

**AMENDED AND RESTATED  
CITIZENS' COMPLAINT AND PETITION  
TO ATTORNEY GENERAL OF THE STATE OF NEW YORK  
FOR AN INDEPENDENT GRAND JURY INVESTIGATION<sup>1</sup>**

Citing probable cause for convening an independent grand jury  
(or conducting an independent investigation by other means)  
to examine the crimes committed in connection with the  
September 11th, 2001 tragedy and requesting a hearing  
before the appropriate authorities regarding the same.

**Originally filed: October 28, 2004  
Filed as amended and restated: November 19, 2004**



Sponsored by:

**Justice for 9/11 Steering Committee  
[www.Justicefor911.org](http://www.Justicefor911.org)**

Comprised of representatives of:

911Truth.org

9/11 CitizensWatch

World Trade Center Environmental Organization

Submitted to:

**Office of Attorney General Eliot Spitzer  
120 Broadway  
New York City, NY 10271**

## Preamble to the Complaint and Petition

We, the complainant signatories below, petition the Attorney General of New York, on behalf of millions of New Yorkers who also call for a fearless independent inquiry; for the sake of residents, workers, and business owners in New York—most particularly in and near “Ground Zero”; and also on behalf of other Americans who have lost employees, friends, and family members as well as health, business, and personal assets and civil, privacy, and other rights in the events of September 11, 2001 and their aftermath.

We approach your office as concerned citizens desiring to bring to light the truth about the events of 9/11. And where fault and liability may be found through your investigative action (by whatever means), we seek the recovery of billions of dollars of damages that have been sustained and continue to accrue, and a process by which the true perpetrators and aiders and abettors of the 9/11 attacks may speedily be brought to justice.

As we reported previously to your office, a representative poll published by Zogby International on August 30 of this year found that *49 percent of New York City residents and 41 percent of New Yorkers overall believe there was official foreknowledge and conscious acceptance of the 9/11 attacks, and that 66 percent of city residents and 56 percent overall want a new investigation.* These findings are stunning and we believe they provide conclusive evidence that the people of New York are not satisfied that official investigations and mainstream news media have adequately addressed the truth of the events of that fateful day.

These Zogby Poll findings point to the immediate constituency for our Complaint and Petition; but we also note here that a burgeoning nationwide movement also holds to the same beliefs about 9/11 as do these native New Yorkers. Fifteen legislators who are members from New York in the US House of Representatives, New York State Senate and Assembly, and New York City Council have responded to these results by expressing support for a new investigation by the Attorney General or Congress.

If this belief of millions of citizens is borne out by a legitimate investigation, then it may follow that the responsible officials are guilty of both mass murder and treason, as well as conspiring to inflict untold suffering upon the people of New York and violating a host of New York State laws, in addition to federal terrorist, treason, and other laws.

Clearly, this Complaint and Petition concerns a supremely serious matter. *Yet we the complainants contend that no independent official investigation into these alarming yet plausible allegations, for which we present compelling evidence herein, has ever been held or is now contemplated.*

When citizens of New York widely suspect appalling criminal activity within our government and by bad actors doing business in the State of New York—activity that has

caused us grievous harm—we believe we are well within our rights as sovereign citizens to demand the legal and investigative means to address these concerns. If indeed there exists such a widespread belief that our own government intentionally allowed such a catastrophe to occur on our own shores, then we submit that this is prima facie evidence of a deep crisis of trust in government. We were therefore inspired to read the Attorney General's 2002 Law Day address in regard to this issue of restoring public trust in our institutions. You focused then on financial markets, charities, and churches, but we believe your words aptly address the collapse of faith in government that the 9/11 Zogby Poll reveals today:

It is important that we understand that this crisis exists, that it has already damaged important institutions, and that we must take immediate action to restore the faith of a betrayed public...The process of restoring a shattered trust is a lengthy one. Unfortunately, we do not have time to wait...Too much will be lost during the time that this process naturally unfolds; the skepticism and distrust that exists will continue to exact a tremendous cost...Our system of law can provide—indeed, can itself be—the solution to the crisis created by the betrayal of their trust.<sup>2</sup>

And it is precisely in this same spirit—that of invoking the legitimacy of a lawful solution to the issue of 9/11—that we request your intervention in order to swiftly address the grave concerns outlined below, enforce accountability, and restore the public trust.

As Attorney General, you hold ultimate responsibility for enforcing public safety, criminal, and investor protection laws in the State of New York. As indicated in the Zogby Poll, a clear majority of your constituents desires a full investigation of “still unanswered questions” either by Congress or your office. We provide herein evidence to prove that Congress and the 9/11 Commission have shown themselves incapable of such an inquiry. We are left with no alternative but to turn to you to take up the case we have put forth in this Complaint and Petition.

We therefore respectfully request that you immediately invoke your powers to open one or more urgent investigations into apparent crimes before, during, and after September 11, 2001. This could be accomplished by your office alone or in conjunction with other state and local legal and enforcement offices with jurisdiction (which might include, for example, other state attorneys general and the office of the Manhattan District Attorney, Robert Morgenthau).

*We firmly believe that we are able to show probable cause for convening a Grand Jury and that we present herein the necessary facts and lines of inquiry that would lead reasonable persons to believe that numerous still-unsolved crimes have taken place.*

In this Complaint and Petition, we submit compelling evidence constituting probable cause that some or all of the following crimes and possible additional crimes

have been committed and that you have jurisdiction and prosecutorial discretion to investigate and prosecute the perpetrators of such crimes: murder, criminally negligent homicide or manslaughter; assault; reckless endangerment; official misconduct; criminal offenses relating to public safety; enterprise corruption; obstruction of justice and the infliction of emotional distress, including causing untold suffering and billions of dollars in damages on the citizens, businesses, and institutions of and upon the State of New York itself and cities, counties, and other jurisdictions within New York; and the criminal facilitation or solicitation thereof and conspiracy or accessorial conduct in connection therewith.

In summary, we submit that evidence is available to show that the requisite state of mind exists, pointing to (1) negligence as would be appropriate for assigning civil liability, and (2) an intentional, knowing, or reckless state of mind as would be required for assigning criminal liability.

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3. "Zogby International 9/11 Poll and New York Legislator Survey – Results"
4. Family Steering Committee for the 9/11 Independent Commission: "FSC Questions to the 9/11 Commission, with ratings of its performance in providing answers, as compiled by two FSC Members"
5. 9/11 CitizensWatch: "Questions to the Kean Commission, March 2003"
6. "A Brief History of the Kean Commission" (Article)
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## Appendices to Part II:

### *Bodies of evidence giving rise to suspicions of criminal acts by perpetrators other than 19 Middle Eastern Hijackers*

#### **A. Leading lines of inquiry (submitted with this Complaint and Petition and included herein):**

- A1. Air Defense on 9/11
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- A4. Indicators of International Trading Based on Foreknowledge of 9/11
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- A6. Anthrax Attacks
- A7. Ptech Raid/Investigation (media coverage)

#### **B. Secondary lines of inquiry (submitted online only as growing dossiers at [www.Justicefor911.org](http://www.Justicefor911.org))**

- B1. Hijacker Oddities
- B2. Obstruction of Investigations Prior to 9/11
- B3. Indicators of Foreknowledge
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- B5. Context of War Planning Prior to 9/11
- B6. Letter from Kevin Ryan to Frank Gayle (NIST) re WTC Building Collapses
- B7. Taxonomy of Potential Beneficiaries from 9/11 Events
- B8. Context: History of US Policy and Covert Networks
- B9. Context: Precedents for Facilitated Terror and False-Flag Operations Internationally

## Also Provided:

Documents incorporated by reference to the website on which they can be found, in support of this Complaint and Petition:

“The 9/11 Omissions Dossier—Online Edition,” a compendium of studies on some of the subjects covered herein ([www.911Truth.org/dossier](http://www.911Truth.org/dossier))

“The 9/11 Omission Report” ([www.911CitizensWatch.org](http://www.911CitizensWatch.org), see “Downloads” link)

### **Books and Reports:** (*Submitted with this Complaint and Petition*)

*The Terror Timeline* by Paul Thompson and the Center for Cooperative Research (ReganBooks, an imprint of HarperCollins Publishers, New York, NY, [www.reganbooks.com](http://www.reganbooks.com): 2004)

*The New Pearl Harbor* by David Ray Griffin (Olive Branch Press, an imprint of Interlink Publishing Group, Inc.; Northhampton, MA, [www.interlinkbooks.com](http://www.interlinkbooks.com): 2004)

*Crossing the Rubicon* by Michael Ruppert (New Society Publishers, Gabriola Island, B.C. Canada, [www.newsociety.com](http://www.newsociety.com): 2004)

*The 9/11 Commission Report: Omissions and Distortions* by David Ray Griffin (Olive Branch Press, an imprint of Interlink Publishing Group, Inc.; Northhampton, MA, [www.interlinkbooks.com](http://www.interlinkbooks.com): 2004, publisher’s draft)

### **Film documents:**

*The 9/11 Omissions Hearings, New York City, September 9, 2004* (9/11 Citizens’ Commission).

