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HEADLINE: Cuomo's 9/11 Questions Should Be Answered  
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Mario Cuomo was supposed to be one of the 10 members of the independent bipartisan commission investigating the cause of the September 11 catastrophe.

As a former New York governor whose office had been on the 57th floor of the World Trade Center, he was a logical appointee. Senator Kennedy, Senator Daschle, and George Mitchell, whose place he was proposed to take, sponsored him.

But the inner politics didn't work out. So Thomas Kean, the former governor of New Jersey, replaced Henry Kissinger as chairman, and another Democrat was chosen instead of Mr. Cuomo.

But Mr. Cuomo has followed the commission's work closely, as it evolved into the ticking time bomb beneath the 2004 presidential election, as evidence was gathered that showed President Bush received a confidential daily intelligence briefing on August 6, 2001. At the briefing, the president was warned that Al Qaeda might be planning to use hijacked commercial planes in a catastrophic terrorist attack inside America.

Mr. Kean has asked for two additional months to complete his investigative mission. The commission needs the extra eight weeks because the Bush administration has stonewalled and obstructed its labors and denied it access to essential documents and testimony.

The two senators who sponsored the legislation that created the commission - Republican John McCain and Democrat Joseph Lieberman - support the extension, as do many of the families who lost loved ones in the attack. Mr. Cuomo, who has been watching the commission as an innocent bystander, is a gourmet of irony and contradiction.

His first response to a question about the extension was: "There seems to be some double standard in the White House. On the one hand, the president is insisting he will keep looking for WMDs even after the chief weapons inspector, David Kay, has testified there are no WMDs in Iraq. At the same time, the president is refusing to give the Kean commission this short extension to complete its investigation into the mistakes that may have allowed 9/11 to happen. How do you stop looking in one area and not the other? "There is no possible reason for not letting the commission complete its work, except politics. And fear about what these final findings may disclose. This commission is as impartial and as independent as you can get. "Its chairman is a Republican. The co-sponsor of the law that created it was a nationally respected Republican.

The president will have to change his mind and let them finish or else it will look like he is trying to hide something very serious. The biggest questions that must be answered by this commission are: Why weren't we prepared for 9/11? Was every-

thing possible done to prevent this atrocity? What was done with the information in the August 2001 daily briefing?"

The White House has acknowledged receiving a secret intelligence "Daily Briefing" on August 6, 2001 - five weeks before the mass murder - warning about a potential plot to hijack passenger planes in America.

This fact is not in dispute, although it seems little known. Phillip Shenon reported this in the New York Times on November 14, 2003. Then, on January 4 of this year, the Times Magazine published an astonishing interview with Mr. Kean, conducted by Deborah Solomon.

"You seem to believe that 9/11 did not have to happen?" Ms. Solomon asked. The chairman's response was: "Yes, there is a good chance that 9/11 could have been prevented by any number of people along the way. Everybody pretty well agrees that our intelligence agencies were not set up to deal with domestic terrorism... They were not ready for an internal attack." Mr. Kean was then asked, "Did anyone in the Bush administration have any idea that an attack was being planned?"

"That is why we are looking at the internal papers," he replied. "I can't talk about what was classified. President's daily briefings are classified. If I told you what was in them, I would go to jail."

The Kean commission has established there were several missed opportunities. Nine of the 19 hijackers were red-flagged for passenger screening, yet allowed to board. Eleven of the 19 had doctored passports. Vigilant FBI agents in Phoenix and Minneapolis had detected suspected Al Qaeda operatives taking flying lessons before the attack.

Somebody has to connect these dots of unpreparedness, to keep faith with the dead, bereaved, and traumatized.

The president will now appoint an outside commission to probe the intelligence blunders on WMDs before the Iraq war - although Mr. Bush says the final report will come out after the election is over.

Mr. Bush is still playing the same political calendar game with the Kean commission, trying to coerce the panel into rushing out its report to meet a politicized May 27 deadline without getting key documents and interviews. Mr. Bush originally tried to prevent the commission's formation. Now, he doesn't want to testify. He also does not want the vice president to testify.

We deserve answers to Mr. Cuomo's questions and their logical elaborations. What did Mr. Bush and Vice President Cheney know, and when did they know it? Was everything possible done to prevent the worst day in the city's history? What did the president do after he read the briefing paper that warned him that a catastrophic Al Qaeda attack may be imminent?

Justice Louis Brandeis famously wrote that, "Sunlight is the best disinfectant." But this great jurist never met Karl Rove in the darkness of a presidential campaign.