN-25 intercepts but, instead, introduced the “Winds” code.<sup>109</sup> Safford was grilled about the “Winds Execute” message. He stayed firm with his insistence that one had existed. But he was the only one to say that. Captain Kramer said he had probably confused it with another message. Chief Warrant

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<sup>106</sup>Cited in Toland, p. 135.

<sup>107</sup>Cited in Toland, p. 137.

<sup>108</sup>John Flynn’s essay, *The Final Secret of Pearl Harbor*, is published in its entirety as Appendix-III of Bartlett.

<sup>109</sup>The JN-25, revision B intercepts were fully translated while the joint Congressional Committee was still in session. Michael Gannon states: “It is hard to think ill of Admiral Nimitz [then CNO] ... but someone in his department made the decision to keep the translations away from the eyes of the committee. The cover-up prevented the [Joint Committee] and the general public from knowing that, prior to Pearl Harbor, the Navy was in possession of intercepts that, if decrypted, would likely have warned the country of Japan’s impending attack.” (Gannon, p. 209.)

Office Ralph T. Biggs distinctly remembered hearing it the night it was intercepted, but his commanding officer forbade him to talk to Safford or to testify before the Joint Committee.

Edward Kimmel (son of the admiral) pointed out in later 1995 Congressional hearings (discussed below) that when the 1941 JN-25 intercepts were decoded, “a report of the information they contained was prepared for the Chief of Naval Operations and delivered to him in early 1946. He did nothing with it and failed to submit it to the Congressional Committee which was still sitting investigating the Pearl Harbor attack. This was a cover-up if there ever was one.”<sup>110</sup>

The Joint Committee majority report by the six Democrats was similar to the Roberts Commission report. But the minority Republican report was more damaging to Washington and FDR. However, two Republicans were persuaded to sign the majority report and that gave it unshakable nonpartisan flavor. Representative Gearhart was from a district in California which was avidly anti-Japanese, so he had to go with the majority or face losing his seat in Congress. Representative Keefe had persuading the democrats to change some language and he signed with the reservations that his “additional views” be appended. But the majority report overshadowed that supplemental disclaimer. The secret about how FDR withheld information was once again stifled.

### ***Tenth Investigation – The Thurmond-Spence Joint Congressional Probe.***

Kimmel and Short are now dead but their families continue the struggle to clear their names and restore their rank held 7 December 1941. Another one-day Congressional investigation was held on 27 April 1995, initiated by Republican Senator Strom Thurmond, then chairman of the Senate Armed Services Committee, and Representative Floyd Spence, head of the House Armed Services Committee. At that hearing, Edward R. Kimmel, son of the admiral, presented a petition signed by 37 retired flag officers (generals and admirals) supporting the exoneration of Admiral Kimmel and Lt. Gen. Short. Among them were two former Chairmen of the Joint Chiefs of Staff, four former Chiefs of Naval Operations, 28 other four-star admirals, three vice admirals (three-star), and one rear admiral (two-star).

### ***Eleventh Investigation – The Dorn Report.***

In response to the April 1995 joint investigation, Undersecretary of Defense Edwin Dorn concluded his own investigation with these comments: "I cannot conclude that Admiral Kimmel and General Short were victims of unfair official actions and thus cannot conclude that the remedy of advancement on the retired list is in order."<sup>111</sup> The Pentagon submitted Dorn's report to the Thurmond-Spence panel on 15 December 1995. It confirmed that Kimmel and Short did not receive full information before the attack, and said that others should “share the blame.”<sup>112</sup> Nevertheless, it did not absolve Kimmel and Short.<sup>113</sup>

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<sup>110</sup>1995 Hearings.

<sup>111</sup>Cited in Perloff.

<sup>112</sup>Cited in Young.

<sup>113</sup>The Dorn Report seems to have disappeared from the internet. The link to it which appears in the transcript of the 1995 hearings (see References) brings up a message saying the page is no longer available. Further search of the internet failed to locate the report.

### ***Secrets Remain As Investigations Continue.***

Congress in October 2000 passed a resolution clearing Kimmel and Short of any blame and recommended they be posthumously restored to their former rank. Former President Bill Clinton did not sign the bill into law before he left office.

In a letter to the Pentagon's Freedom of Information Act (FOIA) director, Vice Admiral David C. Richardson, US Navy (retired) and former Commander of the Sixth Fleet as well as Deputy Commander-in-Chief of the Pacific, pointed out that the Dorn Report said others should share the blame regarding Pearl Harbor. He asked who those others were, what errors they committed, and how those errors may have contributed to those allegedly committed by Kimmel and Short. He also pointed out that the Dorn Report was prepared by Navy lawyers with no experience with Naval forces and their limitations – and that one of those lawyers had expressed regret that they had not sought expert help.<sup>114</sup>

The endeavor to exonerate Kimmel and Short continues. On 5 September 2002 Captain Vincent J. Colan, US Naval Reserve (retired), submitted a FOIA request to the Pentagon for release of papers still secluded from the public. It was denied except for providing the Dorn Report. On 26 February 2003, Captain Colan re-submitted his FOIA with modifications. He pointed out how fallacies in the Dorn Report had been identified and submitted to the Pentagon by Vice Admiral David C. Richardson. He also referred to other documents he had been told about which have no bearing on national security, and requested information of those as well as any others of similar nature. In concluding this second FOIA request, Captain Colan stated:

The above asserts what legal research indicates I am entitled to under the law. However, I cannot leave this subject without commenting that it seems preposterous to me that in a democracy, information of the kind I have requested dealing with a subject over 61 years old cannot be made freely available for examination by those principally affected. One can only surmise that there is some information contained in these 66 pages that would be embarrassing to the author or the DOD and not supportive of the DOD's position on this subject.

It simply flies in the face of our democratic institutions to retain this information secret.<sup>115</sup>

### **SUMMARY ON PEARL HARBOR ATTACK**

Both the Army and the Navy had listening posts in Hawaii. Navy listening posts only monitored frequencies used by the Japanese Navy and normally intercepted four codes – the JN-25 or “five-number” code (the top Japanese Navy operation code), the MS code (used by merchant ships), the ship movement (SM) code (to report ships going in and out of ports), and the radio call sign code (designations for officials and commanders, warships, merchant ships, and land stations). It could also intercept the Purple diplomatic code and the J-19 counselor code but normally didn't. Station-HYPO could process (decode and translate) Japanese intercepts if it had the latest code-breaking information to do so. But Hawaii's Purple machine went to the British and the latest decoding key for the important JN-25B code, if it were available at all in 1941, had not been received

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<sup>114</sup>See Colan.

<sup>115</sup>See Colan.

by Station-HYPO.<sup>116</sup> Consequently, in the months leading up to the Pearl Harbor attack, the Navy on Hawaii was not processing Purple or JN-25B intercepts.

In early December 1941, when Admiral Kimmel asked his intelligence officer, Edwin Layton, the location of the missing carriers, he was deceptively told they are still missing. Kimmel did not receive the key information which was obtained by both cryptographic analysis and traffic analysis. Even though Hawaii wasn't decoding the JN-25B code, much had been learned from other codes and from traffic analysis but the pertinent information was not given to Kimmel.<sup>117</sup> Washington, and probably Station-CAST, knew all of the available intelligence from both cryptographic and traffic analysis, but that information didn't get to Kimmel.

The Army monitored only the Japanese diplomatic frequencies, mostly in Purple (the top diplomatic code used to communicate with embassies overseas, such as in Washington D.C.) and J-19 (used to communicate with consular offices, which are on a lower level than embassies, such as in Honolulu). But the Army had no decoding capability and had to send their intercepted messages to Washington to be processed. The Navy could have processed J-19, but the Army apparently didn't know that. Neither did the Navy processing station have a Purple machine. The one that should have gone to Hawaii was sent to the British station at Singapore. Consequently, the Army in Hawaii was entirely dependent on Washington for information and was also kept in the dark.

Rear Admiral Robert A. Theobald, commander of the Pacific Fleet's destroyers at the time of the Pearl Harbor attack, denounced the blackout of information at Hawaii. In his documentation of events he wrote:

... the recurrent fact of the true Pearl Harbor story has been the repeated withholding of information from Admiral Kimmel and General Short ... the denial to the Hawaiian Commanders of all knowledge of Magic was vital to the plan for enticing Japan to deliver a surprise attack upon the Fleet ... because as late as Saturday, December 6, Admiral Kimmel could have caused that attack to be cancelled by taking his fleet to sea and disappearing beyond land-based human ken.<sup>118</sup>

What was not brought out at any of the investigations, including the 1995 hearings conducted by Senator Strom Thurmond, was that the US was also intercepting and processing other Japanese naval codes that were being used extensively. And what is still really scary is that many documents that would shed light on the true story about Pearl Harbor are still classified secret and locked up – out of reach of public knowledge and the Freedom of Information Act. The coverup continues today.

It is not the purpose of this paper to show that Kimmel and Short should be exonerated,<sup>119</sup> although I (the compiler) am convinced they should, but to show that FDR and his administration

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<sup>116</sup>There is controversy over whether any of the US decrypting stations were processing the JN-25 five-number code. For a discussion of this, see Appendix-B.

<sup>117</sup>Even though much information could be gleaned from the MS, SM, and radio call sign codes, these intercepts were never introduced at any Pearl Harbor investigation, including the 1995 Congressional hearings.

<sup>118</sup>Theobald, Robert A.; *The Final Secret of Pearl Harbor: The Washington Contribution to the Japanese Attack*. Cited in Lutton.

<sup>119</sup>Admiral Kimmel and Lt. Gen. Short were never formally charged with dereliction of duty and court marshaled. They had requested that they be charged formally so they could bring out all the facts. Rather, they were relieved of their command, demoted, and allowed to retire.

knew the attack on Pearl Harbor was coming and that they deliberately let it happen. As has been shown above, Washington had processed all the intercepts and knew exactly where *Kido Butai* was at all times. Washington never alerted Hawaii or advised the commanders that a sabotage alert was not sufficient. On the contrary, vital intelligence information needed to effectively defend Hawaii was deliberately withheld. But Washington knew everything that was going on. As Colonel William Friedman, top cryptologist at the Army's SIS, exclaimed repeatedly to his wife as he paced the floor that December 7<sup>th</sup> morning: "But they knew, they knew, they knew."<sup>120</sup>

FDR was in the thick of it. He met frequently with his "war cabinet" – Secretaries of State, War, and Navy (Hull, Stimson, and Knox) along with the Army Chief of Staff and the CNO (Marshall and Stark).<sup>121</sup> He not only met with them, he directed them. This can be seen by his orders for "pop-up" cruises and moving the Pacific Fleet to Hawaii. On the eve of Pearl Harbor he read the first thirteen parts of the 14-part message and told Harry Hopkins that "this means war." FDR's complicity was also evident when he instructed Knox and Stimson what to release to the public after Knox had completed the first Pearl Harbor investigation.

FDR didn't just know in advance about the Pearl Harbor attack and let it happen, he actually provoked aggression. Having invaded China, the Japanese military was heavily dependent on shipments of steel, scrap iron, and 80 percent of its petroleum (including oil and aviation gasoline) from the US. In spite of internal protest, FDR did not immediately declare an embargo against Japan until late in 1940, when the US finally imposed the first embargo. Even this was only a partial embargo which still allowed enough petroleum to fuel Japanese warships. In July 1941 FDR really cracked down when he imposed a total embargo of petroleum, metals, and other war-making supplies, and froze all Japanese assets in the US. He also closed the Panama Canal to Japanese ships. Japan faced the stark choice of kowtowing to US demands to get out of China or taking over oil-rich southeast Asia. Tensions between the US and Japan mounted rapidly. In an ostensive effort to show US good will, negotiations between Secretary of State Cordell Hull and a special Japanese envoy were commenced in November 1941. Those failed and the rest is history.

No, FDR was no innocent president being manipulated by a war mongering cabinet. He was in the thick of it. He provoked the act of aggression that justified outright war.

Michael Gannon and Theodore O'Keefe, in their writings (see references), berate Robert Stinnett for saying that McCollum's memorandum influenced FDR's actions. It could be entirely possible that some of the events that seemed to fulfill McCollum's eight points were prompted by other criteria. The bottom line is that those events did occur. And they did fulfill – intentionally or otherwise – the strategy laid out by McCollum. They did provoke the Pearl Harbor attack and the record of intelligence so far available clearly indicates that Washington knew the attack was coming.

We, the American public, were deliberately manipulated into World War II. And we have been deceived about it ever since. As Stinnett says, "it was a real PR job."<sup>122</sup> Perhaps war was inevitable anyway. And perhaps there were other options than a war with Japan, as some historians have suggested. But the general public didn't have the opportunity or information to explore

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<sup>120</sup>Cited in Toland, pp. 310-311.

<sup>121</sup>Secretary of War Stimson's diary indicated there were nine people in FDR's war cabinet.

<sup>122</sup>Cited in Cirignano.

potential options. America made a grave mistake – the mistake of adopting a mob mentality to seek blood and vengeance. The words of American poet and philosopher George Santayana are most cogent: “Those who cannot remember the past are condemned to repeat it.”<sup>123</sup> Are we remembering the past? Or is it happening again? Let us examine some events of recent memory.

## **UNIT 2: 9-11 AND THE WAR ON TERRORISM**

This section of this paper will show that the terrorist attacks on 11 September 2001 were not a surprise to the Bush administration. In fact, just from the evidence available to the public it is very apparent that the US government did know the attack was coming and allowed it to happen.

Furthermore, it was not just “the government” or the “Bush administration” that was aware of the impending attack. *It was President Bush himself.* When Eleanor Hill, Staff Director for the Joint House and Senate Intelligence Committee Inquiry (to be discussed later), made her report to the Joint Committee, she emphasized at the outset two issues which the Director of Central Intelligence refused to declassify. The first was any “references to the Intelligence Community<sup>124</sup> providing information to the President or the White House.”<sup>125</sup> That in itself is indication there is something suspicious. Throughout the remainder of this paper it will surface frequently how the administration and the White House have tenaciously sought to preserve the White House’s alleged innocence and ignorance. Hill then continued:

According to the DCI [Director of Central Intelligence], the President’s knowledge of intelligence information relevant to this Inquiry remains classified even when the substance of that intelligence information has been declassified. ...

The Joint Inquiry’s Staff disagrees with the DCI’s position ... We believe the American public has a compelling interest in this information and that public disclosure would not harm national security. However, we do not have independent authority to declassify intelligence information short of a lengthy procedure in the US Congress. We therefore prepare this statement without detailed description of our work ...<sup>126</sup>

The implications are obvious. If the President truly had no knowledge of the impending 9-11 attack there would be no guilty knowledge to hide. But the signs of a cover up are undeniable. A deeper exploration of the facts is in order.

In a previous paper I prepared on the Bush administration’s national security policy,<sup>127</sup> I illustrated how a group of neo-conservatives has become the dominant force in government. In the spring of 1997 they formed an organization called Project for the New American Century, and in

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<sup>123</sup>George Santayana, (1863-1952).

<sup>124</sup>The term “Intelligence Community” refers to a group of fourteen government agencies and organizations that conduct the intelligence activities of the US government.

<sup>125</sup>Hill, 18 September 2002.

<sup>126</sup>Hill, 18 September 2002.

<sup>127</sup>PLRC-030503.

September 2000 they published their strategy guidelines in a paper entitled *Rebuilding America's Defenses: Strategy, Forces and Resources For a New Century*. This paper, released at the turn of the century and during the election year, outlined the specific strategy America should follow in this new century – a strategy which has now been dubbed *Pax Americana* – peace on America's terms. These strategy guidelines were complete with details on how the military forces should be transformed into a “dominant force,” along with the resources and increased budget needed to complete that transformation. Two years later, the essence of that paper was codified by the Bush administration as *The National Security Strategy of the United States of America*.

The neo-conservatives were not naive. They knew this new strategy plan called for sweeping changes and a new commitment to military buildup, to say nothing of a more aggressive foreign policy that would have to be sold to the American people. They saw it as a long process – long, that is, “*absent some catastrophic and catalyzing event – like a new Pearl Harbor.*”<sup>128</sup> (Emphasis added)

In the remainder of this paper I will present the available evidence that 9-11 was the “catastrophic and catalyzing event” alluded to by the neo-conservatives – the “new Pearl Harbor” which hastened acceptance of the *Pax Americana* scheme by the American people. I will show how it was nurtured, and allowed to happen in its most horrible sense. I will start with a presentation of how this “war on terrorism” festered from its early roots. Then I will go into a discussion of first the Clinton Administration, and then the present Bush administration, addressing their on-again-off-again policy with the Taliban and their priorities regarding terrorism. In this part I will also address the Bush family's ties to Saudi Arabia and the bin Laden family. Next I will look at some early critical events that should have been taken more seriously, followed by a chronological listing of warnings received by the Intelligence Community and then another chronological listing of warnings received from foreign governments. Following that will be a review of the day itself, and then a description of the two investigations which have been started so far. Everything up to this point will be pretty much factual information. Analysis will be done in the final section which summarizes what has been presented in this unit. Here the loose ends will be tied together and the case made that 9-11 was not a surprise. More specific proof is still being withheld by the Bush administration. It is being denied to us, the citizenry of America, in the name of “national Security” or “Executive Privilege.” Let me get on with the presentation.

## **EVOLUTION OF GLOBAL TERRORISM**

There has been much terrorist activity in the Middle East ever since the state of Israel was established on 14 May 1948, and instantly recognized by the US that same evening. Yasser Arafat subsequently founded the terrorist group Al Fatah. Terrorist activity picked up considerably after the 1967 Arab-Israeli war in which Israel captured the Gaza Strip, the Golan Heights, and the West Bank. But it was after the 1991 Persian Gulf war that terrorists began to unify and evolve into a global organization. Let me begin this summary twelve years before that.

The Soviet Union invaded Afghanistan in December 1979 and the Afghan war continued for a decade until the Soviets finally withdrew in 1989. Osama bin Laden, from the Islamic fundamental-

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<sup>128</sup>*Rebuilding America's Defenses*, p. 51.

ist Wahhabi sect of Sunni Muslims in Saudi Arabia,<sup>129</sup> was recruited to lead the Saudi contingent in the war. He was not part of The Royal Saud Family but he was very rich from his family's business in mainly heavy construction, and he did have much influence with the Royal Family.<sup>130</sup> He brought his engineers and heavy equipment into Afghanistan to build roads and depots. With funds from the CIA, bin Laden helped build the Khost tunnel complex as an ammunition depot, training center, and hospital. There he set up a training camp for what he called his "Arab Afghans."<sup>131</sup> During this time, bin Laden met many other Islamist<sup>132</sup> extremists who later became his colleagues in global terrorism.<sup>133</sup> He considered the Afghan experience, and running training camps, as a turning point for both the Islamist military system and the direction of his own life. He explains how this war changed his thinking and how he viewed US and Saudi influence:

There I received volunteers who came from the Saudi Kingdom and from all over the Arab and Muslim countries. I set up my first camp where these volunteers were trained by Pakistani and American officers. The weapons were supplied by the Americans, the money by the Saudis. I discovered that it was not enough to fight in Afghanistan, but that we had to fight on all fronts, communist and western oppression.<sup>134</sup>

In addition to volunteers, many terrorist organizations sent their key men to Afghanistan to observe the jihad (holy war) and to receive training which was forbidden as subversive in their own countries. After the Afghan war, terrorism did start spreading on a more unified global basis. First it cropped up in Algeria and fanned out across North Africa and East Africa.<sup>135</sup> The North Africa

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<sup>129</sup>The Wahhabi sect of Islam which is the state religion of Saudi Arabia, was started in that country around 1745 by radical religious dissident Muhammad bin Abd al-Wahhab, who had been run out of his native country because of his radicalism. Wahhabi interpretations were adopted by then tribe leader Muhammad bin Saud. Islamic law, translated according to Wahhab's strict and literal interpretation of the Koran, eventually became the law of the state.

<sup>130</sup>The Saudi Binladen Group, or Binladen Organization, was established in 1931 by Osama's father. Established as an organization, rather than a business, it was exempt from publishing financial records. It now does an annual \$5 billion of business globally, is the Islamic world's largest construction firm, and employs some 32,000 people in 30 countries. Being very close to the Royal Family, it was until 1967 the exclusive contractor for maintaining the Saudi and Jerusalem holy sites.

<sup>131</sup>"Arab Afghans" were those brought in from Arab countries to fight in the Afghanistan war. Eventually the term applied to any foreigner – from as far away as the Philippines and China – who bin Laden trained.

<sup>132</sup>The term "Islamist" is used to describe the extreme militant faction of Islam – the Islamic terrorists.

<sup>133</sup>Rashid lists militant extremists from the National Islamic Front in Sudan, HizbAllah and Hamas from Lebanon, Islamic Palestinian Movement from the Gaza Strip and West Bank, Chechens, Bangladeshis, Filipinos, Algerians, Pakistanis, and African-Americans. (P. 136) By the late 1980s bin Laden had contacts for recruitment in over 50 countries.

<sup>134</sup>Agence France Presse, "Laden Planned a Global Revolution in 1995," 27 August 1998. Cited in Rashid, p. 132.

<sup>135</sup>I have discussed much of this activity in PLRC-030201, under the sections on Algeria, Libya, Egypt, and East Africa.

activity sprouted Islamist extremism in France. By the late 1980s, the terrorist training camps in Afghanistan had become the central point of Islamist activity. Pakistani journalist Ahmed Rashid writes:

What Washington was not prepared to admit was that the Afghan jihad, with the support of the CIA, had spawned dozens of fundamentalist movements across the Muslim world which were led by militants who had grievances, not so much against Americans, but their own corrupt, incompetent regimes.<sup>136</sup>

And Yossef Bodansky, as director of the US House of Representatives Task Force on Terrorism and Unconventional Warfare, elaborates: “Since fall 1991, and more so since spring 1992, there has been a fundamental, if not historic, evolution in Islamist terrorism, subversion and violence. This evolution has led to an unprecedented escalation in the Islamist jihad against the Judeo-Christian world order.”<sup>137</sup> Then Bodansky explains the philosophy of the Islamist revolution in the modern era, as expressed by a major terrorist spiritual leader in Sudan:

... the various subversive movements in the Middle East were no longer facing local governments but rather regimes that were puppets of and propped up by the United States. In their effort to topple these regimes and establish Islamic states in their stead, the Islamists were actually confronting the United States. And so it became legitimate to strike out all over the world by means of international terrorism to compel the United States and the West to abandon their puppets in the Middle East. Given the duality of the threat – the American presence and influence – the various Islamist movements should combine their efforts against their common enemy.<sup>138</sup>

In 1989 bin Laden set up Al Qaida, which means “The Base,” actually a military base, as a service center for the “Arab Afghans” and their families, and to form a broader based alliance with them. Then the Soviets withdrew from Afghanistan and bin Laden returned to Saudi Arabia.

When Iraq invaded Kuwait on 2 August 1990, bin Laden suggested to the Royal Family that he mobilize Afghan war veterans to defend Saudi Arabia. With his foreign contacts and experience, he was well suited for this task. But when King Fahd allowed US forces to create bases in the Saudi Kingdom, bin Laden was infuriated and became estranged from the Royal Family. In 1992 he left for Sudan to participate in the Islamic revolution that was taking place there. While in Sudan, bin Laden helped plan and carry out several actions and participated in the first joint experiment in which Sunni and Shia Muslim extremists worked together.<sup>139, 140</sup> On 7 April 1994, the Saudi government said it

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<sup>136</sup>Rashid, p. 135.

<sup>137</sup>Bodansky, p. 33.

<sup>138</sup>Bodansky, p. 34. The spiritual leader who made this observation is Hassan Abdallah al-Turabi, one of bin Laden’s early mentors and sponsors.

<sup>139</sup>Sunni (Sunnite) and Shia (Shiite) are two differing branches of Islam. They are the results of a schism of Islam when there arose an argument over who was the legitimate successor of the Prophet Mohammad. These two sects are actually quite hostile to each other and are explained in a previous PLRC paper – PLRC-910213A under the section “A Schism in Islam,” p. 23.

<sup>140</sup>This experiment was the 1993 Islamist campaign in Somalia, in which the suicide attacks and US casualties became so numerous that the US withdrew its forces from that nation. This experiment is described in PLRC-030201, the section on East Africa. It was planned in Khartoum, Sudan with guidance from Tehran, Iran. The bombing of the World Trade Center under the “spiritual guidance” of Shaykh Omar Abdul Rahman in February 1993 was a parallel operation approved by Khartoum and Tehran at the same time.

had stripped bin Laden of his citizenship yet, as will be shown below, still continued to support his cause.

In the early part of 1995 bin Laden's closest associate, Egyptian terrorist leader Ayman al-Zawahiri, made a secret trip to the US. His mission was to verify the reliability of US-based Islamic communities and to scout out the various locations for terrorist strikes that had been recommended by US-based networks. He set up his base in Santa Clara, California from which he toured all over the country. By the time Zawahiri returned to Europe he was convinced the US was fertile ground for spectacular terrorist activity.