Submitted in DVD format and available online at:

[www.911busters.com/911-Commission.html](http://www.911busters.com/911-Commission.html). Text version available at “Downloads” section of [www.911citizenswatch.org](http://www.911citizenswatch.org) [click on downloads, then “Images and PDFs,” then “9/11 Omissions Hearings: A MS Word Transcript.”]

*The Great Conspiracy: The 9/11 News Special You Never Saw* (Barrie Zwicker, 2004)

[Available at [www.globaloutlook.ca/videos.htm](http://www.globaloutlook.ca/videos.htm)]

*Hijacking Catastrophe: 9/11, Fear, and the Selling of American Empire*

(The Media Education Foundation, 2004)

[[www.mediaed.org/videos/CommercialismPoliticsAndMedia/Hijacking\\_Catastrophe](http://www.mediaed.org/videos/CommercialismPoliticsAndMedia/Hijacking_Catastrophe)]

### **Websites:** (*Additional websites, incorporated herein by reference to the relevant URLs, and submitted in evidence*)

“The Complete 9/11 Timeline” ed. Paul Thompson

[www.cooperativeresearch.org/project.jsp?project=911\\_project](http://www.cooperativeresearch.org/project.jsp?project=911_project)

[see this online version of *The Terror Timeline* for anthrax-related entries, which does not appear in the published book version]

[www.wtc7.net](http://www.wtc7.net) ed. Jim Hoffman (specifically, those sections on the collapse of World Trade Center Building 7)

“September 11th and the New World We Live In” ed. Michael Ruppert

[www.fromthewilderness.com/free/ww3/index.shtml](http://www.fromthewilderness.com/free/ww3/index.shtml)

“Crimes Against Humanity” ed. David Ratcliffe [www.ratical.org/ratville/CAH](http://www.ratical.org/ratville/CAH)

## PART I.

### BASIS OF COMPLAINT

The 9/11 attacks caused unprecedented damage to the lives, property, and livelihoods of New York residents. According to the most recent database at [www.september11victims.com](http://www.september11victims.com), used as a source by the government-appointed National Commission on Terrorist Attacks Upon the United States (known variously as the “9/11 Commission” or “Kean Commission”, and herein designated as the Kean Commission), there were 2,996 murdered in the September 11 attacks—2,626 dead or missing at the World Trade Center, 125 at the Pentagon, and 245 on the four airliners. Risk and security analysts estimate life insurance, worker’s compensation, property damage, and business/rental interruption costs at \$55-70 billion, including \$32 billion in documented insurance losses alone. In addition, the cost of the airline “bailout” package by the federal government is estimated at \$2 to \$5 billion. This is in addition to a vast array of other economic damages following from the attacks. (See Appendix 1: “Taxonomy of Damages Resulting From September 11” and Appendix 2: New York State Assembly Economic Report: “New York City and September 11”).

The people of New York are deeply dissatisfied with official investigations to date, including *The 9/11 Commission Report*. The 9/11 Zogby Poll (*see*, Appendix 3, “Zogby International 9/11 Poll and New York Legislator Survey—Results”) found that only 36 percent of New York State residents believe the Kean Commission answered “all of the important questions about what happened on September 11, 2001.”

An ongoing survey of New York city, state and federal legislators by radio station WBAI has so far found that 15 members of the State Senate, State Assembly, and New York City Council and two members of the New York Congressional delegation support the popular call for reopening the investigation; nine of such members selected the Office of the State Attorney General as the most effective venue today for getting to the truth of 9/11 (*see*, Appendix 3).

**What follows is our list of thirteen reasons for requesting that an independent, in-depth investigation be undertaken, by means of a grand jury or otherwise:**

**1. No serious official investigation, independent or otherwise, has yet been convened in connection with the murder in New York City of 2,772 citizens of the United States and more than seventy other nations.**

The majority of the nearly 400 questions submitted for investigation to the Kean Commission by the September 11 victims' families who lobbied the inquiry into existence were not even addressed in *The 9/11 Commission Report*. (see, Appendix 4, Family Steering Committee for the 9/11 Independent Commission: "FSC Questions to the 9/11 Commission, with Ratings of Its Performance in Providing Answers.") Of those questions posed by the Family Steering Committee for the 9/11 Independent Commission (hereinafter, "FSC" or "9/11 Family Steering Committee") that the Kean Commission did address, most were answered only partially or cursorily without touching the deeper issues they were meant to explore. This was the case despite assurances from Commissioner Jamie Gorelick at the opening hearing that the families' questions would serve as the "road map" for the investigation to come. A large majority of the "unanswered questions" from the 9/11 CitizensWatch website, submitted to the Kean Commission during the same hearings in March 2003, was similarly ignored (see, Appendix 5, 9/11 CitizensWatch: "Questions to the Kean Commission, March 2003" for point-by-point analysis of evidence addressed and not addressed by the Kean Commission; see also, Griffin, *9/11 Commission: Omissions and Distortions*, publisher's manuscript).

**2. With the exception of two brief early hearings (on terrorist financing and building collapses), Congressional investigation has consisted only of the Joint Inquiry of the Congressional Committees on Intelligence ("Congressional Joint Inquiry") that was convened in the summer and fall of 2002. After a negotiation with then Senate Majority Leader Tom Daschle, its scope was limited only to intelligence "failures." The Joint Inquiry itself was subject to FBI harassment and its final report was in part suppressed by the White House.<sup>4</sup>**

During this Congressional Joint Inquiry, the FBI—itsself a subject of the inquiry—initiated an investigation of Senate committee members for an alleged security leak and made an unprecedented demand that members of Congress submit to lie-detector tests. Senator John McCain (R-AZ) said, "What you have here is an organization compiling dossiers on people who are investigating the same organization." Another senator told the Associated Press that the FBI is "trying to put a damper on our activities and I think they will be successful" (*The Washington Post*, 8/3/02 and 8/24/02; Associated Press, 8/29/02). In addition, about one-quarter of the Congress's resulting "Report of the Joint Inquiry Into the Terrorist Attacks of September 11, 2001" was redacted by the Administration and CIA on National Security Act grounds. The many deletions included the striking of most of a 28-page chapter, and of eight entries in the "Glossary of Terms and Acronyms." (The glossary entries

were presumably deleted to hide the existence of secret units within the government, or else to suppress the role particular organizations or agencies may have played in the events of September 11.) If criminal laws were violated and government officials or private interests suppressed evidence of such violations, we respectfully suggest that the suppression could constitute obstruction of justice.

***3. The Kean Commission, which was created only after 14 months of pressure from September 11 victims' families, was strictly limited in its scope so as to avoid placing blame on government officials or investigating allegations of official criminality. The Commission also consisted of appointees with obvious conflicts of interest, was seriously underfunded, and its ongoing work was met with resistance from the White House.***

Vice Chair Lee Hamilton said at the outset of the Commission hearings: "The focus of the Commission will be on the future. We're not interested in trying to assess blame. We do not consider that part of the Commission's responsibility." Many of its members and staff, including Executive Director Philip Zelikow, have striking conflicts of interest (*see*, Appendix 6, "A Brief History of the Kean Commission"). Commission resources were limited; only \$3 million was allocated initially. Congress later increased this amount, against White House resistance, to just \$15 million. (This may be compared to the immediate \$30 million appropriation for the Challenger crash investigation and the \$60 million allocated for the Clinton Whitewater inquiry). According to numerous complaints from commissioners, including but not limited to Senator Max Cleland (who was forced to resign after accepting an appointment to the Export-Import Bank board), the Bush administration and its subordinate agencies repeatedly obstructed, stalled, and restricted their investigations, opposed a two-month time extension, and demanded ultimate content approval of the final report—which was published without the redactions normally used to show suppressed content. We raise the question whether such actions may constitute violations of New York State and federal laws.

