TRANSCRIPT OF TESTIMONY BY

Mr. SAID BOUJAADIA,

PROVIDED 5 DECEMBER 2007

AT THE

JURISDICTIONAL HEARING, re

U.S. v. HAMDAN

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1 have it to refer to. And I feel it's not appropriate for me as
2 defense counsel to explain his immunity because it's not within
3 my actual abilities to grant it.
4 MJ: Well has someone explained it carefully to him?
5 CDC [Mr. Swift]: My understanding is that he does
6 understand it. If there are any questions.
7 MJ: Okay.
8 [The witness, Mr. Boujaadia, entered the courtroom and took the
9 witness stand.]
10 MJ: May I see the grant of immunity, please? Master
11 sergeant, would you hand me the grant of immunity, please?
12 [The court reporter handed AE 069 to the military judge.]
13 MJ: He's going to need a pair of headphones. He's going
14 to need a pair of headphones so he can hear what I'm saying to
15 him.
16 [The bailiff handed the witness a pair of headphones.]
17 MJ: Is that the only one we have in the courtroom?
18 [The witness put on the headphones.]
19 MJ: Mr. Boujaadia, can you hear me?
20 WIT: There's a little bit of background noise, if you
21 could make it sound a little bit better.
22 MJ: Okay. I'm sitting over here on your left. I'm the
23 one who is speaking to you. I'm the judge in this case.

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1 You have been given a grant of immunity.

2 WIT: I see.

3 DEFENSE INTERPRETER: He said, "It's not clear."

4 WIT: I cannot hear very well, if you could just make the

5 sound a little bit better. There's interference.

6 COURT INTERPRETER: He says, "It has become better."

7 [The witness' headphones are repaired by the technician.]

8 WIT: I can hear you fine.

9 MJ: Okay, let's see if we can make this work.

10 Mr. Boujaadia, I want to talk to you for a moment.

11 WIT: I can hear you now. Every now and then I can't, but

12 I can hear you well enough.

13 MJ: Mr. Boujaadia, the Convening Authority has given you a

14 grant of immunity to testify in this case. The grant of

15 immunity allows you to be protected from the use of your

16 testimony against you in a later trial by Military Commission.

17 Do you understand what I'm telling you?

18 WIT: Yes.

19 MJ: You've been invited to testify in the case of Mr.

20 Hamdan. The things you say today cannot be used against you in

21 a later trial by Military Commission.

22 Do you understand that?

23 WIT: Yes. Yes.

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1 MJ: You could be prosecuted for testifying falsely or for
2 perjury if you were to testify falsely.
3 Do you understand that?
4 WIT: Yes.
5 MJ: Very good.
6 Trial counsel, would you please swear the witness?
7 **SAID BOUJAADIA, a civilian, was called by the defense, was**
8 **sworn, and testified through the court interpreter as follows:**
9 **DIRECT EXAMINATION**
10 **Questions by the civilian defense counsel, Mr. Swift:**
11 Q. Mr. Boujaadia.
12 A. Yes.
13 Q. I'm going to skip all preliminaries and go directly to
14 the day of 24 November 2001, in Afghanistan. Do you remember
15 that day?
16 A. Yes.
17 Q. On 24 November where were you?
18 A. I don't remember exactly that date, but if you give me
19 the Arabic date it corresponds with.
20 MJ: Why don't you ask him if he remembers the date that he
21 was captured.

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1 **Questions by the civilian defense counsel, Mr. Swift, continued:**

2 A. Well I believe that date is possibly correct.

3 Q. The day you were captured. Do you remember that day?

4 A. Don't remember the exact date of it.

5 Q. Do you remember what happened on the day that you were

6 captured?

7 A. Yes, that I remember.

8 Q. Before you were captured where were you?

9 A. I was in the car.

10 Q. Before you were in the car where were you? I want to

11 go back a little farther.

12 A. I was on the road.

13 Q. Were you ever at the Pakistan border before you were

14 captured? The border between Pakistan and Afghanistan.

15 A. Yes, I was near the border. I mean just before the

16 city which is on the border, but I don't recall how many

17 kilometers close to the border it was.

18 Q. Who was with you?

19 A. I was by myself; I had my relative. I mean it is a

20 long story. I don't know exactly how far you want me to go into

21 it.

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1 Q. When you went up to the border with Pakistan, was it
2 originally your intent to cross the border?
3 A. Yes.
4 Q. Who did you intend to cross the border with?
5 A. I was trying to do it with my relative, my in-law.
6 Q. Your in-law was "in-laws" or just one other person?
7 A. No, just one; right.
8 Q. Who was that person?
9 A. His name was Zuhair.
10 Q. Is he your brother-in-law?
11 A. I don't want you to ask me these questions.
12 Q. It's not necessary for this. Why didn't you cross the
13 border?
14 A. I was waiting for my in-law to come back to take me to
15 cross, but he didn't, he left me and did not come back.
16 Q. What did you do next?
17 A. I stayed, waiting for him.
18 Q. Did he ever come back?
19 A. No, he did not come back.
20 Q. When he did not come back, what did you do?
21 A. When he didn't come back, I tried to move from where I
22 was to move on.

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1 Q. Where were you going?

2 A. I was going to -- I was returning to Kandahar.

3 Q. Did you know that fighting was going on in Kandahar?

4 A. No, no.

5 Q. How did you plan to go to Kandahar?

6 A. I was trying by any means.

7 Q. Were you walking?

8 A. I tried to walk very close to the road.

9 Q. Which road was that?

10 A. The general road.

11 Q. If I were to say Highway 4 between Kandahar and

12 Pakistan, would that be right?

13 A. I didn't know the name of the road it was a regular

14 road.

15 Q. Was it between Kandahar and Pakistan?

16 A. Yes.

17 Q. Did you walk all the way back to Kandahar?

18 A. No. I was trying to find someone to move me from

19 where I was.

20 Q. Did you find someone?

21 A. Yes.

22 Q. Tell me about them?

23 COURT INTERPRETER: Could you repeat your question, please?

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1 Q. Can you tell me about the people you found to help
2 move you?
3 A. I don't know them, those people. I was hitchhiking.
4 Q. So a vehicle stopped?
5 A. Yes.
6 Q. What did the vehicle look like?
7 A. A car, a normal car.
8 Q. A car?
9 A. Like a tourist bus, a big one.
10 Q. A van then?
11 A. A family one, yes.
12 Q. What color was it?
13 A. I don't remember. It was around dusk so I don't
14 remember it was kind of hard, I would believe maybe whitish.
15 Q. Did it have a red crescent painted on it?
16 A. No, no.
17 Q. How many people were inside?
18 A. I believe two.
19 Q. Did you speak with them?
20 A. Yes.
21 Q. Did they speak Arabic?
22 A. Yes.

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1 Q. Were they Arabs?

2 A. I believe they were Arabs.

3 Q. Could you tell where they were from?

4 A. Exactly -- exactly I think one of them maybe from his

5 dialect was Egyptian.

6 Q. How were they dressed?

7 A. There was between me and them a barrier -- a kind of a

8 cover. I couldn't see them very well at the time. It wasn't

9 clear.

10 Q. You said that this was at dusk; at the sunset?

11 COURT INTERPRETER: Could you please repeat the question;

12 was this at sunset is the question?

13 Q. Had the sun set, had the sun gone down?

14 A. Yes.

15 Q. Could you see the contents of the van?

16 A. Yes.

17 Q. What was inside the van?

18 A. I was in the back. There was a box, a long box with

19 dates in it, that's it.

20 Q. That's all that was in it?

21 A. That's it.

22 Q. What happened after they picked you up?

23 A. After they got me in the car, only a few minutes --

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1 only a few minutes that's when fire was being shot at us or we
2 were being bombarded.
3 Q. Had you pulled up to a checkpoint in Takhteh Pol?
4 A. Yes. At that point -- at that checkpoint is where
5 this happened.
6 Q. Were there any other cars in line?
7 A. No, I didn't see any.
8 Q. When the shooting started what did you do?
9 A. When the fire started, that's it, I wanted to get out
10 of the car.
11 Q. Did you get out?
12 A. Yes, I did, I did.
13 Q. What happened to the two men in front?
14 A. I don't know anything about them; I don't know what
15 happened.
16 Q. What happened to you?
17 A. I [witness motions with hands].
18 CDC [Mr.Swift]: I believe the witness in the "I" made a
19 motion indicating his hands that he was captured for the record.
20 MJ: Okay.
21 **Questions by the civilian defense counsel, Mr. Swift, continued:**
22 Q. Who captured you?
23 A. Afghans.

