

Statement on Aviation Security

for the

National Commission on Terrorist Attacks Upon the United States

Seventh Public Hearing on Borders, Transportation, and Managing Risk

by

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It has been more than 28 months since the terrorist attacks that launched the War on Terrorism, a war which sent our men and women in the armed forces to fight so far from home. I pray for their safe return to their families and friends. Here at home, the factors which contributed to the terrorist attack are being investigated. It is critically important to our nation's safety that the 9/11 Commission determines why our intelligence agencies and national security system was unable to detect and subsequently, defend against the attacks that terrible morning.

My name is Carol Ashley. I appreciate having the opportunity to submit a statement on aviation security to the *National Commission on Terrorist Attacks Upon the United States*.

On September 11th, 2001, my beautiful 25 year old daughter, Janice, was killed in the terrorist attack on the World Trade Center. She worked on the 93rd floor of Tower One. Janice's dad, her 18 year-old brother and I were devastated by her death.

Like the families of nearly three thousand others killed, our world became surreal, controlled by overwhelming, mind-numbing grief. Our close-knit family was shattered. Many of our dreams for the future died with Janice that morning. She was a joy, a light in our lives for twenty-five years. My heart aches. The pain of losing her will be with me until the day I die, and still overwhelms at times, even now.

Janice's many young friends did not fare much better as they struggled to cope with the inconceivable: the sudden, violent death of one of their own, of one who had been so full of life and laughter, always looking ahead to the next adventure, sparkling with intelligence and *joie de vivre*.

Our nation was traumatized by the enormity of the death toll, and the destruction, and by the stark realization of our vulnerability. Across America there was anger at the unspeakable savagery of the attack which targeted unsuspecting, innocent people.

From the beginning, there was dismay. And questions, so many questions. **What had gone wrong? Why hadn't our government fulfilled its foremost obligation—to protect our nation?**

It was soon apparent to some that an independent investigation into the terrorist attack was needed. We were stunned when President Bush opposed such an inquiry. After intense Congressional lobbying on the part of 9/11 family members, and with the help of some powerful members of Congress, the 9/11 Commission was created.

For the first time, there was hope that we might find out why our loved ones are dead.

Today, our questions remain unanswered. The 9/11 families and the American people deserve an explanation for what went wrong.

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In order to eliminate the systemic failure that allowed the terrorists to succeed, we must first understand what went wrong on September 11th. To gain that understanding, there are three basis questions which must be answered by all who were responsible for national security, including intelligence agencies, defense agencies, the FAA and immigration service, and the executive branch. Private sector entities responsible for security, including the airports, airlines and security firms, must also answer these questions:

- **What did they know?**
- **When did they know it?**
- **What did they do with the information?**

With nearly 3,000 dead, no one should be exempt from scrutiny or accountability.

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So Many Questions

- **Why weren't we prepared?**

Our country was warned of coming attacks. From the Joint Intelligence Committee Inquiry Report, we know that our intelligence community was aware of a history of threats and attacks involving airlines as weapons.

During the Bojinka plot investigation, for example, Philippine authorities interviewed Abdul Hakim Murad, an accomplice of Ramzi Yousef, architect of the 1993 WTC bombing. Murad admitted to taking flying lessons at U.S. flight schools and plotting to hijack a commercial aircraft and fly it into CIA headquarters in Langley, Virginia. [1]

Warnings of a domestic attack came from foreign intelligence and governments, including Israeli intelligence officials who warned that large-scale terrorist attacks on high profile targets in America were imminent" [2] and Jordanians who warned of a major attack in the continental United States, using aircraft. Code name: The Big Wedding. [3]

- **These warnings referred to targets within the United States and hijackings in the late summer or early fall. Who received these warnings? What was done in response?**

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Meanwhile, here at home in July, 2001, an attack was predicted by Richard Clarke, interim coordinator of the Counter-Terrorism Security Group (CSG). During a briefing on the terrorist threat to America, Clarke told officials from the Bush administration, FBI, FAA, Secret Service, Coast Guard and INS, "something really spectacular is going to happen here, and it's going to happen soon." [4]

As a result of the meeting all nonessential travel for counterterrorism staff was suspended, vacations were cancelled, domestic rapid response teams were alerted, and for six weeks the US government both here and overseas was on high alert for a terrorist attack. [5] But sometime prior to September 11th, the order was given to stand down.