Bin Laden's first strike against the Saudi government and US occupation came on 13 November 1995. A car bomb exploded in the parking lot of the Military Cooperation Building in Riyadh. This was a military training center run by the US. The bomb blew off one side of the building and demolished some 45 cars. As people ran to help, a second anti-personnel bomb exploded, adding more casualties.

The pressure on Sudan to extradite bin Laden increased, and finally caused him to move back to Afghanistan in May 1996. Three months later bin Laden issued his first declaration of jihad (holy war) against America. In that same month, August 1996, the CIA noted that bin Laden was "one of the most significant financial sponsors of Islamic extremist activities in the world."<sup>141</sup> This fact along with increased terrorism in the US led Congress to pass the Anti-Terrorism Act of 1996. It was signed by President Clinton in April of that year and was first used to block access to bin Laden's fortune. The CIA set up a monitor on his activities and he came under the protection of the Taliban in 1997.

### ***HizbAllah International.***

During the early months of 1996 a greater unity of Islamist groups took place which hailed a new direction in state-sponsored international terrorism. Even greater cooperation in a joint endeavor was planned between the normally hostile Sunni and Shia factions of Islam. HizbAllah International<sup>142</sup> was established during the 21-23 June 1996 terrorist summit in Tehran, Iran – an Islamic Shia state. Senior commanders of many existing extremist organizations attended and agreed to integrate their forces.<sup>143</sup>

The operational part of HizbAllah International consisted of Dr. Mahdi Chamran (a Shia) in charge of the Committee of Three, which is to coordinate planning and attacks. The Committee of Three is composed of Imad Mughaniyah (Shia), Ahmad Salah (Sunni), and Osama bin Laden (Sunni). To kick off this new Islamist umbrella organization, each one of the Committee of Three conducted

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<sup>141</sup>Cited in Rashid, p. 134.

<sup>142</sup>HizbAllah means "Army of God" in Arabic. There are many variations to the spelling, including "Hezbollah." There is a local Shia Islamist group in Lebanon called HizbAllah, but HizbAllah International is a much more encompassing umbrella organization.

<sup>143</sup>Islamist organizations represented at the terrorist summit and which agreed to integrate their forces, besides bin Laden's World Islamic Front For Jihad Against Jews And Crusaders, were the Palestinian Islamic Jihad, the Egyptian Islamic Jihad, the Lebanese HizbAllah's Special Operations Command, the Popular Front For The Liberation Of Palestine – General Command, HAMAS, the Kurdish People's Party, Turkey's Islamic Party, the Islamic Change Movement, and other Islamist organizations with close ties to Iran.

a simultaneous action which their respective organizations had already been planning. These actions are familiar in recent history:

- Bin Laden's Al Qaida organization bombed the US barracks in the Khobar Towers at Dhahran, Saudi Arabia on 25 June 1996, in which dozens were killed, including 19 US servicemen.
- Mughaniyah's Lebanese HizbAllah group on 17 July 1996 downed TWA flight 800 which had just taken off from New York's JFK Airport. 230 perished.<sup>144</sup>
- Salah's Egyptian Islamic Jihad fatally stabbed a female US intelligence officer in Cairo, Egypt.

These three actions in the name of the new HizbAllah International were the first of the new jihad. This new jihad was blamed on the un-Islamic policies and corruption in the House of al-Saud – specifically, allowing US troops on Arabian soil.<sup>145</sup> Islamists assert: “The presence of American forces in countries with strong traditional and religious social structures has provoked the sensitivities of ... people who see this presence as an obstacle to their own cultural identity and national independence.”<sup>146</sup> In the case of Saudi Arabia, those forces were seen by the Muslim world as the guarantor of survival of the House of al-Saud, and the main obstacle to creating an Islamic Arabian state. The only way seen to compel the West to withdraw is “to inflict so much pain on these countries that their governments would find it impossible to tolerate the public outcry and be compelled to withdraw to stop the Islamist terrorism at home.”<sup>147</sup> This is the basis of the new jihad and its primary catalysts were Osama bin Laden (a Wahhabi Sunni) and Ayatollah Ali Khamenei (supreme spiritual leader of predominately-Shia Iran).

### ***World Islamic Front For Jihad Against Jews And Crusaders.***

Upon his return to Afghanistan, bin Laden was again busy training “Arab Afghans.” The most promising trainees were assigned to the Martyrdom (suicide) Battalions. Although Saudi Arabia had stripped bin Laden of his citizenship and had a warrant out for his arrest, the Saudis continued to support the Taliban and, by association, bin Laden and his training camps. The Saudi Kingdom remained silent on its desire to extradite bin Laden because of his continued friendship with some members of the Royal Family. His arrest and trial would expose this division in the House of al-Saud. That would be embarrassing. In addition, the Royal Family thought that supporting the Taliban in distant Afghanistan, which practiced a fundamentalist brand of Islam similar to Saudi Arabia's state

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<sup>144</sup>The official investigation of TWA flight 800 never announced a definite cause for the explosion. Yossef Bodansky, director of the Congressional Task Force on Terrorism and Unconventional Warfare, states unequivocally that the downing of TWA 800 was a terrorist action. (See pp. 152, 158, and 178-182.) Another theory is that the aircraft was accidentally shot down by an anti-aircraft missile from an Aegis ship. The fleet was conducting training exercises in the area at that time.

<sup>145</sup>US troops have now relinquished most of their presence in Saudi Arabia, but that presence has only moved to other Muslim states and particularly Iraq. The situation is more severe and Islamist motivation is higher now than ever before.

<sup>146</sup>Cited in Bodansky, p. 175.

<sup>147</sup>Bodansky, p. 177.

Wahhabi sect, was a cheap price for keeping the terrorists away from home. So, through Taliban support, funding for bin Laden and terrorism continued until the US embassy bombings in Kenya and Tanzania (discussed below).

HizbAllah International was given greater reach when another terrorist summit met in Tehran on 20-23 September 1997 to examine ways to escalate activities against the US-led West. It focused on the immediacy of an unprecedented global campaign of terror. Turkey became a target when military factions overthrew the elected Islamic government in that country. On November 17<sup>th</sup>, Zawahiri's organization killed almost 70 tourists in Luxor, Egypt. On December 6<sup>th</sup>, a series of terrorist bombings and other actions struck India. An action against the 1998 World Soccer Championship in France was aborted when the planning headquarters was discovered in Belgium.

Then, in early February 1998, al-Muhajiroun – a London-based Sunni Islamist organization supporting bin Laden – issued a *fatwa* (religious decree) addressing the sanctions against Iraq and the no-fly zones over that country. It pronounced a “jihad against the US and British governments, armies, interests, airports, and institutions,” and stated that this *fatwa* “has been given by the most prominent scholars of Islam today because of the US and British aggression against Muslims and the Muslim land of Iraq.”<sup>148</sup> It was signed by a large number of spiritual leaders.

Bin Laden had always stressed that the conflict with the US was more than just resistance to American troops in Muslim lands although his August 1996 *fatwa* only addressed action against US military targets in Saudi Arabia. So to build on the al-Muhajiroun *fatwa*, he called a meeting on 23 February 1998 of all the groups associated with Al Qaida (The Base). It took place in the original Khost camp. The attendees issued a manifesto under the name of the World Islamic Front For Jihad Against Jews And Crusaders, acknowledging: “For more than seven years the US has been occupying the lands of Islam in the holiest of places, the Arabian peninsular, plundering its riches, dictating to its rulers, humiliating its people, terrorizing its neighbors, and turning its bases in the peninsular into a spearhead through which to fight the neighboring Muslim people.”<sup>149</sup>

The World Islamic Front For Jihad Against Jews And Crusaders (usually referred to in its short form as the World Islamic Front) is a Sunni Islamist organization under bin Laden, who in turn sits on the Sunni-Shia HizbAllah International's Committee of Three. The World Islamic Front is organized in three tiers.

1. At the top is a unified command center made up of bin Laden, Zawahiri, and other select leaders plus elite groups of mujahideen (holy warriors) to perform specific tasks.
2. The various organizations which make up the World Islamic Front. These local entities are credited with the terrorist activity they carry out under their own name. Thus, bin Laden is not seen as a threat to the autonomy of local leaders.
3. The numerous “Arab Afghans” in other organizations who maintain contact with their former comrades.

Bin Laden has structured the World Islamic Front so that it will outlast his own demise and perpetuate state-sponsored international terrorism. Islamist militants are a decentralized network of autonomous units which are able to carry out spontaneous actions and, nevertheless, have the direction and coordination afforded by a central command structure.

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<sup>148</sup>Cited in Bodansky, p. 221.

<sup>149</sup>Cited in Rashid, p. 134.

Having thus established the command structure for a new Sunni umbrella organization, the meeting then established a theological justification with another *fatwa* which gave spiritual guidance to the World Islamic Front. It expanded the jihad's focus to liberation of all Muslims in the entire Middle East. The *fatwa* proclaimed: "The ruling to kill the Americans and their allies – civilians and military – is an individual duty of every Muslim who can do it in **every country in which it is possible to.**"<sup>150</sup> (Emphasis added.) The supreme spiritual leaders from all three of the then terrorist-sponsoring states – Iran, Sudan, and Pakistan – endorsed the *fatwa*.

Six months after issuing the *fatwa*, on 7 August 1998, and sponsored by the rejuvenated HizbAllah International, the US embassies in Kenya and Tanzania were bombed with some 250 people killed and more than 5,500 injured. Thirteen days later, on August 20<sup>th</sup>, President Clinton ordered attacks with 70-80 Tomahawk cruise missiles on the Afghan training camps at Khost and Jalalabad and a suspected chemical weapons plant (a pharmaceutical factory) in Sudan. The next day, Zawahiri called by satellite phone from "somewhere in Afghanistan," saying he was with bin Laden and they were "safe and sound." Then he relayed bin Laden's message in plain English so it could be readily intercepted: "The war has just started. The Americans should wait for the answer. ... Tell the Americans that we aren't afraid of bombardment, threats, and acts of aggression. We suffered and survived the Soviet bombings for ten years in Afghanistan and we are ready for more sacrifice."<sup>151</sup>

In November the US offered a reward of US\$5 million for the capture of bin Laden. Bin Laden responded that it was his duty to acquire chemical and nuclear weapons, saying: "It would be a sin for Muslims not to try to possess the weapons that would prevent the infidels from inflicting harm on Muslims."<sup>152</sup>

After the embassy bombings, Saudi Arabia tried to extradite bin Laden but the Taliban would not cooperate. This was an insult to the Saudis so they ended financial support and suspended diplomatic relations, but did not withdraw recognition of the Taliban government.

In December 1998, the Director of Central Intelligence (DCI) George Tenet issued directives to his associates in the CIA. They essentially declared "war" on bin Laden and his terrorists. Tenet wrote: "We must now enter a new phase in our effort against bin Laden ... We are at war ... I want no resources or people spared in this effort; either inside CIA or the [Intelligence] Community."<sup>153</sup>

### ***Terrorist Infiltration of the West.***

Islamists have escalated their attacks in direct proportion with the aggressiveness of the US in Muslim lands. It has become an endless action-reaction chain. Bin Laden said: "We saw the Riyadh and al-Khobar bombings as a sufficient signal for people of intelligence among American decisionmakers to avoid the real battle between the nation of Islam and the American forces, but it seems they didn't understand the signal."<sup>154</sup>

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<sup>150</sup>Cited in Rashid, p. 134.

<sup>151</sup>Cited in Bodansky, p. 289.

<sup>152</sup>Cited in Rashid, p. 135.

<sup>153</sup>Cited in Hill, 18 September 2002.

<sup>154</sup>Cited in Bodansky, p. 326.

Continued US and British activity in the Middle East was responded to by the US embassy bombings in Kenya and Tanzania. This elicited the Tomahawk cruise missile attacks against Afghanistan and Sudan, as described above. Islamists were then able to recruit even more trainees from the ranks of outraged Muslim youth. Then, in Operation Desert Fox, which began on 16 December 1998, the US pounded Iraq for four days with Tomahawk cruise missiles. The Director of the US Congressional Task Force on Terrorism and Unconventional Warfare described the reaction:

... the US bombing of Iraq, as interpreted throughout the Muslim world, introduced a sense of both rage and urgency. ... Before long a spate of terrorist strikes and narrowly-averted strikes took place all over the world. The common denominator of the myriad of perpetrators was their belief in and commitment to the teachings of Osama bin Laden. The Islamic terrorist activities of the first months of 1999 are precursors of the new era of Islamic rage and revenge.<sup>155</sup>

Early in 1999, bin Laden and his forces became more committed to establishing critical terrorist groups and cells in the homeland of those occupying Muslim lands. He dispatched 14 top commanders to the West. One team of commanders he sent to the US and another to Britain. Primary command cells were mobilized in France and Russia.

A new wave of mujahideen is infiltrating the West in a manner that is completely outside the realm of Middle East terrorism.<sup>156</sup> They operate in conjunction with organized crime – from drug dealing to counterfeiting, from prostitution to trafficking women and children. Respected Islamic clerics and Imams issue *fatwas* to justify this criminal activity.

Adding to the terror aspect of this infiltration is the potential for weapons of mass destruction. Islamists have been planning and preparing for spectacular attacks since summer 1998. We should not be complacent about the seriousness of bin Laden and his followers in this respect. They seem to be interested in bacterial, chemical, and radiological weapons (radiological weapons use conventional explosives to scatter radioactive material such as highly radioactive waste – often referred to as the “dirty bomb”). The main focus is reported to be “toxins for poisoning water mains. Lethal gases for use against humans. Fungi for destroying harvests.”<sup>157</sup> Terrorists have purchased pesticides and radioactive materials from Ukraine. And of course there are the recurring reports of terrorists having obtained suitcase nuclear bombs.

Yossef Bodansky sums up the critical situation America faces today: “The availability of weapons of mass destruction and the audacity to reach out into the heart of the United States make this trend all the more frightening.”<sup>158</sup>

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<sup>155</sup>Bodansky, p. 337.

<sup>156</sup>As an example, Ali Mohamed, born in Egypt, joined the US Army’s elite corps of Green Berets to get a foothold in America. (Bodansky, p. 321).

<sup>157</sup>Bodansky, p. 327.

<sup>158</sup>Bodansky, p. 406.

## THE SLOW-LEARNING CLINTON ADMINISTRATION

Until the attack on 9-11, America has not had a vigorous track record of being tough on states that sponsor terrorism. Rather than take a firmer line when those states were uncooperative, the US seems to have preferred to mollycoddle them. Saudi Arabia, Yemen, Pakistan, and Afghanistan, are a few examples. French intelligence experts Brisard and Dasquié observe: “Contrary to their European counterparts, in particular the French, the US security services appreciated the dangers of Islamic fundamentalism only when it was too late.”<sup>159</sup>

Probably the first public awareness of a terrorist threat against the US came in February 1993 with the bombing of the World Trade center. Subsequently, other plots were discovered and prevented which involved bombing other New York City landmarks. Later in the decade, US intelligence agencies knew that bin Laden was involved in anti-American terrorism and had established himself with the Taliban in Afghanistan. But the large US oil company, Unocal, was at that time trying to negotiate pipelines to transport oil and gas from Central Asia through Afghanistan. Consequently, US policy was to establish the Taliban as a stable government.<sup>160</sup>

But the Clinton administration was in for more bad news. The Riyadh bombing on 13 November 1995 resulted in the deaths of five US servicemen. The FBI was sent to investigate but by the time they arrived the Saudis had already beheaded four suspects. Further investigation was impossible. In April 1996 Clinton signed an antiterrorism bill that expanded the governments program to fight terrorism.<sup>161</sup>

The Riyadh bombing was the first terrorist act on Saudi soil and that made the Royal Family very jumpy. But it was after the bombing of the Khobar Towers on 25 June 1996, where 19 Americans were killed, that the Clinton administration started going into action and the Saudis started becoming more withdrawn. John O’Neil, then head of the FBI’s antiterrorism division, was sent to investigate. It was the largest bomb the FBI had yet encountered. But the Saudis, fearful after another attack in the Royal Kingdom, would not cooperate and O’Neil was not allowed to interrogate the principle suspects.

Deputy Defense Secretary John White then appointed retired General Wayne Downing, former director of the Army’s Special Operations Command, to conduct an unostentatious investigation of the Khobar Towers bombing and provide an informal report. According to Brisard and Dasquié, it was only after this investigation that the Clinton administration became fully aware of the scope of bin Laden’s operations.<sup>162</sup>

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<sup>159</sup>Brisard and Dasquié, p. 52.

<sup>160</sup>In a previous paper I have illustrated how Afghanistan is the key to exploiting Central Asia’s energy reserves. See PLRC-021016.

<sup>161</sup>On 3 December 2003, the 9<sup>th</sup> US Circuit Court of Appeals in San Francisco overturned part of this 1996 anti-terrorist law. Federal attorneys have increasingly used the “material support” of terrorist groups clause to prosecute suspects. The 9<sup>th</sup> Circuit ruled that the clause was too overly broad. Judge Harry Pregerson wrote in the 2:1 decision: “According to the government’s interpretation ... a woman who buys cookies from a bake sale outside of her grocery store to support displaced Kurdish refugees to find new homes could be held liable.” (Cited in Kravets) The decision made such legal strategy unconstitutional and placed a burden on the government to prove more specific involvement. The decision may be appealed to the US Supreme Court.

<sup>162</sup>Brisard and Dasquié, p. 26.

General Downing's investigation was carried out secretly so as not to embarrass the Saudi Royal Family. There was another FBI investigation going on in America at the same time, of two Saudis related to Osama bin Laden – Abdullah and Omar bin Laden. It opened on 23 February 1996 in regard to their connection with the World Assembly of Muslim Youth located at 5613 Leesburg Pike in Falls Church, Virginia.<sup>163</sup> At that time, Abdullah was president and treasurer. He and his brother, Omar, were living nearby at 3411 Silver Maple Place.<sup>164</sup> This investigation was called off exactly five years before 9-11, on 11 September 1996, without explanation. Investigative reporter Greg Palast says the State Department “wanted to keep the pro-American Saudi Royal family in control of the world's biggest oil spigot, even at the price of turning a blind eye to any terrorist connection so long as America is safe.”<sup>165</sup>

There were other instances where the Clinton administration refused to investigate terrorist leads that might embarrass the Saudis. Lawyer and former US attorney Michael Wildes represented one of the Khobar Towers bombers and learned information the US should be aware of. He also represented a former Saudi diplomat who defected to the US with 14,000 documents which allegedly implicated Saudi citizens with financing terrorists. The FBI would not listen in either case. Regarding the documents, Wildes says he pleaded: “‘Take these with you. We're not going to charge for the copies. Keep them. Do something with them. Get some bad guys with them.’ They refused.”<sup>166</sup>

In early 1996, before bin Laden left Sudan to return to Afghanistan, the Sudanese government offered to extradite him to Saudi Arabia and freeze his assets in Sudan. They received no favorable response so, in May of that year, they demanded bin Laden's departure. The offer to help capture bin Laden was made several more times between 1996 and 2000 by Sudan's government, but to no avail.

On 4 July 1999, Clinton signed Executive Order 13129, which froze Taliban assets in the US and prohibited trade between the Taliban and US entities.<sup>167</sup>

After the October 2000 bombing of the *USS Cole* in a Yemeni harbor, killing 17 US sailors, the FBI's chief terrorist investigator, John O'Neil, went to Yemen to personally follow up on leads. Political relations were, as would be expected from a nation sympathetic to bin Laden, not conducive to cooperation. And US diplomats were more eager to please the Yemeni regime than to find the perpetrators. Barbara Bodine, US ambassador to Yemen, actually forbade O'Neil and his team from entering the country although they had leads that could have connected bin Laden to the *USS Cole* incident.

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<sup>163</sup>The World Assembly of Muslim Youth, established in Riyadh in 1976, is a “charitable” organization suspected, but never proved, of financing terrorist activities. It's 34 global branches are funded by religious taxes from Saudi Arabia.

<sup>164</sup>Four of the 9-11 hijackers later lived close by, at 5913 Leesburg Pike – just three blocks from the World Assembly of Muslim Youth headquarters.

<sup>165</sup>Cited in *Newsnight*, 6 November 2001.

<sup>166</sup>Cited in *Newsnight*, 6 November 2001.

<sup>167</sup>*Federal Register*, Vol. 64, No. 129, 7 July 1999. Cited in Ruppert, “Oh Lucy!” Item 8.

In July 2000, after the *USS Cole* incident, Sudan again offered to provide dossiers on bin Laden, but they were again refused by the US. Ironically, among the documents offered was information about a Syrian businessman who often visited the same mosque in Hamburg, Germany as two of the 9-11 hijackers.

On 12 December 2000, Michael Sheehan, then the State Department's Coordinator for Counterterrorism, told the House Committee of Judicial Affairs that the Taliban was supporting terrorism and called for increased sanctions against Afghanistan. One week later the UN Security Council imposed additional economic sanctions and froze part of the financial aid. Pushing for these increased sanctions was one of the last acts of the Clinton administration.

## **THE ACCOMMODATING BUSH ADMINISTRATION**

In an "exit interview," Clinton said he warned President Elect George W. Bush about bin Laden: "I told him that in my opinion, the biggest security problem was Osama bin Laden," and that inability to convince Bush of the danger was one of the biggest disappointments he had.<sup>168</sup>

Clinton's national security advisor, Sandy Berger, also met with his successor, Condoleezza Rice, during the administrative transition. A briefing on bin Laden and Al Qaida was given by Richard Clarke, chairman of the interagency Counter-Terrorism Security group. Clarke had spent months working out a plan to take the offensive against the terrorists. Berger told Rice: "I am coming to this briefing to underscore how important I think this subject is. ... I believe that the Bush administration will spend more time on terrorism generally, and on Al Qaida specifically, than any other subject."<sup>169</sup> That was not to happen immediately. Although Clarke was kept on in the Bush administration, his plan to take the fight to Al Qaida was not even looked at until six months later. Even then it got off to a slow start and before anything significant could be done, 9-11 was upon us. During the time between Bush's inauguration and 9-11, the National Security Council (NSC) principals committee<sup>170</sup> met almost 100 times, but in all those meetings terrorism was only brought up in two – on July 3<sup>rd</sup> and September 4<sup>th</sup>.<sup>171</sup>

Bush's tone toward the Taliban was also softer. On 5 February 2001, less than two weeks after the new President was inaugurated, the Taliban sent a signal that it was ready to negotiate for international recognition. It had been hit hard by sanctions. Afghanistan's foreign minister planted the story in the *Times* of London. The message was understood well by both sides – in return for a friendly energy policy toward the US and discontinuing to harbor bin Laden, the US would promote a vigorous effort for international recognition of the Taliban. The following February 12<sup>th</sup> Nancy Soderberg, America's ambassador to the UN, said the US would try to develop a "continuing

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<sup>168</sup>Cited in Reuters, 16 October 2003.

<sup>169</sup>Cited in Elliott, *Time.com*, 4 August 2002.

<sup>170</sup>The principals Committee includes National Security Advisor Condoleezza Rice, CIA Director George Tenet, Defense Secretary Donald Rumsfeld, Secretary of State Colin Powell, General Richard B. Miles (chairman of the Joint Chiefs of Staff), along with other cabinet and White House officials.

<sup>171</sup>The September 4<sup>th</sup> meeting was to polish up the proposed national security policy against terrorism, which was finished and awaiting the President's signature on September 10<sup>th</sup> – the day before 9-11.

dialogue” with the Taliban.<sup>172</sup> Even when the full extent of Afghanistan’s support for terrorism was known and the UN had imposed stricter sanctions on that country two months earlier, and at a time when no one else was tolerating the Taliban’s behavior, the Bush administration, beholden to the petroleum industry,<sup>173</sup> decided to negotiate with them.

The content of the negotiations, held under UN auspices, are not known but as Brisard and Dasquié state: “What we do know for sure is that from February 5 to August 2, 2001, the United States engaged in private and risky discussions with the Taliban concerning geostrategic oil interests, among other things. These discussions involved the Taliban betraying Osama bin Laden, though at the time the Americans did not know the extent of the religious leader’s power over the Afghan rulers.”<sup>174</sup>

The talks were not fruitful. The Taliban was reluctant to relinquish any power. US policymakers were getting impatient. Apparently the Americans threatened the Taliban if they didn’t soften their stand. The Pakistani representative to the talks reported hearing the US official say: “Either you accept our offer of a carpet of gold, or we bury you under a carpet of bombs.”<sup>175</sup> At that same meeting the French representative let slip that the UN was talking with the Afghan king in exile about possibly taking over his former realm. The message was clear that US policy regarding Afghanistan had shifted. By this time the Bush administration was considering Richard Clarke’s plan to take the war to Al Qaida. Just a few weeks later the World Trade Center and the Pentagon were hit with hijacked airliners. General Tommy Franks, commander-in-chief of the US Central Command, said that within hours of the attacks on 9-11 he was given orders to “root out the Taliban in Afghanistan and to capture bin Laden.”<sup>176</sup>

Before proceeding farther, let me review some history on how the Bush family has interacted with Saudi Arabia, which sits on top of the world’s largest petroleum reserves.