***4. The National Transportation and Safety Board ("NTSB") is required by Congressional mandate to investigate airline disasters, but due to the fact that a crime was committed in this case, the usual independent investigative work resulting from an airline disaster was preempted by the FBI, leaving NTSB as a mere "technical advisor."<sup>5</sup>***

No public reports on the aviation disasters of September 11 have been released by either the NTSB or the FBI. In addition, there appear to be no efforts under way to reconstruct the destroyed airplanes, as is the usual practice in airline crash investigations conducted by the NTSB. To the contrary, reports from residents of the Shanksville, Pennsylvania area indicate that disaster debris is still being found at this writing.

***5. All official investigations took for granted a certain set of a priori and unquestioned assumptions, which are summarized for your examination in the list below. These items constitute what has come to be called the “official story” of 9/11 as it was portrayed to the press and the people immediately after the attacks. But evidence presented elsewhere in this Complaint and Petition casts serious doubt on the veracity of the assumptions set forth in this list, in the minds of many:***

- a. The 9/11 plotters intended to hijack no more than four planes, which were commandeered and flown by 19 Middle Eastern hijackers. Their identities were resolved conclusively in the hours and days immediately after the attacks and have never since been in doubt.<sup>6</sup>
- b. The 9/11 plot was set into motion and financed by a network surrounding Osama bin Ladin, without direct financial backing from his wealthy family or other Saudi agents, and without the participation, involvement, accessorial conduct or knowledge of any states or state agents, either foreign or domestic, prior to or during the plot’s execution.<sup>7</sup>
- c. No US officials could possibly have had actionable foreknowledge of the plot, for if they did they “would have moved heaven and earth” to intervene.
- d. Investigation into the actions and behavior of US government agents and Bush administration officials could not possibly uncover any greater level of culpability than unintentional failures of intelligence, communication or surveillance, or at worst individual incompetence or negligence. And further, since any questions of foreknowledge, acquiescence, or accessorial criminality were never to be contemplated by the Kean Commission, its investigations could without difficulty be supervised—despite the obvious conflicts of interest of Executive Director Philip Zelikow, a former high-level adviser to the present Bush administration, and virtually every other member of the Kean Commission (*see*, Appendix 6).
- e. Suppression of relevant facts regarding 9/11 has been an undeniable necessity of national security; no elements within the US government or administration would exercise pressure or influence<sup>8</sup> to avoid certain avenues of investigation or bodies of evidence in the probes carried out by the Justice Department, Congress, the National Institute for Standards and Technology (“NIST”), the Federal Emergency Management Agency (“FEMA”), the General Accounting Office, the CIA, and the Kean Commission.
- f. No reports from foreign governments, agencies or news services alleging facts directly contradicting those set forth by official US sources need be examined or explored.

- g. The catastrophic collapses of the World Trade Center's North and South Towers were solely due to the plane strikes and fire.
- h. It is not to be considered problematic that World Trade Center Building 7 was the first steel-beam skyscraper in history to collapse solely from the effects of fire. No serious investigation of this mysterious collapse is required despite the fact that its owner appeared to admit on national television that it was "pulled" (i.e., purposely demolished).
- i. The anthrax poisonings and attempted poisonings of elected representatives and media figures were carried out by an as-yet unidentified lone scientist without the knowledge or support of any state agency or agents. Moreover, these rogue attacks had no coordination or connection to the 9/11 plot, did not influence any 9/11 inquiries, and did not appreciably affect the post-9/11 balance of domestic political power.

**6. All formal investigations have started with the premise that the "official story" presents an accurate, objective outline of relevant events on and preceding 9/11.** This is assumed to be the case despite the rapid accumulation of evidence that the official accounts (some of which contradict each other) cannot possibly explain the events as they transpired. The effect of this unwarranted presumption has been to exclude critical lines of inquiry and bodies of evidence from the outset.

**7. The FEMA investigation of the building collapses drew no meaningful conclusions.** The subsequent investigation by NIST began with an open call for video and photographic evidence, because the relevant physical evidence (e.g., steel beams from the collapse zones) had already been scrapped.

**8. Extensive and crucial sections of the Kean Commission's findings and consequent conclusions are based on uncorroborated interrogation reports channeled from captive government suspects.** Examples include Khalid Sheikh Mohammed, Ramzi Binalshibh, and Abu Zubaydah, who were never made available for questioning by the commissioners, staff, or any Kean Commission representative.

**9. In the absence of legitimate investigation by official institutions, a wide variety of citizens' groups, insiders, researchers, and journalists all across the country and across the political spectrum have attempted to conduct what investigations they can and have demanded evaluation of probative, yet unexamined bodies of evidence.**

The most prominent of these individuals and groups, listed below, have raised incisive questions and have brought forth significant facts and findings:

- a. Website-based and ad-hoc citizens' efforts such as 911Truth.org, 9/11 CitizensWatch, and the international citizens' inquiries held in Germany, San Francisco, Toronto, Los Angeles, etc. (all accessible from [www.911Truth.org](http://www.911Truth.org)).
- b. September 11 victims' family groups such as the Family Steering Committee for the Independent 9/11 Commission ([www.911independentcommission.org](http://www.911independentcommission.org)); Peaceful Tomorrows ([www.peacefultomorrow.org](http://www.peacefultomorrow.org)); the Skyscraper Safety Committee ([www.skyscrapersafety.org](http://www.skyscrapersafety.org)); the Hispanic Victims Group; Ground Zero for Peace; World Trade Center Environmental Organization, and others.
- c. A veteran officials' group involving FBI whistleblower Sibel Edmonds, retired CIA analyst Ray McGovern, and 25 former intelligence and law enforcement employees, facilitated by Daniel Ellsberg's Truth-Telling Project ([www.thetruthtellingproject.org](http://www.thetruthtellingproject.org)) and the Project on Government Oversight ([www.pogo.org](http://www.pogo.org)).
- d. Writers and journalists devoted to research, too numerous to list comprehensively, but including Michael Ruppert ([www.fromthewilderness.com](http://www.fromthewilderness.com)), author of *Crossing the Rubicon* (New Society Publishers: 2004); David Ray Griffin, author of *The New Pearl Harbor* (Olive Branch Press: 2004, 2nd Edition) which has been translated into multiple languages, and the soon-to-be released manuscript *The 9/11 Commission Report: Omissions and Distortions*, provided with this Complaint and Petition; The Center for Cooperative Research ([www.cooperativeresearch.org](http://www.cooperativeresearch.org)), home of the "The Complete 9/11 Timeline" by Paul Thompson, now in book form as *The Terror Timeline* (Harper-Collins: 2004); The Center for Research on Globalization ([www.globalresearch.ca](http://www.globalresearch.ca)), publisher of *War and Globalisation: The Truth Behind September 11* by Michel Chossudovsky; and the website of Jim Hoffman ([www.wtc7.net](http://www.wtc7.net)).
- e. A 9/11 Citizens' Commission convened in New York on September 9, 2004 to hear certain testimony not heard or considered by the Kean Commission. Chaired by former Georgia Congressional Representative Cynthia McKinney (who regained her seat in the November 2004 election), these hearings are referred to in this Complaint and Petition as "The 9/11 Omissions Hearings" (see, Appendix 7 for index and introduction). As the result of evidence heard at the hearings, the 9/11 Citizens' Commission recommended the filing of a complaint with the Attorney General for the State of New York.
- f. Whistleblower Indira Singh presented to the 9/11 Citizens' Commission, and previously to the FBI, allegedly incriminating information about Ptech, Inc., a Quincy, Massachusetts-based company that was raided by a Joint Terrorism Task Force on December 6, 2002 for unspecified allegations connected with

terrorism financing and possibly even 9/11-related operations.<sup>9</sup> Says Singh, “That no one seems to know of Ptech is due to the power of Ari Fleischer’s statement that day that there was nothing wrong with Ptech’s software. ‘Nothing to see here folks’ [he said] and the story went away, subsumed in the war on Iraq.”<sup>10</sup>

***10. Private lawsuits thus far have made little progress in uncovering the truth of the events surrounding September 11.***

We believe this to be largely due to judicial resistance, government obstruction of access to evidence and witnesses, and inadequate investigative funds (but in part due to the limited ability of any private lawsuit to resolve issues of this magnitude in a timely manner). In addition, it should be noted that a principal condition for the 9/11 victim family members to apply to the unprecedented Victims Compensation Fund for partial redress was formal renunciation of their right to pursue damages or discovery of truth through litigation against US companies or government agencies.<sup>11</sup> Examples of these lawsuits are cited below:

- a. Sibel Edmonds filed a suit against the Department of Justice to challenge excessive classification of a Department of Justice Inspector General’s report known to establish that she was fired, at least “in part,” for her whistleblowing activities (filed with US District Court for the District of Columbia under the Freedom of Information and Privacy Acts, Mark Zaid, Esq., 9/22/04).<sup>12</sup>
- b. The Project on Government Oversight (“POGO”) filed a second lawsuit connected with the Sibel Edmonds case requesting declaratory and injunctive relief and challenging the reclassification of the information she had provided to Congress.<sup>13</sup>
- c. The “Saudi Class Action Suit” (see, [www.september11classaction.com](http://www.september11classaction.com)) has been similarly impeded. In particular, plaintiffs’ attorneys have been denied access to the critical testimony of former FBI translator Sibel Edmonds, who has been effectively silenced after the Justice Department quashed her subpoena, a federal judge postponed the trial on the appeal of her own lawsuit (referred to in the previous paragraph above), and the Justice Department issued an unprecedented “retroactive classification order”<sup>14</sup> covering information she had already released to the Congress (see, stories in *Boston Globe*, 7/5/04; *New York Times*, 7/29/04).
- d. In November of 2003, former Deputy Attorney General of Pennsylvania Phil Berg filed an amended RICO (Racketeer Influenced and Corrupt Organizations Act) civil complaint against top members of the Bush Administration for wrongful death, criminal conspiracy, and obstruction of

justice on behalf of 9/11 widow Ellen Mariani.<sup>15</sup> This was refiled as *Rodriguez v. Bush et al.* in the US District Court for the Eastern District of Pennsylvania as of 10/21/04. [Civil action no. 04 CV 4952]

- e. Since 2002, FBI special agent Robert Wright, along with Judicial Watch, has pursued a suit under the Whistleblower Protection Act to allow publication of information alleging high-level obstruction of counterterrorism investigations that shared prime suspects with the Singh/Ptech case cited above. The case remains bogged down. His counsel, David Schippers, former Republican House Judiciary Committee Counsel during the Congressional impeachment hearings of William J. Clinton, has stated he saw evidence that the “dates and targets” as well as the funding sources of the 9/11 attacks were known in advance to unnamed FBI agents, whom he represents.<sup>16</sup>
- f. Judicial Watch and Sierra Club sued Vice-President Cheney for the release of documents from his Energy Task Force meetings in 2001, which are reported to have involved discussions of military action to secure foreign supplies of oil. The case remains tied up in the courts after a Supreme Court decision in June, 2004 not to force a release.
- g. Also languishing is a Judicial Watch suit demanding the White House clarify the rationale for placing some of its staff on the antibiotic Cipro immediately after the 9/11 attacks (on September 11, but before the anthrax attacks).<sup>17</sup>
- h. On March 10, 2004 a coalition of New York City residents, office workers, parents and students filed a class action lawsuit against the Environmental Protection Agency (“EPA”) for deliberately deceiving the public about the highly hazardous dust and air around Ground Zero in the months following the attacks, endangering in particular first responders, clean-up crews, neighboring children, and seniors and failing to comply with its federally mandated responsibility to clean contaminated buildings after terrorist incidents.<sup>18</sup>
- i. World Trade Center insurance suits: The welter of insurance claims and litigation relating to the World Trade Center destruction has focused almost entirely upon policy language, precedents, and contractual process, and thus devoted little if any useful attention to exploring the actual facts and circumstances of the attacks and the subsequent collapse of WTC buildings #1, #2, and #7.
- j. A lawsuit filed against Riggs Bank alleges that “Riggs’ constant failure to comply with banking oversight laws resulted in funds being forwarded from high risk Saudi Embassy accounts at Riggs Bank to at least two September 11 hijackers.” The suit was drafted by the torts firm Motley Rice of Mount Pleasant, S.C.<sup>19</sup>

**11. *Some alleged perpetrators have been held without charges, potential witnesses or co-conspirators have been released from US jurisdiction, and critical witnesses have been fired by a Justice Department that has prioritized official secrecy over defendants' normal Constitutional rights.***<sup>20</sup>

The case of Zacarias Moussaoui, for example, is currently bogged down due to the government's refusal to allow Moussaoui or his attorneys access to potential defense witnesses such as the captured alleged 9/11 plotters Khalid Sheikh Mohamed, Ramzi Binalshibh and Abu Zubaydah.<sup>21</sup> Further, members of the bin Ladin family, members of the royal family of Saudi Arabia and many other prominent Saudis who might have provided key information as to the whereabouts of Osama bin Ladin, terrorist financing and other matters directly related to an investigation of the hijackings on September 11 were reportedly transported within the US on privately chartered jets shortly after the attacks and allowed to leave the country shortly after the national air traffic ban was lifted. Only a few of these witnesses were interviewed, and then, only cursorily, before their departure from the US, which departure appears to have been achieved only after high-level governmental clearance (*see*, for example, [www.snopes.com/rumors/flight.htm](http://www.snopes.com/rumors/flight.htm)).

**12. *Tools available to citizens have not worked or are not sufficient to the requirements of getting at key facts in this complex case:***

- a. Citizens lack subpoena enforcement power.
- b. The Administration generally is not honoring Freedom of Information Act requests. For example, the Justice Department chose to go to court rather than honor Sibel Edmonds' lawful, successful FOIA request.
- c. The Justice Department and FBI contend that key evidence sought by plaintiffs is either covered by the National Security Act and constitutes a related body of state secrets or must remain confidential due to ongoing cases and investigations.<sup>22</sup> In the case of Sibel Edmonds, they have engaged in highly unusual after-the-fact classification of public testimony.
- d. Critical evidence has been destroyed.<sup>23</sup> Recordings of Federal Aviation Administration ("FAA") controllers' accounts of September 11 events taped immediately after attacks were later meticulously cut to shreds and thrown away, despite orders to save them for investigative reference (*New York Times*, 5/6/04). CIA and Congressional staff complained that the National Security Agency was needlessly destroying evidence related to US companies and citizens that could "perhaps redirect" the investigation (*Boston Globe*, 10/27/01). The editor of the nation's oldest firefighting magazine, Bill Manning, objected to the accelerated scrapping of World Trade Center rubble before investigators

could determine the actual mechanics of the building collapse (*Fire Engineering*, 1/02) and in an angry editorial, called the government's investigation "a half-baked farce." At the end of October, 2004, a firefighter with the New York Fire Department as well as a Ground Zero recovery worker came forward to claim that the three of the four "black boxes" from the aircraft at Ground Zero were found during the clean-up work (*Philadelphia Daily News*, 10/28/04), contrary to the government's long standing assertion that no trace of these devices was ever discovered, which assertion was reiterated in *The 9/11 Commission Report* (Ch. 1, fn. 76, p. 468). A full investigation would pursue this claim and locate this vital evidence of the attacks, if it still exists.

- e. Many of the aforementioned acts, coupled with the rapid confiscation and top-secret classification of other important evidence, suggest at best a blatant contempt for the normal prerequisites to a truthful and confidence-inspiring inquiry and at worst obstruction of justice. Such behavior inevitably undermines trust in government in related matters, such as the veracity of uncorroborated "confessions" from alleged 9/11 conspirators held at undisclosed locations for well over a year in some cases without formal charges being brought against them for the 9/11 murders.
- f. Whistleblowers and elected officials who have called attention to these matters have been ignored, ridiculed, fired, threatened, subjected to gag orders, and harassed.<sup>24</sup> We draw your attention in particular to the cases of Sibel Edmonds, Sarshar Behrouz, Robert Wright, Indira Singh, US Air Force Col. Steve Butler, and Rep. Cynthia McKinney (D-GA). Such examples coincide with legal changes under the USA PATRIOT Act and other statutes and regulations, excessive classification orders, and constant invocation of a state of threat in the homeland. These factors have a powerful silencing effect on others who would come forward.
- g. Officials and military officers associated with the "failures" of investigation and defense response have not been held accountable; on the contrary, several of them have been confirmed in elevated positions, given awards or promoted following September 11. We draw your attention in particular to the cases of Chairman of the Joint Chiefs of Staff Gen. Richard Myers, Gen. Ralph Eberhart (Commander of NORAD on 9/11/01), Brig. Gen. Montague Winfield (director of the National Military Command Center), FBI officials David Frasca, Marion Bowman, Michael Maltbie and an unnamed FBI official alleged to have tolerated penetration by foreign agents at the Bureau's translations department (*CBS News*, 8/8/04).
- h. In the Swiss Re suit against Larry Silverstein, the owner of World Trade Center Building 7 and of a 99-year lease on the entire World Trade Center complex,

the insurance company's motions for access to foreign conspirators' statements (obtained by the Kean Commission) were denied.