- **Who gave the order to stand down and why?** Clearly, the threat level remained high.

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After the revelation of the Aug 6th Presidential Daily Briefing which warned that terrorists may hijack planes, Condoleezza Rice explained,

It was an analytic report that talked about UBL's [bin Laden's] methods of operation, talked about what he had done historically, in 1997, in 1998.

It mentioned hijacking, but hijacking in the traditional sense and, in a sense, said that the most important and most likely thing was that they would take over an airliner, holding passengers and demand the release of one of their operatives. [6]

An analysis of the method of operation of bin Laden's terror group, *al Qaeda*, reveals that its attacks have one goal---killing as many people as possible, usually in a spectacular way. Further, *al Qaeda's* attacks are often lethal, well-planned, simultaneous strikes against symbolic or high-profile targets. Those characteristics are inconsistent with Ms. Rice's conclusion that the most likely scenario would be hijackings in the traditional sense, especially when coupled with bin Laden's declaration in 1998 that "every American should be a target for Muslims," and that it is "the duty of Muslims to confront, fight, and kill British and American citizens." [7]

- **Having received warnings of a domestic attack from both domestic and foreign intelligence, an analysis of bin Laden's lethal methods of operation, and information about increased chatter within the terrorist network in the weeks preceding 9/11, what defensive measures did our National Security Council take to protect America?**

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Meanwhile, the American civilian population was blissfully ignorant of the danger. But some government officials stopped flying commercial planes, and others canceled plans to fly on September 11th.

According to a CBS news report, Attorney General John Ashcroft stopped flying commercial airlines in July, 2001, due to an FBI threat assessment. [8]

San Francisco Mayor Willie Brown, who was scheduled to fly into New York City on the 11th, was advised late on the night of September 10th to be cautious about air travel into New York City. [9]

On September 10th, Pentagon brass suddenly canceled flights scheduled for the 11th. [10]

- **Did some officials have advanced warning of the danger? If so, who advised them?**

- **Why wasn't the American public warned?**

Had we known of the terrorist threat, many more of those in Tower Two might have escaped after the first plane hit Tower One.

Perhaps there was no way my daughter and those in Tower One could have been saved.

- **But what if hijacking protocols had been followed?**
- **What if NORAD had been notified immediately and jets were directed to investigate why Flight 11 was off course, as in the Payne Stewart incident?**

In the Stewart episode, the first to respond was an F-16 on a routine mission. It was diverted to provide an "emergency escort". F-16s were later scrambled from Fargo, and two armed fighters were on standby. [11] That's a very different response from what happened on the morning of September 11th.

It is reported that while "Flights 11 and 175 were in the air, 2 F-15s were hovering in a 150-mile chunk of air space off the coast of Long Island as ordered." [12]

- **If there were indeed fighters off Long Island, why weren't they diverted to investigate Flights 11 and 175?**
- **Were any other military planes flying routine missions on the morning of September 11th which could have responded?**

NORAD reportedly had 20 planes on standby, (six of them in Canada) ready to depart within 15 minutes. [13]

- **Why didn't those standby planes respond in a timely manner on September 11th?**

American Airlines Flight 11, which departed Boston at 7:59 AM, was known to be off-course and a suspected hijacking as early as 8:13 AM. The transponder was turned off at 8:20 AM. Surely the air traffic controller recognized something was wrong by then. That was twenty-six minutes before the plane struck the Tower One. But the hijacking was not reported to NORAD until 8:34, according to the FAA. NORAD, however, says it was notified at 8:40.

- **When did the air traffic controller report the suspected hijacking to the FAA?**
- **Had the FAA advised air traffic control of the terrorist hijacking threats?**
- **Why didn't the FAA alert NORAD of the suspected hijacking at 8:13 AM?** Military rules require the FAA Administrator to notify the NMCC [National Military Command Center] of a hijacking "by the most expeditious means." [14]

- **Why is there a time discrepancy between the FAA and NORAD regarding when the hijacking was reported?**

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A flight attendant on American Airlines Flt 11 notified her supervisor within the first few minutes of the plane being overtaken.