### ***The Bush, bin Laden, and Royal Saudi Families.***

There is a history of connections between the Bush family and Saudi Arabia. Bush Jr. had ties with bin Laden’s brother in the oil and construction industries. James R. Bath, a wealthy Texan, in the late 1970s invested \$50,000 to help finance the startup of two companies founded and controlled by Bush Jr. – Arbusto ‘79 Ltd. and Arbusto ‘80 Ltd. These two companies later merged with Harken Energy in which Bush Jr. held some equity. But all records of those transactions, flavored by the scandal of insider trading when Bush Jr. liquidated his holdings, have disappeared. At that time Bath was the US business representative of Salem bin Laden, then head of the Binladen Group. Salem bin

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<sup>172</sup>Cited in Brisard and Dasquié, p. 40.

<sup>173</sup>It is conservatively estimated by the Campaign for Responsible Politics that the oil and gas industry contributed \$1,889,206 to the Bush presidential campaign. (Cited in Brisard & Dasquié, p. 236, note 2.)

<sup>174</sup>Brisard and Dasquié, p. xxxiv.

<sup>175</sup>Cited in Brisard and Dasquié, p. 42. Sources cited on p. 236, note 19.

<sup>176</sup>Edwards. This was actually implementing the national security policy against terrorism which was waiting for the President’s signature the day before the attack. It directed the Pentagon to make military strike plans and to work with the Northern Alliance to defeat the Taliban and Al Qaida.

Laden, the oldest of the bin Laden sons, took over leadership of the Binladen Group shortly after his father died in 1968. Salem was killed in a plane crash in Texas in 1988. Bakr bin Laden, the next oldest son, then took over leading the family business.

In 1987 Saudi financier Abdullah Taha Bakhsh became an 11.5 percent shareholder in Harken Energy, on whose board of directors Bush Jr. sat from 1986 to 1993. This investment was to help bring the company out of hard times.

Correspondent Greg Palast told BBC Newsnight that there have always been constraints on investigating the Saudis. But, he says, “under George Bush it’s gotten much worse. After the elections, the agencies were told to ‘back off’ investigating the bin Ladens and Saudi Royals.”<sup>177</sup>

Later in his term, Bush Jr. hosted the Saudis on a state visit. To illustrate how oil and gas has been a strong point in the administration’s foreign policy, and the Bush family’s relationship with the Saudis, Brisard and Dasquié point out: “During Saudi Crown Prince Abdullah’s visit to the George W. Bush ranch in Texas – ostensibly to discuss the Middle East crisis – the crown prince was joined by al-Naimi, who is officially supervising the kingdom’s \$25 billion gas initiative plan, which is designed to give foreign investors – including oil and gas companies based in Texas – a stake in natural water, gas, and electricity projects. Al-Naimi was there to assure investors that rising violence in the Middle East would derail these deals.”<sup>178</sup>

Fifteen of the 19 suicide hijackers on 9-11 were from Saudi Arabia. But 140 Saudi nationals, were hustled out of the US on a special flight, two dozen of whom were relatives of Osama bin Laden. The elaborate but rushed evacuation, approved by top White House officials, had private planes picking up the various individuals from ten different cities to collect them for a flight out of the country while most commercial and private flights were still grounded. The FBI says it interviewed relatives of bin Laden to assure they were not connected with 9-11. The interview actually took place at Boston’s Logan Airport as the Saudis were about to leave the country. However, Dale Watson, former head of counterterrorism at the FBI, said the Saudis “were not subject to serious interviews or interrogation.”<sup>179</sup> Senator Schumer is quoted as saying “it was too soon after 9-11 for the FBI even to know what questions to ask, much less to decide conclusively that each Saudi and bin Laden relative deserved an ‘all clear,’ never to be available for questions again.”<sup>180</sup>

Schumer added: “This is just another example of our country coddling the Saudis and giving them special privileges that others would never get. It’s almost as if we didn’t want to find out what links existed.”<sup>181</sup> Nevertheless, “should US law enforcement ever need them, investigators will know where they are – in Saudi Arabia, out of reach.”<sup>182</sup>

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<sup>177</sup>Cited in *Newsnight*. 6 November 2001.

<sup>178</sup>Cited in Brisard and Dasquié, p. 144.

<sup>179</sup>Cited in Lichtblau. Also in Connaughton.

<sup>180</sup>Connaughton.

<sup>181</sup>Cited in Lichtblau.

<sup>182</sup>York.

### ***The Carlisle Group.***

It was because the Saudi Binladen Group (Binladen Organization) had such close ties with the Royal Family that top international businesses have formed alliances with it. One of importance is the Carlyle Group, to which George H. W. Bush (Bush Sr.) is a paid senior advisor. According to the *Wall Street Journal*, Bush Sr. has made two trips to Saudi Arabia – in 1998 and 2000 – to promote business deals with the Royal family and the Binladen Group.<sup>183</sup>

The Carlyle Group has been described as “a new spin on Washington’s revolving door between business and government, ... Carlyle has upped the ante and taken the practice global. ... Its blue-chip investors include some major banks and insurance companies, billion-dollar pension funds, and wealthy investors from Abu Dhabi to Singapore.”<sup>184</sup> Directors, advisers, and other individuals who are or have been associated with Carlisle are:

David Rubenstein, Co-Founder – former aide in the Carter White House.

William Conway Jr., Co-Founder – former chief financial officer for MCI Communications

Louis V. Gerstner, Chairman – former chairman of IBM Corp.

James A. Baker III – former secretary of state under Bush Sr. and former secretary of Treasury under Reagan.

Frank C. Carlucci – former defense secretary under Reagan.

Richard G. Darman – former director of the Office of Management and Budget under Bush Sr.

John Sununu – former White House chief of staff under Bush Jr.

Arthur Levitt – former chairman of Securities and Exchange Commission.

Afsneh Beschloss – former treasurer and chief investment officer of the World Bank.

John Major – former British Prime Minister.

Fidel Ramos – former Philippines president.

Anand Panyarachun – former premier of Thailand.

Karl Otto Pohl – former president of Germany’s Bundesbank.

Park Tae Joon – former prime minister of South Korea.

William Kennard – former chairman of the Federal Communications Commission – oversees the fund for buying out telecommunications companies .

Saudi Prince Al-Waleed bin Talal (nephew of King Fahd) holds shares in Carlisle.

George Soros – billionaire and international philanthropist – has invested \$100 million.

California Public Employees Retirement System (CALPERS) – has invested \$305 million in Carlisle.

Other advisers have included the past or present chairmen of BMW, Hoffman-LaRoche, Nestlé, LVMH-Moët Hennessy, Louis Vuitton, and Aerospatiale; and the executive director of the Abu Dhabi Investment Authority.

David Rubenstein (a former aide in the Carter administration) and William Conway Jr. (former chief financial officer for MCI Communications) met in New York’s Carlisle Hotel in 1987 to found

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<sup>183</sup>*Wall Street Journal*, 27 September 2001; cited in Ruppert, “Oh Lucy!” Item 9.

<sup>184</sup>Wayne.

the group named after that hotel. They struggled for a couple years but then Frank Carlucci was brought on board in 1989. Carlucci, a former deputy director of the CIA and then defense secretary, introduced the practice of investing in defense companies that are responsive to national policies which the group can influence. Carlucci remained chairman until Louis Gerstner took over on 7 January 2003.

With headquarters on Pennsylvania Avenue in Washington D.C., just blocks from the White House, the Carlisle Group holds shares in several aeronautics and defense industries and is, therefore, a top US weapons contractor. It has also been called the world's most powerful private equity firm. It buys troubled military and aerospace companies in areas where they can predict public policy, puts them back on their feet, and then sells for profit. From 1987 to 2002 the firm has realized a 36 percent return on \$7.2 billion invested. Its current assets are about \$14 billion. According to the 2002 count, the group employs 240 people, has about 450 investor institutions, and owns stock in 164 companies which collectively have over 70,000 employees. About two-thirds of its investments are in the telecommunications and defense industry. It also owns health care companies, real estate firms, internet companies and *Le Figaro* the French newspaper.

Carlisle gave a struggling Bush Jr. a position on the board of its Texas-based food catering service for airlines – Caterair. Bush Jr. owned shares in Caterair between 1990 and 1994. He left the board of Caterair in 1992 when he was elected governor of Texas. In that capacity he appointed several directors to the state board controlling Texas teachers' pension funds. Then that board decided a few years later to invest \$100 million of the pension fund money in Carlisle. Coincidence?

Dan Briody makes an interesting observation on how members of the Carlisle Group may have influenced Bush Jr. after he became president. Briody relates that, shortly after his inauguration, Bush Jr. broke off talks with North Korea. Reports have it that Bush Sr. then sent his son a memo explaining why America has to work with North Korea. By June 2001 the talks were back on track. Briody points out that the Carlisle Group had business interests in South Korea which Bush Sr. had spearheaded – buyouts of the KorAm Bank and the Mercury telecommunications equipment company. These investments depended on stability with North Korea. Briody then explains: "We know that former President Bush receives remuneration for his work with Carlisle and that he is capable of advising the current president, but how much further it goes, we don't know."<sup>185</sup>

In 1994 Osama bin Laden's family supposedly disowned him, but that proved not to be absolutely true – "... on nine different occasions, his mother, uncle, and brothers had visited him in Khartoum in Sudan. ... two of Osama bin Laden's brothers-in-law ... played a crucial role, according to American authorities, in the financing of Al Qaida."<sup>186</sup> Osama's mother also visited him at least twice after he returned to Afghanistan – purportedly to convince him to give up his radical ways, and also to convey bribery messages from the Royal family aimed at keeping his targets out of the Saudi Kingdom. There have been other instances reported.<sup>187</sup> And at the same time the bin Laden family held shares in Carlisle Partners II fund which includes several defense contractors. It was only after 9-11, on 26 October 2001, under fire of public criticism, that the Carlyle Group broke connections

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<sup>185</sup>Expressed and cited in Briody.

<sup>186</sup>Brisard and Dasquié, p. 104.

<sup>187</sup>For instance, see Mayer.

with the bin Laden family in what was described as a mutual agreement. The bin Ladens liquidated their \$2.02 million stake.<sup>188</sup>

The Carlisle Group is very secretive about its investments in Saudi Arabia. It is known that they earned about \$50 million annually to train the Saudi Arabian National Guard which protects the Royal family. Carlisle also advises the Royal family on offset programs that attract foreign business.

Carlisle claims it does not lobby the government. It's influence is a much more subtle advisory role. Peter Eisner, managing director of the Center for Public Integrity makes a critical observation: "It should be a deep cause for concern that a closely held company like Carlyle can simultaneously have directors and advisers that are doing business and making money and also advising the president of the United States." Eisner continues: "The problem comes when private business and public policy come together. What hat is former President Bush wearing when he tells Crown Prince Abdullah not to worry about US policy in the Middle East? What hat does he use when he deals with south Korea, and causes policy changes there? Or when James Baker helps argue the presidential election in the younger Bush's favor? It's a kitchen-cabinet situation, and the informality involved is precisely a mark of Carlyle's success."<sup>189</sup>

On 5 December 2003, Bush Jr. announced he had appointed "James A. Baker III to be my personal envoy on the issue of Iraqi debt. Secretary Baker will report directly to me and will lead an effort to work with the world's governments at the highest levels, with international organizations and with the Iraqis in seeking the restructuring and reduction of Iraq's official debt."<sup>190</sup> By this move Bush has appointed not only a Carlisle stockholder, not only a board member, but a full partner in that Group as the key person in establishing the economy of the second largest petroleum reserve in the world. Baker is also a senior partner in Baker Botts LLP which is also deeply involved in Mid East oil.<sup>191</sup> With this move Bush has put Baker in position to influence 70 percent of the world's oil supply.

## **EARLY WARNING SIGNS – "THEY KNEW, THEY KNEW!"**

After the assault on 9-11, the Bush administration adamantly denied there was any specific information that could have prevented the attack. It claimed that all the indicators were for an attack overseas. National Security Advisor Condoleezza Rice obfuscated: "Very often we have

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<sup>188</sup>The bin Laden family also holds about \$10 million investment in the Fremont Group, a private investment company headed by former secretary of state George Schultz. The family also has business dealings and interests in Citigroup, Merrill Lynch, Goldman Sachs, General Electric, Microsoft, Boeing, Hybridon (a Massachusetts biomedical company) and probably more. They also made a \$2 million donation to Harvard University to further Islamic scholarships.

<sup>189</sup>Cited in Burkeman and Borger.

<sup>190</sup>US State Department, 5 December 2003.

<sup>191</sup>According to the Baker Botts LLP website: "Together the Baker Botts attorneys in Riyadh, Houston, London, and Washington provide representation and advice on matters throughout the Middle East, including Algeria, Bahrain, Egypt, Ethiopia, Israel, Jordan, Kuwait, Lebanon, Morocco, Oman, Qatar, Saudi Arabia, Tunisia, UAE, and Yemen. ... The perspective and experience of James A. Baker III, 61<sup>st</sup> US Secretary of State, offers the firm's clients an additional resource on which to rely regarding the activities in the region."

uncorroborated information; sometimes we have corroborated but very general information. But I can tell you that it is almost never the case that we have information that is specific as to time, place, or method of attack.”<sup>192</sup> All three of those attributes – When, Where, and How – have been repeatedly offered as necessary knowledge before any action could have been taken that would have prevented 9-11. It would be nice to have all the intelligence packaged so neatly. But, as I will illustrate below, there was adequate information to have warranted common-sense precautions. The decisionmakers in our government were not ignorant of the implications of information available. But, as was the case in Pearl Harbor, only general and vague threat warnings were issued. Had the information available been handed down to those responsible for implementing precautions, history may have been different. Again, let me start with some chronological background.

### ***Early Terrorist Actions Against and In the United States.***

America’s first experience as a target of terrorism probably began with the bombing of the US embassy in Beirut, Lebanon in April 1983. That was followed by the bombing of the US Marine barracks in that same city the following October. The terrorist group Islamic Jihad claimed responsibility. In March 1984, William Buckley, an official at the US embassy in Beirut was kidnaped and murdered. Other US citizens not affiliated with the US government were kidnaped in Lebanon over the next two years. Two more bombings occurred in 1984: A restaurant frequented by US servicemen in Torrejon, Spain was bombed by Iranian-backed HizbAllah in April and the US embassy annex in Beirut in September.

Another flurry of anti-US terrorist activity took place in 1985: hijacking of TransWorld Airways Flight 847 in June, hijacking of the cruise ship Achille Lauro in October, hijacking of EgyptAir Flight from Athens to Malta in November, and the December attacks on the Rome and Vienna Airports by the terrorist group Abu Nidal.

The first international terrorist attack on American soil was the 26 February 1993 bombing of the World Trade Center parking garage, and the 24 June 1993 arrest of eight terrorists for conspiring to bomb other New York City landmarks including the United Nations building and the Lincoln and Holland tunnels. Masterminds of these activities were Ramzi Ahmed Yousef and Shaykh Omar Abd al-Rahman (the blind sheik). Both are now serving sentences in prison but Yousef first played a part in the Bojinka Plot, to be discussed below..

In 1993, the Pentagon’s Office of Special Operations and Low-Intensity Conflict ordered a study on the feasibility of using an airplane to bomb spectacular landmarks. Chairman of the expert panel, Colonel Doug Menarchik (Air Force retired), said: “It was considered radical thinking, a little too scary for the times.”<sup>193</sup>

Nevertheless, in April of the following year (1994) a disgruntled Federal Express flight engineer tried to take over a DC-10 in which he was a passenger, with the intention of crashing it into the company building in Memphis, Tennessee. Fortunately he was subdued by the crew. Then in December a French passenger jet in Algiers was hijacked by the Armed Islamic Group. They planned to crash it into the Eiffel Tower but the plane did not have enough fuel to reach Paris. It was diverted to Marseilles for refueling where it was stormed by French special forces. These two events certainly

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<sup>192</sup>Rice, 16 May 2002.

<sup>193</sup>Cited in Ahmed, pp. 81-82.

highlighted that hijacking passenger jets by suicide terrorists to destroy prominent landmarks had definite potential. But there was more to come.

Bombing of the US training center in Riyadh followed in November 1995, and then the US barracks in the Khobar Towers bombing in June 1996, both in Saudi Arabia. The attack on US embassies in Kenya and Tanzania followed in August 1998. Then came the *USS Cole* bombing in a Yemenese port during October 2000. But now let me back up to 1995.

### ***The Bojinka Plot.***

In Manila, in January 1995, there was an apartment fire which turned out to be so suspicious that the Philippine National Police were called in to investigate. The apartment turned out to be the bomb-making laboratory of Ramzi Ahmed Yousef, a Kuwaiti and one of the masterminds of the 1993 World Trade Center bombing. Yousef and one of his accomplices escaped.<sup>194</sup> But a third occupant of the apartment – Abdul Hakim Murad, another Kuwaiti who took flight training in New York, Texas, California, and North Carolina to earn his commercial pilot’s license – was arrested when he returned to the apartment to retrieve his laptop computer. He revealed some chilling plans. One Philippine investigator related: “Murad narrated to us about a plan of the Ramzi cell in the continental US to hijack a commercial plane and ram it into the CIA headquarters and counterterrorism center in Langley, Virginia, and also the Pentagon.”<sup>195</sup> Murad had been recruited by Yousef and bin Laden as a suicide pilot. He is now also serving a life sentence.

The entire plan, called the Bojinka Plot (Bojinka is a Yugoslav term for Loud Bang), was found on Murad’s laptop computer. On the hard drive were plans to assassinate Pope John Paul II when he visited the Philippines. Other parts of the Bojinka Plot were to bomb the US and Israeli embassies in Manila, blow up 12 US-owned airliners over the Pacific Ocean, and crash a plane into the CIA headquarters at Langley, Virginia. The staff of the Joint Inquiry (the joint House-Senate Intelligence Committees investigation of 9-11, to be discussed below) found, during testimony, hardly any mention of crashing a plane into the CIA headquarters. The CIA’s focus seemed to be on blowing up airliners over the Pacific. Other information on the computer showed that Middle Eastern terrorists were taking flight training in America.

Ramzi Yousef was arrested in Pakistan in February 1995. He boasted of the Bojinka Plot to US Secret Service Agent Brian Parr and FBI agent Charles Stern on his extradition flight from Pakistan to the US. The agents later testified at Yousef’s trial that he said Bojinka included plans to hijack and crash several commercial airliners into civilian and government buildings simultaneously, precisely as it occurred on September 11th. That is information that was placed on court records by members of the Intelligence Community several years prior to 9-11. Philippine investigators said the Bojinka Plot also included the White House, the World Trade Center, the TransAmerica Tower in San Francisco, and Sears Tower in Chicago (the tallest building in the US). During his trial, Murad said the Bojinka Plot was masterminded by Osama bin Laden.<sup>196</sup>

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<sup>194</sup>Yousef was apprehended in Pakistan the following month and extradited to the US for trial. He is now serving a life sentence for the 1993 World Trade Center bombing.

<sup>195</sup>Cited in Ressa.

<sup>196</sup>Information in this paragraph is cited from or paraphrased from Bollyn.

In an unsigned statement introduced at trial, Yousef described the goal of the 1993 World Trade Center bombing as no less than toppling “the towers that constitute the pillars of their civilization.”<sup>197</sup>

Ramzi Yousef was convicted on 11 September 1996. Nafeez Mosaddeq Ahmed opined that, “given the fascination terrorists have with anniversaries,” September 11<sup>th</sup> “should surely have become a watch date” for the Intelligence Community.<sup>198</sup>

***Khalid al-Mihdhar and Nawaf al-Hazmi.***

Khalid al-Mihdhar (a.k.a. Khalid Almihdhar) and Nawaf al-Hazmi (a.k.a. Nawaf Alhazmi) – future hijackers of American Airlines Flight 77 – first arrived in San Diego, California in November 1999. Upon arrival in the country they met Omar al-Bayoumi in a Los Angeles restaurant. Bayoumi was apparently under FBI surveillance. He claimed to be a student but was also receiving a modest salary from the Saudi civil aviation authority. He persuaded al-Hazmi and al-Mihdhar to settle in San Diego and helped them find an apartment. After meeting the two men, Bayoumi’s Saudi salary rose from less than \$500 per month to somewhere between \$3,000 and 3,500.<sup>199</sup>

Although Bayoumi was obviously under FBI observation, which in turn led to al-Hazmi and al-Mihdhar, the latter two did not come under CIA surveillance until they attended an Al Qaida meeting in Kuala Lumpur, Malaysia in January 2000. There are two versions of how this came about.

The first version is that investigation into the Bojinka Plot led to a key Indonesian terrorist with Al Qaida ties named Riduan Isamuddin, also known as Hambali. He was a key leader of the Southeast Asian terrorist group called Jemaah Islamiyah, and its main liaison with Al-Qaida.<sup>200</sup> Hambali was then put under surveillance and that led to the first knowledge about two future 9-11 hijackers – al-Mihdhar and al-Hazmi – when he met with them at the January 2000 meeting. This information was shared with the US.

The other story stems from the August 1998 bombing of the US embassy in Kenya. One of the suicide terrorists, through a fluke, escaped being killed. He was captured and informed US intelligence agencies about an Al Qaida logistics house in Yemen. The CIA put the house under surveillance. In December 1999 they intercepted a conversation about an upcoming January 2000 terrorist summit meeting in Kuala Lumpur. Consequently the CIA asked Malaysian authorities to monitor the meeting and take pictures, which they did. Malaysian authorities then sent the information on attendees, with their pictures and full names, to the CIA.

The actual story is probably some combination of the two versions. Anyway, the CIA tracked al-Hazmi on a flight back to San Francisco later that month. They also determined that al-Mihdhar had a multiple entry visa but did not realize at the time that he was on the same flight back

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<sup>197</sup>Cited in Gibbs.

<sup>198</sup>Ahmed, p. 84.

<sup>199</sup>Information on Bayoumi is from Johnston and Jehl. It was furnished by a source who is privy to the classified chapter of the Congressional Joint Inquiry Report. The FBI asserted there is no evidence Bayoumi’s salary increase was used to help terrorists. During the Joint Inquiry, Bayoumi was safely back in Saudi Arabia.

<sup>200</sup>Hambali and Jemaah Islamiyah are discussed in detail in PLRC-030724 about the oil and gas interests in Southeast Asia. Hambali was captured in Thailand during August 2003 and is now in US custody.

to San Francisco as al-Hazmi. Since the CIA could not at that time spy on people in the United States, the usual procedure would have been to notify the FBI and let them take over from there. That never happened. The CIA lost interest in the two even though they were suspected of having Al Qaida connections. Nothing was done for the next 19 months. “We couldn’t fathom it, really,” said Rais Yatim, Malaysia’s legal affairs minister. “There was no show of concern.”<sup>201</sup>

Al-Mihdhar and al-Hazmi returned to San Diego and enrolled in flight schools in their own names. As a matter of fact they did many things using their real names – opened bank accounts, obtained telephone service and one had his name in the phone directory complete with local address. They even obtained social security cards, secured credit cards (used to purchase tickets for Flight 77), bought and registered an automobile and later changed the registration to the others name, and obtained drivers’ licenses. When al-Mihdhar’s visa expired, the State Department renewed it. Al-Hazmi was even stopped for a traffic violation in Oklahoma, and the state trooper ran a computer check on him before issuing the citation. Had the FBI and other agencies known about the fugitives, they could not have been easier to find.

There is more to the story. In September 2000, 26-year-old al-Mihdhar and 25-year-old al-Hazmi met another Muslim man at the local Islamic Center. They became friends and the two future hijackers moved in with this man who, it turns out, was a tested undercover informant for the FBI in San Diego on terrorist cases. The San Diego FBI case agent had some awareness that his informant was renting rooms to Saudi visitors. In one telephone conversation the informant told the case agent he couldn’t talk because “Khalid” (referring to al-Mihdhar) was in the room.<sup>202</sup>

When another attendee at the Kuala Lumpur meeting was later connected with Al Qaida and the bombing of the *USS Cole*, that January 2000 meeting took on greater significance. Still nothing happened as far as the CIA alerting anyone. But when intelligence information reached a peak during the summer of 2001, DCI Tenet instructed the CIA to review its files. There they found record of the two suspects and their ties to the *USS Cole* bombing. Finally, on 23 August 2001, the CIA requested that al-Mihdhar and al-Hazmi be added to the State Department’s terrorist watch list for denying visas. But they had already entered the US on 15 January 2000, right after the Kuala Lumpur meeting. Al-Hazmi left again on 10 June 2000, but returned on 4 July 2001. So by the time they were put on the watch list they were both already in the country.

