

Goss had supported an internal CIA review in December 2002, while he was chairman of the House intelligence committee. The CIA report, which was mostly completed in February, is the last known government inquiry on the counterterrorism failures ahead of the attacks and has been the most secretive.

It also had the potential to pit Goss against his own agency. Convening a review board could have embarrassed his predecessors and renewed questions over, President Bush's decision to award Tenet the Presidential Medal of Freedom.

I think it is utterly reprehensible for Director Goss to be hinting towards not holding anyone accountable, particularly since he was in an oversight capacity as house chairman and is now in a position to atone for his own failures," said Kristin Breitweiser, whose husband, Ron, was killed at the World Trade Center. "He is either avoiding embarrassment or trying to hide something."

More than a dozen intelligence officials, including Tenet; his former director of operations, James L. Pavitt; and J. Cofer Black, former head of the counterterrorism center, are faulted in the CIA report, said officials who have read the classified findings. Tenet vigorously disputed the findings, arguing that he and his officers had done more than anyone else in the intelligence community to warn about al Qaeda.

The report also names some current undercover operatives working in the counterterrorism center. Officials had said exposing them to public criticism would harm their work and the agency during a time of war.

Tenet had no comment yesterday. Pavitt said he was relieved. "He did what was right for the institution and its people, and for their work," Pavitt said of Goss.

Goss's former congressional colleagues, who have urged that the report be declassified, reacted coolly to his decision to forgo accountability reviews. They said Goss and John D. Negroponte, the director of national intelligence, will be summoned to appear before the Senate intelligence committee to answer questions this month.

"I am concerned to learn of the Director's decision to forego this step in the process," Sen. Pat Roberts, (R-Kan.) said in a statement. "However, I spoke with Director Goss and Negroponte earlier today and they both strongly believe that this is the correct course of action."

The CIA's internal report was done in a response to a recommendation of the House-Senate committee that looked into the attacks. The committee called on the CIA's inspector general to conduct an investigation "to determine whether and to what extent personnel at all levels should be held accountable any omission, commission or failure to meet professional standards" to prevent or disrupt the attacks.

Based on these findings, the CIA director was to take "appropriate disciplinary or other action," with the result to be passed on to the President and the House and Senate intelligence committees.

But Goss declined. He noted that before Sept. 11, when he was chairman of the House intelligence panel, the CIA suffered from cutbacks and reduced budgets. "Stars" were singled out and asked "to take on some tough assignments," he said. "Unfortunately, time and resources were not on their side, despite their best efforts to meet unprecedented challenges.

"Risk is a critical part of the intelligence business. Singling out these individuals would send the wrong message to our junior officers about taking risks—whether it be in operation in the field or being assigned to a hot topic at headquarters," he said.

Citing classified information about intelligence sources and methods, Goss said the report should not be made public.

Rep. Jane Harman (Calif.) the ranking Democrat on the House intelligence panel, said she will work to get some elements declassified and said Goss has a responsibility to "persuade the public that he has dealt fairly with his agency's past mistakes."

#### EX-WHITE HOUSE AIDE INDICTED IN ABRAMOFF CASE

(By Thomas B. Edsall)

David H. Safavian, former chief of White House procurement policy; was indicted yesterday on five counts of lying about his dealings with former Republican lobbyist Jack Abramoff and impeding a Senate investigation of him.

The indictment accuses Safavian, who previously served as former chief of staff for the General Services Administration, of falsely telling GSA officials that Abramoff had no dealings with the agency at a time in 2002, the government alleges, that Abramoff was seeking to obtain use of two GSA properties with Safavian's assistance.

It also accuses Safavian of repeatedly making false statements to investigators about a golf trip he took with Abramoff to Scotland the same year. GSA ethics rules prohibited receiving gifts from anyone seeking an official action by the agency.

Safavian was arrested Sept. 19 on the similar charges, the first criminal allegations levied in the ongoing corruption investigation of Abramoff's activities in Washington. Safavian had resigned as top administrator at the federal procurement office in the White House Office of Management and Budget three days earlier.

The indictment alleges that "from May 16, 2002 until January 2004, Safavian made false statements and obstructed investigations into his relationship with a Washington, D.C., lobbyist," who has been identified as Abramoff. The indictment refers to him only as "Lobbyist A."

Safavian's attorney, Barbara Van Gelder, said the charges are "an attempt to prove guilt by association." She said, "If this case did not involve Mr. Abramoff, the government would never have indicted Mr. Safavian on these charges."

Van Gelder said Safavian "will plead not guilty, and he will request a speedy trial." She added, "We believe that after all the evidence is aired, Mr. Safavian will be acquitted of all charges."

Abramoff has been indicted in Florida on bank fraud charges, and is under investigation in connection with at least \$82 million, he and an associate received from Indian tribes that operate gambling casinos, and for fees from other clients.

Federal investigators are known to be looking at trips to Scotland that Abramoff arranged for members of Congress and others, including former House majority leader Tom DeLay (R-Tex.) and House Administration Committee Chairman Robert W. Ney (R-Ohio) and Ralph Reed, former executive director of the Christian Coalition and now a candidate for lieutenant governor in Georgia.