- **What did the supervisor do with this information?**
- **Was the FAA notified by American Airlines immediately?**
- **Was protocol followed? If not, why not?**

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Port Authority

Port Authority transcripts reveal that air traffic controllers at La Guardia Airport did not know that a hijacked plane had hit Tower One. [15] Local air traffic controllers were apparently unaware that a rogue airliner, unresponsive to air traffic control, had entered New York City's crowded airspace.

- **Why wasn't a nation-wide hijacking alert sent from the FAA to all air traffic controllers?**

The Port Authority of NY/NJ owns and operates Newark International Airport. They also owned and operated the World Trade Center.

- **There needs to be an explanation for the failure of the Port Authority to coordinate and act on the information that the second hijacked plane, which had departed Newark International Airport, was heading for the South Tower.** This information should have been available to them from their own Air Traffic Control Center at Newark. They had eleven minutes notice that the plane was bearing down on Tower Two, the South Tower; yet, the Port Authority told people that the building was safe and secure.

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There were two changes to aviation security regulations in the summer of 2001.

Two months before the terrorist attacks, a 40 year old FAA rule allowing commercial airline pilots to carry handguns was rescinded. [16]

- **Who was responsible for rescinding this rule?**
- **What prompted the decision to disallow a regulation which had been in existence for 40 years?**

The second change involved protocol for responding to a hijacking. In June, 2001, Secretary of Defense Donald Rumsfeld modified NMCC response procedure in the event of a hijacking.

Previously, it read:

"The NMCC will monitor the situation and forward all requests or proposals for DOD military assistance for aircraft piracy (hijacking) to the Secretary of Defense for approval." [17]

As amended in June, 2001:

The NMCC will, with the exception of immediate responses as authorized by reference d, forward requests for DOD assistance to the Secretary of Defense for approval. [18]

▪ **What does this change in the hijacking response procedure signify?**

Prior to the change, was the NMCC able to take some initiative in providing assistance to the FAA, unless it involved "military assistance" i.e., lethal force, which required approval? Does the June, 2001, procedural change now disallow any NMCC response until the Secretary of Defense approves the action?

▪ **Did this procedural change slow NORAD's response time?**

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▪ **Who was directing the defense of our country that morning?**

▪ **What defensive action did he order to protect our nation during the crisis?**

Secretary of Defense Rumsfeld should have been advised of a terrorist attack forthwith. However, in an interview on September 16, 2001, Rumsfeld appears to indicate that he was unaware that our country was under attack until the Pentagon was hit.

Donaldson: On Tuesday I am told the FAA notified someone in the Pentagon that there was a rogue plane apparently headed toward Washington. But you didn't know it, am I correct? -- until it hit?

Rumsfeld: I was in the Pentagon and felt the shock of the attack, and –

Donaldson: What did you think it was?

Rumsfeld: A bomb? I had no idea. I looked out the window and raced down the corridors till the smoke was too bad and then went outside, and saw the devastation and talked to an eyewitness who told me that he had seen an aircraft plow into the Pentagon between the first and second floor. [19]

▪ **Why was Rumsfeld unaware that our nation was under attack?**

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At 9:05 when the second plane hit the World Trade Center, most of America knew we were under attack. Although President Bush was told of the incidents, he continued to read to children in a Florida classroom. [20]

- **Why didn't President Bush, as Commander in Chief, assume command and order defensive actions to protect our nation as soon as he was told by his chief of staff, "We are under attack" ? [21]**
- **Why wasn't the President escorted immediately to a secure location by the secret service?**

Both towers of the World Trade Center were burning. As the inferno raged, thousands were burning to death or suffocating from smoke inhalation. To avoid the flames, some jumped from hundreds of feet in the air. Then, as America watched, the buildings collapsed, killing the injured and the rescuers inside. Two hijacked planes were still in the air. Given the circumstances, it defies understanding that the Pentagon was not on Delta alert, prepared to defend itself.