The FBI’s New York field office was unsuccessful in finding either of them. The Los Angeles field office received its orders for a search on the morning of September 11<sup>th</sup>. By that time al-Mihdhar and al-Hazmi were on United Flight 77 on their way to the Pentagon.

### ***The Phoenix Memo.***

In July 2001, an FBI supervisor in Phoenix, Arizona, named Bill Kurtz was conducting an investigation of possible Islamic terrorists. One of his team members, Agent Kenneth Williams, a veteran at counterterrorism who had been monitoring suspicious Arabs since 1996, noticed a questionable pattern. About eight Middle Eastern men he had under surveillance were enrolled at the Embry-Riddle Aeronautical University in Prescott, Arizona, learning to fly airplanes. They were also asking questions about airplane engineering, airport construction, and airport security. One of the

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<sup>201</sup>Cited in Isikoff and Klaidman.

<sup>202</sup>Cited in Isikoff, 16 September 2002.

men had communicated with one of bin Laden's top aides, Abu Zubeida, through an intermediary. Several had links to Al-Muhajiroun, a radical British group that supports terrorism and bin Laden. Kurtz, who had previously been involved with investigating bin Laden, was sure his team had discovered something important.

On 10 July 2001 the Phoenix field office sent a five-page memo (electronic communication) to their Washington headquarters. The memo proposed that the FBI open investigations at flight schools throughout the country on certain individuals of Middle Eastern nationality, possibly connected with terrorists overseas, who are attending flight colleges and universities in the US.

This Phoenix Memo, as it is called, was received in Washington later that month and at a time when the Intelligence Community was being warned of attacks using airliners. Staff members of a later Congressional Joint Inquiry marked this memo as particularly significant – not because it was another terrorist warning, it wasn't, but because a field officer had recognized a pattern and laid out the concept "that foreign terrorists may use facilities and other resources inside the United States for training and preparation for attacks."<sup>203</sup> But the FBI did not follow up on the Memo.

The FBI claimed that even if it had followed up on the memo it wouldn't have made any difference. Only one of the hijackers had trained at Phoenix – Hani Hanjour – and he had graduated prior to the Phoenix memo. Had the FBI followed up, and had a pattern been discovered, precautions could have been taken that might have prevented, or at least mitigated, the effect of 9-11. After the 9-11 attack the memo was withheld from the public because, according to FBI Director Mueller, two of the people mentioned are now, belatedly, under FBI surveillance.<sup>204</sup>

FBI Director Robert Mueller and Attorney General John Ashcroft have stated that they did not brief the President or his national security staff about the Phoenix Memo until some time after 9-11. Neither of them have said publicly when they, themselves, first heard of the Memo but the implication seems to be that it wasn't until after the attack.

Neither was the Phoenix Memo shared with the FBI field office in Minneapolis when another suspicious incident involving flight schools arose. That was the discovery and arrest of Zacarias Moussaoui.

### ***Detention of Zacarias Moussaoui.***

The only suspect charged as a conspirator with the 9-11 terrorists in custody, Zacarias Moussaoui, has been called the twentieth hijacker. He is a French citizen of Moroccan ancestry who was arrested in the US for a visa violation on 16 August 2001 – less than a month before the 9-11 event. Moussaoui (a.k.a. Shaquil, a.k.a. Abu Khalid Sahrawi) had been attending the Airman Flight School in Norman, Oklahoma since the previous February, as had several of the 9-11 suicide pilots. He ended his classes early after having trouble earning a private pilot's license.

Moussaoui then moved to Minneapolis, Minnesota in August to attend the Pan Am International Flight Academy. However, he aroused the suspicions of his flight instructor as to why he wanted to fly large jetliners when he didn't even have a pilots license. The media has frequently attributed Moussaoui as saying he wasn't interested in takeoffs and landings – he just wanted to learn

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<sup>203</sup>Hill, 18 September 2002.

<sup>204</sup>After 9-11 the CIA confirmed that at least two of the men mentioned in the Phoenix Memo had ties with bin Laden, and a third did communicate through a third party with Zubeida, a top bin Laden aide. The nature of the communication was not disclosed. [See Lichtblau and Meyer, 23 May 2002.]

how to steer them in the air, to fly a Boeing 747 from London to New York. The instructor reported all of this to the FBI.

The CIA had a thick file on Moussaoui when he was arrested in Minneapolis. The French and other European intelligence services were aware of Moussaoui as early as 1999. But the FBI in Washington refused the local agent's request for antiterrorist surveillance. Although it was known that he had terrorist connections and that he was receiving flight training, there was internal debate over whether there was enough evidence indicating he represented a foreign power to invoke the Foreign Intelligence Surveillance Act. Therefore, he was detained by the Immigration and Naturalization Service (INS) on a visa technicality. He was transferred to the FBI only after the 9-11 attack.

However, within days of Moussaoui's arrested for overstaying his visa, French intelligence agents confirmed they had been aware of him since 1999, that he had a link with bin Laden, and that he had trained in Al Qaida camps in Afghanistan during 1998. Minnesota agents' believed they now had probable cause to investigate further. They sought permission from FBI headquarters to obtain a search warrant for Moussaoui's computer and other personal belongings. One Minneapolis FBI supervisor speculated that Moussaoui might have been planning to crash a plane into the Twin Towers.<sup>205</sup> That FBI supervisor later testified to the Congressional Joint Inquiry Staff that he had made that remark in a frustrated attempt to convince Washington a special search warrant was needed – he was “trying to get people at FBI headquarters ‘spun up’ because he was trying to make sure that Moussaoui ‘did not take control of a plane and fly it into the World Trade Center.’”<sup>206</sup> But FBI headquarters refused the search request, saying: “That’s not going to happen. We don’t know he’s a terrorist. You don’t have enough to show he’s a terrorist.”<sup>207</sup> The headquarters agent later testified that he didn’t recall the conversation.

When Minneapolis FBI agents, in an effort to bypass the Washington roadblock, directly notified the CIA's Counterterrorist Center (CTC), they were chastised for making a direct notification without FBI headquarters approval. Finally, on 4 September 2001, the rest of the Intelligence Community (including the Federal Aviation Administration) was advised of the Moussaoui investigation. The dispatch from FBI headquarters did not indicate any threat Moussaoui might pose and did not suggest watching for additional indicators of terrorist activity.

### ***Ziad Jarrah Was Also Known As An Al Qaida Operative.***

Although the Intelligence Community claims that Nawaf al-Hazmi and Khalid al-Mihdhar were the only two 9-11 hijackers they knew about before the attack (except for connecting Salem al-Hazmi through his brother Nawaf), that is not entirely true. Ziad Jarrah, the terrorist pilot of Flight 93, was stopped for questioning in the United Arab Emirates (UAE) in January 2001. According to UAE authorities the CIA suspected he had been in Afghanistan and requested that he be checked because of “his suspected involvement in terrorist activities.”<sup>208</sup> The CIA believed he had spent at least three weeks at an Al Qaida training camp.

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<sup>205</sup>Isikoff, 20 May 2002.

<sup>206</sup>Cited in Associated Press, 26 September 2002.

<sup>207</sup>Cited in Associated Press, 26 September 2002.

<sup>208</sup>Cited in MacVicar and Faraj.

Jarrah is a Lebanese national who belonged to the Hamburg, Germany cell where three of the hijacker-pilots (including him) came from. He was en route from Pakistan to Germany with a stopover at the Dubai airport. UAE authorities said the CIA wanted to know where and how long Jarrah had been in Afghanistan. He had already spent six months in the US attending flight schools and had a valid multiple-entry visa. After the questioning at the airport, UAE officials turned the information over to the US. He was released to continue his journey because the CIA seemed to be satisfied.

The CIA now denies any complicity in stopping Jarrah and having him questioned. They claim to have no knowledge of a request to question him or of a subsequent report regarding the questioning. When this denial was brought to the attention of UAE officials, they repeated that Jarrah was questioned at the request of the United States. High UAE officials also pointed out that they had no interest in checking on Jarrah because he was in transit. European intelligence officials say this fits a CIA pattern begun in 1999 to track Al Qaida suspects – US officials would give advanced warning of who was coming through the airport and request that certain ones be questioned.

Two days before 9-11, Jarrah was stopped in Maryland for a traffic violation. After a computer check turned up nothing, he was issued a citation and sent on his way. The citation was found in the glove box of his rental car in the Newark International Airport parking lot after 9-11.

### ***Khalid Shaikh Mohammad.***

A 5 June 2002 article in *The New York Times*, identified 37-year-old Khalid Shaikh Mohammad, a Kuwaiti citizen of Pakistani ancestry, as having played a major operational role in the 9-11 attacks.<sup>209</sup> The article cites US intelligence officials as identifying Mohammad in that operational role, and as a possible relative of Ramzi Yousef of the 1993 World Trade Center bombing and the Bojinka Plot. That relationship puts a direct link from the failed 1995 Bojinka Plot to the 9-11 attacks, as well as a connection with the 1993 World Trade Center bombing. Another FBI counterterrorism official identified Mohammad as “perhaps the most wanted” of Al Qaida operatives, perhaps even more so than bin Laden and his top aide Ayman al-Zawahiri.<sup>210</sup>

A similar article in the 24 June 2002 *Los Angeles Times* cites Philippine investigators as also believing that Mohammad was a key organizer of the 9-11 attacks.<sup>211</sup> Mohammad was in Manila for a year in the mid-1990s under the name of Abdul Majid. Philippine police have concluded that he was the principal planner of the Bojinka Plot. A police report on the original Bojinka investigation concludes that it was “the first step in a sustained effort by Mohammad to refine the use of aircraft as weapons of terror.”<sup>212</sup>

Later on 18 September 2002, Eleanor Hill, director of the Congressional Joint Inquiry staff, pointed out two areas of critical public interest that the CIA had censored out of her report. One was any reference to intelligence information being passed to the President, which has been discussed

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<sup>209</sup>Risen, 5 June 2002.

<sup>210</sup>Cited in Risen, 5 June 2002.

<sup>211</sup>McDermott.

<sup>212</sup>McDermott.

above. The second was identification of a particular Al Qaida leader who may have been instrumental in the 9-11 attacks, and who is still at large. Investigation by Hill and her staff indicates the Intelligence Community knew about this individual since 1995 but did not perceive his importance in planning an attack on the magnitude of 9-11. Prior to 9-11 the Intelligence Community paid him little attention. Now the CIA says that identifying him may compromise some intelligence sources and that supercedes the public's interest.

But the CIA censorship came too late. The "key Al Qaida leader" cryptically referred to in Hill's report had been previously identified. *The New York Times* reports: "According to US officials that reference was to Mohammad ... Next to Osama bin Laden, Mohammad is probably the most wanted terrorist in the world, ... US intelligence officials say he has emerged as Al Qaida's new chief of operations, ..." <sup>213</sup>

The *Baltimore Sun* also referred to Khalid Shaikh Mohammad being monitored by the National Security Agency (NSA) prior to 9-11. Telephone conversations were intercepted between him, probably in Afghanistan, and US-based Mohammad Atta, the key hijacker who flew the first plane into the North Tower. US intelligence officials said on 6 June 2002 that "conversations between Khalid Shaikh Mohammad and Mohammad Atta were intercepted," but the "NSA failed to share the intercepts with the CIA and other US intelligence agencies." <sup>214</sup>

Apparently the CIA has relented and declassified the use of his name. In a September 2003 report to the House Select Committee on Homeland Security, Eleanor Hill referred to him by name, and illustrated his key part in preparing for the 9-11 attack. <sup>215</sup> Mohammad's name is also used in the Joint Inquiry Report. <sup>216</sup>

### ***Chronology of Other Warnings – 1996-2001.***

January 1996 – Individuals associated with Shaykh Omar Abd al-Rahman (the blind sheik now in prison for the 1993 World Trade Center bombing) who were planning an attack on the US, came to the attention of the Intelligence Community. Their plan was to fly from Afghanistan and attack the White House. Although somewhat far-fetched, this did show continued interest by terrorists in using airplanes as a weapon.

October 1996 – The Intelligence Community learned of a plot by Iranian terrorists to commandeer a Japanese plane and crash it into Tel Aviv. Although not involving the US, it again indicated interest in using airplanes as weapons.

1997 – The FBI and CIA became concerned about a specific terrorist group purchasing an

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<sup>213</sup>Risen, 23 September 2002.

<sup>214</sup>Cited in Knight Ridder/Tribune, 7 June 2002. It should be noted that another intelligence official is quoted in the same article as saying it was "simply not true" that the NSA is monitoring conversations and failing to share the information. Since the purpose of this paper is to show that the 9-11 attacks were allowed to happen, it might be in order for me to ask a few leading questions. Were the first officials quoted engaging in a cover up and the "simply not true" official stating it as it was? Was information actually shared among all the Intelligence Community but a common conspiracy by a few high officials kept it from being propagated, as what happened before Pearl Harbor? I'll be getting into more information along that line later in this paper.

<sup>215</sup>See Hill, 10 September 2003.

<sup>216</sup>Joint Inquiry Report, p. 30.

unmanned aerial vehicle and using it as a flying bomb. The belief then was that they would use it overseas, possibly against a US embassy.

1998 – Numerous bits of intelligence were gathered during 1998. In June, several sources provided information that bin Laden was contemplating attacks on New York City, Washington D.C., and other US targets. Senior US government officials were advised in July.

1998 – An FBI pilot stationed in Oklahoma City became suspicious and wrote a memo to his superior about the large number of Middle Eastern men receiving flight training in area airports. He said the “recent phenomenon” could be related to “planned terrorist activity.”<sup>217</sup>

1998 – Intelligence officials submitted a memo that a Middle Eastern nation tried to bypass US restrictions to purchase a flight simulator.

August 1998 – Information was obtained that a group of Middle Easterners planned to fly a plane load of explosives into the World Trade Center. The Federal Aviation Administration (FAA) dismissed the plan as highly unlikely given the state of the foreign country’s aviation program and US early detection capabilities. The FBI took no action. This was a warning that garnered much attention during the Congressional Joint Inquiry because it provided “the first disclosure that there was specific intelligence about terrorist plans to crash airplanes into the World Trade Center.”<sup>218</sup>

September 1998 – The Intelligence Community prepared a detailed memorandum of Al Qaida’s infrastructure in the US, including front groups for terrorist activities. It was presented to senior US officials that same month. Also in September, intelligence was obtained on bin Laden’s plan to use an aircraft loaded with explosives to blow up a US airport. Senior US officials received that information in late 1998.

October 1998 – Information about Al Qaida trying to set up an operative cell in the US was obtained. Then information concerning a bin Laden plot to use aircraft in the New York and Washington D.C. areas was uncovered. In November it was learned that bin Laden’s organization was trying to recruit 5-7 young men to take training in the Middle East on striking US domestic targets.

November 1998 – Groups of Turkish extremists planned to fly a plane loaded with explosives into Ataturk’s tomb during a ceremony commemorating his death. Turkish newspapers linked the terrorists to bin Laden. The attack was thwarted but it was another example of many indicating interest in using airplanes as weapons.

November 1998 – Bin Laden and associates offered a reward for assassination of America’s four top intelligence officers – US\$9 million each. This was in response to a bounty offered by the US for the capture of bin Laden.

February 1999 – The Intelligence Community obtained information that Iraq had formed a suicide pilot unit for use against US and British forces in the Persian Gulf area. The CIA dismissed this as highly unlikely and probably disinformation.

March 1999 – It was discovered that an Al Qaida member, who is a US citizen, planned to fly a hang glider with explosives into the Egyptian Presidential Palace. He took hang gliding instructions and then carried a hang glider to Afghanistan. He was arrested there after a training mishap.

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<sup>217</sup>Cited in Lichtblau and Meyer, 30 May 2002.

<sup>218</sup>Risen, 19 September 2002.

Spring 1999 – information was obtained about a planned attack on a US government facility in Washington D.C.

August 1999 – US intelligence obtained assassination plans for the US Secretary of State, Secretary of Defense, and the DCI.

September 1999 – A 138-page report from a study commissioned by the CIA warned: “Suicide bomber(s) belonging to Al Qaida’s Martyrdom Battalion could crash-land an aircraft packed with high explosives ... into the Pentagon, the headquarters of the Central Intelligence Agency (CIA), or the White House.” The report also showed a picture of the World Trade Center and said bin Laden “most likely will retaliate in a spectacular way” in retaliation for the earlier Tomahawk cruise missile strikes against training camps in Afghanistan.<sup>219</sup>

September 1999 – Information obtained pointed to specific landmarks in California and New York City that might be terrorist targets.

Late 1999 – There was information available about potential attacks against sensational landmarks in Washington D.C. and New York City during the millennium celebration.

14 December 1999 – Al Qaida operative Ahmed Ressam was arrested at the border while trying to enter the US from Canada. Customs agents found explosives and detonators in his car. Ressam’s intended target was Los Angeles International Airport during the millennium celebration.

February 2000 – More assassination plans aimed at US intelligence officers, including the head of the FBI, were uncovered.

March 2000 – An intelligence acquisition named specific types of targets – the Statue of Liberty, skyscrapers, seaports, airports, and nuclear power plants. Information was also acquired that bin Laden was planning attacks on specific west coast targets with the possible assassination of several public officials.

April 2000 – An intelligence source walked into the FBI’s Newark office and claimed to have information on bin Laden hijacking a Boeing 747. The informant claimed to have learned hijacking techniques at a training camp in Pakistan, and that he was to meet five or six others in the US to carry out the plan. The terrorists were instructed to use any force necessary to commandeer the plane as the hijackers would have pilots aboard. The plan was to fly the plane to Afghanistan, or to blow it up if there wasn’t enough fuel for the trip.

January 2001 – The Federal Aviation Administration (FAA) released the first of 15 warnings to US airlines prior to 9-11. These warnings were of violence against American citizens and US interests. “According to sources who have read them, more than two of the warnings specifically mentioned the possibility of hijacking.”<sup>220</sup>

February 2001 – The Pan Am International Flight Academy in Phoenix, Arizona requested FAA verification of a pilot’s license issued to Hani Hanjour, a Saudi Arabian who on 9-11 flew America Airlines Flight 77 into the Pentagon.

March 2001 – an intelligence source reported that bin Laden planned an attack in the US the following month. Then in April there were reports that unspecified operatives in California and New York were planning attacks in those states that same month.

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<sup>219</sup>Quotations cited in Lichtblau And Miller.

<sup>220</sup>Hirsh and Isikoff.

April 2001 – an intelligence source speculated that bin Laden was interested in commercial pilots as terrorists. That source warned that the US should not focus only on embassy bombings because the terrorists sought spectacular and traumatic attacks, and that the first World Trade Center bombing was an example of what would be appealing.

May 2001 – The Intelligence Community obtained information that bin Laden supporters were planning to infiltrate the US from Canada to carry out an attack involving explosives. This information was shared in July – two months later – with the FBI, the Immigration and Naturalization Service (INS), US Customs Service, and the State Department. After another month, in August, it was reported to senior government officials.

May 2001 – The Department of Defense learned that seven of bin Laden’s operatives had departed various locations for Britain, Canada, and the US.

June 2001 – The CIA’s Counterterrorism center had information that key bin Laden operatives were disappearing for locations unknown while others were preparing for martyrdom (suicide) missions.

July 2001 – A person recently from Afghanistan told the Counterterrorism Center: “Everyone is talking about an impending attack.”<sup>221</sup> The Counterterrorism Center was also aware that bin Laden had recently stepped up his propaganda activity.

May-July 2001 – The National Security Agency (NSA) – an outgrowth of the Army’s Signal Intelligence Service (SIS) and the Navy’s Op-20-G discussed above in the Pearl Harbor section – reported at least 33 intercepted communications indicating a possible, imminent terrorist attack.

August 2001 – Information came to the attention of the Intelligence Community that two people associated with bin Laden were planning use of an airplane to either bomb the US embassy in Nairobi, Kenya or crash the plane into it.

August 2001 – The FBI arrested a suspected bin Laden operative in Boston. He had been taking flight lessons and possessed technical information and flight manuals on Boeing aircraft.

Late Summer 2001 – Information was gathered by the Intelligence Community that an Al Qaida terrorist was mounting operations in the US.

6-10 September 2001 – In the three business days before 9-11, trading in United Airlines and American Airlines stock was unusually heavy. There was a sharp and unusual spike to the “put” options purchased on these two airlines and other businesses that were sharply affected by 9-11.<sup>222</sup> No such pattern was evident for other airlines. Estimates in profits from this trading run as high as \$15 billion. By using the Prosecutor’s Management Information System (PROMIS) software and the Echelon information-sharing arrangement with allies, the US Intelligence Community monitors stock market trends. This would signal insider trading by some who knew the stock in these airlines was about to drop precipitously.

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<sup>221</sup>Cited in Hill, 18 September 2002.

<sup>222</sup>A “put” option gives the buyer of a certain amount of shares the guaranteed option (not an obligation) to sell those shares at a specified price by a fixed date. “Put” options are profitable only if the stock drops because the shares can be sold at the higher guaranteed price and then the stock can be bought again at the lower current price. Or, if the stock is not yet owned, the buyer can purchase it at the lower current rate and then sell it at the guaranteed “put” price. In either case a profit is realized. If the price rises, instead of dropping, the option need not be exercised. Buying “put” options is betting that the stock will drop. Only the bank doing the brokering knows the identity of the parties involved. Offshore banks do not reveal identities and cannot be forced to do so.

9 September 2001 – Suicide terrorists assassinated the leader of Afghanistan’s Northern Alliance, General Ahmed Shah Massood. It is believed that this was done just before 9-11 in order to deprive the US of the boldest and most experienced leader of anti-Taliban forces. US retaliation against Afghanistan was apparently anticipated.

***Warnings from Foreign Governments in Months Leading Up To 9-11.***

There was a flurry of warnings from foreign governments in the months, weeks, and days leading up to 9-11. Many of them were obtained with the Echelon arrangement – a powerful eavesdropping infrastructure said to be capable of monitoring all communications in the world. The US and many allied countries use the system. Since some intelligence agencies, such as the CIA, cannot monitor their own country, an allied country does this for them and reports it to them. Through this cross-feed of information much intelligence information is gathered. Some of the more pertinent foreign warnings are listed chronologically below. Each report is noted in brackets as to its contribution toward solving the When, Where, and How specifics that the Intelligence Community and White House is so adamant about needing.

June 2001 – German intelligence warned both the CIA and Israel that Middle Eastern terrorists were planning to hijack commercial aircraft to use as weapons to attack important symbols of American and Israeli culture. This information was gathered by Echelon and was also passed on to Britain.<sup>223</sup> [Provides the “How”]

July 2001 G-8 Summit Meeting – Egyptian President Hosni Mubarak alerted Washington to a possible assassination attempt on President Bush during the July 20-22 G-8 Summit in Genoa, Italy. Italian officials also obtained specific threats against Bush. Concerned about terrorists crashing a plane load of explosives into the meeting, Italian authorities sealed off the air space around Genoa and deployed anti-aircraft missiles.<sup>224</sup> [Provides the “How” which could easily be applied to an attack in the US.]

Summer of 2001 – Jordanian intelligence intercepted a message and sent it to the US, probably through the CIA station at the US embassy in Amman. The information was about a major attack inside the continental US involving airplanes. It was code-named “The Big Wedding.” But, *The International Herald Tribune* said, “When it became clear that the information about the intercept was embarrassing to the Bush administration officials and congressmen who had already denied that there had been any such warnings before Sept. 11, senior Jordanian officials backed away from their earlier confirmations.”<sup>225</sup> [Provides the “Where” to the extent that intelligence should not just be focusing on attacks abroad. Also reiterates the “How.”]

August 2001 – Israel’s Mosad intelligence agency warned of a spectacular attack by bin Laden several months before 9-11, but did not know where it would be. An anonymous Israeli official told the Associated Press after 9-11 that “everyone knew about a heightened alert, and knew that bin Laden was preparing a big attack.”<sup>226</sup> Two senior Israeli intelligence experts went to

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<sup>223</sup>*Frankfurter Allgemeine Zeitung*, 13 September 2001. Also see Ruppert, “Briefing Paper,”

<sup>224</sup>See Times Staff Article.

<sup>225</sup>Cooley, 21 May 2002.

<sup>226</sup>Cited by Associated Press, 18 May 2002.

Washington D.C. in August 2001 to alert the CIA and FBI.<sup>227</sup> They handed over a detailed report naming several suspects they believed were preparing an attack in the United States.<sup>228</sup>

Early August 2001 – British sources (believed to be the British M16 intelligence agency) warned of Al Qaida’s interest in hijacking airliners. This was another in a continuing stream of warnings from Britain starting as far back as 1999. Scottish reporters claim that US officials said this warning was in Bush’s August 6<sup>th</sup> Presidential Daily Brief (to be discussed below).<sup>229</sup> [This is information on “How.”]

