

The Honorable
Louis J. Freeh,
Former Director of the Federal
Bureau of Investigation;
Author, *My FBI*

My FBI

I testified a lot—actually more than any other official in Washington—not because I wanted to, but the FBI Director reports, as you know, to judiciary committees, to the Appropriations Committee, to intelligence committees and just about everybody else who wants to ask you questions. This is a good process, by the way. It should be a transparent agency because it's entrusted with our liberties as well as our protection, which is one of the themes I want to talk about very briefly.

The best job I ever had was being a 25-year old FBI agent in New York City where I was assigned to an organized crime squad. I was in the job for about two weeks when my supervisor said, "Would you like to work undercover?" I said to myself, "This is great. I'm going to be undercover and I've only been here two weeks." I said, "What do I have to do?" He said, "Well, you have to join the Shelton Health Club in Brooklyn Heights and work out every day." I said again to myself, "This is too good to be true." My job there was to observe one Big Mike Clemente. Mike Clemente was the captain of the Genovese family, one of the organized crime families in New York City. At 75 years of age Mike had been arrested after a number of FBI investigations, mainly when witnesses would secretly record their telephone conversations with him, and then he would be charged with crimes, mostly extortion. He took power by controlling some of the Longshoremens locals in New York City, and that power allowed him to extort money out of the steamship companies. So, at 75 years of age the only way he would take a cash payment would be standing naked in the sauna of the Shelton Health Club, where people who would pay him would also have to be naked; therefore, they couldn't record the conversation.

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My job was to hang out in the locker room and stare at him all day, which turned out to be a very difficult assignment. People would come into the locker room, they'd take off their clothes, take a white envelope into the sauna and give it to him. My job was to get that information to agents outside who would then try to identify them for later purposes.

Anyway, this goes on for a while. At one point Big Mike—I'm half Italian, by the way, which I'm very proud of—came up to me and said, "What do you do, kid?" Believe it or not, no one had prepared me for an undercover speaking role and I didn't know what to do. I had been taught by the Franciscans and the Christian Brothers, and I didn't realize you could lie when you're undercover. I said, "Well, I'm a lawyer, Mr. Clemente." He said, "Where do you work?" and I said, "I don't really have a job." He said, "I'll get one of these judges here to hire you." There

were judges all over the Shelton Health Club who were very friendly with Mike, but I wasn't conducting a corruption investigation so I didn't pay a lot of attention to it. Anyway, we fast-forward and Big Mike is arrested and arraigned in Fenway Square, a very historic, federal courthouse in Manhattan. He's in the courtroom being arraigned—actually, a courtroom where I later became and sat as a District Court judge. Big Mike's in the back of the courtroom and I'm in the front with the prosecutor and Big Mike is trying to get my attention. He's waving and he's making a lot of noise because he's handcuffed and he's yelling, "Kid! Hey kid!" and I'm trying to ignore him. I don't want to have anything to do with him at this point. Finally, his lawyer comes up to me, a very prominent lawyer, and he says to me, "Can I ask you a question?" Are you an FBI agent?" Now I knew I could tell the truth and I said, "Yes. I am an FBI agent." He said, "I've been telling Mike that all along and he insisted that I come up and tell the judge to let the kid go because he had nothing to do with it."

You know, I actually felt bad. I felt like I had done something terribly wrong, but we got along good during the trial and he was ultimately convicted. He used to write me from jail. I used to get a lot of letters from the people that I arrested and convicted, which I thought was good because it meant that I'd acted professionally and fairly. When I was sworn in as FBI director I got a letter from a very, very bad organized crime leader in New York City and he wrote me a handwritten letter from one of our penitentiaries and he said, "I just want you to know

how proud I am. I tell everybody in jail that you arrested me,” and then just to

asperated and said, Okay. Find me a complete stranger—and that was me. When

I was going into the White House to see the president for the interview I asked, Is he going to ask me who I voted for?” They said, “No. He knows who you voted for. He wants to talk to you anyway.”

one, that you’re not further investigated under the Special Prosecutor Act and two, no member of Congress, Democrat or Republican, and I had good relationships with many of them, accused me of partisanship. No one asked that I should resign, no one ever asked that someone else who was fair and impartial be appointed. For that, I was very happy, and I was most proud of the men and women in the FBI. It was a great pleasure and really a privilege to have served with them twice—once as an agent in New York and once as the Director. These are extraordinary men and women of whom the country is very, very rightly proud, the work that they do, the sacrifices that they make and the pressures they have, the hardships under very difficult circumstances—and of all law enforcement officers, by the way, across the country, the FBI being a very small part.

