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### **Lawmakers Question CIA on Dirty-Bomb Suspect; Administration Officials Wonder if Ashcroft Was Unduly Alarmist in Arrest Announcement**

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The House Intelligence Committee summoned CIA Director George J. Tenet yesterday for a closed-door briefing on the apprehension of an American citizen suspected of scouting targets in the United States for an al Qaeda attack.

The appearance came amid questions from lawmakers about the extent of the threat posed by Jose Padilla, who was arrested last month on suspicion that he was involved in an al Qaeda plot to explode a "dirty bomb" in the United States. Such a bomb uses conventional explosives to disperse radioactive material.

Several members of the committee declined to disclose what they were told by Tenet but at least part of their interest appeared to be in resolving questions of how far the plot had progressed. Some administration officials have privately voiced concern that an initial briefing by Attorney General John D. Ashcroft on Monday may have been unduly alarmist.

"We work very hard to inform yet not alarm," a senior administration official said. "It wasn't clear that it needed to be done in that way, at that level. It was not the most artfully done. The story became a lot of bigger than any of us thought it would."

Tenet's briefing came on a day of assorted developments in the war on terrorism. A U.S. law enforcement official identified an associate of Padilla, being held by Pakistani authorities, as Benjamin Ahmed Mohammed.

In Germany, meanwhile, authorities said they received intelligence of a possible al Qaeda threat to shoot down civilian airliners, while officials in India said they had evidence of an imminent al Qaeda attack on financial institutions in Bombay.

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The German warning was triggered after a civilian intercepted radio traffic in the Middle East, in which someone was overheard talking about the possibility of attacks on airliners in Germany, said Udo Buehler, spokesman for the Hesse state criminal investigation agency.

Police in France also arrested five people yesterday connected to the investigation into Richard C. Reid, a British citizen accused of trying to detonate homemade bombs hidden inside his sneakers aboard an international flight that was diverted to Boston. Authorities believe the suspects, two Pakistanis and three North Africans, assisted Reid in Paris shortly before he boarded the flight, originally destined for Miami.

Padilla, who also has been using the name Abdullah al Muhajir, was arrested May 8 at Chicago's O'Hare International Airport. U.S. officials said he was dispatched by senior al Qaeda operatives after meeting with them in March. Officials said he and associates picked up in Pakistan were considering various sites and weapons.

A senior Pakistani security official familiar with the case said yesterday that Padilla spent less than a week in Karachi with al Qaeda officials before embarking on a five-week journey that would take him to Zurich, Cairo and then to the United States. As a foreigner staying in a moderately priced hotel, he came to the routine attention of Pakistan's intelligence operatives, the official said, and was interviewed as well as watched.

But the visitor was not found to be suspicious, nor was he on any watch list that U.S. agents shared with Pakistan, according to this official, who spoke on condition of anonymity. On the shadow scale Pakistan security services employ to rank people they have investigated -- white, gray and black -- al Muhajir was designated the lowest level of "white," the official said.

Ashcroft, who made a stop in Bern, Switzerland yesterday, said Swiss authorities aided in the apprehension of Padilla. Swiss authorities are investigating Padilla's activities during several days there this spring.

On Monday, Ashcroft revealed the capture of Padilla from a television studio in Moscow. More than an hour elapsed before law enforcement officials in Washington held a press conference that tamped down to some degree the suggestion of any immediate threat.

Asked about the handling of the news of Padilla's arrest, White House spokesman Ari Fleischer told reporters, "I'm not in the second-guessing business. I'm in the business of explaining to you what the administration did, why we did it. I think the administration looks at this as an issue where the country was protected, and that's what we're focused on."

Deputy Defense Secretary Paul D. Wolfowitz has said that Padilla was sent by high-ranking al Qaeda officials to "plan further deeds," but said the extent of the actual bomb plot amounted only to "some fairly loose talk."

Some lawmakers have questioned why the Justice Department waited a month to make what seemed a breathless announcement about Padilla's apprehension, suggesting that his capture may have been touted to counter criticism being leveled at intelligence agencies for pre-Sept. 11 blunders.

Fleischer flatly rejected those suspicions. "These very few people who want to make such outlandish political accusations represent the most cynical among the most partisan and they're not to be taken seriously," he said.

A motion filed Tuesday in federal court in Manhattan by Padilla's attorney accuses the government of violating Padilla's constitutional rights, and holding him at a naval installation in Charleston, S.C., based on evidence that is "weak at best."

The motion was unsealed yesterday after sections were redacted, apparently for reasons of national security. It petitions the court to order Padilla's release or, short of that, permit him access to counsel, telephone calls and personal visits.

In her petition for a writ of habeas corpus, attorney Donna R. Newman calls into question the credibility of Abu

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Zubaida, a captured Al Qaeda operative who, according to U.S. officials, provided some of the information that led authorities to Padilla. "The only result of his information has been fear among the citizens of the United States," Newman wrote.

Staff writers Mike Allen, Steve Fainaru and Dana Priest contributed to this report. Special correspondent Khan reported from Karachi.

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