



## FACT SHEET

### **For a Criminal Investigation of the Events of September 11th, 2001**

The worst single criminal act ever committed on US soil, the attacks of September 11th, 2001 have served as justification for: US invasions of Afghanistan and Iraq; a new doctrine of preventive war; the USA PATRIOT Act and Department of Homeland Security; torture and indefinite detention of “enemy combatants”; surveillance of citizens without a court warrant; and shifting trillions of dollars in public spending priorities.

Surveys by Zogby and Scripps-Howard found that significant proportions of US citizens believe their own government had “actionable foreknowledge” of the attacks and “consciously failed to act” (Zogby 2004), or even that elements of the state were involved in orchestrating the attacks. The widespread disbelief in the official story indicates a deep crisis of trust in government, one that only an exhaustive and fearless criminal investigation can address.

We firmly believe there is probable cause for such an investigation. The case for investigation is based on three pillars:

- 1) *evidence of cover-up and a lack of serious investigation after the fact;*
- 2) *evidence of misconduct on the day of 9/11*
- 3) *evidence of foreknowledge and preparation before September 11th.*

Undertaking a full-scale, truly independent investigation is imperative, not only because there must be justice for the victims, but also because of the role 9/11 has played in justifying policies of aggression supposedly justified by 9/11 must be halted, and a shattered public trust must be repaired.

#### **The 9/11 Cover-up <sup>1</sup>**

- During their 2002 inquiry, the Congressional joint intelligence committees (who redacted 1/4 of their report) were scrutinized by an FBI counter-investigation, which invaded the Senate in search of an alleged leak. It was widely believed that the FBI investigation may have been intended to have a chilling effect on the conduct of the Congressional Joint Inquiry.
- The Congressional investigation failed to pursue solid evidence of a money trail to the alleged hijackers from the US-allied Pakistani intelligence agency (ISI). The ISI chief was removed from his post when strong evidence of his connection to the plot surfaced in early October 2001, but no serious punitive action was taken against him.
- Evidence was destroyed or withheld, including suppression of the discovery of black boxes from the two flights at Ground Zero and the destruction of tapes made by the air traffic controllers who handled the same flights.<sup>2</sup>
- Whistleblowers such as FBI translator Sibel Edmonds and Anthony Shaffer of “Able Danger” were disciplined or fired, even as FBI, CIA, and military officials who were blamed for failures received promotions and medals.
- The September 11th relatives who lobbied for the 9/11 Commission (after 14 months of White House resistance) submitted 400 questions that Commissioners accepted as a “roadmap.” 70 percent of the questions were fully ignored in The 9/11 Commission Report. Many of the relatives later declared the Report a whitewash.<sup>3</sup>
- 9/11 Commissioner Max Cleland resigned in late 2003, calling the panel a whitewash and saying, “Bush is scamming America.” There

was no significant response or inquiry from anyone else in government, or the major media.<sup>4</sup>

- Philip Zelikow, the 9/11 Commission executive director who oversaw the panel’s activities, refused to step down after the September 11th families called for his resignation due to grave conflicts of interest (close association with Condoleezza Rice, member of White House national security staff both before 9/11 and in 2002, member of Foreign Intelligence Advisory Board).
- Rice may have committed perjury in her April 2004 Commission testimony that an August 2001 Presidential Daily Briefing to Bush was only of “historical significance,” when in fact it detailed current intelligence.
- The *9/11 Commission Report* claimed the financial background of the attacks was unknown, but dismissed the question as being of “little practical significance” (page 172). Since when doesn’t an investigation “follow the money”?
- Large sections of the report are based on the confessions of “enemy combatants” such as Khalid Sheikh Mohammed, as provided in the form of transcripts by the government. The 9/11 Commission staff was not allowed to see or interview any of these “enemy combatants.”
- Over a period of several years, NORAD, FAA, White House and military officials gave widely divergent and conflicting accounts of the air defense response to 9/11, but no one was ever held accountable for upholding falsehoods. The 9/11 Commission chairs later admitted they considered a criminal investigation of NORAD’s statements, but preferred instead to present a unanimous report.
- *The focus of the Commission will be on the future. We’re not interested in trying to assess blame. We do not consider that part of the Commission’s responsibility.* – Lee Hamilton, 9/11 Commission vice-chairman.

