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**MEMORANDUM FOR THE RECORD**

Event: **Paul Kurtz**

Type of Event: Interview

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Special Access Issues: Treat as ~~TOP SECRET~~ [ ] a TS version is also available.

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Team Number: Three (Counterterrorism Policy) & Eight

Location: OEEOB

Participants – Commission: Michael Hurley, Warren Bass, Dana Hyde

Other Participants: Bryan Cunningham (EOP minder)

*Note: Hurley stepped out when Hyde conducted her portion of the questioning, related to the day of 9/11. On December 22, 2003, Hyde and Hurley continued the interview focused solely on Kurtz's notes from the day.*

**Interviewee Background**

Paul Kurtz is a former director on the NSC's Transnational Threats Directorate. He held that post on 9/11. (U)

Kurtz first worked in government as an intern at the State Department in 1986. He worked in a series of State bureaus from 1988-99. In November 1999, before the Millennium plots, he was detailed to TNT. He was the more junior of the two directors reporting to Richard A. Clarke; Kurtz replaced Dan Benjamin, and Roger Cressey replaced Steve Simon. (U)

In mid-2001, Kurtz also took on cyber issues while keeping a hand in CT work. After 9/11, he moved to a new NSC office as senior director for cybersecurity. In March 2003, he was named senior director for critical infrastructure protection for the new Homeland Security Council. (U)

**The Millennium Plots**

[Redacted Content]

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They were also in touch with people outside like Steve Emerson, especially on terrorist financing issues. They would show Emerson's information to the FBI to try to get a response, but the bureau proved to be a "black hole," Kurtz said. (LES)

Kurtz remembered that the Small Group convened after the arrest of Ahmed Ressam; there may have been more. He never sat in a PC or SG. Clarke would take notes on PCs and SGs on legal pads. (U)

Lots of the evidence pointed overseas, especially to the Middle East. There was also concern about attacks in the US, but there was "very little information-sharing from the FBI" about cells here, Kurtz said. (U)

**The FBI's Failures: "A Black Hole"**

Kurtz excoriated the FBI's performance around the Millennium. Asked about reports that the FBI had shared more information in top-level meetings and Small Groups, Kurtz was dismissive. "Frankly, it's BS," he said. "That sharing at the titan level was not gonna solve the problem." The FBI was "a freaking black hole." Dealing with the bureau was "very frustrating," Kurtz said. One senior FBI official told him that they didn't have time to follow the money on terrorist financing, which Kurtz found "totally infuriating." (U)

Kurtz called this preference for "prosecution over prevention" a cultural issue. "They didn't get it," he said, with the exception of Dale Watson. But they needed the FBI's information lower down. The CIA was useful at Threats SVTS meetings; by contrast, when they went around the table, the FBI would "literally say nothing." (U)

**Pakistan**

TNT was incredibly interested with Abu Zubaydah and raised him with the Pakistanis, [redacted] The Pakistanis understood that Abu Zubaydah was important to the US, but the likelihood of anything panning out was not high, Kurtz said. [redacted] and both Clarke and Cressey said that jihadist targets often were tipped off before moves against them. (U)

[redacted]

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**The Millennium Review**

After the December 1999 scare, Clarke initiated a wider review; all the agencies agreed to this. Ressam's arrest was "a hit over the head," Kurtz said—the first hard sign of an AQ attempt to hit US targets, although the memories of the 1993 WTC

bombing, the landmarks plot, and Bojinka were still with them. Outside TNT, the perception was that AQ was "an overseas thing." (U)

Clarke's read-out of the March 10, 2000 PC on the Millennium was that the meeting amounted to, "A lot of talk, no action." Berger deliberately decided to separate budget issues from the PC and told the agencies to do more with what they had. (U)

Clarke wanted more funding for CIA disruptions, but TNT also wondered if the agency was aggressive enough. Meanwhile, FBI still didn't get it and lacked the resources for more JTTFs. Ressay showed the importance of an integrated response, as housed in the JTTFs, but the FBI was moving slowly and only had about 12 JTTFs. ~~(S)~~

They heard a lot of talk about more funding for CT but saw little action, Kurtz said. People simply didn't get the risk of a massive attack in the US. Moreover, agencies thought the White House was being too pushy in telling them how to spend their funds. (U)

**Terrorist Financing**

On April 6, 2000, Kurtz wrote a memo to President Clinton about terrorist financing issues; he recalled this arising from an article in *USA Today* on the subject that the president saw. (U)

One large issue for Kurtz was UBL's use of NGOs for terrorist financing. He was also concerned about possible Saudi involvement. Even American citizens had unwittingly helped out, by giving to charities to ease suffering in Chechnya and other places. In April 2000, Kurtz traveled to the Gulf with Treasury's Rick Newcomb on the NGO issue. Wafa and al-Haramayn were of particular concern. As was standard practice in TNT, Clarke's people assessed the intel traffic on these issues themselves. (U)