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1 Q. Did you see any Americans when you were captured?

2 A. No.

3 Q. Looking around this room there are many people in

4 camouflage uniforms of the United States. Did you see anyone in

5 a uniform that looked anything like this?

6 A. No.

7 Q. When they captured you, where did they take you?

8 A. They took me to a room.

9 Q. Was it close or far?

10 A. Close, not too far.

11 Q. Was it a stone room, stone house?

12 A. I believe so. What else would it be from, iron?

13 Q. Was anyone there?

14 A. Yes.

15 Q. Who was there?

16 [The witness points to the accused.]

17 CDC [Mr. Swift]: Let the record reflect that Mr. Boujaadia

18 has identified Mr. Hamdan.

19 MJ: Very well.

20 WIT: Hi. That's Hamdan there.

21 **Questions by the civilian defense counsel, Mr. Swift, continued:**

22 Q. How did Mr. Hamdan appear?

23 A. He was shackled with his hands to the back and lying

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1 on the floor. God forgive you.

2 Q. Were you hooded when you were brought into the room?

3 A. The first time yes, yes.

4 Q. When did they take the hood off?

5 A. I honestly don't remember.

6 Q. Now you just testified that Mr. Hamdan was in the room

7 when you were first brought in?

8 A. When they first brought me I don't remember if they

9 had that hood on me or not I really don't -- but later on they

10 definitely had a hood over me.

11 Q. I want to be clear because it's important. Did you

12 identify -- you said then when you walked in the room, right

13 after you were captured, Mr. Hamdan was already there shackled.

14 Is that true?

15 A. Yes.

16 Q. And you saw no Americans at that time?

17 A. No.

18 Q. How long were you held at the house?

19 A. A few hours.

20 Q. Then what happened?

21 A. They moved us to another place.

22 Q. In the same town?

23 A. Same place yes, yes.

1 Q. Were there Americans there?

2 A. No, not yet. They hadn't arrived yet.

3 Q. So you didn't see any?

4 A. No about two days later or so that's when the

5 Americans came and investigated us or interrogated us.

6 Q. How was your treatment by the Afghans?

7 A. Bad treatment.

8 Q. Why do you say that?

9 A. Because they hit us, they mistreated us, they treated

10 us like a beast.

11 Q. Did the Americans ever do that?

12 A. Don't ask me that question.

13 Q. Let me see if I can rephrase it. Did any American

14 mistreat you while you were in Takhteh Pol?

15 A. No, no.

16 WIT: This is bothering me in my ear [pointing to the

17 headset].

18 MJ: I wonder would it work if you were just to broadcast

19 the Arabic into the courtroom so we could all hear the Arabic

20 instead of using the headphones?

21 COURT INTERPRETER: Yes, no problem, Your Honor.

22 MJ: Let's try removing the headset from Mr. Boujaadia and

23 see if he could just listen.

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1 WIT: I can hear very well now. Just try whatever you are
2 touching to make it -- to make less interference.
3 MJ: Please continue your questioning while the thing is
4 working, I guess.
5 CDC [Mr. Swift]: Yes, sir.
6 **Questions by the civilian defense counsel, Mr. Swift, continued:**
7 Q. Did the Afghans ever threaten you to say that you were
8 with al Qaeda or that you had weapons?
9 A. It's not clear what you mean.
10 Q. While you were being held, did the Afghans ever
11 threaten you to say that you were either a member of al Qaeda or
12 that you had been carrying weapons?
13 A. The Afghans anyone they hold or they arrest they would
14 say that he is a member of al Qaeda, especially if they speak
15 Arabic.
16 Q. Did the Afghans tell you that you should say you were
17 a member of al Qaeda?
18 A. Don't ask me that question either.
19 Q. I need an answer on that one. I need to know. You
20 are protected by immunity.
21 A. I'm sorry, excuse me.
22 Q. Can you tell me why you won't answer?
23 A. The question not sure if it's clear. I don't want to

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1 tell you something that is clear, something I'm not sure of.
2 Not answer what is not sure of.
3 Q. Fair enough. Were you ever threatened by the Afghans
4 to say that you were a member of al Qaeda or something that was
5 not true?
6 A. I don't recall. I am not able to answer this question
7 for you.
8 Q. Fair enough. Just to be clear.
9 A. Yes.
10 Q. You were captured at dusk?
11 A. Yes.
12 Q. Mr. Hamdan had already been captured?
13 A. I found him in the room.
14 Q. From his appearance could you tell whether he'd been
15 there for a while?
16 A. I don't know.
17 Q. Don't know how long he'd been there?
18 A. I do not know.
19 Q. Do you speak Afghan -- do you speak Pashtun?
20 A. No.
21 Q. So when the Afghans talked, you really didn't know
22 what they were saying?
23 A. A letter, I'm sorry -- not even a letter.

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1 Q. Did any of the Afghans speak Arabic?

2 A. One of them was speaking Arabic. The one who arrested

3 me, one of them was speaking to me in Arabic -- limited words.

4 Q. In your administrative board that decided that you

5 could -- that you were cleared for release, you remember -- have

6 you learned about this board?

7 A. Yes.

8 Q. It indicates that the missiles that were found on that

9 day belonged to the dead Arabs?

10 A. I don't know these missiles that you are talking

11 about; the first time I ever hear of them.

12 CDC [Mr. Swift]: I have no further questions for the

13 witness.

14 MJ: Very good. Thank you.

15 Any cross-examination?

16 PROS: This will be extremely brief.

17 **CROSS-EXAMINATION**

18 **Questions by the prosecutor:**

19 Q. Good afternoon, Mr. Boujaadia.

20 A. Good evening.

21 Q. Sir, it was your testimony that you were captured in

22 the night -- during the night?

23 A. I'm sorry?

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1 Q. That you were captured at night or was it during the
2 day; day or night when you were captured?
3 A. I did answer the professor earlier but his question
4 maybe they didn't hear my answer.
5 Q. If he could repeat it?
6 A. I said that I was arrested at dusk.
7 Q. Thank you. The two individuals who were driving the
8 van, the van that you were in, you do not know what happened to
9 them?
10 A. No, I heard something but ----
11 Q. What did you hear?
12 A. That that they were killed during the investigation by
13 the Afghans.
14 Q. Can you tell us what investigation?
15 A. No, I do not remember.
16 Q. You were telling us then that the two occupants of the
17 van -- the two others in the van, you were saying that they were
18 not killed at or near the van?
19 A. I don't know.
20 PROS: All right. I have no further questions, Your Honor.
21 Thank you.
22 MJ: Very good.

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1 **REDIRECT EXAMINATION**

2 **Questions by the civilian defense counsel, Mr. Swift:**

3 Q. When you were questioned at Takhteh Pol; do you

4 remember this?

5 A. Yes.

6 Q. During the questioning, where you under -- were you

7 being questioned at gunpoint?

8 A. Yes.

9 Q. Where was the gun?

10 A. [No response.]

11 Q. Were you afraid?

12 A. I'm human.

13 Q. During your questioning you said that the brothers in

14 front had weapons?

15 A. Yes, yes.

16 Q. Could you see what kind of weapons they had?

17 A. I saw a Kalashnikov only.

18 Q. Could they have had other weapons?

19 PROS: Judge, I'm going to have to object. I think this is

20 beyond the scope of redirect.

21 MJ: Sustained.

22 PROS: I mean I am not a stickler but ----

23 MJ: Okay. That is a fair objection. Can we release this

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1 witness then to return to his home?

2 CDC [Mr. Swift]: I have no further questions.

3 MJ: Mr. Boujaadia thank you for your testimony you may

4 withdraw from the courtroom. Thank you.

5 [The witness withdrew from the courtroom.]

6 MJ: Okay well that took about 45 minutes. I think it is

7 time for another break and then we will -- let's see I am really

8 eager to truncate the length of time you spend with this witness

9 if whatever evidence he has, has been reduced to a statement.

10 It is your case to try but that's what I am looking at.

11 So it is quarter to five. We could either recess for

12 dinner and come back later for both witnesses or we could try to

13 get your witness in before dinner. So what would you like to

14 do?

15 PROS: Drive on, sir.

16 MJ: Drive on.

17 PROS: Yes, sir.

18 MJ: Well I also would like to, you know, to the extent you

19 can keep your cross-examination to the most relevant portions

20 interested in that. Okay we will take a break until 5:00

21 o'clock then or so and then try to come back.

22 Court's in recess.

23 **[The 803 session recessed at 1648, 6 December 2007.]**

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1 May I approach the witness----

2 MJ [CAPT ALLRED]: ----You may.

3 CTC [MR. MURPHY]: To show him the hard copy? [Mr. Murphy

4 handed the witness a hard copy of the PIKA note.]

