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*Central Intelligence Agency
Inspector General*

IG 2003-0005-IN



**(U) OFFICE OF INSPECTOR GENERAL
REPORT ON
CENTRAL INTELLIGENCE AGENCY ACCOUNTABILITY
REGARDING FINDINGS AND CONCLUSIONS OF THE
REPORT OF THE JOINT INQUIRY INTO
INTELLIGENCE COMMUNITY ACTIVITIES
BEFORE AND AFTER THE TERRORIST ATTACKS
OF SEPTEMBER 11, 2001**

JUNE 2005

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(U) EXECUTIVE SUMMARY

(U) The Senate Select Committee on Intelligence and the House Permanent Select Committee on Intelligence requested that the CIA's Office of Inspector General (OIG) review the findings of their Joint Inquiry (JI) Report and undertake whatever additional investigations were necessary to determine whether any Agency employees were deserving of awards for outstanding service provided before the attacks of September 11, 2001 (9/11), or should be held accountable for failure to perform their responsibilities in a satisfactory manner.

(U) The Accountability Review Team assembled by the Inspector General (IG) focused exclusively on the issues identified by the JI. The IG was not asked by the Congress to conduct a comprehensive review of the capabilities and functioning of the Agency's many components involved with counterterrorism programs, and the Team did not do so. As a result, this account does not document the many successes of the Agency and its officers at all levels (including many whose actions are discussed in this report) in the war on terrorism, both before and after 9/11.

(U) Similarly, because this report was designed to address accountability issues, it does not include recommendations relating to the systemic problems that were identified. Such systemic recommendations as were appropriate to draw from this review of the events of the pre-9/11 period have been forwarded separately to senior Agency managers. In its regular program of audits, investigations, and inspections, the OIG continues to review the counterterrorism programs and operations of the Agency, identifying processes that work well and those that might be improved.

(U) After conducting its review, the Inspector General Team reports that, while its findings differ from those of the JI on a number of matters, it reaches the same overall conclusions on most of the important issues.

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Concerning certain issues, the Team concluded that the Agency and its officers did not discharge their responsibilities in a satisfactory manner. As a result, the Inspector General recommends that the Director, Central Intelligence Agency establish an Accountability Board made up of individuals who are not employees of the Agency to review the performance of some individuals and assess their potential accountability.

(U) In its deliberations, the Team used a "reasonable person" approach and relied on Agency regulations—which are subjective—concerning standards of accountability. A discussion of those regulations is included in the Foreword. While the Team found that many officers performed their responsibilities in an exemplary fashion, it did not recommend individuals for additional recognition because these officers already have been rewarded.

(U) The Team found no instance in which an employee violated the law, and none of the errors discussed herein involves misconduct. Rather, the review focuses on areas where individuals did not perform their duties in a satisfactory manner; that is, they did not—with regard to the specific issue or issues discussed—act "in accordance with a reasonable level of professionalism, skill, and diligence," as required by Agency regulation. On occasion, the Team has found that a specific officer was responsible for a particular action or lack of action, but has not recommended that an Accountability Board review the officer's performance. Such a conclusion reflects the Team's view that extenuating circumstances mitigate the case.

(U) The findings of greatest concern are those that identify systemic problems where the Agency's programs or processes did not work as they should have, and concerning which a number of persons were involved or aware, or should have been. Where the Team found systemic failures, it has recommended that an Accountability Board assess the performance and accountability of those managers who, by virtue of their position and authorities, might reasonably have been expected to oversee and correct the process. In general, the fact that failures were systemic should not absolve responsible officials from accountability.

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(U) The Review Team found that Agency officers from the top down worked hard against the al-Qa'ida and Usama Bin Ladin (UBL) targets. They did not always work effectively and cooperatively, however. The Team found neither a "single point of failure" nor a "silver bullet" that would have enabled the Intelligence Community (IC) to predict or prevent the 9/11 attacks. The Team did find, however, failures to implement and manage important processes, to follow through with operations, and to properly share and analyze critical data. If IC officers had been able to view and analyze the full range of information available before 11 September 2001, they could have developed a more informed context in which to assess the threat reporting of the spring and summer that year.

(U) This review focuses only on those findings of the Joint Inquiry that relate to the Central Intelligence Agency. The Team cooperated with the Department of Justice Inspector General and the Kean Commission as they pursued their separate inquiries. For this report, the Team interviewed officers from other agencies who had been detailed to the CIA in the period before 9/11, but did not undertake to interview systematically other officers outside CIA and the IC Management Staff. This report reaches no conclusions about the performance of other agencies or their personnel.

(U) Senior Leadership and Management of the Counterterrorism Effort

(U) The JI concluded that, before 9/11, neither the US Government nor the IC had a comprehensive strategy for combating al-Qa'ida. It charged that the Director of Central Intelligence (DCI) was either unwilling or unable to marshal the full range of IC resources necessary to combat the growing threat to the United States. The OIG Team also found that the IC did not have a documented, comprehensive approach to al-Qa'ida and that the DCI did not use all of his authorities in leading the IC's strategic effort against UBL.

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~~(E)~~ The Team found that the DCI was actively and forcefully engaged in the counterterrorism efforts of the CIA. Beginning in 1999, he received regular updates, often daily, on efforts to track and disrupt UBL. He was personally engaged in sounding the alarm about the threat to many different audiences in the policy community, military, Congress, and public, and he worked directly and personally with foreign counterparts to encourage their cooperation.

~~(S//NF)~~ In December 1998, the DCI signed a memorandum in which he declared: "We are at war." In addition to directives related to collection programs and other matters, this memorandum stated that the Deputy Director for Central Intelligence (DDCI) would chair an interagency group to formulate an integrated, interagency plan to counter the terrorist challenge posed by Usama Bin Ladin. The DCI wrote that he wanted "...no resources or people spared in this effort, either inside CIA or the Community."

~~(S//NF)~~ The Team found that neither the DCI nor the DDCI followed up these warnings and admonitions by creating a documented, comprehensive plan to guide the counterterrorism effort at the Intelligence Community level. The DDCI chaired at least one meeting in response to the DCI directive, but the forum soon devolved into one of tactical and operational, rather than strategic, discussions. These subsequent meetings were chaired by the Executive Director of the CIA and included few if any officers from other IC agencies. While CIA and other agencies had individual plans and important initiatives underway, senior officers in the Agency and Community told the Team that no comprehensive strategic plan for the IC to counter UBL was created in response to the DCI's memorandum, or at any time prior to 9/11.

~~(S//NF)~~ The DCI Counterterrorist Center (CTC) was not used effectively as a strategic coordinator of the IC's counterterrorism efforts. CTC's stated mission includes the production of all-source intelligence and the coordination of the IC's counterterrorism efforts. Before 9/11, however, the Center's focus was primarily operational and tactical. While

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focusing on operations is critically important and does not necessarily mean that other elements of mission will be ignored, the Team found that this nearly exclusive focus—which resulted in many operational successes—had a negative impact on CTC's effectiveness as a coordinator of IC counterterrorism strategy. The Team found that the most effective interagency effort against UBL was that of the Assistant DCI for Collection, who, from the early months of 1998 to 9/11, worked with representatives of several intelligence agencies to stimulate collection.

~~(S//NF)~~ In the years leading up to 9/11, the DCI worked hard and with some success, at the most senior levels of government, to secure additional budgetary resources to rebuild the CIA and the IC. At the same time, the Team found that he did not use his senior position and unique authorities to work with the National Security Council to elevate the relative standing of counterterrorism in the formal ranking of intelligence priorities, or to alter the deployment of human and financial resources across agencies in a coordinated approach to the terrorism target. While the nature of the IC makes the mission of managing it problematic and difficult, the DCI at the time had some authority to move manpower and funds among agencies. The Team found that, in the five years prior to 9/11, the DCI on six occasions used these authorities to move almost [redacted] million in funds from other agencies to the CIA for a number of important purposes, [redacted]. One of these transfers helped fund a Middle East program that was terrorism-related, but none supported programs designed to counter UBL or al-Qa'ida. Nor were DCI authorities used to transfer any personnel into these programs in the five years prior to 9/11.

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~~(C//NF)~~ The Team notes that the former DCI recognized the need for an integrated, interagency plan, and believes that such a plan was needed to mobilize all of the operational, analytic, and resource capabilities of the IC to enable the several agencies of the Community to work cooperatively and with maximum effectiveness against al-Qa'ida. At the same time, the Team concludes that the former DCI, by virtue of his position, bears ultimate responsibility for the fact that no such strategic plan was

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ever created, despite his specific direction that this should be done.

~~(S//NF)~~ The JI report discussed a persistent strain in relations between CIA and the National Security Agency (NSA) that impeded collaboration between the two agencies in dealing with the terrorist challenge from al-Qa'ida. The Team, likewise, found that significant differences existed between CIA and NSA over their respective authorities. The Team did not document in detail or take a position on the merits of this disagreement, but notes that the differences remained unresolved well into 2001 in spite of the fact that considerable management attention was devoted to the issue, including at the level of the Agency's Deputy Executive Director. Senior officers of the CIA and the IC Management Staff stated that these interagency differences had a negative impact on the IC's ability to perform its mission and that only the DCI's vigorous personal involvement could have led to a timely resolution of the matter.

~~(C)~~ The Team recommends that an Accountability Board review the performance of the former DCI for failing to act personally to resolve the differences between CIA and NSA in an effective and timely manner.

(U) See the Team's discussions of Systemic Findings 2 (The DCI's Role); 4 (Application of Technology); and 7 (Computer Exploitation) for discussion of these issues.

(U) Management of CIA's Resources for Counterterrorism

~~(C)~~ Funding for the Agency's counterterrorism programs increased significantly from Fiscal Year (FY)1998 to FY 2001 as a result of supplemental appropriations. These funds were appropriated, in part, because of the efforts of the CIA's Director and senior leaders to convince the Administration and Congress that the Agency was short of resources for counterterrorism and other key programs. The Team preparing this report did not attempt to reach a

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conclusion regarding the proper level of funding for counterterrorism programs.

(S) The Team did find, however, that during the same period they were appealing the shortage of resources, senior officials were not effectively managing the Agency's counterterrorism funds. In particular, Agency managers moved funds from the base budgets of the Counterterrorist Center and other counterterrorism programs to meet other corporate and Directorate of Operations (DO) needs. The Team found that from FY 1997 to FY 2001 (as of 9/11), [redacted] million was redistributed from counterterrorism programs to other Agency priorities. Some of these funds were used to strengthen the infrastructure of the DO and, thus, indirectly supported counterterrorism efforts; other funds were used to cover nonspecific corporate "taxes" and for a variety of purposes that, based on the Agency's budgetary definitions, were unrelated to terrorism. Conversely, no resources were reprogrammed from other Agency programs to counterterrorism, even after the DCI's statement in December 1998 that he wanted no resources spared in the effort. The Team found that the Agency made little use of the Reserve for Contingencies to support its counterterrorism effort. Finally, CTC managers did not spend all of the funds in their base budget, even after it had been reduced by diversions of funds to other programs.

(C) The Team recommends that an Accountability Board review the performance of the Executive Director, the Deputy Director for Operations, and the Chief of CTC during the years prior to 9/11 regarding their management of the Agency's counterterrorism financial resources, including specifically their redirection of funds from counterterrorism programs to other priorities.

(C) Concerning human resources, the Team found that the unit within CTC responsible for Usama Bin Ladin, UBL Station, by the accounts of all who worked there, had an excessive workload. Most of its officers did not have the operational experience, expertise, and training necessary to accomplish their mission in an effective manner. Taken together, these weaknesses contributed to performance lapses related to the handling of materials concerning

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individuals who were to become the 9/11 hijackers. The Team recommends that an Accountability Board review the performance of the Chiefs of CTC during the period 1997-2001 regarding the manner in which they staffed the UBL component.

← The Team found that certain units within CTC did not work effectively together to understand the structure and operations of al-Qa'ida. This situation had a particularly negative impact on performance with respect to Khalid Shaykh Muhammad (KSM), the mastermind of the 9/11 attacks. The Team, like the Joint Inquiry, found that CTC's assigning principal responsibility for KSM to the Renditions Branch had the consequence that the resources of the [redacted] UBL Station, and CTC analysts were not effectively brought to bear on the problem. CTC considered KSM to be a high-priority target for apprehension and rendition, but did not recognize the significance of reporting from credible sources in 2000 and 2001 that portrayed him as a senior al-Qa'ida lieutenant and thus missed important indicators of terrorist planning. This intelligence reporting was not voluminous and its significance is obviously easier to determine in hindsight, but it was noteworthy even in the pre-9/11 period because it included the allegation that KSM was sending terrorists to the United States to engage in activities on behalf of Bin Ladin.

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← The evidence indicates that the management approach employed in CTC had the effect of actively reinforcing the separation of responsibilities among the key CTC units working on KSM. The Team recommends that an Accountability Board review the performance of the [redacted]

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[redacted] and [redacted] for failure to provide proper oversight and guidance to their officers; to coordinate effectively with other units; and to allocate the workload to ensure that KSM was being covered appropriately. The Team also recommends that an Accountability Board review the performance of the Chief of CTC for failure to ensure that CTC units worked in a coordinated, effective manner against KSM. Finally, the Team recommends that an Accountability Board review the performance of the [redacted] for

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failure to produce any analytic coverage of Khalid Shaykh Muhammad from 1997 to 2001.¹

(U) See the Team's discussions of Systemic Finding 3 (Counterterrorism Resources) and Factual Finding 5i (Khalid Shaykh Muhammad) for further information on these issues.

(U) Information Sharing

(C) The Team's findings related to the issue of information sharing are in general accord with the JI's overall assessment of CIA's performance. Like the JI, the Team found problems in the functioning of two separate but related processes in the specific case of the Malaysia operation of early 2000: entering the names of suspected al-Qa'ida terrorists on the "watchlist" of the Department of State and providing information to the Federal Bureau of Investigation (FBI) in proper channels. The Team also found that CTC did not forward relevant information to [redacted]

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[redacted] In regard to broader issues of information sharing, the Team found basic problems with processes designed to facilitate such sharing. In particular, CTC managers did not clarify the roles and responsibilities of officers detailed to CTC by other agencies.

(S//NF) **The Malaysia Operation.** Agency officers did not, on a timely basis, recommend to the Department of State the watchlisting of two suspected al-Qa'ida terrorists, Nawaf al-Hazmi and Khalid al-Mihdhar. These individuals, who later were among the hijackers of 9/11, were known by the Agency in early January 2000 to have traveled to Kuala Lumpur, Malaysia, to participate in a meeting of suspected terrorists. From Kuala Lumpur, they traveled to Bangkok. In January 2000, CTC officers received information that one of these suspected terrorists had a US visa; in March 2000,

¹ (U) As a result of a conflict of interest, the Inspector General recused himself from deliberations on the performance of Agency components and individuals relating to the KSM issue and to the strategic analysis issues discussed below. The two successive Deputy Inspectors General did participate in accountability discussions regarding analysis and all other issues.

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these officers had information that the other had flown from Bangkok to Los Angeles.

~~(S//NF)~~ In the period January through March 2000, some 50 to 60 individuals read one or more of six Agency cables containing travel information related to these terrorists. These cables originated in four field locations and Headquarters. They were read by overseas officers and Headquarters personnel, operations officers and analysts, managers and junior employees, and CIA staff personnel as well as officers on rotation from NSA and FBI. Over an 18-month period, some of these officers had opportunities to review the information on multiple occasions, when they might have recognized its significance and shared it appropriately with other components and agencies. Ultimately, the two terrorists were watchlisted in late August 2001 as a result of questions raised in May 2001 by a CIA officer on assignment at the FBI.

~~(S)~~ In 1998, CTC assumed responsibility for communicating watchlisting guidance in the Agency. As recently as December 1999, less than a month before the events of early January 2000, CTC had sent to all field offices of the CIA a cable reminding them of their obligation to watchlist suspected terrorists and the procedures for doing so. Field components and Headquarters units had obligations related to watchlisting, but they varied widely in their performance. That so many individuals failed to act in this case reflects a systemic breakdown—a breakdown caused by excessive workload, ambiguities about responsibilities, and mismanagement of the program. Basically, there was no coherent, functioning watchlisting program.

~~(S)~~ The Review Team recommends that an Accountability Board review the performance of the two Chiefs of CTC in the years between 1998 and 2001 concerning their leadership and management oversight of the watchlisting program.

~~(S//NF)~~ Agency officers also failed to pass the travel information about the two terrorists to the FBI in the prescribed channels. The Team found that an FBI officer

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assigned to CTC on 5 January 2000 drafted a message about the terrorists' travel that was to be sent from CIA to the FBI in the proper channels. Apparently because it was in the wrong format or needed editing, the message was never sent. On the same date, another CTC officer sent a cable to several Agency addressees reporting that the information and al-Mihdhar's travel documents had been passed to the FBI. The officer who drafted this cable does not recall how this information was passed. The Team has not been able to confirm that the information was passed, or that it was not passed. Whatever the case, the Team found no indication that anyone in CTC checked to ensure FBI receipt of the information, which, a few UBL Station officers said, should have been routine practice.

~~(S)~~ Separately, in March 2000, two CIA field locations sent to a number of addressees cables reporting that al-Hazmi and another al-Qa'ida associate had traveled to the United States. They were clearly identified in the cables as "UBL associates." The Team has found no evidence, and heard no claim from any party, that this information was shared in any manner with the FBI or that anyone in UBL Station took other appropriate operational action at that time.

