

Date: February 2, 2004

Signed: _____
Joseph I. Lieberman, U.S.S.

**STATEMENT OF SENATOR JOSEPH LIEBERMAN ON INTRODUCTION OF
9/11 COMMISSION EXTENSION**

Mr. LIEBERMAN. Mr. President, today Senator McCain and I are introducing legislation to extend the life of the National Commission on Terrorist Attacks Upon the United States so that it can complete its critically important investigation into the causes of the September 11th terrorist attacks, which claimed the lives of nearly 3,000 innocent people.

Under legislation Senator McCain and I authored in December 2001 to create the Commission, its final report was to have been completed by May 27, 2004. The Commission itself has asked for more time. So we are now proposing to extend that deadline until January 10, 2005 and to provide an additional \$6 million for the Commission to complete its work. Senator McCain and I are grateful to the Minority Leader, Senator Daschle, for joining us in this effort. We are also happy to have the support of Senators Dorgan, Lautenberg, Corzine, Graham, Durbin, and Dodd. In the House, Representatives Fossella, Shays, Hinchey and Emanuel are expected to introduce companion legislation this week, and we welcome their support as well.

We want the Commission's final report to be as searching and complete as possible. We owe that to the memories of the 3,000 victims and their families. And we owe it to the nation as a whole. In fact, our future security depends upon it.

George Washington once said we should look back "to derive useful lessons from past errors, and for the purpose of profiting by dear-bought experience." That is the precise mission of this Commission—to better understand what went wrong so we can prevent such a catastrophic attack from ever happening again. The Commission simply needs more time to do that.

From the beginning, Senator McCain and I have been motivated by the experience of the families of victims of September 11th. Above and beyond the grief of their losses, they have endured terrible pain in not knowing the whole account of how something so horrific could have happened to them and those they loved. It was a tribute to the power of the families' message that our legislation creating the Commission passed the Senate on September 24, 2002, by a resounding vote of 90-8. And it is a tribute to the enduring power of their message that Senator McCain and I are seeking this extension.

Last week, the Commission asked Congress for at least an additional 60 days to finalize its interviews, hearings, and report. The families, however, expressed concern that two months may be an inadequate amount of time to accomplish all that must be done. They have called for a seven-and-a-half month extension so the Commission can conduct all the public hearings it had

originally intended to hold, so that it can conduct thorough reviews of the President's daily intelligence briefings - a process barely underway - and so that it has the time to deal with the Administration's anticipated objections to declassifying material in the final report. Indeed, the Commissioners I asked have confirmed that they can use more than the minimum two months requested.

I have therefore been convinced by the families and the Commissioners that the extra time is necessary. But I would also warn the Administration that this extension is not an excuse to engage in additional dilatory tactics.

I add this warning because the Bush Administration has a long record of opposing this Commission and an equally long record of making its work more difficult. Ever since Senator McCain and I first joined forces on this issue, we have faced White House intransigence. The President opposed the Commission for 10 months until the eve of a Senate vote he knew he would lose. During final negotiations over the details of the legislation, the White House negotiated to keep the Commission's duration as short as possible, rather than give it ample time to do a thorough job.

Once the Commission got underway, the Administration hampered the Commission's progress through slow document production and other stalling tactics, limiting the Commission's ability to proceed expeditiously with its investigation. Even now, the Administration is refusing to give the full Commission notes, taken by members of the Commission, that describe key White House documents. When one considers the obstacles generated by the White House, it is not in the least bit surprising that the Commission now needs additional time to finish the job.

I would note, however, that this extension does not preclude the Commission from releasing interim reports, as the original legislation establishing the Commission allows. Furthermore, the Commission is free to release its final report before the deadline, if it has completed its work. The Commission's hearings, questioning of witnesses, factual findings, and staff report issued last week proved exceptionally valuable in shedding light on some of the causes of the terrorist attacks. Future hearings and staff reports, no doubt, will continue to provide important new information about weaknesses in our defenses against terrorism.

