

Statement of  
**The Honorable Patrick Leahy**

United States Senator  
Vermont  
September 21, 2005

Statement Of Senator Patrick Leahy,  
Ranking Member, Senate Judiciary Committee  
Hearing On "Able Danger And Intelligence Information Sharing"  
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I thank the Chairman for convening today's hearing and commend his efforts to investigate the allegations that have been raised, arising from this program. He and I have a long history of conducting vigorous oversight investigations together, and I appreciate the energy he has dedicated to continuing this tradition since assuming his role as our Committee's chairman.

Several participants in the Able Danger project have recently come forward to say that the project identified Mohammed Atta, the leader of the hijackers who engineered the September 11th attacks, one year prior to those horrific attacks. These individuals further allege that they were rebuffed in their attempts to share this information with the FBI. Their accusations merit a thorough investigation. If they are proven accurate, the FBI, the Administration and the Congress must address the problems that prevented this intelligence from being shared with the appropriate agencies.

We have already taken significant steps to improve information sharing within and between agencies with the enactment of the USA PATRIOT Act and the National Intelligence Reform Act. Congress established the 9/11 Commission to investigate the attacks and then implemented many of the important unanimous recommendations contained in the Commission report. We must continue to evaluate what went wrong before 9/11 and take all necessary steps to prevent terrorist attacks in the future.

There are many questions raised by the Able Danger project, including the use of data-mining by the military and intelligence community in their efforts to combat terrorism. While data-mining can have some useful, effective applications for enhancing law enforcement and national security, Congress must fulfill its constitutional oversight obligation to assess how federal departments and agencies are using this technology. Advances have allowed us broader and faster access to more and more information. In using this technology, we also have the challenge and the responsibility to ensure that it is being used effectively and that guidance and oversight are sufficient to prevent its being abused to undermine the privacy and the civil liberties of the American people.

In recent weeks, many individuals have spoken publicly about the Able Danger project. Some of the statements have included personal attacks on members of the 9/11 Commission. Some have

implied that the Administration is attempting to thwart any real investigation into Able Danger. The review of this project should remain above the political fray and without resort to personal attacks. I recall the words of 9/11 Commission member and former Senator Slade Gorton, who said that in conducting its investigation, the commissioners checked their politics at the door. I hope everyone involved in this investigation does the same. Terrorists do not attack Democrats or Republicans or independents when they strike; they attack all of us as Americans. I believe that the Chairman is committed to this approach, and I look forward to working with him as we pursue this inquiry.