~~(C)~~ In the months following the Malaysia operation, the CIA missed several additional opportunities to nominate al-Hazmi and al-Mihdhar for watchlisting; to inform the FBI about their intended or actual travel to the United States; and to take appropriate operational action. These included a few occasions identified by the Joint Inquiry as well as several others.

~~(C)~~ The consequences of the failures to share information and perform proper operational followthrough on these terrorists were potentially significant. Earlier watchlisting of al-Mihdhar could have prevented his re-entry into the United States in July 2001. Informing the FBI and good operational followthrough by CIA and FBI might have resulted in surveillance of both al-Mihdhar and al-Hazmi. Surveillance, in turn, would have had the potential to yield information on flight training, financing, and links to others who were complicit in the 9/11 attacks.

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~~(S)~~ The Team recommends that an Accountability Board review the performance of key [redacted]

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[redacted]—for failing to ensure that someone in the Station informed the FBI and took appropriate operational action regarding al-Hazmi in March 2000. In addition, the Team recommends that the Accountability Board assess the performance of the latter three managers for failing to ensure prompt action relevant to al-Hazmi and al-Mihdhar during several later opportunities between March 2000 and August 2001.

(U) Broader Information Sharing Issues. The Joint Inquiry charged that CIA's information-sharing problems derived from differences among agencies with respect to missions, legal authorities, and cultures. It argued that CIA efforts to protect sources and methods fostered a reluctance to share information and limited disclosures to criminal investigators. The report also alleged that most Agency officers did not focus sufficiently on the domestic terrorism front, viewing this as an FBI mission. The 9/11 Review Team's findings are similar in many respects, but the Team believes the systemic failures in this case do not lie in reluctance to share. Rather, the basic problems were poor implementation, guidance, and oversight of processes established to foster the exchange of information, including the detailee program.

~~(C)~~ CTC and UBL Station had on their rosters detailees from many different agencies, including the FBI, NSA, Federal Aviation Administration , and State Department. The manner in which these detailees were managed left many of them unclear about the nature of their responsibilities. Many CIA managers and officers believed the detailees were responsible for conveying information to their home agencies, while most of the detailees maintained that they were working as CTC officers and had neither the time nor the responsibility to serve as links to their home agencies. The Team found, at a minimum, that there were fundamental ambiguities about the responsibilities of the detailees as they related to information sharing, and that these responsibilities were never delineated explicitly or in

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writing. The Team recommends that an Accountability Board review the performance of the two Chiefs of CTC during the years before 9/11 concerning their oversight of the Center's practices in management of the detailee program.

(U) See the Team's discussions of Factual Finding 5b (The Watchlisting Failure) and Systemic Findings 9 (Information Sharing Within the IC) and 10 (Information Sharing with Non-IC Members) for elaboration on these issues.

(U) Strategic Analysis

(S) The Team, like the JI , found that the IC's understanding of al-Qa'ida was hampered by insufficient analytic focus, particularly regarding strategic analysis. The Team asked three individuals who had served as senior intelligence analysts and managers to conduct an independent review of the Agency's analytic products dealing with UBL and al-Qa'ida for the period from 1998 to 2001 and assess their quality. They found that, while CTC's tradecraft was generally good, important elements were missing. Discussion of implications was generally weak, for example. Most important, a number of important issues were covered insufficiently or not at all. The Team found:

- No comprehensive strategic assessment of al-Qa'ida by CTC or any other component.
- No comprehensive report focusing on UBL since 1993.
- No examination of the potential for terrorists to use aircraft as weapons, as distinguished from traditional hijackings.
- Limited analytic focus on the United States as a potential target.
- No comprehensive analysis that put into context the threats received in the spring and summer of 2001.

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That said, CTC's analytic component, the Assessments and Information Group (AIG), addressed aspects of these issues in several more narrowly focused strategic papers and other analytic products.

(S) The personnel resources of AIG were heavily dedicated to policy-support and operational-support activities. Analysts focused primarily on current and tactical issues rather than on strategic analysis. In the two years prior to 9/11, the Directorate of Intelligence's [redacted]

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[redacted] and others had raised with CTC managers the need to dedicate some proportion of the analytic work force to strategic analysis, as was the practice in many DI offices. In early 2001, the DCI specifically directed CTC to establish a strategic analysis unit within AIG. The Chief of AIG had for some time been aware of the need to strengthen the analytic work force and was working to do so. The strategic analysis unit was formed in July 2001; as of late July, it was manned by [redacted] analysts.

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(S) The Team found that the National Intelligence Council (NIC) addressed the al-Qa'ida threat to only a limited extent. The NIC produced a National Intelligence Estimate on the terrorist threat to the United States in 1995 and an update in 1997. It did not produce a similar, comprehensive assessment from that point until after 9/11, although preparation of such a product was underway, with a CTC drafter, in the early months of 2001 and was being edited as of 9/11.

(U) See Team discussions of Factual Findings 2 (Signs of an Impending Attack), 3 (The Threat to the United States), and 4 (Aircraft as Weapons) and Systemic Finding 5 (Strategic Analysis) for further information on these topics.

(U) Operations (Unilateral and Liaison)

(S//NF) The Joint Inquiry charges that CIA did not effectively develop and use human resources to penetrate al-Qa'ida's inner circle, thus significantly limiting the IC's

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ability to acquire actionable intelligence before 9/11. The report argues that this lack of sources resulted from an excessive reliance on foreign liaison services and walk-ins (sources who volunteer); a focus on disruption and capture rather than collection; and adherence to the dirty asset rules (guidelines that restricted the recruitment of sources who had committed certain proscribed acts).

~~(S//NF)~~ The Review Team did not find that CIA's reliance on liaison for collection was excessive but did find that, [redacted] this reliance was not balanced with a strong focus on developing unilateral assets. The Team did not find that CIA reliance on walk-ins was misguided; [redacted]

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[redacted] Although the CIA focused its al-Qa'ida operations on Afghanistan, possibly limiting its ability to focus elsewhere, the Team believes that this approach was reasonable and that its purpose was collection on al-Qa'ida as well as disruption of al-Qa'ida's activities. While agreeing that the dirty asset rules may have created a climate that had the effect of inhibiting certain recruitment operations, the Team is unable to confirm or determine the extent of the impact. Finally, the Team found that several operational platforms, specifically the Nonofficial Cover (NOC) program [redacted]

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were not effectively engaged in the battle against al-Qa'ida. In the case of the NOC program, this reflected the weakness of the program itself. In the case [redacted] it reflected CTC's focus on Afghanistan and the priority of its attempts to penetrate al-Qa'ida's inner circle.

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~~(S//NF)~~ The Team found that the CIA's relations with foreign liaison services were critical to its ability to disrupt al-Qa'ida and thwart some terrorist attacks on the United States. While the capabilities and cooperation of liaison services were uneven, the program itself did not detract from CIA's efforts to mount its own unilateral operations. The Team did raise serious questions about whether CTC prior to 9/11 had made the most effective use of [redacted]

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[redacted] liaison services in its operations against al-Qa'ida. This [redacted]

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[redacted] Nevertheless, the Team observes that the complicated dynamics of liaison relationships, including lack of common goals and counterintelligence problems, suggest that CTC managers made reasonable judgments [redacted]

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~~(S//NF)~~ The Joint Inquiry particularly criticized CIA for the conduct of its operational relationship [redacted]. It noted that CIA had unsuccessfully pressed [redacted] authorities for additional information on individuals later identified as associates of some of the hijackers. It placed some of the blame for this on CIA's decisions [redacted]

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The Team also found that CIA was unable to acquire the information cited by the JI but found that it made repeated efforts to do so and that its lack of success was the result of a difficult operating environment and limited cooperation on the part of [redacted]. The Team concluded that the decisions made with respect to [redacted] were reasonable.

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~~(S//NF)~~ The Joint Inquiry also argued that both the FBI and CIA had failed to identify the extent of support from Saudi nationals or groups for terrorist activities globally or within the United States and the extent to which such support, to the extent it existed, was knowing or inadvertent. While most of the JI discussion on the Saudi issue dealt with issues involving the FBI and its domestic operations, the report also [redacted]

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[redacted] The Team found that a significant gap existed in the CIA's understanding of Saudi extremists' involvement in plotting terrorist attacks. The primary reasons for this gap were the difficulty of the task, the hostile operational environment, and [redacted]

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~~(S//NF)~~ The Team also found, however, that UBL Station and [redacted] were hostile to each other and working at cross purposes over a period of years before 9/11. The Team cannot measure the specific impact of this counterproductive behavior. At a minimum, however, the Team found that organizational tensions clearly complicated

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and delayed the preparation of Agency approaches [redacted]
 [redacted] thus negatively affecting the timely and effective functioning of the exchange with [redacted] on terrorism issues.

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(U) See the Team's discussions of Systemic Findings 11 (HUMINT Operations Against Al-Qa'ida) and 15 (Reliance on Foreign Liaison), Factual Finding 5h (The Hijackers' Associates in Germany), and Related Finding 20 (Issues Relating to Saudi Arabia) for additional information.

(U) Covert Action

~~(C)~~ The Joint Inquiry charged that US policymakers had wanted Usama Bin Laden killed as early as August 1998 and believed CIA personnel understood that. However, the government had not removed the ban on assassination and did not provide clear direction or authorization for CIA to kill Bin Laden or make covert attacks against al-Qa'ida [redacted]
 [redacted] The JI said that the CIA was reluctant to seek authority to assassinate Bin Laden and averse to taking advantage of ambiguities in the authorities it did receive that might have allowed it more flexibility. The JI argued that these factors shaped the type of covert action the CIA undertook against Bin Laden and that, before September 11, covert action had little impact on al-Qa'ida or Bin Laden.

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~~(TS)~~ [redacted] The findings and conclusions of the Review Team correspond with most but not all of the JI conclusions. The Team believes that the restrictions in the authorities given the CIA with respect to Bin Laden, while arguably, although ambiguously, relaxed for a period of time in late 1998 and early 1999, limited the range of permissible operations. Given the law, executive order, and past problems with covert action programs, CIA managers refused to take advantage of the ambiguities that did exist. The Team believes this position was reasonable and correct. Ultimately, the Team concludes the failure of the Agency's covert action against Bin Laden lay not in the language and interpretation of its authorities, but in the limitations of its covert action capabilities. CIA's heavy reliance on a single

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group of assets, who were of questionable reliability and had limited capabilities, proved insufficient to mount a credible operation against Bin Laden. Efforts to develop other options had limited potential prior to 9/11.

~~(TS)~~ ~~(NF)~~ The Joint Inquiry states that US military officials were reluctant to use military assets to conduct operations in Afghanistan or to support or participate in CIA operations against al-Qa'ida prior to 9/11. At least in part, this was a result of the IC's inability to provide the necessary intelligence to support military operations. The findings of the Team match those of the JI as they relate to the CIA. The Agency was unable to satisfy the demands of the US military for the precise, actionable intelligence that the military leadership required in order to deploy US troops on the ground in Afghanistan or launch cruise missile attacks against UBL-related sites beyond the August 1998 retaliatory strikes in Afghanistan and Sudan. Differences between CIA and the Department of Defense over the cost of replacing lost Predators also hampered collaboration over the use of that platform in Afghanistan. The Team concludes, however, that other impediments, including the slow-moving policy process, reduced the importance of these CIA-military differences. The Team believes CIA handled its relationship with the US military responsibly and within the bounds of what was reasonable and possible.

~~(TS)~~ The Joint Inquiry charges that the CIA failed to attack UBL's finances and failed to work cooperatively with the Department of the Treasury to develop leads and establish links to other terrorist funding sources. The Team, likewise, found that CIA failed to attack Bin Laden's money successfully but finds that this was not for lack of effort.

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The Team also agrees that bureaucratic obstacles and legal restrictions inhibited CIA's partnership with the Department of the Treasury.

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(U) See the Team's discussions of Systemic Findings 13 (Covert Action), 14 (Collaboration with the Military), and 16 (Strategy to Disrupt Terrorist Funding) for more information on these issues.

(U) Technology

~~(TS)~~ The Joint Inquiry charged that technology had not been fully and effectively applied in support of US counterterrorism efforts. The Team found that significant differences existed between CIA and NSA over several critical issues. One of these involved a dispute over which agency had authority [redacted]

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[redacted] This dispute had not yet been resolved in September 2001. The second issue involved NSA's unwillingness to share raw SIGINT transcripts with CIA; this made it more difficult for CTC to perform its mission against al-Qa'ida. In the late 1990s, however, NSA managers offered to allow a CTC officer to be detailed to NSA to cull the transcripts for useful information. CTC sent one officer to NSA for a brief period of time in 2000, but failed to send others, citing resource constraints. The Team recommends that an Accountability Board review the performance of the Chiefs of CTC for their failure to detail officers to NSA on a consistent, full-time basis to exploit this material in the years before 9/11.

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(U) See the Team's discussions of Systemic Findings 4 (Application of Technology) and 7 (Computer Exploitation) for discussion of the technology issue.

(U) FOREWORD: ASSESSING THE JOINT INQUIRY'S FINDINGS**(U) Introduction**

(U) In issuing its final report on 10 December 2002, the Congressional Joint Inquiry Into Intelligence Community Activities Before and After the Terrorist Attacks of September 11, 2001 (9/11) recommended that the CIA Inspector General (IG) should "review the factual findings and the record of this Inquiry and conduct investigations and reviews as necessary to determine whether and to what extent personnel at all levels should be held accountable for any omission, commission, or failure to meet professional standards in regard to the identification, prevention, or disruption of terrorist attacks, including the events of September 11, 2001. These reviews should also address those individuals who performed in a stellar or exceptional manner, and the degree to which the quality of their performance was rewarded or otherwise impacted their careers."

(U) Accordingly, in February 2003, the Office of Inspector General (OIG) constituted the 9/11 Accountability Review Team to examine the Joint Inquiry's (JI) findings that were relevant to the CIA. The IG named the then-Assistant IG for Inspections to lead this multidisciplinary team. Although the composition of the Team changed in the ensuing months, during the bulk of its operating time the Team also included four inspectors—including individuals on rotation from each of the mission directorates and the Director of Central Intelligence (DCI) area—two auditors, one investigator, a contractor with significant Agency and inspections experience, a research assistant, and a secretary. None of the members of the team had worked in the Counterterrorist Center or had counterterrorism as a primary area of expertise; several had worked on various aspects of the counterterrorism issue previously, however.

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(U) Scope

(U) While the JI developed a total of 35 findings—15 of which it termed factual, 16 systemic, and four related—the Team focused only on the 23 findings that pertained directly to CIA. In those 23, the Team considered the performance of officers of other government entities when appropriate but only assessed the performance of CIA officers. While several of the systemic findings address aspects of the broader issue of counterterrorism, the Team has generally responded to these findings by focusing on their relevance to the more specific issues of al-Qa'ida, Usama Bin Laden (UBL), and the events leading up to 9/11.

(U) For each relevant finding, the Team tried to determine whether or not the JI's conclusions and charges were accurate. Where they were, the Team has tried to explain the reasons for them and to determine responsibility; where appropriate, the Team recommends that an Accountability Board review the performance of specific individuals. Where the Team found that the JI charges were not wholly accurate or complete, it has attempted to set the record straight.

(U) In general, the Team found that Agency officers from the top down worked hard against the al-Qa'ida target. Those whom the Team believes were deserving of recognition have already received monetary awards and other forms of formal acknowledgment. The Team is not recommending that any additional individuals be recognized.

(U) The Review Team found no instance in which an employee violated the law. The Team found, however, that Agency officers did not always perform their Agency duties in a satisfactory manner—that is, they did not, in a particular instance, act "in accordance with a reasonable level of professionalism, skill, and diligence," as required by Agency regulations.

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(U) The OIG provided to relevant individuals the draft texts of those portions of the 9/11 review that related to their respective performances. Those officers provided comments and responses to the draft. The Team carefully reviewed and responded to many of the specific comments, correcting factual errors; removing material that was no longer relevant; incorporating material from the responses that provided insight into specific issues; and changing a number of recommendations relating to accountability. The OIG then made available to all of these individuals the text of the entire report, with the exception of language specifically relating to recommendations for accountability reviews of the performance of other individuals. The Team again reviewed individual responses, correcting factual errors and making language changes where appropriate.²

(U) The Inspector General, in this review, recommends that the CIA Director establish an Accountability Board—in accordance with Agency regulations—made up of individuals who are not employees of the CIA to review the cases where the performance of individual employees was found to fall short of the standard.³ Where failures were collective and/or systemic, the Team has recommended that an Accountability Board determine the accountability of those managers who were in position to oversee and correct the particular situation before 9/11. The Team emphasizes that, in discussing the conduct of Agency officers, it is addressing performance with respect to specific events—not the overall performance of the individual.

² (U) Many reviewers criticized the report for failing to emphasize sufficiently the many successes of CTC and UBL Station in the battle against al-Qa'ida. The Team agrees that these successes are not documented in the report. The report does not focus on the overall record, which includes many successes in the war on terrorism. This fact derives from the tasking given the OIG, which dictated a review of perceived breakdowns and failures of process—not an overall review of CIA's performance against the al-Qa'ida target.