- i. Members of the major media clearly have been afraid and/or loath to examine the contradictions and anomalies implicit in the Administration's official 9/11 story.<sup>25</sup> Sensational, simplistic, and relentless coverage of the attacks and ensuing wars based on the official narrative also proved so profitable for media news divisions that we may never see any serious skeptical investigation into its truth or legitimacy. Members of the mainstream press, by and large, have failed to note ample evidence of cover-ups relating to September 11, question official accounts like *The 9/11 Commission Report* despite its obvious omissions, distortions, and inconsistencies, pursue the unanswered questions and bodies of evidence cited in Part II of this Complaint and Petition, or even report on the stunning findings of the 9/11 Zogby Poll.
- j. Congress also has abdicated its responsibility to provide full oversight, conduct exhaustive investigations, provide a credible accounting or even hold in-depth hearings into the most important lines of inquiry put forward by the 9/11 Family Steering Committee. Congress has failed to examine the 9/11 Commission's questionable "findings of fact and circumstances" on which were based some of the most far-reaching reform recommendations ever proposed in US legislation. Nor has it pursued demands made by Minnesota Senator Mark Dayton for an investigation into NORAD's representations regarding air defense issues.
- k. The CIA has yet to release an internal report, based upon two years of work, on the September 11 events, which apparently attributes individual accountability for particular failures. The document was withheld until after the November 2, 2004 election and is still being withheld today, amid reports that the new CIA director, Porter Goss, wishes to remove sections "drawing conclusions about whether individual CIA officers should be held accountable for any failures" before releasing the report to the public (*New York Times*, 11/2/04). This is further indication that possible negligence or complicity on the part of individual officials is being hidden from public and Congressional scrutiny.
- l. The Justice Department also continues, months after its completion, to suppress "one last chapter" of *The 9/11 Commission Report*, which reportedly deals with the "broadly inaccurate accounts provided by several civil and military officials about efforts to track and chase the hijacked aircraft on Sept. 11." (*New York Times*, 10/30/04). This action, if it occurred, would provide further documentation of the US government's overall pattern of suppressing evidence

pointing to individual accountability. An independent criminal investigation or impartial grand jury appears to be the only discernible source of redress remaining to the People.

***13. Democracy itself is endangered when the following conditions are found to be the case in the political culture of a nation:***

- a. Government in all-too-many cases refuses to assign responsibility, promote transparency, or demand accountability from governing officials.
- b. Government encourages a stifling environment that suppresses dissent, persecutes whistleblowers, spurns the Freedom of Information Act, weakens personal privacy protections, inflates public fear, and extols “patriotic” obedience and militarization, etc.
- c. States are excluded from matters impacting their citizens by federal preemption, intervention, and federal national security, as in “state secrets” arguments.
- d. Potential suspects/defendants control investigative and public access to evidence that may tend to incriminate them.<sup>26</sup>
- e. A majority of citizens come to suspect high crimes and treachery within their own government, but cannot find officials with enough courage, power or independence to thoroughly investigate their concerns and restore the public trust.

PART II.

EXECUTIVE SUMMARY OF FACTUAL MATTERS  
GIVING RISE TO SUSPICIONS  
OF CRIMINAL ACTS BY PERPETRATORS  
OTHER THAN 19 MIDDLE EASTERN HIJACKERS

The September 11 attacks have generated a vast body of historical research, editorial content, scientific and statistical studies, and public policy statements and analyses that have over time increasingly bifurcated into two opposing camps: On the one side a large, independent research community has mounted a formidable challenge to the official story; and on the other stand those pillars of mainstream opinion who have never really doubted the original assumptions (*see*, list in Part I, section 5) first presented to the world by the Bush Administration within days of the tragedy. And tragedy compounds upon tragedy; compelling evidence exists that criminal acts attributed to 19 Middle Eastern hijackers may have also involved or even been perpetrated by other persons of interest or suspects either set free or not investigated who have gone free and even live among us—and all this because of the manifest default of our governmental institutions and media in carrying out their moral duty to pursue the truth no matter where it may lead.

No one doubts that the mainstream media have largely ignored the findings of the 9/11 truth movement during this period of the evolution of opinion and research. As in so many other issues of the day, establishment media have been compliant with official pronouncements—or perhaps have feared the profound consequences that might result if they were to devote the investigative resources that would be required to cover our challenges to the official story. While the mass media have remained in dereliction of duty, rich dialogues among the independent 9/11 research community have for several years fermented across the Internet, before a more recent blossoming of books, publications, speaking events, conferences, and films. Professionals and amateurs alike among these independent researchers have debated the ultimate origins of the attacks; the role of national intelligence and defense systems in failing America; the underlying motives for the actions taken by the Bush Administration in response to 9/11; and the many, many unanswered questions still not addressed by official investigations and mainstream media.

Meanwhile, the unchallenged official story that still guides government policy-making and legislation has had profound consequences for America and the world. The 9/11 tragedy has been exploited for political gain even in an election campaign. The unexamined official story about 9/11 is cited as justification for preemptive attacks on foreign countries, an ongoing war, and radical changes in public policy. The US approach to the so-called War on Terror has led to a break with America's allies and the United Nations, the enactment of statutes that limit civil liberties of citizens, visitors, and immigrants alike, the detainment and even torture of foreign nationals without benefit of due process and guarantees assured under the Geneva Convention, the creation of a new cabinet agency, and the expenditure of billions of dollars to increase police-like activity across the nation.

The complainants believe that the moral imperative for investigating our challenge to the official story has never been greater. But as with treatments of any complex issue outside of "official channels," the available sources vary in intent, focus, quality, and accuracy and, therefore, in value. Thus in Part II we provide—based upon our best assessment of the highest quality independent research—a condensed summary of possible avenues for investigation. We realize that credible and promising leads may yet prove baseless, while speculations that at first may seem off base can turn out to be true.

An open mind is required as one considers the overwhelming evidence that points to a wider circle of complicity than allowed for in the official story. We believe a subpoena-empowered investigation of these avenues for investigation will uncover indictable crimes under both New York and federal laws.

## A. Taxonomy of Evidence for a Wider Circle of Complicity

- 1. Air Defence on 9/11:** The complex anomalies and demonstrably false statements about US air defense response on September 11, including evidence suggesting that such failures cannot be explained by mere incompetence. This is an enormously complex issue, and therefore requires the longest treatment. While your office may choose not to find grounds for direct jurisdiction in these matters, their importance to a potential criminal investigation will become clear in combination with the other subjects treated below. (*see*, Appendix A1)
- 2. Chain of Command:** The failure to exercise authority among top officials in the US military chain of command during the actual attacks, so consistent that it suggests an intentional abdication of responsibility and points to the likelihood of criminal facilitation. This is an enormously complex issue involving conflicting and revised government air defense timelines, classified "coincident" multiple war games, and

other terror-related exercises that occurred on the morning of September 11, 2001. (see, Appendix A2)

- 3. Pakistani ISI:** The alleged connection of the Pakistani Interservices Intelligence Agency (“ISI”) to financing of the 9/11 plot, with its implications leading back to possible American connections in our intelligence agencies and other officials. (see, Appendix A3)
- 4. Insider Trading:** Reports received from stock exchanges all over the world pointing to evidence of massive financial trading based on insider foreknowledge of 9/11 attack details. This complex issue was far from resolved by the dismissal—itsself untenable—of “put option” evidence by both the SEC and *The 9/11 Commission Report*, as this evidence is itself only one part of the allegation. (see, Appendix A4)
- 5. Collapse of WTC Building 7:** The unexplained and little-reported free-fall collapse of World Trade Center Building 7, which raises the possibility of an intentional demolition. (see, Appendix A5)
- 6. Anthrax Attacks:** The as-yet unsolved anthrax attacks of October 2001 and their impact on domestic politics and the 9/11 investigations. (see, Appendix A6)
- 7. Ptech Raid/Investigation:** The activities of the government contractor Ptech, indicating a possible criminal complex surrounding this US government contractor and a role in the 9/11 crimes. (see, Appendix A7)

## B. Secondary Bodies of Circumstantial Evidence

The lines of inquiry suggested in Part A above are the tip of a largely unexplored iceberg. We therefore provide online at [www.Justicefor911.org](http://www.Justicefor911.org) an evolving sampling of other relevant bodies of evidence, pointing to:

- 1. Hijacker Oddities.** Contradictions and anomalies in reports about the alleged hijackers, suggesting that their identities, associations with other parties, and actual roles in the crime have not been resolved by official investigations. (see, Appendix B1)
- 2. Obstruction of investigations prior to 9/11.** Consistent and high-level obstruction of a number of US counterterrorism investigations prior to September 11, one or several of which might have uncovered the plot before its execution. (see, Appendix B2)
- 3. Indicators of foreknowledge.** Other indicators of advance preparation for the 9/11 scenario, including the circulation of attack details in advance among circles beyond the purported bin Ladin network. (see, Appendix B3)