Meanwhile, the CIA was looking at NGO links to bad actors, and Kurtz was drawing up "a gray list—almost black" of suspicious NGOs. When they approached the Saudis, Riyadh assured them that UBL had been "iced out" of his family. For cultural reasons, the Saudis said, they couldn't formally remove UBL from the bin Ladin family, but the family insisted that UBL was cut off. TNT, however, wanted to know whether he could still borrow against his family's wealth, even if he lacked direct access to it. ~~(S)~~

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TNT was concerned that the Saudi government was funding dangerous NGOs. Our hunch was that the Saudis knew that these organizations were funneling money to

extremists, Kurtz said. When Kurtz was in Saudi Arabia, he walked his interlocutors through the question of UBL's access (or lack thereof) to his family's fortune. Newcomb met later with the bin Ladin family. Today, the Saudi government is clamping down on NGOs, Kurtz said. (U)

[redacted]  
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**The CIA's Performance**

The MONs were designed to open doors for covert action and end the CIA's attitude of "we can't do that," Kurtz said. (~~TS~~ [redacted])

The CIA leadership's performance was mixed, Kurtz said. Cofer Black understood the extent of the problem but resented Clarke going after his resources. DDO Jim Pavitt was a "big-time" obstacle. DCI Tenet was better, but the DO management is where things got screwed up. (U)

The new administration was still getting its hand around the AQ problem in February 2001, Kurtz said, when he wrote a TNT memo urging a significant rise in CIA funding for disruption. The Bush team was a little reluctant about upping funding levels while it was still unsure of its footing. (~~TS~~)

[redacted]  
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Kurtz said there was no issue about CIA authorities for Clarke: covert action was intended to capture or kill UBL. CTC wanted to get UBL; Kurtz doesn't know if there was a disconnect higher up. (~~TS~~ [redacted])

**The Northern Alliance**

The USG was wary of putting money behind Masood. S/CT Sheehan avidly wanted to put sanctions on the Taliban, but the UNSC was experiencing "sanctions fatigue" already over Iraq. (S)

**Predator**

[redacted]  
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Kurtz recalls that the telescope—along with Predator, the other component of the 2000 Afghan Eyes program—

[redacted]  
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~~TS~~ [ ]

The agencies' resentment at the White House for bossily telling them how to spend their funds was manifested in discussions over Predator, Kurtz said. Getting the CIA to pursue the Predator program was like "pulling teeth." (U)

TNT always wanted Predator to fly. The more they could collect, the better, TNT felt. But CIA and DOD were worried about putting their people in harm's way. Clarke and Cressey became "increasingly frustrated" with the infighting over Predator. ~~TS~~ [ ]

"It made me wanna puke, post-9/11," Kurtz said of CIA's post-9/11 posturing to take credit for Predator. (U)

### **The *USS Cole***

The USG tried to trace the culprits behind the *Cole* attack. Kurtz said that AQ's fingerprints were all over the attack. The Clinton administration still remembered the heat it received for Operation Infinite Reach. Nobody was trying to diplomatically pressure Yemen, Afghanistan, or Pakistan. Kurtz does not recall an agency head asking for a *Cole* response. (U)

Lisa Gordon-Hagerty and the rest of Clarke's team fired up the computers and analyzed the data themselves, which was the Clarke way. (U)

Only two or three months after the *Cole* did Kurtz hear of the attempted attack on USS *The Sullivans*. (U)

DOD's conversations focused on force protection, not retaliation, Kurtz said. Clarke wanted to know how a dinghy had gotten so close to the *Cole* in the first place. (U)

Kurtz said that the 2000 election campaign had an impact; the Clinton White House was unwilling to strike back when Vice President Gore was in the last stages of his presidential bid. Kurtz noted that President Clinton had decided against visiting North Korea late in his term, which Kurtz attributed to political factors. (U)

By the time of the transition, it was pretty late for a military response. The window for action was open only for a few months after the attack, Kurtz said. The *Cole* was "ancient history" as the new team came into office. (U)

### **The Transition**

Clarke and Cressey did the CT briefings. Clarke was educating the Bush administration about the AQ story. The working-level problems crossed from the Clinton administration to the Bush administration, but setting up the new administration was a morass. (U)

~~TS~~ [ ]

Kurtz feared that he would be out of a job. He wrote Hadley and Philip Zelikow to say that he wanted to stay on, adding that he had always wanted to work for a Republican administration. In fact, all of TNT stayed on, except for one political appointee, Jeffrey Hunker, who left of his own accord. (U)

Kurtz recalled no functional change in Clarke's status; Clarke has complained that he lost his seat on the PC on CT issues. Kurtz said Berger's NSC was less rigorous, structured, and disciplined than Rice's. (U)