³ (U) Agency Regulation 13-6 describes the nature and processes of the Agency Accountability Board (AAB). It states that a CIA Director or Deputy Director would convene the AAB "when events to be examined indicate significant failures of fundamental CIA missions or responsibilities, involve systemic failures, or involve very senior Agency officers." It goes on to state that, "In cases involving review of the actions of very senior Agency officials, the DCI or DDCI may request an outside body to conduct an accountability review and make recommendations directly to him/her as appropriate."

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(U) In its deliberations, the Team has drawn on Agency Regulation (AR) series 13—Conduct: Accountability and Discipline:

- AR 13-1, c, (4) states that, "Employees...are expected to perform their duties in a professional and satisfactory manner. An employee who is responsible for a significant failure to act in accordance with the level of professionalism and diligence reasonably to be expected... has not lived up to this standard...."
- AR 13-1, d, addresses the responsibility of managers, noting that, "Managers ultimately are responsible for the actions or inactions of their subordinates and should institute reasonable measures to ensure compliance with Agency standards of conduct."
- AR 13-3, c, (1) addresses discipline, stating that, "All employees, including managers, are expected to... perform Agency duties in a satisfactory manner. Those who fail to do so may be subject to disciplinary action, which may range from an oral admonition to termination of employment...."

(U) The Team also applied the standards for accountability discussed in AR 13-6, Appendix I:

- AR 13-6, Appendix I, c, indicates that, "Any finding of deficient performance must be specific and may include omissions and failure to act in accordance with a reasonable level of professionalism, skill, and diligence."
- AR 13-6, Appendix I, d, states that "Determinations under the above standard will be based in part on whether the facts objectively indicate a certain action should have been taken or not taken and whether the employee had the opportunity and the responsibility to act or not act."

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- AR 13-6, Appendix I, e, notes that "Managers may be held accountable in addition for the action(s) or inaction of subordinates even if the manager lacks knowledge of the subordinates conduct. Such accountability depends on: (1) Whether the manager reasonably should have been aware of the matter and has taken reasonable measures to ensure such awareness. (2) Whether the manager has taken reasonable measures to ensure compliance with the law and Agency policies and regulations."

(U) On occasion, the Team has found that a specific officer was responsible for a particular action or lack of action, but has not recommended that an Accountability Board consider the matter. In such cases, the Team has concluded that, for various reasons, including mitigating circumstances, the matters in question have not reached the threshold for Accountability Board consideration.

(U) In several cases, the Team was divided on the issue of whether or not the performance of a specific individual should be reviewed by an Accountability Board. Some Team members concluded the performance in question warranted a finding of failure to "act in accordance with a reasonable level of professionalism, skill, and diligence," as specified in Agency regulations; others concluded that the mitigating circumstances were substantial enough to warrant a finding of responsibility but not a recommendation concerning accountability. The Team agreed that, when it had a clear difference of opinion and consensus could not be reached, it would be appropriate to describe the situation and note which officials the Team considered responsible.

(U) Methodology

(U) The 9/11 Review Team drew on numerous sources during its review. The Team:

- Met and spoke with members of the JI Staff regarding their report as well as with members of the Director's

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Review Group (DRG), which provided the initial CIA response to the JI report.

- Had complete access to documentation gathered by the JI and the DRG, as well as to reports of interviews conducted by both groups and to Office of Congressional Affairs write-ups of these interviews. Toward the end of the review, the Team also examined Kean Commission interviews, hearings, and findings.
- Conducted interviews of over 200 officers including current and former senior CIA managers currently or formerly serving as Deputy Director of Central Intelligence (DDCI), Assistant Director of Central Intelligence, Executive Director, Deputy Executive Director, Deputy Director for Operations (DDO), Deputy Director for Intelligence (DDI), Deputy Director for Science and Technology (DDS&T), and Chief Financial Officer (CFO); CIA staff employees; detailees to the Counterterrorist Center (CTC) from the Federal Bureau of Investigation (FBI), the National Security Agency (NSA), the Federal Aviation Administration (FAA), and other agencies; and a number of contractors.
- Collected and reviewed information from database holdings, cable traffic from CTC's Hercules database, and Lotus Notes e-mail correspondence.
- Made extensive use of complete access to pre-9/11 CTC hard-copy and soft-copy files.
- Reviewed numerous books, journals, and other open-source documents.
- Drew on the OIG's inspection of CTC, conducted in 2000-2001, and the accompanying employee survey.

In addition to these sources, which proved beneficial for all aspects of the review, the Team tapped various other sources in its assessment of specific findings.

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(U) In addressing findings relating to leadership and management issues, the Team:

- Reviewed documentation relating to Principals and Deputies Committee meetings and to Agency resource and covert action decisionmaking groups.
- Examined various National Security Council memorandums and taskings; Executive Orders; Presidential Decision Directives; DCI Directives and Authorities; and DCI memorandums, talking points, and correspondence.
- The Team's request to interview the former DCI was not met because of his schedule; the Team did, however, review transcripts of his numerous statements and testimony with respect to 9/11.
- Read transcripts of various Congressional hearings.
- Reviewed CIA OIG Inspection Reports on the Foreign Broadcast Information Service and Foreign Language in the Agency, and examined the Special Task Force Report on the Language Incentive Program.

(U) In addressing findings relating to resources, the Team:

- Exploited information gleaned from the Agency Financial Management System (AFMS), AFMS/Forest and Trees Database, Acquisition Requests (ACQUIRe) database, and the Approving Officer Authorities database.
- Reviewed various Congressional Budget Justification Books and Apportionment and Reapportionment (A&R) schedules from Accounting Operations.
- Reviewed UBL Station personnel resource data.

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- Reviewed the OIG Inspection Report on Agency Budget Formulation, and the OIG Audit Report on Reprogramming.

~~(S//NF)~~ In addressing findings relating to information sharing, the Team:

- Extensively reviewed all operational cables and other cable traffic related to [redacted] [redacted] as well as cables related to selected other CTC operations conducted around the same timeframe; and cables related to Khalid Shaykh Muhammad. (b)(1) (b)(3)
- Reviewed viewership audits of the Hercules, MDSX, and [redacted] databases to determine who opened relevant [redacted] cables and cables relating to Khalid Shaykh Muhammad prior to 9/11. (b)(3) (b)(1) (b)(3)
- Consulted with the Department of Justice Office of Inspector General inspectors who were examining the watchlisting issue from the FBI's standpoint.
- Assessed badge-in/badge-out data for individuals in UBL Station for key weeks in January and March 2000.

(U) In addressing findings relating to strategic analysis, the Team:

- Conducted a thorough review of current intelligence pieces on al-Qa'ida written for the President's Daily Brief and Senior Executive Intelligence Brief during the period 1 January 1998 to 10 September 2001.
- Engaged three former senior DI officers to conduct an extensive evaluation of all Intelligence Reports and CTC Commentaries on al-Qa'ida produced between 1 January 1997 and 10 September 2001.

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- Examined other Agency analytic products on counterterrorism, including pertinent ones written since 11 September 2001.
- Examined CTC's July 2001 Analysis Enhancement Plan.

(U) In addressing findings relating to unilateral and liaison operations and covert action, the Team:

- Used the Hercules database to conduct surveys of report sourcing and extensive reviews of cable traffic on specific covert operations.
- Assessed information from the AFMS database.
- Reviewed foreign liaison training records.
- Examined all Memorandums of Notification regarding Bin Laden.

(U) In addressing findings relating to technology, the Team:

- Reviewed OIG inspection reports on the Clandestine Information Technology Office and its successor, the Information Operations Center.
- Examined legal opinions and other memorandums between CIA and NSA and between senior Agency managers.
- Reviewed documentation on specific technical projects.

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(U) The OIG 2001 Inspection of CTC

(U) A number of officers who reviewed this report noted that there were differences between the Office of Inspector General's (OIG) 9/11 Review and its 2001 Inspection Report of the Counterterrorist Center (CTC); they particularly noted that the latter praised performance in certain areas, while the former is critical. The Team agrees that these reports differ in a number of areas. These differences derive, in large part, from distinct taskings, terms of reference, and methodologies.

(U) OIG component inspections address mission, management, and performance. They rely heavily on information obtained from officers within those components as well as from partners and customers. If those surveyed and interviewed believe the component is performing its mission well and being managed effectively, the component is likely to receive a favorable review. At the time of the OIG inspection and continuing through the period of the OIG 9/11 review, those whom the OIG interviewed, by and large, maintained that CTC was performing its mission well and was being managed effectively. CTC officers, for the most part, understood their mission, trusted their managers, and worked hard against their targets; they were highly motivated. The OIG inspection credited CTC with being a well-run office, working effectively to perform its mission.

(U) The 9/11 Team, in the wake of the perceived intelligence failure represented by the attacks of 11 September 2001, was asked by the Congress to evaluate the findings of the Joint Inquiry. This task required the Team to focus on specific failures highlighted by the Joint Inquiry and, when in agreement with the Joint Inquiry, determine how those failures had occurred. As a result, the purpose of the 9/11 Team was to look at specific events in the period before 11 September in order to determine whether there had been systemic problems and individual failures.

(U) Many differences between the CTC inspection of 2001 and the OIG 9/11 review derive from the distinct nature of the tasks:

- The CTC Inspection Team dealt with all of CTC. The OIG 9/11 Team focused on Usama Bin Ladin (UBL) and al-Qa'ida and the CTC units that dealt with those targets.

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(U) The OIG 2001 Inspection of CTC (Continued)

- The Inspection Team based its overall conclusion that there had been dramatic improvement in CTC's relations with the National Security Agency and the Federal Bureau of Investigation almost exclusively on interviews with CTC personnel. The 9/11 Team focused on specific failures in the management of technology-related activities and information sharing involving UBL Station.
- The Inspection Team did not look at how Agency resources were being allocated or reallocated against the counterterrorism target. Such a review was required of the 9/11 Team, which included two auditors.
- The CTC Inspection did not address the DCI's leadership of the Intelligence Community. The 9/11 Team was required to do so.

~~(S)~~ Some differences between the inspection and the 9/11 review derive from distinct methodologies:

- The Inspection Team collected only 38 documents as part of its overall data-gathering strategy. The 9/11 Team collected almost 3,000 and developed an enhanced search capability that facilitated research and analysis.
- The 9/11 Team gained access to and reviewed CTC's databases, including Hercules, as well as its share drive files in Microsoft Word.
- The 9/11 Team requested and assessed audits of individual Lotus Notes, thereby gaining considerable knowledge of working exchanges.
- The 9/11 Team had access to the documents and databases of the Director's Review Group, which had done an outstanding job of gathering and reviewing material from the pre-9/11 period.
- The Inspection Team conducted no analytic product review. The 9/11 Team had three outside senior officers review long-term analysis of al-Qaida and UBL and conducted its own review of pre-9/11 current reporting.

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(U) The Office of Inspector General, hoping to build upon the lessons learned from both the limitations of the inspection report and the differences between it and the 9/11 Review, is working to strengthen its inspection methodology. Actions already underway include commissioning independent reviews of intelligence product; conducting in-depth reviews of performance with respect to specific critical issues; and increasing reliance on document reviews vis-à-vis personal interviews. In addition, the OIG is incorporating into the training it provides new inspectors a segment on lessons learned from the conduct of the two reviews, with particular focus on those areas highlighted by the 9/11 Review but missed by the inspection.

(U) Looking Ahead

(U) The Team hopes that the readers of this report will focus on lessons that might be learned with respect to management and process. Many of the breakdowns discussed herein involved failure to articulate and implement policies designed to foster information sharing and cooperation, reinforce important guidelines and processes, define and monitor areas of overlapping responsibility, and provide Agency officers and detailees with the training and guidance they need to perform their missions effectively. Other breakdowns involved failures to set priorities and then to follow through with appropriate programs and policies.

(U) Several officers who reviewed the OIG's 9/11 draft stated that the report should have focused on the broader, systemic problems that had hampered the Agency's ability to work more effectively against the al-Qa'ida target. The Team made no formal recommendations with respect to these systemic problems in its report, deeming them outside the scope of its review. In response to a request from the former Deputy Director of Central Intelligence (DDCI), however, the Team drafted a memorandum addressing Agency failures in the pre-9/11 period that it considered

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systemic. This memorandum, sent to the DDCI on 24 September 2004, contained 19 recommendations designed to help overcome the identified deficiencies.

(U) The OIG review covered the period leading up to 11 September 2001, and the Team did not track changes implemented since that time. With the lessons learned from this review and others, however, the Team believes a future OIG team should be able to review policies and processes currently affecting CIA's counterterrorism efforts in order to evaluate whether they are being implemented effectively and systematically.

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(U) FACTUAL FINDING 1: BRINGING TOGETHER THE AVAILABLE INTELLIGENCE

(U) Factual Finding 1 of the Joint Inquiry (JI) states that, "While the Intelligence Community (IC) had amassed a great deal of valuable intelligence regarding Usama Bin Ladin and his terrorist activities, none of it identified the time, place, and specific nature of the attacks that were planned for September 11, 2001. Nonetheless, the Community did have information that was clearly relevant to the September 11 attacks, particularly when considered for its collective significance."

(U) The Finding goes on to note that, while it found no "smoking gun," various threads and pieces of information available to the IC prior to 11 September 2001 (9/11) were significant and relevant, at least in retrospect.

(U) Assessment of the Finding

(C) The Office of Inspector General's 9/11 Review Team (the Team) concurs with the finding. The Team has had access to finished intelligence that was unavailable to the Joint Inquiry and has reviewed reporting that the JI did not examine, but it, too, has uncovered no information that provided any of the specifics necessary to warn of the particular events of 9/11. At the same time, the Team agrees that the IC had relevant information prior to 9/11 on such subjects as al-Qa'ida's intent to conduct an attack soon, its desire to attack in the United States, and terrorists' use of aircraft as weapons. While the CIA developed some of the relevant lines of analysis as fully as a reasonable observer would expect, it did not do so with all such lines, nor did anyone in CIA pull these various threads together prior to 9/11.

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(U) Just as the JI report covered these issues in detail in the findings that follow, so too does the Team address them later in this report.

(U) Accountability

(U) Because of the scope of the finding, the Team does not consider accountability here but does so in its discussion of the remaining factual findings, as well as in Systemic Findings 5, 9, 10, and 16..

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(b)(3)**(U) FACTUAL FINDING 2: SIGNS OF AN IMPENDING ATTACK**

(U) Factual Finding 2 of the Joint Inquiry (JI) report states that, "During the spring and summer of 2001, the Intelligence Community experienced a significant increase in information indicating that Bin Laden and al-Qa'ida intended to strike against US interests in the very near future."

← The Finding notes that some Intelligence Community (IC) personnel described as unprecedented the increase in threat reporting during the months leading up to 11 September 2001 (9/11). Among the many examples cited of stepped-up reporting during the March-September 2001 time frame, the National Security Agency (NSA) issued 33 communications indicating the possibility of an imminent attack by al-Qa'ida. The Finding also acknowledges that the IC advised senior policymakers of the likelihood of an attack, including in threat advisories, National Security Council (NSC) briefings, and current intelligence pieces, although the nature of the reporting did not lend itself to any specificity.

(U) Assessment of the Finding

← The Office of Inspector General's 9/11 Review Team agrees that, in the months prior to 9/11, the Intelligence Community received numerous indications of an impending al-Qa'ida attack. The Team also agrees that, during part of the spring and summer, the number of these indicators increased. However, the Team cannot fully concur with the finding as stated, in that research shows that this increase did not continue throughout the entire six-month period leading up to 9/11. Nor did the Team find that this increase was unprecedented across all broad intelligence collection systems, as the Finding's narrative suggests.

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~~(S//NF)~~ The Team does agree that, during the summer of 2001, many observers perceived the indicators of a possible attack to be unprecedented:

- In late June 2001, the Counterterrorist Center (CTC) sent out a cable to all stations noting the Director of Central Intelligence's request to share with liaison tearline information stating, "Over the last several months, we have seen unprecedented indications that Bin Laden and his supporters have been preparing for a terrorist operation." In addition to an increase in sensitive reporting, the tearline noted a surge in the release of public information and statements on the part of Bin Laden.
- In early July [redacted] the "unprecedented increase in terrorist threat reporting," indicating that al-Qa'ida was poised to attack US and Israeli interests. (b)(1)
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- The Defense Intelligence Agency based its 30-day extension of a 20 July 2001 Defense Terrorism Warning Report on "the fact that since 21 June there have been an unprecedented number of indicators of near-term al-Qa'ida attacks."

~~(C)~~ SIGINT and HUMINT Warnings

~~(S//NF)~~ Signals intelligence (SIGINT) warnings of a possible terrorist attack did increase. [redacted]

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~~(S//NF)~~ In regard to human intelligence (HUMINT) reporting, al-Qaida threat reporting did increase between April and June 2001, but then declined through the rest of the summer:

- Directorate of Operations telegraph disseminations (TDs) that warned of an impending al-Qa'ida attack grew from five in April to 20 in June before dropping again to 14 in August. Contrary to overall perceptions at the time, however, the April-June jump was not without precedent. Indeed, the increase in threat reports issued between August and October 1999 was steeper and the number greater. In addition, the spring 2001 increase started from a low base, as the number of threats received in April 2001 was the lowest since the Cole bombing of October 2000.
- An examination of all TDs on al-Qa'ida—i.e., not just the threat-related ones—shows a similar increase between April and June 2001 followed by a drop later in the summer. Again, this growth was from a low starting point, as the number of such TDs disseminated in April was the lowest since July 1998, immediately prior to the African embassy bombings.
- Finally, all cables that CIA issued on al-Qa'ida increased by 63 percent to 958 during the period April-July 2001. This increase was also not unprecedented, as al-Qa'ida-related cables had nearly doubled to more than 1,500 per month between September and December 1999.