The significance of that was that I did come to the administration as a political stranger and it was important, in hindsight, that I arrived in that manner because about eight

There are less FBI agents in Chicago than police officers because we’ve never wanted a national police force in the United States, unlike Mexico, Canada and probably every major country in the world. Going back to the 18th century, the framers did not design a government—and we don’t have one now—that has a national police force. So we have in the United States 17,000 police chiefs, 800,000 law enforcement officers, but a very small number of FBI agents who have huge international and, post-September 11, exceedingly complex responsibilities.

I want to talk a bit about the 9/11 ramifications and the war on terrorism. One of the criticisms I did have of the 9/11 Commission, which I have said in public, is that I think they did not fully appreciate or understand how dramatically things changed on September 11. Prior to September 11 we were conducting a very robust counter-terrorism program, not just in the FBI but also in the CIA and many of our other agencies but we were doing it very differently.

The 9/11 commission, I think, fo-



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convey to me that he had not completely reformed, he wrote, “P.S. I stole this stamp.”

How did I become FBI Director? It’s actually a very unusual appointment in terms of politics, I think. I was appointed as a federal judge by former President Bush 41, although I wasn’t active politically, I was a career prosecutor, a career FBI agent. At the point when President Clinton was appointing an FBI director, Travelgate erupted. There were allegations about the White House using the FBI to force out career employees in the Travel Office so the president could put in family members. Whether that was true or not, I don’t know. Clinton wanted to appoint a good friend of his, Richard Sterns, who is now a very good judge up in Boston. His White House counsel said to the president, “You can’t appoint your friend,” because of the issue with Travelgate. The president got very ex-

weeks after I was in office the chief of my Criminal Division came in and said, “I want to brief you on a case.” I said, “What’s the name?” and he said, “The Madison Savings and Loan case.” He started to brief me, and I interrupted him and I said, “You’ve just told me we’re conducting a criminal investigation of the president, my boss, who has just appointed me.” He said, “No, no. It’s just a savings and loan case.” I said, “Well, tell me again.” I interrupted him again and I said, “No. You’ve just told me we’re conducting an investigation,” That changed our relationship very significantly. I was conflicted because I was the chief investigator, and the Attorney General was also, and the president was the subject of one, and then several, criminal investigations. So, it was a very difficult time, but a time where, I think, we conducted ourselves very professionally, very fairly. Two things you’re proud of when you leave government service;

cused a little bit myopically on bits of information episodes, like the Massari issue, and the Phoenix memo, and didn't really take a long and historical view of terrorism. It is important to understand how much 9/11 changed not just the country but the law enforcement and security agencies. I think you have to go back to 1978, the seizure of our embassy

what we did in response to those acts was to conduct investigations, and this sent a very consistent and a very dangerous message to terrorists for over 20 years, that the United States would not retaliate militarily

in Tehran and the response, or lack thereof, that the United States engineered to deal with that. The bombing in the marine barracks in Lebanon in 1983—243 marines killed by Hezbollah, which is an Iranian surrogate, an Iranian—sponsored organization. Prior to September 11 Hezbollah had killed more Americans than any other organization, and now interestingly, in terms of proliferation issues, Iran is clearly the leading foreign policy challenge, not just for the United States but also for the E.U. and people all over the world. We have a president there who publicly says that he will wipe Israel off the face of the earth as Iran pursues nuclear weapons. More dangerously and not really reported as much is his other statement and belief that he is making way for the new leader of radical fundamentalism who will reign for seven years before the world is destroyed. He has subscribed to that and is a proponent of that.

The first chapter in my book is the Khobar Towers bombing. The Khobar bombing occurred in 1996 and 19 Americans were blown up by the Saudi Hezbollah. It was an operation that was funded and carried out by the Iranian external service, the IRGC. In fact the Khobar Towers target, which was where our airmen were staying, was actually selected by senior members of the Iranian government, which we thought was very important to pursue—and that gets back to the point about how we did things differently before September 11. When that bombing occurred on June 26, 1996, the president told me to “leave no stone unturned” to find out what happened, who had blown up these barracks and murdered 19 Americans.