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Kurtz attended this March 2001 offsite conference and helped plan it, along with Gordon-Hagerty. The objective was to review intel on UBL's WMD capabilities. Clarke argued that the IC was not focused enough on WMD despite UBL's interest in it. Clarke also felt that the agencies were not sharing information, so he wanted to create an environment in which they could think more freely. (S)

Kurtz said that Clarke thought UBL was pursuing CBW, testing it, and finding ways to deploy it. The idea of UBL acquiring nuclear weapons was a "scary, scary, scary" scenario but not as large a fear as CBW. (TS)

[redacted]  
9/11 Classified Information

**NSPD on al-Qa'ida**

Kurtz saw the draft NSPD as an attempt to affirm where President Bush was. After the Cole and Ressam, this was a TNT attempt to reinvigorate the overall policy. There was no call from higher up for an NSPD but no resistance to it, either. Bureaucratically, Clarke "very much wanted the stick" of an NSPD to prod recalcitrant agencies. Clarke drafted the NSPD, with Cressey. (U)

**The Sept. 4, 2001 PC Meeting**

Kurtz had a vague, positive sense of the September 4, 2001 PC on armed Predator and the draft NSPD on AQ. The NSPD was almost finished, and its issues had been resolved; the meeting was supposed to be about sealing the deal. Kurtz had no sense of the state of play on funding issues. (TS) [redacted]

Clarke thought that Rice and Hadley got it and wanted to do more. Rice and Hadley gave Clarke a fair hearing. Kurtz asked, rhetorically, if Rice and Hadley were in 100 percent the same place as Clarke, and replied, No, but who is? Clarke was trying to educate everyone in the new administration—to try to get them to grasp the enormity of this new, transnational, networked foe. This was a totally new concept that very few people understood. Clarke was trying to educate, "and people thought he was hyping it up." (U)

*At this point, Mike Hurley left the room, and Dana Hyde questioned Kurtz about events on the day of 9/11 itself. Hyde and Hurley renewed the questioning in a subsequent session with Kurtz.*

**Events of 9\11**

~~TS~~ [ ] On the morning of September 11<sup>th</sup> Dick Clarke was down the street giving a speech. Kurtz was in his office getting ready to attend the director's meeting in the Situation Room, which began at 9:00 am. He remembers Lisa Gordon Hagerty calling and informing him that the World Trade Center had been hit by something, and asking him to gather what information he could. He walked to the Situation Room and entered it right behind Rice. She asked "what's going on" and Kurtz stated they were in the process of gathering information. The meeting began; there was a level of tension in the room due to the situation. Steve Hadley was called out of the meeting just as it was starting and came back and whispered to Rice that a second plane had hit the World Trade Center. Rice ended the meeting and asked Kurtz to find Clarke immediately. Kurtz asked Beverly to locate Clarke.

~~TS~~ [ ] After the meeting broke up Kurtz and others began working the phones trying to gather information. He and other TNT folks were primarily gathered in or near the back conference room, which is where the SVTS was held. Lisa Gordon Hagerty arrived in the Situation Room almost immediately; Roger Cressey arrived later. Hadley was still in the Situation Room at this time, and was the most senior person next to Rice. He and/or Rice was "in charge" until they migrated down to the PEOC. Kurtz recalls Rice leaving for about 5 minutes and then returning to the Situation Room, before later leaving again for the PEOC.

~~TS~~ [ ] Kurtz believes that Gordon Hagerty initiated the SVTS, and that it was up before the Pentagon was hit. He believes that Clarke was in the Situation Room by the time the Pentagon was hit. Once Clarke arrived he took the chair and led the SVTS. Clarke was essentially "triaging" information for Hadley and Rice and "cuing" decisions for them to make.

~~TS~~ [ ] Kurtz could not remember all of the participants on the SVTS. He remembers seeing Armitage from the State Department ("I think I'm the only one left in the building"); maybe Dale Watson from the FBI (Kurtz's notes refer to Watson); and maybe Michael Jackson from the Department of Transportation. He recalls that there were many participants on the SVTS from DoD, rotating in and out. Specifically he recalls seeing Wolfowitz, who was concerned about public diplomacy ("what do we tell the people?").

~~TS~~ [ ] He does not believe that they had a video connection with the FAA, nor does he remember seeing Garvey. His recollection is that the FAA was on a phone line in or near the back conference room. From the information they were receiving, his impression was that there was a FAA and perhaps even a NORAD-FAA hook-up elsewhere in the Situation Room, but he is not certain of that. He recalls seeing Sec.

~~TS~~ [redacted]

Mineta in the Situation Room, and understands he was later in the PEOC. In general, he recalls people from the Situation Room (maybe Frank Miller and duty officers) coming into the back conference room and providing updates on the number of planes missing, etc.

