



9/11 Commission Primer

July 20, 2004

After months of research and testimony, this week the bipartisan National Commission on Terrorist Attacks Upon the United States (9/11 Commission) will release its final report on the events surrounding 9/11 and recommendations for protecting our country from future attacks. This is a moment the Bush administration sought to prevent. The 9/11 Commission Primer by the Center for American Progress reminds its readers of the administration's attempts to obstruct and discredit the work of the Commission, and abdicate responsibility for protecting our country.

- [Obstructing the Investigation](#)
- [Stonewalling the Commission](#)
- [Attacking the Commission and Its Members](#)
- [Abdicating Responsibility](#)

While President Bush hailed the work of the Commission as "[important for future administrations](#)," his administration did everything it could to block and impede and the Commission from conducting its vital work. Not only did the White House oppose formation of the Commission, but resisted providing the Commission with the time and resources it needed to carry out its work.

White House Opposed Formation of Commission: President Bush and Vice President Cheney both contacted then-Senate Majority Leader Tom Daschle in the months after 9/11 to [insist on strict limits](#) in the scope of any investigation into the attacks. Newsweek reported on February 4, 2002, that Vice President Cheney called Sen. Tom Daschle (D-SD) to "warn" him not to open hearings into the attacks. If Daschle pressed the issue, Cheney "implied he would risk being accused of interfering with the mission" against terrorism. And despite entreaties from the families of victims of 9/11 attacks and a bipartisan group of senators and congressmen, the president [vocally resisted forming an investigatory commission](#). President Bush only relented on [November 27, 2002](#), a year after the attacks.

Bush's Hand-Picked Co-Chairman Steps Down: On November 27, 2002, President Bush appointed Henry Kissinger to head the 9/11 Commission. At the time, the NYT opined the White House had chosen him "[to contain an investigation it has long opposed](#)." Less than a month later, Kissinger [resigned from the post](#) over conflicts of interest.

White House Resisted Fully Funding: Time Magazine reported last year that the White House "[brushed off](#)" a request by Commission Chairman Tom Kean to boost the investigation's budget by \$11 million, even though the Commission stated it could not complete the investigation without the funds.

White House Opposed Time Extension for Finishing Commission's Work: In January 2004, President Bush and House Speaker J. Dennis Hastert (R-IL) [opposed granting a two-month extension](#), even though Commission members said the extra time was necessary to finish their work. Two weeks later, after public outcry, [the White House capitulated](#) and announced on February 4, 2004, that it would allow the Commission to have the extra 60 days it needed.

President's Chief Counsel Tried to Influence Panel: Top White House counsel Alberto Gonzales tried to [manipulate the 9/11 Commission](#), calling Republican commissioners Fred F. Fielding and James R. Thompson just before they gathered on March 24, 2004, to hear the testimony of former White House counterterrorism chief Richard A. Clarke. After the calls, "Fielding and Thompson presented evidence questioning the former official's credibility," leading critics to denounce the impropriety of Gonzales' phone calls.

The Bush administration also sought to withhold key information from the Commission during the investigation. The White House dragged its feet in allowing National Security Adviser Condoleezza Rice to testify, and fought hard to limit the president's appearance before the Commission. The White House also denied Commission members access to critical information, in particular the president's daily intelligence updates.

White House Refused to Allow National Security Advisor to Testify: On **March 28, 2004**, National Security Adviser Condoleezza Rice tried to justify her resistance to testifying in front of the Commission, arguing, "it is a longstanding principle that **sitting national security advisers do not testify** before the Congress." The White House soon faced the reality that former top White House officials **Lloyd Cutler, Zbigniew Brzezinski, Samuel Berger and John Podesta** appeared before congressional committees while serving as advisers to presidents, and that **Adm. William Leahy**, chief of staff to Presidents Franklin Roosevelt and Harry Truman, appeared before the special congressional panel investigating the Pearl Harbor attacks. On **March 30, 2004**, the White House finally bowed to pressure and announced that Rice would testify in public under oath before the Commission.

White House Demanded Panel Not Seek Additional Testimony: In exchange for Rice's testimony, the White House specifically demanded that "**the panel agree not to seek testimony from other White House aides**," even if that testimony were to become critical to the Commission's mandate.

White House Tried to Limit Bush's Testimony to One Hour: On **February 25, 2004**, President Bush and Vice President Dick Cheney announced "strict limits" surrounding their private interviews with the 9/11 Commission, saying Bush would submit to only a single hour of questioning. On **March 2, 2004**, the Commission rejected the hour deadline as unacceptable. A week later, on **March 10, 2004**, White House spokesman Scott McClellan backtracked on the demand, saying, "The president's going to answer all of the questions they want to raise. Nobody's watching the clock."