- 4. Obstruction of investigations following 9/11.** The destruction of evidence, use of false evidence, and obstruction of investigations after the fact. (*see*, Appendix B4)
- 5. Context of war planning prior to 9/11.** The context and timing of the attacks, coming amid the Bush Administration's preparations in advance of September 11 to invade both Afghanistan and Iraq. (*see*, Appendix B5)
- 6. Letter from Kevin Ryan to Frank Gayle.** (November 11, 2004) Ryan, an executive at Underwriters Laboratories ("UL"), wrote to Frank Gayle, the head of the NIST team investigating the World Trade Center collapses—which is due to issue a draft of its final report in January. UL certified the steel used in building the World Trade Center, and has since tested steel recovered from the Ground Zero site, and also created a model of part of the towers to test the effects of fire on the steel arrays at the WTC. Ryan's letter raises the possibility that the collapse of the Twin Towers was not caused solely by the fuel fires weakening the metal structure. Ryan is not the first scientist to raise common-sense objections to this widespread account, which apparently also has its supporters at NIST. Although Ryan wrote on his own behalf—his letter is not a company statement—he does suggest incipient conflicts between UL and NIST with regard to the cause of the collapses. We respectfully call upon the Attorney General to seek advice from UL as well as other independent scientific organizations to resolve whether a steel-beam building can collapse from the relatively foreseeable scenario of a fire fueled by hydrocarbon fuels (including the type that were, apparently, stored in Building 7). If such an independent investigation resolves the issue in favor of the common account attributing the collapses to the effects of fires, the AG should investigate whether other skyscrapers in New York are vulnerable to collapse from fire; and how many others are storing materials that, if exposed to fire, will cause steel beams and structures to fail. (*see*, Appendix B6)
- 7. Taxonomy of potential beneficiaries from the 9/11 attacks.** We understand that an exploration of which parties may be complicit in a crime—such as 9/11 surely was, on a vast scale—must include due consideration for the question of "cui bono?":<sup>27</sup> Who are the beneficiaries of given events? Benefits may accrue incidentally, unwanted, or unforeseen by the beneficiaries, and therefore benefit is insufficient in establishing culpability; but an impartial investigation necessarily will include consideration of possible culpability among beneficiary groups. Given the disturbing inconsistencies in the official story, such an investigation must ask, "Who would have had motive to allow or to facilitate the attacks?" "Who has displayed a willingness to exploit the events of 9/11 and their predictable consequences in the political, financial, and psychological realms?" "Are there indications that any of these beneficiaries may have been aware of the attacks in advance or involved in obstruction of investigations either before or after the attacks?" (*see*, Appendix B7)

## C. Historical Evidence Pointing to an Alternative Account

Finally, we can only briefly touch upon historical subjects that are academic to a criminal investigation and prosecution of the 9/11 crimes, but which should surely inform any such venture. We will therefore provide online at [www.Justicefor911.org](http://www.Justicefor911.org) evolving dossiers on the following:

**1. Context: History of US policy and covert networks.** The US government has a long history of covert operations and covert policies, undertaken outside public purview or control by constitutional institutions. Moreover, many of these operations and policies are properly described as extragovernmental, i.e., implemented by associations that are only partly based in US government agencies, but which pursue their own agendas that are often at cross-purposes with official policy-makers. One term for this is "parapolitics"—the practice of political influence in secret by self-appointed, unaccountable groups. Both government-approved covert operations and covert parapolitical networks often have countenanced deliberate support for the rise of groups later designated to be "enemies" of the United States. Of the many such examples, especially germane are the decades of US support for radical Islamism in general, as well as specific US government participation in creating the network around Osama bin Ladin and in exploiting that network both as a support in achieving covert policy goals, and as an overt enemy of convenience. (*see*, Appendix B8)

**2. Context: Precedents for facilitated terror and false-flag operations internationally.** The many past cases when states (including the US government) and state agents pursuing their own agendas have countenanced attacks on their own nationals, fabricated non-existent attacks, or even planned for real attacks and blamed such attacks on an enemy of convenience (a "false flag"), the motive being to rule by fear, provide the pretext for war, silence dissent, or achieve other political and economic goals. (*see*, Appendix B9)

PART III.

THE PETITION

Proceeding from the information provided above in Parts I and II, the complainants hereby request the Attorney General to engage in the following activities on behalf of the people of New York:

A. Conduct an impartial investigation or appoint an independent, impartial, randomly selected grand jury to:

1. Generally, answer the unanswered questions, those posed to the Kean Commission by the relatives of September 11 victims and those posed in this Complaint and Petition and in the materials provided with it.
2. Obtain any as-yet unpublished or classified investigatory analyses, reports, or physical or other evidence from law enforcement authorities, government agencies and courts of New York City, New York State and other localities and states, US federal and foreign agencies, Congressional offices, Pentagon, White House, Department of Justice, Department of Homeland Security, the Mission to the United Nations, the Port Authority of New York and New Jersey, CIA, FAA, FBI, FEMA, NIST, NTSB, SEC, Underwriters Laboratories, former members of the Kean Commission and its staff, and others, and identify any anomalies from the official assumptions, declarations, media reports, and other accounts put forward to the people of New York as explanations for the absence of official culpability for the crime and damages arising from it.
3. Interview witnesses, alleged perpetrators, whistleblowers, and other sources whose accounts of the events of 9/11 have been suppressed, classified, or otherwise withheld from public scrutiny.
4. Determine to what extent insider trading in the form of “put” or “short” positions—and any other suspicious securities trading activity—took place with respect to stocks in companies adversely affected by the 9/11 tragedy (including, but not limited to, United Airlines, American Air Lines, Merrill Lynch and Morgan Stanley). In addition, identify the holders of any suspicious positions or principals of trades and any individuals or firms in the securities business who may have furthered any such insider trading or had knowledge thereof.
5. Determine the validity of those assumptions (as described in Part I, Section 5 of this Complaint and Petition) upon which the findings of the Kean Commission are

based, and if not valid, determine what effect any so-identified discrepancies (between the official assumptions and the actual events) would have upon the conclusions as to (a) the cause of the 9/11 crimes and (b) the identity of the perpetrators and conspirators who carried out the 9/11 crimes.

6. Determine, based upon the work of independent scientists, engineers, and other experts, whether the collapse of each World Trade Center building was:

- a. Solely due to the crash of two airliners and resulting fires (or, in the case of Building 7, fire alone)
- b. Due in part to the storage of flammable chemicals or other combustibles within the buildings
- c. Due in part to fraud or criminal negligence or recklessness in the building materials, construction techniques, or maintenance of the buildings
- d. Due in part to detonation of explosive materials

7. Identify those responsible for the destruction of evidence of the crimes committed in connection with the events of 9/11 and for the suppression of witness accounts through threats of reprisal, intimidation, harassment, or otherwise.

8. Determine from medical or other experts the cause of the many physical maladies suffered by the residents of, workers in, and visitors to New York City during and following the 9/11 tragedy from exposure to toxic substances and related causes and:

- a. Identify individuals in key decision-making positions with respect to the official response to the ongoing health dangers posed by the 9/11 tragedy to New York City residents, workers, and visitors.
- b. Determine what decisions were made and what actions were taken by the responsible individuals to safeguard or not safeguard the health and well-being of victims of toxic substance exposure in New York City and its surroundings.
- c. Determine whether the actions taken by those in authority or in key advisory positions within and outside federal, state, and local government contributed to such physical maladies.
- d. Identify any conflicts of interest by decision-making officials and determine whether such conflicts of interest contributed to or aggravated such physical maladies.

9. Identify those who authorized departure from US jurisdiction of potential individual co-conspirators, facilitators, or aiders and abettors. Specifically, identify the

actions taken by those in authority and their superiors or principals to effectuate the premature departure of members of the bin Ladin family and other Saudis from US jurisdiction and what effect such departure had upon the investigation of crimes related to the 9/11 tragedy.

10. Generally, identify those responsible (including, if appropriate, those in government and government contractors) for murder, monetary damages to public authorities, property damage, and damage to the health and general welfare of New York residents and owners and employees of New York businesses.

11. Identify government officials and contractors, if any, responsible for failure of the nation's air defenses, including those involved in any capacity in the war games that coincided with the attacks.