5 WIT [MR. [redacted]: okay. I----

6 Q [MR. MURPHY]: ----Did you review that in my office recently

7 with a--with also a translator?

8 A [MR. [redacted]: I think, yeah--yesterday?

9 Q [MR. MURPHY]: Are you able to read that----

10 A [MR. [redacted]: ----yes.

11 CTC [MR. MURPHY]: Document which I will mark as the next

12 exhibit in order, which I believe is 59 for identification.

13 MJ [CAPT ALLRED]: Very good.

14 Q [MR. MURPHY]: Do you remember seeing that recently in my

15 office while we've been here?

16 A [MR. [redacted]: Yes.

17 Q [MR. MURPHY]: And discussing it with an Arabic translator and

18 other prosecutors in the case?

19 A [MR. [redacted]: Yes.

20 Q [MR. MURPHY]: Is it a piece of evidence that is significant

21 in your investigation?

22 A [MR. [redacted]: Yes.

23 Q [MR. MURPHY]: Could you read it to us in English?

1 A [MR. [redacted]: Verbatim translation; immediately?

2 Q [MR. MURPHY]: If you could please.

3 A [MR. [redacted]: In the name of God, the magnificent, the

4 merciful. Brother Saqr Al Jadawi, may God protect him; peace be upon

5 you and the blessing of God's and his mercy. Brother Saqr, I asked

6 God that you are okay, you and all the brothers around you. Brother

7 Saqr, my request, if you can, to send us PK belts, original Russian;

8 about 25 to 30--25 to 30 belt, also if you find PIKA magazines

9 because the best PIKAs we have here has no magazines and we are in

10 necessity to it. Or even if you can, get a magazine for a Kure off

11 and here we will cut it and fix it and we make it for the PIKA at the

12 garage. Please, work as much as you can to do this for us. Your

13 brother, Kallad Jalalabad. And a----

14 Q [MR. MURPHY]: ----All right, you've mentioned Kallad a number

15 of times, but just to remind us, what is the significance of the name

16 Kallad?

17 A [MR. [redacted]: I did not finish reading it.

18 Q [MR. MURPHY]: I'm sorry.

19 A [MR. [redacted]: And there is a P.S. note.

20 If you can please find us a military campus, three, number

21 3, that means quantity, 3, because they told us that you guys have it

22 in Kabul--it's widely available in Kabul.

23 And that's it.

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(Prepared written statement)

Statement of Madeleine K. Albright
National Commission on Terrorist Attacks upon the United States
March 23, 2004

Chairman Kean, Vice-Chairman Hamilton, members of the commission, good morning. I am pleased to testify before you and to reiterate my offer to be of help to you in whatever way I can.

It is vital that our nation know as much as possible about the events leading up to the terror attacks of September 11 so that we may consider carefully the lessons of that tragic date and act wisely to ensure that nothing similar happens again. That is the least we owe the families of those who were killed on that horrible day; and it is the best way to safeguard our own future.

That is why everyone who has served in a position of responsibility or who has information or knowledge related to this commission's mandate should cooperate with it fully and without conditions. And why the commission should be given all the time it needs to do a thorough, fair and professional job.

There are many facets to this issue and whole books have been written about each.

I cannot hope in the time I have this morning to be comprehensive.

So I will do my best to be focused.

We all know that history is lived forward and examined backward.

Much seems obvious now that was perceived less clearly prior to September 11.

During the past thirty months, the facts about Al-Qaeda and Osama bin Laden have been extracted from the clutter of other information that once surrounded them and then assembled into a monstrous tale of evil narrated in neon lights.

We did not see all of these facts as clearly during my years in government as we do now. But we learned continually and did everything we could think of--based on the knowledge we did have--to protect our people and disrupt and defeat this shadowy network of terror.

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I appreciate the opportunity to testify before you and before the American people about the policies we developed and the actions we took. I am pleased, as well, to have the chance to offer recommendations for the future.

Mr. Chairman and Mr. Vice-Chairman, in your letter of invitation, you suggested that I provide testimony on eight specific topics. I have organized my statement to reflect that request.

Counterterrorism and United States Foreign Policy During the Clinton Administration

The Clinton Administration clearly recognized the threat posed by international radical terrorist groups. Although terrorism was certainly not new, we realized that we faced a novel variation. Instead of being sponsored or directed by a hostile country, the new breed of terrorist group was relatively independent, composed of people from many nationalities, and able to use new technologies to transmit money and information rapidly to and from distant corners of the globe. Many of the terrorist recruits had come into contact with each other in the 1980s during the mujahadeen's successful effort to oust the Soviets from Afghanistan. Now they were determined to drive American forces from Saudi Arabia despite the fact the Soviets had invaded a Muslim country while America had been invited to help defend one.

There can be no doubt that countering the terror threat was a top priority for President Clinton and every member of our foreign policy and national security team. The "transnational threats" of terrorism, crime and the spread of weapons of mass destruction were a dominant theme in our public statements and private deliberations and played a role in bilateral relations with nearly every nation. These concerns were evident in the president's frequent warnings about the possibility of a bioterror attack on the United States. They were reflected in the administration's decision to expand the CIA's Counter Terrorism Center (CTC) and establish a special CIA bin Laden unit during the mid-1990s. They prompted the administration's effort to improve counterterrorism coordination by placing a senior FBI official at the CTC and a top CIA official at the FBI. They led to the activation of a high-level White House interagency counterterrorism working group that met several times a week to review threats and coordinate counterterrorism efforts. And they caused the president to decide in May 1998 to restructure the National Security Council and appoint a National Coordinator for Counterterrorism and Infrastructure Protection with a mandate to organize the government more effectively to safeguard our citizens from unconventional dangers.

During the Clinton Administration's eight years in office, we intensified intelligence and law enforcement cooperation with other countries, resulting in

the arrest and prosecution of scores of terrorist suspects (including Ramzi Yousef--responsible for the 1993 World Trade Center bombing--and Mir Aimal Kansi--murderer of two CIA employees that same year). We worked with foreign partners to prevent planned terror strikes such as a conspiracy to bomb New York City landmarks in 1993, a plot to assassinate the pope, plans to sabotage 12 U.S. commercial aircraft over the Pacific in 1994-95, and a 1998 plot to attack the U.S. Embassy in Albania. We expanded our overseas Counter-terrorism Training Assistance Program, instructing more than 20,000 law enforcement officers from more than 90 countries in subjects ranging from airport security and bomb detection to maritime security and hostage rescue. In response to intelligence warnings shortly before the start of the new millennium, we undertook the largest counterterrorism operation in U.S. history to that time, preventing multiple al-Qaeda attacks in America and Jordan. Cabinet-level national security, intelligence and law enforcement officials met in the White House virtually every day for nearly a month during this period to ensure the coordination of threat information and security responses.

President Clinton also pushed for and signed into law the Anti-Terrorism and Effective Death Penalty Act of 1996, which banned designated terrorist organizations from fund-raising in the United States and made it easier to bar terrorists from entering our country. The administration asked for, but Congress failed to approve, anti-money-laundering legislation, authority to place roving wiretaps on suspected terrorists, and proposals to attach taggants to identify the origin of explosives that could be used by terrorists. We took steps to freeze the financial assets of radical outlaw groups (In 1998 and 1999 President Clinton blocked al Qaeda financial transactions and froze approximately $255 million in Taliban assets). We increased the size of rewards offered for information leading to the apprehension of terrorists. We more than doubled our nation's counter-terrorism budget (from $5 billion in FY 1996 to $11 billion in FY 2000), increased sharply the number of FBI agents working the issue, and accelerated technological research to improve our ability to detect explosives, counter weapons of mass destruction, protect against cyber sabotage and provide physical security. We imposed economic sanctions against state sponsors of terror, which included Cuba, Iran, Iraq, Libya, North Korea, Sudan and Syria. We used a combination of diplomatic pressure and economic sanctions to force Libya to hand over for trial two persons indicted in the 1989 terrorist bombing of Pan Am flight 103. We worked with officials in the former Soviet Union through the Nunn-Lugar and other programs to secure materials and expertise that might cause weapons of mass destruction to fall into the wrong hands.

At the same time, the president issued a series of directives to enhance our ability to disrupt terrorist operations abroad, and prepare for the possibility of strikes in the United States involving the use of chemical or biological weapons. He ordered the training of firefighters and other first responders in more than 150 American cities. He initiated creation of a nationwide stockpile of drugs and

vaccines and a plan to protect critical infrastructure such as power grids and computer networks from cyber attacks.

