

PORTRAIT: FRANCES FRAGOS TOWNSEND

A skillful survivor

BY CHITRA RAGAVAN

It sure felt like a heart-stopping moment. On August 1, Homeland Security Secretary Tom Ridge raised the color-coded threat alert level because of new intelligence pointing toward an al Qaeda plot to attack major financial institutions. But when word leaked out that the intelligence was old, raising skepticism about the supposed threat, the White House benched Ridge and dispatched a very different kind of messenger to try to shore up the administration's shaken credibility. Petite, blond, expensively dressed, and telegenic to boot, Frances Fragos Townsend is a far cry from the rumples suits and ramrod-straight law enforcement types who typically work the Washington terrorism beat.

For a few days back then, Townsend was everywhere. She has largely shunned the media spotlight since, but inside the administration, her role has grown. It is Townsend who has led the government's response over the past year to numerous terrorism-related threats and crises, first as deputy national security adviser for counterterrorism, then as President Bush's new adviser for homeland security. Now, as George W. Bush prepares to resume his second-term cabinet shuffle, Townsend may be headed for a bigger job, perhaps even homeland security secretary if Ridge opts to step down.

Survivor. To many old Washington hands, the casting is stunning. A registered Republican, Townsend, 42, is a holdover from the Clinton administration, where she served as Attorney General Janet Reno's trusted but controversial intelligence adviser. She

was so controversial that Reno's replacement, John Ashcroft, dropped Townsend from the top intelligence job, but now she's back in power—big time. "There's this huge head scratch to the whole thing," says a former Justice Department official in the Clinton administration. "How can this crowd of people who are all about, 'Oh, you've got to be a true believer,' let her into the fold and allow her to reach this incredible height?"

The answer depends on who's supplying it. Townsend has an abundance of fans and critics. "She is able to separate wheat from chaff," says Deputy Attorney General James Comey, an unabashed admirer. "There's a tendency in the counterterrorism arena, because of the stakes and because of people's worries about making mistakes, not to prioritize among pieces of information. Fran Townsend has the ability and the courage to say: 'This is important; this is not important. Focus on the important thing.'"

Townsend's critics, unsurprisingly, don't see it quite that way. "She's a trip; she's one of the most ambitious people I've met," says a former Bush administration official. "She's always sucking up."

Townsend credits her success to tenacity. "Nobody could be more surprised than I," she said in an interview, "that I wound up here." Townsend is the only child of Irish-Catholic parents from Long Island. Neither parent finished high school, and they separated when she was a teenager. Townsend's mother, an office worker, helped to push her daughter through law school. But Townsend was also close to her father, a roofer and World War II veteran.

Townsend's career began as a prosecutor in the Brooklyn district attorney's office, but it took off when she moved to the

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Born: Dec. 28, 1961

Family: Married. Two sons, 9 and 3

Education: B.A., American Univ.; J.D., University of San Diego

Public service: Brooklyn DA's office, '85-'88; Justice Dept., '88-'01; Coast Guard, '01-'03; dep. natl. sec. adviser/terrorism, '03-'04; president's homeland security adviser, '04-present





U.S. attorney's office in Manhattan, where she began prosecuting corporate and mob cases for Rudolph Giuliani. Comey, a young prosecutor there, remembers the disappointment of some of Townsend's witnesses when he was asked to take over one of her Mafia cases. "You know," he says, laughing, "they were all depressed when I became their handler, and I don't think it's because I'm any less attractive. It's just that she had a great rapport with people—great people skills."

It wasn't long before Townsend wound up at the Justice Department in Washington. There she spent the next 13 years in a series of high-profile jobs and became Reno's close personal friend and most trusted adviser. "She had an ability to get to the heart of an issue," Reno said in an interview. Although she worked at "Main Justice," as department headquarters is known, Townsend's soul was really attuned to the agency just across the street, the FBI. "She was a wannabe FBI agent; she loved the FBI. She reveled in that," says a knowledgeable source. Townsend developed a unique perspective on al Qaeda because of her close personal friendship with a legendary FBI agent and al Qaeda expert named John O'Neill, who retired from the bureau but lost his life on Sept. 11, 2001, just days after starting his job as security chief at the World Trade Center. Today, Townsend has lots of admirers at the bureau. "I can't think of any door I wouldn't go through with Fran Townsend by my side," says Pasquale D'Amuro, who runs the FBI's New York field office.

