

# A conservative judge rebukes FBI as he orders it to find and turn over 9/11 documents

by Dan Christensen

**By Dan Christensen and Anthony Summers, BrowardBulldog.org**

Fort Lauderdale U.S. District Judge William J. Zloch has a reputation as a no-nonsense, conservative judge who can be short on patience, but is long on courtroom preparation and does not recoil from speaking his mind.

On Friday, after months of legal wrangling, Zloch spoke his mind for the first time on the FBI's handling of a Freedom of Information lawsuit by *BrowardBulldog.org* that seeks records from the Bureau's investigation into apparent pre-9/11 terrorist activity in Sarasota.

In a stinging, 23-page order, Zloch told the Department of Justice that it had failed to convince him that the FBI's prior records searches had been "reasonably calculated to uncover all relevant documents," as courts have said the law requires.

Zloch ordered the FBI to do something it had not done: use its sophisticated, \$440 million Sentinel case management system to lead the search for relevant documents while adhering to various court-ordered conditions, including specific automated text searches. The judge gave the Bureau until April 18 – two weeks – to produce photocopies for his private inspection of all documents it identifies.

Zloch's ruling is a "strong, clear directive to the FBI," said former Florida Sen. Bob Graham, who in 2002 chaired Congress' Joint Inquiry into the 9/11 attacks and has pushed Washington to release the FBI's files about what happened in Sarasota.

"Since 2002 many sources, including the U.S. Senate, have been attempting to get information such as that which is likely to be disclosed under Judge Zloch's order made available. This is the closest in 12 years that we've been to achieving that objective," said Graham.

## **A MANUAL REVIEW OF HUGE PENTTBOM FILE**

Further, Zloch ordered the FBI to conduct a manual review of all documents in its Tampa field office regarding the Bureau's investigation of the 9/11 attacks, code-named PENTTBOM. He gave the FBI until June 6 to complete that more time consuming task.

The Department of Justice has opposed any additional search. In court papers filed last August, it argued that a manual review would require "extraordinary effort, time and resources to conduct."



“The manual review which plaintiffs are requesting is not reasonable; nor is it warranted,” the department argued in court papers filed in August. “The FBI’s Tampa office alone has more than 15,352 documents (serials), which together contain, potentially, hundreds of thousands of pages of records related to the 9/11 investigation.”

Zloch disagreed. He decided a more thorough search is necessary due to “inconsistencies and concerns” about the government’s searches to date, as well as his need to assure himself that “the documents in dispute exist.”

Zloch noted, too, that early FBI assertions that its initial searches had yielded no responsive documents were followed months later, after the lawsuit was filed, by the release of 35 heavily redacted pages. Those pages, some partially blacked out on grounds of national security, contained no investigative reports yet did include some summary information that contradicted prior FBI public statements about the findings of its Sarasota investigation.

### **AN INVESTIGATION WITH NO DOCUMENTS?**

“An investigation took place during this time period that apparently resulted in certain findings, yet seemingly, the search yielded no documentation. This alone moves the court to believe that a further search is necessary,” the order says.

Miami attorney Thomas Julin, who represents the non-profit news organization, said it appears Judge Zloch “definitely wants to get to the bottom of this and doesn’t like the fact that the FBI put out public statements trying to discredit the Bulldog’s reporting...His order makes it sound like he believes the government may be deliberately covering up.”

Zloch’s order goes beyond instructing the FBI to search and produce its own investigative reports. It also requires both the Justice Department and the FBI to “advise the court of any documented communications between defendants and other government agencies concerning the investigation” of the Sarasota Saudis. Again, Zloch wants that information by June 6.

“He’s showing real sensitivity to the likelihood that the FBI is acting under the direction of the Central Intelligence Agency or the National Security Agency,” said Julin. “If the FBI is simply following orders then he is telling the FBI he wants to know what those orders are and from who they are coming, whether it’s the CIA, the NSA or the President.”



Former Florida Sen. Bob  
Graham

The lawsuit was filed in September 2012, after the FBI denied requests under the Freedom of Information Act for copies of the agency’s reports about its Sarasota investigation.

A year earlier, *BrowardBulldog.org* had first disclosed the existence of the investigation in a story that reported how Abdulaziz and Anoud al-Hijji, a young Saudi couple, had abruptly moved out of their home in Sarasota’s Prestancia development and returned to Saudi Arabia two weeks before September 11, 2001. Anoud’s father, Esam Ghazzawi, a longtime advisor to a senior Saudi prince, owned the home.

Law enforcement focused on the al-Hijjis after suspicious neighbors called following the attacks to report that the couple had appeared to depart in haste, leaving behind their cars, furniture, clothing and even food in the kitchen.

## HIJACKERS AT THE GATE

The story reported that agents who later searched Prestancia's gatehouse found evidence in logbooks and snapshots of license plates that vehicles used by the hijackers, including ringleader Mohamed Atta, had visited the al-Hijji's home. A law enforcement source said an analysis of phone calls to and from the home also found links to Atta and former Broward resident Adnan Shukrijumah, a fugitive and alleged al-Qaeda leader with a \$5 million bounty on his head.

Documents obtained by *BrowardBulldog.org* from the Florida Department of Law Enforcement stated that a now imprisoned terrorist figure, Wissam Hammoud, told the FBI in 2004 that al-Hijji was an acolyte of Osama bin Laden who prior to 9/11 had introduced him to Shukrijumah at a soccer game at a Sarasota mosque.

Al-Hijj was interviewed last year by the London *Telegraph*. He acknowledged knowing Hammoud, but denied any wrongdoing.

The FBI never disclosed the existence of its Sarasota investigation to either Congress's Joint Inquiry into the terror attacks or the subsequent 9/11 Commission, ex-Sen. Graham has said.

In his order, Judge Zloch explained that his doubts about the quality of the FBI's prior records searches was rooted in part in the "gaps and inconsistencies" he observed in the handful of documents the FBI has produced to date.

He noted, for example, that one FBI document written after the Sarasota story broke in 2011 states that the investigation found no evidence connecting the Sarasota Saudis to the 9/11 hijackers while another, dated April 2002, says authorities found "many connections" between the family and "individuals associated with the terrorist attacks."

"These statements seem to be in conflict, and there is nothing in defendant's 35 produced pages that reconciles this stark contradiction," the order says.

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