

TESTIMONY OF RICHARD A. CLARKE

BEFORE THE

NATIONAL COMMISSION ON TERRORIST ATTACKS UPON THE UNITED STATES

March 24, 2004

I am appreciative of the opportunity the Commission is offering for me to provide my observations about what went wrong in the struggle against al Qida, both before and after 9-11. I want the families of the victims to know that we tried to stop those attacks, that some people tried very hard. I want them to know why we failed and what I think we need to do to insure that nothing like that ever happens again.

I have testified for twenty hours before the House-Senate Joint Inquiry committee and before this Commission in closed hearings. Therefore, I will limit my prepared testimony to a chronological review of key facts and then provide some conclusions and summary observations, which may form the basis for further questions. My observations and answers to any questions are limited by my memory, because I do not have access to government files or classified information for purposes of preparing for this hearing.

I was assigned to the National Security Council staff in 1992 and had terrorism as part of my portfolio until late 2001. Terrorism became the predominant part of my duties during the mid-1990s and I was appointed National Coordinator for Counter-terrorism in 1998.

1. Terrorism without US Retaliation in the 1980s: In the 1980s, Hizballah killed 278 United States Marines in Lebanon and twice destroyed the US embassy. They kidnapped and killed other Americans, including the CIA Station chief. There was no direct US military retaliation. In 1989, 259 people were killed on Pan Am 103. There was no direct US military retaliation. The George H.W. Bush administration did not have a formal counter-terrorism policy articulated in an NSC Presidential decision document.

2. Terrorism Early in the Clinton Administration: Within the first few weeks of the Clinton administration, there was terrorism in the US: the attack on the CIA gatehouse and the attack on the World Trade Center. CIA and FBI concluded at the time that there was no organization behind those attacks. Similarly, they did not report at the time that al Qida was involved in the planned attack on Americans in Yemen in 1992 or the Somali attacks on US and other peacekeepers in 1993. Indeed, CIA and FBI did not report the existence of an organization named al Qida until the mid-1990s, seven years after it was apparently created. Nonetheless, the 1993 attacks and then the terrorism in the Tokyo subway and the Oklahoma City bombing caused the Clinton Administration to increase its focus on terrorism and to expand funding for counter-terrorism programs.

As a result of intelligence and law enforcement operations, most of those involved in the World Trade Center attack of 1993, the planned attacks on the UN and New York tunnels, the CIA gatehouse shootings, the Oklahoma City bombing, and the attempted assassination of former President Bush were successfully apprehended.

The Clinton Administration responded to Iraqi terrorism against the US in 1993 with a military retaliation and against Iranian terrorism against the US in 1996 at Khobar Towers with a covert action. Both US responses were accompanied by warning that further anti-US terrorism would result in greater retaliation. Neither Iraq nor Iran engaged in anti-US terrorism subsequently. (Iraqis did, of course, later engage in anti-US terrorism in 2003-4.)

3. Identifying the al Qida Threat: The White House urged CIA in 1994 to place greater focus on what the Agency called “the terrorist financier, Usama bin Ladin.” After the creation of a “virtual station” to examine bin Ladin, CIA identified a multi-national network of cells and of affiliated terrorist organizations. That network was attempting to wage “jihad” in Bosnia and planned to have a significant role in a new Bosnian government. US and Allied actions halted the war in Bosnia and caused most of the al Qida related jihadists to leave. The White House asked CIA and DOD to develop plans for operating against al Qida in Sudan, the country of its headquarters. Neither department was able successfully to develop a plan to do so. Immediately following Usama bin Ladin’s move to Afghanistan, the White House requested that plans be developed to operate against al Qida there. CIA developed ties to a group which reported on al Qida activity, but which was unable to mount successful operations against al Qida in Afghanistan. CIA opposed using its own personnel to do so.