~~TS~~ [redacted] In terms of the PEOC, there was a visual link into the SVTS but no audio. Audio communications between the Situation Room and PEOC were accomplished by the MLP ("white phone"). A TNT staffer – Mike Fenzel – also served as a messenger, relaying communications/information between the Situation Room and PEOC.

~~TS~~ [redacted] When asked whether the Situation Room had real-time knowledge that Flight 77 was heading toward DC/White House, Kurtz was initially uncertain. He recalls being informed about inbound aircraft, but could not recollect if those reports came as early as 9:30-35, or a half hour later. He remembers the evacuation of the building and everyone running out of the White House, and believes that occurred before he was informed that the Pentagon had been hit. Thus he thinks the Situation Room had knowledge that Flight 77 was inbound.

#### Notes From 9/11

Kurtz kept detailed notes of the day, which include specific times. Kurtz believes he took the times from his watch, rather than a wall clock. Kurtz stated that his watch is usually set to the true time.

The first time entry on Kurtz's notes is 9:45. Kurtz walked through the first hour of key entries from his notes (the following is not exhaustive; see DJH notes of his notes); his comments/explanations are in parenthesis.

#### 9:45

*ethnic Arab seeking training*

(FBI report from SVTS, reporting flight training; "surprised" to learn about it.)

*Clarke to Hadley – shut down airports*

(Clarke is cuing decisions to senior aides, not making decisions himself. Mineta was in the Situation Room and then in the PEOC. Decision to shut down the airports and land all planes could have been made concurrently.)

*go to maximum security*

*evacuation*

(The order to evacuate came from somewhere in the White House, maybe the Secret Service. There was no explicit order to evacuate the Situation Room; Clarke said if you don't want to be here, leave now, and everyone stayed.)

*VP in protective location*

~~TS~~ [redacted]

*shut down airports*  
*ground CATx airport considering*  
*DS NLACT*  
*Defense*  
*Federal Help*

*Watson Confusion*  
*Bunker in WTC*  
 (FBI input to SVTS; reference to FBI Field Office; confusion in NY)

**9:50**

*now/ stop FAA*  
*public grounding all aircraft*  
*CAP*

**9:55**

*alternate sites now*  
*FEMA*

*CAP*

*Do it now*

(question is going to DoD from the SVTS – do we have a CAP? Frank Miller became the presumptive DoD guy)

*3 aircraft unidentified*

*small airfields --- full flight stop*

(This was a question/concern of Clarke's – whether general aviation would be included in the flight shut down)

**1003**

*diverted aircraft*

*2 possibly 3 aloft*

(hearing reports of more missing aircraft; there were lots of reports of inbound aircraft)

*CAP over Washington – asking President*  
*authority to shoot down aircraft\cap over D.C.*

(Affirmation of CAP over D.C.; Clarke reporting to the SVTS that we are asking the President for authority to shoot down aircraft)

*NORAD will work – JCS*

(believes this is Frank Miller reporting)

*FAA diverting all flights to DC*

-- All  
--- Question on ROE

**1010**

*Cog Ops*  
*RAC to Gen R*  
*Order official*  
(unsure who this refers to; maybe someone in WHMO?)

*SH Questioning*  
*ROE*

(Hadley was working the ROE issue; talking to the PEOC; Hadley in the Situation Room at this time)

**1025**

*ROE*  
*DoD*  
*Confirmed ROE*  
*VP authorized the use of force*  
(Input from SVTS; asking Hadley and DoD had the ROE been confirmed; DoD confirmed ROE – don't remember who; Kurtz's understanding is the conversation with POTUS had taken place regarding the ROE)

*F-16 intercept*  
*Boston-LA*  
*When is it*  
*Take planes down*  
*4-767 hijacked*

**1035**

*4-6 planes down – to Pres*  
*WT collapse*  
*Car bombing – State*  
(could be Frank replaying what VP told POTUS)

*RAC – AWACS/VP/F-16s*  
(VP asking are AWACs up?)

*NMCC up*  
*Activate SVTS*  
(Unsure of this reference; ask the Situation Room communication officers)

*Potus to Camp David*

TS/

(no recollection of conversation regarding where POTUS should go or threat to Air Force One)

*FAA – status?*

*NMCC take it out*

*No bomb at State*

**1045**

*FAA – need updates*

*Coordinate with fighter planes*

(FAA on the SVTS – this is implied from the entry; Kurtz doesn't remember a "yes" answer to the questions regarding DoD/FAA coordination)

*Message to general public*

*Safe in home*

*Ground level*

*Don't clog up roads*

*Closely monitor the situation*

*Aircover up*

(conversation between DoD and SVTS about message to the general public; DoD -- particularly Wolfowitz -- concerned about panic)

TS/