(U) Informing the Policymakers

~~(C)~~ The Team's review confirms that the CIA kept senior policymakers informed of the threat. For example, between March and August 2001, the Interagency Intelligence Committee on Terrorism (IICT) issued four threat advisories or extensions highlighting the imminent

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threat posed by Sunni extremists. While this number was greater than the single advisory that the IICT issued in 2000, it was below the six issued in 1999 during the run-up to the Millennium. CIA also warned of the threat in regular IC teleconferences run by the NSC, in a July 2001 Deputies Committee Meeting, in several briefings for House and Senate committees, and in dedicated briefings for the President in March and July. In addition, during this time frame, the DCI and a number of other senior CIA officers called various foreign leaders and heads of liaison services to alert them of this increased threat.

~~(S//NF)~~ In addition, several threat warnings regarding al-Qa'ida appeared [redacted]

[redacted] between 1 March and 31 August 2001. [redacted]

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[redacted] these pieces warned of the possibility of an impending attack, and several clearly emphasized the seriousness of the threat.⁴ These pieces included:

- An article [redacted] that emphasized that the threats from Bin Laden—including those his organization made in public statements—were real and not part of an al-Qa'ida disinformation campaign.
- A piece that ran [redacted] which noted that operatives linked to al-Qa'ida expected that the near-term attacks they were planning would have dramatic consequences, such as destabilizing governments or causing major casualties.
- An article [redacted] that warned that, while al-Qa'ida had postponed one terrorist operation for a few months, others remained in train.

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~~(S//NF)~~ However, the volume of this reporting [redacted]
[redacted] was relatively small when compared with other

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reporting.

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~~(C)~~ Although the CIA used many vehicles to inform the policymakers of the threat, CTC analysts did not write any Intelligence Report (IR) or similar product during the late spring or summer that provided any assessment of the overall threat. IRs earlier in the year warned of threats in Saudi Arabia, Israel, and Yemen; between mid-May 2001 and 9/11, however, CTC wrote no IRs that provided a comprehensive analysis of all the threats being received or that put the then-current warning environment in context. In fact, the few IRs that CTC wrote during the late spring and summer of 2001 included no threat warnings at all.

(U) Accountability

(U) The Team makes no recommendation concerning accountability in regard to this finding. However, the Team notes that the failure to provide a broad assessment that pulled together all the threat information received during spring and summer 2001 is part of the broader problem of inadequate comprehensive strategic analysis, which the Team assesses in its discussion of Systemic Finding 5.

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(U) FACTUAL FINDING 3: THE THREAT TO THE UNITED STATES

(U) Factual Finding 3 of the Joint Inquiry (JI) states that, "Beginning in 1998 and continuing into the summer of 2001, the Intelligence Community received a modest, but relatively steady, stream of intelligence reporting that indicated the possibility of terrorist attacks within the United States. Nonetheless, testimony and interviews confirm that it was the general view of the Intelligence Community, in the spring and summer of 2001, that the threatened Bin Laden attacks would most likely occur against US interests overseas, despite indications of plans and intentions to attack in the domestic United States."

~~(S//NF)~~ The JI report further notes that "Communications intercepts, the arrests of suspected terrorists in the Middle East and Europe, and a credible report of a plan to attack a US Embassy in the Middle East shaped the Community's thinking" that the attack would be overseas. That said, the JI cites numerous cases of intelligence related to the al-Qa'ida threat in the United States, including reporting in May 2001 that al-Qa'ida members were planning to infiltrate the country to conduct terrorist operations, and in late summer 2001 that an al-Qa'ida associate was considering such attacks. The Report acknowledges that the President received such threat information, including in an August 2001 President's Daily Brief (PDB).

(U) Assessment of Joint Inquiry's Findings

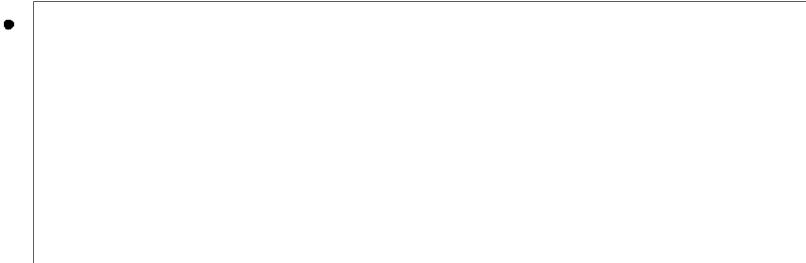
~~(E)~~ The Team concurs with the JI's Finding. The preponderance of intelligence reporting indeed suggested that the likely attack targets would be US interests overseas.

~~(S//NF)~~ Following upon the reporting trends, finished intelligence reiterates this view:

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- During the same period, Counterterrorist Center (CTC) Intelligence Reports (IRs) and Commentaries showed a similar pattern. Of the 30 reports that CTC's Assessments and Information Group (AIG) produced during this time, 15 mentioned specific targets, and nine of these were in the Middle East. Only four specifically mentioned the United States as a target, and two of these did so only in passing.
- The same is true with threat advisories and related products done by the Interagency Intelligence Committee on Terrorism (IICT). The Threat Advisory Extension that the IICT issued in early August 2001—the final such paper prior to 9/11—stated, “The Community continues to believe that the most likely locales for such an attack are on the Arabian Peninsula, and in Jordan, Israel, and Europe.”

~~(S//NF)~~ In most of the cases in which the United States was mentioned as a potential target, it was included at the bottom of a list of other such targets. For example, one CTC IR from late 1998 cites 13 countries and six broader regions before mentioning the United States as a possible target. In addition, in three warnings in 1999, the IICT added to its overall warnings about the threat overseas that "...the possibility that Bin Laden will still strive to carry out an attack inside the United States cannot be discounted."

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(U) Analyzing the Threat to the United States...

(U) Analysts produced some key reports that addressed the terrorist threat in the United States in general and the al-Qa'ida threat in particular. These included some National Intelligence Council (NIC) products, and an Intelligence Report and a PDB done by CTC/AIG.

~~(S//NF)~~ Prior to 9/11, the NIC produced two major products that focused on the potential for terrorist attacks in the United States. The 1995 National Intelligence Estimate (NIE), "The Foreign Terrorist Threat in the United States," notes that, "Terrorists may be more inclined than before to retaliate with violence for US policies in the Middle East and toward Muslims in general. The [1993] bombing of the World Trade Center (WTC) probably crossed a threshold for more large-scale terrorist attacks." The estimate goes on to cite US targets deemed especially at risk, including national symbols and transportation infrastructure. Two years later, the NIC published an Intelligence Community (IC) Brief that revisited and updated the 1995 NIE. This Brief reaffirmed the threats cited in 1995 and added Usama Bin Ladin's claim that he had received a fatwa (religious authorization) to attack US targets anywhere in the world until US troops leave Saudi Arabia and that he had discussed plans to carry out attacks in the United States.

(U) In December 2000, the NIC also published an unclassified assessment, "Global Trends 2015," which included a few sections that addressed the overall terrorist threat to the United States. That publication, which the NIC briefed throughout the policymaking community and which was featured on ABC's Nightline in January 2001, stated that, "Some potential adversaries will seek ways to threaten the US homeland. The US national infrastructure—communications, transportation, financial transactions, energy networks—is vulnerable to physical and electronic attack... Foreign government and groups will seek to exploit such vulnerabilities using conventional munitions, information operations, and even WMD." The report made no specific mention of Bin Ladin or al-Qa'ida.

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~~(S//NF)~~ In addition, although the NIC's March 2001 Intelligence Community Assessment (ICA), "Threats to the Continuity of Government," covers a broad array of threats to the United States—notably Russian and Chinese military and nuclear threats—the paper identifies nonstate terrorists such as al-Qa'ida as providing the greatest threat. The ICA includes a Federal Bureau of Investigation (FBI) assessment that states, "Usama Bin Ladin, Al-Qa'ida, and affiliated extremist groups currently pose a clear and immediate threat to US interests. During the past seven years, individuals associated with or sympathetic to Bin Ladin have conducted or conspired to conduct attacks in the United States."

~~(S//NF)~~ In CTC, analysts produced in early 2000 one IR that largely focused on the United States as a target. This paper assessed then-current information on anti-US Millennium plots by Islamic extremists in Canada and Jordan. While reiterating a lack of specificity in the relevant threat reporting, the paper concludes, among other things, that:

- "Information suggesting a Bin Ladin role in these plots tends to confirm our assessment in recent months that plans for another round of terrorist attacks—including targets on US soil—are ready for implementation."
- "The extent of Bin Ladin's operational activity in the United States and Canada...is greater than previously estimated."

~~(S//NF)~~ Perhaps the principal analytic products that focused on the al-Qa'ida threat to the United States prior to 9/11 were a PDB current development done on 6 August 2001 and its equivalent that appeared in the SEIB the following day. CTC/AIG drafted this piece after consultation with the PDB staff, which sought to address President Bush's oft-repeated query regarding the al-Qa'ida threat to the United States, according to the President's briefer at the time. This article notes that:

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- Usama Bin Ladin has wanted to conduct terrorist attacks in the United States since 1997.
- The millennium plotting in Canada in 1999 may have been part of Bin Ladin's first serious attempt at a terrorist strike in the United States.
- Bin Ladin's attacks on the US Embassies in Kenya and Tanzania in 1998 show that he prepares operations years in advance and is not deterred by setbacks.
- Al-Qa'ida members, including some US citizens, have resided in or traveled to the United States for years, and the group apparently maintains a support structure here.

(U)...But in Relatively Few Assessments

~~(S//NF)~~ Despite the March 2001 ICA and other post-1997 NIC products that incorporated the threat posed by terrorism or that addressed specific terrorist tactics,⁵ it was not until mid-2001 that the NIC, with drafting support from CTC, undertook another estimate comparable in scope to the 1995 one. This paper was in progress as of 9/11. Among the reasons for this delay were:

- In 1989, DCI Webster moved Community responsibility for counterterrorism from the NIC to CTC and eliminated the position of National Intelligence Officer (NIO) for counterterrorism. While other NIOs followed counterterrorism in their areas, and the NIO for Economic and Global Issues had the subject in his portfolio, no one in the NIC maintained counterterrorism as his/her chief area of concentration.
- A few senior officials noted that the gap between the 1997 report and the effort that was started in 2001 was not unreasonable and only a little beyond the average

~~(C//NF)~~ In 1998/99, the NIC produced a two-volume NIE at the request of the Federal Aviation Agency on the standoff threat to US civil aircraft posed by terrorists and others in the United States and abroad.

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time that the NIC normally took to revisit such broad topics.

- Unlike the case involving many other estimates, no policymaker had requested such a study. Indeed, none had requested the 1995 estimate; former DCI Woolsey had asked the NIC to produce that NIE. Similarly, no policymaker had requested the NIE that was in process as of 9/11, despite the NIC's fishing expeditions for such requestors.

~~(S//NF)~~ The post-1997 delay in initiating another NIC estimative product focusing on the terrorist threat to the United States is striking, given:

- Despite divesting other aspects of counterterrorism analysis from the NIC, the 1989 decision on IC responsibility for counterterrorism reaffirmed the NIC's role in producing estimates on the subject.
- The major terrorist incidents that occurred in the following years, including Bin Laden's February 1998 fatwa against the United States, the August 1998 African embassy bombings, and the October 2000 USS Cole bombing.
- The resulting increase in understanding of the threat posed by al-Qa'ida, which the NIC's 1997 IC Brief only touched upon.
- The 1997 IC Brief's statement that "The Intelligence Community believes the danger of additional foreign terrorist attacks on US soil will persist over the next two years," along with the pattern established with the 1997 Brief following up on the Estimate from two years earlier, which implies a re-examination in 1999.
- The fact that no other IC entity was undertaking any comparable broad assessment of the terrorist threat to the United States.

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~~(S//NF)~~ That said, in reviewing the Team's discussion on the lack of an estimate in Systemic Finding 2, which addresses the role of the DCI, the former DCI notes that "...after 1997, senior policymakers in the previous Administration, including the President and Secretaries of State and Defense, the Attorney General, the Director of the FBI and the National Security Advisor, became so deeply and personally involved in counterterrorism issues that another estimate would have added little to what they already understood." He further indicates that, "In terms of the current Administration, I believe it would have been helpful at the beginning of the Administration to have produced a comprehensive estimate on al-Qa'ida. An NIE would have provided useful background as we engaged the incoming national security team on terrorism.... However, it is problematic at best to know whether strategic protective actions would have been taken to minimize the threat, given our previous experience with the estimates in the mid 1990s, and the limited time available to the new Administration before 11 September."

~~(S//NF)~~ Although information uncovered about the Millennium plots clearly established the United States as an al-Qa'ida target, CTC undertook no strategic assessment of the United States as a target aside from the January 2000 Canada-Jordan IR and the 6 August 2001 PDB. Analysts cited several reasons for this:

- Of 26 current and former AIG analysts and managers queried, 10 said that AIG did not look at the United States because this was the purview of the FBI. A couple of analysts said their management accordingly discouraged such efforts.
- Five AIG officers noted that not enough information existed on the subject to produce an assessment.
- Three said that lack of personnel prevented such a study.

~~(S//NF)~~ Broader access to FBI information about al-Qa'ida activities in the United States could have allowed

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CIA to more fully consider the potential of the United States as a target. The JI investigation revealed examples such as the Phoenix memorandum in which FBI officers had information about al-Qa'ida activities in the United States that they did not share with CIA. Interview data reinforce this; three CTC analysts noted that they were aware of probable relevant information that the Bureau did not make available to them. One FBI detailee to CTC noted that the Bureau had some 70 active investigations in the United States against people with some connection to al-Qa'ida. AIG incorporated this information into its 6 August 2001 PDB.

~~(TS)~~ Finally, as the Joint Inquiry report indicates, reporting was available in the spring and summer of 2001 suggesting that al-Qa'ida was planning some activity in the United States:

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- In June 2001, [redacted] disseminated a cable in which a collaborative contact indicated, among other things, that "Khaled"—a Bin Ladin associate and Ramsi Yousef relative, who the Station suggested may be Khalid Saykh Muhammad—was active in recruiting people to travel to the United States to "carry out unspecified actions on behalf of Bin Ladin." According to the source, Khaled was continuing to travel to the United States as of late May. An audit of viewers shows that several AIG analysts opened this cable. (For more information on this cable, see Factual Finding 5.i.)
- In July, a call-in contacted the US Embassy in Abu Dhabi and said that a group composed mainly of Pakistani UBL supporters was in the United States planning to conduct a terrorist operation involving high explosives. CTC relayed this information to the FBI, the State Department, the Federal Aviation Administration, and others in the form of two Central Intelligence Reports (CIRs).
- In August, UBL Station disseminated recent information that the FBI had received from a Palestinian walk-in—

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admittedly, identified as a fabricator—alleging al-Qa'ida threats to New York City.

- Later in August, [redacted] that UBL operative Abu Zubaydah was considering mounting terrorist operations in the United States. (b)(1)
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While none of these cables offered specifics, analysts made no mention of them in published warning pieces prior to 9/11, including in the 6 August PDB.

(U) Implications

~~(C//NF)~~ The widespread IC view that an impending al-Qa'ida terrorist attack would be against US targets overseas meant that policymakers focused much less on such an attack in the United States. Similarly, the IC had done no recent broad analytic assessment of the threat to the United States that could have served to invigorate policymaker attention to the issue.

(U) Accountability

~~(C//NF)~~ The preponderance of reporting during the spring and summer of 2001 pointed to an al-Qa'ida attack on US interests overseas. As such, the Team finds no accountability issues in CIA's pre-9/11 assessment that al-Qa'ida's main target would be abroad.

~~(C//NF)~~ Nevertheless, the Team believes that CTC should have made more frequent references in finished analytic product to the United States as a possible target. This is particularly the case given Usama Bin Ladin's declaration of his intent to conduct attacks in the United States, the precedent of the 1993 WTC bombing, and the intelligence reporting that kept coming in well into 2001. The Team finds this to be part of a broader failure of strategic analysis, which it assesses in Systemic Finding 5.

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(b)(3)**(U) FACTUAL FINDING 4: AIRCRAFT AS WEAPONS**

(U) Factual Finding 4 of the Joint Inquiry (JI) report states that, "From at least 1994, and continuing into the summer of 2001, the Intelligence Community received information indicating that terrorists were contemplating, among other means of attack, the use of aircraft as weapons. This information did not stimulate any specific Intelligence Community assessment of, or collective US Government reaction to, this form of threat."

~~(S//NF)~~ In support of this finding, the JI report cites 12 cases of pre-9/11 intelligence reporting that describe plans by terrorists and others to use aircraft as weapons, albeit acknowledging questionable source credibility for some of these reports. The Report also notes that some but not all of these reports were disseminated within the Intelligence Community (IC) and to other agencies, and that some senior foreign policy officials from both the Clinton and the Bush Administrations did not recall receiving any information on specific threats involving use of aircraft as weapons.