- **Why wasn't the Pentagon defended?**

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The Failure of Aviation Security

There were multiple failures and flaws in our nation's security system which contributed to the terrorists' ability to carry out their savage attacks on September 11th. The failure of aviation security, both government and private sector, is a major contributing factor to death of nearly 3000 people on 9/11.

Concerns about poor security at our nation's airports have been repeatedly presented to Congress. In January, 2003, for example, Justice Department Inspector General Glenn A. Fine released an audit citing continued failure by the INS to correct many significant security deficiencies at airports, first identified in a 1999 audit, such as poorly located or inoperable surveillance cameras, the inability to videotape interviews with detainees, and alarms that either didn't work or were never installed. [22]

Inexcusably, the INS did not advise its airport staff of deficiencies cited in the 1999 audit. INS officials claimed that airport security is not their job. Fine disagreed; he contended, correctly, that airport security and border security are synonymous. [23]

- **Since the government was aware of long standing security flaws which endangered the public, why weren't they corrected?**

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The Airports

According to Federal Code, the FAA Administrator and the FBI Director share joint responsibility for assessing the threats to domestic aviation. Part of their task is to carry out periodic assessments of security at each airport in the system. [24]

- **When were Logan, Dulles and Newark airports, the three airports from which the terrorists departed, last evaluated prior to September 11th?**
 - **What were the observations, conclusions and recommendations at each airport?**

- Were there follow-up assessments in the case of deficiencies?
- Are the nation's airports routinely assessed?
- Is there a written plan coordinating the activities of the FAA , US Customs, INS and other law enforcement personnel?
- Was Logan Airport sanctioned for its repeated failure to meet FAA standards for airline security?
 - How is it that Boston's Logan International Airport did not have security cameras in place, even after the 9/11 attacks?
 - If Logan was sanctioned, how much was it fined?
 - Was the original fine paid in full?
 - Who was responsible for ensuring that Logan Airport met its airport/airline security requirements?

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The FAA

The FAA, the airlines, airline lobbyists and Congress each share some responsibility for undermining aviation security. The FAA, in response to pressure from the airlines, trade groups and members of Congress, routinely whittles down fines for security violations.

Michael Pangia, former FAA chief trial lawyer, said, "'it's a common practice' for the airlines and FAA to negotiate fines down to as low as 10 cents on a dollar -- and often times agreeing on a price for a bulk of fines." [25]

According to a CNN story, paying the cheaper fines could be less expensive for the airlines than instituting the required security measures. [26]

That would be especially true if the fines were reduced to ten cents on the dollar.

Previous testimony before the 9/11 Commission revealed that some members of Congress, alerted by airline lobbyists about situations unfavorable to the airlines, prevailed upon the FAA to reduce fines and soften rules and requirements.

- **Why were fines for airline security violations pared to 10 cents on the dollar, despite repeated violations?**
- **Why did the FAA allow safety and security violations to persist?**

According to USA TODAY, two weeks after the September 11th terrorist attack, American Airlines received special permission from the FAA to allow passengers to board its flights before the airline determined whether the passengers were on the FBI's watch list. According to the news account, the security directive was exclusive to American Airlines and conflicted with the directives to all other airlines. [27]

- **Why did American Airlines receive special permission from the FAA two weeks after the terrorist attacks to allow passengers to board without being checked against the FBI watch list?**

Even the INS at the airports apparently felt the impact of the airline lobby. Included in a report on the INS by the Justice Department Inspector General's office, was the notion that INS officials didn't use their authority to compel airports and airlines to provide more secure areas for screening foreign travelers because they feared the airline lobby. [28]

- **Specifically, what did INS officials fear from the airline lobby?**

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Gore Commission

Several key recommendations of the 1996 Gore Commission on Aviation Safety and Security had not been implemented as of September 11, 2001, due to federal bureaucracy and pressure from airline lobbying, according to *The Los Angeles Times* (10/06/01).

Among them was a recommendation that might have prevented the September 11th atrocities: screening all passengers with computerized profiling systems for the purpose of detecting potential terrorists.

Carol Hallett, president of the Air Transport Association, acknowledged that more should have been done by the airline industry when she said, "In our hearts, everyone must realize that failure to use the [profiling] techniques that are available today may be directly responsible for the events of Sept. 11." [29]

Apparently there was pressure from the airline industry even before the final recommendations of the Gore Commission were issued. The timelines were scrapped.