The attack against the barracks, as the attack against our embassies in August of 1998, the attack against the *USS Cole* in October of 2000, were acts of war against the United States. The litany of terrorists attacks against the United States going back 20 years through three presidential administrations, multiple Congresses, these were acts of war against the United States and we would respond, if at all, by conducting criminal investigations. Which by the way were very effective – Ramsey Yousef was arrested by FBI agents in Pakistan. He was one of the architects of the 1993 World Trade bombing together with Khalid Shaikh Mohammed, who is now in custody and is considered one of the engineers of the 9/11 attack.

But what we did in response to those acts was to conduct investigations, and this sent a very consistent and a very dangerous message to terrorists for over 20 years, that the United States would not retaliate militarily. The United States would not go into Afghanistan, as we had to do after September 11, and destroy the command and control of Al Qaeda. What we did prior to all was very ineffective and very dangerous.

We indicted bin Laden prior to the East African embassy bombings for conspiracy to murder Americans in Yemen – service people who were enforcing the Iraqi no-fly zone. He was indicted again after the embassy bombings, many of his co-conspirators were brought back to New York City by FBI agents, tried, convicted, sentenced. We put him on the top ten list. In the spring of 2000 the president sent me over to Pakistan and I met with President Musharraf and told him about our indictment, briefed him on it, asked him if he would assist us in getting custody of bin Laden who was being protected by the Taliban next door. He was of no help. He said to me that he had spoken to Mullah Omar who was the head of the Taliban, who had assured him that bin Laden was no longer involved in terrorist activities against the United States and he could not help us. And that was the way we did business.

If you remember, the Iraqi intelligence service at Saddam Hussein's orders attempted to murder former President Bush while he was visiting Kuwait at the beginning of the Clinton administration. And the response of the United States to that? Once we documented that it was a state sanctioned act of terrorism we retaliated against Iraq by sending two very low explosive grade missiles into the Iraqi intelligence service in downtown Baghdad, but we did it at 1 a.m. in the morning because we didn't want to hurt anybody, thereby showing our resolve against the cleaning force, not the people who had planned to assassinate the president of the United States.

We were not—the FBI, your security services, both presidential administrations—asleep at the switch with respect to this threat. It's how we dealt with the threat. We sent FBI agents over to East Africa to a crime scene and investigate and interview subjects. Mohammed Odeh, who was the passenger in the vehicle that blew up our em-

bassy in Nairobi, we were interviewing him in Nairobi and FBI agents were giving him his Miranda rights—you're familiar with those, not personally but from watching television—you have the right to an attorney, etc. Anyway, they got to the right that says that if you cannot afford an attorney one will be appointed for you at no cost. The problem was that in Kenya there is no such right, so we had this transatlantic conference. I was on it and we had people from the Justice Department. We didn't want to say something that was untrue, but if we didn't give that right we knew that our courts would suppress any statements that were made. So we fashioned a right that was truthful but not what the Supreme Court had prescribed and we had to worry our way up to an appellate court before it was finally approved.

Those are the things we were doing prior to September 11. If bin Laden was holding a rally in the middle of New York City's Central Park an FBI agent could not go and stand in the crowd and listen to his fatwa or his order against the United States—it was prohibited by the Attorney General's guidelines. Those guidelines, when they were put in place 20 years ago, were actually a good thing – they dealt with FBI excesses during the '60s and '70s, but they became obsolete and irrelevant and dangerous with respect to conducting the war against terrorism.

The 9/11 Commission did get a couple of things right. One of the things they got right was the conclusion that prior to September 11 neither President Bush nor President Clinton had put their national security advisor and the country on a war footing, and I think that's key. The *USS Cole*, when it was attacked in October of 2000—this is an Aegis class warship of the United States, there's no ship that has the strength and the range and the capability of an Aegis class destroyer—was almost sunk. A suicide boat, two people, blew a huge hole in the

ship, and incinerated 17 sailors who were on board. I was on that ship about 24 hours after the attack. FBI agents were there. We were there to conduct forensic investigations, again to get evidence, to talk to witnesses. I'll never forget that sight. I was down in the hold of the ship. It was about 120 degrees and I watched very young FBI agents reverently removing the remains of those sailors and putting them on a stretcher, covering them with the flag. I was talking with the captain about the reaction back in the United States and the reaction was really no reaction at all. It was stunning. I asked my colleagues in our media unit to track it for me just because I thought, and unfortunately I was correct in my prediction, that within 24 hours the story would be out of the news cycle. Nobody was reporting it.

