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A Vulgar Betrayal

The FBI's troubled history with terrorism

by Jim Crogan

Four years after the FBI and the Justice Department shut down their initial wide-ranging probe into a suspected terrorist-funding network operating in the Chicago area, several prime targets of that investigation — code-named Vulgar Betrayal — have been indicted.

Vulgar Betrayal, which ran from 1995 through 2000, was initiated by FBI agent Robert Wright, who turned whistleblower in 2002, complaining that the government had gone soft on the terrorism investigation in the nation's heartland.

"They can call it anything they want, but this is Vulgar Betrayal," says Mark Flessner, a former assistant U.S. attorney who was assigned with Wright to the pre-9/11 investigation and who remains puzzled about why authorities ended it. Beginning in 1996 and continuing for four years, Flessner was among up to 13 officials involved.

Now in private practice, Flessner says Vulgar Betrayal fell victim to "turf battles" between the FBI's intelligence and criminal agents. "There simply was no political will in Washington back then to prosecute these men. All that changed after 9/11," he adds. "I'm glad they finally went after these guys. It is long overdue."

But Flessner says that the delay in bringing charges enabled the terrorist funding to continue for more than four years. And he's still frustrated that the work he, Wright and others put in on this case was shelved. "Vulgar Betrayal was a case where the FBI's intelligence agents would not cooperate with the criminal agents trying to put these guys in jail. They refused to let us arrest them. They only wanted to watch them conduct their business."

Randall Samborn, a spokesman for the U.S. Attorney's Office in Northern Illinois, says that Flessner can say whatever he wants, but his office will have no comment: "We are not going to provide any autobiography for the genesis for these indictments."

Flessner also says that former Justice Department official Frances Townsend helped close down the investigation. Townsend is now President Bush's Homeland Security Adviser and head of counterterrorism for the National Security Council. She spent 13 years at the Justice Department, working in a variety of sensitive posts, and in 1998 headed up the Office of Intelligence and Policy Review, which oversees FBI requests for Foreign Intelligence Surveillance Act secret wiretap and surveillance warrants of suspected terrorists. Her duties also included mediating information-sharing disputes between FBI intelligence and criminal agents.

Flessner says Townsend didn't share information in Vulgar Betrayal: "She deliberately

obstructed it. And I found that very disconcerting.”

The investigation, he says, ran into problems right from the start. FBI intelligence agents in Chicago and D.C. balked at sharing their files on targets’ contacts and activities. “I was called to meeting after meeting in Chicago and D.C. in 1998,” Flessner explains.

Townsend ran some of the meetings. “I was very unimpressed. I thought she was totally ineffective,” he says, adding that her behavior was “inappropriate. Townsend would hug the FBI intelligence agents and tell us what great guys they were. These were her guys, she’d tell us, and she did whatever they told her to do. She gave us no support.”

The investigation accumulated thousands of bank records, which Flessner intended to use at trial. A federal grand jury was impaneled in 1996, and Flessner subpoenaed witnesses to testify. But without the information from FBI intelligence agents, his grand jury didn’t have enough evidence to return indictments.

“I couldn’t even get permission to do the basic things you do, such as collecting phone numbers from their targets’ incoming and outgoing calls, and addresses from their mail.” Flessner intended to use the material to get search warrants. “Eventually, I had to turn to other cases,” he says. In 2000, a frustrated Flessner resigned from the Justice Department.

Wright’s investigation targeted individuals and a number of Middle East charities allegedly supplying money to Hamas, Hezbollah, and Saudi businessman Yassin Kadi, who is accused of acting as an al Qaeda financier but has denied the allegation.

Three men were charged last week with racketeering, laundering millions of dollars to Hamas (a designated foreign terrorist group), and conspiring with 20 other individuals to commit murder, engage in hostage taking and use false passports: Muhammed Hamid Khalil Salah, 51; Abdelhaleem Hasan Abdelraziq Ashqar, 46; and Mousa Mohammed Abu Marzook, 53. All were prime suspects of Vulgar Betrayal. Salah and Ashqar were arrested, but Marzook is still on the lam and reportedly living in Damascus.

Last month, the Dallas-based Holy Land Foundation for Relief and Development and seven of its leaders were also indicted for supplying funds to Hamas. Holy Land was another target of Vulgar Betrayal.

Wright, who has since been ordered not to talk to the press, went public with his criticism of FBI and Justice Department higher-ups in 2002 and again in 2003, claiming that their incompetence and malfeasance led to the demise of Vulgar Betrayal. The FBI responded by opening internal-affairs investigations on Wright, charging him with insubordination and endangering ongoing investigations. Wright, who has filed a counterclaim alleging that the actions against him are retaliatory, was cleared in one investigation, but a second has been taken over by the Justice Department.

The White House did not return the *Weekly*’s call for a response to Flessner’s accusations regarding Townsend. Neither did the Justice Department nor the FBI respond to questions about Wright’s claims. “I’m not surprised,” says John Vincent, a retired agent and Wright’s former partner. “They do whatever they want and don’t think they have to answer to anyone.”