The above is only a sampling of a large body of official misconduct after the fact. *What is being hidden?*

#### **Cause for Suspicion of Official Misconduct On the Day of September 11th**

The diversion of Flight 11 first became known to air traffic controllers soon after 8:13 am. The last flight crashed at either 10:03 or 10:06 am. For most or all of that time, each of the officials at the top of the civilian and military US defense chain of command were (from their own accounts or from public records) occupied in ways that absented them from any meaningful decision-making capacity. That includes George W. Bush, Donald Rumsfeld, the chairman of the joint chiefs of staff Gen. Henry Shelton and his acting deputy Gen. Richard Myers, the head of NORAD, Ralph Eberhard, the commander of the Pentagon “war room”, Gen. Montague Winfield, and the commander-in-chief of the day’s extensive set of military wargames, Adm. Richard Mies.

The absence of these officials and the weakness of their respective excuses are consistent with either stunningly widespread negligence or an intentional, coordinated avoidance. The top officials who (by their own accounts) did exercise a decision-making capacity — Richard Cheney, counter-terror chief Richard Clarke, and Transportation Secretary Norman Mineta – present conflicting accounts of what happened when, and in Clarke’s case also contradict the accounts of Myers and Rumsfeld, such that some of these men must be lying. The 9/11 Commission either ignored these accounts or “corrected” them without explaining who was in the wrong.

Meanwhile, U.S. air defenses displayed an unprecedented failure to follow longstanding, standard, automatic procedures for interception and reconnaissance of hijacked and possibly hostile aircraft. The responsible agencies later produced conflicting accounts of their failures. The wargames and drills begun on the morning of September 11th by the military and other agencies incidentally involved rehearsals of many element of the attacks: hijackings, an attack on New York City and a plane crash into a government building in Washington, among other scenarios. The 9/11 Commission Report fully omits any discussion of these wargames, which are a matter of public record, other

than to mention a parallel operation which drew substantial domestic air defense forces to the Arctic (Northern Vigilance). The report fails to systematically review or square up any of the above. Thus the actions of key officials and agencies on the day of September 11th have not been adequately investigated and directly suggest criminal negligence, reckless disregard for human life on the part of state authorities, and the possibility of intentional facilitation or participation in the crimes.

An independent investigation would also examine allegations by physicists, engineers and experts in buildings demolition who make the case that the three WTC buildings (including the skyscraper WTC 7) could not have collapsed the way they did without the use of explosive charges. (The official investigations by FEMA and NIST began by ruling out an examination of this hypothesis, though NIST promised an examination of this hypothesis with regard to WTC 7 in its final report, which so far has been delayed for two years.)

## Evidence of Official Foreknowledge, Facilitation, or Participation in the Attacks

- FBI translator Sibel Edmonds says documents she saw prove that the FBI was aware of plans to attack the US with airplanes and knew the targets and the dates in advance. She was fired and placed under strict gag orders under the little-used State Secrets Act.

- The recollections of Behrooz Sharshar, FBI field officer Robert Wright, counterterror chief John O'Neill, Coleen Rowley and Harry Samit of the Minnesota FBI, the "Phoenix Memo," David Schippers, the 1991 orders restricting investigations against potential terrorists, the Bush administration's Feb. 2001 order to "back off" the Bin Ladin family, and the FBI reaction to the "Bojinka" plot of the 1990s do not, when considered in sum, point to mere incompetence, but rather indicate high-level corruption and protection of criminal networks, including the network of the alleged 9/11 conspirators. (Nearly all of these examples were omitted from or relegated to fleeting footnotes in The 9/11 Commission Report.) In January 2001 the Bush administration issued an "1991" order (in FBI parlance) to suspend investigations into the Bin Ladin family and alleged Saudi financing of terror networks. Several FBI agents and employees have testified to high-level obstruction of field investigations that might have led to the alleged hijackers or their possible financiers, or otherwise exposed networks of potential terrorists in the months prior to Sept. 11. The FBI's former top investigator of al-Qaeda, John O'Neill, claimed that investigations were not pursued in order to accommodate oil interests and the Saudi alliance. He died on Sept. 11.

- On the evening of Sept. 10, Gen. Winfield requested that his regularly scheduled shift as commander of the NMCC the next morning at 8:30am be moved back by two hours, to 10:30am. This coincidentally corresponded to the time of the attacks. Newsweek reported that on Sept. 10, Pentagon brass canceled travel plans for the next morning due to an unspecified warning. The 9/11 Commission again did not pursue these items, possibly suggestive of foreknowledge.