- **Why were timelines scrapped from the Gore Commission's final recommendations?**

Other security recommendations which were *not* implemented included:

- measures for preventing illegal intrusion from the airport perimeter and into restricted areas
- assessment of the vulnerability of the nation's 450 airports to terrorism
- methods to detect explosives in baggage, mail and parcels (the latter two opposed by the US Postal Service)
- a mechanism for the intelligence agencies to provide FAA officials with confidential information about potential terrorists and plots
- a plan to protect aircraft from surface to air missiles
- matching each checked bag with a boarding passenger

- requiring fingerprinting and background checks of all security screeners and airline employees with access to secure areas.

▪ **Have all the outstanding security recommendations of the Gore Commission been implemented as of today?**

When the 9/11 Commission makes recommendations about aviation security, Congress must see to their swift and full implementation, including deadlines with mandatory fines for noncompliance. Congressional oversight should also require an annual report by the FAA about the status of security at our nation's airports and compliance with the recommended security measures. The influence of special interest groups and interagency wrangling must not be allowed to interfere with the security of our nation.

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Weapons

Guns, knives, explosives, tear gas and incendiary devices were on the prohibited weapons list on 9/11. So were box cutters.

Box cutters were found on two planes grounded on September 11th. The box cutters were found under adjoining seat cushions on a flight out of Boston. Others were found in a trash bin on a plane bound from Atlanta to Brussels. [30]

It is reported that the hijackers used box cutters.

▪ **How does the FBI know that box cutters were used in the hijackings?**

Based on testimony of an FBI agent at the trial of Mohammed Mottassadeq, it is known that pepper spray was used on Flight 11. Calls to family members from Flt 175 passengers also indicated that terrorists had sprayed them with "Mace." Pepper spray was a prohibited carry-on item on September 11, 2001.

Although it was widely reported in the press that box cutters were legal on September 11th, that is not so. They were clearly proscribed, as was pepper spray. [31]

▪ **Since box cutters and pepper spray were restricted, how were the hijackers able to board the plane with them?**

▪ **Who informed the press that box cutters could legally be taken onboard?**

▪ **Was there a gun on AA Flt 11?**

An FAA executive summary initially stated that a flight attendant had reported that a gun was fired on Flt 11. This report was subsequently changed to indicate that a knife had been used. What is the truth?

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FAA Information Circulars

On May 16, 2002, National Security Advisor Condoleezza Rice discussed FAA warnings to the airlines prior to 9/11:

Now the FAA was also concerned of threats to U.S. citizens, such as airline hijackings and, therefore, issued an information circular [about] that and an information circular goes out to private carriers from law enforcement, saying that we have a concern. That was a June 22 information circular.

On July 18, the FAA issued another IC saying that there were ongoing terrorist threats overseas, and that there... although there were no specific threats directed at civil aviation, they told the airlines, we are urge[sic] you to use the highest level of caution. [32]

Threats of hijackings by Bin Laden's terror network were not new to the FAA. In 1998, the FAA issued three alerts about a possible hijacking in the Eastern United States by bin Laden's terrorist network. The FAA urged a "high degree of vigilance" at the nation's airports and airlines at that time, too. [33]

FAA Information Circulars are classified, even though an IC is less serious than a "security directive" or an "emergency amendment." The latter two inform officials of a threat and give instructions on specific counter-measures to be implemented.

- **What were the standards of security at the FAA as of 9/11/2001?**
 - **Based on evidence collected, what standards and procedures were not followed?**
- **In the months preceding the terrorist attacks, were any security directives or emergency amendments issued?**
- **Were the FAA information circulars passed on to the security agencies hired by the airlines to screen passengers, as well as the INS and Customs agents and other airport security personnel?**
 - **What was the FAA protocol for determining when to notify airline and airport security agencies of threats?**

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Airline Security Screening

Nine of the hijackers were selected for special security screenings. Six hijackers were targeted for tightened security by a computerized screening system. Two had irregularities in their identification documents and one was selected because he was traveling with a questionable individual. [34]