Mid August 2001 – In November 2001 “a French magazine and a Moroccan newspaper simultaneously reported a story that has since met a wall of silence. ... a Moroccan secret agent named Hassan Dabou succeeded in infiltrating Al Qaida several weeks before Sept. 11 ... he informed his chiefs in [Moroccan] intelligence service that Osama bin Laden’s men were preparing ‘large-scale operations in New York in the summer or autumn of 2001.’ The warning was said to have been passed on to Washington. ... after he was invited to the United States to tell his story he lost contact with Al Qaida, curtailing his ability to help prevent Sept.11. ... he was given asylum and a new identity in the United States...”<sup>230</sup> [Provides the “Where” more specifically as to a location in the US. Also provides refinement of “When.”]

24 August 2001 – Israeli intelligence confirmed Germany’s June warning that “terrorists plan to hijack commercial airplanes to use as weapons to attack important symbols of American and Israeli culture.”<sup>231</sup> This information was passed to the CIA. It was also passed to British intelligence. [Reiterates the ‘How.’]

Late August 2001 – British intelligence investigated the Israeli warning and then, also, alerted the CIA. [Again reiterates the “How.”]

Early September 2001, – Russian intelligence, on orders from President Putin, gave warnings to the US government “in the strongest possible terms” of imminent attacks on airports and government buildings. Russian intelligence agents say they know the organizers and executors of these terrorist attacks. After the attack they delivered documents that supported their warnings.<sup>232</sup> [Provides more specific information on “Where.”]

Early September 2001 – An Iranian man phoned US police from his deportation cell in Germany, warning of the terrorist attack on the World Trade Center that week. The Lower Saxony Justice Ministry spokesperson, Frank Woesthoff, confirmed the man had warned America “several

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<sup>227</sup>Wastell and Jacobson

<sup>228</sup>Broomby.

<sup>229</sup>See Crichton.

<sup>230</sup>Cooley, 21 May 2002.

<sup>231</sup>Cited in Thomas.

<sup>232</sup>MSNBC interview with Putin, 15 September 2001. Cited in Ruppert, “Oh Lucy!”, Item 39. Also see From The Wilderness Publications, 12 September 2001.

times” of the impending series of attacks but had not been believed.<sup>233</sup> [Provides a very specific and accurate “Where.”]

Early September 2001 – About a week before 9-11, the US was warned by Egyptian intelligence that Al Qaida was in the advanced stages of executing a major attack against US targets. The exact targets were not known. After the attack, referring to US intelligence officials, Egyptian President Hosni Mubarak said: “We informed them of everything.”<sup>234</sup>

5-6 September 2001 – Representatives of the US Intelligence Community met with French officers of both territorial and military security in Paris. The French intelligence officers warned that Zacarias Moussaoui, The French-born Moroccan in US custody, was a “key high-level Islamic fundamentalist. But the Americans ... paid no attention to this first alarm, concluding that they were going to take no one’s advice, and that an attack on American soil was inconceivable.”<sup>235</sup> [Provided information that could have led to a very specific “When,” “Where,” and “How.”]

9 September 2001 – A foreign intelligence service intercepted a cell phone call from bin Laden to his mother in which he said; “In two days you’re going to hear big news, and you’re not going to hear from me for a while.”<sup>236</sup> This information was relayed to US intelligence. [Very specific information as to When.]

### ***The August 6<sup>th</sup> Presidential Daily Brief.***

Perhaps Bush was paying attention. He was getting a daily briefing by the CIA called the Presidential Daily Brief (PDB). Knowledge did not reach the American public until mid-May 2002 – eight months after 9-11 – that Bush had been warned of the attack over a month before it happened. At his ranch in Crawford, Texas, in his 6 August 2001 PDB, he was warned of the possibility that terrorists might hijack aircraft for an attack. The title of the brief that day, according to White House spokesman Ari Fleischer, was “Bin Laden determined to strike the United States.”<sup>237</sup> When this information did reach the press months later, National Security Advisor Condoleezza Rice hurriedly explained that the PDB was only “an analytical report that talked about [bin Laden’s] methods of operation, talked about what he had done historically.”<sup>238</sup> She admitted the briefing mentioned hijacking an airplane but indicated it was more in the conventional sense, possibly to hold hostages for the release of Shaykh Omar Abdul Rahman (the blind sheik) who is imprisoned for the 1993 World Trade Center bombing.<sup>239</sup>

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<sup>233</sup>“German Police Confirm Iranian Deportee Phoned Warnings.” the Hanover *Neue Presse*. Cited in From The Wilderness Publications, 14 September 2001.

<sup>234</sup>Cited in Tyler and MacFarquhar.

<sup>235</sup>*Le Monde*, September 2001. Cited in Ridgeway.

<sup>236</sup>Cited in Ahmed, p. 117.

<sup>237</sup>Cited in Drogin.

<sup>238</sup>Cited in Hirsh and Isikoff.

<sup>239</sup>Shaykh Omar Abdul Rahman is a spiritual leader for many Muslim terrorists. A *fatwa* that was smuggled out of his American prison cell illustrates the Islamists’ hate for Americans: “Cut all links with their

CNN reports that the 1½-page August 6<sup>th</sup> briefing was in response to Bush request “for detailed information on the kind of threat posed by Al Qaida, not to American interests overseas ... but at home.”<sup>240</sup> During the time the August 6<sup>th</sup> PDB was being prepared, according to a senior intelligence official, the CIA came to the conclusion that “Al Qaida was determined to attack the US.”<sup>241</sup>

Bush has cited “Executive Privilege” for not releasing the content of the August 6<sup>th</sup> PDB. More will be said about that later.

### **THE 9-11 ATTACK – “IT’S BOJINKA!”**

On the morning of 11 September 2001, four commercial jetliners were hijacked. Two of them crashed into the World Trade Center, described by James Bamford as the ‘modern day temples of wealth and commerce,’<sup>242</sup> and one slammed into the Pentagon, the center of America’s military might, and on the fourth the terrorists were said to be overcome by heroic passengers who caused it to crash in an open field in rural Pennsylvania with no casualties on the ground. Details on these flights and the hijackers are shown in Figure 3 below.



The CIA now claims it knows that Al Qaida leaders deliberately chose young men who were not previously known to be terrorists. Only two of the nineteen, the Intelligence Community claims, had previous connections with Al Qaida. The men selected for this mission were from the following backgrounds:

- Three of the terrorist pilots were from the Hamburg, Germany cell. They were Mohammad Atta (from Egypt), Marwan al-Shehhi<sup>243</sup> (from the UAE), and Ziad Jarrah (from Lebanon). All were English speaking, well educated, proficient in several languages, well-grounded in technical subjects, and acquainted with western ways.
- The fourth pilot, Hani Hanjour, was from Saudi Arabia. He had been in the US for long and prolonged visits and was familiar with American ways.

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country [the United States]. Destroy them thoroughly and erase them from the face of the earth. Ruin their economies, set their companies on fire, turn their conspiracies to powder and dust. Sink their ships, bring their planes down. Slay them in the air, on land, on water. And (with the command of Allah) kill them wherever you find them. Catch them and put them in prison. Lie in wait for them and kill these infidels. They will surely get great oppression from you. God will make you the means of wreaking a terrible revenge upon them, of degrading them. He will support you against them. He will cure the afflicted hearts of the faithful and take all anger out of their hearts.” [Cited in Bodansky, p. 296.]

<sup>240</sup>Elliott, *CNN.com*, 20 May 2002.

<sup>241</sup>Cited in Elliott, *CNN.com*, 20 May 2002.

<sup>242</sup>Bamford, p. 640.

<sup>243</sup>A Hamburg librarian reported that al-Shehhi bragged about the hijacking plot a year and a half before 9-11. He said: “There will be thousands of dead. You will think of me.” (Cited in Rubin)

**Figure 3**  
**9-11: THE DAY OF TERROR**

Nineteen terrorists hijacked four commercial aircraft and used them as missiles. Details are given below:

**AMERICAN AIRLINES Flight 11.** Boeing 767. Boston to Los Angeles. 92 on board.  
23,980 gallon fuel capacity.  
Crashed into North Tower of World Trade Center.

Hijackers:        Mohammad Atta (pilot)  
                      Waleed al-Shehri  
                      Wail al-Shehri  
                      Satam al-Suqami  
                      Abdulaziz al-Omari

**UNITED AIRLINES Flight 175.** Boeing 767. Boston to Los Angeles. 65 on board.  
23,980 gallon fuel capacity.  
Crashed into South Tower of World Trade Center.

Hijackers:        Marwan al-Shehhi (pilot)  
                      Mohald al-Shehri  
                      Fayez Ahmed  
                      Hamza al-Ghamdi  
                      Ahmed al-Ghamdi

**AMERICA AIRLINES Flight 77.** Boeing 757. Wash. D.C. to Los Angeles. 64 on board.  
11,276 gallon fuel capacity.  
Crashed into Pentagon.

Hijackers:        Hani Hanjour (pilot)  
                      Majed Moqed  
                      Khalid al-Mihdhar  
                      Nawaf al-Hazmi  
                      Salem al-Hazmi

**UNITED AIRLINES Flight 93.** Boeing 757. Newark, N.J. to San Francisco. 45 on board.  
11,276 gallon fuel capacity.  
Crashed in rural southwest Pennsylvania.  
Target was believed to have been the White House.

Hijackers:        Ziad Jarrah (pilot)  
                      Saeed al-Ghamdi  
                      Ahmed al- Nami  
                      Ahmed al- Haznawi

- The two Al Qaida veterans were Nawaf al-Hazmi and Khalid al-Mihdhar, from the so-called Malaysia cell. They grew up together in Mecca, Saudi Arabia.
- The other thirteen were young Saudis who made up the bulk of the support hijackers. They probably were not privy to the plans until necessary for them to know, and were only told they were going to America for a suicide mission.

In this section I will use an hour/minute timeline to depict the events of September 11, 2001. This should put the hijacking event in context with the actions, inactions, and reactions of our national leaders.

### *Timeline of a Tragic Day.*

In the following chronology of events I will use a different color for each of the flights. Comments will be made as appropriate in each listed event, and further explanations may appear as footnotes. All times are in Eastern Daylight Time.

**7:59 AM** – American Airlines Flight 11 departed Boston’s Logan International Airport for Los Angeles with 92 people on board.

**8:13 AM** (approx.) – Flight 11 was instructed by the FAA to climb to 35,000 feet. The aircraft did not respond and the transponder<sup>244</sup> was turned off. Had the FAA followed operating procedures, NORAD would have been notified at this time.

**8:14 AM** – American Airlines Flight 77 departed Washington’s Dulles International Airport for Los Angeles with 64 people on Board.

**8:14 AM** – United Airlines Flight 175 departed Boston’s Logan International Airport for Los Angeles with 65 people on board

**8:21 AM** (approx.) – Flight attendants Betty Ong and Madeline Amy Sweeney contacted American Airlines headquarters and described the hijacking that was taking place on board, including the stabbing of at least one passenger. They apparently stayed on the phone for 25 minutes, until the plane crashed.

**8:30-8:39 AM** – President Bush’s motorcade left the Colony Beach Resort near Sarasota, Florida, where he had spent the night. He was on his way to a 20-minute photo-op with 2<sup>nd</sup> grade children of the Emma E. Booker Elementary School in Sarasota, Florida – an event that had been planned for weeks to publicize his proposed education bill. Following that, Bush was scheduled to give a press conference at 9:30 AM.

**8:40 AM** – FAA finally notified NORAD that Flight 11 was hijacked.

**8:42 AM** – Flight 175 veered sharply off course, its transponder was turned off, and its communications severed. The pilot had been talking to the flight controller on the ground just one minute before.

**8:42 AM** – United Airlines Flight 93 departed Newark Airport in New Jersey for San Francisco with 45 people on board. (Some reports say this plane took off at 8:01 AM.)

**8:43 AM** – NORAD was notified that Flight 175 had been hijacked – one minute after the hijacking was noticed.

**8:46 AM** – Flight 77 went sharply off course but then returned to proper course for a while. Radio contact was lost at 8:50 AM. Later it turned 180 degrees and headed back toward Washington D.C.

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<sup>244</sup>The transponder emits a signal to identify the aircraft and send out flight information.

**8:46 AM** – Flight 11 crashed into the North Tower of the World Trade Center.

**8:48 AM** – First reports were on the media about the first plane crashing into the World Trade center – 2 minutes after it happened. Within minutes, millions of Americans were aware of the attack.

**8:52 AM** – Two F-15 Eagle jet fighters took off from Otis Air National Guard Base at Cape Cod, Massachusetts – six minutes after Flight 11 crashed.

**8:55 AM** (approx.) – Bush arrived at the elementary school.

**9:03 AM** – Flight 175 crashed into the South Tower of the World Trade Center. TV cameras and news helicopters record this event.

**9:05 AM** – (Reports vary from 9:03 to 9:07) White House Chief-of-Staff Andrew Card whispered into Bush’s ear that a second plane had hit the World Trade Center.

**9:16 AM** – Flight 93 was hijacked. NORAD appears to have been notified about this time.

**9:24 AM** – NORAD was notified that Flight 77 had been hijacked – 38 minutes after the hijacking.

**9:28 AM** – Military defense command was notified that Flight-77 was headed back toward Washington D.C.<sup>245</sup>

**9:30 AM** – Two F-16 Fighting Falcon jets took off from Langley Air Force Base, Virginia, 130 miles from the Pentagon, to intercept Flight-77.

**9:31 AM** – Bush made a media statement at the Emma E. Booker Elementary School after the photo-op in the classroom was finished.

**9:35 AM** – Flight 93 turned around near Cleveland and headed east.

**9:40 AM** – Flight 77 crashed into the Pentagon. The two F-16 fighters from Langley stayed in the air to protect D.C.

**9:49 AM** – For the first time in history, the FAA ordered all flights grounded across the nation.

**9:55 AM** – Bush departed Florida’s Sarasota-Brandon Airport aboard *Air Force One*.

**10:03 AM** – Flight 93 crashed outside Shanksville, Pennsylvania, 80 miles southeast of Pittsburgh.

When an investigator for the Philippine National Police saw the World Trade Center attack on television, he exclaimed: “It’s Bojinka! We told the Americans everything about Bojinka. Why didn’t they pay attention?”<sup>246</sup>

## INVESTIGATIONS AFTER THE FACT

As is always the case after a national catastrophe, there are always investigations. Two investigations were started which didn’t really get off the ground. They were in the Senate and House intelligence committees. Resistance from the Bush administration frustrated their effort and they finally formed a partnership to create a combined investigation. At the time of this writing there have been only two actual investigations, one still in session – and they have also been seriously

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<sup>245</sup>Weisman.

<sup>246</sup>Reported in the *Washington Post*. Cited in Bollyn.

hampered and compromised by Bush administration secrecy. Those two investigations are the “Joint House and Senate Intelligence Committee” and the “National Commission on Terrorist Attacks Upon the United States” – known respectively as the “Joint Inquiry” and the “9-11 Commission.”

***First Investigation – The Joint Inquiry.***

At a news conference on 14 February 2002, the leadership of the House and Senate intelligence committees kicked off a Joint House and Senate Intelligence Committee investigation of 9-11. This Joint Inquiry, as it was called, didn’t really get under way until June 2002. It had both Senate and House leadership approval and, reluctantly, White House support to investigate seven areas:

- 1) The evolution of the international terrorist threat to the United States.
- 2) What the Intelligence Community knew prior to 11 September 2001.
- 3) What the Intelligence Community has learned since 9-11.
- 4) If information obtained before or after 9-11 indicates a systemic intelligence problem.
- 5) Extent of interaction with the Intelligence Community and with other agencies.
- 6) Have past ways of responding to terrorists affected international counterterrorism efforts.
- 7) Any other information that would enable constructive suggestion for the future.

Although this Joint Inquiry focused mainly on weaknesses in intelligence and how they can be remedied, rather than looking for outright ignoring of the information, its investigation did bring out some data on what the top officials knew. For instance, on 1 December 1998 the Intelligence Community assessment of Osama bin Laden read in part: “[Osama bin Laden] is actively planning against US targets ... Multiple reports indicate [he] is keenly interested in striking the US on its own soil ... Al Qaida is recruiting operatives for attacks in the US but has not yet identified potential targets.”<sup>247</sup>

Then just three days later, on December 4<sup>th</sup>, DCI Tenet sent his “at war” memo to his deputies in the CIA. He summed up the situation in this way: “We must now enter a new phase in our efforts against bin Laden. Our work to date has been remarkable and in some instances heroic; yet each day we all acknowledge that retaliation is inevitable and that its scope may be far larger than we have previously experienced ... We are at war ... I want no resources or people spared in this effort, either inside CIA or the [Intelligence] Community.”<sup>248</sup>

Another classified document was issued in December 1998 by a senior US government official. One sentence read: “The Intelligence Community has strong indications that bin Laden intends to conduct or sponsor attacks inside the United States.

In separate testimony before the Senate and House Intelligence Committees during June and July of 1999, the chief of the CIA’s Counterterrorism Center described reports that bin Laden and his associates were planning attacks in the United States. And also in July 1999, a senior government official characterized bin Laden’s February 1998 *fatwa* as a “de facto declaration of war” on the

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<sup>247</sup>Hill, 18 September 2002.

<sup>248</sup>Hill, 18 September 2002.

United States.<sup>249</sup>

All of this illustrates that senior members of government were aware of the danger from Osama bin Laden. But the Joint Inquiry staff director, Eleanor Hill, emphasized: “What is less clear is the extent to which other parts of the government, as well as the American people, understood and fully appreciated the gravity and immediacy of the threat.”<sup>250</sup> Hill also said that the National Security Agency had some awareness of Tenet’s December 1998 “At War” memo but relatively few FBI agents interviewed seemed to have any knowledge of it. Hill adds that although the FBI’s New York office had the lead in counterterrorism activities against bin Laden, many other offices around the country were not aware of the threat.

Neither did the allocation of the Intelligence Community’s resources adequately reflect the mandate in DCI Tenet’s December 1998 “At War” memo. Hill stated in her 18 September 2002 paper that “... our review has found little evidence, prior to September 11<sup>th</sup>, of a sustained national effort to mobilize public awareness and to ‘harden’ the homeland against a potential assault by bin Laden within the United States with the possible exception of heightened focus on weapons of mass destruction. Consistent with his internal statements, DCI Tenet did stress in some of his public speeches the ‘immediacy and seriousness’ of the threat from bin Laden.”<sup>251</sup>

The Joint Inquiry cataloged several dispersals of threat information to senior government officials during the summer of 2001. It is not clear how high these “senior US government officials” are but the examples given are:

- In June 2001 a terrorist threat advisory warning was issued of an “imminent terrorist attack” against US interests by Sunni Muslim extremists associated with bin Laden. This advisory suggested the Arabian Peninsula, Israel or Italy.
- A briefing for high officials in early July 2001 contained this language: “Based on a review of all-source reporting over the last five months, we believe that [bin Laden] will launch a significant terrorist attack against US and/or Israeli interests in the coming weeks. The attack will be spectacular and designed to inflict mass casualties against US facilities or interests. Attack preparations have been made. Attack will occur with little or no warning.”<sup>252</sup>
- Later in July the senior government officials were again provided with intelligence information indicating that imminent attacks on US interests continued to be expected from bin Laden’s organization.
- Another closely-held intelligence report for senior officials in August 2001 reviewed bin Laden’s interest in attacks in the US and restated previous information about terrorists airplanes to bargain for release of 14 imprisoned terrorists in the US, and terrorist interest in attacking the US with explosives.
- Again in August 2001, the CIA asked the FAA to send out warnings that: “A group of six Pakistanis currently based in La Paz, Bolivia may be planning to conduct a

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<sup>249</sup>Cited in Hill, 18 September 2002.

<sup>250</sup>Hill, 18 September 2002.

<sup>251</sup>Hill, 18 September 2002.

<sup>252</sup>Cited in Hill, 18 September 2002.

hijacking, or possibly a bombing or an act of sabotage against a commercial airliner. While we have no details ...we have learned the group has had discussions in which [several foreign countries] have been described as possible travel destinations.”<sup>253</sup>

- Senior Executive Intelligence Briefs (not to be confused with the President’s Daily Brief, or PDB) were issued daily. A review of those issued during the spring and summer of 2001 confirms the rise in reporting on bin Laden from March to June. The peak in bin Laden reporting came in June but it still comprised only 18 of the 298 articles on those briefs during that month.

The Joint Inquiry learned that warnings issued to the FAA, Americans overseas, military personnel, and other agencies in the months leading up to 9-11 were mostly pertaining to hijacking aircraft to gain release of incarcerated terrorists or to terrorist action abroad. Although there was a decline in warnings during July 2001, the CIA’s Counterterrorism Center issued requests at a higher rate for individuals to be put on watch lists.

The lengthy warning by the FBI to the FAA and other key elements of the Intelligence Community (mentioned above) on 4 September 2001 – one week before the 9-11 attack – noted that Moussaoui was in custody but did not indicate any threat he might have posed. It also did not provide any suggestion for action, or awareness of other activity that might pose a terrorist threat. At least ostensibly, the government was focused on a terrorist action against US interests in some other country.

The Joint Inquiry pointed out that vulnerability of civil aviation to terrorism has been officially recognized for many years. When discussing the hijacking of 12 airliners in the Bojinka Plot, the US government’s 1995 National Intelligence Estimate on terrorism stated: “Our review of the evidence ... suggests the conspirators were guided in their selection of the method and venue of attack by carefully studying security procedures in place in the region. If terrorists operating in [the United States] are similarly methodical, they will identify serious vulnerabilities in the security system for domestic flights.”<sup>254</sup>

The 1997 update to the National Intelligence Estimate on terrorism was not any better: “Civil aviation remains a particularly attractive target in light of the fear and publicity the downing of an airliner would evoke and the revelations last summer of the US air transport sectors’ vulnerabilities.”<sup>255</sup>

The Joint Commission staff then point out that Congress in 2000 passed legislation requiring the FAA and FBI to work closely together on threat assessment and to provide Congress with an annual report. The December 2000 report seemed to whitewash the threat:

FBI investigations confirm domestic and international terrorists operating within the US but [those investigations] do not suggest evidence of plans to target domestic civil aviation. Terrorist activity within the US has focused primarily on fundraising, recruiting new members, and disseminating propaganda. While international terrorists have conducted attacks on US soil, these acts represent anomalies in their traditional targeting which focuses on US interests overseas.<sup>256</sup>

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<sup>253</sup>Cited in Hill, 18 September 2002.

<sup>254</sup>Cited in Hill, 18 September 2002.

<sup>255</sup>Cited in Hill, 18 September 2002.

<sup>256</sup>Cited in Hill, 18 September 2002.

The Joint Inquiry staff response to this FAA/FBI assessment was: “In short, less than a year prior to the September 11 attacks and notwithstanding historical intelligence information to the contrary, the FBI and FAA had assessed the prospects of a terrorist incident targeting domestic civil aviation as relatively low.”<sup>257</sup>

In addition, the Joint Inquiry staff point out that the CIA belatedly acknowledged information that was available prior to 9-11. A draft analysis dated 19 November 2001 and titled “The 11 September Attacks: A Preliminary Assessment” states: “We do not know the process by which bin Laden and his lieutenants decided to hijack planes with the idea of flying them into buildings in the United States, but the idea of hijacking planes for suicide attacks had long been current in jihadist circles. [The report then enumerate plans to crash a plane into the Eiffel Tower and the Bojinka Plot] Likewise the World Trade Center had long been a target of terrorist bombers.”<sup>258</sup>

The Joint Inquiry’s report was dated December 2002, but was classified “Top Secret.” There followed “nearly seven months of difficult and often frustrating declassification negotiations with the Intelligence Community.”<sup>259</sup> Finally, an unclassified version was released on 24 July 2003.

Much was censored from the unclassified version. Some 28 pages are nothing but blank lines. The public has been led to believe that they were censored because the information would be embarrassing for the Saudi Government. It is pretty general knowledge that some of the thousands of members of the Royal Family have been diverting millions of dollars to bin Laden. However, even the Saudi Government, itself, is urging Bush to declassify those pages so they can meet the allegations head on. Bush will not do it, citing an ongoing investigation of 9-11 involving national security issues. He said: “It would help the enemy if they know our sources and methods.”<sup>260</sup>

Senator Bob Graham, co-chairman of the Joint Inquiry, disagrees. Although he believes “there is compelling evidence that a foreign government provided direct support ... to some of the Sept. 11 hijackers,” Graham asserted that almost all the chapter could be released without damaging American intelligence interests. He said Bush “went beyond national security” to keep the chapter secret.<sup>261</sup>

The *Los Angeles Times* reported that “all who have read [the censored pages] agreed on one thing: If they are made public, they will prove extremely embarrassing not only to the Saudi government but also to the US government, particularly to the FBI for missing so many clues pointing to Riyadh [Saudi Arabia] and for not aggressively investigating them ...”<sup>262</sup> The article quotes one source as saying: “If it comes out, it will blow the top off relations with [the Saudi] government because the American people will be outraged ... People don’t know how much is in there and how specific it is ... The public hasn’t gotten anywhere near the meat of it.”<sup>263</sup>

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<sup>257</sup>Hill, 18 September 2002.