4. Sudan: While bin Ladin was in Sudan, he was hosted by its leader, Hasan Turabi. Under Turabi, Sudan had become a safe haven for many terrorist groups, but bin Ladin had special status. He funded many development programs such as roads and dined often with Turabi and his family. Turabi and bin Ladin were ideological brethren. Following the assassination attempt on Egyptian President Mubarek, the US and Egypt successfully proposed UN sanctions on Sudan because of its support of terrorism. Because of the growing economic damage to Sudan due to its support of terrorism, bin Ladin offered to move to Afghanistan. Sudan at no time detained him, nor was there ever a credible offer by Sudan to arrest and render him. This is in contrast to Sudan’s arrest of the terrorist known as Carlos the Jackal, who the Sudanese then handed over in chains to French authorities.

5. 1998 Turning Point: In 1996, CIA had been directed to develop its capability to operate against al Qida in Afghanistan and elsewhere. CIA operations identified and disrupted al Qida cells in several countries. In 1997, a federal grand jury began reviewing evidence against al Qida and in 1998 indicted Usama bin Ladin. Several terrorists, including bin Ladin, issued a fatwa against the United States.

In August, al Qida attacked two US embassies in East Africa. Following the attacks, the United States responded militarily with cruise missile attacks on al Qida facilities. President Clinton was widely criticized for doing so. A US Marine deployment, combined with CIA activity, disrupted a third attack planned in Tirana, Albania.

President Clinton requested the Chairman of the Joint Chiefs to develop follow-on military strike plans, including the use of US Special Forces. The Chairman recommended against using US forces on the ground in Afghanistan, but placed submarines with cruise missiles off shore awaiting timely intelligence of the location of Usama bin Ladin.

The President also requested CIA to develop follow-on covert action plans. He authorized lethal activity in a series of directives which progressively expanded the authority of CIA to act against al Qida in Afghanistan.

Diplomatic activity also increased, including UN sanctions against the Taliban regime in Afghanistan and pressure on Pakistan to cooperate further in attempts to end the Taliban support for al Qida.

6. National Coordinator: In 1998, I was appointed by the President to a newly created position of National Coordinator for Security, Infrastructure Protection and Counter-terrorism. Although the Coordinator was appointed to the Cabinet level NSC Principals Committee, the position was limited at the request of the departments and agencies. The Coordinator had no budget, only a dozen staff, and no ability to direct actions by the departments or agencies. The President authorized ten security and counter-terrorism programs and assigned leadership on each program (e.g. Transportation Security) to an agency lead.

7. 1999: The Clinton Administration continued to pursue intelligence, including covert action, military, law enforcement, and diplomatic activity to disrupt al Qida.

CIA was unable to develop timely intelligence to support the planned follow-on military strikes. On three occasions, CIA reported it knew where Usama bin Ladin was, but all three times the Director of Central Intelligence recommended against military action because of the poor quality of the intelligence. Eventually, the US submarines on station for the military operation returned to normal duties. CIA's assets in Afghanistan were unable to utilize the lethal covert action authorities and CIA recommended against placing its own personnel in Afghanistan to carry out the operations. Captures of al Qida personnel outside of Afghanistan continued.

In December, 1999 intelligence and law enforcement information indicated that al Qida was planning attacks against the US. The President ordered the Principals Committee to meet regularly to prevent the attacks. That Cabinet level committee met throughout December, 1999 to review intelligence and develop counter-measures. The planned al Qida attacks were averted.

Despite our inability to locate Usama bin Ladin in one place long enough to launch an attack, I urged that we engage in a bombing campaign of al Qida facilities in Afghanistan. That option was deferred by the Principals Committee.

8. Terrorists in the US: FBI had the responsibility for finding al Qida related activities or terrorists in the US. In the 1996-1999 timeframe, they regularly responded to me and to the National Security Advisor that there were no known al Qida operatives or activities in the US. On my trips to FBI field offices, I found that al Qida was not a priority (except in the New York office). Following the Millennium Alert, FBI Executive Assistant Director Dale Watson attempted to have the field offices act more aggressively to find al Qida related activities. The Bureau was, however, less than proactive in identifying al Qida related fund raising, recruitment, or other activities in the United States. Several programs to increase our ability to respond to terrorism in the US were initiated both in the FBI and in other departments, including programs to train and equip first responders.