12. Identify conflicts of interest among key public and private sector players involved in the events of 9/11 or their aftermath and identify any related patterns of profiteering, including stock market profits, with respect to, for example, the award of government contracts and the lobbying for and passage of legislation.

13. Identify bank accounts and other sources of funding for crimes related to 9/11 and "follow the money" from its ultimate sources through its use for purposes furthering the conspiracy of 9/11, in the process identifying and interviewing individuals whose actions furthered the criminal enterprise.

14. Identify law firms, accounting firms and banks, if any, that aided and abetted the 9/11 crimes, their financing and other activities in furtherance of crimes related to the tragedy.

15. Calculate the damages to the State of New York, the City of New York and their authorities, funds, and other instrumentalities, including both past costs and damages and the increase in the costs of future legal, contractual, or moral imperatives of such governmental entities, funds, or functions.

16. Identify sources of financial redress from:

a. Responsible federal government officials

b. Complicit local officials

c. Government contractors and private corporations (and their control persons), banks, and individuals who aided and abetted, criminally facilitated, conspired, or breached contracts or duties arising under contract or otherwise—or engaged in illegal or immoral profiteering while in a position of public trust or fiduciary obligation.

**B.** Generally, hold responsible persons accountable under state law, both personally and through their employers or principals, and in so doing seek the following sanctions and remedies, and such other sanctions and remedies as may be available under New York law, or charge the federal government with pursuing federal remedies:

1. Indictments of responsible individuals, corporations or groups you believe are guilty of crimes under New York law, including crimes—such as criminal conspiracy, official misconduct, accessorial conduct, illegal profiteering, obstruction of justice, intimidation of potential witnesses, and destruction of evidence—that support or arise out of the underlying crimes.
2. Disgorgement of profits obtained by illegal or immoral means and contractual payments for incomplete, incompetent, faulty, or otherwise wrongfully compensated work under breached contracts and illegal activities contributing to, exacerbating, or covering up the crimes committed on or in connection with 9/11, and related activities thereafter in connection with the 9/11 tragedy and its aftermath.
3. Resignation or demotion of culpable individuals.
4. Consent decrees or other legally enforceable agreements or assurances to prevent the repetition of culpable behavior, negligence, recklessness, or other causes of harm to New Yorkers.
5. Debarment of culpable individuals, corporations, and organizations or groups from future business with the State of New York.
6. Recovery of damages and the levy of the maximum penalties available at law.
7. Prohibition of culpable businesses from continuing to transact business in the State of New York, where they:
  - a. Have stock traded on New York-based exchanges.
  - b. Have headquarters and US offices of foreign corporations (especially money center banks).
  - c. Qualify to do business in the state only through state grant, which can be withdrawn for illegal conduct.
  - d. Have submitted to jurisdiction of the State of New York by reason of admission to transact business in New York.
  - e. Have New York bank accounts that can be attached.
8. To the extent possible, address military failures and/or crimes, including actions of or effects on civilian military employees, turning over evidence to military tribunals, if appropriate.

**C.** If the federal government refuses to enforce federal laws: use state power to enforce state laws; challenge federal authority to supersede state and local authorities; challenge federally invoked state secrets privilege to examine whether it was genuinely invoked for security or abused to cover up wrongdoing; and work with international banking and other authorities to investigate and follow money trails.

**D.** Coordinate with the attorneys general of other states with interests in 9/11, as occurred in the "tobacco settlements" and other cases where multiple states had jurisdiction and sustained damages. (Appendix 8)

**E.** Take action to protect whistleblowers within and outside government from retaliatory actions.

**F.** Disclose your findings to the people of New York and the nation as a means of upholding truth and justice as the standards of the public realm, restoring the "shattered trust" of the people in their democratic institutions, and honoring the memories of those who lost their lives on September 11, 2001.

## Endnotes

- 1 See also online version of this Complaint and Petition, annotated with hyperlinks to supporting documents and news reports, at [www.Justicefor911.org](http://www.Justicefor911.org).
- 2 "The Crisis of Accountability," Law Day Remarks, Attorney General Eliot Spitzer, May 1, 2002 (available online at [www.oag.state.ny.us/press/statements/law\\_day-2002.html](http://www.oag.state.ny.us/press/statements/law_day-2002.html)).
- 3 Additional complainant signatories will be added and noted on [www.justicefor911.org](http://www.justicefor911.org), as will additional supporting individuals and organizations including those from other states.
- 4 Reportedly, planned hearings of at least eight Congressional committees were curtailed or cancelled after pressure by the White House and Vice President Cheney personally on Daschle, who had also been targeted with an anthrax mailing a month after September 11 when he was speaking out against the White House proposal for the USA PATRIOT Act.
- 5 Note: a statutory provision adopted in the late 1990s allows the FBI to take over as the lead investigative agency in the case that an airline disaster is determined to be the result of criminal acts.
- 6 Presumably, if these 19 Middle Easterners, mostly Saudis, were not solely responsible for the September 11 attacks, many instances of criminal law violations arise under New York and federal laws.
- 7 If this assumption is not true, the question presents itself, "Is not participation in or knowledge of activities in furtherance of murder a crime under New York law?" See, Paragraph 11 below.
- 8 If there were such pressure or influence, it might be worth investigating whether such pressure or influence are elements of crimes such as criminal facilitation, criminal conspiracy, and accessorial conduct under New York law.
- 9 See, Appendix A-7. According to Indira Singh, the raid occurred after several whistle-blowers exposed hidden relationships to terrorist financing, specifically investments by Sheikh Yasin Al-Qadi who was placed on the US list of specially designated terrorists late in 2001. She says that Ptech's board members, investors and employees have been the subject of other Treasury and Justice Department investigations and operations related to the events of 9/11.

Singh was informed of Ptech's contracts with the FAA, the Executive Office of the President and the Air Force, relationships providing disturbing questions into how NORAD [including—relevant to this Complaint—the Northeast Air Defense Sector (NEADS) in Rome, New York] and other agencies the FAA coordinates with during emergencies may have been deliberately undermined from within on the morning of the attacks. Multiple communication breakdowns, software glitches and other technical snafus documented by the 9/11 Commission raise serious questions about potential Ptech or related software induced vulnerabilities. As far as we are aware, assurances from the White House that the software is safe have not been backed up by an official inquiry into a scenario for which Ptech provided a "Trojan horse" for 9/11 co-conspirators.

In addition, Singh was provided information into potential prior knowledge within Ptech of the attacks; Ptech/BMI was itself the subject of FBI Agent Robert Wright's pre-9/11 terrorist financing investigation, which was repeatedly obstructed or undermined by senior officials at the FBI. After the attacks, whistleblowers were repeatedly threatened to keep silent about the company.

- 10 The actual words used by Fleischer, according to Singh, are: "None of it involved any classified products used by the government," and "they have detected absolutely nothing in their reports to the White House that would lead to any concern about any of the products purchased from this company." See, [www.whitehouse.gov/news/releases/2002/12/20021206-4.html#17](http://www.whitehouse.gov/news/releases/2002/12/20021206-4.html#17). Fleischer was proven wrong and admitted his previous dismissal of concern was inaccurate and premature, but the damage was done, and no known follow-on investigation has been conducted or reported.
- 11 There also have been numerous allegations that many families were financially forced into the Victims' Compensation Fund and its legal constraints by deliberately calculated delays in the disbursement of public charity funds. It should be explored whether, if the object of the creation of the Victims' Compensation Fund was to constrain victims from presenting evidence of criminal acts, the very creation of such a fund might involve obstruction of justice.
- 12 Judge Reggie Walton of the US District Court for the District of Columbia dismissed the case following Attorney General John Ashcroft's invocation of the "state secrets privilege" over Edmonds. Reportedly, Ashcroft maintained that, "information about her case would cause serious damage to the national security and foreign policy interests of the United States if publicly disclosed." Walton admitted that, since "the imminent threat of terrorism will not be eliminated any time in the foreseeable future," the case would never be heard (Chris Strohm, "Whistle Stop," [www.govexec.com](http://www.govexec.com), 7/9/04).
- 13 Project on Government Oversight v Ashcroft, US Dist. Ct, Washington, DC.
- 14 A question arises whether classification of evidence of a crime that arises in a civil lawsuit, for the purpose of preventing examination during a contemporaneous criminal investigation, constitutes obstruction of justice of the criminal investigation that necessarily is opened the moment the crime is committed under New York law.
- 15 Mariani faced fierce legal challenges to her administration of her late husband's estate (by a stepdaughter who charged the widow's refusal of the Victims' Compensation Fund and suit against the White House were evidence that she was not sane). In consequent court proceedings, the stepdaughter (advised by Bush-connected lawyers) effectively forced Mariani to pass the RICO suit to a new lead plaintiff, William Rodriguez, 9/11 rescue effort hero and founder of the Sept. 11 Hispanic Victims Group. The challenge to Mariani was assisted by attorneys from Greenberg Traurig, which co-defended Bush/Cheney in the 2000 Florida recount, represents Florida Governor Jeb Bush, and hired Supreme Court Justice Antonin Scalia's son on Election Day, 2000.
- 16 David Schippers on "Alex Jones Radio Show," 10/10/01, [www.infowars.com/transcript\\_schippers.html](http://www.infowars.com/transcript_schippers.html).