Another of Townsend's mentors is former FBI Director Louis Freeh, who encouraged her to accept a sensitive Justice job that turned into a hornet's nest. In 1998, at Reno's request, Townsend became the head of the powerful Office of Intelligence Policy and Review. The OIPR enforces a controversial statute known as the Foreign Intelligence Surveillance Act, under which the FBI or other agencies can obtain special wiretaps and other search and surveillance warrants to track spies and terrorists. A FISA court meets in secret to approve requests for the wiretaps and warrants. Since FISA warrants are intended primarily to gather intelligence, not prosecute criminals, there was tension and confusion at the time over whether the information they produced could be shared with agents or prosecutors working on *criminal* cases. Townsend found herself in the middle of that debate over how much of a "wall" should exist between intelligence-gatherers and prosecutors, and her tenure at OIPR remains controversial today. Many FBI agents say Townsend was crucial in obtaining FISA wiretaps, espe-

cially during the period of heightened terrorism concerns around the new millennium. But many prosecutors felt that Townsend was less than helpful in making sure the FBI shared wiretap data with lawyers at Main Justice when there was evidence of criminal activity. Townsend believed that the FISA court and its chief judge at the time, Royce Lamberth, would refuse to approve search warrants and wiretaps if they believed too much information sharing was going on and if prosecutors were controlling or directing the intelligence-gathering efforts. One knowledgeable source backs her up and says Townsend “cared very much about following procedures.” But others suspect an ulterior motive. Some Justice Department prosecutors felt Townsend wanted to keep the wall up because it kept prosecutors out of national security investigations, leaving more authority in the hands of Townsend and friendly bureau agents.

Whatever the case, there were serious consequences. Both the Government Accountability Office and the 9/11 commission have blamed OIPR in part for the government’s intelligence failures before the terrorist attacks. Sources say that OIPR’s narrow interpretation of FISA led to misunderstandings and overly cautious behavior by the FBI. As a result, in July and August of 2001, FBI intelligence analysts prohibited their own criminal-case agents from searching for two men on the government’s terrorist watch list who they knew had entered the United States. The men later proved to be two of the 19 hijackers. The 9/11 commission said OIPR had become the “sole gatekeeper” of FISA intelligence by arguing that “its position reflected the concerns” of Judge Lamberth. “The office threatened that if it could not regulate the flow of information to criminal prosecutors, it would no longer present the FBI’s warrant requests to the FISA court,” the report said. “The information flow withered.”

Friction. Several Reno aides say the attorney general relied too heavily on Townsend. “There’s no single person that Janet Reno had a bigger blind spot for than her,” says a Justice official. In fact, some of Reno’s senior aides distrusted Townsend so much, sources say, that one asked that Reno’s confi-

dential assistant inform him if Townsend violated protocol and approached Reno directly.

Some senior FBI officials blame Lamberth, not Townsend, for the FISA problems. Townsend says she repeatedly tried to persuade the judge to lower the “wall” but knew she had crossed the line when in November 2000, the FISA court held a rare meeting of the full court to discuss “wall”-related issues. “The chief judge was so annoyed with me,” says Townsend, “that he wouldn’t permit me personally to attend, because I had pushed so hard against the restrictions they had imposed.” Others say the real root of Lamberth’s anger at Townsend

was out of a job—but not for long. In August 2001, she became assistant commandant of intelligence at the U.S. Coast Guard, back then an orphan agency that was viewed as a law enforcement Siberia. After the September 11 attacks, however, the Coast Guard became a key player in the war on terrorism—and so did Townsend. “We thought it was a great catch,” Coast Guard Commandant Adm. Thomas Collins told *U.S. News* in an interview, saying Townsend helped “break dishes” to merge the agency’s intelligence and criminal operations. “She had an incredible value for us,” Collins added.

Others in the counterterrorism community took notice. Barely two years later, Townsend was on her way back to the top. As National Security Adviser Condoleezza Rice’s counterterrorism deputy, Townsend beefed up White House involvement in security planning for the Olympic Games in Athens and made several trips to Saudi Arabia. “She’s been very important on issues of terrorist financing,” Rice told *U.S. News*. Rice said Townsend also played a key “debottlenecking” role in Iraq, to “make sure people were getting the kind of merged intelligence that was needed.”

When Rice’s counterpart at the homeland security council, Gen. John Gordon—another Townsend mentor—retired, he pushed her as his replacement. Today, Townsend’s biggest challenge will be to ensure that the administration’s color-coded threat system is not viewed as political scaremongering, as it was back in August. Townsend has “precious little interaction, if any,” she says, with the White House political operation. “Terrorism ought not to be about politics,” Townsend says, “and I don’t think it is in this administration.”

Last March, however, Townsend made a \$2,000 contribution to the Bush-Cheney re-election campaign, just two days after Rice’s former counterterrorism coordinator Richard Clarke—another Clinton holdover—excorted Bush’s counterterrorism record during the 9/11 commission hearings. Townsend’s contribution was widely viewed as a pledge of loyalty to Bush. Whether it was or not, Townsend, once again, is in line for another move up. ●

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FOCUSED. Townsend (right), at a presidential press conference

was the false information given by the FBI in dozens of wiretap applications to the FISA court. Lamberth declined to comment. But he told Reno’s successor, Ashcroft, that he had lost faith in Townsend. Knowing she was in an untenable situation, Townsend says, she told Ashcroft’s then acting deputy, Robert Mueller, that she was willing to step aside. Townsend says Mueller consulted with Ashcroft and told her that she was out. Mueller, who is now the FBI director, declined to be interviewed but said in a statement that Townsend had “voluntarily moved” during the Bush transition. “Fran is a true professional,” Mueller said, “with extensive experience in addressing terrorism. As such, she brings experienced leadership to the war on terror.”

Townsend, described as “furious” by a former Bush administration official,