9. 2000: The President, displeased with the inability of CIA to eliminate the al Qida leadership, asked for additional options. The NSC staff proposed that the Predator, unmanned aerial vehicle, be used to find the leadership. CIA objected. The National Security Advisor, however, eventually obtained Agency agreement to fly the Predator on a “proof of concept” mission without any link to military or CIA forces standing by. CIA wanted to experiment with the concept before developing a command and control system that incorporated Predator information with attack capabilities. The flights ended when the high winds of winter precluded the operation of the aircraft. The experiment had proved successful in locating the al Qida leadership.

In October 2000, the USS Cole was attacked in Yemen. Following the attack, the Principals considered military retaliation. CIA and FBI were, however, unwilling to state that those who had conducted the attack were al Qida or related to the facilities and personnel in Afghanistan. The Principals directed that the Politico-Military Plan against al Qida be updated with additional options. Among those options were aiding Afghan factions to fight the Taliban and al Qida and creating an armed version of the Predator unmanned aircraft to use against the al Qida leadership. Military strike options, including cruise missiles, bombing, and use of US Special Forces were also included.

As the Clinton Administration came to an end, three attacks on the US had been definitively tied to al Qida, (the World Trade Center 1993, the Embassies in 1998 and the Cole in 2000), in which a total of 35 Americans had been killed over eight years.

To counter al Qida’s growing threat, a global effort had been initiated involving intelligence activities, covert action, diplomacy, law enforcement, financial action, and military capability. Nonetheless, the organization continued to enjoy a safe haven in Afghanistan.

10. 2001: On January 24, 2001 I requested in writing an urgent meeting of the NSC Principals committee to address the al Qida threat. That meeting took place on September 4, 2001. It was preceded by a number of Deputies Committee meetings, beginning in April. Those meetings considered proposals to step up activity against al Qida, including military assistance to anti-Taliban Afghan factions.

In June and July, intelligence indicated an increased likelihood of a major al Qida attack against US targets, probably in Saudi Arabia or Israel. In response, the interagency Counter-terrorism Security Group agreed upon a series of steps including a series of warning notices that an attack could take place in the US. Notices were sent to federal agencies (Immigration, Customs, Coast Guard, FAA, FBI, DOD, and State), state and local police, airlines, and airports.

In retrospect, we know that there was information available to some in the FBI and CIA that al Qida operatives had entered the United States. That information was not shared with the senior FBI counter-terrorism official (Dale Watson) or with me, despite the heightened state of concern in the Counter-terrorism Security Group.

Observations and Conclusions

Although there were people in the FBI, CIA, Defense Department, State Department, and White House who worked very hard to destroy al Qida before it did catastrophic damage to the US, there were many others who found the prospect of significant al Qida attacks remote. In both CIA and the military there was reluctance at senior career levels to fully utilize all of the capabilities available. There was risk aversion. FBI was, throughout much of this period, organized, staffed, and equipped in such a way that it was ineffective in dealing with the domestic terrorist threat from al Qida.

At the senior policy levels in the Clinton Administration, there was an acute understanding of the terrorist threat, particularly al Qida. That understanding resulted in a vigorous program to counter al Qida including lethal covert action, but it did not include a willingness to resume bombing of Afghanistan. Events in the Balkans, Iraq, the Peace Process, and domestic politics occurring at the same time as the anti-terrorism effort played a role.

The Bush Administration saw terrorism policy as important but not urgent, prior to 9-11. The difficulty in obtaining the first Cabinet level (Principals) policy meeting on terrorism and the limited Principals' involvement sent unfortunate signals to the bureaucracy about the Administration's attitude toward the al Qida threat.

The US response to al Qida following 9-11 has been partially effective. Unfortunately, the US did not act sufficiently quickly to insert US forces to capture or kill the al Qida leadership in Afghanistan. Nor did we employ sufficient US and Allied forces to stabilize that country. In the ensuing 30 months, al Qida has morphed into a decentralized network, with its national and regional affiliates operating effectively and independently. There have been more major al Qida related attacks globally in the 30 months since 9-11 than there were in the 30 months preceding it. Hostility toward the US in the Islamic world has increased since 9-11, largely as a result of the invasion and occupation of Iraq. Thus, new terrorist cells are likely being created, unknown to US intelligence.

To address the continuing threat from radical Islamic terrorism, the US and its allies must become increasingly focused and effective in countering the ideology that motivates that terrorism.