The White House also used the bully pulpit of the presidency to heighten awareness of the terrorist threat and rouse global support for defeating it. For example in 1995 during ceremonies surrounding the 50th anniversary of the UN, President Clinton said that "Our generation's enemies are the terrorists...who kill children or turn them into orphans, people who target innocent people in order to prevent peace...Today, the threat to our security is not in an enemy silo, but in the briefcase or the car bomb of a terrorist." In 1996, the president helped organize the international summit on counterterrorism at Sharm-al-Sheikh, in which 29 world leaders participated, including 13 from Arab states. Year after year, the president told the UN General Assembly that combating terrorism was at the top of the American agenda, and should be at the top of the world's agenda. He urged every nation to deny support and sanctuary to terrorist groups; to cooperate in extraditing and prosecuting terrorist suspects; to regulate more rigorously the manufacture and export of explosives; to raise international airport security standards; and to combat the conditions internationally that fuel intolerance, spread violence and multiply despair.

Though we did not achieve all we hoped, I am proud of the Clinton Administration's record in fighting terror. We were the first to make it a centerpiece of our national security strategy. We laid the groundwork for a comprehensive global response to the terrorist threat and launched homeland planning initiatives that would be built upon in subsequent years. We recognized the need to improve cooperation between the FBI and CIA and took steps in that direction. We re-organized the National Security Council with the terrorist threat in mind. And, as described below, we used a wide variety of national security tools in an effort to apprehend and stop the terrorists who were threatening the United States.

The Africa Embassy Bombings

My worst day as secretary of state was August 7, 1998, when terrorist explosions struck our embassies in Kenya and Tanzania. Hundreds of people were killed, including twelve Americans.

Within a matter of days, we had captured several suspects who made it clear that Osama bin Laden was behind the attacks. The question for us was whether to consider this a law enforcement matter demanding a judicial response or a military matter in which the use of armed force was justified. We decided it was both. We proceeded to prosecute the conspirators we had captured. But we also decided within a week to hit back militarily and within two weeks launched cruise missiles at a target in Sudan and at several al-Qaeda training camps in Afghanistan. The timing of the strikes was determined by highly

credible predictive intelligence (the rarest kind) indicating that terrorist leaders--possibly including bin Laden--would be meeting at one of the camps.

The day after the cruise missile strikes, the White House convened a meeting to study further military options. Our primary target--bin Laden--had not been hit, so we were determined to try again. In subsequent weeks, the president specifically authorized the use of force to capture bin Laden with the expectation that he likely would be killed in any such operation. Later presidential directives were more explicit, making clear that lethal force could be used against bin Laden and his lieutenants. There should have been no confusion—and in my mind at the time there was none—that our personnel were authorized to kill bin Laden. We did not, after all, launch cruise missiles for the purpose of serving legal papers. We wanted to put bin Laden out of business permanently.

To maintain the option of force, we placed submarines equipped with cruise missiles permanently on call in the Arabian Sea. The Pentagon eventually wearied of this deployment and said prolonging it was not justified in the absence of more specific information about bin Laden's whereabouts. However, President Clinton insisted because it gave us the capability to hit bin Laden quickly if credible "predictive intelligence" did materialize.

Anxious to explore every alternative, we studied the possibility of sending a U.S. Special Forces team into Afghanistan to try and snatch bin Laden. The Pentagon raised concerns that I believe were understandable. The first was the lack of real time intelligence. We couldn't snatch someone unless we knew where he was. The second was that if we did obtain good intelligence, a missile would get the job done more rapidly than a strike force. There was never any doubt that, if we knew where bin Laden was or where he was going to be, we would go after him. We all felt the loss of those murdered in the embassy bombings, had met with the families of victims, and were determined to prevent additional attacks.

The reason for the strikes we did make was that we had received word of a scheduled meeting of terrorist leaders including--we hoped--bin Laden. We did not get a similar break again. Instead, we occasionally learned where bin Laden had been or where he might be going or where someone who looked a little like him might be. We heard of suspicious caravans or of someone tall with a beard moving about with bodyguards. At times, the information seemed promising enough to intensify military preparations until the leads proved unverifiable or wrong. We also heard reports of skirmishes inside Afghanistan between tribal militias and al-Qaeda, but the skirmishes were inconclusive and the reports questionable.

It was maddening. I compared it to one of those arcade games where you manipulate a lever hooked to a claw-like hand that you think, once you put your

quarter in, will easily scoop up a prize. But every time you try to pull the basket out the prize falls away.

At the president's direction, our military continued to pursue ideas for improving real-time information on bin Laden's whereabouts. In 2000, beginning in late summer, we tried using the Predator, a slow-moving unmanned drone, to gather photographic data in Afghanistan. The results were encouraging -- but then the aircraft crashed. The NSC proposed arming a new drone with a missile. Early in 2001, the Air Force tested a prototype, but by then a new administration was in office.

One question that has since been raised is why we didn't simply invade Afghanistan, depose the Taliban and disperse al-Qaeda. As far as I know, this option was never seriously advocated by anyone in or outside the administration. There would have been reason to justify military action; but without the mega-shock of September 11, we would have not had a local staging ground to support such an attack, and diplomatic backing would have been virtually non-existent.

The Africa embassy bombings intensified our efforts to neutralize bin Laden, and also to protect our own people. Within days of the explosions, I appointed two Accountability Review Boards chaired by retired Admiral William Crowe to investigate and make recommendations. In January 1999, the boards recommended a dramatic increase in funds for U.S. embassy construction and repair and also that a single high-ranking officer be accountable for all protective security matters. To that end, I proposed the creation of the post of under secretary of state for security, terrorism and related affairs. Pending congressional action on that proposal, I decided that I had to be the one to make the final decisions; albeit with professional advice. So every morning I was in Washington, I reviewed the latest information about threats and potential threats to our diplomatic posts with Assistant Secretary of State for Diplomatic Security David Carpenter—the first career law enforcement professional ever appointed to that position. I was struck by the number of danger signals we received and also by the difficulty in many cases of making a clear judgment about whether a threat was sufficiently credible to warrant closing an embassy or embassies temporarily.

In this period, we received about 1000 threats a month against U.S. facilities or officials overseas. If we had responded to each by closing down the facility in question, we would have been paralyzed. If we had simply refused to order shutdowns as a matter of principle, we might have paid for our bravado with more lives. The only way to make an informed decision was to analyze the seriousness of each threat. To do this more efficiently, we arranged to have a Diplomatic Security officer stationed at the CIA, so we would know the moment a threat against one of our posts was received. We also had a group in the State Department operations center, working literally every hour of every day, to coordinate our response.

We also sent security assessment teams to each of the more than 250 foreign missions America maintains abroad. The teams conferred with the ambassador and with local representatives of such agencies as the FBI, CIA and Defense Department, as well as the State Department's administrative and security personnel. Together, they reviewed security procedures and the need for enhancements such as additional guards, concrete barriers and surveillance cameras. They analyzed vulnerabilities and discussed ways to strengthen working relationships with the local military and law enforcement authorities. And they emphasized the primary role the embassy itself would play in deciding when it was necessary to extract dependents, curtail operations or temporarily close down.

Although the focus of our anti-terrorism efforts throughout 1999 and 2000 was squarely on al-Qaeda and other groups with connections to Osama bin Laden, we did not always stress this publicly. We did not want him to have that satisfaction. Our counter-terrorism experts urged us in our public statements not to single him out, build him up or refer to the vastness of his operations. As a result, when I testified before Congress and made speeches about terror, I tended to talk in general terms and minimized specific mentions of bin Laden.

Afghanistan, the Taliban and bin Laden

Two days after we launched our cruise missile attacks in response to the Kenya-Tanzania bombings, a Taliban representative called the State department to complain. He even put his reclusive leader, Mullah Muhammad Omar, on the line. This conversation led to a dialogue spread over more than two years during which we repeatedly pressed the Taliban to hand over Osama bin Laden.

Taliban officials replied not by saying no directly but rather by offering a menu of excuses. They said that surrendering bin Laden would violate the Pushtun cultural tradition of courtesy to guests. They said that bin Laden was a hero to Afghans because of his role in ousting the Soviets and that the Taliban would be overthrown if they "betrayed" him in response to American pressure. And they said that they did not believe bin Laden was responsible for the embassy attacks because they had asked him and he had told them he was innocent.