<sup>258</sup>Cited in Hill, 18 September 2002.

<sup>259</sup>Hill, 10 September 2003.

<sup>260</sup>Cited in Johnston and Jehl.

<sup>261</sup>Quotes from Johnston and Jehl.

<sup>262</sup>Meyer, 2 August 2003.

<sup>263</sup>Cited in Meyer, 2 August 2003.

*Newsday* also comments that it is “not just the Saudi secret that is being kept.” It is because the report “reveals what the Bush administration doesn’t want us to know about the American government.”<sup>264</sup> The *Newsday* article then says we wouldn’t know this from media accounts which have dwelled on the distraction that Bush just wants to cover up for the Saudi royals. This is all in reference to the “famous 28-page chapter, a series of blank lines across page after page, that the president refuses to declassify despite the pleadings of ... the Saudi government itself.”<sup>265</sup>

Censorship is not the only means of keeping the public ignorant. The Joint Inquiry Report reveals that the Bush administration didn’t comply with its promise to “bend over backwards” and be “forward leaning” in providing information to the Joint Inquiry. Ten areas to which the Joint Inquiry was completely denied access were discussed in an appendix to its Report.<sup>266</sup>

- The President’s Daily Brief (PDB) – This severely limited the ability to determine what Clinton and Bush, and their senior advisors, had been told by the Intelligence Community.
- Foreign Liaison Relationships – This denied information on how much some foreign governments cooperated and shared information with the United States.
- Budget Information – Lack of resources was raised continually during the investigation. Access to budget requests by various agencies and how they were treated was denied.
- Covert Action Programs – The National Security Council (NSC) denied access to documents on this program, so information gained through covert action could not be analyzed.
- NSC-Level Information – Insight into discussions at the National Security Council and White House levels would have been helpful. Access to most information was blocked by the White House.
- Interview of the DCI – An interview of CIA Director George Tenet was requested in order to get his recollections, understandings and opinions regarding policy, resources, organizational aspects, authority, priorities and many other things which had come up during the investigation. At first the request was stonewalled and then finally denied after Tenet had testified formally.
- Interview of FBI Informant – Numerous requests to interview the FBI informant who had known Khalid al-Mihdhar and Nawaf al-Hazmi were refused. The Joint Inquiry was informed that if he were subpoenaed, he would refuse to testify unless granted immunity.
- NSA Technical And Contractual Information – Despite numerous requests for specific planning and other documents and briefings, the National Security Administration provided very limited responsive information.
- CIA and NSA Documents – The CIA and NSA allowed documents to be reviewed at their headquarters, and notes taken, but refused to provide copies for the Joint Inquiry to publish in its report.

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<sup>264</sup>Cocco.

<sup>265</sup>Cocco.

<sup>266</sup>Appendix to Joint Inquiry Report entitled “Access Limitations Encountered by the Joint Inquiry.”

- Military Options – To investigate allegations of military reluctance to become involved in counterterrorism before 9-11, and the cooperation between the CIA and military in covert and special forces operations, documents regarding military options were requested. The Defense Department General Counsel and the NSC determined this was beyond the scope of the Joint Inquiry although summary briefings were provided.

There were three other areas to which the Joint Inquiry had limited access, and another three areas where access was delayed. It can be seen that with all the above itemized denials of access, that it was more than censored pages that the Joint Inquiry Report failed to reveal. This is a cover up of the highest degree. That is why, in spite of a heroic effort, the Joint Inquiry provided nothing regarding knowledge and dereliction of duty in high places.

The Family Steering Committee, a group representing several groups of families of 9-11 victims, have been pushing hard for a complete and unbiased investigation of the tragedy. Because it is infeasible for the legislative or executive branches to examine themselves, there had been a strong push for an independent commission to look into the 9-11 tragedy. Certain members of Congress have advocated such a commission even as the Joint Inquiry was taking place. But it was the Family Steering Committee's effort and lobbying, more than anything else, that forced the White House to finally consent to the 9-11 Commission.

### ***Second Investigation – The 9-11 Commission.***

In July 2002 the House of Representatives had voted in favor of an independent commission and the Senate was ready to follow suit in September. Fearing being overridden by Congress and with public opinion fuming at the intelligence failures being uncovered by the Joint Inquiry, Bush on 19 September 2002 finally consented. After weeks of torturous negotiation on its structure among the two houses of the legislature and the White House, the Senate and House voted in favor of the commission on November 15<sup>th</sup>, and the legislation was signed by Bush.

According to its website, "The National Commission on Terrorist Attacks Upon the United States," also known as the 9-11 Commission, is "an independent, bipartisan commission created by Congressional legislation and the signature of President George W. Bush in late 2002, is chartered to prepare a full and complete account of the circumstances surrounding the September 11, 2001 terrorist attacks, including preparedness for and the immediate response to the attacks. The commission is also mandated to provide recommendations designed to guard against future attacks."<sup>267</sup> The 9-11 Commission will be composed of ten private citizens as members – five republicans and five democrats. Bush will appoint the chairman and congressional leaders will name the rest. Subpoenas can be issued by agreement of the chairman and vice chairman, or with the signature of any six members. The commission will have a \$3 million budget and 18 months to investigate.<sup>268</sup>

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<sup>267</sup>9-11 Commission website.

<sup>268</sup>It is ironic that a mere \$3 million was budgeted to investigate a disaster of the magnitude of 9-11, while \$100 million was squandered to investigate Bill Clinton's Whitewater investments and extramarital affairs. (*Berkshire Eagle*).

Henry Kissinger was chosen by Bush to chair the 9-11 Commission.<sup>269</sup> Kissinger vowed to “go where the facts lead us.”<sup>270</sup> Bush added: “This investigation should carefully examine all the evidence and follow the facts wherever they lead. We must uncover every detail and learn every lesson of September the 11<sup>th</sup>.”<sup>271</sup> Democratic leaders of the House and Senate appointed former Senator George Mitchell to the vice chairmanship.

Kissinger’s appointment brought forth cries of outrage and frustration, conflicts of interest and past scandals. The New “Kissinger Commission,” as it was immediately dubbed, was being derided as a stacked deck. On columnist wrote: “If you want to get to the bottom of something, you don’t appoint Henry Kissinger. If you want to keep others from getting to the bottom of something, you appoint Henry Kissinger.”<sup>272</sup> The objections became so tempestuous that Kissinger decided to resign. George Mitchell also resigned. Staffing of the commission was back to square one.

On 15 December 2002, Bush appointed former New Jersey Governor Thomas Kean to chair the 9-11 Commission and former US Representative Lee Hamilton became vice chair. Also on December 15<sup>th</sup>, the tenth and last member of the panel was chosen.<sup>273</sup>

The 9-11 Commission met for the first time in January 2003, and things apparently went according to routine for a few months. Then the first snag was hit in April. Commissioner and former Congressman Tim Roemer had previously been a member of the Joint Inquiry. He wanted to refresh his memory on some closed hearings the Joint Inquiry had conducted. But when he requested to look at the transcripts he was denied access – even though he had actually participated in those hearings. The White House had ordered that its lawyers review secret documents from the Joint Inquiry before releasing them to make certain they don’t contain “privileged” information. Roemer called this outrageous because the 9-11 Commission is required by law to build on the Joint Inquiry. After more complaints, and pressure from the Families of the 9-11 victims, the Bush administration relented and released the documents.

By July 2003 there were accusations that witnesses from federal agencies were being intimidated by those agencies. Chairman Kean criticized the Justice Department and the FBI for insisting that “minders” from their agency accompany all their witnesses appearing before the 9-11 Commission. Kean said: “I think the commission feels unanimously that it’s some intimidation to have someone sitting behind you all the time who you either work for or works for your agency.”<sup>274</sup>

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<sup>269</sup>Kissinger held down the dual job of Secretary of State and National Security Adviser in the Nixon and Ford administrations.

<sup>270</sup>Cited in Associated Press, 27 September 2002.

<sup>271</sup>Cited in Associated Press, 27 September 2002.

<sup>272</sup>Dowd.

<sup>273</sup>Besides Chairman Thomas Kean (R) and Vice Chairman Lee Hamilton (D), the 9-11 Commission is composed of former Illinois Governor Jill Thompson (R), former Reagan administration White House Council Fred Fielding (R), former Navy Secretary John Lehman (R), former US Senator Slade Gorton (R), outgoing Senator Max Cleland (D), outgoing US Representative Timothy Roemer (D), former Deputy Attorney General Jamie Gorelick, and former minority chief counsel to the Senate Whitewater committee Richard Ben-Veniste (D).

<sup>274</sup>Cited in Borger.

Next came stonewalling from the Bush administration when the panel asked for certain documents. The first subpoena, approved unanimously, was issued against the FAA in October 2003. The FAA was sitting on boxes of documents pertaining to the delay in notifying NORAD about the hijacking.

A real sticky point also arose in October when the 9-11 Commission wanted to see the Presidential Daily Briefs (PDBs) – especially the one of 6 August 2001. The White House immediately invoked “executive privilege.” But Chairman Kean retorted that “White House arguments about executive privilege don’t apply to the commission, since it’s not Congress seeking the documents.”<sup>275</sup> Kean is prohibited by secrecy from even telling what documents are at issue, but he said the White House was “quite nervous” about any public hint concerning their contents.<sup>276</sup> He said the 9-11 Commission will not be satisfied until they obtain every document they need, and threatened to subpoena them if necessary.

The 9-11 Commission reached a compromise with the White House on 12 November 2003, which was far from unanimous, brokered by the commission’s staff director, Philip Zelikow who has close ties with senior officials in the Bush administration. Zelikow’s position on the commission has been a point of contention from the start. The Family Steering Committee’s requested that Zelikow’s responsibilities on the commission be sharply curtailed in light of this conflict of interest. It was rejected by the commission.

The compromise is that a 4-person committee from the 10-member commission will be allowed limited access to the PDBs. Two of them will have access to all the PDBs from the Clinton and Bush administrations, and the other two will only have access to what the White House deems relevant to the investigation. All four will still be limited on how much of the briefs they can see and further limited on how much can be taken back to the commission. Their notes will be censored. This spurious access has been condemned by many of the commissioners. Member Max Cleland called the agreement “unconscionable” and a “deliberate compromise by the President of the United States” to put limits on the commission. He added: “If this decision stands, I, as a member of this commission, cannot look any American in the eye, especially family members of the victims, and say the commission had full access. This investigation is now compromised ... This is ‘The Gong Show’; this isn’t protection of national security.”<sup>277</sup>

The 9-11 Commission did stand firm on making the appointments of those who will make up the 4-person committee. The White House had originally wanted to choose those four. So far the contents of the compromise agreement have not been made public. The Family Steering Committee says it wants the full text of the agreement made available so the decision can be scrutinized.

Frustration mounted further when it became publicly known that only one of the commissioners would have unlimited access to PDBs. The second person from the commission is its staff director, Philip Zelikow. Kristen Breitweiser, spokesperson for the Family Steering Committee, stated: “Phil Zelikow has a very large conflict of interest. He is very close friends with Condoleezza Rice, he was on the transition team, and some of those documents are going to pertain to that. It’s

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<sup>275</sup>*Daily Telegram.*

<sup>276</sup>Cited in Shenon, 26 October 2003.

<sup>277</sup>Cited in Eggen.

very disturbing.”<sup>278, 279</sup> The Family Steering Committee again demanded that all ten commissioners have access to the PDBs. Failing that, they said, the commission has seriously compromised its ability to conduct an independent, full, and unfettered investigation that will ‘go wherever the facts may lead.’”<sup>280</sup>

On 7 November 2003 another subpoena was favorably voted upon by the 9-11 Commission. This time it was for records from NORAD. While the Defense Department touts the fact that it has furnished over 38,000 pages to the commission, and reiterates that it is duty-bound to support the commission – its press release on the matter doesn’t address the NORAD documents which, obviously, since they have are being subpoenaed, have not been supplied.<sup>281</sup>

Still another subpoena was approved on November 20<sup>th</sup>, this time against the City of New York. For about 4 months the commission had been waiting for tapes and transcripts of emergency calls on 9-11, as well as hundreds of transcripts of firefighter interviews conducted after the attack. The city has refused to release them before they could be reviewed (this was also the case when the Joint Inquiry had requested the documents). News organizations have also been clamoring for the tapes and transcripts. Mayor Michael R. Bloomberg says it will take a court order for him to release the material.

As I finish up the writing of this paper, the 9-11 Commission will be entering, in late January 2003, a phase from which Chairman Kean expects major revelations. Top officials of the FBI, CIA, Defense Department, NSA, National Security Council, and possibly Bush and Clinton will testify (or be interviewed – Bush and Clinton cannot be made to take an oath). How much more stonewalling will take place remains to be seen. In the meantime, Chairman Kean has aroused hopes as to what the Commission’s report will show: “As you read the report, you’re going to have a pretty clear idea what wasn’t done and what should have been done. This was not something that had to happen.” He continued: “There are people that, if I were doing the job, would certainly not be in the position they were in at that time because they failed. They simply failed.”<sup>282</sup>

There will be revelations, I’m sure. There will be people to take the blame. There will undoubtedly be the Kimmels and Shorts of the 21<sup>st</sup> century. The critical question is how far up the chain of command will it reach.

Accusations are gaining crescendo that the Bush administration is stalling until the statutory deadline for the 9-11 Commission (May 2004) is reached. An act of Congress, and signature of the President, would be necessary to extend that deadline. It is extremely unlikely that an extension would be approved by the President – not in an election year.

Commissioner Roemer made this observation: “What I find surprising is that there are two things that can most help the Bush administration and they won’t cooperate. This report could prove

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<sup>278</sup>Cited in Shenon, 21 November 2003.

<sup>279</sup>The other person besides Zelikow to have unlimited access to the PDBs is Commissioner Jamie S. Gorelick, a deputy attorney general in the Clinton administration. The two commissioners with limited access are Chairman Thomas Kean and Vice Chairman Lee Hamilton.

<sup>280</sup>Cited in Shenon, 21 November 2003.

<sup>281</sup>See Defense Link News Release No. 832-03.

<sup>282</sup>Cited in CBS News, 17 December 2003.

there was no warning, there was no smoking gun provided to the president. It could also prove that the intelligence community did not do a proper job of putting the position to him. And he won't provide access to these things."<sup>283</sup> The conclusion is obvious – Bush knew!

## SUMMARY OF 9-11 ATTACK

Richard Labeviere observes: “Bad analyses very obviously invite bad responses. This is so true that ever since the global war on terrorism has been launched, it has not really improved world peace or world security. On the contrary, the precipitate action supplied by the American-British occupation of Iraq and the calamitous management of the Israeli-Palestinian confrontation only reinforce the Muslim-Arab world's menace and resentment against the new “Crusaders” of a West that decides the standard of good for all civilizations.”<sup>284</sup>

### *The When, Where, and How Evasion.*

But in regard to bad analysis, is it really bad analysis? ... or is it withholding information to be analyzed? Recall National Security Advisor Rice's comment: “Very often we have uncorroborated information; sometimes we have corroborated but very general information. But I can tell you that it is almost never the case that we have information that is specific as to time, place, or method of attack.”<sup>285</sup> That's the *When, Where, and How* alibi that we have been hearing ever since 9-11. It is a lame excuse for taking no defensive action at all.

The *When* was known close enough to be on a pretty high alert. Bush and his administration had plenty of information that an attack was imminent – from foreign sources as well as the US Intelligence Community – but that information was simply and conveniently ignored. The Joint Inquiry staff reported that during the spring and summer of 2001 “the Intelligence Community experienced a significant rise in information indicating that bin Laden and Al Qaida intended to strike against United States interests in the very near future. ... some of which pointed specifically to the United States as a possible target.”<sup>286</sup> Between May and July 2001, the National Security Agency alone reported at least 33 intercepted communications indicating a possible, imminent terrorist attack. All of that intelligence was unwisely dismissed as something imminent overseas. Nevertheless, the *When* was pretty well indicated..

This brings us to the *Where*. There had been a plethora of evidence that international terrorists were serious about actions in the US itself. The 1993 bombing of the World Trade Center and subsequent plots uncovered to bomb other landmarks in New York City are cogent examples. Then there was the Canadian-border arrest of an Al Qaida operative who intended to bomb Los Angeles International Airport during the 1999 millennium celebration.

Escalation of bin Laden's war on the US was also clearly evident. His public *fatwa* of August 1996 encouraged and authorized attacks on Western military targets, but only on the Arabian

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<sup>283</sup>Cited in Harper.

<sup>284</sup>Labeviere.

<sup>285</sup>Rice, 16 May 2002.

<sup>286</sup>Hill, 18 September 2002.

Peninsula. Later he expanded the 1996 edict in both geography and types of targets. His February 1998 *fatwa* authorized attacks on not just military targets, but also civilian. It increased the area of action from not just the Arabian Peninsula to globally. When the two US embassies in Africa were bombed in August 1998, America began to realize how dangerous bin Laden's network really is.

Then DCI Tenet provided written guidance for his deputies which declared "war" on bin Laden and Al Qaida. He called for no skimping of resources and personnel. Nevertheless, "Despite the DCI's declaration of war in 1998," said Joint Inquiry Staff Director Eleanor Hill, "there was no massive shift in budget or reassignment of personnel to counterterrorism until after September 11, 2001."<sup>287</sup> But the work load continued to increase although there was no appreciable shift in analytical resources to counter terrorism.<sup>288</sup> Hill continues: "By late 1998, the Intelligence Community had amassed a growing body of information ... indicating that bin Laden and his network *intended to strike within the United States*. Concern about bin Laden ... reached peak levels in the spring and summer of 2001, as the Intelligence Community faced increasing numbers of reports of *imminent* Al Qaida attacks against US interests."<sup>289</sup> (Emphasis mine.) This "growing body of information" is attested to by the memos and documents generated by high officials in December 1998 and mid-1999 (see The Joint Inquiry section above).

Hill later added: "... The credibility of the sources providing this information was sometimes questionable. While one could not, as a result, give too much credence to some individual reports, the totality of the information in this body of reporting clearly reiterated a consistent and critically important theme: Osama bin Laden's intent to launch terrorist attacks inside the United States."<sup>290</sup>

The Intelligence Community was not completely in the dark regarding *When* and *Where*. Neither were they ignorant about *How* the terrorists would attack. Use of airplanes as weapons had been evident since 1994. Note the disgruntled Federal Express employee and the hijacking of the airliner to crash into the Eiffel Tower. That was followed by the Bojinka Plot and the interest in flight instruction. As Eleanor Hill put it: "While this method of attack had been clearly discussed in terrorist circles, there was apparently little, if any, effort by Intelligence Community analysts to produce any strategic assessment of terrorists using aircraft as weapons."<sup>291</sup>

Then, at a press briefing on 16 May 2002, National Security Adviser Condoleezza Rice was asked why the inability to know something was going to happen shouldn't be seen as an intelligence failure. Rice had the audacity to respond: "I don't think anyone could have predicted that these people would take an airplane and slam it into the World Trade Center, take another one and slam it into the Pentagon; that they would try to use an airplane as a missile, a hijacked airplane as a missile."<sup>292</sup> That statement is remarkable in its blatant denial of facts. The facts were there. The

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<sup>287</sup>Hill, 18 September 2002.

<sup>288</sup>When the administration changed, Tenet was kept on as DCI. Some say he knew too much to be let go. But the resources he called for were cut to the bone.

<sup>289</sup>Hill, 18 September 2002.

<sup>290</sup>Hill, 18 September 2002.

<sup>291</sup>Hill, 18 September 2002.

<sup>292</sup>Rice, 16 May 2002..

Joint Inquiry staff made the point that the 1993 World Trade Center bombing, along with subsequent plots against other New York landmarks, coupled with the Bojinka Plot were significant for four reasons:

- 1) They indicate a growing threat from individuals who ascribe to a radical interpretation of Sunni Islam. Osama bin Laden emerged in this same timeframe as a promoter of this ideology.
- 2) These plots involve efforts to inflict mass casualties.
- 3) The incidents confirmed that international terrorists were interested in attacking symbolic targets within the United States, including the World Trade Center.
- 4) They provided a data point on a terrorist group discussing a plan to use an aircraft as a weapon.<sup>293</sup>

This was intelligence from a credible source. One was an actual event (the World Trade Center bombing and other New York City plots), the other was a plan outlined on a computer that would not have been discovered except for the accidental fire (the Bojinka Plot). They cannot be dismissed as un-authoritative. They clearly show the terrorists' fanatic determination to (a) attack targets in the US and (b) use hijacked commercial airplanes to fulfill those attacks.

More warnings followed the Bojinka Plot – the intelligence information gathered in the 1998-2000 timeframe; the Phoenix Memo; the Moussaoui case; the bungled surveillance of Khalid al-Mihdhar and Nawaf al-Hazmi. There was no excuse for America to be sleeping. There was no excuse for not having taken proper preventative precautions. They knew! A deceptive spin has been put on the concept of *When-Where-How*. The foreign warnings alone were specific enough to have warranted some serious actions and defenses. The alibi of not having specific enough information is a coverup.

### ***Covering Up Intelligence Information.***

When the Phoenix Memo was received in Washington, it was buried. Several excuses have been offered. One was that hundreds of Middle Eastern men regularly attend flight schools in the US. Is that a legitimate excuse when the CIA director declared a “war” on bin Laden and said that no resources should be spared? In today’s computer age “hundreds of Middle Eastern men” wouldn’t be a big problem to check out – particularly if they are aliens and here on a visa. Perhaps work with the INS would be called for but it could have been done if there were a will to do it.

Another alibi for inaction was that had the FBI started investigating all Muslim flight students they would have been accused of racial profiling. Again, that could be easily avoided by taking the visa route and coordinating with the INS. Checking on the funding for flight training – where it came from and how it got here – would be a logical starting point. That would have undoubtedly narrowed the field down considerably, and give “probable cause” a stronger reason for action than “racial profiling” is for inaction.

Another excuse for not exploiting the Phoenix Memo was that the FBI and CIA weren’t talking to each other. It’s a sad excuse, but contrary to initial disclaimers by the CIA that they knew nothing about this memo, FBI Agent Williams did share his concerns regarding Arizona flight schools with his field-level counterparts in the CIA. What happened when this CIA field officer reported this information to his supervisors we’ll probably never know.

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<sup>293</sup>Hill, 18 September 2002.

Then there were some who dismissed the Memo as merely a hunch. But a congressional source who is familiar with the still-secret Phoenix Memo said: “This is not a hunch. He was doing a case on these guys. He put in all the history about this pattern of radical Muslims and [bin Laden having] links to Arizona. He talked about *fatwas* [religious edicts] targeting US airports. He noted that one guy was asking about airport security – that’s specific information, not guesswork.” The official emphasized that the memo “was very specific. It named names.”<sup>294</sup> The Memo did mention bin Laden by name, saying his operatives could train in US flight schools in order to fly hijacked airplanes.

This warning from Phoenix should have been given top priority in light of the information found on Abdul Hakim Murad’s laptop computer during the Bojinka Plot investigation – information about terrorists taking flight training in the US. An additional spark for priority should have been the September 1999 CIA report that warned about bin Laden considering flying airplanes into the Pentagon and White House. The fact that the Memo was not given high priority is highly suspicious.

Suspicious of intrigue at high government levels becomes more intense when examining the Moussaoui case. The FBI agents in Phoenix never learned of Moussaoui’s arrest, and why he was arrested, prior to 9-11. Likewise, the FBI agents in Minneapolis did not know of the Phoenix Memo before the attack. That in itself is damning. But there is more.

After 9-11, the connection was made. Coleen Rowley, a 21-year veteran with the FBI and general counsel for the FBI’s field office in Minneapolis for 12 years, was incensed that headquarters did not provide cross-feed between Phoenix and Minneapolis. On 21 May 2002 she wrote a 13-page memo to FBI Director Robert Mueller with copies to the Senate Intelligence Committee. In that memo she displayed her frustration that a search warrant was not granted, stating: “I have deep concerns that a delicate and subtle shading/skewing of facts by you and others at the highest levels of FBI management has occurred and is occurring. ... I feel that certain facts, including the following, have, up to now, been omitted, downplayed, glossed over and/or mis-characterized in an effort to avoid or minimize personal and/or institutional embarrassment on the part of the FBI and/or perhaps even for perhaps improper political purposes.”<sup>295</sup>

On the day of 9-11, after the attack, FBI headquarters quickly gave approval to obtain a search warrant for Moussaoui’s possessions. Rowley noted in her memo to Mueller that “the only difference between the information being submitted to [FBI headquarters] from an early date,” which headquarters dismissed as insufficient, “and the actual criminal search warrant which a federal judge signed and approved on September 11<sup>th</sup>, was the fact that, by the time the actual warrant was obtained, suspected terrorists were known to have hijacked planes ...” She then continued: “To say then,” as headquarters had done consistently before 9-11, “that probable cause did not exist until after the disastrous event occurred, is really to acknowledge the missing piece of probable cause was only the [FBI headquarter’s] failure to appreciate that such an event could occur.”<sup>296</sup>

In her 13-page memo, Rowley relates how the supervisory special agent (SSA) in the FBI’s Washington headquarters “seemed to have been consistently, almost deliberately, thwarting the

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<sup>294</sup>Cited in Lichtblau and Meyer, 23 May 2002.