This raises a number of questions about security procedures:

- **Which of the hijackers received extra security screening?**

- **What questions were asked of them?**
- **Was anything confiscated?**
- **Were any of the nine on any watch lists?**
- **Did anyone check the watch lists and their immigration status?**
- **In each case, who made the decision to permit the hijacker to board the plane?**
 - **On what basis did he/she make that decision?**
 - **Did the person making the decision have access to terrorist watch lists?**
 - **Did the airline ticketing agents have access to terrorist watch lists?**
- **Regarding the six who were earmarked for additional screening, what factor(s) triggered the computer alert?**
- **Which two had irregularities in identification?**
 - **What exactly were those irregularities?**
 - **What was done during the course of the detainment of these two individuals?**
- **Where are the logs and records and incident reports from these detainments?**
- **Are there airport security video tapes of them being questioned?**

The Civil Aviation Security (CAS) division of the FAA establishes the guidelines and requirements for airport security with the goal of ensuring the safety of passengers. There are FAA agents working under CAS at every major airport. [35]

- **Were FAA agents in Boston, Newark and Dulles advised of security issues with those who later hijacked the planes?**
- **Did the INS agents at each airport participate in the additional security screening(s)?**

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In light of the elevated terrorist threat involving hijacked planes, it is inconceivable that the names of those known to be allied with *al Qaeda* were not given to the FAA and immigration. Yet in the case of Khalid al-Midhar and Nawaf al-Hazmi, two of the hijackers on AA Flt 77, who were finally watchlisted by the CIA in Aug, 2001, the FAA was not advised. [36]

- **Why wasn't watch list information from the State Department, CIA, and FBI passed on to the FAA and Immigration Services?**

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Evidence

- **What is the status of the black boxes on the four flights?**
- **Where are the "black boxes" and the transcripts from all four crash sites?**
- **Why isn't the National Transportation Safety Board [NTSB] investigating the crashes of the four hijacked planes?**

By law, the FBI becomes the lead investigative agency when airline crashes are the result of a criminal act, and the NTSB provides support when requested. [37]

However, the families were advised by FBI officials that the FBI is investigating only the terrorists. Why, then, have we heard nothing from the NTSB?

According to Mary Schiavo, former Inspector General of the Department of Transportation, "In every single aviation disaster, whether there was criminal activity or not, in every single one in the course of aviation history it has been followed -- not only where necessary a national criminal investigation -- but also a National Transportation Safety [Board] investigation into what went wrong in the aviation system so that it never happens again." [38]

NTSB experts would examine flight and data recorders, and ATC radar tracking data, as well as evaluate the transcripts of air controller-pilot conversations and study air traffic control service on September 11th. They would have also collected airframe wreckage at the scenes and interviewed eye witnesses. Finally, the NTSB would have assessed survival factors, based on documentation of impact forces, emergency planning and crash-fire-rescue efforts, [39] all of which would have contributed to a better understanding of what happened that morning. It also would have explored some of the unexpected eye witness accounts of a blast just before Flt 93 crashed, as well as alleged sightings of C-130 cargo planes near both the Shanksville and Pentagon crashes. [40]

- **Where are all transcripts and flight progress strips from Air Traffic Control?**
- **Where are all logs and records from the FAA?**
- **Who has evaluated all the information collected from the crash sites?**
- **Were the planes being tracked by any Global Tracking Satellites?**

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Manifests

- **Where are the manifests now?**

- Do the number of passengers on each plane match the number of names on each respective manifest?
- Are the hijackers names listed on the manifests?
- Did the hijackers buy extra seats?
- Did every passenger have a ticket and an assigned seat?
- Once the first plane had been hijacked, and certainly by the time it was known that a second had been, were the passenger manifests on the other flights still in the air on 9/11 screened for possible terrorists?
- Why were all four planes carrying a light load?
- How many cancellations were there for each of four terrorist flights?
 - Is there a level at which the number of cancellations raise a red flag?

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Flight Schools

- Have the flight school owners and instructors been interviewed regarding the hijackers?
 - What kind of documentation was required of foreign students?
 - Has each flight school provided an official evaluation and detailed assessment of the piloting skills of each hijacker who attended the school?
- Regarding the military flight schools attended by some of the hijackers, what kind of clearance was required of the foreign students and who approved it?