For a time, we thought the Taliban might be persuadable. Notwithstanding their excuses, Taliban officials admitted that their "guest" had become a big problem. They told us that perhaps he would leave "voluntarily." At one point, they told us he had already gone. There were rumors that he was ill and had slipped away to find medical treatment. In any case, Taliban leaders assured us that bin Laden was under house arrest and would be prevented from

contacting his followers or the press. We didn't buy these pledges, since the terrorist continued to show up in the media vowing to kill Americans.

Early in 1999, Lt. Col. (ret.) Michael Sheehan--the State Department's director of Counter-terrorism--proposed a comprehensive diplomatic approach entitled "A New Strategy to Get Bin Laden." After inter-agency deliberations, the strategy was approved in May. The plan basically was to go to each of the countries that we thought had influence and urge them to tell Taliban leaders that they must hand over bin Laden or else face the loss of diplomatic contacts and a prohibition on international flights by Afghan airlines. Meanwhile, we would make clear to Taliban officials directly our intention to propose UN sanctions if they didn't come around.

In succeeding weeks, we implemented this strategy according to plan, but the plan did not work. Officials from Saudi Arabia and the United Arab Emirates agreed to deliver the right message. The Saudis sent one of their princes to confront the Taliban directly. He came back and told us the Taliban were idiots and liars. Saudi Crown Prince Abdullah visited the Pakistanis for the purpose of putting pressure on them. When the Taliban failed to cooperate, the Saudis did downgrade their diplomatic ties, cut off official assistance and denied visas to Afghans traveling for nonreligious reasons. The UAE took similar actions.

Assistant Secretary of State for South Asia Rick Inderfurth and Mike Sheehan met directly with Taliban leaders. They hinted that cooperation would result in the only thing the Taliban desperately wanted: international recognition (although drug and human rights issues remained obstacles). We told the Taliban that if they did not come through they could expect nothing more than the barest kind of humanitarian aid from the international community. They could forget about economic assistance or loans. And we warned Taliban leaders clearly and repeatedly that they would be held responsible for any future attacks traceable to bin Laden, and that we reserved the right to use military force.

Faced with Taliban intransigence, we made good on our threat to impose sanctions. On July 5, 1999, the president issued an order freezing the Taliban's U.S. assets and prohibiting trade. This was followed by UN sanctions imposed in 1999 and toughened in 2000. Those UN Security Council resolutions were approved under chapter 7 of the UN Charter signifying a threat to international peace and security. They demanded that the Taliban turn over bin Laden and close all terror training camps. The 2000 resolution imposed an arms embargo, urged the closing of any overseas Taliban offices, and barred the Afghan airline from most international flights.

During this period, we continued to meet with the Taliban occasionally, although the dialogue—never productive—had become completely sterile. In repeating our warnings, Mike Sheehan was explicit, "If bin Laden or any of the organizations affiliated with him attacks the United States or United States

interests, we will hold you personally accountable. Do you understand? This is from the highest levels of our government." In May 2000, Under Secretary of State for Political Affairs Tom Pickering reinforced this message yet again in a meeting in Pakistan with Mullah Jalil, "deputy foreign minister" and a close associate of Mullah Omar.

The Taliban was a national, not an international movement. It did not exhibit the same malevolently grandiose ambitions that al-Qaeda did in carrying out acts of terror abroad. Further, bin Laden had already relocated to Afghanistan when the Taliban seized power, so there was no pre-existing connection between them. Nevertheless, a symbiotic relationship developed between the Taliban and bin Laden. The Taliban needed money and muscle that bin Laden provided. Bin Laden needed space for his operatives to live and train. By mid-1998, bin Laden's influence was reflected in the increasingly pan-Islamist statements of Taliban leaders. Mullah Omar must have concluded that without bin Laden his power in Afghanistan would be threatened. In retrospect, it is clear the Taliban never had any intention of giving bin Laden up or of forcing him to leave.

One obvious question is whether we placed a high enough priority on trying to pressure the Taliban. After September 11, it is a fair question, but it is also a question few asked before that date, so the issue of hindsight is relevant here.

For example, the National Commission on Terrorism, chaired by Ambassador L. Paul Bremer III, did not express any concern, or make any recommendations, about U.S. policy toward the Taliban in its congressionally-mandated June 2000 report, other than to suggest that the Taliban be placed on the U.S. Government's official list of state sponsors of terror. We didn't do this because the Taliban was already the target of sanctions and because listing it as a state sponsor of terror would have been tantamount to international recognition of the Taliban as the legitimate government of Afghanistan. That was a bargaining chip we had no intention of giving up in the absence of cooperation on terror.

Pakistan

In the fall of 1997, as secretary of state, I journeyed to South Asia, arriving in Pakistan at a turbulent time. Earlier in the year, I had personally requested the assistance of Prime Minister Nawaz Sharif in arranging for the return to American jurisdiction of Mir Aimal Kansi, a Pakistani wanted for shooting and killing two CIA employees outside the agency's headquarters in January, 1993. Sharif agreed, but asked that word of his government's cooperation in the arrest and transfer not become public. Unfortunately, the news leaked almost as soon as

Kansi reached American soil, embarrassing Sharif and triggering anti-American demonstrations. On November 10, just days before my trip, a Fairfax County jury found Kansi guilty. The very next morning, four American oil company employees were gunned down in the Pakistani port city of Karachi. Speculation was strong that the killings were in retaliation for Kansi's trial, and had been carried out by members of a militant extremist group that I had recently included on the State Department's newly formal list of international terrorist groups.

The killings highlighted the lawless frontier mentality that had developed in areas along the border between Pakistan and Afghanistan. The region had been used as a military staging ground throughout the 1980's, funneling U.S. and Pakistani help to Afghan mujahadeen forces resisting the invasion of their country by the Soviet Union. When the hated Soviets were driven out, the area lost its claim on the attention of the international community and most particularly the United States. This left a vacuum in which lots of very militant people had guns, but no jobs. For several years, regional warlords battled each other and carved Afghanistan into pieces, attracting terrorist groups, and creating waves of instability that crossed the border. This undermined security in Pakistan while also making it harder for Pakistanis to export goods through Afghanistan to points further north. As a result, Islamabad welcomed the restoration of relative order in Afghanistan that followed the rise of the Taliban.

During my 1997 visit, Foreign Minister Gohar Ayub Khan told me that Pakistan favored a negotiated settlement to the civil war in Afghanistan, but blamed Iran for stirring up trouble by supplying arms to the anti-Taliban Northern Alliance. I said, "the Taliban may have imposed law and order, but their rules are excessive. The Taliban can never control the whole country, so all groups must be involved in a solution. It concerns the United States that Pakistan is in danger of being isolated because of its support for the Taliban, which is seen as authoritarian at best, and preposterous at worst, by the rest of the world." At a press conference later, I denounced the Taliban for "their despicable treatment of women and children and their general lack of respect for human dignity."

In our diplomacy following the Africa embassy bombings, we naturally focused on Pakistan as a source of pressure against the Taliban. Unfortunately, we lacked leverage. Pakistan's 1998 decision to follow India's example and conduct nuclear tests had triggered sanctions that barred us from offering economic or military aid. It did not help that Prime Minister Sharif was on shaky ground politically and worried about the opposition of militantly political Islamists within his country. When the prime minister visited Washington in December 1998, however, our message to him was uncompromising and blunt. We told him that "Bin Laden is a terrorist and a murderer and plans to kill again. We need your help in bringing him to justice."

Before Sharif's second visit in July, 1999, President Clinton wrote to the Pakistani President on two key issues – one was Bin Laden (the other an

ongoing military confrontation between Pakistan and India). "I urge you in the strongest way," he wrote on June 19, 1999, "to get the Taliban to expel Bin Laden, a man who represents a very serious and continuing threat to all of us. As we discussed, there are a number of levers like oil supplies and liaison ties that Pakistan could use to distance itself from the Taliban until and unless they expel bin Laden. You also mentioned your control over the Taliban's access to imports through Karachi. I would like to see you use any or all of those levers."

Sharif replied that it was too hard to get the Taliban to give up bin Laden voluntarily. It made more sense for the Pakistanis to send in a team to snatch him, which is what Sharif now proposed to do. We didn't trust the Pakistani Intelligence Service because it was so close to the Taliban. Our experts did not believe an operation could happen without bin Laden being tipped off in advance. But we had nothing to lose by testing Islamabad's intentions. At a minimum, Sharif's gesture was a sign that our pressure was getting to him. He did not feel he could put off President Clinton's demands any longer. The plan to snatch bin Laden was soon aborted, however, after Sharif was ousted in a military coup in October 1999. We pressed his successor in power, General Pervez Musharraf, very hard but still lacked leverage because anti-coup sanctions kicked in just as congress granted permanent waiver authority for the sanctions previously imposed.

