

## Homeland Security Adviser Allegedly Leaked Intel to Attack Rick Perry

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TX Dept. of Public Safety Director: "We know [Mohamed Elibiary] has accessed DPS documents and downloaded them."

### [Patrick Poole](#)

Texas Department of Public Safety officials are asking questions following a report that Department of Homeland Security Advisory Council member Mohamed Elibiary may have been given access to a sensitive database of state and local intelligence reports, and then allegedly shopped some of those materials to a media outlet. He allegedly used the documents to claim the department was promoting "Islamophobia" — claims that the media outlet ultimately rejected. They declined to do the story.

Earlier today, I received confirmation from a left-leaning media outlet that Elibiary had recently approached them asking to do a story attacking Texas DPS:

Yes, he approached us and gave us some reports marked FOUO [For Official Use Only] that he said showed a pattern of Islamophobia at the department. He emphasized that some of the regional fusion centers were shut down a few years ago after the ACLU complained that they were targeting Muslim civil rights groups and said that this was being directed by [Texas Gov.] Rick Perry.

We looked at the reports and they weren't as he had billed them to us. They seem to be pretty straightforward, nothing remotely resembling Islamophobia that we saw. I think he was hoping we would bite and not give it too much of a look in light of the other media outfits jumping on the Islamophobia bandwagon.

I asked if there was any sense of his possible motivation:

Oh, self-promotion definitely. It was clear up front that he wanted to be a quoted source in the story. We've used him as an unnamed source in previous stories. There's nothing unusual or unseemly about that because officials do it all the time, but this was the first time he approached us with documents. Honestly, if they had been what he represented them as we would have probably run with the story. But we looked at them and saw this was a partisan hatchet job that could blow back on us so we passed on it.

In light of these allegations, I spoke today with Texas DPS Director Steve McCraw. He confirmed that Elibiary has access to the Homeland Security State and Local Intelligence Community of Interest (HS SLIC) database, which contains hundreds of thousands of intelligence reports and products that are intended for intelligence sharing between law enforcement agencies.

(Full disclosure: I gave a briefing in April 2010 to the TX DPS on historical terror incidents and terror connections to Texas. I've also been critical of Elibiary's involvement with DHS considering his past extremist statements and activities.)

I asked Director McCraw if he knew whether Elibiary had access to TX DPS reports on the HS SLIC, to which he replied:

We know that he has accessed DPS documents and downloaded them.

McCraw stated that he will be requesting that DHS conduct an investigation to determine whether or not Elibiary improperly handled any sensitive intelligence products, and said that he will reserve judgment until an investigation is complete. He added:

If in fact this happened we will be extremely disappointed in him. We've worked with him and other groups to get their comments regarding a wide range of issue in order to be inclusive.

In fact, Elibiary received his first official position serving on the TX DPS Advisory Board and leveraged that position into his current positions with DHS and the National Counterterrorism Center. Elibiary was appointed to the Homeland Security Advisory Council in October 2010.

I asked Director McCraw about the nature of their work product:

We do have a process in place that ensures the quality of our product going all the way to our assistant director of intelligence and counterterrorism. Our training of employees has been extensive and adheres to all Department of Justice and Homeland Security privacy and civil liberties policies. The ACLU was involved in our process for establishing the fusion center statute passed by the state legislature.

I asked about the potential impact of a security breach that has been alleged to have occurred in this instance:

This system allows intelligence agencies to share products. These products are meant to be for official use only and anyone working for the Department of Homeland Security attempting to use it in any other way undermines the efficacy of the program. If DHS has cleared somebody for access we have no questions, but if they violate the confidentiality of the system it has a chilling impact on sharing information, and that's the last thing we need.

Following these interviews, I contacted both Mohamed Elibiary and the Department of Homeland Security asking for comment. At present I have not received a response from Elibiary, but I did speak with DHS spokesman Chris Ortman, who

immediately demanded to know who my source was.

When I explained that I had become aware of Elibiary's alleged approach to the media organization from a third party and directly contacted that publication for comment (which they gave under the condition of anonymity) and began reading the quotes I had been given, Ortman immediately interrupted and expressed skepticism:

In all my eight years working in media I have never heard of such a situation where a third party contacts a reporter at one outlet and tells them that another news outlet has spiked a story.

Mr. Ortman is significantly out of touch regarding this; it is likely a daily occurrence at a number of outlets.

When I directly asked Ortman about who gave Mohamed Elibiary access to the HS SLIC system, he abruptly ended the conversation and said he would need to call me back. After more than an hour wait and knowing from other sources that senior aides for DHS Secretary Napolitano had been fully briefed late last night on the matter and that the story is quickly leaking out, we are publishing what we have so far.

We'll bring you any additional details, including any further comment from Elibiary or DHS on this story.

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