Therefore, we encourage the Commission to continue to release its findings and recommendations as they become available, so that we can learn from the mistakes of our past as quickly as possible, and work harder to shore up existing vulnerabilities. Congress and the relevant federal agencies have a duty to develop new strategies and capabilities to deter and prevent future terrorist attacks, and expeditious reporting by the Commission will help enormously.

Major systemic problems have already surfaced, for example, that can point us in the right direction, or maybe even an entirely new direction, to address an array of vulnerabilities, particularly in our law enforcement and intelligence communities. Allow me to cite just a few examples from the Commission's work thus far to illustrate how many hands we will need, laboring in unison, to patch the breaches that remain in America's

domestic security:

1. An immigration official at Orlando International Airport, Mr. Melendez-Perez, testified that on August 4, 2001, he turned away and sent home a suspicious, unresponsive, and belligerent Saudi national holding a one-way ticket with no departure plans and insufficient funds to stay in the U.S. and purchase a ticket home. This individual claimed that he was to meet a friend at the airport but would not name the friend. It turned out that one of the 9/11 hijackers, Mohamed Atta, was at the airport on that day. Amazingly, neither the FBI nor anyone else from the intelligence community has ever debriefed Mr. Melendez-Perez, even though the immigration inspector informed the FBI of the incident immediately after the 9/11 terrorist attacks.

2. The excellent performance of Mr. Melendez-Perez demonstrated that a vigilant and well-trained officer can spot suspicious behavior in the course of a routine interview. But the Commission's hearings and reports also revealed how infrequently that occurs. Government officials admitted in public testimony that consular employees are not expected to screen for possible terrorists during interviews of visa applicants, nor are they trained to do so. The Commission discovered that many of the hijackers had passports that were fraudulently altered or had other suspicious indicators, but between 1992 and September 11, 2001, the federal government had not attempted to disseminate, to border security or other relevant employees, available information about the travel and passport practices of Al Qaeda or other terrorist groups. All of the hijackers' visa applications were incomplete, and several contained false statements that were easily identifiable. The hijackers entered the United States, often more than once, without incident, despite the fact that several of them had violated immigration law. Hijackers referred to secondary inspections for more detailed scrutiny were nevertheless admitted.

3. New information has been revealed about the abundant knowledge the intelligence community had about three of the 19 hijackers, who held a strategy session in Malaysia and were extensively tracked by U.S. and foreign intelligence services. The story fleshed out by the Commission underscores the fact that not only did the government fail to share information that might have kept the terrorists out of the country, but they also failed to share information that might have exposed the terrorists' September 11th plot. That is why I have focused personal attention on the Terrorist Threat Integration Center and the Directorate for Information Analysis and Infrastructure Protection at DHS to make sure that these new centers are receiving all intelligence information, mixing it together with skilled and intense analysis, and warning the relevant state, local, and federal officials of emerging terrorist plots.

4. All the evidence that consolidated watch lists might have prevented entry to some of the terrorists notwithstanding, the watch lists still haven't been consolidated despite numerous Administration promises to do so. The Commission learned from the Federal Aviation Administration that, prior to September 11th, the no-fly list created for the airlines had only 12-20 names on it, whereas the terrorist watch list at the State Department had tens of thousands of terrorists' names. We also learned that the no-fly list and the larger terrorist watch list are still not equal in numbers and that there are still terrorists on the larger list who might be permitted to fly if they evade other detection.

These disclosures demonstrate the Commission is accomplishing its assignment, and so it must be allowed to complete its investigation. I am certain the Commission will use the extra months wisely to complete a thorough investigation, continue its public hearings, interview all relevant government officials and complete a comprehensive final report for release as soon as possible.

It is a basic American principle that we must learn from the past in order to secure a better future. Our ability to counter, prevent, and defend against the next terrorist attack on our homeland depends in no small part on the Commission's ability to bring satisfactory closure to its work. If we only give the Commission the time, resources, and cooperation it deserves, the Commission's full, fair, and unflinching assessment of what went wrong will be of immediate value to our national security. And it will be of lasting value to the American people, who will finally discover the unvarnished truth.

I urge the Senate to approve this legislation in a timely manner so that the victims' families and the rest of America may have some measure of peace.

Thank you, Mr. President.