by SETH STERN '01 *photographs by* DAVID DEAL

INSIDE out

As a member of the 9/11 Commission, Jamie Gorelick '75 found herself scrutinizing the defense and justice departments she'd helped run

IT WAS DECEMBER 2002 when House Minority Leader Richard Gephardt called Jamie Gorelick '75 to offer her the last Democratic slot on the National Commission on Terrorist Attacks Upon the United States.

At the time, Gorelick didn't know helping wade through the 2.5 million pages of documents and 1,200 interviews gathered by the 9/11 Commission would require the kind of hours typically worked by law firm associates nearly half her age. She didn't expect death threats at home.

Nor did she know that the commission would produce an account of the 9/11 attacks so vivid that it would become a runaway best seller and prod both Congress and the president to overhaul the way

the nation fights terror.

In fact, the history of previous such commissions was less than encouraging: As Gorelick knew already from serving on a few, you could fill a library with the blue-ribbon panel reports that were forgotten as quickly as they came off the printing press.

Still, she quickly quit her job as vice chairwoman of Fannie Mae and returned to public service, albeit with a new job on the side as a partner at Wilmer Cutler Pickering Hale and Dorr. This was just the latest in a string of assignments in the top echelons of the nation's law enforcement, intelligence and defense establishments.

Gorelick served as the Defense Department's general counsel under President Clinton before helping to run the Justice Department as a deputy attorney general to Janet Reno '63.

This time, she would be scrutinizing the performances of both agencies—including some of her own decisions there. She was the only member of the commission who had served in either the Clinton or Bush administrations, a status that would become controversial as the commission's work progressed. Adding to the challenge, the Bush administration resisted the formation of the commission, and the families of 9/11 victims watched its every move. Plus, the panel would have no power to implement its recommendations.

From the outset, Gorelick and her nine fellow commissioners worked to make sure they did not, as she put it, "labor in obscurity." They opened all hearings to the public and made themselves available to the press. They turned to their most powerful critics and allies—the families of 9/11 victims—whenever they needed to extract more time, money or information from the White House.

Gorelick was one of the most active commissioners, interviewing dozens of current and former government officials and reading thousands of pages of documents. "I'm a lawyer," said Gorelick, who spent much of her career as a white-collar criminal defense attorney. "I have a very strong commitment to the facts, and I wanted very much to make sure the facts were all before us and they were appropriately understood."

Gorelick was not the only lawyer on the panel—there were five others, including four law firm partners. But in what commission Vice Chairman Lee Hamilton joked was a "bunch of washed-up politicians," Gorelick's extensive executive branch experience stood out. "That insider knowledge of the way these agencies work was invaluable to us," Hamilton said.

She rethought her own decisions in the Justice Department between 1994 and 1997, when domestic incidents like the Oklahoma City federal building and Atlanta Olympics bombings had occupied her attention.

In hindsight, she wished she'd known more about Al Qaeda and understood how little the FBI really knew about such foreign threats. And her attention returned to the wall separating intelligence and law enforcement investigations.

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Whether she broke down or built up that barrier while at the Justice Department became a subject of controversy when, during testimony before the commission, Attorney General John Ashcroft showed a memo written by Gorelick, which, he suggested, had impeded the war on terror.

The disclosure provoked a firestorm. Republican members of Congress, radio talk show hosts and some 9/11 families called on her to resign and testify before the commission. Her office voicemail and e-mail were flooded with vitriolic messages, all of which she had come to expect. But then someone left a death threat with her children's baby-sitter, threatening to bomb her home. "That was really a shocking moment, to think somebody would want to hurt me and my family," she said.

But the incident also had a positive effect: pulling the commissioners together and lessening partisan feelings, as they rallied to Gorelick's defense. In the weeks that followed, Gorelick and her colleagues worked 100-hour weeks debating the content of their report and recommendations around a conference table at the 9/11 Commission offices in Washington, D.C.

A few principles were clear as they wrapped up their investigation and turned to the task of drafting a report: They would not blame either the Clinton or Bush administrations; offering tangible recommendations was as important as presenting factual findings; and unanimity was a necessity.

By the time their work was done, bipartisanship had grown into genuine friendship. On the night before their report came out in August, the commissioners gathered in Gorelick's Washington-area home for the second of two dinners she hosted. Several rose to say how rare it is that friendships develop at that point in life, particularly across party lines. "We saw people not as Republicans or Democrats but as friends," Hamilton said. "Jamie contributed greatly to the collegiality of the group."

The next day the public got its first glimpse at their report, a plain-English narrative of the attacks and dozens of recommendations for change. The commission urged Congress to bring the nation's 15 intelligence agencies under the control of a single national director and to eliminate most of the 88 congressional subcommittees that share oversight of intelligence and homeland security.

No one on the commission imagined the way the report would capture the public's imagination. An ambitious initial printing of 600,000 copies proved far from adequate. Over 1 million copies are already in circulation, and multiple versions of the report were on The New York Times best-seller list for weeks. In October it was nominated for the National Book Award.

The commissioners helped their cause, launching a publicity campaign worthy of a blockbuster film. They were suddenly everywhere, from congressional hearings to television news shows. And they weren't above taking advantage of election-year politics.

Gorelick said commissioners initially preferred to release the report after the election, but once the administration and congressional leaders demanded that it come out this summer, the commissioners, Gorelick said, decided to turn "lemons into lemonade." They fueled competition between the two parties to endorse and act upon the recommendations.

The response from Congress—including rare summer hearings and jockeying to introduce reform proposals—pleased Gorelick. But during an interview in September, she expressed fear that if reforms weren't enacted before the election, the political pressure on Congress to act would be lost. "We're worried that if a bill is not signed into law before the election, that it will never happen," she said. "So we are trying very hard to urge and coax the relevant political players to move the process along."

Even though the commission officially disbanded in August, Gorelick and other members are keeping up the public pressure. She's had at least two dozen speaking engagements in front of civic groups, world affairs councils and university audiences across the country on her calendar, including a stop at HLS.

Gorelick said she looks forward to returning to "a normal life"—or at least her version of normal. That means only being a law firm partner and mother while serving on a dozen corporate, government and nonprofit boards. "I like that combination," she said. ✳

Jamie Gorelick ’75, one of the 9/11 Commission’s most active members, is doing all she can to get its intelligence and homeland security reforms adopted.