

## 9/11 Panel Members Ask Congress to Learn if Pentagon Withheld Files on Hijackers in 2000

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WASHINGTON, Aug. 9 — Members of the independent commission that investigated the Sept. 11 terror attacks called on Congress to determine whether the Pentagon withheld intelligence information showing that a secret American military unit had identified Mohammed Atta and three other hijackers as potential threats more than a year before the attacks.

The former commission members said the information, if true, could rewrite an important chapter of the history of the intelligence failures before Sept. 11, 2001.

"I think this is a big deal," said John F. Lehman, a Republican member of the commission who was Navy secretary in the Reagan administration. "The issue is whether there was in fact surveillance before 9/11 of Atta and, if so, why weren't we told about it? Who made the decision not to brief the commission's staff or the commissioners?"

Mr. Lehman and other commissioners said that because the panel had been formally disbanded for a year, the investigation would need to be taken up by Congress, possibly by the House and Senate Intelligence Committees.

*Eric Schmitt contributed reporting for this article.*

"If this is true, somebody should be looking into it," said Thomas H. Kean, the commission chairman and a former Republican governor of New Jersey.

Detailed accounts about the findings of the secret operation, known as Able Danger, were offered this week by Representative Curt Weldon, the Pennsylvania Republican who is vice chairman of the House Armed Services Committee, and by a former defense intelligence official.

Their comments are the first assertion by current or former officials that Mr. Atta, an Egyptian who was the lead hijacker, had been identified as a potential terrorist before the attacks.

Spokesmen for the commission members said this week that although the staff was informed by the Pentagon in late 2003 about the existence of a so-called data-mining operation called Able Danger, the panel was never told that it had identified Mr. Atta and the others as threats.

In a final report released last summer called the authoritative history of the attacks, the commission of five Democrats and five Republicans made no mention of the secret program or the possibility that a government agency had detected Mr. Atta's terrorist activities before Sept. 11.

The Pentagon has had no comment on the credibility of the accounts

from Mr. Weldon and the intelligence official.

At a news briefing on Tuesday, Defense Secretary Donald H. Rumsfeld said he could not comment on reports about Able Danger and suggested that he knew nothing about such an operation.

"I can't," Mr. Rumsfeld said. "I have no idea. I've never heard of it until this morning. I understand our folks are trying to look into it."

A spokesman for the Pentagon, Lt. Col. Christopher Conway, said later that "there were a number of intelligence operations prior to the attacks of 9/11" but that "it would be irresponsible for us to provide details in a way in which those who wish to do us harm would find beneficial."

An intelligence official said Tuesday that the office of John D. Negroponte, the director of national intelligence, was "working closely with the Department of Defense to learn more" about Mr. Weldon's statements. The official confirmed that the congressman recently met with Mr. Negroponte, but declined to discuss the subject.

The chairman of the House Intelligence Committee, Peter Hoekstra, Republican of Michigan, said in an interview that although he could not comment on classified subjects, he had recently talked with Mr. Weldon and that "I do take seriously any issues that may be brought to light by

other members of Congress."

A spokeswoman for Senator Pat Roberts, the Kansas Republican who heads the Senate Intelligence Committee, said that "the committee is aware of Congressman Weldon's concerns" and that it "is looking into it."

Mr. Weldon went public with his information after having talked with members of the unit in his research

### *Trying to fill a chapter in the history of intelligence failures.*

for a new book on terrorism. He said in a telephone interview on Tuesday that he had spoken with three team members, all still working in the government, including two in the military, and that they were consistent in asserting that Mr. Atta's affiliation with a Qaeda terrorism cell in the United States was known in the Defense Department by mid-2000 and was not acted on.

An outspoken member of Congress on military and intelligence questions, Mr. Weldon, a champion of military data mining like Able Danger,

has helped arrange interviews for reporters with the former military intelligence official. The official insisted on anonymity, saying he did not want to jeopardize political support for future data mining in the military.

The official said in an interview Monday that the Able Danger team was created in 1999 under a directive signed by Gen. Hugh H. Shelton, chairman of the Joint Chiefs of Staff, to assemble information about Al Qaeda networks around the world.

He said that by the middle of 2000 the operation had identified Mr. Atta and three of the other future hijackers as a member of an American-based cell and that the information was presented that summer in a chart to the Pentagon's Special Operations Command headquarters in Tampa, Fla.

The official said that the chart included the names and photographs of Mr. Atta and the others, Marwan al-Shehhi, Khalid al-Mihdhar and Nawar al-Hamzi. Mr. Weldon and the intelligence official said Able Danger members had recommended that the information be shared with the F.B.I., an idea that was rejected.

The official said the information was also not shared with the C.I.A. or other civilian intelligence agencies. "This was a highly compartmented program with very limited distribution," he said.

General Shelton said Tuesday that he did not recall authorizing the creation of the unit but that "we had lots of initiatives to find out where Al Qaeda was."

The former intelligence official said he was among a group that briefed the former staff director of the Sept. 11 panel, Philip D. Zelikow, and at least three other staff members about Able Danger when the staff members visited the Afghanistan-Pakistan region in October 2003. The official said that he had explicitly mentioned Mr. Atta in the briefing as a member of the American terrorist cell.

Mr. Kean, the commission head, said the staff members were confident that Mr. Atta's name was not mentioned in the briefing or subsequent documents from the Pentagon.

"None of them recalls mention of the name Atta," he said. "I think if that had been mentioned, it would have been on the tips of their tongue."

Mr. Kean said he had asked the staff members to retrieve their classified notes from government storage to be certain about not overlooking any reference to Mr. Atta or to an American-based cell in any of the Pentagon material.

A State Department spokesman for Mr. Zelikow, who joined the department this year, had no immediate comment.