White House Demanded Joint Bush/Cheney Testimony: The White House also demanded that President Bush and Vice President Cheney not be forced to testify under oath and be allowed to testify together, facilitating the potential coordination of their testimony. Tom Kean and Lee Hamilton, members of the Commission, indicated that they **would prefer them to testify separately**.

White House Denied Request for Presidential Daily Briefs: The Commission struggled with the White House for access to the "Presidential Daily Brief" (PDB), a document presented to the President each morning containing that day's intelligence. After months of negotiations, the White House limited access to the PDBs to only **four commissioners**, who then would brief the full ten-member panel. However, although the four-member team "asked to look at 360 PDBs dating back to [1998,] White House counsel **Alberto Gonzales permitted them to see just 24**."

White House Denied Access to Panel's Own Notes: After limiting the number of commissioners who could view the PDBs, the White House **refused to give the panel access** to notes commissioners with access had taken on them. On March 14, 2004, 15 months after the creation of the Commission, the White House finally agreed to provide the Commission with a 17-page summary of the PDBs from the Bush and Clinton administrations related to al Qaeda.

White House Held Back Additional Documents: On April 1, 2004, it was discovered that the Bush White House **had not turned over about 75 percent of the almost 11,000 pages** of Clinton records "that document custodians had determined should be released to the Commission investigating the terrorist attacks," even though **the records were vital** to the panel's mission. Clinton "had given authorization to the National Archives to gather evidence from Mr. Clinton's files that was sought by the independent Commission... But the Bush administration... had final authority to decide what would be turned over."

As the Bush administration's efforts to stonewall the 9/11 Commission began to fail, the administration and its allies stepped up their attempts to discredit the Commission, commissioners and witnesses. While Attorney General John Ashcroft launched an unjustified attack on Commission member Jamie Gorelick for her previous work in the Justice Department, the Heritage Foundation was providing a forum for those who sought to discredit the Commission. In an interesting twist, just this month Ashcroft recanted on his criticism of Gorelick.

Ashcroft Attempted to Shift Blame to Gorelick – And Just Recently Recanted: Ashcroft used his appearance before the 9/11 Commission to launch a personal attack on Commissioner Jamie Gorelick, who served as deputy attorney general from 1994 to 1997. Ashcroft surprised the Commission and **sandbagged Gorelick by**

releasing a memo she authored in 1995, claiming that it created "the single greatest structural cause for the September 11th problem." But contrary to Ashcroft's assertion, **Gorelick's memo intended to facilitate communication** within the FBI, helping to overcome existing restrictions on information sharing with their roots in the Reagan and Bush I administrations. Moreover, under questioning by the Commission, Ashcroft later admitted that "his own deputy attorney general, Larry Thompson, had renewed the terms of the Gorelick memo in August 2001." Ashcroft reversed himself just this month. In July 2004, he conceded that Gorelick's memo permitted **"interaction and information sharing between prosecutors and intelligence officers"** and allowed the FBI to use the fruits of an intelligence investigation "in a criminal prosecution."

Sensenbrenner Impugned Gorelick, Then Got Rebuked by Republican Chairman: Archconservative House Judiciary Chairman James Sensenbrenner (R-WI) also impugned Gorelick by appearing on Fox News and calling on her to resign and stand as a witness before the 9/11 Commission because of her Bush administration-endorsed memo. But Republican 9/11 Commission Chairman Tom Kean "dismissed the request and said **Gorelick was one of the hardest-working and nonpartisan members** of the commission. He also said she had recused herself from involvement in issues on which she worked while serving in government" – a policy that stands for all Commission members with prior government experience.

Delay Attacked 9/11 Panel for Asking Tough Questions: House Majority Leader Tom DeLay (R-TX) played his usual role of right-wing ringmaster by leading the charge to malign the Commission with unsubstantiated accusations of partisanship. DeLay said, "Some commissioners' tactics during questioning have served to distort witness statements, cut off witness answers and otherwise blur the distinction between the commission's work and a prime-time cable talk show." He also stretched the story by claiming that "the politicization of the commission undermines the war effort [in Iraq] and endangers our troops." [Congressional Quarterly, 4/16/04]

Heritage Foundation Questioned Need for 9/11 Commission: The Heritage Foundation served as a forum for conservative columnists attacking the existence of the 9/11 Commission. "Let's shut down the National Commission on Terrorist Attacks Upon the United States -- the September 11 Commission. After all, what's the point?," wrote columnist **Rich Tucker**. **Paul Rosenzweig** wrote that the Commission is "unseemly" for publicizing its work, even though the publicity was being urged by Republican Chairman Tom Kean who "believes the only way to force the government to change is to **get the public alarmed and angry at the dysfunctional way the agencies now are operating.**"