<sup>295</sup>Rowley.

<sup>296</sup>Rowley.

Minneapolis FBI agents' efforts."<sup>297</sup> She charged that the SSA had deliberately further undercut Minneapolis' efforts by removing the French intelligence information from her affidavit, and changing other wording, before submitting it higher up in the Department of Justice. Hence the insufficient-evidence decision from the Department of Justice on August 28<sup>th</sup>. Rowley also noted that the actual search warrant issued on September 11<sup>th</sup> still made no mention of the damning information received from French intelligence. This omission was obviously to hide the fact that very good reason for probable cause did, indeed, exist prior to 9-11.<sup>298</sup>

Reflecting back to the morning of 9-11, Rowley said: "Even after the attacks had begun, the SSA in question was still attempting to block the search of Moussaoui's computer, characterizing the World Trade Center attacks as a mere coincidence with Minneapolis' prior suspicions about Moussaoui."<sup>299</sup> She added in an endnote that when she asked right after the attacks if she should now get a search warrant, the SSA replied "this was probably all just a coincidence and we were to do nothing in Minneapolis until we got their (headquarter's) permission because we might 'screw up' something else going on elsewhere in the country."<sup>300</sup>

In a statement that applies to both the Phoenix memo and Moussaoui's arrest, Rowley observed: "Although the last thing the FBI or the country needs now is a witch hunt, I do find it odd that (to my knowledge) no inquiry whatsoever was launched of the relevant (FBI headquarters) personnel's actions a long time ago. Despite FBI leaders' full knowledge of all the items mentioned herein (and probably more that I'm unaware of), the SSA, his unit chief, and other involved headquarters personnel were allowed to stay in their positions and, what's worse, occupy critical positions in the FBI's [Strategic Information and Operations Center] Command Center post September 11<sup>th</sup>. (The SSA in question actually received a promotion some months afterward!)"<sup>301</sup>

Now I would like to move on to analyze the handling of intelligence regarding Khalid al-Mihdhar and Nawaf al-Hazmi. In their case the CIA was most culpable for negligence but there is a certain slant to the story to indicate the FBI is not completely innocent.

The whole string of "missed signals" started after the Kuala Lumpur meeting when al-Mihdhar and al-Hazmi flew back to San Francisco in late January 2000. The CIA's legal authority for surveillance ended when the suspects entered the US. But the prescribed procedure at that point was to apprise the FBI and turn the case over to them. Instead, the CIA sat on the information and did nothing. At that point it would have been simple to track them through the use of their real names on public records. It would also have given the Intelligence Community a full 20 months to unravel the plans for 9-11.

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<sup>297</sup>Rowley.

<sup>298</sup>Rowley pointed out in a footnote that the SSA's excuse for omitting the French intelligence information was because it could be worthless as it only identified Moussaoui by name, and he didn't know how many people by that name existed in France. A Minneapolis agent quickly contacted the FBI's legal attache in Paris for a check of the phone directories. There was only one listed.

<sup>299</sup>Rowley.

<sup>300</sup>Rowley, endnote 2.

<sup>301</sup>Rowley.

Unraveling those plans wouldn't have been so difficult either. The two suspects had numerous meetings with others of the nineteen 9-11 terrorists over those 20 months. After al-Mihdhar returned to the US again in July 2001, he met at least once with Mohammad Atta (pilot of Flight 11) and other future hijackers on the east coast and at a group meeting in Las Vegas, Nevada.

While driving across the US to the east coast in late 2000, al-Hazmi met up with Hani Hanjour in Phoenix where he was taking flight training to fly Flight 77 into the Pentagon. In May 2001, al-Hazmi and Hanjour opened a shared bank accounts in New Jersey with Ahmed al-Ghamdi (Flight 175 hijacker) and Majed Moqed (Flight 77 hijacker). Then in June 2001, al-Hazmi helped his brother, Salem al-Hazmi (also flight 77), and Abdulaziz al-Omari (Flight 11) to open bank accounts. One FBI official said: "There's no question we could have tied all 19 hijackers together."<sup>302</sup>

When the CIA did send out an all points bulletin on 23 August 2001, the FAA was conveniently omitted. Had they been notified of the watch list they would have found that on August 25<sup>th</sup>, two days after his name was put on the watch, al-Hazmi used his credit card to purchase two tickets for a September 11<sup>th</sup> flight on American Airlines Flight 77. Also in August, Mohammad Atta bought plane tickets for Majed Moqed and Abdullah al-Omari. All of them would have been known from previous contacts with al-Mihdhar and al-Hazmi, had there been proper FBI surveillance of the latter two. A FAA representative testified at the Joint Inquiry that had they been given their names, they would have picked them up on their reservation system.

As far as the FBI being completely ignorant all this time, that is unlikely. There was undoubtedly cross-feed on al-Mihdhar and al-Hazmi to the FBI representative assigned to the CIA's Counterterrorism Center. Then it was an extreme coincidence, perhaps too extreme, that the San Diego FBI informant for terrorism should befriend the two suspects at the local Islamic Center – the logical place for him to make contacts with suspected terrorists. And why didn't the FBI informant become suspicious when the suspects frequently went outside to make calls on their cell phones, as even the neighbors noticed.

When FBI was informed of the watch list on August 23<sup>rd</sup>, there were still 18 days until 9-11. FBI officials said they did a thorough search for the two men, but to no avail. It is obvious, however, that FBI agents didn't do a search of public records. If they had, they would have found at least al-Hazmi's credit card purchase of plane tickets. That could be why, 13 days before the attack, an unidentified New York FBI agent was frustrated after his office was denied use of full resources to find al-Mihdhar, whom he had been tracking. Headquarters limited the search because of a "wall" between law enforcement and intelligence. The agent fulminated: "Someday someone will die – and wall or not – the public will not understand why we were not more effective and throwing every resource we had at certain problems."<sup>303</sup>

Before hijacking Flight 77 and crashing it into the Pentagon, the five terrorists assigned to that task checked into the Valencia Motel in Laurel, Maryland. Had the FBI been checking public records they would have discovered this – all of the Flight 77 hijackers stayed in Room 343.

While at the Valencia Motel they were visited by other future hijackers. On August 27<sup>th</sup>, Ziad Jarrah (terrorist pilot of Flight 93) checked into the Pin-Del Motel about a mile away. On September 1<sup>st</sup>, al-Hazmi paid for another one-night stay for someone at the Pin-Del. Mohammad Atta also visited Laurel, Maryland and purchased goods at a supermarket. He also used Mail Boxes Etc. to

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<sup>302</sup>Cited in Isikoff and Klaidman.

<sup>303</sup>Cited in Associated Press, 21 September 2002.

transfer \$10,000 in excess funds back to the United Arab Emirates. All of these transaction would have been picked up had the FBI been monitoring public records. Hani Hanjour brushed up on his flying skills at the Freeway Airport in Laurel. Had the FBI warned flight schools after the Phoenix Memo, that would have been noticed.

Turning now to the case of Ziad Jarrah, hijacker pilot of Flight 93 who was questioned at the Dubai airport in January 2001, it seems pretty certain that the CIA requested that he be questioned during that stopover. But why, then, would the CIA blatantly deny they had done so? The answer seems to be that admitting it would indicate extreme negligence or worse. If they knew about Jarrah, they undoubtedly knew about the Hamburg terrorist cell. That would mean they had intelligence on at least three of the 9-11 hijacker pilots. It would indicate a pretty good chunk of foreknowledge regarding 9-11.

Later when Jarrah was stopped for a traffic violation in Maryland, there was no warning about him on the law enforcement computers. In his testimony before the Joint Inquiry, Baltimore Mayor Martin O'Malley criticized government officials for not having told local law enforcement units that Jarrah was on a watch list. Yet this act of verifying an individual's complicity in Al Qaida and then dropping the ball – failing to keep them under surveillance while they go on about their plotting – fits the same pattern as the case of al-Hazmi and al-Mihdhar.

This entire and inexhaustible string of mixups is being chalked up to bureaucratic bungling. But the coincidences are too many and too opportune. It is more like a deliberately-planned course of action that allows the atrocity to happen. As was the case before Pearl Harbor, whenever a lead was uncovered by an alert person in the drama, it was immediately squashed as unlikely, immaterial, coincidental, “walls,” or one of the many other excuses for doing nothing. Although all of this is highly suspicious, the real proof of allowing this tragedy to happen is in showing how much the higher officials in government – especially the White House and the President – knew before the attack.

### ***The September 10<sup>th</sup> NSA Intercepts.***

What could have been the final warning were two conversations intercepted by the National Security Agency (NSA) on 10 September 2001 – the day before the attack. But in an ironic coincidence replicating the eve of Pearl Harbor, these messages were not translated and read until the day after the attack – triggering *deja vu* of the December 6<sup>th</sup> dispatch from the Honolulu spy which would have revealed all.

Two Arabic language messages were intercepted by the NSA on September 10<sup>th</sup>. The first used cryptic terms saying “the big match” was scheduled for tomorrow.<sup>304</sup> This was apparently referring to the code name “The Big Wedding” intercepted by Jordanian intelligence during the summer of 2001 and passed on to the CIA, and also sent to US intelligence through a second channel. “The Big Wedding” referred to a major attack inside the continental US using airplanes. Had this message been translated immediately, the connection would have undoubtedly been made.

The second message called the next day “zero hour.”<sup>305</sup> These conversations were from Afghanistan. The existence of these messages first became publicly known when Air Force Lt. Gen. Michael Hayden, commander of NSA, testified before the Congressional Joint Inquiry. Intelligence officials tried to cover their tracks by saying the messages were so vague that they wouldn't have

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<sup>304</sup>Risen and Johnston.

<sup>305</sup>Cited in Risen and Johnston.

indicated attacks on the World Trade center and the Pentagon. Possibly not by themselves, but combined with other intelligence gathered, particularly that which fell into their laps from foreign countries, a very definite pattern could have been seen. That is what American taxpayers are paying billions of dollars each year for the Intelligence Community to figure out.

It is inconceivable to believe these two messages, as part of the whole, wouldn't have given the final assurance for specific action. It is much more logical to believe that these two messages were ignored – perhaps purposely ignored.

### ***Suspicious Events Indicating High-Level Foreknowledge.***

There were certain actions and inactions by various departments and agencies of the government which certainly helped execution of the attack. They played right into bin Laden's plans. For that reason they must be listed and considered here:

- In the spring of 2001 Attorney General John Ashcroft aligned the priorities of the Justice Department to focus on “basically violent crimes and drugs,” (putting up the “wall” between law enforcement and intelligence) according to one participant in a meeting between Ashcroft and then FBI Director Louis Freeh. When Freeh mentioned terror and counterterrorism, “Ashcroft didn't want to hear about it,” says a former senior law enforcement official.<sup>306</sup>
- Also, two months before 9-11, CBS News reported that Attorney General Ashcroft stopped flying on commercial aircraft and started using government chartered airplanes. Up until that time, through at least the Clinton and Bush Administrations, the attorneys general used commercial jets for transportation. When asked why this change by CBS news correspondent Jim Stewart, the Justice Department said it was because of a “threat assessment” by the FBI. But CBS News reported that “neither the FBI nor the Justice Department ... would identify what the threat was, when it was detected, or who made it.”<sup>307</sup>
- Osama bin Laden met with a CIA official in July 2001, according to the French daily newspaper, *Le Figaro*. Its 31 October 2001 edition stated that bin Laden was admitted to an American hospital in Dubai – a city and kingdom in the United Arab Emirates (UAE) on the Persian Gulf – for a chronic kidney infection. This was at a time when he was on the wanted list for the bombings of two US embassies in Africa and the *USS Cole*. This was also only two months before 9-11. While in the hospital he is said to have met with a high CIA official, presumably the chief of station in Dubai. According to a finding issued by Clinton just before leaving office, bin Laden was eligible for execution. Yet, on 14 July 2001 he left Dubai on a private plane without any interference from the US. The CIA official returned to CIA headquarters on July 15<sup>th</sup>. If *Le Figaro*'s reporting is accurate, and it has a pretty good reputation for veracity, this meeting indicates collusion between Al Qaida and the Bush administration.<sup>308</sup>

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<sup>306</sup>These quotations cited in Hirsh and Isikoff.

<sup>307</sup>Cited in Sorensen.

<sup>308</sup>Translation of this material appears in Ruppert, “Oh Lucy!”, first page and Item 30.

- Treasury Secretary Paul O’Neill wanted to reduce government controls of many financial dealings which would help bin Laden’s operations, such as money laundering and tax havens.
- Defense Secretary Donald Rumsfeld wanted to push missile defense and refused to transfer \$800 million from that budget to counterterrorism activity. Just the day before 9-11, Senate Foreign Relations Committee Chairman Joseph Biden fulminated about the Bush administrations fascination with missile defense: “We will have diverted all that money to address the least likely threat while the real threats come into this country in the hold of a ship, or the belly of a plane, or are smuggled into a city in the middle of the night in a vial or a backpack.”<sup>309</sup>
- Rumsfeld also stopped the flights of Predator unmanned aerial vehicles that were spying on bin Laden in Afghanistan, at a time when surveillance was important and critical intelligence could have been gathered.
- Newsweek reports that on 10 September 2001 a group of senior Pentagon officials cancelled travel plans for the next morning, apparently because of security concerns.<sup>310</sup>
- Employees at the New York office of Odigo, Inc. – a large Israeli instant messaging service – were warned of an attack on the World Trade Center less than two hours before the first airliner hit. Odigo’s offices in Tel Aviv are at the same location as the Institute for Counterterrorism.<sup>311</sup>
- Interrupting terrorist financial systems in the US after 9-11 was a belated exercise. President Bush staged a great media event when announcing the freezing of some charities that had been supporting terrorism – one of the first steps in his war on terrorism. But there was ample evidence of devious activities on the part of charities, banks, and businesses long before 9-11. They were just conveniently overlooked.<sup>312</sup> In addition, freezing assets in the US alone will not make a substantial reduction in bin Laden’s funding. Pressure will have to be put on America’s Middle East “allies” before a real block in the flow of cash is realized. As the late FBI terrorist expert John O’Neill put it: “All of the answers, all of the clues allowing us to dismantle Osama bin Laden’s organization, can be found in Saudi Arabia.”<sup>313, 314</sup>

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<sup>309</sup>Cited in Goldstein.

<sup>310</sup>*Newsweek*, 24 September 2001. Cited in Ruppert, “Oh Lucy!”, Item 57.

<sup>311</sup>CNN, Daniel Sieberg, 28 September 2001; MSNBC Newsbytes, Brian McWilliams, 27 September 2001; *Ha’aretz*, 26 September 2001. All cited in Ruppert, “Oh Lucy!”, Item 64.

<sup>312</sup>For those who are interested in a detailed description of how Saudi fundamentalists, businessmen and bankers have supported terrorism, see Brisard and Dasquié – Chapter 7 (pp. 56-60, Chapters 9 and 12, and Appendix VII.

<sup>313</sup>Cited in Brisard and Dasquié, p. 60.

<sup>314</sup>John O’Neil was the head of the FBI’s National Security Division and was the Bureau’s top terrorist investigator. He was sent to investigate the 1993 World Trade Center bombing in New York, the Khobar Towers bombing in Saudi Arabia, the bombing of the two US embassies in Africa, and the bombing of the *USS Cole* in



overcome the pilot apparently hit the switch that locks the microphone open so cockpit conversations could be heard over the radio. Another phrase heard sounded like: “We have more planes, we have other planes.”<sup>317</sup> Still NORAD was not notified.

It is also reported that aircraft controllers were talking among themselves about this hijacking as early as 8:25 AM. But NORAD wasn’t brought into the conversation.

Finally, at 8:40 AM, a full 27 minutes after the hijacking was known, FAA formally notified NORAD that Flight 11 had been hijacked. Flight 11 hit the North Tower at 8:46 AM. Six minutes later, two F-15 Strike Eagle fighter jets left the ground at Otis Air Force Base.

It should be noted, when looking at the map in Figure 4, that Otis Air Force Base is very close to Boston, where Flight 11 originated. Flight 11 headed west toward Los Angeles after taking off. If NORAD had been notified immediately when the first indication of a hijack was noticed, as should have been done, the F-15s from Otis, flying at supersonic speeds, would very easily have cut off flight 11 before it backtracked to the east and reached New York. But by waiting 27 minutes, it was assured that the hijacked airliner would make it to its destination before being intercepted.

[United Airlines Flight 175](#) – Flight 175 left Boston for Los Angeles at 8:14 AM. The last radio transmission from the pilot was at 8:41. One minute later communications were lost, the transponder was turned off, and the plane veered sharply from its course. Norad was immediately notified of the hijacking, at 8:43, by the FAA. The two F-15 fighters sent from Otis Air Force Base, being too late for Flight 11, were sent in pursuit of Flight 175. They never made it. Flight 175 crashed into the South Tower at 9:03 AM. Why they never made it is another mystery. F-15s can travel at 2½ times the speed of sound. Those fighters should have easily reached Flight 175 before it crashed, but they didn’t.

[American Airlines Flight 77](#) – Flight 77 left Dulles International Airport near Washington D.C. at 8:14 AM, headed for Los Angeles. At 8:46 the plane veered sharply off course but then straightened out again. This was about the same time as Flight 11 hit the North Tower. Four minutes later, at 8:50, radio contact was severed. Then shortly after that Flight 77 turned 180 degrees and headed back toward Washington.

At 9:24 NORAD was formally notified by the FAA that Flight 77 had been hijacked – 38 minutes from first knowledge of the hijacking. But all the pertinent government agencies also knew since 8:46 that a third plane had been hijacked. Immediately after Flight 11 crashed the FAA set up phone bridges. The “FAA Clarification Memo to 9/11 Independent Commission” dated 21 May 2003, explained:

Within minutes after the first aircraft hit the World Trade Center, the FAA immediately established several phone bridges that included FAA field facilities, the FAA command center, FAA headquarters, the Department of Defense, the Secret Service, and other government agencies. The US Air Force liaison to the FAA immediately joined the FAA headquarters phone bridge and established contact with NORAD on a separate line. The FAA shared real-time information on the phone bridges about the unfolding events including information about loss of communication with the aircraft, loss of transponder signals, unauthorized changes in course, and other actions being taken by all the flights of interest, including Flight 77. Other parties on the phone bridges, in turn, shared information about actions they were taking.

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<sup>317</sup>Cited in Grier.

NORAD logs indicate that the FAA made formal notification about American Flight 77 at 9:24 AM, but information about the flight was conveyed continuously during the phone bridges before the formal notification.<sup>318</sup>

Nevertheless, NORAD waited until the formal notification to scramble two F-16 Fighting Falcon jets from Langley Air Force Base, Virginia. They were wheels up and on their way at 9:30. Ten minutes later, at 9:40, Flight 77 crashed into the Pentagon. The F-16s stayed in the air to protect the nation's capital.

The conditions with Flight 77 are similar to Flight 11. Flight 77 left Dulles International Airport in Washington and headed west. If Norad had been notified as soon as Flight 77 was hijacked the F-16 jets at Langley Air Force Base would have been scrambled 38 minutes earlier. There would have been no way Flight 77 could have reached the Pentagon before it was intercepted. (See Figure 4) By delaying the notification by 38 minutes, and allowing Flight 77 to return to Washington, completion of the terrorists' mission was assured. The pattern seems too consistent to have been caused by incompetence or any other such means. It looks like it was carefully planned.

United Airlines Flight 93 – Flight 93 left Newark Airport in New Jersey for San Francisco at 8:42 AM. It was hijacked at about 9:16 and NORAD was notified at the same time. The two F-16 jets from Langley were dispatched to intercept the flight. Flight 93 turned around near Cleveland at 9:35 and headed east. It crashed in rural Pennsylvania at 10:03.

The general belief is that heroic passengers overcame the terrorists and prevented further casualties on the ground. This belief seems to be well founded as it is backed up by cell phone conversations prior to the crash. Nevertheless, there have been some accusations that Flight 93 was actually shot down by the two F-16 fighters. But the government claims the fighters were 60-100 miles away when Flight 93 crashed – too far for their air-to-air missiles to reach. In addition, it seems that Bush didn't give any shoot-down orders until after all four planes crashed.

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It is pretty obvious that if the FAA hadn't been so slow reporting the hijacks and if NORAD had scrambled fighter jets when obvious hijackings were determined by the phone bridge, thousands of lives would have been saved. Major General Larry K. Arnold (now retired), who was in charge at NORAD on 9-11, said it was "physically possible" that fighter jets could have beaten the civilian airliner to the Pentagon had they been activated earlier.<sup>319</sup> But those agencies didn't, and the delay fits a systematic pattern for the day. But, though they may have been the only ones on alert, Otis and Langley aren't the only military air bases in the area. An important one only 10 miles from the Pentagon is Andrews Air Force Base. Two squadrons of fighter jets were available at Andrews – the 121<sup>st</sup> Fighter Squadron of F-16C Fighting Falcon jets under the 113<sup>th</sup> Wing of the D.C. Air National Guard, and the Marine Reserve Fighter Attack Squadron 321 of the 49<sup>th</sup> Marine Air Group, Detachment A, which flies the F/A-18 Hornets.<sup>320</sup> Andrews is tasked with the specific job of protecting Washington D.C. So the question arises, why were fighter jets from Andrews scrambled only after the Pentagon was struck? Actually, why wasn't the sky swarming with fighter jets,

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<sup>318</sup>"FAA Clarification Memo to 9/11 Independent Commission."

<sup>319</sup>Arnold, 15 October 2003.

<sup>320</sup>DCMilitary.com. Also see Bykov and Israel.

refueling tanker aircraft, and AWACS radar planes? It was known at 8:46 AM that two airliners had been hijacked.

The “official” answer to that question seems to be that they were not on alert to be instantaneously dispatched. Then we ask the question of why they weren’t alert – at least a couple pilots who could jump right in their planes and zip down the runway. There had been all kinds of warnings over the preceding weeks and months about hijacking planes and crashing them into buildings, and Washington D.C. has many spectacular targets to attract terrorists. So why wasn’t that simple and relatively inexpensive precaution taken?

Then if we look at just that Tuesday in September, we must inquire further into how long it takes to roust up a couple pilots and put them into the cockpits of their planes. There was a significant amount of time before the Pentagon was hit. The military defense command had almost an hour’s time to react (54 minutes, actually) from the time Flight 11 crashed into the World Trade Center to when Flight 77 crashed into the Pentagon. And a much longer stretch of time from the first hijacking – 33 minutes longer, to be exact. As far as Flight 77 itself is concerned, the military was warned 12 minutes before impact that a hijacked airliner was headed toward D.C. One article observed: “US air safety and air defense emergency systems are activated in response to problems every day. On 9-11 they failed despite, not because of, the extreme nature of the emergency. This could only happen if individuals in high positions worked in a coordinated way to make them fail.”<sup>321</sup>

### ***Bush, “The Pet Goat,” and Masquerading Guilty Knowledge.***

The official story is that Bush didn’t know about the crash of Flight 11 into the North Tower until he arrived at the Emma E. Booker Elementary School, and even then he believed it was an accident. The story has many versions. One was that he was told by White House Situation Room Director, Captain Deborah Loewer, who was also in the motorcade and heard the news en route. She claims that when they arrived at the school she ran over to Bush and said an aircraft “had impacted the World Trade Center. This is all we know.”<sup>322</sup> Another version is that Presidential Advisor Karl Rove took Bush aside immediately after they arrived, but told him the cause wasn’t yet known. Still another, and the one Bush claims to remember, is that White House Chief of Staff, Andrew Card, came alongside him to review his schedule and then said: “By the way, an aircraft flew into the World Trade Center.”<sup>323</sup> There are still other versions but they are all along the same line and add nothing to this narration. The main point is that the official story is that Bush didn’t know about the first crash until he arrived at the school, and at that time he thought it was an accident.

The official line is highly unbelievable. With all the communication equipment in his limousine, and the need for the President to be constantly available, it is unthinkable that Bush wasn’t aware of the tragedy earlier. As stated above, Captain Loewer learned of the crash while still in the motorcade. So had some news reporters. It is much easier to believe that the Commander-In-Chief would have heard the same thing as early, if not earlier, than the others. But if Bush did have foreknowledge, his attempted nescience has serious implications. It infers that he couldn’t admit knowledge, yet, because it was still too early to declare a national emergency – the drama had not yet played itself out. He had to stall for a while longer.

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<sup>321</sup>Bykov and Israel.

