

Memogate - Did the CIA leak the news about 9/11?

The New Republic, Pg. 12 ; ISSN: 0028-6583

June 3, 2002

By Richard Minitier

Richard Minitier, a senior fellow at the Centre for the New Europe in Brussels, is author of the *The Duel: Clinton's Secret War on Bin Laden*, which will be published by Simon & Schuster's Free Press in January.

Last week the United States learned that, more than one month before September 11, President George W. Bush received a Central Intelligence Agency (CIA) memo mentioning a possible Al Qaeda hijacking. News of the memo took Washington by storm. It dominated newspaper headlines and TV talk shows. Democrats abandoned their long-standing caution regarding the war on terrorism and demanded to know what Bush knew and when he knew it. The White House counterattacked.

But the "smoking gun" isn't all that smoking. The memo--prepared at presidential request--vaguely mentioned hijackings. But it didn't mention suicide hijackings--even though Al Qaeda and other terrorist groups had recently attempted several. And because it didn't mention suicide hijackings, it didn't mention Al Qaeda's well-known shortage of pilots. (In 1993 Osama bin Laden paid some \$ 200,000 for a jet plane he then had delivered to the Sudan, where he was then staying; but when he departed for Afghanistan in May 1996, he didn't have any pilots to take the plane with him, according to Sudanese officials I spoke with. It's still on an airfield in Khartoum--I saw it there last month.) And because the memo didn't mention Al Qaeda's need for pilots, it never mentioned Al Qaeda's penetration of American flight schools--even though a now-famous Federal Bureau of Investigation (FBI) memo from earlier that summer had drawn attention to exactly that danger. Last week national security adviser Condoleezza Rice called the August 6 memo too "generalized" and devoid of any new intelligence or analysis. She was being polite.

The real scandal, in other words, isn't Bush's non-reaction to the CIA memo. It is the memo itself--which testifies powerfully to the shoddy nature of the CIA's pre-9/11 anti-terrorism work. But rather than focusing on CIA incompetence, the media and congressional Democrats have used the memo to push the juicier story of White House inaction. Which may be just what the people who leaked the memo wanted--because the people who leaked it may be from the CIA itself.

Why would the CIA have leaked the memo? Start with motive. The Agency has been defensive about its pre-9/11 failures from the start; and in recent months the House and Senate Intelligence Committees' investigation into the intelligence failures preceding the attacks has made it much more so. Senate Intelligence Committee Vice Chairman Richard Shelby is on record as calling for CIA Director George Tenet's resignation, and last month the committee forced Tenet's longtime associate, L. Britt Snider, to resign as the committee's staff director. In response, the CIA is obstructing the investigation as much as it dares. It has barred its employees from giving committee staff its business cards, according to The Washington Post. And--using a classic

bureaucratic stalling tactic that won't win any friends on Capitol Hill--Langley has refused to turn over documents it got from the FBI and other agencies without those agencies' approval. Recently, when the Agency learned that some Senate Intelligence Committee staffers faulted the CIA for failing to grasp the significance of an April 2001 meeting in Prague between 9/11 ringleader Mohammed Atta and Iraqi intelligence officer Ahmed al-Ani, the CIA suggested that the meeting probably never occurred. (Had they grasped its significance, they might have investigated Atta and found that he was in the United States.) Unfortunately for Langley, Czech intelligence is standing by its story, and a Czech member of parliament briefed by that nation's intelligence service believes airport security cameras caught the meeting. Add to this the committee's apparent interest in the CIA's long-standing inability to hire Arabic-, Turkic-, and other language specialists; its legendary refusal to share information with other parts of the government; and the fact that it analyzes less than 10 percent of the data that its costly satellites collect, and you have an investigation that frightens Langley to death. The August 6 memo has focused congressional and media attention on the White House. And it has resuscitated calls for scuttling the current inquiry altogether and replacing it with a blue-ribbon commission of outside wise men--a change that would surely please the CIA.

Then there's opportunity. Until September 11 the daily intelligence briefing was confined to the president, the national security adviser, the CIA briefing officer, and the CIA director himself. While Bush generally let Tenet sit in, the exclusive briefing circle has not widened much. Only Tenet and a handful of top CIA officials would have had access to the August 6 memo. Which suggests that either they leaked it, or they allowed it to fall into the hands of someone who did.

Some have speculated that the leak came from the FBI, perhaps to distract attention from the Phoenix flight-school memo, which the Bureau seems never to have acted on. But it's unlikely the FBI had access to the August 6 memo, since before September 11 no one in the Bureau was invited to presidential intelligence briefings. (That's changed now.)

The Bureau doesn't have as strong a motive either. Unlike Tenet, who had been on the job for four years when the World Trade Center fell, FBI Director Robert Mueller had been in his post only a week or so--and almost no one has called for his head. What's more, the FBI is widely considered to have done pretty well since the attacks: It has caught the suspected twentieth hijacker, Zacarias Moussaoui; established a solid evidentiary trail concerning the 9/11 conspiracy, though several gaps remain; and built a solid case against alleged shoe bomber Richard Reid. And that's just the public record. Middle Eastern and East African intelligence officers say the FBI--working through legal attaches at U.S. embassies in the region--has arranged for the transfer of some 300 Al Qaeda members from terrorist-sponsoring nations like Sudan and Libya to third countries--in particular, Egypt--for interrogation. While Senate Intelligence Committee members and staffers remain critical of the FBI for its handling of the Moussaoui case and the Phoenix memo, and intend to probe those matters further, one staffer privately says that the anger at the FBI--which is considerable--is nothing compared with the hostility directed at the CIA.

That leaves Congress. Democrats clearly have an interest in embarrassing the White House, but the best-informed members of Congress--those on the Intelligence Committees--realize that if it gets out that they or their staffs are leaking to the press, the White House may stop giving them

sensitive material. And even if someone on the Hill did leak the August 6 memo, it's highly unlikely they got it from the White House--which had an obvious interest in it not getting out. More likely, someone in Congress got the memo from the CIA, which handed it over in the knowledge that it could find its way to the press.

So far Director Tenet has escaped scrutiny in the August 6 memo dustup. But unfortunately for him, the "What did Bush know?" story that the memo initially provoked may now be fading. And you can bet that a White House with a deep hatred of leaks has already put out the bloodhounds to find the source of this one. The CIA's effort to deflect the political heat, in other words, may end up backfiring. And sometime later this year, don't be surprised if Tenet quietly announces that he is leaving his post to "spend more time with his family." If he does, the August 6 memo will have finally done some good after all.

Copyright 2002 Gale Group, Inc./ASAP
Copyright 2002, The New Republic, Inc.