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October 22, 2001
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SECRETARY OF DEFENSE

SUBJECT: Discussions w/CENTCOM re: Sy Hersh Article

When I heard about Sy Hersh's piece in the *New Yorker*, I raised it with Tommy Franks. I asked him if it was true that the CENTCOM lawyer had inhibited him from hitting that target.

I reminded him that when he called me, I told him immediately to hit it if anyone wiggled and that I was going to call the President. But, in the meantime, he had my authority to hit it. I did not want to lose that target. I called the President. I called Tommy back within 4 ½ minutes and told him the President agreed.

When I read the Sy Hersh piece, I reminded Franks of our earlier discussion and asked him what had actually happened, and if his lawyer had, in fact, slowed him down in hitting that target. He said it was absolutely not true.

I have the feeling he may not have given me the full story.

On the morning of October 21, when I was in Taos, I asked Franks a series of questions about what actually takes place when this kind of thing occurs. He said that generally there is a Predator that locates a possible target. The Predator may or may not be armed with a Hellfire. There may or may not be CAP aircraft overhead.

When they see a target, he convenes a group, and they decide whether or not it is high collateral. Then they make a decision. If he would like to hit it, but it is high collateral, he calls me.

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I then asked him about 15 questions, as to precisely how long it took for each thing to happen.

I told him that I was concerned about it, and that I wanted him to know the following:

1. Getting Usama bin Laden, Omar and the senior Taliban and Al Qaeda leadership is enormously important.
2. I have a high tolerance level for possible error. That is to say, if he thinks he has a valid target, and he can't get me or he can't get Wolfowitz in time, he should hit it.
3. I added that there will not be any time where he cannot reach me or, if not me, Wolfowitz.
4. I expect him to be leaning far forward on this.

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