As the millennium celebration approached, we were getting threats by the bushel and had already arrested a number of Al-Qaeda operatives. At a meeting of our foreign policy team on December 20, 1999, we decided to send emissaries to General Musharraf with the message that we expected bin Laden to be turned over in short order. In return, we promised support for international lending, talks on enhanced military cooperation and a commitment by President Clinton "to take a personal interest in encouraging Indian-Pakistani dialogue on Kashmir."

Rick Inderfurth and Mike Sheehan went to Islamabad early in 2000 and had a three hour discussion with Musharraf on bin Laden and other items. President Clinton underlined the same message during his visit to Islamabad in March. The Pakistani leader said he understood our views and expressed a desire to cooperate but did not commit to decisive action. It was not until September 11, 2001 that Musharraf would have the motivation and justification in his own mind to try to sever ties between al-Qaeda and Pakistani militants. Even that has not yet resulted in the apprehension of bin Laden, although it has apparently resulted in several attempts on Musharraf's life.

The bottom line is that we did not have a strong hand to play with the Pakistanis. Because of the sanctions required by U.S. law, we had few carrots to offer. And the Pakistanis saw the Taliban as a strategic asset in their confrontation with India over Kashmir.

Counterterrorism Cooperation and Coordination with Saudi Arabia

During my years as secretary of state, we were well aware of contacts between the Government of Saudi Arabia and the Taliban. Both ran highly conservative Sunni Muslim regimes. This is why we went to the Saudis after the Africa embassy bombings to solicit their help. We felt if anyone other than the Pakistanis would have influence, they would. The Saudis claimed to us that they did their best to persuade the Taliban to turn over bin Laden for trial either to the United States or to a third country where he could be tried in accordance with Islamic law. When the Taliban refused, the Saudi government took some of the steps we requested, such as downgrading diplomatic ties and halting most flights from the Afghan airline.

Especially after the Africa embassy bombings, Saudi officials were emphatic in expressing to me their disgust with bin Laden and their embarrassment, quite frankly, at his Saudi origins. Like the United States and Israel, the Saudi royal family was regularly denounced by bin Laden in his periodic videotapes. On various occasions, I asked the Saudis for information and assistance on specific cases and it was my impression, based on the feedback I received later from our intelligence and law enforcement personnel, that they were often helpful. For example, FBI Director Louis Freeh wrote to me to express appreciation for Saudi cooperation in the investigation into the 1996 Khobar Towers bombing.

Officials from the Treasury Department met with the Saudis as part of our worldwide effort to freeze the assets of the Taliban and al-Qaeda and other terrorist groups. In my own meetings, I urged the Saudis to cooperate and they said they would. I should note, however, that my personal dealings were primarily with Crown Prince Abdullah and Foreign Minister Saud, both of whom had rivals within other factions of the Saudi government. I could not always verify that the promises of the crown prince and foreign minister to do their best produced concrete results. Nor did I have any assurance that the Saudis had an effective system in place for monitoring the flow of private funds to self-described "charities" that were in reality front groups for terrorist organizations.

Many of my conversations with the Saudis on terrorism and terrorist financing focused on anti-Israeli violence emanating from radical Arab groups. We knew that the Saudis provided money, both officially and unofficially, to the Palestinians. Some of this went to the Palestinian Authority; some to umbrella organizations with a terrorist component, such as Hamas. The Saudis insisted that the funds for Hamas were for humanitarian purposes. I said there was no way to control that.

Like many Arabs, Saudi leaders did not see groups like Hezbollah and Hamas as terrorists. Although the Saudis did not specifically condone attacks against civilians (at least not to me), they did consider attacks against soldiers

and armed settlers part of a legitimate struggle to reclaim occupied Arab land. I had long arguments with them about this. They thought our policies were biased against Arabs. I said that what we were biased against was terror and other actions that made it more difficult to make progress toward peace.

Our relationship with the Saudis on the whole range of security issues was highly pragmatic. Both sides recognized that there were wide differences of values and world view. We hoped, however, that the Saudi government grasped our shared interest in defeating al-Qaeda, killing or jailing bin Laden, and halting acts of violence throughout the region.

Counterterrorism and Sudan

During the eight years of the Clinton administration, we made repeated efforts to secure cooperation from Sudan on terrorist issues.

In 1994, while serving as U.S. permanent representative to the United Nations, I traveled to Khartoum to meet with Sudanese President Omar al-Bashir. We had particular concerns, which I raised with the president, about Sudan's role in providing safe haven, training bases and staging areas for numerous terrorist organizations including Egyptian Islamic Jihad, Hezbollah, Hamas, Palestinian Islamic Jihad, Abu Nidal and Gama'at al Islamiyya. We were angered that government officials accredited to Sudan were directly involved in the foiled plot to bomb UN headquarters in New York. And we were disturbed by the plans of some Sudanese leaders, particularly Hassan Turabi, head of the National Islamic Front (NIF), to forge an international movement that would champion radical causes using methods that included terrorism.

In 1996, following Sudanese involvement in harboring and assisting the perpetrators of an attempt to assassinate Egyptian President Hosni Mubarak, I succeeded in winning UN Security Council approval of sanctions against the Khartoum regime. I was not, however, aware of any information related to Osama bin Laden's departure from Sudan and his return to Afghanistan that same year.

During my tenure as secretary of state, I spent a great deal of time in meetings related both to Sudan's record on terrorism and its prosecution of a bloody and tragic civil war characterized by repeated and massive violations of human rights. We did not at that time have a regular diplomatic presence in Khartoum, due to continuing threats made against our personnel. U.S. representatives did, however, meet with Sudanese officials on multiple occasions in various venues. These representatives included Undersecretary of State for Political Affairs Thomas Pickering, Assistant Secretary of State for African Affairs Susan Rice, and the State Department's Counter-terrorism Coordinator Mike

Sheehan. We made clear to the Sudanese that if they desired better relations with the United States, they would have to sever their ties to terrorist groups and cooperate in providing detailed information on Osama bin Laden's network and finances. Despite our specific and repeated requests, the Government of Sudan did not to my knowledge make available any information or files of significant intelligence or law enforcement value. Meanwhile, we believe that Sudan remained complicit in al-Qaeda and bin Laden's operations through the provision of falsified passports and the transportation of operatives, weapons and other equipment.

In 1999, the Sudanese government arrested NIF leader Turabi. We probed to see if this welcome step might foretell a shift in Sudan's willingness to cooperate on terrorism issues. We appointed a special envoy for the Sudan peace process and in May 2000 dispatched a full-time counter-terrorism unit to Khartoum. This led to increased dialogue with Sudanese officials, but no meaningful improvements in cooperation prior to the end of my term in office. To this day, Sudan remains on the State Department's list of state sponsors of terror.

The U.S.S. COLE

On October 12, 2000 a small boat pulled alongside the U.S.S. COLE, which was re-fueling in Aden Harbor off the coast of Yemen. The boat exploded, and ripped a hole in the vessel's hull, killing 17 American sailors. The CIA and FBI investigated but were not able to assign responsibility as rapidly as in the case of the Africa embassy bombings. A definitive judgment assigning blame to al-Qaeda did not take place until our administration had left office.

Notwithstanding the lack of a clear statement regarding culpability from the CIA and FBI, Counterterrorism Coordinator Richard Clarke urged our national security team to recommend to the president that he order air strikes against suspected al-Qaeda training camps in Afghanistan. Although we fully shared Mr. Clarke's anger and frustration, his proposal was not supported by the agencies represented on the foreign policy principals committee. Given the scattered and low-tech nature of al-Qaeda operations, it was not clear that air strikes directed at training camps would cause any significant disruption to al-Qaeda. We did not have operational intelligence at the time about the location of bin Laden, so it was extremely unlikely the strikes would have removed him from the scene. If we attacked, we would have to explain why, and our explanations would not be accepted even by allies without persuasive evidence. It seemed to me at the time that the proposal to recommend strikes was certainly an option our team should have been considering, but one that would likely have produced a new spike in anti-American sentiment in the Arab and Muslim worlds without any significant reduction in the threat posed to our citizens by al-Qaeda.

After the Africa embassy bombings, we repeatedly warned the Taliban that they would be held accountable if bin Laden were responsible for any further terrorist strikes against U.S. targets. We said after the COLE bombing that we would not rule out any option if and when the attack was traced back to bin Laden. That connection was reportedly established after the Clinton administration left office. According to the Joint Inquiry by the House and Senate Intelligence Committees into the U.S. Intelligence Community and the September 11 attacks, the Bush administration subsequently sent a demarche to Pakistan warning the Taliban that it would be held responsible for any further attacks. This was simply a repeat of the warning we had issued many times previously. So instead of making good on our threat, the Bush Administration chose simply to restate it. This was a reflection of the complications involved in trying to oust the Taliban via military force prior to September 11, 2001.

