

**RELEASE IN
PART B6**

From: sbwhoep [redacted]
Sent: Sunday, November 29, 2009 10:16 AM
To: H
Subject: Memo on new Senate report on Tora Bora and its significance. Sid
Attachments: hrc memo tora bora 112909.docx

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CONFIDENTIAL

November 29, 2009

For: Hillary
From: Sid
Re: Afghanistan background/Senate report on Tora Bora

For the week ahead, it's essential to remember why the war against AQ failed under Bush beyond under-resourcing in preparation for the invasion of Iraq. The Senate Foreign Relations Committee report on Bin Laden's escape at Tora Bora, just issued, is well worth reading and noting—Bin Laden's location was known, he could have been capture or killed, Rumsfeld and Tommy Franks decided against the U.S. operation frantically urged by CIA commanders on the ground, and it would have made an enormous difference in the war on terror. (I can't reproduce the report here, but you can print it out or read online: http://foreign.senate.gov/imo/media/doc/Tora_Bora_Report.pdf)

Gary Berntsen, the head of the CIA armed operation in eastern Afghanistan, is a major source for the report. I am in contact with him and have heard his entire story at length, key parts of which are not in his book, "Jawbreaker," or in the Senate report. In particular, the story of the Kunduz airlift of the bulk of key AQ and Taliban leaders, at the request of Musharaff and per order Cheney/Rumsfeld, is absent.

The New York Times story of today on the report is below:

The New York Times

November 29, 2009

Senate Report Explores 2001 Escape by bin Laden From Afghan Mountains

By SCOTT SHANE

WASHINGTON — As President Obama vows to “finish the job” in Afghanistan by sending more troops, the Senate Foreign Relations Committee has completed a detailed look back at a crucial failure early in the battle against Al Qaeda: the escape of Osama bin Laden from American forces in the Afghan mountains of Tora Bora in December 2001.

“Removing the Al Qaeda leader from the battlefield eight years ago would not have eliminated the worldwide extremist threat,” the committee’s report concludes. “But the decisions that opened the door for his escape to Pakistan allowed bin Laden to emerge as a potent symbolic figure who continues to attract a steady flow of money and inspire fanatics worldwide.”

The report, based in part on a little-noticed 2007 history of the Tora Bora episode by the military’s Special Operations Command, asserts that the consequences of not sending American troops in 2001 to block Mr. bin Laden’s escape into Pakistan are still being felt.

The report blames the lapse for “laying the foundation for today’s protracted Afghan insurgency and inflaming the internal strife now endangering Pakistan.”

Its release comes just as the Obama administration is preparing to announce an increase in forces in Afghanistan.

The showdown at Tora Bora, a mountainous area dotted with caves in eastern Afghanistan, pitted a modest force of American Special Operations and C.I.A. officers, along with allied Afghan fighters, against a force of about 1,000 Qaeda fighters led by Mr. bin Laden.

The committee report, prepared at the request of Senator John Kerry of Massachusetts, the committee’s Democratic chairman, concludes unequivocally that in mid-December 2001, Mr. bin Laden and his deputy, Ayman al-Zawahri, were at the cave complex, where Mr. bin Laden had operated previously during the fight against Soviet forces.

The new report suggests that a larger troop commitment to Afghanistan might have resulted in the demise not only of Mr. bin Laden and his deputy but also of Mullah Muhammad Omar, the leader of the Afghan Taliban. Mullah Omar, who also fled to Pakistan in 2001, has overseen the resurgence of the Taliban.

Like several previous accounts, the committee’s report blames Gen. Tommy R. Franks, then the top American commander, and Donald H. Rumsfeld, then the defense secretary, for not putting a large number of American troops there lest they fuel resentment among Afghans. General Franks, who declined to comment for the committee’s report, has at times questioned whether Mr. bin Laden was even at Tora Bora in late 2001.

The report represents unfinished political business on the part of Mr. Kerry. Before and during his unsuccessful 2004 presidential campaign, he hammered on the failure to catch Mr. bin Laden.

The Foreign Relations Committee’s report draws on previous accounts, including books by two C.I.A. officers, Gary Berntsen and Gary Schroen, and by a commander in the Army’s elite Delta Force who goes by the pen name Dalton Fury. The analysis in their books of the flawed tactics at Tora Bora is generally echoed in the official Special Operations Command history.

The 2007 history said that it “has been determined with reasonable certainty” that Mr. bin Laden was at Tora Bora in December 2001, but that the fewer than 100 American troops committed to the area were not enough to block his escape.

The Senate report was prepared by the Foreign Relations Committee’s Democratic staff, whose chief investigator, Douglas Frantz, is a former journalist who has reported extensively on the hunt for Mr. bin Laden.

The report describes how Americans at Tora Bora intercepted Mr. bin Laden’s voice in radio transmissions to his fighters, as well as references to “the sheikh.”

The former Delta Force officer who uses the name Fury told staff members that C.I.A. officers “had a guy with them called Jalal and he was the foremost expert on bin Laden’s voice.”

“He worked on bin Laden’s voice for seven years and he knew him better than anyone else in the West,” the former officer said. “To him, it was very clear that bin Laden was there on the mountain.”

The report says some villagers who were paid to help in the fight were given global positioning system devices and told to push a button wherever they saw fighters or arms caches. The coordinates were then sent to American military spotters to call in airstrikes.