(U) Assessment of Joint Inquiry's Findings

~~(E)~~ The Office of Inspector General's 9/11 Review Team concurs with the JI's overall conclusion on this finding as it relates to the CIA. The Directorate of Operations disseminated some reports on the planned use of aircraft as weapons, and other information on the subject was available as well. However, the Directorate of Intelligence (DI) and others in the IC—while producing a few intelligence products that made mention of the subject—did not pull together this information into any assessments.

~~(S//NF)~~ The Team found that, of the 12 cases the JI cites, only eight are solid examples of use of airplanes as weapons. Among those that are not, two (the cases from

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1997 and March 1999) are of other types of planned air attacks on US targets, one (the case from April 2000) involves a traditional hijacking threat, and another (the case from January 1996) is an apparent misinterpretation of the facts. It should also be noted that two of the eight valid cases (the ones from October 1996 and February 1999) do not involve terrorists as perpetrators but rather countries, albeit ones that support terrorism. (See Table.) In addition, the reports are diverse and are scattered over a seven-year period.

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Table F4-1: Intelligence Cited by the Joint Inquiry as Examples of Terrorist Use of Aircraft as Weapons

Date	Case Cited by Joint Inquiry	Comment
12/1994	Algerian extremists hijack an Air France plane and threaten to crash it into the Eiffel Tower.	French authorities deceived the terrorists into landing and killed them.
1/1995	Abdul Hakim Murad, a terrorist associated with Ramzi Yousef, plans to crash an airplane into CIA Headquarters.	Among other acts, the terrorists behind this plot also planned to blow up 12 planes over the Pacific simultaneously.
1/1996	Terrorists associated with the Blind Shaykh plan to fly a plane from Afghanistan and launch a suicide attack on the White House.	This misinterprets the facts; the cable relating this threat does not clarify the nature of the planned suicide vehicle.
10/1996	Iran plans to hijack a Japanese plane and crash it into Tel Aviv.	An example of country, rather than terrorist, consideration of aircraft as weapons.
1997	A terrorist group plans to use Unmanned Aerial Vehicles to attack US targets, such as embassies.	Not an example of "aircraft as weapons" akin to the attack of 9/11.
8/1998	A group of unidentified Arabs plan to fly an explosive-laden plane from a foreign country [Libya] into the World Trade Center.	The cable noted that the information was uncorroborated. The Joint Inquiry acknowledges that the Federal Aviation Administration found this plot to be highly unlikely, given the state of Libya's civil aviation program, which had deteriorated under years of UN sanctions.
9/1998	al-Qa'ida plans to fly an explosives-laden plane into a US airport.	CIA provided this information to senior policy-makers
11/1998	Turkish Islamic extremists plan to crash a plane into Ataturk's tomb	CTC was unable to confirm a linkage between the Turkish group and al-Qa'ida.
2/1999	information that Iraq is developing a squad of suicide pilots to crash into US and British forces.	The Joint Inquiry notes that CIA found this to be unlikely for several reasons—including Iraqi problems recruiting such pilots—and implies this may be more disinformation that Baghdad is feeding the West via the opposition. Regardless, it is an example of country, rather than terrorist, consideration of aircraft as weapons.
3/1999	An al-Qa'ida member plans a hang glider attack on Egypt's Presidential palace.	Not an example of "aircraft as weapons" akin to the attack of 9/11. Palestinian groups attempted or made several such attacks on Israel in the late 1980s.
4/2000	Al-Qa'ida terrorists plan to hijack a plane to Afghanistan, blowing it up if they failed.	A traditional hijacking; not an example of "aircraft as weapons."
8/2001	Al-Qa'ida plans to crash a plane into the US Embassy in Nairobi.	had overheard this information 10 months earlier.

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~~(S//NF)~~ In regard to information sharing with other government entities, the Team found that the Interagency Intelligence Committee on Terrorism (IICT) did relay relevant information to the Federal Aviation Administration (FAA), Federal Bureau of Investigation (FBI), and others. Prior to 9/11, the Agency, through the IICT, disseminated numerous threat advisories involving possible aircraft hijackings. One such advisory from March 2000, which restricted its focus to the likelihood that terrorists would employ hijackings to free incarcerated colleagues, noted that, "in the 1990s, limited reports of questionable reliability suggested Bin Laden-associated groups or individuals had discussed a suicide hijacking...into a monument or city." The text goes on to term this unlikely, however, given that it does not offer the terrorists an opportunity for dialogue regarding their key goal of obtaining the release of captive members. It also minimized the prospects for hijackings within the United States, as compared with those initiated outside the country, arguing that it "would be a more difficult operation to execute."

~~(C//NF)~~ Other Relevant Information

~~(TS/~~~~NE~~) In addition to the reporting that the JI cites in its finding, other information was available on terrorists' interest in pilots and pilot training.⁶

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⁶~~(S//NF)~~ The FBI had additional information on this subject of which the CIA was unaware. For example, the CIA did not see the Phoenix memorandum until April 2002. In addition, an FBI officer told the JI in October 2002 that, in 1999, two Saudis on a commercial flight between Phoenix and Washington, DC, twice tried to enter the cockpit. After an emergency landing, FBI officers investigated but decided not to pursue a prosecution.

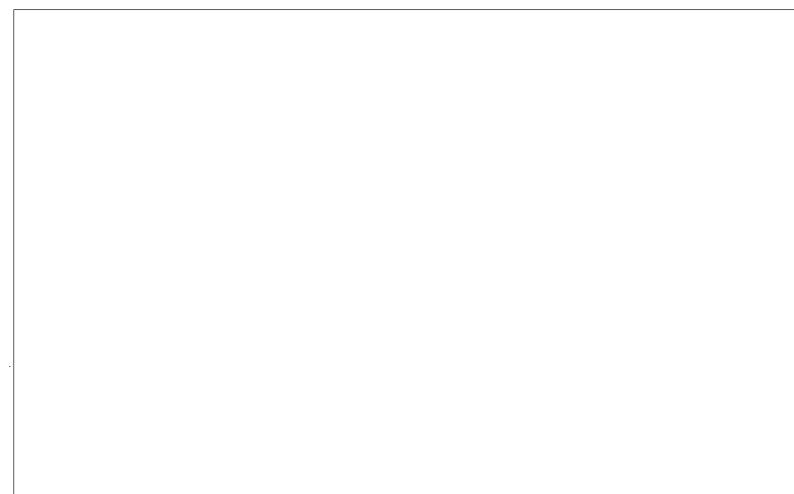
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- In mid-August 2001, [redacted] sent out requests for information on Zacarias Moussaoui, who had been arrested in Minnesota earlier in the month. These cables noted Moussaoui's enrollment in flight lessons and his praise of Islamic martyrdom.

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~~(C//NF)~~ Current open-source information also existed on plans—and, in one case, actions—to conduct suicide air crashes with the intent of bringing down a target other than the aircraft itself.⁷ This information, although involving nonterrorists, should be factored in when considering the overall issue of terrorist use of aircraft as weapons, since terrorists can adopt tactics from awareness of others' activities. Indeed, the JI implicitly acknowledges this when it includes among its 12 exemplars the two cases involving planned use of aircraft as weapons by Iran and Iraq. Other examples include:

- In April 1999, police investigating the shootings at Columbine High School in Colorado found that the two

⁷ (U) In addition to these current examples, it is well known that Japanese kamikaze pilots used planes as weapons toward the end of World War II. In an historic case that offers a closer parallel to the 9/11 attacks, in 1974 failed businessman Samuel Byck unsuccessfully tried to hijack a commercial airliner with the intent of crashing it into the White House in order to assassinate President Nixon. Finally, the concept of employing aircraft as weapons has been utilized in popular fiction, most notably in Tom Clancy's best-sellers, *Debt of Honor* (1994) and *Executive Orders* (1996), in which a Japanese pilot crashes a hijacked 747 into the US Capitol Building.

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gunmen planned to hijack an aircraft after the shooting and crash it into New York City on a suicide mission.

- In October of that same year, an Air Botswana pilot, in an apparent suicide act of revenge against his company, crashed his plane into three other Air Botswana planes on the ground, thereby destroying them and crippling the airline financially.

~~(S//NF)~~ Finally, much information is available on terrorist suicide bombers employing other types of vehicles as weapons. In particular, al-Qa'ida attacked US targets using trucks during the African embassy bombings and a boat in the Cole attack. Indeed, in late October 2000, CTC analysts wrote a two-page memorandum [redacted] that addressed terrorist capabilities for conducting maritime attacks.

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(U) The Agency Did Consider Terrorists' Use of Aircraft as Weapons...

~~(S//NF)~~ CIA officers were well aware that terrorists could conduct an attack employing aircraft as weapons, and some factored this into their work:

- Many Agency officers knew about the 1995 plan to crash a plane into CIA Headquarters. This account had appeared in both clandestine cable traffic and, later, in open-source literature. [redacted]

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[redacted] said that, following the discovery of this information, CTC worked with the FBI and the FAA to take measures on aircraft security. One CTC officer cited this case as underlying the decision to evacuate the Headquarters Building on 9/11 after the planes hit the WTC and the Pentagon.

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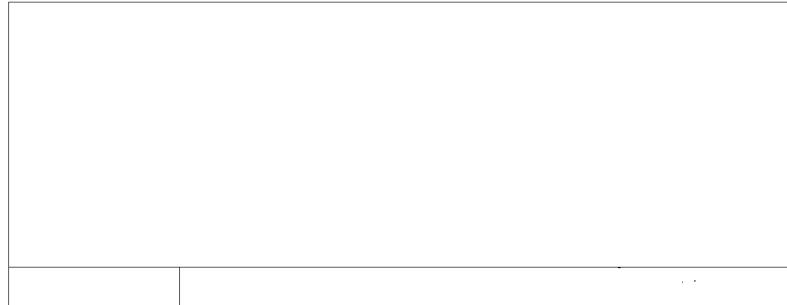
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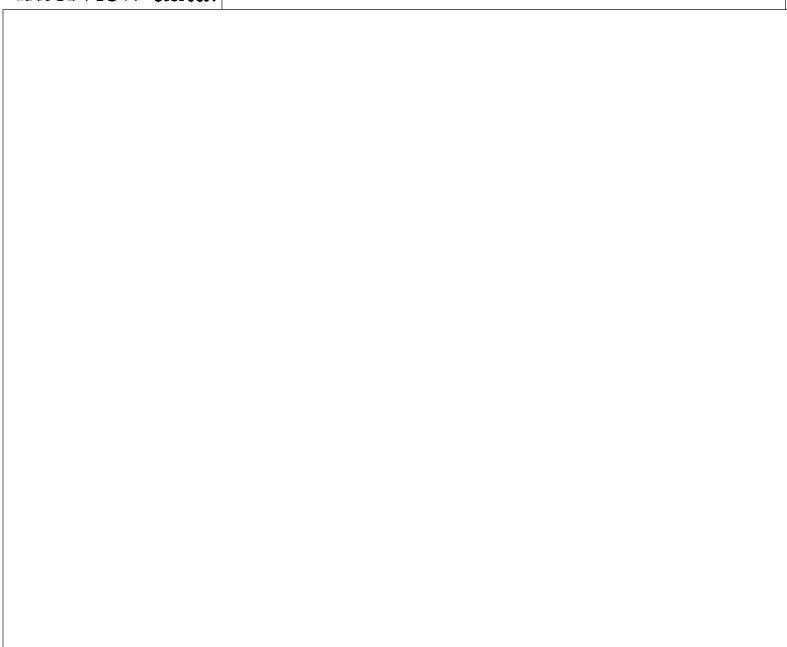
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- In September 1999, Library of Congress researchers prepared an in-depth, unclassified assessment on the psychology of terrorism at the behest of the National Intelligence Council (NIC). Acknowledging the 1995 plot, this report suggested that al-Qa'ida could conduct retaliatory attacks against the United States by crash-landing aircraft packed with high explosives into the Pentagon, CIA Headquarters, or the White House.
 - While most analysts agree that the Egypt Air 990 crash of October 1999 was unrelated to terrorism, a few CTC analysts did consider such a linkage, according to interview data. 
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(b)(3)**(U)...But Not in an Analytic Assessment**

~~(S//NF)~~ Despite the available intelligence and other information, analysts did not produce an analytic assessment of the general threat posed by terrorists' use of aircraft as weapons. The only time that the DI analysts in CTC wrote specifically about aircraft as weapons was in a [redacted] memorandum [redacted]

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[redacted] about an al-Qa'ida plan to crash a plane into a US city. Analysts in the DI, the NIC, and the IICT did write National Intelligence Estimates, [redacted] and various other warning reports that covered other threats to aviation, such as those posed by traditional hijackings—both for political extortion and for sabotage—and by shoulder-fired weapons,⁹ but none produced broader intelligence products that delved specifically into the use of aircraft as weapons. Similarly, CTC's November 2000 Intelligence Report, "Bin Laden's Terrorist Operations: Meticulous and Adaptable," notes several methods of attack that al-Qa'ida had employed or had the capability and intent to employ, but it does not consider the potential use of aircraft as weapons.

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~~(S//NF)~~ Among the reasons that interviewees cited for the absence of such an assessment was inadequate analytic resources, although, as the Team discusses in Systemic Finding 5, the explanation may be that different conclusions were reached about the most effective utilization of analytic personnel. About one-fourth of the [redacted] CTC

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⁹~~(S//NF)~~ The NIC, with drafting assistance from CTC/AIG, produced an estimate in October 1998—Standoff Threats to Civil Aviation. This NIE addresses the overall threat to aircraft posed by Man-Portable Air Defense Systems (MANPADS), as used by state and nonstate actors—particularly terrorists. While it did not examine the issue of aircraft being used as weapons, the NIE did note that, "Although threats by Bin Laden and his supporters to use MANPADS or RPGs [rocket-propelled grenades] against US targets have been confined to targets abroad thus far, we are concerned that the focus could shift to domestic attacks." The estimate includes a list of 19 US airports that the FAA deemed to be at greatest risk of attack, based on level of activity and special significance; the list includes the airports later used by the 9/11 hijackers.

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analysts and managers of analysts who responded to our question on the absence of strategic analysis on terrorist use of aircraft said that CTC lacked the analytic resources to do such an analysis, given the demands of meeting the daily current intelligence load.

~~(S//NF)~~ In addition, some CTC officers may not have considered the use of aircraft as weapons because such activity had never actually occurred, at least at the hands of terrorists. In contrast, terrorists have long employed other aircraft-related attacks—mid-air bombings of aircraft since 1949, aircraft hijackings for political extortion since 1968, and man-portable missile attacks on civilian aircraft since 1976, according to academic sources. A former Chief of CTC told the JI in 2002 that, “Our focus was purely on hijackings and bombings. Until the last few years, I would be hard-pressed to give an example of Sunni suicide bombings. [It was] not part of their culture, [although it] has always been a part of Shia Muslim culture....” As mentioned previously, the CIR that went to the FAA and others in March 2000 considered Usama Bin Laden’s use of aircraft as weapons to be unlikely. Indeed, the IICT paper that addressed the same issue as the CIR did not address aircraft as weapons at all. Finally, one CTC manager told the Team that, when another CTC manager first presented information about Moussaoui’s arrest and desire to fly 747s, senior Agency officers present laughed and seemed to wonder why they were being told this information.

~~(S//NF)~~ Some judged that intelligence on the subject was inadequate. A senior analytic manager in CTC noted that they lacked good, strong intelligence on the subject. One analyst mentioned that the pieces of intelligence cited by the JI were 12 among thousands received during the period in question. One senior DI manager told the Team that, “There is no way that someone could have picked out the aircraft piece pre-9/11...The dots stand out in retrospect more [now] than before 9/11.”

(U) Finally, terrorism experts outside government had undertaken little to no study of the issue. A review of articles published in two academic journals on terrorism

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between January 1998 and September 2001 showed none that considered the use of aircraft as weapons. Even in the Autumn 1998 issue of *Terrorism and Political Violence*, which was devoted exclusively to aviation terrorism and security, terrorism expert Brian Jenkins and other contributors did not address the subject, focusing instead on the threats posed by traditional hijackings, sabotage, and missiles. Although one article examines emerging threats—including use of “exotic” explosives, the use of WMD attacks on aviation targets, and sabotage of aviation-related computer systems—it does not consider aircraft as weapons. Similarly, an article entitled “Aviation Security Update” in the Summer 1998 issue of The Journal of Counterterrorism and Security International made no mention of aircrafts as weapons.

(U) Implications

(C) The absence of any analytic assessment on aircraft as weapons made it less likely that policymakers would warn the airlines about this particular kind of threat and that the airlines, in turn, could develop strategies to deal with suicide hijackers. As the Joint Commission Staff has indicated, because “the antihijacking training for civil aircraft crews in place on 9/11 was based on previous experiences with domestic and international hijackings and other hostage situations,” it offered little guidance for confronting suicide hijackers. Indeed, the Air Carrier Standard Security Program guidance advised flight crews to refrain from overpowering hijackers.

(U) Accountability

(C) Analysis of the 12 disparate cases cited by the JI and of other available information does not lead to the conclusion that any specific attack might occur. Nonetheless, analysts might reasonably have pulled together an assessment on aircraft as weapons. This did not occur because managers elected to use analytic manpower on other issues and, perhaps, because of analytic mindset

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issues. The Team does not believe that this issue, in itself, justifies a recommendation related to accountability.