It is also worth remembering that from the time of the Africa embassy bombings until the day the Clinton administration left office, the president was prepared to order military action to capture or kill bin Laden. If we had had the predictive intelligence we needed, we would have done so – before or after the attack on the COLE – and I would have strongly supported that step.

Recommendations

Clarity of Goals. Mr. Chairman and members of the Commission, I am pleased to have the chance to offer recommendations for the future. I think this is the area where this panel can make the most significant and lasting contribution to our nation. The commission was created because of what happened on September 11, but what happens next is something we still have time to influence.

We must begin by thinking clearly about what it is we are trying to accomplish. After September 11, President Bush said that our nation's goal and responsibility to history was "to rid the world of evil." That is a noble but impossibly ambitious quest. As long as humans are human, evil will exist. Our nation's strategic purpose can only sensibly be expressed in more mundane terms--to confront and defeat the individuals and groups who attacked us.

We need to remember that we were not attacked by a noun--terrorism. We were attacked by individuals affiliated with al-Qaeda and Osama bin Laden. They are the declared enemies of America; they are the ones who killed our fellow citizens; and they are the ones who boast of their intention to do so again. Pursuing, confronting and defeating them should be the focus of our policy.

American power and resources are extensive, but not inexhaustible. If we establish strategic goals that are unnecessarily expansive, such as the

elimination not only of threats but of potential threats; not only of enemies but also potential enemies; not only of our own adversaries but also the adversaries of others; we will stretch ourselves to the breaking point and beyond, and become more vulnerable, not less, to those truly wishing to do us harm.

Certainly, there are other terrorist organizations that we should continue to work with friends and allies to stop. But there is a difference between opposing those whose values we do not share and defeating those whose values we do not share who are also trying to kill us. That distinction should not be lost.

It is a symptom of how different the current confrontation is compared to others our nation has faced that there is not a government on earth that openly embraces al-Qaeda or its objectives. An obvious reason is bin Laden's desire to do away with the very institution of the state in the Muslim world and replace it with a revived and fundamentalist caliphate governing all Muslims. It is a rare government that supports its own dissolution.

This lack of explicit state support for al-Qaeda is welcome, but it also complicates our task and makes it harder to gauge the success of current strategies. As Secretary Rumsfeld wrote in a memo last October: "Today, we lack metrics to know if we are winning or losing the global war on terror. Are we capturing, killing or deterring and dissuading more terrorists every day than the madrassas and the radical clerics are recruiting, training and deploying against us?"

Administration spokesmen have responded to this dilemma by citing the number of "known" al-Qaeda leaders who have been killed or captured. That is understandable but not necessarily helpful. It is hard to assess, for example, what effect even the capture or killing of bin Laden would have on the magnitude of the future threat. We need to remember that there is an ideological component to al-Qaeda's existence; this is not a criminal gang that can be rounded up and put behind bars; it is the lethal center of a spreading virus that has wholly perverted the minds of thousands, while distorting the thinking of millions more. It is a virus that will continue to spread until the right medicine is found.

So what then is the remedy?

I believe it begins with confidence. Bin Laden and his cohorts have absolutely nothing to offer their followers except destruction, death and the illusion of glory. Puncturing this illusion is the key to winning the battle of ideas that fuels the detonation of bombs. A part of that task is to expose the utter emptiness and sterility of al-Qaeda's political agenda. This group does not speak for the Palestinians, who have denounced them. It does not speak for the Iraqis, many of whom it has killed. It does not speak for the majority of Muslims the

tenets of whose faith it has repeatedly violated. Nor does it speak for the majority of Arabs whose proud culture it has utterly betrayed.

The problem therefore is not combating al-Qaeda's inherent appeal, for it has none.

The problem is changing the fact that major components of America's foreign policy are either opposed or misunderstood by the vast majority of Arabs and Muslims, and by unprecedented numbers of Europeans, Asians, Latin Americans and Africans as well. According to Ambassador Edward Djerejian, chair of the State Department's Advisory Group on Public Diplomacy for the Arab and Muslim world, "The bottom has indeed fallen out of support for the United States."

This unpopularity has handed bin Laden a gift that he has eagerly exploited. He sees himself, and is viewed by many, as a leader of all those who harbor anti-American sentiments whether for specific policy reasons or out of more general feelings of resentment. This has given him visibility and a following that is wholly undeserved. If we are to succeed, we must be sure that bin Laden goes down in history not as a defender of the faith or champion of the dispossessed, but rather as what he is—a murderer, a traitor to Islam, and a loser.

Long-term plan. The unraveling of America's global prestige over the past three years will require considerable time and effort to mend. It was disturbing, therefore, to see Defense Secretary Rumsfeld admit in that same October memo that "the US is putting relatively little effort into a long-range plan." That seems to me the wrong policy. I believe we need to put a lot of effort into a long-range plan to prevent the current generation of anti-American terrorists from being succeeded by a new, larger and even more deadly one. We need a strategy that uses the full range of national security tools, including military force, diplomacy, help from allies and international institutions, and foreign assistance.

Such a plan should include:

1) The comprehensive reform of all aspects of our intelligence collection and analysis activities. I admire greatly the men and women who work in the intelligence community, but it is clear that the challenges they face have outstripped the capabilities they have. The cold war intelligence infrastructure is ill-suited to the new terrorist threat. There is an obvious need for improvements in evaluating the credibility of informants, verifying leads provided by foreign intelligence sources, penetrating terrorist groups, developing appropriate language skills, conducting all-source analysis, and ensuring that ominous patterns in data derived from diverse sources are perceived and acted upon in time.

2) Steady pressure to improve coordination at all levels between the intelligence community and the FBI.

3) Military reforms that include higher overall troop levels and emphasis on special operations forces that can deploy rapidly in response to targets of opportunity.

4) A vastly expanded commitment to public diplomacy and outreach, especially toward Arab and Muslim-majority nations. This must include innovative and effective long-term strategies for correcting misapprehensions about American motives, policies and intentions.

5) A long overdue NATO-led campaign to improve security throughout Afghanistan, reverse the current rise in narcotics production that is helping to finance the return of radical groups, enhance the authority of the central government, and accelerate economic reconstruction and human development projects.

6) A comprehensive review of U.S. policy toward Saudi Arabia aimed at assisting the Saudi government in fulfilling its pledges to halt financing of terrorist groups, remove incendiary passages from school textbooks, and break-up al-Qaeda cells. The United States should also accede to the Saudi request to declassify as much as possible of the 28 pages dealing with Saudi Arabia that were included in the September 11 congressional joint intelligence committee report and have not yet been made public.

7) A comprehensive review of U.S. policy toward Pakistan aimed at ensuring that the government and people of that country have the strongest possible incentives to cooperate with the United States in defeating al-Qaeda and in preventing the spread of nuclear weapons and expertise. The U.S.-Pakistani relationship has become among the most important—as well as the most complex--on earth. President Musharraf has put his own life at risk to oppose pro-al-Qaeda elements within Pakistan. If he does not succeed, it may be a long time before another Muslim leader does the same. Musharraf will not succeed in the long run, however, if he fails to support a process for strengthening democratic institutions and restoring democratic rule.

8) Expansion of the Nunn-Lugar program to secure materials and expertise related to weapons of mass destruction on a global basis. The United States can begin by recovering the estimated 15,000 tons of weapons-grade uranium it has dispensed to more than 40 countries during the last several decades. This is enough uranium to make roughly 1000 nuclear bombs.

9) Recognition that the world has changed and old threats have been replaced by new ones. Organizations such as NATO that were created to counter the aggressive designs of a monolithic and imperial superpower must be re-oriented to defeat the pernicious schemes of terrorists. Anti-terrorist strategies must be part of the agenda of every major multilateral political and military organization in which the United States participates.

10) Assistance to other countries to help build their capacity to counter terrorism. Many nations that face a current or potential terrorist presence lack the resources, skills and training to police their own borders and territory effectively. The will of such states to cooperate with us may be much higher than their ability to do so. We need to help them help us through expanded investments in training, equipment and technology-sharing.

11) A change in the tone of American national security policy to emphasize the value of diplomatic cooperation rather than boast about U.S. capabilities. Secretary of State Powell has made a concerted effort to begin this.