We knew at the time this was an Al Qaeda-sponsored attack; this wasn't a leaderless conspiracy, an ad hoc act against the United States. This was another major act of war; they almost sank an Aegis class warship of the United States Navy, a ship that was kept afloat, by the way, by 17 and 18 year old sailors working all night to keep it afloat.

It was more stunning in the sense that October 2000 was in the middle of a presidential election. Neither the vice president nor Governor Bush barely referred to the attack in their remarks—almost no reference at all, unlike the last two elections where the only thing anybody wanted to talk about was national security, in that election it was not an issue.

Were we unprepared for 9/11? We were unprepared in the sense that we had been working criminal cases against Al Qaeda, we had indicted them, we had actually successfully prosecuted some of them, but if we thought an arrest warrant in the southern district of New York was going to scare bin Laden we should have had our heads examined. The only

thing he had to worry about before September 11 was a Deputy U.S. Marshall showing up with a warrant in northwestern Afghanistan. That wasn't going to happen. I asked somebody on the Commission, "What's the difference between Osama bin Laden and Manuel Noriega?" the Commissioner said, "What are you talking about?" "Well, Manuel Noriega was one of the biggest narco-terrorist in terms of the United States. The damage he did here over decades, bringing narcotics into the United States is probably responsible for killing more Americans than died on September 11. He was indicted in an FBI/DEA case in 1980, just like bin Laden was indicted several times before September 11. The difference was when FBI agents served his arrest warrant at the Panama City Palace they had the 82nd Airborne Division along with them. He was brought back to the United States and his organization was completely dismantled. There was no political will in the United States prior to September 11 to do that to bin Laden—no leader, nobody in Congress, nobody said what had to be done because the country was not willing to commit our young

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men and women in Afghanistan getting killed as they have been getting killed in Afghanistan and Iraq. The country wasn't there yet.

The reason I spend a lot of time on this history is that the history is always important so that we understand what we've done and what we will do in the future.

Within a very short period after we started our investigation in Khobar, the Saudi police, had arrested six of the people responsible for the bombing. These were members of the Saudi Hezbollah. They were all trained by Iranian trainers. They had been given passports to enter Saudi Arabia, which they got from the Iranian embassy in Damascus. A senior Iranian intelligence officer gave them the cash they needed to fund the operation, and the Saudi police said to us, "we have all this evidence. You need to get FBI agents over to the prison so these guys can speak with you directly."

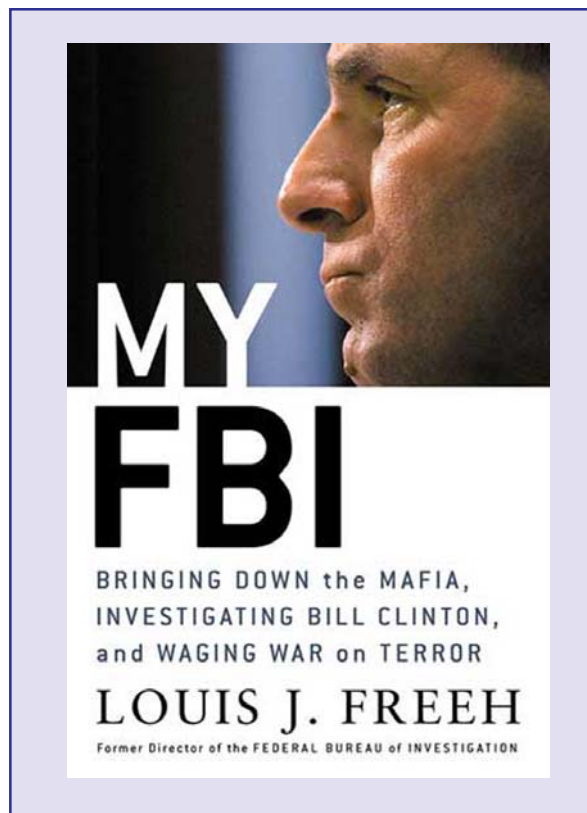
Now, FBI agents had never been in the Kingdom of Saudi Arabia, let alone in their prisons interviewing Saudi nationals. This was a huge undertaking and senior Saudi officials told me that the only way this was going to happen was if the president asked the Crown Prince—now King Abdullah—for permission for FBI agents to do this. So, for two and one half years I wrote talking points for our president, our vice president, our secretary of state, or national security advisor, and then they would meet with their Saudi counterparts. The request was a very simple one: We need FBI agents to go into the prison in Saudi Arabia and interview these guys and get the evidence, which we would then turn into indictments—which did happen, but not before May 2001. The talking points were never presented or would come back to us from the Saudis that they didn't raise it, or they sort of raised it but they didn't seem like they were really interested in it. This went on for two and half years.