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(U) FACTUAL FINDING 5: COLLECTIVE SIGNIFICANCE OF RELEVANT INFORMATION

(U) Factual Finding 5 states that, "Although relevant information that is significant in retrospect regarding the attacks was available to the Intelligence Community prior to September 11, 2001, the Community too often failed to focus on that information and consider and appreciate its collective significance in terms of a probable terrorist attack. Neither did the Intelligence Community demonstrate sufficient initiative in coming to grips with the new transnational threats. Some significant pieces of information in the vast stream of data being collected were overlooked, some were not recognized as potentially significant at the time and therefore not disseminated, and some required additional action on the part of foreign governments before a direct connection to the hijackers could have been established. For all those reasons, the Intelligence Community failed to fully capitalize on available, and potentially important, information."

(U) The Joint Inquiry addresses this issue in 10 subfindings. The Team found that the majority of these focus on other agencies. However, three are quite relevant to the CIA:

- 5.b, The Watchlisting Failure.
- 5.h, The Hijackers' Associates in Germany.
- 5.i, Khalid Shaykh Muhammad.

The Team examines the results of these findings and relevant accountability in the three sections that follow.

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(U) FACTUAL FINDING 5.B: THE WATCHLISTING FAILURE

(U) Factual Finding 5.b states that "The Intelligence Community acquired additional, and highly significant information regarding Khalid al-Mihdhar and Nawaf al-Hazmi in early 2000. Critical parts of the information concerning al-Mihdhar and al-Hazmi lay dormant within the Intelligence Community for as long as 18 months, at the very time when plans for the September 11 attacks were proceeding. The CIA missed repeated opportunities to act based on information in its possession that these two Bin Ladin-associated terrorists were traveling to the United States, and to add their names to watchlists."

(C) The Joint Inquiry's accompanying narrative notes that CIA had sufficient information to watchlist al-Mihdhar in early January 2000 and to watchlist al-Hazmi two months later. Although CIA Headquarters had retransmitted watchlisting guidance to the field as recently as December 1999, Directorate of Operations (DO) officers involved in the Malaysia case did not follow this guidance. CIA officers advised the Federal Bureau of Investigation (FBI) of the Malaysia meeting and say they passed information about al-Mihdhar's US visa. However, no record exists of its passage.

(C) The narrative goes on to state that CIA officers missed other opportunities to nominate the two individuals for watchlisting and to pass critical information about their US visas and travel to the FBI:

- In January 2001, when they were investigating Khallad Bin Attash, the al-Qa'ida terrorist who was the principal planner of the USS Cole bombing and who had attended the Malaysia meeting under the name Salah Bin Yousaf.

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- In May 2001, when Counterterrorist Center (CTC) officers shared photos of al-Mihdhar with FBI Headquarters for purposes of identifying another Cole bombing suspect.
- In June 2001, when CTC personnel met with FBI officials in New York to discuss the Cole. On this occasion, CTC personnel also showed FBI officials photos of the Malaysia meeting participants. The report indicates that, although al-Mihdhar's name was mentioned in the meeting, the CIA officers refused to provide additional information about him and about the circumstances surrounding the photos.

← The narrative concludes by noting that a CTC officer serving at the FBI finally recognized the significance of the two terrorists in July 2001; at his suggestion, an FBI detailee to CTC researched the case and, on 23 August 2001, notified the FBI and requested that the State Department watchlist the two individuals.

(U) Assessment of the Finding

← The Office of Inspector General 9/11 Review Team concurs with the Joint Inquiry's overall conclusions that critical information on al-Mihdhar and al-Hazmi lay dormant within the Intelligence Community for a year and a half. In addition, the Team agrees that, in January and March 2000, the CIA was sufficiently aware of the information within its possession to nominate the two for watchlisting but failed to do so. The 9/11 Team also agrees that the CIA missed three other opportunities to act on the information within its possession, and the Team found additional missed opportunities. However, the Team disagrees with the Joint Inquiry's inference that these instances were examples of Agency officers purposefully not sharing information with the FBI.

← In regard to information sharing with the FBI, the Team has found nothing to confirm or refute CTC's claims

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that it sent critical information on the suspected al-Qa'ida associates—in particular, al-Mihdhar's travel documents—to the FBI. The Team's research shows that, if CTC officers did pass this information to the FBI, they did so informally—as was common practice—rather than following prescribed procedures. Accordingly, no record exists of such a transaction. The Team found that several FBI officers in CTC had accessed the cables that contained this critical information as early as January 2000, however, and they also did not take steps to ensure that this information was provided to the Bureau.

~~(C)~~ The Team found this issue to be broader than a failure to nominate al-Mihdhar and al-Hazmi for watchlisting or to fully inform the FBI. Team research shows multiple occasions in which CIA failed to recognize and react to operational opportunities presented by the two al-Qa'ida operatives' planned and actual travel to the United States.

(U) The Watchlisting Failure

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[redacted] an al-Qa'ida-associated [redacted] indicating that suspected al-Qa'ida associates would travel to Kuala Lumpur in early January 2000 for a meeting. UBL Station [redacted] [redacted] recognized this meeting—occurring just days after the successful disruptions of the Millennium plot—as possibly nefarious and requested information on the participants and [redacted] the meeting. In response, [redacted] provided [redacted] information. [redacted]

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[redacted] During their time in Kuala Lumpur, the al-Qa'ida associates met in an apartment. After the associates' departure, [redacted] identified the owner as Yazid Sufaat, later revealed to be a Malaysian chemist and extremist who also hosted Zacarias Moussaoui in fall 2000. Despite UBL Station's desire to keep track of the travelers in Bangkok, [redacted] received the information about their arrival too late to conduct surveillance and did not learn of their mid-January departure from Thailand until early March. (See Appendix F5.b-1 at the end of this section for a chronological account of the cables involved [redacted])

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(S//NF) [redacted] afforded two occasions in which CIA officers had sufficient information to nominate future 9/11 hijackers al-Mihdhar and al-Hazmi for State Department's watchlist:

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- In early January 2000, immediately prior to the two suspected al-Qa'ida associates' arrival in Kuala Lumpur, [redacted] responded to UBL Station's request for information with cables that indicated that al-Mihdhar, a Saudi passport holder, had a valid multiple-entry US visa that expired in April of that year. [redacted] also noted that al-Mihdhar's visa application did not reveal any US entry stamps; the Base deferred to UBL Station to inquire with Immigration and Naturalization Service (INS) elements about al-Mihdhar. During the same week, [redacted] cabled that al-Mihdhar's visa application listed New York as his destination.

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- Two months later, on 5 March, [redacted] cabled information from [redacted] that al-Mihdhar had departed the Thai capital on an unknown date, that al-Hazmi had departed on a flight bound for Los Angeles on 15 January, and that fellow Malaysia meeting participant Salah Bin Yousaf (later identified as Khalad) had been in and out of Bangkok several times since late December, including on flights bound to and from Los Angeles, and had departed for Oman on 20 January. [redacted] also provided passport numbers for the

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- The next day, [redacted] responded by noting with interest the travel of the two al-Qa'ida associates to the United States.

~~(S)~~ Computer system audits of CTC's Hercules database and the DO's MDSX and [redacted] databases show that numerous officers, many in positions to take action, accessed one or more of the six cables that contained this visa or travel information.¹⁰ According to the audit, some 50 to 60 officers accessed each cable within a week of its dissemination. Typically, more than half of those who opened these cables were CTC officers, including individuals in UBL Station, the Islamic Extremist Branch (IEB), and the Assessments and Information Group (AIG). Among those key officers who opened all or most of these cables were many in UBL Station, [redacted]

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[redacted] Many Headquarters officers in East Asia and Near East Divisions also accessed these cables, according to computer system audits.

~~(S)~~ None of the officers who read or wrote these cables, however, nominated the two suspected al-Qa'ida operatives for the State Department's watchlist at the time. No one in the field or at Headquarters followed any of the prescribed guidance for nominating individuals for watchlisting (see below). Similarly, no one in Headquarters followed any other recognized way to make such a nomination, including issuance of a Central Intelligence Report (CIR). CIRs are reports designed to officially communicate classified Agency-acquired information,

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particularly involving threats to the United States or US citizens, to other US Government agencies. However, a review of Agency CIR records shows that the CIA issued no CIR related to the watchlisting of al-Mihdhar or al-Hazmi during 2000. As the Joint Inquiry notes, the CIA did not formally nominate the two for watchlisting until 23 August 2001, when UBL Station issued a CIR to that effect.

~~(S)~~ This failure to recommend for watchlisting in a timely manner occurred despite frequent Agency reminders on watchlisting guidelines.

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- Known or suspected terrorists who pose or may pose a present threat to US interests in the United States or abroad.
- Known or suspected terrorists not now known to be engaged in terrorist activities against US interests but who were so engaged within the past 15 years.

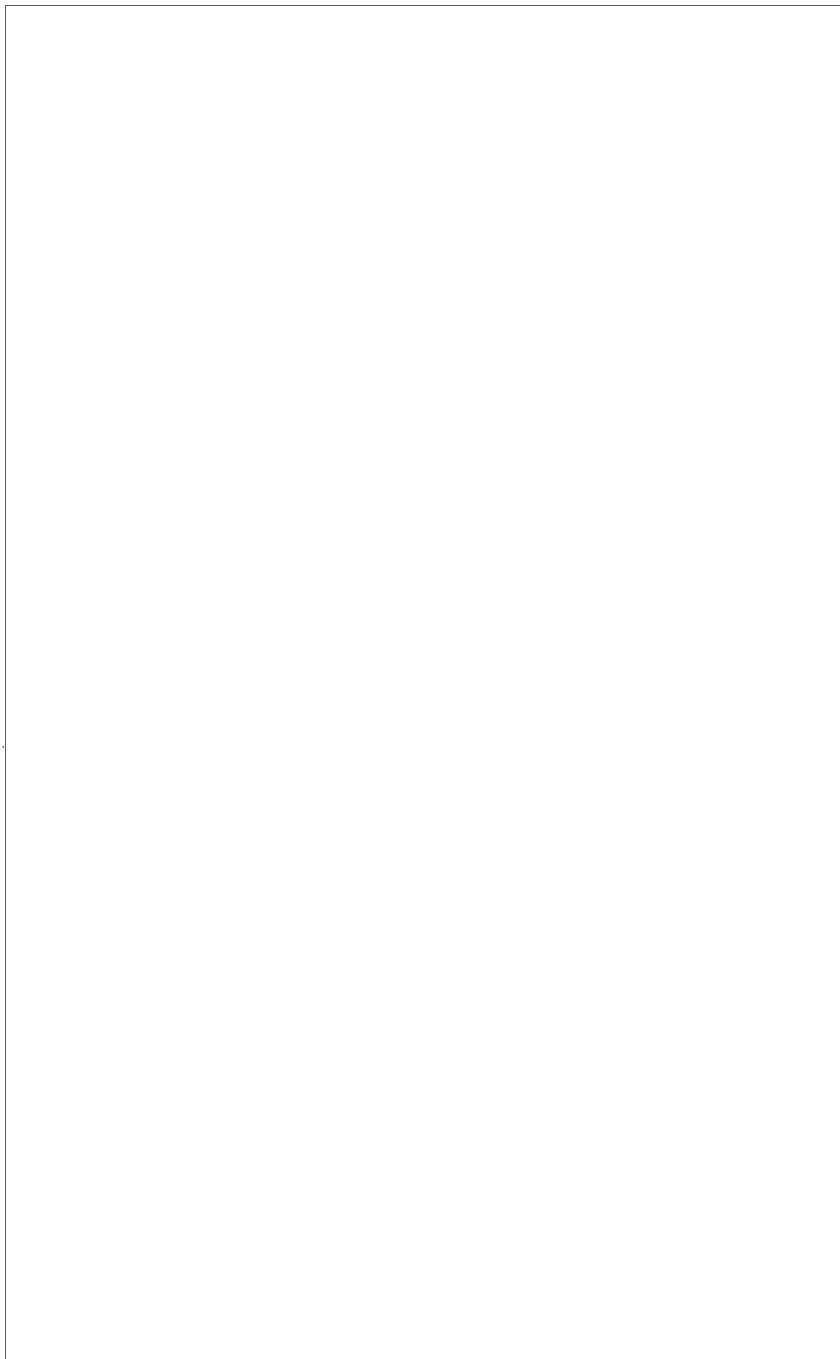
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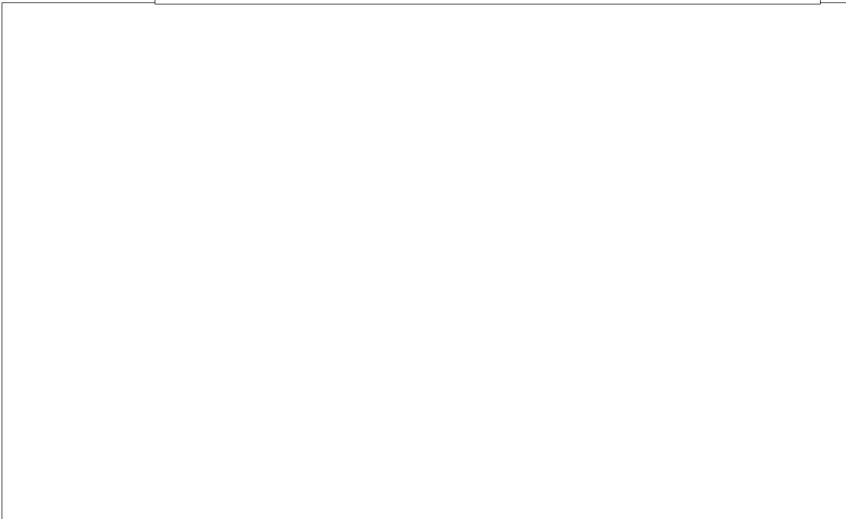
- Known or suspected terrorists who are currently engaging in terrorist activity against non-US interests, or who were so engaged within the past 10 years.



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there was no opportunity for [redacted] officers to act on this information unless CIA officers took the initiative to forward it.

~~(S)~~ Although almost two-thirds of the DO officers whom the Team interviewed expressed pre-9/11 familiarity with the VISAVIPER program, most did not recall seeing any specific guidance on the program. Reports officers were most knowledgeable of the specific guidance and procedures; field case officers were less familiar with the specifics but knew about the program from their work overseas [redacted]. However, about one-half of the CTC Headquarters-based officers the Team questioned said they were unaware of VISAVIPER guidance prior to 9/11; this group includes several managers.

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~~(S//NF)~~ Team interviews of DO officers and other research show a variety of views about who was ultimately responsible for watchlisting any particular individual:



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- VISA VIPER guidance indicates that the field station collecting the information is expected to report candidates for watchlisting,

[redacted] said that the field had primary responsibility for watchlisting, and one key CTC officer [redacted] told the Team that the [redacted] had the responsibility for watchlisting al-Mihdhar and al-Hazmi.

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- Some interviewees, however, including many in CTC, felt that the Center, which was set up to manage transnational issues and staffed with Intelligence Community personnel, was responsible for nominating terrorists or suspected terrorists who cross national boundaries. Further confounding the situation is the fact that UBL Station was in some respects both a field element with Station-like authorities and a Headquarters element within CTC.
- Finally, [redacted] and other interviewees indicated that watchlisting was a primary responsibility of those officers from other agencies who were detailed to CTC.

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~~(S//NF)~~ Prior to 9/11, CTC did not have any standard or consistent practices for handling watchlisting activities, despite the fact that the Center assumed responsibility for communicating the watchlisting guidance in 1998. The Center had no single point of responsibility for watchlisting. Each branch had complete responsibility for all activity associated with terrorist groups assigned to it.

¹² ~~(S)~~ Officers can also initiate CIRs recommending watchlisting of terrorists and their associates

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Watchlisting training was on-the-job, and officers learned to do CIRs by copying the work of others.

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~~(S//NF)~~ UBL Station did nominate almost [redacted] individuals for watchlisting prior to 9/11, but interviews indicate that this activity was not a priority. Most officers were clear about the criteria and threshold for watchlisting, especially of individuals with known terrorist connections and plans to travel to the United States, and the Station had at least one officer whom the others recognized as an authority on watchlisting. However, the decision to watchlist was left to the discretion of the individual working a particular case and was therefore dependent on his or her experience and possibly guidance from a supervisor. In addition, our interviews of Station personnel indicate that they did not consider the issue to be a priority until July 2000, when a new Chief of Station (COS) arrived and began to press them to be more active in watchlisting. [redacted]

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~~(S//NF)~~ UBL Station's record on nominating individuals for terrorism watchlists was better than that of [redacted]

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[redacted] reinforcing the importance of VISA VIPER with their staffs, and in May

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(U) Failure to Ensure Passage of Information to the FBI

~~(C//NF)~~ In addition to the failure to watchlist al-Hazmi and al-Mihdhar in a timely fashion, CTC officers, as well as the FBI detailees to CTC, also failed to ensure that pertinent FBI Headquarters and field officers received information relevant to the two individuals' travel.

~~(S)~~ As is the case with the State Department, the proper and formal channel to provide CIA information to the FBI is through issuance of a CIR, and UBL Station had a strong record of sending CIRs to the Bureau. Indeed, 14 of 24 DO CTC officers queried on the issue identified the CIR as the proper channel for communicating al-Qa'ida leads to the FBI. During the period 1 January 1998 to 10 September 2001, UBL Station produced 1,018 CIRs—about one-third of the CIRs that CTC initiated during the period—according to a review of cables in Hercules. The vast majority of these went to the FBI, and in many cases the Bureau was the only external recipient. A number of these CIRs alerted the FBI to terrorists or terrorist associates' actual or intended travel to the United States. In addition, CIRs to the FBI included requests for traces, US phone numbers linked to suspected terrorists, and other information.