<sup>322</sup>Cited in Wood and Thompson.

<sup>323</sup>Cited in Wood and Thompson.

The story gets uglier. When the motorcade arrived at the school, Bush was taken to a holding room to take a telephone call from National Security Advisor Condoleezza Rice. One of the reporters with the motorcade said he heard over the communications radio that there was a call from Rice waiting for Bush at the school. There are several versions of how Bush got to the holding room ranging from him telling the school principal he had to make a call, to Andrew Card telling the President that he really has to take this call. They do all agree that Bush did talk to Rice right after he arrived. The public story goes that Rice told him about the crash and that nobody knew yet how serious it was.<sup>324</sup> Now the story really doesn't make sense. First of all, why would Rice call to the school – or Bush call from the school – when Bush had secure communications right in his limousine? Why all the show about Bush even talking to Rice in the first place? It has all the appearances of being staged to emphasize the implication that Bush was still uninformed as to the nature of the attack.

Secondly, it doesn't make sense that nobody knew how serious the crash was at 9:00 AM. The telephone call was merely a smoke screen. By the time Bush's motorcade had reached the school, NORAD had already been formally notified that two passenger jets (Flight 11 and Flight 175) had been hijacked, and one of them had already crashed. The other was heading for New York and two F-15 fighters were airborne from Otis Air Force Base trying to stop it. On top of that, it was known by all responsible parties that Flight 77 was not responding and had turned 180 degrees heading back toward Washington. Although the Flight 77 hijacking had not yet been officially reported to NORAD, the hijacking was general knowledge among government agencies through the phone bridge (described above) established immediately after the first plane crashed into the North Tower.<sup>325</sup> And everyone knew how serious the situation was except Condoleezza Rice, the director of the National Security Council? It just doesn't wash.

After the phone call Bush told the school principal about the Flight 11 crash but said they would go ahead with the program. Bush had just been introduced to the students when Andrew Card entered the room and spoke into Bush's ear, telling him about the second plane hitting the South Tower.

After Andrew Card spoke into Bush's ear at about 9:05 AM, reporters present said Bush's face turned serious and he seemed a bit distracted. But the Commander-in-Chief did nothing. He merely smiled and went on with the photo-op, listening to the children read a story about "The Pet Goat." Allan Wood and Paul Thompson commentate: "By that time the Federal Aviation Administration (FAA), the North American Aerospace Defense Command (NORAD), the National Military Command Center, the Pentagon, the White House, the Secret Service, and Canada's Strategic Command all knew that three commercial airplanes had been hijacked. ... one plane had been flown deliberately into the ... North Tower; a second plane was wildly off course and heading for Manhattan [it had actually hit the South Tower by this time]; and a third plane had abruptly turned

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<sup>324</sup>See Grier. Also see Gibbs. Also see Wood and Thompson.

<sup>325</sup>See "FAA Clarification Memo to 9/11 Independent Commission." Vice President Dick Cheney also confirmed the phone bridges just five days after the attack when he told Moderator Tim Russert on NBC's Meet The Press: "The Secret Service had an arrangement with the FAA. They had open lines after the World Trade Center was ..." (NBC News' Meet The Press, 16 September 2001) Then he stopped. He realized he had said too much. He had admitted that the Secret Service was tuned in and instantaneously knew everything that was going on from at least after Flight 11 hit the towers.

around and was headed back toward Washington DC. So why, ... after it was clear the United States was under terrorist attack, did President Bush sit down with a classroom of second graders and begin a 20-minute pre-planned photo op?”<sup>326</sup>

The Congressional Joint Inquiry and the 9-11 Commission have sought an answer to that question. They must have uncovered some things that the Bush administration adamantly doesn't want the public to know. CIA Director Tenet stamped secret any reference to intelligence



Bush with his *Pet Goat* book in Sandra Kay Daniels's elementary school classroom. [Eric Draper]

[published in Wood and Thompson]

information going to Bush, and that in itself indicates guilty knowledge. It is not a case of national security, which is the sole justification for secret classifications. It is obviously a case of keeping the public ignorant.

There is also the report about the Marine who carries Bush's phone. When he saw Flight 175 crash into the South Tower on television, he said: "We're out of here. Can you get everyone ready?"<sup>327</sup> He apparently saw the terrorist pattern and was ready to perform his duty in getting the Commander-in-Chief out of danger and where he could perform his Constitutionally-mandated functions. But he was obviously overruled by someone. Bush did not leave. Bush listened to "The Pet Goat" story.

Bureaucratic bungling seems to be the publicly-accepted blame for the Intelligence Community not providing adequate warning, and that is the way the Bush administration wants it to stay. The real facts are that the Intelligence Community and counterterrorism efforts were not provided sufficient resources to meet the growing and broadening demand for performance. Priorities were not updated as requirements grew. This lack of counterterrorism resources was a repeated theme during the Joint Inquiry. One CIA officer testified that "both CIA and FBI personnel working on bin Laden were 'simply overwhelmed' by the workload prior to September 11th."<sup>328</sup>

Even with the lack of resources there have been some alert investigators who saw a pattern and tried to report it. Those reports had to be suppressed, and they were. Nafeez Mosaddeq Ahmed, in his book *The War On Freedom*, adds some insight.<sup>329</sup>

A former FBI official with extensive counterterrorism experience told the [*New American*] magazine: "I don't buy the idea that we didn't know what was coming." He referred to the extraordinary speed with which the FBI had produced detailed information on the attack and the hijackers responsible: "Within 24 hours

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<sup>326</sup>Wood and Thompson.

<sup>327</sup>Cited in Bayles.

<sup>328</sup>Hill, 17 October 2002.

<sup>329</sup>I highly recommend this book – especially chapters 3 and 4. See References for details.

[of the attack] the Bureau had about 20 people identified, and photos were sent out to the news media. Obviously this information was available in the files and somebody was sitting on it.”<sup>330</sup>

Ahmed then cites a currently-active FBI counterterrorism investigator who said it was widely known throughout the Bureau that warnings from the FBI’s “most experienced guys ... were placed in a pile in someone’s office in Washington.” The investigator continued: “In some cases, these field agents predicted, almost precisely, what happened on September 11<sup>th</sup>.”<sup>331</sup> Then Ahmed returns to the former FBI agent who comments: “If somebody in D.C. is taking this information and burying it – and it’s very easy to control things from D.C. – then the problem goes much, much deeper ... It’s terrible to think this, but this must have been allowed to happen as part of some other agenda.”<sup>332</sup>

The actions of the federal government, particularly the top echelons of the Bush administration, on 11 September 2001 were too consistently inefficient to be caused by confusion, or even pandemonium. That day proceeded like a well planned effort to prevent any interference with the terrorist attacks. That black Tuesday in September provided the “catastrophic and catalyzing event” – the “new Pearl Harbor” – which neoconservatives saw as needed to sell the American people on a more aggressive strategy. 9-11 was indeed the overt act which greatly interrupted the continuity of life in America, and provided the aggression by an enemy which was needed to justify the “War on Terrorism.”

## **AFTERNOTE**

Perhaps the most critical thing to realize is that another *overt act interrupting the continuity of life in some way to bring about a response* could occur again. General Tommy Franks, the former commander-in-chief of Central Command which recently invaded Iraq, is pessimistic on that point. In an interview which appears in the December 2003 issue of *Cigar Aficionado* magazine, he warns that “the worst thing that could happen” is if terrorists acquire and then use a biological, chemical, or nuclear weapon that inflicts heavy casualties. “If that happens,” he continued, “the Western world, the free world, loses what it cherishes most, and that is freedom and liberty we’ve seen for a couple hundred years in this grand experiment we call democracy.” Then Franks elaborated on what he is saying: “It means the potential of a weapon of mass destruction and a terrorist, massive, casualty-producing event somewhere in the western world – it may be in the United States of America – that causes our population to question our Constitution and to begin to militarize our country in order to avoid a repeat of another mass, casualty-producing event. Which in fact, then begins to unravel the fabric of our Constitution.” What is frightening about this statement is that General Franks is the first high-ranking official to publicly mention that the US Constitution could be abandoned in favor of a military form of government.<sup>333</sup>

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<sup>330</sup>Ahmed, p. 110.

<sup>331</sup>Ahmed, p. 111.

<sup>332</sup>Ahmed, p. 111.

<sup>333</sup>Quotations in this paragraph are cited in, and other passages quoted from, Edwards.

There is food for thought in having an alert, mobilized and committed American public. That is the basic foundation stone of a democracy. That is the real hope for preserving our Constitution and the liberty it guarantees. That is the quality all of us Americans need to develop and nourish.

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APPENDIX-A

US NAVY RADIO INTERCEPT REGIONS IN THE PACIFIC

**NAVY WESTERN PACIFIC NETWORK:** (All categories of Diplomatic & Japanese Navy communication.)

Corregidor, Philippines – Station-CAST	Regional Control Center Full service (interception, processing, RDF) An exchange center with Dutch (Java) and British (Singapore and Hong Kong harbor) stations. Cooperated well with Army station MS-6 in Philippines.
Guam – Station-BAKER	Fed into Station-CAST – Interception and RDF
Wake Island	Fed into Station-CAST – RDF

**NAVY MID-PACIFIC NETWORK:** (Focused mainly on Japanese Navy communication.)

Honolulu (Oahu), Hawaii – Station-HYPO	Regional Control Center In basement of administration building at Pearl Harbor. Processing only (no interception or RDF) Coast Guard cryptographers fed into Station-HYPO. No liaison with Army station MS-5 in Hawaii.
Oahu, Hawaii – Station-H	Fed into Station-HYPO – Interception and RDF
Oahu, Hawaii – Lualualei Station	Fed into Station-HYPO – RDF only
Dutch Harbor, Alaska – Station-KING	Fed into Station-HYPO – Interception and RDF
Midway Islands – Station-AF	Fed into Station-HYPO – Interception and RDF
Pago Pago, Samoa – Station-VICTOR	Fed into Station-HYPO – Interception and RDF

**NAVY AMERICAN WEST COAST NETWORK:** (All categories of Diplomatic & Japanese Navy communication.)

Seattle, Washington – Station-SAIL	Regional Control Center Intercept and RDF only (Op-20-G in Wash. D.C. did processing) Cooperated well with Army Monitoring Stations Received help from two British RDF stations on Vancouver Island Received help from commercial radio stations
Sitka, Alaska – Station-AE	Fed into Station-CAST – Intercept and RDF
San Francisco, California – Station-FOX	Fed into Station-CAST – Intercept and RDF At 12 <sup>th</sup> Naval District headquarters
Imperial Beach, California – Station-ITEM	Fed into Station-CAST – Intercept and RDF

**APPENDIX-B**  
**THE JAPANESE NAVY CODE DESIGNATED JN-25**

The main Japanese Navy Operational Code used in the 1940s has been designated by the US as JN-25. JN stands for Japanese Navy. It was formerly called the five-number code because it uses a system of five numbers to designate letters and phrases. Sometimes it is referred to as the AN-1 code. The Japanese called it Code Book D – a combination of a code book of over 30,000 words and additive tables (to make it more complex).

Confusion has arisen over the designation JN-25 because that designation wasn't assigned until later. You won't find the designation JN-25 in 1941 records. During 1941 this code was known as the five-number code or AN-1 code. The five-number code was first used by the Japanese in 1939. The US first broke it in October 1940. After that it was updated periodically but was subsequently broken again by US cryptographers.<sup>334</sup>

The evidence is also confusing as to whether Hawaii could decode the latest revision to JN-25 code – JN-25B – in the months leading up to Pearl Harbor. The different interpretations seem to fall into three categories: 1) the US did not break enough of the JN-25B code to be useful before Pearl Harbor, 2) the JN-25B code was broken before Pearl Harbor but Station-HYPO did not have the key to decipher it, or 3) the JN-25B code was broken before Pearl Harbor but the US Navy was ordered to stop deciphering JN-25 during 1941.

***The US did not break enough of the JN-25B code to be useful before Pearl Harbor.***

Robert Stinnett says: "Japan's main naval radio system, the 'Operations Code' (the 5-number code) remained a problem for cryptographers. A full solution was expected by April 1941."<sup>335</sup> But Stinnett also says in an endnote: "There is no reliable evidence, found by the author, that establishes how much of the 5-num. text could be deciphered, translated, and read by naval cryptographers in 1941."<sup>336</sup> He doesn't say the US could not read any of it, just that he couldn't find verification of how much they could read. So there is no real clue here if JN-25B was useful to US intelligence personnel prior to December 1941, except for getting radio direction finding (RDF) bearings on the signal.

Chuah is a little more definitive, stating: "By April of 1942, the Station-HYPO team had figured out 30 percent of the JN-25[B] system. Though this seems like a small amount, it included the most common words and covered a much larger percentage of the messages sent."<sup>337</sup> But that was at least four months after Pearl Harbor and gives no indication how much could be read in 1941.

Rudolph Fabian, a lieutenant at Station-CAST just before December 7<sup>th</sup>, disagrees with Chuah. Fabian said they were working on JN-25 code and cipher recoveries "but we had not developed either to the point we could read enemy intercepts."<sup>338</sup>

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<sup>334</sup>See Stinnett Interview Transcript.

<sup>335</sup>Stinnett, *Day of Deceit*, p. 23.

<sup>336</sup>Stinnett, *Day of Deceit*, p. 324, note 18, last sentence. This was pointed out in O'Keefe.

<sup>337</sup>Chuah.

<sup>338</sup>Testimony at Hewitt inquiry in 1945. Cited in Gannon, p. 208.

A collection of articles edited by Ed Zotti says the US only broke Japanese diplomatic codes so Washington only knew in general that something big was coming, and that a certain message was to be delivered to the US at 1:00 PM on December 7<sup>th</sup>.<sup>339</sup> Consequently, according to Zotti's collection, the US did not know the detail plans for Pearl Harbor and could not have sent more definite warnings. This is not strictly true because the US had broken other Japanese naval code and those, combined with RDF bearings, provided a lot of information. However, this does imply that the US had not broken the JN-25B.

Another Washington apologist, author and historian Thomas Allen, wrote: "On December 1, 1940 ... the Japanese changed [their] code drastically. From December 1, 1940 through at least 1942 there was very, very little deciphering of Japanese naval messages."<sup>340</sup> That is a little confusing because it was only the JN-25B code that was revised on that date, not all the Japanese naval codes.

***The JN-25B code was broken before Pearl Harbor but Station-HYPO did not have the key to decipher it.***

Mark Willey's exhaustive book on pre-Pearl Harbor Japanese code messages shows that, besides the Purple and J-19 diplomatic/consular codes, US cryptologists also cracked the JNA-20 (used by Japanese naval attaches) and the JN-25/JN-25B codes which were the Japanese fleet's cryptographic systems.<sup>341</sup>

Willey points out: "JN-25 ... has a dictionary of 5,600 numbers, words and phrases, each given as a five figure number."<sup>342</sup> These were super-enciphered by addition to random numbers contained in a second code book [the additive tables]. The dictionary was only changed once before Pearl Harbor, on December 1, 1940, to a slightly larger version 'B,' but the random book was changed every 3-6 months. ... The Japanese blundered away the code when they introduced JN-25B by continuing to use, for 2 months, random books that had been previously solved by the Allies. ... in 1994 the [National Security Agency] published that JN-25B was completely cracked in December 1940."<sup>343</sup> Other reports say Autumn of 1941 but, again, this probably referred to cracking the latest additive tables, not the main code book. Additive Version 7 was in use from 1 July 1941 to 4 December 1941. At midnight of December 4<sup>th</sup>, three days before the attack, Additive Version 8 was put into effect.<sup>344</sup> Obviously, Version 8 could not have been cracked prior to December 7<sup>th</sup>. It could have been this Version 8 that contributed to the confusion that the code was not readable until 1942.

Declassified documents support Willey's statement, in that "the US Navy was able to give [the British] reconstructed JN-25[B] code books, even though incomplete, in January 1941, with current additive tables, and to show them how to continue to break the system."<sup>345</sup> The "current additive tables" were apparently the "random books" that the Japanese continued to use for two months. Discussion on when JN-25B was readable by the US, after the additive tables were last changed in 1941, don't seem to address when the British could read that code. They were also hard at work breaking JN-25B and other Japanese codes.

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<sup>339</sup>Zotti.

<sup>340</sup>Cited in Yanovitz.

<sup>341</sup>See Willey abstract.

<sup>342</sup>This disagrees with the 30,000 number cited by Chuah, above.

<sup>343</sup>See Willey abstract.

<sup>344</sup>Stinnett, *Day of Deceit*, p. 331.

<sup>345</sup>JN-25 Revisionist History.

Robert Stinnett's research revealed a Navy document which "admits that the solution of elements of the 5-num. code was sent to HYPO from Station-US [Op-20-G] in the autumn of 1941."<sup>346</sup> Stinnett said it must have been sent by the slowest boat in the Navy because it didn't arrive until after December 7<sup>th</sup>. The Navy will only say that on "an undisclosed date, wrapped in an undisclosed package, carried by an undisclosed officer-courier, the 5-num. secrets were transported to Hawaii on an undisclosed vessel."<sup>347</sup>

***The JN-25B code was broken before Pearl Harbor but the US Navy was ordered to stop deciphering JN-25B during 1941.***

Historian Thomas Allen says: "Many of the JN-25B coded messages were not decoded until 1945 or 1946."<sup>348</sup> That is apparently true but the reason for that seems to be that the US Navy was told to stop decoding JN-25B and concentrate on Purple.

In testimony before the 1995 Congressional hearings, Edward R. Kimmel (son of the admiral), said: "In addition, in 1941, [the Washington High Command] did not direct its decoding unit to decode messages in the Japanese Navy Operation Code JN-25, which, when the 1941 messages in this code were decoded for a study in 1945, revealed the Japanese plans to attack Pearl Harbor and the nature and size of the task force, *Kido Butai*."<sup>349</sup> It can be safely assumed that Edward Kimmel did his homework, and that he was thoroughly familiar with the evidence regarding the JN-25B decrypting. If he is correct, and the reason the JN-25B code wasn't being read before 7 December 1941 was because Navy cryptographers were ordered not to decode it, then that adds more evidence to support the allegation of an intentional blackout of intelligence information for the Hawaiian commanders.

When all is considered, the JN-25B code wasn't necessary to US intelligence except for possibly fine details. Breaking the radio call sign code, which was done by Station-CAST just before *Kido Butai* started its journey across the "vacant Sea." provided the identity of specific Japanese commanders and ships. RDF bearings furnished their exact location and a means of tracking. All of this can be accomplished without understanding the message itself. But stopping the decoding of JN-25B would eliminate the possibility that a decrypted message would get into Kimmel's hands. He then would prepare a defense and that could have mitigated the "overt act" FDR was striving for that would put America in a war mood.

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Because of the seemingly unresolved controversy over when the US was reading the JN-25B code, that information will not be given high priority in this paper. The purpose of this paper is to show that FDR had prior knowledge of, possibly even provoked, that "overt act" which would interrupt the continuity of life and get America into World War II. That can be shown without relying on the JN-25 code.

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<sup>346</sup>Stinnett, *Day of Deceit*, p. 76.

<sup>347</sup>Stinnett, *Day of Deceit*, p. 76.

<sup>348</sup>See Yanovitz.

<sup>349</sup>1995 Hearings.

## APPENDIX-C

### A YEAR LATER – ATTEMPTING TO REWRITE HISTORY

On the first anniversary of 9-11, the White House, apparently led by Chief of Staff Andrew Card, made an attempt to change the story about Bush's dallying after he heard about the second plane crash. In a 9 September 2002 interview on NBC's "The News With Brian Williams," Card said that after he told the President about the second plane, "not that many seconds later the president excused himself from the classroom and we gathered in the holding room and talked about the situation."<sup>350</sup> Two days later, on the anniversary date itself, Card had an article published in the *San Francisco Chronicle*. He described Bush's reactions after being told about the second plane: "He looked up – it was only a matter of seconds, but it seemed like minutes – and I thought that he was outstanding in his ability not to scare either the American people that were paying attention to the cameras or, more importantly, the students that were in the classrooms. And he just excused himself very politely to the teacher and to the students, and he left."<sup>351</sup>

The Emma E. Booker Elementary School also partook in this anniversary-date revisionism. Second grade teacher, Sandra Kay Daniels, had an article published in the *Los Angeles Times* on 11 September 2002. Although the "By Line" showed it was written by her, it was also marked "as told by John-Thor Dahlburg." Daniels/Dahlburg said that after Andrew Card whispered into the President's ear: "I knew something was up when President Bush didn't pick up the book and participate in the lesson. ... He said, 'Mrs, Daniels, I have to leave now. I am going to leave Lt. Gov. Frank Brogan here to do the speech for me.' Looking at his face, you knew something was wrong. I said a little prayer for him. He shook my hand and left."<sup>352</sup>

The next day, a *New York Post* article follows the revisionist line about Bush leaving immediately after hearing the news. But in this Daniels describes a completely different reaction than the considerate and caring response described above, contradicting both Card and herself. She is quoted as saying: "The president bolted right out of here and told me" "Take over.' I knew something serious had happened, and then a short while later he came back and said, 'What we thought was an airline accident turned out to be a terrorist hijack.' ... My kids were so happy that morning ... and then poof, suddenly he's gone. What do you say to a bunch of second-graders?"<sup>353</sup>

There are more inconsistencies in the *Post* article. One is Daniels being quoted as saying her students were in the media room watching TV when the second plane hit, when they were really in their classroom being introduced to Bush. That was followed by a sentimental recalling of the anguish in the kids and her trying to turn it into a learning experience. Then, before "bolting" from the room, Daniels has Bush stopping and taking the time to answer a question from one of the children.

Another classroom teacher, Kathy Williams, posted a short revisionist essay on the Booker School website. She says that while they were waiting for Bush, "a secret service agent slipped in and unobtrusively passed the news that there had been a terrible airplane crash in New York and the president wouldn't be addressing the audience about reading. He had a grave message to convey to the nation, and he would come in, deliver it and leave immediately." That contradicts both Card and Daniels who had Bush already in the classroom and Card delivering the news there.

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<sup>350</sup>NBC, 9 September 2002.

<sup>351</sup>Card.

<sup>352</sup>Cited in Daniels.

<sup>353</sup>Cited in Balfour.

Then Williams wrote: “At 9:30 AM on September 11, 2001, President George W. Bush slipped silently behind the podium and made an announcement to the nation and the world ...”<sup>354</sup> That is correct. That is about the time Bush did make the statement to the media. But there is a time lag in her story. Where was Bush between 9:05, when the second plane crashed, and 9:30, when he made the speech? He was reading “The Pet Goat” with the children in the second grade classroom, of course. Williams says Bush never spoke to the class and yet Andrew Card describes how he delivered the message to Bush while in the classroom. Sandra Daniels does the same in her convoluted statements.

The attempts at varnishing over Bush’s dallying is pitiful. The history is just too firmly implanted to change. The classroom was filled with reporters, photographers, and other witnesses. The reading session was also captured on a Booker School video. That videotape has now disappeared from the school’s website but it has been downloaded by others and has been preserved. History will stand – on its own merits.

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<sup>354</sup>Williams.

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## **GLOSSARY**

a.k.a	Also known as.
BBC	British Broadcasting Corporation.
CBS	Columbia Broadcasting System.
CIA	Central Intelligence Agency.
CNN	Cable News Network.
CNO	Chief of Naval Operations.
CTC	CounterTerrorism Center. Established in 1986 to work under the DCI.
DCI	Director of Central Intelligence (head of the CIA).

Echelon	A satellite eavesdropping system shared by the US and some allies.
FAA	Federal Aviation Administration.
<i>Fatwa</i>	Theological decree in the Islamic religion.
FBI	Federal Bureau of Investigations.
FDR	Franklin Delano Roosevelt.
FOIA	Freedom Of Information Act.
HizbAllah	Army of God (Arabic).
INS	Immigration and Naturalization Service.
J-19	Japan's consular code.
Jihad	Holy War (Arabic).
JN-25	Japan's top naval operational code. JN stands for Japanese Navy.
Magic	Code name for Japanese diplomatic and consular messages intercepted by the US.
MS-5	Monitoring Station-5 (US Army, in Hawaii).
MS Code	Merchant Ship Code (Japanese)
Mujahideen	Holy Warriors (Arabic).
NORAD	North American Aerospace Defense Command.
NSA	National Security Agency (US).
NSC	National Security Council.
ONI	Office of Naval Intelligence.
Op-20-G	The Security Intelligence Section of US Naval Communications. Also known as Station-US.
PDB	President's Daily Brief.
PR	Public Relations.
PROMIS	Prosecuter's Management Information System – software for monitoring the stock market..
Purple	Japan's top diplomatic code.
RDF	Radio Direction Finding.
SM Code	Ship Movement Code (Japanese)
SIS	Signal Intelligence Service (US Army).
SSA	Supervisory Special Agent (FBI).
UAE	United Arab Emirates.
US	United States
WMD	Weapons of Mass Destruction.