

FAX

28 BRIDGESIDE BOULEVARD
MOUNT PLEASANT, SC 29465
TEL: 843-216-9147
FAX: 843-216-9539

Date: Wednesday, April 14, 2004
To: Dr. Philip D. Zelikow
Fax: 202-296-5545
Re: Attached
Sender: Carolyn James for Ronald L. Motley
Client No.: 164897/900999

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MOTLEY ATTORNEYS
AT LAW
RICE LLC

April 14, 2004

Via Fax
Dr. Philip D. Zelikow
Executive Director
National Commission on Terrorist Attacks
Upon the United States
Fax #202-296-5545

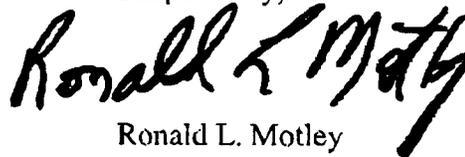
Dear Dr. Zelikow:

On behalf of the 6,500 family members and victims of the 9-11 atrocities, please accept on behalf of my clients their profound admiration of the excellent efforts and analyses of your staff.

With respect to the August 6, 2001 PDB, please find enclosed our chief investigator's comments regarding French intelligence agencies' efforts to forewarn United States intelligence agencies of impending al Qaeda attacks.

Mr. Brisard has testified previously before the Congressional Joint Intelligence Committee inquiry and would be willing to respond to any questions your staff might tender to him regarding this matter.

Respectfully,



Ronald L. Motley

RLM/ds/001

cc: Governor Thomas Kean
9-11 Families Executive Committee:

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Steve & Liz Alderman
Deena Burnett
William Doyle, Sr.

Robert Kobus
Loreen Sellitto
Mindy Kleinberg

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MT. PLEASANT
28 BRIDGE SIDE BLVD.
P.O. BOX 1792
MT. PLEASANT, SC 29465
843-216-9000
843-216-9450 FAX

BARNWELL
1750 JACKSON ST.
P.O. BOX 365
BARNWELL, SC 29812
803-224-8800
803-259-7048 FAX

PROVIDENCE
321 SOUTH MAIN ST.
P.O. BOX 6067
PROVIDENCE, RI 02940
401-457-7700
401-457-7708 FAX

NEW ORLEANS
1555 POYDRAS ST.
SUITE 1700
NEW ORLEANS, LA 70112
504-636-3480
504-636-3499 FAX

DGSE (French external intelligence service) knew a lot on Bin Laden

Le Canard Enchaîné

October 2001

Alain Richard, Minister of Defence, was pleased to hear Paul Wolfowitz, Pentagon second in command, and other US officials privately acknowledge the quality of French intelligence. The Wall Street Journal confirms and don't hesitate to write that: "French counter-terrorism is an example for the US". However, in the 32 confidential memos from the DGSE written on Bin Laden networks and transmitted for a large part to the CIA and FBI, our French agents didn't minimize known dangers. Excerpts from these memos classified "Confidential-Defence": "Western interests targeted in Saudi Arabia" (dated November 18 2000), "Projects of plane hijackings by radical Islamists that could affect American Airlines, Delta Airlines, Air France, Lufthansa" (dated January 5, 2001), "Terrorist threats against foreign states representations in Roma" (dated January 12, 2001), "Departure of Mudjahiddins for Palestine" (dated January 17, 2001), or "Threats against US interests from Djibouti" (dated March 2001). And on March 12, 2001, the DGSE was writing that "five months after the terrorist attack against the American destroyer on the Aden port (17 Marines killed, 39 injured), several information connect this action to Islamist networks acting from Afghanistan".