~~(C)~~ Interviews indicate, however, that many CTC personnel used informal channels such as fax, telephone calls, or hand delivery to pass information to other agencies, particularly the FBI. In some cases, they said they used these channels to augment formal ones; in other cases, they were used in lieu of CIRs. A few interviewees told the Team that the FBI could not find information passed via CIRs in their systems. For that reason, informal means of information exchange were critical to the working relationship between CIA and the community, especially the FBI.

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~~(S//NF)~~ In the case of the Malaysia meeting, although one of the FBI detailees in UBL Station drafted a CIR for the FBI in the DO Unified Cable System (DUCS) on the morning of 5 January 2000, a review of various DO cable databases and numerous interviews indicate that CTC never disseminated this CIR. Incorporating the key information from the [redacted] cables, the draft CIR provided al-Mihdhar's passport data, and noted that he had a multiple-entry US visa and had listed New York as his destination. The draft listed FBI Headquarters and the FBI's New York Field Office as intended recipients. Other individuals, including UBL Station's FBI Deputy COS (DCOS), the targeting officer who was running the operation, and the CTC detailee at the FBI, accessed the draft cable in the DUCS system on the 5th, and the Station's FBI detailee from the New York office accessed it two days later. On the afternoon of the 5th, the targeting analyst added a note on the draft to "hold off on CIR for now per [the Station's CIA-officer DCOS]." On 13 January 2000, the FBI detailee who drafted the CIR sent a copy of it via Lotus notes to the Station's CIA DCOS, asking, "Is this a no go or should I remake it in some way [?]" The Team found no record of any reply. The FBI detailee accessed the draft again on 11 and 16 February 2000. In a series of mid-February notes, the detailee instructed a DO computer systems contractor to delete numerous "dead" cables in DUCS but specifically asked this contractor to retain the draft CIR.

~~(S//NF)~~ The OIG obtained a copy of this draft CIR only in January 2004.¹³ Prior to that, none of the many CIA or FBI individuals involved in the [redacted] had mentioned the existence of such a draft CIR in the numerous interviews conducted for this and other reviews, including that of the Joint Inquiry. After receiving it, the Team again queried many of the principal players. Four years after the fact, no one—including the FBI detailee author—recalled anything about the draft CIR, including why CTC never

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¹³ ~~(S//NF)~~ The OIG obtained the version that appeared in the above-mentioned Lotus Note from 13 January 2000. The Team has no information as to when the cable ultimately was deleted from the DUCS system, but CTC deleted its database in DUCS in late 2002 when the DO decommissioned DUCS.

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disseminated it. Upon reviewing a copy of the draft in early February 2004, however, [redacted] speculated that it would have required major editing, including elimination of the top secret [redacted] material. This officer also noted that, on the evening of 5 January 2000, everyone in the Station was under the impression that someone had already passed the travel documents to the FBI, as indicated in the 5 January cable SCALEC 134684¹⁴; the draft CIR should have acknowledged that fact, however, to ensure that the Station was sending a consistent message to the Bureau.

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~~(S//NF)~~ Although the CIA did not employ the prescribed formal mechanisms to inform the FBI or other agencies about al-Mihdhar and al-Hazmi's potential or actual travel to the United States, CTC officers believe they used routine, informal channels to keep the Bureau in the loop:

- As mentioned, the UBL Station cable of 5 January 2000, SCALEC 134684, states that Station personnel had passed al-Mihdhar's travel documents to the FBI. The officer who wrote this cable told the Team that she does not recall who in the FBI received the information or how it was passed. The branch chief noted that the CTC detailee to the FBI generally served as a go-between for passage of material to the FBI. However, the 9/11 Review Team was unable to learn how or to whom at the FBI this information was delivered and is unable to confirm or refute its successful delivery. Whatever the case, the Team found no information that anyone in CTC later checked to ensure that the FBI received the documents, although two Station officers said that this should have been the routine follow-up procedure.¹⁵

¹⁴ ~~(S//NF)~~ ALEC is the cable citation (cite) for UBL Station.

¹⁵ (U) Twenty CTC officers responded to the OIG Team's interview question dealing with the issue of sharing information with the FBI. Of those 20, eight said that the correct process was to send a CIR; 10 indicated that a less formal process (such as a phone call or e-mail) was appropriate; and 12 said that both a CIR and another method should be used. (See further discussion in Systemic Finding 9: Information Sharing).

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- On 5 and 6 January 2000, the CTC detailee briefed the FBI [redacted]

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[redacted] Both FBI officers agreed with that approach. The team found no evidence, however, that the briefer mentioned or included travel or visa information in these briefings or at any other time, even though cable audit data show that this officer was aware of this information.

- A short note on al-Mihdhar appeared in the UBL Millennium Threat Executive Briefing Summary provided to the FBI Director on 6 January 2000. This note indicates that al-Mihdhar had arrived in Kuala Lumpur [redacted] It did not, however, provide or refer to the visa information.

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~~(S//NF)~~ Although the Team found no evidence to confirm or refute that CIA informally passed critical information on al-Mihdhar to the FBI in January, the creation and review of the draft CIR and cable audits conducted for this review show that the four FBI detailees in CTC opened a number of cables associated with the [redacted] in January 2000.¹⁶ Indeed, several opened some of the cables containing the critical travel information. Within a week of the cable dissemination dates:

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- Two FBI detailees opened [redacted] which mentions al-Mihdhar's US visas.

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¹⁶ ~~(S)~~ During January 2000, the four detailees opened six, 10, 13, and 18 of the relevant cables, respectively, according to computer system audits.

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- One detailee opened [redacted] which provides al-Mihdhar's passport data. Audit data show that this officer printed out the cable on the day of its dissemination, which should have afforded him a greater opportunity to peruse the cable.
- Two detailees opened [redacted] which lists New York as al-Mihdhar's destination.

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In addition, three FBI detailees reviewed SCALEC 134684 of 5 January, which noted that CTC had passed al-Mihdhar's travel data to the Bureau.

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~~(S)~~ The Station may have missed an opportunity to re-engage the FBI on the operation later in January 2000. On the 19th, [redacted] sent a cable requesting that UBL Station pass a lead to the FBI Washington Field Office about a possible family tie of al-Mihdhar to an extremist in Yemen.

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[redacted] also requested that [redacted] brief the Legal Attaché in the Embassy. The Team found no evidence in traffic that either station carried out these actions. On 20 January, however, presumably in response to a query about the [redacted] cable, the targeting officer who was the main POC on the operation e-mailed the DCOS that [redacted] "jumping the gun." Although the note also stated that the "FBI has been kept abreast of the situation," the Team has no information that anyone in the Station had communicated anything about the operation with anyone in the FBI, aside from the detailees in the Station, after 6 January 2000.¹⁷

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~~(S)~~ Among the detailees who followed the operational traffic was the FBI/New York's representative in UBL Station. The Team found that this FBI officer—whose main responsibility was to read as much traffic as possible and advise New York of relevant information gleaned from Agency cables—viewed at least 13 messages related to the

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[redacted] including the short but critical [redacted]. He failed, however, to pick up on the New York angle, the US visas, or the potential travel to the

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¹⁷ ~~(S)~~ The Station's FBI DCOS was among those copied on this note.

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United States. Moreover, no one in UBL Station, including this detailee's FBI colleagues, flagged any of the messages for his attention throughout the operation, even though FBI New York was the recognized Office of Origin—the Bureau's lead office—for al-Qa'ida issues.

~~(S)~~ Whether or not anyone in the Station passed information on al-Mihdhar to the FBI in January, no one informed the Bureau about the information in the [redacted] [redacted] cables from March that indicate that al-Hazmi and Yousef—clearly noted in the cables as "UBL associates"—had boarded flights bound for the United States. Nor has anyone claimed that this occurred. In addition, three of the FBI detailees to CTC never accessed these critical March 2000 cables at all, and the other FBI detailee only did so in August 2001, after Station management asked her to revisit the Malaysia meeting.

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(U) The Operational Failure

~~(S//NF)~~ Although the [redacted] was one that CIA and FBI took seriously because of the perceived threat that the traveling al-Qa'ida associates posed against US interests in Southeast Asia, the team found that many in UBL Station and elsewhere appear to have dropped focus on [redacted] after 8 January 2000, when the travelers departed for Bangkok. Indeed, the relatively rapid pace of activity in cable traffic during the first week of January dropped off thereafter. For example:

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- [redacted] did not send out a cable on its efforts to locate the travelers until 13 January, four days after UBL Station had sent out an "Immediate" cable requesting notification of [redacted] that the travelers had arrived. Yet UBL Station sent out no reminders during this four-day interval.
- For six weeks after [redacted] cable of 13 January, that [redacted] issued no cables on the status of the travelers. However, UBL Station again sent out no reminders. In

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(b)(1) contrast, [redacted] sent a reminder to [redacted] on 11 February. This could explain why [redacted] directed its 5 March cable primarily to [redacted] (b)(1) and only "infoed" UBL Station. Indeed, UBL (b)(3) Station's final correspondence on the [redacted] (b)(1) —a cable providing tearline information to [redacted] (b)(3) —was on 16 February 2000, although [redacted] (b)(1) continued exchanging (b)(3) cables through early March.

~~(S//NF)~~ This lack of operational attention is evident in the absence of followthrough regarding [redacted] (b)(1) [redacted] (b)(3)

referring to al-Hazmi and Yousaf's travel to the United States. Although, as mentioned, cable audit data show that several officers in UBL Station opened these key cables—usually the day of or the day after their dissemination—when queried for this review, none recalled reading them. Interviewees told the Team that other, more pressing, activity required their attention during this time span. A review of cable traffic sent or received by UBL Station during the first part of the week of 5 March 2000 shows that the Station was involved in several ongoing operations at that time and was preparing for Station personnel to TDY to [redacted] (b)(1) and elsewhere. Station personnel also (b)(3) told the Team that, from the start, they were not sure how "bad" the Malaysia meeting participants were and that Station officers had to focus on people whom they explicitly knew were high risk.¹⁸ However, our review of UBL Station cables from early March 2000 shows that some Station officers were still doing routine traces and other work on other individuals with reported possible connections to al-Qa'ida.

~~(S//NF)~~ The travel itinerary of Yousaf (a.k.a. Khallad), as indicated in [redacted] (b)(1) is intriguing (b)(3) and, in itself, should have stimulated some operational

¹⁸~~(S)~~ In comments provided after reviewing this draft, [redacted] (b)(7)(d) states that "Given the insignificance of Hazmi and Mihdar [sic] at the time, I stand by my initial comments that we devoted exactly the resources they deserved on the basis of what we knew."

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follow-up questions by UBL Station. Among other things, the cable notes that Yousaf departed Bangkok on a flight bound for Los Angeles on New Year's Eve and returned the next day; this should have raised some flags for those officers following the Millennium threat at that time, particularly because of the 14 December 1999 arrest of al-Qa'ida associated terrorist Ahmed Ressam, who was plotting to attack Los Angeles International Airport.¹⁹ According to the [redacted] cable, following Yousaf's 1 January return to Bangkok, he:

- Departed Bangkok 2 January 2000 for Kuala Lumpur.
- Reentered Bangkok on 8 January.
- Departed Bangkok on 20 January for Muscat via Karachi.

~~(C)~~ The Team found no evidence to suggest that anyone in UBL Station gave any thought to exploiting the operational opportunity posed by the operative's intended or planned travel to the United States. As mentioned, no one informed the FBI. In addition, no one thought to bring in the [redacted] Division.

~~(S/NF)~~ Indeed, neither UBL Station nor any field station informed [redacted] about the [redacted] because [redacted] generally works closely with the FBI, this failure resulted in a missed opportunity to work with the FBI to monitor the suspected UBL associates:

- In UBL Station, several officers told the Team that they did not bring in [redacted] because they believed their briefing of the FBI about the [redacted] and claimed passage of al-Mihdhar's travel documents to the Bureau had fulfilled their responsibility as far as notifying domestic entities about the threat to the United States. Moreover, some Station interviewees told the Team that

¹⁹~~(C)~~ Khallad indicated in a post-9/11 debriefing that, while the flight he was on went to Los Angeles, he got off in Hong Kong and returned to Bangkok from there.

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they were focused on operations outside the United States, did not consider the United States their responsibility, and did not have the resources to develop cases with [redacted]

(b)(3)

- At the same time, none of the relevant field stations addressed its cables to the appropriate [redacted] stations, [redacted]

(b)(3)

[redacted] The then-COS [redacted] told the Team that his station did not do so because, as a field station, [redacted] did not know if these targets were suspicious enough to warrant aggressive follow-up action by other components of the US Government inside the United States. As such, he believes Headquarters had to make the decision to bring in [redacted] to undertake any aggressive action in the United States. Indeed, [redacted] of 8 January defers to Headquarters for follow-up action on the traveling UBL associates.

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(S//NF) Despite UBL Station's reasons for not involving [redacted] a review of cable traffic shows that UBL Station personnel were aware of comparable situations involving travel of al-Qa'ida associates to the United States and that they took appropriate action involving [redacted] at the time. For example, on 5 January 2000, [redacted] reported that al-Qa'ida associates Abdallah al-Malki—who the CIA believed to be procuring radio equipment on behalf of Islamic extremists associated with UBL—and Bassam Kandar had departed Ottawa for Las Vegas via Detroit that day, coincidentally around the same time the Malaysia operation was unfolding. [redacted] informed UBL Station as well as the relevant [redacted] stations, [redacted]

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[redacted] and—in the cable's action line—suggested that UBL Station notify FBI Headquarters of al-Malki's travel. UBL Station in turn requested that [redacted] notify the Las Vegas Joint Terrorism Task Force (JTTF). In addition, between 8 December 1999 and 10 January 2000, UBL Station sent four CIRs to the FBI on al-Malki's associates and travel plans. Cable audit data show that UBL Station officers were reading the [redacted] traffic around the same time they were reading the [redacted] traffic.

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(S//NF) Notification of [redacted] about the travel to the United States would almost certainly have led to greater operational opportunities involving the FBI. According to a senior FBI detailee to UBL Station, prior to 9/11, the Intelligence and Law Enforcement Communities had two views on whether to allow suspected terrorists into the United States. He also noted that it was strictly a judgment call on the part of those involved as to which approach to utilize:

- [redacted]
- [redacted]

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That said, a CIA officer who had worked with the FBI in the New York City JTF told the Team that another option would have been for the FBI to do nothing.

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(S//NF) In the case of the [redacted] UBL Station did not initiate discussion with [redacted] and the FBI to discuss these options after the Station learned that al-Mihdhar possessed a US visa and intended to go to New York. Once the Station learned in March that al-Hazmi had entered the United States in mid-January, it could have initiated discussion on the first option while keeping the second in mind if the suspected al-Qa'ida associates left the country and then tried to re-enter, as al-Mihdhar eventually did in 2001. In any case, the 9/11 Review Team found no

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evidence to suggest that anyone in the Station thought to discuss such operational options with any [redacted] station or the FBI.

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(S//NF) [redacted] did not employ timely communications channels in its notification of [redacted] UBL Stations that the suspected al-Qa'ida associates had departed for the Thai capital. The chronology of communications on 8 January 2000 suggests a misjudgment on the part of [redacted] which had otherwise exhibited strong operational interest and savvy in regard to the Malaysia operation:

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- At 1152 [redacted] on Saturday, 8 January, the [redacted]

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- At approximately 1515 Kuala Lumpur time, al-Mihdhar, al-Hazmi, and Khallad depart Malaysia on a flight bound for Bangkok.

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- At 1530 Kuala Lumpur time, [redacted] informs [redacted] of this departure.

- [redacted]

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- At approximately 1620 Bangkok time (1720 Kuala Lumpur time), the al-Qa'ida associates arrive in the Thai capital.
 - UBL Station officers read [redacted] at 0823 Eastern Standard Time (EST) Saturday morning. After some delay, UBL Station sends a NIACT cable to [redacted] albeit delaying transmission until after [redacted]. Accordingly, [redacted] officers do not read the [redacted] or UBL cables until around [redacted] on the 9th, at which point the al-Qa'ida travelers had been in Thailand for some 16 hours. According to [redacted] of 13 January, [redacted] notified [redacted] within an hour of receiving the NIACT cable, but the travelers had not registered at the hotels listed on their landing cards [redacted].
- If [redacted] had sent a timely NIACT cable [redacted] on 8 January or otherwise notified [redacted] in a timely manner, the possibility exists—however slim—that [redacted]

(U) More Missed Opportunities?

~~(S//NF)~~ In the months following [redacted] the CIA missed several other opportunities to nominate al-Hazmi and al-Mihdhar for watchlisting, to inform the FBI about their intended or actual travel to the United States, and to take appropriate operational action. These occasions include the three identified by the Joint Inquiry (January 2001, late May 2001, and June 2001) as well as several others.

(b)(3) ~~(TS)~~ On 23 October 2000, [redacted] sent out a cable tasking UBL Station to conduct traces on individuals possibly associated with the Cole bombing. Because this

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cable references two January 2000 cables [redacted] [redacted] noting al-Mihdhar's arrival in the Malaysian capital and departure for Bangkok, it could have triggered a thorough review that might have flagged the al-Qa'ida associates' travel beyond Bangkok. However, a review of cable audit data shows that no one in UBL Station accessed these [redacted] cables electronically in late October 2000, nor did anyone reopen any of the other [redacted] [redacted] cables that contained the key travel information at this time.