Murdoch Machine Overlooked Facts In Commenting on Testimony: In an unusual front-page editorial in his New York Post, Australian right-wing billionaire **Rupert Murdoch and his media machine attacked Democratic 9/11 commissioners as "shills."** The editorial then went on to make factually inaccurate claims. For instance, it said that pre-9/11 "intelligence reports all talked about attacks occurring against targets overseas," and that "it clearly was not a fact that President Bush was warned against possible attacks in this country." The editorial then accused Commissioner Richard Ben-Veniste of slander for saying as much. But Ben-Veniste was entirely accurate: the **bipartisan 9/11 congressional inquiry** found the Administration received warnings of a possible homeland attack in May 2001, and **the president was personally warned on August 6** of "patterns of suspicious activity in this country consistent with preparations for hijackings or other types of attacks." The August 6 briefing also warned of the possibility "that a group of Bin Ladin supporters was in the US planning attacks with explosives."

Frist Attacked Clarke, Then Was Contradicted by Party Colleagues: Senate Majority Leader **Bill Frist (R-TN)** delivered a speech on the floor of the Senate claiming that former Bush counterterrorism chief Richard Clarke, who testified before the 9/11 Commission, "told two entirely different stories" about the Bush administration's handling of terrorism. Frist implied Clarke had perjured himself by purportedly telling two different stories under oath – first to Congress in 2002 and then to the 9/11 Commission this year – and threatened severe consequences "if it is found that he has lied before Congress." But Frist soon admitted "that he personally **had no knowledge that there were any discrepancies**" between the two testimonies. Soon after, Intelligence Committee Chairman **Sen. Pat Roberts (R-KS)** contradicted **Frist** and said that "Clarke's testimony before a joint congressional panel on the Sept. 11 terrorist attacks did not contradict his later testimony" before the 9/11 Commission.

Even today, the Bush administration has refused to accept responsibility for the 9/11 attacks, instead passing the counterterrorism buck as far from the president as possible. As columnist Richard Cohen noted, **"If the president wants to own Sept. 11" for his political gain "he's entitled. But it does not come alone. Sept. 10 is his, too."** But while the White House was busy blaming the FBI, the FBI was pointing fingers at the attorney general, who was shooting back at the FBI and CIA.

The White House Blamed the FBI: During questioning before the 9/11 Commission, Rice said, "I also understood that that was what the FBI was doing, that the FBI was pursuing these al Qaeda cells. I believe in the August 6 memorandum it says that there were 70 full field investigations under way of these cells. And so there was no recommendation that we do something about this; the FBI was pursuing it." Later in the hearing, when pressed on whether the FBI was actually aggressively pursuing terrorism threats in the United States, Rice ducked any White House accountability, "The responsibility for the FBI to do what it was asked was the FBI's responsibility." The White House provided [The New York Times](#) parts of a classified memo from Richard Clarke to Rice that referenced the tasking of the FBI's field offices. Then [President Bush](#) again put the focus squarely on the FBI, saying "whoever was the Acting FBI Director, had they found something, would have said, Mr. President, we have found something that you need to be concerned about in your duties to protect America. That didn't happen."

The FBI Blamed Ashcroft: [Newsweek](#) reported an "extraordinary confrontation" between the attorney general and then-FBI director Louis Freeh at the annual meeting of FBI Special Agents in Charge in May 2001. Ashcroft and Freeh met before their appearance and the attorney general laid out his priorities, "'basically, violent crime and drugs,' recalls one participant. Freeh replied bluntly that those were not his priorities, and started to talk about terror and counterterrorism. 'Ashcroft didn't want to hear about it,' says a former senior law enforcement official." [The New York Times](#) and [Washington Post](#) reported that Thomas J. Pickard, acting director of the FBI in the summer of 2001, told the 9/11 Commission that Ashcroft had "little interest" in terrorism.

Ashcroft Blamed the FBI and CIA: Ashcroft's press spokesperson, Mark Corallo, [asserted that Ashcroft](#) was briefed regularly by the CIA and FBI regarding threats posed by al Qaeda, and "he [Ashcroft] was not briefed that there was any threat to the United States. He kept asking if there was any action he needed to take, and he was constantly told no, you're doing everything you need to do."

Clarke Stands Alone in Taking Responsibility: Testifying before the 9/11 Commission, former counterterrorism chief Richard Clarke became the first Bush administration official to take responsibility for the failure to protect America in the lead up to the deadly attacks. While President Bush repeatedly said he wanted to "[usher in an era of personal responsibility](#)," neither he nor any of his officials admitted they ignored repeated terror warnings and dramatically reduced counterterrorism efforts before 9/11 (see [American Progress' 9/11 backgrounder](#) for details). Instead, the president has ignored the public record that shows he received warnings, and [essentially denied he had any prior warning of an imminent attack](#).

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