

PREPARED REMARKS OF A  
PHOENIX SPECIAL AGENT

BEFORE THE

SELECT COMMITTEE ON INTELLIGENCE  
UNITED STATES SENATE

AND THE

PERMANENT SELECT COMMITTEE ON INTELLIGENCE  
HOUSE OF REPRESENTATIVES

SEPTEMBER 24, 2002

Messrs. Chairmen, members of the Committees--let me begin by saying, I am aware Congress has the responsibility, duty and obligation to oversee and critique the performance of the Nation's intelligence services. I greatly respect your responsibilities in this regard and believe your inquiry will result in changes to our intelligence services that will make them better and stronger. I do, however, take exception and have problems with the manner in which classified intelligence information and the identities of FBI Special Agents have been exposed to the public.

Terrorism cases, such as the investigation that led to my authoring the July 10, 2001 electronic communication, are typically classified "Secret" in their entirety. Various intelligence sources and methods are utilized while conducting these sensitive investigations. FBI Special Agents assigned to work these matters in the field involve themselves on a daily basis with Islamic extremist elements representing various terrorist organizations. The very nature of these cases involve individuals who do not like the United States or what the United States represents-- thus making them a threat to the national security and a threat to the individual Special Agents.

Special Agents are constantly attempting to recruit human sources of information to penetrate the terrorist cells that operate in the United States and overseas. Human sources are absolutely necessary in order to obtain the intelligence necessary to identify, penetrate and neutralize the terrorist threat. The recruitment of these sources takes a great deal of time and effort in order to build a degree of trust between the Special Agent and source. Good human sources are few and far between. The FBI and United States Government need to protect these sources in order to encourage others to assist us in the war on terrorism.

During May 2002, I willingly testified before various closed sessions of the House and Senate Judiciary Committees. I was graciously treated by members of these Committees. However, I was astounded and very disappointed that my identity and the classified information I provided was immediately made available to the national and international news media. My photograph was plastered all over print and television media. Reporters, from all over the world, called my office and my residence attempting to get a statement from me. The media quickly identified, through publicly available records, where I lived and showed up at the front door of my residence. On one occasion, a reporter from an internationally known news magazine actually cornered my 12 year old son while he was taking out the trash and tried to elicit information from him. This incident caused my son great distress and made me very angry. The media also identified where my mother and father live and attempted to get a statement from them. In short, a circus atmosphere was created by the unnecessary release of my identity and the classified information I provided to Congress. Finally, I have been informed that a documentary appeared on the *Al-Jazeera* news network within the past couple of weeks concerning the events surrounding September 11, 2001. Several Al-Qaeda leaders were interviewed. My name and photograph were also included in this documentary. While the

exact contents of what was discussed concerning me are currently unknown, I am particularly concerned knowing this network is broadcast throughout the Middle East.

As a result of the above, despite my longstanding practice of not discussing the details of my job with my family due to its classified nature, I had to explain to my family and close friends what was happening. I explained to them I did nothing wrong and was not solely responsible for the horrific events that took place on September 11, 2001. As you can imagine the stress upon my family and myself was tremendous and continues to be so until this day.

On a professional level, the public exposure of my identity and the information I provided in closed testimony resulted in me having to close valued human intelligence sources who were targeted against the subject of the July 10, 2001 electronic communication. These individuals took great personal risks to their physical security to provide the United States Government with information on this subject. I promised them a confidential relationship with the United States Government which was broken when my identity and the information they had provided was made public and appeared all over the world. The United States Government let these individuals down.

Various members of the House and Senate have publicly stressed the need for the United States Intelligence Community to develop more human sources to penetrate the various terrorist organizations who want to cause harm to our country and national interests. Congress will make this task very difficult if they do not take seriously the classified nature of intelligence work. The protection of intelligence Agents, human intelligence sources and technical sources should be protected at all costs.

I also believe that the unnecessary disclosure of my identity has put the safety of my family and myself at risk. I ask myself--what are senior members of Al-Qaeda thinking when they

see my image in the media? If I were in their position, I would be thinking that there must have been a source who had penetrated the organization. I believe Al-Qaeda would consider me a terrorist target and want to kill me.

Just as I believe Congress has the duty, responsibility and obligation to oversee and critique the Nation's intelligence services; they have an equally important responsibility to protect the identities of the Nation's intelligence agents who are diligently trying to protect the Nation on a daily basis. I feel, in this regard, Congress has personally failed me, as a FBI Special Agent and as an American.

A couple of months ago, a member of Congress invoked whistle blower protection for me- without my asking for it. I do not consider myself a whistle blower. I do not feel, nor have I ever felt, threatened or been mistreated by FBI executive management. On the contrary, FBI executive management has been very supportive of me. While I appreciate the Senator's concerns for my well being, I believe his concerns, as well intentioned as I'm sure they were, were misdirected. Greater emphasis should have been placed on protecting my identity and the information I provided during closed sessions. I am not afraid of the FBI, but am very concerned about Al-Qaeda and what they may want to do to me and my family. Sadly, I can thank the United States Congress for my situation.

The horrible events of September 11, 2001 have forever changed the way we as a Nation view things. Did the Nation's intelligence services fail the Nation prior to September 11, 2001? I believe they did. Can they do things better? You bet they can-- once Congress gives the intelligence services the tools and resources to accomplish the mission. These hearings are extremely important. Congress, during these hearings, should be very careful to not

divulge the identities of the Nation's intelligence officers, sources and methods used in collecting intelligence information, as well as the information collected. The Nation is at war and Congress has the responsibility, duty and obligation to protect this type of information.

This concludes my prepared statement and I will now take your questions.