We also need to think through the consequences of our policies. This statement is not the place to debate the wisdom of going to war in Iraq at the time we did with the support we had. It is worth noting, however, that before the war the president predicted that "the terrorist threat to America and the world will be diminished the moment that Saddam Hussein is disarmed." After the war, he admitted that "Iraq has become the central front in the war against terror." According to one terrorism specialist for the Congressional Research Service, "Iraq is a rallying cause for al-Qaeda – it's allowed them to attract new recruits. This was an organization that was under enormous pressure. Iraq has put new wind in its sails, definitely." A survey released by the Pew Global Attitudes Project on March 16 showed a large majority or plurality of people in each country surveyed believe the Iraq conflict hurt the war on terror while also raising doubts about U.S. motives and credibility. Roughly two-thirds of those surveyed from Jordan and Morocco believe suicide bombings against Americans and other westerners in Iraq are justifiable.

Adherence to democratic values. I have found widespread dismay in many corners of the world at the Bush Administration's decision to detain hundreds of people in Guantanamo for more than two years without trial, access to legal assistance or any specific charges being made against them. No other aspect of our policy has done as much to squander support for the United States and to create doubts about our commitment to our own ideals. It is possible and perhaps probable that anger over these detentions has helped bin Laden succeed in recruiting more new operatives than the number of suspects now being held. I recommend that we either charge the detainees or release them as soon as possible. In the words of the 2000 National Commission on Terrorism,

chaired by L. Paul Bremer III, "Terrorist attacks against America threaten more than the tragic loss of individual lives. Some terrorists hope to provoke a response that undermines our Constitutional system of government. So U.S. leaders must find the appropriate balance by adopting counterterrorism policies which are effective but also respect the democratic traditions which are the bedrock of America's strength."

Terrorism, Democracy and the Middle East. President Bush has suggested that the best way to fight terrorism in the long term is to lay the groundwork for the democratic transformation of the Middle East. According to National Security Adviser Condoleezza Rice, "The transformation of the Middle East is the only guarantee that it will no longer produce ideologies of hatred that lead men to fly airplanes into buildings in New York or Washington. "

I certainly support the democratization of the Middle East. But in discussing it, we need to avoid two illusions. The first is that because transformation is billed as the solution to terrorism, supporting it makes other counter-terrorism efforts less necessary. That is certainly not the case. The second is that supporting democracy in the Middle East is a substitute for leadership in pursuing Israeli-Palestinian peace.

President Bush has argued that the way to make progress in the Middle East is to create a model democracy in Iraq. This, he says, will inspire the Palestinians to elect new leaders who will then crack down on violence and make peace on terms Israel can accept. I only wish it were that simple.

A stable and democratic Iraq would provide many benefits, but it will not by itself change Arab and Palestinian views about the rights and wrongs of history or what constitutes an acceptable outcome in the Middle East. And nothing would do more to doom a democracy initiative at birth than a perception that we are trying to change the subject from the Israeli-Palestinian crisis.

The good news is that many Arabs do want democracy. Recent surveys show that--despite widespread opposition to American policies--there is widespread enthusiasm among Arab populations for democratic values such as freedom of expression, multi-party systems and equal treatment under the law. The same surveys show solid majorities in places such as Jordan, Morocco and Kuwait believing that the principles of western-style democracy would work well in their countries.

The first element in any strategy for encouraging democracy in the Middle East must be to emphasize its reliance on local input and ideas.

Second, it must be multilateral. The label "Made in America" is not a selling point.

Third, the initiative must recognize the differences within the Arab world and between Arab and other Muslim-majority states. A cookie cutter approach that treats each of these societies the same would be simplistic and sure to fail.

Fourth, the strategy should be aimed at building democratic institutions gradually and from the ground up.

This means that it must include 1) education reform so students are taught how to succeed in the modern world, rather than try to destroy it; 2) economic reform and improved governance so outside investment is encouraged, small businesses can prosper and more young people can find good jobs; 3) training in the basics of political organization and campaigning so a true and peaceful competition of ideas is nurtured; 4) measures to discredit, expose and curtail corruption so the rule of law is enhanced; 5) scholarly discussions about how to find the right fit between the demands of democracy and the requirements of Islam; 6) a process for ensuring that women's voices are heard so the talents of all are enlisted in creating and sustaining democracy; and 7) opportunities for Arab-Americans to play a key role by sharing their own democratic experiences and knowledge.

No Middle East democracy initiative will succeed if it is viewed within the region as patronizing or imperial or as a way of avoiding hard questions about the Palestinians and Israel. However, there is a corollary to this. The world should not allow Arab leaders to use the Israeli-Palestinian dispute as a way to avoid hard questions about the nature of their own policies and governments.

To paraphrase something Yitzhak Rabin once said about terrorism and the pursuit of peace: We should seek peace regardless of how well democratization is proceeding; and we should seek democracy regardless of whether peace negotiations are going well.

Information. During the cold war, our government developed an elaborate apparatus for gathering information and then keeping it secret except from those with a very specific need to know. As a result, much more data flowed up the chain of command than spread across it, while very little trickled down. The dissemination of information was controlled by the originating agency. And clear separations were maintained between public and private, domestic and international, law enforcement and intelligence. Agencies such as the CIA and FBI developed their own sets of priorities, procedures and cultures—and did not learn how to cooperate or share information very well.

The old system was appropriate for the times, but the times have obviously changed. Al-Qaeda does not pose the same kind of threat as the Soviet Union. It is far less powerful, but it is also harder to see, harder to predict and harder to deter. Its goal is to kill people. Preventing that requires a military,

intelligence and law enforcement response system that is fast, flexible and fully-coordinated.

As a former secretary of state, I am especially mindful of visa officers who must handle huge caseloads and are required to make judgments rapidly and without much information about the intentions of those applying for admission to the United States. These officers are highly dependent on the watchlists compiled by our intelligence, law enforcement and border protection agencies. For those watchlists to fulfill their protective purpose, the information on them must be 1) derived from both international and domestic sources, 2) carefully-vetted to meet agreed upon standards of relevance and accuracy and 3) shared with those whose eyes, ears and wits we rely upon to shield the public.

Those responsible for defending us must be able to "connect the dots" of relevant data that are available, but the dots will not all be available unless they are shared. It is vital, therefore, that we improve our watchlisting systems to ensure that all relevant agencies have access to a common data base that is comprehensive, up-to-date, cross referenced, and readily accessible to those who are on the front lines including visa and customs officers, border guards and law enforcement personnel at all levels.

Just as we need to share information between the federal and the state and local governments, so we need to share information more freely with other nations. Certainly, there are risks involved in doing this. And certainly we must exercise a high degree of prudence and care. Some governments merit our trust; others do not. But if we want to create a truly extensive and effective web of intelligence and law enforcement within which to ensnare our enemies, we will need to share our information about terrorist organizations with others to roughly the extent we demand that others share their information with us.

Conclusion

Mr. Chairman and members of the commission, let me close by saying that I sympathize greatly with President Bush, Secretary Powell and others in positions of responsibility at this time. Each day brings with it the possibility of a new terrorist strike. The March 11 train bombings in Madrid remind us that, despite all that has been done and is being done to protect our territory and citizens, we have to live with the fact that the enemy—if in a position to attack—will have a broad range of targets. We should all expect—and prepare ourselves psychologically—for the likelihood that further strikes will take place on our own soil.

We must be united in our determination that if and when that happens, it will do absolutely nothing to advance the terrorists' goals. It will not cause

divisions within and among the American people. On the contrary, it must bring us closer together. It will not cause America to retreat from its global responsibilities. On the contrary, it must make us even more determined to fulfill them.

For more than two centuries, our countrymen have fought and died so that liberty might live. Since September 11, we have been summoned, each in our own way, to join in a new chapter of that struggle. We cannot under-estimate the risks or anticipate that final victories will come easily or soon. But we can draw strength from the knowledge of what terror can and cannot do. Terror can turn life to death, laughter to tears, and shared hopes to sorrowful memories. It can crash a plane and bring down towers that scraped the sky. But it cannot alter the essential goodness of the American people; or diminish our loyalty to one another; or cause our nation to turn its back on the world.

Obviously, it is beyond our power to turn the calendar back to before the eleventh of September, 2001. But we do have the power live in hope, not fear; to acknowledge the presence of evil in this world, but never lose sight of the good; to endure terrible blows, but never give in to those who would have us betray our principles or surrender our faith. By so doing, we can ensure that our adversaries will fail in their purpose; and that our nation, with others, will continue toward its purpose of creating a freer, more just and peaceful future for us and for all people.

Thank you very much and once again let me express my desire to be as helpful to you as possible.