It is alleged in a letter sent to President Bush by 9/11 widow Ellen Mariani, that Governor Jeb Bush removed documents from Huffman aviation (which was attended by some of the hijackers) and had them flown out of the country on a C-130 cargo plane. [41]

- Assuming this is true
 - What information was in the documents?
 - Why were those documents removed?
 - Where were they taken?

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Conclusion

The failure of aviation security was a significant aspect of our national security lapse and must be thoroughly explored. However, aviation security is only part of the story. The task of the 9/11 Commission is daunting, and critically important to America's safety. Its investigation is wide ranging and complicated, involving intelligence and security agencies, terrorist money trails, immigration, executive branch information and decisions, and Congressional oversight, in addition to aviation security.

Unearthing the causes of the systemic breakdown which led to the death of nearly 3,000 people is urgent for our national security. The 9/11 Commission has an obligation to our nation to fulfill its mandate. To be credible, its investigation must be politically blind, independent and transparent. It must follow all leads and threads of evidence that will explain why our nation was vulnerable to attack and why there seemed to be no defensive action taken that terrible morning.

The Commission cannot do its job without access to the information it needs. The cloak of national security has shielded documents and testimony which would explain the actions and decisions of our government which may have affected our nation's preparedness and response. Commissioners, who have the highest security clearance, should not be denied access to any critical information.

In seeking answers to the many outstanding questions, we are not asking for the release of sensitive national security documents. As Americans who experienced the death of a family member as a result of a breach in national security, we would never do anything to endanger our nation, our intelligence agents or their sources. But, the families and the American people deserve a full, truthful accounting about our government's failure to protect us on September 11th. Such an accounting can be done without endangering innocent people, exposing state secrets, or risking national security.

We appeal to anyone of conscience who has information about any aspect of the terrorist attacks to come forward. Please contact the *National Commission on Terrorist attacks Upon the United States* or a member of the Family Steering Committee for the 9/11 Independent Commission at <http://www.911independentcommission.org>.

Yes, there were a lot of dots to connect. But look at what was known. Our intelligence agencies were tracking the hijackers. Eleven nations warned us of the attack. There was foreknowledge by some. [42] Hijackings were predicted. The targets had been identified.

It is heartbreaking and infuriating to think that there were clear warnings, yet, seemingly, preventive measures were not taken; that protocols were not followed which might have saved so many lives. Instead, innocent people were murdered in an unconscionable act of barbarism, shattering three thousand families, traumatizing our nation and horrifying the world. It should never have happened.

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[24] **"US CODE COLLECTION**

TITLE 49 > SUBTITLE VII > PART A > subpart iii > CHAPTER 449 > SUBCHAPTER I > Sec. 44904

Sec. 44904. - Domestic air transportation system security

(a) Assessing Threats. –

The Administrator of the Federal Aviation Administration and the Director of the Federal Bureau of Investigation jointly shall assess current and potential threats to the domestic air transportation system. The assessment shall include consideration of the extent to which there are individuals with the capability and intent to carry out terrorist or related unlawful acts against that system and the ways in which those individuals might carry out those acts. The Administrator and the Director jointly shall decide on and carry out the most effective method for continuous analysis and monitoring of security threats to that system.

(b) Assessing Security. -

In coordination with the Director, the Administrator shall carry out periodic threat and vulnerability assessments on security at each airport that is part of the domestic air transportation system. Each assessment shall include consideration of –

- (1) the adequacy of security procedures related to the handling and transportation of checked baggage and cargo;
- (2) space requirements for security personnel and equipment;
- (3) separation of screened and unscreened passengers, baggage, and cargo;
- (4) separation of the controlled and uncontrolled areas of airport facilities; and
- (5) coordination of the activities of security personnel of the Administration, the United States Customs Service, the Immigration and Naturalization Service, and air carriers, and of other law enforcement personnel.

(c) Improving Security. –

The Administrator shall take necessary actions to improve domestic air transportation security by correcting any deficiencies in that security discovered in the assessments, analyses, and monitoring carried out under this section."

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