Safavian, Ney and Reed all went on the 2002 trip to Scotland, which cost an estimated \$100,000.

If convicted, Safavian, who worked as a lobbyist with Abramoff in the 1990s, faces a maximum sentence of five years in prison and a \$250,000 fine on each of the counts.

#### PENTAGON RELEASES REPAYMENT RULES TROOPS WHO BOUGHT PROTECTIVE GEAR NOW MAY REQUEST REIMBURSEMENT

Under pressure from Congress, the Pentagon issued overdue regulations yesterday

for reimbursing troops in Iraq and Afghanistan for body armor and other gear they bought to protect themselves.

The program, which is effective immediately, would allow reimbursement for combat helmets, ballistic eye protection, hydration systems and tactical vests, including a variety of body armor inserts to protect the throat, groin and collar.

The guidelines, from Undersecretary Of Defense David S.C. Chu, come nearly a year after Congress passed legislation ordering the reimbursement policy. That law required the Pentagon to issue the rule by Feb. 25 of this year.

Under the guidelines, reimbursement for each individual item cannot exceed \$1,100, and the items become government property and must be turned over to the Defense Department, unless they are destroyed or no longer usable. The purchase must have been between Sept. 10, 2001, and Aug. 1, 2004, and the soldier must not have been issued equivalent government equipment.

Senators, unhappy with the Pentagon's slow progress, approved an amendment to a defense spending bill yesterday that, would further expand the program. The measure would also take the money decision out of the hands of Defense Secretary Donald H. Rumsfeld and give control to military unit commanders in the field.

Condemning the new program as too little, too late, Sen. Christopher J. Dodd (D-Conn.) said the Pentagon's list is too restrictive and does not include critical safety equipment such as gun scopes, additional Humvee armor and radios.

"The Pentagon's leadership has done everything in its power to stop this measure from being implemented," Dodd said. "Why should they stop now?"

Last week, Marine Sgt. Todd Bowers, whose parents bought him a high-tech rifle scope, said that the extra piece of equipment saved his life, and that a \$100 pair of goggles he bought saved his eyesight when he was shot by a sniper.

"If you need any proof that [the Pentagon] is once again coming up short, all you need to do is take a look at the list of reimbursable items," Dodd said. "It does not include the gun scope that saved Todd Bowers's life."

The chairman of the Senate Armed Services Committee, John W. Warner (R-Va.), urged support for Dodd's amendment. But Warner asked that lawmakers work together to set a new end date for the program, possibly in 2006. The amendment passed by a voice vote.

Pentagon officials have opposed the reimbursement idea, calling it "an unmanageable precedent that will saddle the DOD with an open-ended financial burden."

In his memo, Chu said that the secretaries of the military services may request that other equipment be added to the list.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3893, GASOLINE FOR AMERICA'S SECURITY ACT OF 2005

Mr. LINCOLN DIAZ-BALART of Florida, from the Committee on Rules (during the special order of Mr. MEEK of Florida) submitted a privileged report (Rept. No. 109-245) on the resolution (H. Res. 481) providing for consideration of the bill (H.R. 3893) to expedite the construction of new refining capacity in the United States, to provide reliable and affordable energy for the American people, and for other purposes, which

was referred to the House Calendar and ordered to be printed.

**DEFENSE INTELLIGENCE AGENCY  
USING FALSE CLAIMS TO SI-  
LENCE COLONEL**

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Pennsylvania (Mr. WELDON) is recognized for half the remaining time until midnight.

Mr. WELDON of Pennsylvania. Madam Speaker, I rise this evening for this short Special Order to express my personal outrage regarding the treatment of some brave military personnel who simply are trying to tell the truth.

Madam Speaker, over the past 3 months, I have outlined for our colleagues evidence that came from military officers that we had knowledge of Mohammed Atta and al Qaeda prior to September 11 and the attack against us in New York City. This information came about from a top secret program known as "Able Danger" which was a program that was developed by Special Forces Command as a planning process to deal with al Qaeda cells.

The military officers involved with this program identified 5 specific cells around the world, one of which was a Brooklyn cell, and this Brooklyn cell, one year before 9/11; in fact, in January and February of 2000, actually identified Mohammed Atta, 3 of the other terrorists that were involved in the 9/11 attack, and identified this in a chart that was produced as a part of their planning process.

Furthermore, Madam Speaker, these military officers have testified, and will testify under oath, that in September of 2000, one year before September 11, they made 3 attempts to transfer information regarding the Brooklyn cell and Mohammed Atta to the FBI. An FBI employee has again agreed to testify under oath that she arranged the 3 meetings and agreed to set up for the FBI the opportunity to receive this data. All 3 meetings were canceled by lawyers within the previous administration, the Clinton administration.

We still do not know who gave the ultimate order or why those meetings were canceled, but we do know that in September of 2000, attempts to transfer information regarding al Qaeda, the Brooklyn cell, and Mohammed Atta were thwarted.