* "Le Canard Enchaîné" is a respected and well informed French weekly newspaper

La DGSE en savait beaucoup sur ben Laden
Le Canard Enchaîné
Octobre 2001

Alain Richard, le ministre de la Défense, a eu la satisfaction d'entendre Paul Wolfowitz, numéro deux du Pentagone, et d'autres officiels américains de reconnaître, en aparté, la qualité du travail des services de renseignement français. Le "Wall Street Journal" confirme et n'hésite pas à écrire que "l'antiterrorisme français est un exemple pour les Etats-Unis". Reste que dans les quelque 32 notes de la DGSE consacrées aux réseaux Ben Laden, et transmises pour la plupart à la CIA et au FBI, nos agents n'ont pas minoré les dangers connus. Extraits de ces notes "confidentiel-défense": "Les intérêts occidentaux dans le collimateur en Arabie Saoudite" (18 novembre 2000); "Projet de détournement d'avions qui pourraient affecter American Airlines, Delta Airlines, Air France, Lufthansa par des islamistes radicaux (5 janvier 2001), "Menaces terroristes contre des représentations étrangères à Rome" (12 janvier 2001), "Depart de moudjahidin pour la palestine" (17 janvier 2001), ou encore "Menaces contre les intérêts américains à partir de Djibouti (mars 2001). Et le 12 avril 2001, la DGSE écrivait: "Cinq mois après l'attentat contre un destroyer américain dans le port d'Aden (17 marins tués, 39 blessés), de nombreux éléments relient cette action aux réseaux islamistes agissant depuis l'Afghanistan".

JCB
12/04/04

CONFIDENTIAL

FRENCH DGSE MEMO
& OTHER FRENCH INTELLIGENCE WARNINGS PRE-911

In October 2001, the respected and well informed French weekly newspaper "*Le Canard Enchaîné*" reported in an article titled "*DGSE knew a lot about Bin Laden*" that among several intelligence memos passed to the CIA and the FBI by the French DGSE (Direction Générale de la Sécurité Extérieure, French external intelligence agency), was a classified report dated **January 5, 2001** titled "**Projects of plane hijackings by radical Islamists that could affect American Airlines, Delta Airlines, Air France, Lufthansa**".

Our investigation confirmed the existence of this intelligence report and the fact that these warnings were shared with US intelligence. The Deputy Director of the DGSE Counterterrorism unit confirmed to me that this memo, as many others, was passed to their US counterparts, the CIA and the FBI. I understood the transmission of these reports occurred within days after they were issued by the DGSE.

We have also acquired a classified DGSE "Summary Report" titled "Al-Qaida, vector of action for Usama Bin Laden" dated July 12, 2001 (Internal DGSE reference number 00280/C1). This report, classified "Confidential Defense" contains a hand-written reference to the January 5, 2001 report. The July 12, 2001 classified report notes that the Al-Qaida network "could be used to obtain the release of Islamist leaders currently detained or prosecuted abroad (including Sheikh Omar Abderrahmane, detained in the United States for his participation in the World Trade Center bombing)". This information is consistent with projects detailed in the August 6, 2001 PDB (paragraph 9, page 1). The July 2001 report is part of the set of memos that were passed to US intelligence. This report was passed to the CIA and FBI within days after it was issued.

Another intelligence warning was given to the United States by the French intelligence in the case of the Zacarias Moussaoui in August 2001. I testified before the Joint Inquiry Committee of the US Congress in June 2002 and gave a detailed account of the timing and content of the information passed by the French intelligence (DST, Direction de la Surveillance du Territoire, internal intelligence service in charge of counterterrorism) after the arrest of Moussaoui by the INS on August 16, 2001. Responding to a request for information, the French DST passed "unambiguous" intelligence to the United States on August 22, 2001, through the FBI legal Attaché in Paris. According to a direct witness and high ranking member of the DST (name of whom was given to the Committee), information included Moussaoui trainings in Afghanistan in 1998 and 2000 in a camp controlled by Al-Qaida and contacts with Al-Qaida leaders in Europe. It also included a twenty-page interrogation of his brother and visa details. Despite receipt of this information, the FBI legal counsel retracted a request for a search warrant of Moussaoui's belongings (FISA special surveillance measures) on the ground that information on his involvement in terrorism was "insufficient" or

"inadmissible". I've also informed the Joint Inquiry Committee that several communications occurred between the DST and the FBI on Moussaoui after the first transmission and prior to 9/11. According to the DST source, the French intelligence "didn't understand" at that time why the FBI couldn't act upon that situation given the consistent evidence provided by them.

Our investigation has further determined that the use of airplanes as weapons has been widely known for years within the intelligence community in the United States, France and other countries, as a potential strategy to be carried out by Usama Bin Laden and his terrorist network. This trend emerged after the Bojinka plan was uncovered in the Philippines in 1995, details of which appear in numerous reports from the CIA and the FBI after that date.