- Multiple allied foreign agencies informed the US government of a coming attack in detail, including the manner and likely targets of the attack (aerial attacks by suicide pilots, according to Russian intelligence and others), the name of the operation (the "Big Wedding," according to a Jordanian warning), and the names of certain men later identified as being among the 9/11 ringleaders (provided by the Israeli Mossad). Russian president Vladimir Putin said he communicated one of the warnings himself. "The Complete 9/11 Timeline" compiled by editor Paul Thompson at cooperativeresearch.org details dozens of further, specific, actionable warnings from governments and individuals and other cases of possible foreknowledge, and how these were neglected, ignored, or purposefully blocked from reaching anyone who would act to enforce the law. The 9/11 Commission Report chose to ignore the entire issue.

- Highly irregular activity in financial markets just prior to 9/11 offers prima facie evidence of foreknowledge of the attacks. A disproportionately high number of 'put' options were purchased on United Airlines, American Airlines, Morgan Stanley Dean Witter, Merrill Lynch &

Co. and other companies directly and seriously impacted by the 9/11 attacks. The 9/11 Commission Report acknowledged the existence of some of the irregular financial activity, but offered a logically fallacious explanation for its insignificance.

## Further Matters for Criminal Investigation

### The Poisoning of New York

Christie Todd Whitman issued a series of false televised statements to the public in the weeks after Sept. 11, assuring that the air in Lower Manhattan was safe to breathe. White House officials suppressed the initial EPA report, which did not support her claims (as was subsequently admitted in 2003). Consciously downplaying this risk and ultimately raising the fatality rate would constitute a serious crime. Hundreds of first responders are now sick. Many are dying, and hundreds have called for Whitman's indictment. The New York papers quote her false assurances in the aftermath of Sept. 11 on a weekly basis.

### War Planning Pre-dated Attacks

By prosecuting the 9/11 attacks as an "act of war" instead of as a "crime against humanity" — and violating international law in the process — the Bush administration assured that the invasions of both Afghanistan and Iraq would be carried out. These invasions were planned and intended in advance of 9/11, as even former administration insiders like Richard Clarke and Paul O'Neill have revealed in the case of Iraq. The Bush administration engaged in back-channel negotiations with the Taliban until June 2001, providing \$125 million in aid to Afghanistan before the talks broke off. When the Taliban refused a unity government and a pipeline deal, the US representative promised the Taliban would receive "a carpet of gold or a carpet of bombs." (according to Dasquie and Brisard's well-documented *The Forbidden Truth*.) A plan to strike Al-Qaeda worldwide, including an invasion of Afghanistan, was formulated and placed on Bush's desk for approval on Sept. 9th, as per Condoleezza Rice's admission of May 2002.

### Many Layers of Crime

A fearless probe would investigate the failures of officials charged with protecting the public; criminal negligence; public endangerment (including Whitman/EPA); foreknowledge and failure to act before the fact; wanton facilitation of criminal acts (obstruction of leads on alleged hijackers); aiding and abetting terrorist activity (e.g., Pakistani and Saudi financial trails); obstruction of justice after the fact; providing false accounts; perjury under oath; destruction of evidence (e.g., FAA tapes and WTC black boxes); harassment of whistleblowers (e.g., Shaffer and Edmonds); withholding of evidence relevant to criminal proceedings and official investigations; misuse of a criminal act by laying false blame for the purpose of an agenda of aggressive war and crimes against humanity; and the possibility of direct high crimes, treason and murder by officials of the United States government, members of US intelligence contractor networks, and operatives of allied intelligence agencies.

### Footnotes

1. See [http://justicefor911.org/Part\\_I\\_Complaint\\_111904.php](http://justicefor911.org/Part_I_Complaint_111904.php)
2. Re. FAA tapes, NYT, see [http://summeroftruth.org/nyt\\_06may04.html](http://summeroftruth.org/nyt_06may04.html). The discovery of the black boxes was claimed by two Ground Zero first responders, see <http://summeroftruth.org/groundzero.html> and confirmed by an NTSB official, see <http://www.counterpunch.org/lindorff12202005.html>
3. See film, "9/11 Press for Truth," <http://www.911pressfortruth.com>, also available in full via YouTube and other public video domains. An assessment of the Commission's performance in answering questions can be downloaded at [911truth.org](http://911truth.org)
4. See "A Brief History of the Kean Commission", [http://justicefor911.org/Part\\_I\\_Complaint\\_111904.php](http://justicefor911.org/Part_I_Complaint_111904.php)

### Other Helpful Web Resources

The Complete 9/11 Timeline [www.cooperativeresearch.org](http://www.cooperativeresearch.org)  
Jim Hoffman's 9/11 Research Site [911research.wtc7.net](http://911research.wtc7.net)  
The 9/11 Reading Room [www.911readingroom.org](http://www.911readingroom.org)  
Scholars for 9/11 Truth & Justice [www.stj911.org](http://www.stj911.org)