This information was presented to the 9/11 Commission in an effort to provide a clear and concise analysis of what happened prior to 9/11. On 2 separate occasions, a Lieutenant Colonel from the Army, Anthony Shaffer and a commander from the Navy, Scott Philpott, offered to provide information to the 9/11 Commission that they, in fact, were involved with Able Danger and that they identified Mohammed Atta prior to 9/11.

Colonel Shaffer, who was promoted during the past year, during a time in

which his security clearance had been temporarily lifted by the Defense Intelligence Agency, has been the subject of gross and outrageous harassment. I have been on the Committee on Armed Services for 19 years, and my job as a member of that committee has been to support our military personnel when they are assigned overseas or when they are at home during their training and other operations. As I mentioned to Secretary Rumsfeld in a hearing last Thursday, a full committee hearing, I have supported every major reform that he has put forth over the past several years regarding our military, the way our military operates, and the way the Pentagon is organized.

Madam Speaker, Secretary Rumsfeld has repeatedly told us that his top priority is the morale and the welfare of our troops. The commander of the Joint Chiefs of Staff, both the recent and now the current Chairman of the Joint Chiefs of Staff, repeatedly tell us their top priority is the protection of our military personnel in uniform. And now, we find out that Lieutenant Colonel Anthony Shaffer, a Bronze Star recipient, 23-year veteran of military intelligence, serving in Afghanistan, embedded with our troops in harm's way, has had gross distortions and absolute outrageous claims made against him publicly by the Defense Intelligence Agency as a way to silence him.

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Lieutenant Colonel Shaffer has been prohibited from talking to Members of Congress. He has been stopped from testifying before the Senate Judiciary Committee in spite of the fact that five senators from both parties were present at a hearing 2 weeks ago. Lieutenant Shaffer was in the room. Lieutenant Colonel Shaffer was in the room, yet he was not permitted to testify. His lawyer, in fact, made statements for him.

But in an attempt to totally discredit Lieutenant Colonel Shaffer, in an attempt to try to diminish his credibility before the American people and the Congress, the Defense Intelligence Agency has resorted to a new set of lows in terms of the credibility of our American military. And no, Madam Speaker, I do not think this action by the Defense Intelligence Agency has been brought forward by uniformed military personnel. It has been brought forward by the bureaucrats, the sort of bureaucrats who linger from one administration to the other and who have the embarrassment of having to understand what Lieutenant Colonel Shaffer and commander Scott Philpott did in warning us, attempting to warn us about the 9/11 attacks.

The Defense Intelligence Agency, 1 day before Lieutenant Colonel Shaffer was to testify before the Senate Judiciary Committee, permanently pulled his security clearance, and the reasons they gave, Madam Speaker, were outrageous. They are scandalous. They said that he had forwarded phone calls

on his cell phone while being deployed in Afghanistan for a total cost of approximately \$67. They said that he had received mileage and toll fees improperly for attending a military conference at Fort Dix, New Jersey, which anyone in this body would say he was eligible to attend. \$341. They said that he, in fact, received an award for which he was not entitled, even though his superior officers nominated him for that award. But in one of the most despicable acts I have ever seen a Federal agency involve itself in in 19 years, they said on the record that Lieutenant Colonel Anthony Shaffer stole pens from the U.S. government.

Now, what they did not say, Madam Speaker, was that Lieutenant Colonel Shaffer, when he was 15 or 16 years old, as the son of an officer assigned to one of our embassies, admitted to stealing some pens which he gave to some disadvantaged people. Now, clearly, when he was 15 or 16, he was not working for the military. He was not a military intelligence officer. He was yet to take his lie detector test for admission into that category, and he admitted all of this. But in this current effort to try to discredit Lieutenant Colonel Anthony Shaffer, the Defense Intelligence Agency went to the outrageous length of publicly acknowledging that Lieutenant Colonel Shaffer had stolen pens and failing to mention how old he was when the theft took place, that he publicly admitted himself before being employed by the military.

Madam Speaker, we have a major problem in America. Sandy Berger, our National Security Advisor, stole documents from the National Archives, stole documents and put them in his clothing and took them out because they would incriminate him and President Clinton about what they knew before 9/11. He stole them. He placed them inside of his coat, in his pants, in his shoes, and he took those documents out of the National Archives because he did not want the 9/11 Commission to see what was in there. When he was caught, and finally brought to justice, his security clearance was lifted for 3 years.

Lieutenant Colonel Anthony Shaffer simply told the truth and because Defense intelligence bureaucrats are unhappy about being embarrassed they have removed his security clearance permanently. Is that what America is about, Madam Speaker? Is it about protecting a national security advisor who steals classified documents from the archives of the United States about what happened before 9/11 and gets a 3-year lift of his clearance, and a uniformed military officer who simply tells the truth has his security clearance permanently lifted?

Madam Speaker, if we do not right this wrong that will send and is sending a signal to every uniformed officer in America, if you tell the truth and if that truth embarrasses a bureaucrat or a political appointee, you are more expendable than the civilian officer, and