

The strange case of Zacarias Moussaoui: FBI refused to investigate man charged in September 11 attacks

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The case of Zacarias Moussaoui raises many questions about the conduct of the FBI and other US intelligence agencies in the period leading up to the September 11 attacks. It is the clearest example of the almost inexplicable refusal on the part of these agencies to take any action that could have prevented the bloodiest terrorist attack in American history.

Moussaoui was arraigned January 3 on six counts of conspiracy to commit murder and terrorism in the September 11 attacks. A French-born man of Moroccan Arab descent, Moussaoui refused “in the name of Allah” to make a plea, and a plea of not guilty was entered for him at the request of his public defender.

The 30-minute hearing in a federal courthouse in Alexandria, Virginia concluded with US District Judge Leonie M. Brinkema setting a trial date for next October, despite defense protests that this would put jury selection around the first anniversary of the attacks on the World Trade Center and Pentagon.

Defense lawyers suggested they would seek a change of venue from Alexandria, only a few miles from the Pentagon where 189 people were killed when a hijacked American Airlines jet slammed into the building on September 11. Brinkema indicated that she was not inclined to grant a change of venue, saying that a fair jury could be found in northern Virginia.

Four of the six charges against Moussaoui carry the death penalty, although he was arrested a month before the September 11 attacks and therefore could not have played any active role in the mass murder. Prosecutors have until March 29 to announce whether they will seek death sentences. Moussaoui would be the first French citizen to face the death penalty in the United States since the US Supreme Court restored the death penalty in 1976.

FBI refusal to act

Moussaoui was arrested in Minnesota August 16 after officials of a flight school, the Pan Am International Flight Academy in Eagan, a suburb of Minneapolis, tipped off the FBI that he was seeking flight training on a Boeing 747 jumbo jet.

His conduct aroused suspicion: his attitude was belligerent, he was evasive about his personal background, he declined to speak French with an instructor who knew the language, and he paid the \$6,300 fee in cash. He insisted on training to fly a jumbo jet despite an obvious lack of skill even with small planes. The prospective student reportedly did not want to learn how to take off or land, only how to steer the jet while it was in the air.

The instructor and a vice president of the flight school briefed two Democratic congressmen from the Minneapolis area in November about their repeated efforts to get the FBI to take an interest in Moussaoui’s conduct. Their accounts were first reported in the *Minneapolis Star-Tribune*, then in the *New York Times* December 22.

The vice president of the flight school, who briefed Minnesota Congressmen James Oberstar and Martin Sabo, said it took four to six phone calls to the FBI to find an agent who would help. The instructor became so frustrated by the lack of response that he gave a prescient warning to the FBI that “a 747 loaded with fuel can be used as a bomb.”

Investigation blocked in Washington

Moussaoui was detained by the Immigration and Naturalization Service on charges of violating the terms of his visa. Local FBI investigators in Minneapolis immediately viewed Moussaoui as a terrorist suspect and sought authorization for a special counterintelligence surveillance warrant to search the hard drive of his home

computer. This was rejected by higher-level officials in Washington, who claimed there was insufficient evidence to meet the legal requirements for the warrant.

FBI agents tracked Moussaoui's movements to the Airman Flight School in Norman, Oklahoma, where he logged 57 hours of flight time earlier in 2001 but was never allowed to fly on his own because of his poor skills. This alone should have set off alarm bells, since a confessed Al Qaeda operative, Abdul Hakim Murad, had trained at the same school, as part of preparations for a suicide hijack attack on CIA headquarters. Murad testified about these plans in the 1996 trial of Ramzi Ahmed Yusef, the principal organizer of the 1993 World Trade Center car-bombing.

Several of the September 11 hijackers had either enrolled in or visited the Oklahoma flight school, as a more thorough investigation determined in the aftermath of the suicide hijackings.

On August 26, FBI headquarters was notified by French intelligence that Moussaoui had ties to the Al Qaeda organization and Osama bin Laden. Even this report did not spur the agency to action. A special counterterrorism panel of the FBI and CIA reviewed the information against him, but concluded there was insufficient evidence that he represented any threat, despite his refusal to answer questions and the French allegations. Moussaoui was not even transferred from INS detention to FBI custody until after September 11.

The French warning arrived on the day after the first two suicide hijackers purchased their one-way, first class tickets for flights on September 11. More tickets were purchased on August 26, 27, 28 and 29, while the FBI was refusing to pursue a more intensive investigation into Moussaoui or search his computer.

The *New York Times* commented December 22 that the Moussaoui case "raised new questions about why the Federal Bureau of Investigation and other agencies did not prevent the hijackings."

FBI officials responded indirectly to this criticism, flatly denying the account of the warning given by the flight school personnel. "The notion of flying a plane into a building or using it as a bomb never came up," one senior official to the *Washington Post* January 2. "It was a straight hijacking scenario that they were worried about."

This issue is of critical importance, and the flight school instructor, unlike the FBI, has absolutely no reason to lie. In the wake of September 11, FBI Director Robert Mueller flatly declared that the FBI had no indication that terrorists were seeking to use hijacked airliners as flying bombs. His assurances were accepted uncritically by the American media. The account given by the flight school shows that these assurances were lies.

A security stand-down

The Moussaoui case is only one of a number of indications that the US government had ample warning that a major terrorist operation was under way in the United States and yet did nothing to preempt or block it.

- The governments of at least four countries—Russia, Germany, Israel and Egypt—gave Washington specific warnings of terrorist attacks in the United States involving the use of hijacked airplanes as weapons, in the months leading up to September 11.

- The US government itself had multiple indications of the danger of suicide hijackings, based on its own investigations into other terrorist attacks attributed to Osama bin Laden and his Al Qaeda network.

- The US government was monitoring the electronic communications of bin Laden and his associates during the extensive period of advance planning which preceded the September 11 attack.

- Several of the September 11 hijackers, including Mohammed Atta, the alleged ringleader, were under direct surveillance by US agencies as suspected terrorists during 2000 and 2001. Yet they were allowed to travel freely into and out of the US and eventually carry out their plans.

September 11 took place amid a virtual stand-down of the security forces which permits no innocent explanation. The circumstances of the terrorist attacks deserve the most serious and conscientious investigation. Both the Bush administration and the Democrats and Republicans in Congress have rejected any such probe, suggesting that to question the role of the FBI, CIA and other intelligence agencies is unpatriotic.

But the facts which are known so far point to the conclusion that officials at the highest levels of the US government knew that a major terrorist attack was under way and made no serious effort to prevent it. The political motive can be inferred: they permitted an attack to go forward—whether they knew its full dimensions or not—in order to provide the necessary pretext for carrying out a right-wing agenda of military intervention abroad and attacks on democratic rights at home.



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