Finally, not just frustrated but also consistent with my order to leave no stone unturned, I called President Bush

41, who had and has an excellent relationship with the senior Saudi leadership, and I said, "I need your help. Could you go to the Crown Prince and request that FBI agents be allowed into the prison?" And I gave him the background, so he was not surprised. He said, he would do it. He had a luncheon on a Saturday afternoon in 1999 with Crown Prince Abdullah in the Saudi residence in Virginia. He used my talking points—the same talking points, by the way, that everyone had had in our administration, and he called me after the meeting and he said, "Louie, I think the Saudis will be in touch with you." The Ambassador called me the next day and said, "Come out to the residence Monday morning and meet with the Crown Prince." Which I did, with my senior counter terrorism official and Wyche Fowler, who was our ambassador to Saudi Arabia and the Crown Prince looked at me and he said, "I have your request, President Bush has made it," and he turned to his ambassador and said, "Call my brother and have him let FBI agents in." And it was done. We had FBI agents there in two weeks. We then had evidence, not just information, but in terms of legal process evidence, because these guys were co-conspirators in terms of making the attack, so their testimony is not hearsay, it's evidence.

So, I was all excited and I went to the attorney general and she was all excited. We went over to see Sandy Berger who was the national security advisor and his response was, "Who knows about this?" which I thought was a very unusual response from the national security advi-

sor to the president. His second response was, "Well, it's just hearsay." I said, "Well, actually, Sandy, it's not. It's a co-conspirator's statement in furtherance of a conspiracy which is an exception to the hearsay rule and comes in as evidence," He was a trade lawyer, not a criminal lawyer. But they were not interested and the reason they weren't interested—I don't think was a corrupt reason, I think it was an obvious one—they did not want to confront, they didn't want to deal with a very, very difficult, complex and dangerous problem, which is what do we do have when the senior leadership of the Iranian government has murdered 19 Americans. Well, where I come from we do something about it and I had been told to conduct an investigation. In fact, I said to the national security advisor, "Look. If you don't want me to investigate this just tell me." I actually would have been okay with that because there are very complex foreign policy issues, and if I were told to stand down I would have stood down and



would not have been upset at all. But they wanted it both ways, as many people in Washington want it. They wanted to tell the families, what the president told them, "Mr. Freeh is working on this. He'll get to the bottom of it and leave no stone unturned." But they didn't want to deal with the evidence, which would require them to take some action. That's why I was very upset about it and that's why in the book it is the first chapter.

It's also relevant now if you look at the proliferation issues. The President of

the Republic of Iran is calling for Israel to be wiped off the face of the earth and we're letting foreign service types from England and Germany and France try to negotiate this issue with the Iranians. Their nuclear enrichment plant is three years away from having the elements to put together an atomic bomb, which would be in the hands of people who are not just dangerous to us, but dangerous to their own people and probably far more dangerous than the regime, as bad as it was that pre-existed in Baghdad. I don't understand what our policy is with

respect to Iran. It's a very serious issue. And again, if you leave 9/11 aside, this is a government which has killed more Americans and intended to kill many more Americans than anyone else, and I'm not sure we have a clear plan or a clear strategy to deal with that. But it is clearly the number one foreign policy challenge for the current administration and probably will continue into the next administration.

Thank you.

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