- 17 Question whether this is an indication of foreknowledge constituting official misconduct or a crime under certain circumstances.
- 18 This case is factually supported by EPA internal memos and third party scientific reviews like the Sierra Club's September 18, 2004 report "Air Pollution and Deception at Ground Zero," as well as by a report by EPA's own Inspector General, which found that the White House Council on Environmental Quality changed EPA's press releases in order to reassure the public and re-open Wall Street. An investigation is needed to determine who in the White House was ultimately responsible for these changes.
- 19 Attorneys for the plaintiffs in this case, the firm of Motley-Rice, maintain a website [[www.motleyrice.com/911\\_victims/911\\_victims\\_in\\_the\\_news.html](http://www.motleyrice.com/911_victims/911_victims_in_the_news.html)] containing hyperlinks to many 9/11-related news stories that may be of interest in connection with the conduct of an investigation into culpability for the September 11 tragedy.
- 20 Again, suppression of witness testimony in a state criminal investigation may give rise to liability for obstruction of justice under state law.
- 21 They are said to be held by US authorities at undisclosed locations (and Guantanamo, in the case of Zubaydah) and have never been produced in public. Two German criminal cases against alleged co-conspirators in Hamburg, Mounir El-Motassadeq and Abdelghani Mzoudi, also failed for the same reason.
- 22 A question arises as to whether official action of falsely invoking the National Security Act to cover up a crime constitutes accessory-after-the-fact criminal conduct.
- 23 Presumably, destruction of evidence of a New York crime constitutes obstruction of justice under New York law.
- 24 In some cases, harassment of witnesses and potential witnesses is a crime in itself.
- 25 Note: On May 16, 2002, Dan Rather publicly admitted on BBC that there was widespread self-censorship within his industry for fear of being "necklaced" (evoking the flaming tires used to kill informants in South Africa) for asking "unpatriotic questions" about 9/11 and the "War on Terror."
- 26 For example, *The 9/11 Commission Report*, which itself was compiled by a group riddled with grave conflicts of interest, was obligingly submitted to the White House and potentially implicated government agencies for vetting before its July 22nd public release.

**AMENDED AND RESTATED  
CITIZENS' COMPLAINT AND PETITION  
TO ATTORNEY GENERAL OF THE STATE OF NEW YORK  
FOR AN INDEPENDENT GRAND JURY INVESTIGATION**

Originally filed: October 28, 2004

Filed as amended and restated: November 19, 2004

**Signatures of Complainants in Support of Complaint and Petition**

/s/ Faiz Kahn \_\_\_\_\_  
Dr. Faiz Kahn  
First Responder

/s/ Jenna Orkin \_\_\_\_\_  
Jenna Orkin, Chairwoman  
World Trade Center Environmental Organization

/s/ Robert McIlvaine \_\_\_\_\_  
Robert McIlvaine  
Father of Robert McIlvaine, Lost at World Trade Center

/s/ Megan Bartlett \_\_\_\_\_  
Megan Bartlett  
9/11 EMT and Founder of Ground Zero for Peace  
Victim of Toxic Dust Exposure

/s/ William Rodriguez \_\_\_\_\_  
William Rodriguez  
World Trade Center employee and survivor

/s/ Patricia Perry \_\_\_\_\_  
Patricia Perry  
Mother of John W. Perry, Esquire, NYPD, Lost at World Trade Center

/s/ Donna Marsh O'Connor \_\_\_\_\_  
Donna Marsh O'Connor  
Mother of Vanessa Lang Langer, Lost at World Trade Center

Additional complainant signatories will be added and noted at [www.Justicefor911.org](http://www.Justicefor911.org) as will additional supporting individuals and organizations.

## COMPLAINANT BIOGRAPHIES

### 9/11 Victims Family Members

**Bob McIlvaine**, Oreland, Pennsylvania

Father, 59, of Robert McIlvaine Jr., Princeton class of 1997, Assistant Vice-president of Media Relations for Merrill Lynch & Co., who was attending a banking conference on the 106th floor of the World Trade Center's north tower in the World Trade Center on 9/11. Bob is currently a teacher in Oreland, Pennsylvania.

**Donna Marsh O'Connor**, Liverpool, New York

Mother of Vanessa Lang Langer, WTC Tower II, 93rd floor. 19 year veteran teacher of writing and rhetoric at Syracuse University, now a columnist at the *Project for an Old American Century (POAC)*.

**Patricia Perry**, Seaford, New York

Mother of John William Perry, Esquire, NYPD, killed on the mezzanine of World Trade Center Tower One while rescuing survivors. John Perry worked for five of his eight years on the NYPD as a lawyer and became a member of the Nassau County NYCLU Chapter board of directors in 1994. Mrs. Perry is mother of John, Janice and Joel, one-time teacher/secretary/sales rep; She is a graduate of University of Kansas School of Education and married James Perry from Missouri and also graduate of KU; they moved to New York in 1960. She is a former Board member and past president of the NYCLU.

### Survivors

**William Rodriguez**, New York City

William Rodriguez, formerly an American Building Maintenance employee for twenty years, was responsible for inspection and maintenance at the World Trade Center and held the master key for the stairs. He was the last person to leave the building on September 11 and has been credited with saving many lives.

For his efforts, he received the National Hero Award from the Senate of Puerto Rico. Since September 11, Mr. Rodriguez has been very active in all aspects of the relief efforts, including the memorial, the federal fund and the charities, as well as appearing before many government officials on such topics.

Mr. Rodriguez has also helped coordinate aid within the Hispanic community, organizing the Hispanic Victims Group, which is working with 150 families. He attended Sacred Heart University and lives in Jersey City, NJ.

**Jenna Orkin**, New York City

Jenna Orkin is the founder and Chairperson of the World Trade Center Environmental Organization ([wtceo.org](http://wtceo.org).) A writer who has been published in the New York Times and the national Indian newspaper, the Hindu, Ms. Orkin is one of the activists who have devoted the

last three years to testifying at all levels of Congress, demonstrating, lobbying and speaking at scientific panels to achieve comprehensive testing and cleanup of the environmental disaster of 9/11, as well as healthcare for all those affected.

### **First Responders**

#### **Dr. Faiz Khan, Long Island, New York**

Dr. Faiz Khan arrived in New York City when he was a few months old, immigrating with his parents from India. An American Citizen and New York State resident for the past 35 years, he is a practicing physician with dual board specialization in Emergency and Internal medicine; in addition, he holds an assistant professorship in Emergency Medicine. Dr. Khan was on duty in a New York City Emergency Department during the 9/11 attacks and treated victims of the tragedy. Soon after, he was part of the rescue and resuscitation efforts at Ground Zero.

In addition to his duties as physician and mentor for young physicians, Dr. Khan has been active in the peace movement and in bridging understanding between mainstream American political thought and the Islamic World. He serves as an assistant Imam and conducts Friday services in various New York City and Long Island Mosques (including one in TriBeCa, 10 blocks from the ground zero site). He represented the Islamic religion at the post 9/11 services at the UN Chapel. Moreover, Dr. Khan has written and lectured extensively on various topics having to do with the religion of Islam. His audiences have included graduate schools, universities, educators, seminars, various religious communities, the United Nations NGO community, the New York City Police Department, and the general public at large. Dr. Khan has been featured on international and national TV and radio, and has been cited in both mainstream and independent press.

#### **Megan Bartlett, New York City**

Megan Bartlett is an emergency medical technician (EMT) amongst the first responders to the 9/11 attacks at the WTC. She is co-founder of Ground Zero for Peace, a group made up of first responders who worked in the World Trade Center rubble. The group has eight vocal members, and other members who remain behind the scene due to job security and harassment concerns. She and her group have no union support, and no company within the first responder work force has offered endorsement. Megan currently works for Metro Care Ambulance Corporation, the largest private ambulance company in New York City; though recent illness due to exposure to toxic WTC dust has left her unable to work.