(b)(3)

~~(TS)~~ In November 2000, [redacted] phone numbers used by Cole bombing suspect [redacted] UBL Station officers analyzed these numbers and found that [redacted] had contacted [redacted] phone numbers used by al-Mihdhar and his colleague "Nawaf" in January 2000. In turn, [redacted] sent a cable on 16 December noting al-Mihdhar's travel to Kuala Lumpur and Bangkok and requesting copies of the surveillance photos taken during the operation. A UBL Station cable of 27 December 2000, which referenced the [redacted] cable, sought [redacted] concurrence [redacted] to show one of the Malaysia meeting surveillance photos to a joint [redacted]

In this cable, the drafter—the targeting officer who had been handling the [redacted] earlier that year—notes that al-Mihdhar had disappeared *in Malaysia* after early January. Throughout December 2000, a more careful review of cable traffic on the part of the officers in the Station could have turned up Nawaf's last name, which [redacted] had reported in March 2000, and clarified that al-Mihdhar had "disappeared" in Thailand, not Malaysia. Such a review could have served to renew [redacted] interest in determining the whereabouts of all the Malaysia meeting participants.

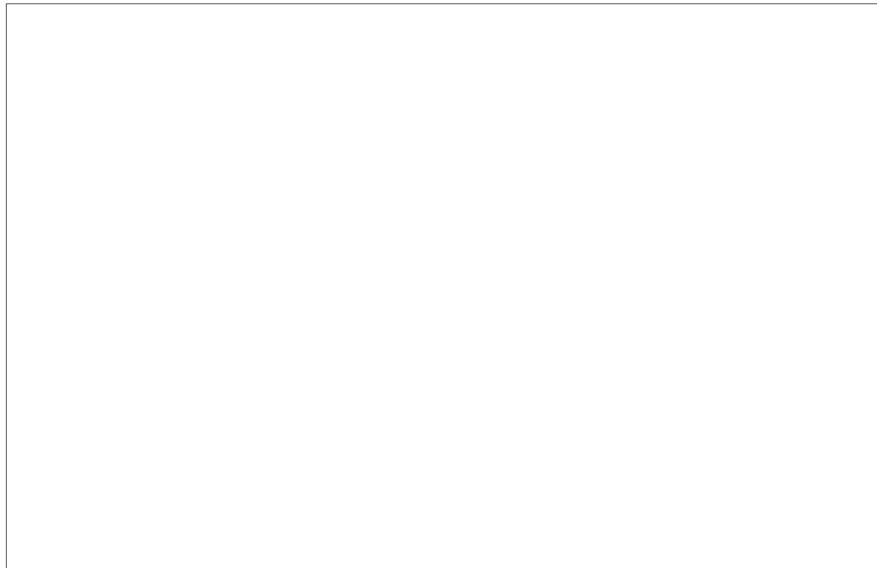
(b)(3)

~~(S)~~ In early January 2001, the [redacted] [redacted] identified an individual in the surveillance photo as Khallad. While later information revealed that the asset had misidentified al-Hazmi as Khallad, this was the first time the CIA could have directly

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linked al-Hazmi and al-Mihdhar to a known al-Qa'ida operative. Yet this information did not trigger a re-examination of the Malaysia meeting or any action involving these al-Qa'ida associates at the time. Indeed, a review of cable audit data shows that only the targeting officer accessed any Malaysia-meeting cables during the December 2000-January 2001 timeframe.

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[redacted]
[redacted] followed up on an FBI debriefing of a Cole bombing detainee by taking another look at the Malaysia meeting. On 15 May, this individual viewed and printed out several cables related to the meeting, including the March 2000 [redacted] cable, which notes al-Hazmi's travel to the United States.²⁰ That same day, he requested that UBL Station send the surveillance photos to FBI Headquarters. He provided these photos to an FBI Intelligence Operations Specialist (IOS). Also on the 15th, the former DCOS queried the Cole bombing analyst in AIG

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²⁰ ~~(S)~~ Coincidentally, the Station's [redacted] also pulled up many of these cables—including the cables from January 2000 that mentioned US visas, but not the ones from March that mentioned US travel—on 15 May 2001. In a July 2003 interview with the Team, however, this officer could not recall any reason why [redacted] would have opened these cables at this time. An audit of this officer's e-mails received during mid-May 2001 shows no relevant communications with either the AIG analyst or the former DCOS.

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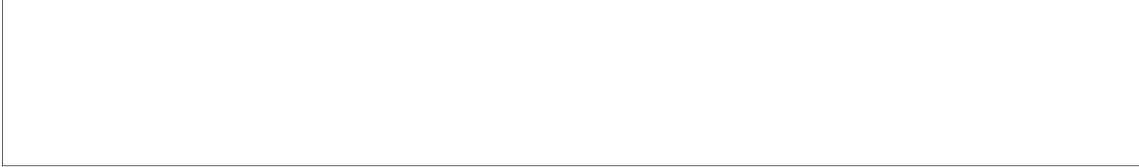
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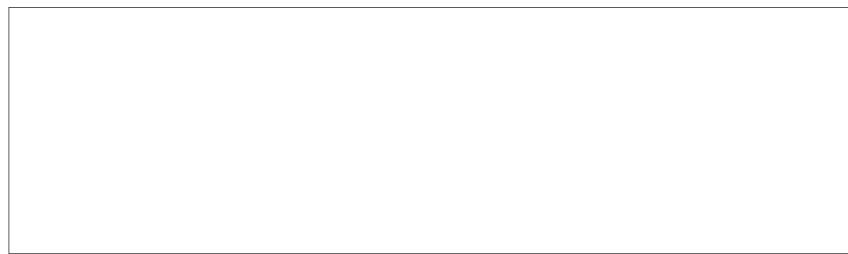

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This was the first indication that anyone in CTC noticed the travel to the United States. Although this revelation ultimately led to nominating al-Hazmi and al-Mihdhar for watchlisting, it took the Station three critical months to do so.


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²² (C) The Los Angeles travel information was in the last line of the DCOS's 12-line note that preceded the cable he was forwarding in Lotus notes.

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(S) On 13 July 2001, the former UBL Station DCOS recommended to Station personnel that they revisit the Malaysia meeting [redacted] [redacted] collected any passport or identification data on al-Mihdhar. The former DCOS noted that he "had finally found the cable [redacted] from 5 January 2001] identifying Khalad in Malaysia meeting with Khalid al-Midhar." That day, the Station's Targeting Branch Chief noted that she had assigned one of the FBI detailees—who had not been involved with the [redacted] previously—to this task. This detailee, according to her interview with the Joint Inquiry staff, was handling other issues—including a threat to the US Embassy in Yemen—at this time. Cable audit data show that, on 2 July 2001—prior to the former DCOS's recommendation, the detailee accessed SCALEC 134684 of 5 January 2000, which noted that [redacted] [redacted] had passed al-Mihdhar's travel documents to the FBI. It is unclear why the detailee accessed this cable prior to receiving the overall request, but, because of its contents, she likely approached the review of the Malaysia case with an understanding that the FBI was aware of at least some aspects of the key travel information.

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(S) On 23 July, having seen no action, the former DCOS e-mailed the Targeting Branch Chief inquiring as to the status of the request and noting that, "When the next big op is carried out by UBL hardcore cadre, Khalad will be at or near the top of the command food chain—and probably nowhere near either the attack site or Afghanistan. That makes people who are available and who have direct access to him of very high interest. Khalid Midhar [sic] should be [of] very high interest anyway, given his connection to the [redacted]

[redacted] In a note the next day to the UBL Station Chief, the Branch Chief vented about the

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request, stating that, "We are well aware that Khalad is an important lead. But he is no more important than any of the other Yemen targets who we know were part of the Cole bombing." After noting that Station personnel did not know whether Khalad from the Malaysia operation was identifiable with Khalad Attash of the Cole bombing, and that they therefore did not know whether Khalid al-Mihdhar was part of the bombing, the Branch Chief indicated that she respected the former DCOS "as much as anyone but this is ridiculous. I'm sick of getting second-guessed by him and having him send you notes about his pet theories...Should you want to get this out before [the FBI detailee] can, I will ask someone else. It does deserve attention, but I believe we have assigned it the proper priority." Audit data show that, at this point, the FBI detailee began accessing the bulk of the cables related to the meeting. Among others, on 24 July, the detailee opened [redacted] which referenced

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al-Mihdhar's multiple-entry US visa; on 8 August, the officer viewed [redacted] and [redacted] which provided the additional travel document details. Not until 21 August, however, did the FBI detailee open the 6 March [redacted] cable that mentioned the US travel.²³ At this point, the officer went to the Station expert on watchlisting, who drafted the CIR that the Station sent to the State Department, the FBI, and other agencies on 23 August.

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~~(S)~~ Finally, numerous CTC officers opened or reopened many of [redacted] cables while conducting various traffic searches prior to 9/11, according to a review of cable audit data, and each of these occasions represents another missed opportunity. For example, in mid-September 2000, a staff operations officer in IEB opened 33 of these cables, including the two cables from March 2000 as well as all of the January 2000 ones with travel data, yet did not initiate any response; in the Team's interview of July 2003, this officer could not recall looking at these cables on

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²³ ~~(S)~~ Although computer system audit data indicate that [redacted] never electronically accessed the 5 March [redacted] cable, [redacted] noted to the OIG Team that [redacted] based the CIR on this cable. It is possible that [redacted] was using a hard-copy version of this cable that someone else had provided, although the audit data indicate that the former DCOS was the only individual from the Station to access and print this cable between June 2000 and 24 August 2001.

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that occasion. Finally, although the targeting officer who handled [redacted] was working on other issues by March 2000, cable audit data show that this officer reopened various [redacted] cables (albeit not the ones with the travel information) on 22 separate occasions between early March 2000 and September 2001.

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~~(S//NF)~~ Although the Team agrees that the Agency missed many opportunities to take appropriate actions on al-Mihdhar and al-Hazmi, it disagrees with the Joint Inquiry's inference that these lapses were the result of any purposeful withholding of information from the FBI. For example, the Assistant Legal Attaché in Islamabad participated in the January 2001 meeting with the [redacted] [redacted] linked Khallad with the Malaysia meeting. Moreover, when UBL Station gave copies of the surveillance photos to the FBI Intelligence Operations Officer, she could do with these as she pleased, excepting [redacted]

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[redacted] In short, the CIA's failure to act until late August 2001 was one of not comprehending the importance of the information, rather than a lack of willingness to share with other agencies.

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(U) A Missed Analytic Opportunity?

~~(S//NF)~~ Although several analysts in CTC's Assessments and Information Group (AIG) were following [redacted] the Team found no information to indicate that these officers conducted any overall analysis of the meeting in Kuala Lumpur. Cable audit data show that about one dozen AIG analysts opened various cables [redacted]

[redacted] and four opened one or both of the two key cables from March noting that the al-Qa'ida associates had traveled to the United States. One analyst told the Team that he did not have enough details on the participants or the meeting to warrant writing [redacted]

[redacted] on the subject. Analysts did incorporate a brief reference to the Malaysia meeting into a February 2000 Terrorism Review article, an October 2000 Intelligence Assessment, and a set of talking points for the DCI, also in October 2000

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The analysts did not undertake any assessment of the Malaysia meeting that factored in the key data [redacted] or that put in broader context the meeting and the travel of the al-Qa'ida associates to the United States. For additional insight on the analytic assessment of the al-Qa'ida threat to the United States, see the discussion of Factual Finding 3.

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(b)(3)**(U) Possible Reasons Behind These Failures**

~~(C)~~ The OIG's 9/11 Review Team believes that a mix of systemic and individual failures were at play in the failures to nominate for watchlisting, inform the FBI, and pursue operational opportunities.²⁴ In addition to an overall lack of standard procedures related to watchlisting, specific reasons within UBL Station include the process for handling incoming cables; work overload; lack of operations experience among key personnel; and unclear or inattentive managerial oversight. Contributing to the failures were actions taken or not taken by certain field stations.

²⁴ (U) The Team addresses several of these underlying systemic problems in our discussion of other findings, including information sharing in Systemic Finding 9 and noninvolvement of [redacted] in Systemic Finding 11.

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(U) Handling Incoming Cables

~~(S//NF)~~ Many UBL Station officers evidently did not read the entire contents of key cables. A number of the critical cables sent to UBL Station had Action-Required lines that read "None, FYI" and listed the Station among the Info recipients. Many Station personnel told the Team they did not have time to read "Info" traffic. However, the Headquarters dissemination line on almost all the 40 cables listed only UBL Station as having action, meaning that the Station was the Headquarters element within CIA that had the responsibility to react to them. Judging from interview responses and audit data of individual officers' cable access,²⁵ UBL Station personnel may have looked at only the first line—the Action Required line—then quickly moved to the next document if no specific action was required of them. Indeed, audit data show that some officers routinely opened many of the cables they received for less than 10 seconds. Interviews of some senior Station managers show that they worked long hours and weekends, partly to read cables to ensure that the Station missed none of its actions.

²⁵ (U) While the time in which individuals kept a cable open on the computer system is a good general indicator of the attention that the individual gave to the cable, it does not necessarily translate directly into reading time. On the one hand, the cable could be printed, allowing for greater time for perusal. On the other hand, a relatively long period in which a document was open does not necessarily mean that the reader was viewing it for the entire time; he or she could have had a phone call or some other interruption while the document was on screen.

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(U) Action and Info

~~(C)~~ The Action Required line originated over 20 years ago to help readers navigate through increasingly complex and lengthy cable traffic. Its purpose was to avoid important items being missed by bringing specific actions within the cable to the reader's attention up front in paragraph one, rather than forcing the reader to cull out action from a long and detailed message. The cable dissemination system assigns action to one and only one organizational unit, identified by the office unit symbol designator in the "For" line of the cable. This ensures that, across CIA, it is clear who is responsible for any specific request; that efforts are not duplicated; and that CIA speaks with one voice. The Directorate of Operations never intended this system as a way of alerting readers about implied or indirect action or as a gauge for the reader whether to read the message or not.

~~(S//NF)~~ Contributing to this issue were cable-writing problems and practices in the field:

- The key 5 March cable [redacted] was poorly written. In particular, its subject line read, "UBL Associates: Identification of Possible UBL Associates," rather than something like, "UBL Associates Travel to the United States," which likely would have garnered more attention from cable readers. It also did not provide a comment on any of the enticing information regarding passport numbers or departures on flights bound for the United States, except for noting in paragraph three that Yousaf and al-Mihdhar had traveled to Bangkok together. In addition, [redacted] sent the cable as an "Immediate" [redacted] but only sent it "Info" to UBL Station. Moreover, in the Action Required line, it states: "None, FYI." (b)(1)
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- While [redacted] picked up on the travel information [redacted] in this cable, its own response cable deferred action to UBL Station. According to the [redacted] felt that its response—that it found the individuals' travel to the (b)(1)
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United States to be "interesting"—had already overstepped the [] bounds in highlighting another [] information to UBL Station. Accordingly, while [] directed its cable to UBL Station—informing [] and others—it noted that action required was, "None, FYI".

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Of note, both cables' Headquarters dissemination lines assigned the Headquarters action for each cable solely to UBL Station.

~~(S)~~ The cable audit data suggest, however, that the time that several key UBL Station officers spent reading the key [] cables was sufficient to absorb the information about the US travel. The cable audit data show that eight UBL Station officers opened

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[] within a week of dissemination on 5 and 6 March, respectively, and another six officers opened one or the other during that time frame; several of these 14 officers were managers in the Station. Additional cable access audit data—which show when individuals opened particular pieces of traffic then moved on to another piece—for four of these officers indicate that these particular individuals had the [] cable open for an average of 21 seconds and the []

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[] cable open for an average of one minute 13 seconds. Members of the Review Team who examined the same cables were easily able to read through the cable text, including the references to US travel, in about the same times. This suggests that factors besides inadequate reading time may underlie the failures to act on this information as far as these four officers are concerned.

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(U) Work Overload

~~(S//NF)~~ UBL Station personnel told the Team that an overwhelming amount of incoming traffic and daily taskings kept them from reading entire cables, causing them to miss critical information. The OIG survey that accompanied the 2000-2001 inspection of CTC echoed these comments, showing that 57 percent of UBL Station respondents

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believed the amount of work they had to do was too much, as compared with 38 percent who felt that way in CTC as a whole. Among other taskings, station personnel prepared almost daily briefings for the DCI; these occupied significant portions of the day for some UBL Station managers. In addition, the Station handled numerous meetings with liaison services, provided target briefings to a variety of audiences, and was responsible for exploiting the large amount of information picked up during raids against UBL-associated terrorist targets. These taskings and overwhelming anecdotal information from Station officers and other personnel suggest that the Station generally had a heavy workload.

~~(S//NF)~~ The OIG's inspection of CTC also reflected the stressful work environment for the Center as a whole. That report noted that, "Center employees frequently operate in a state of crisis—resulting from a series of terrorist incidents and multiple known threats—and amidst strong demands from policymakers and Agency senior managers. Moreover, a substantial proportion of CTC personnel believe that their work unit does not have sufficient personnel to accomplish the mission. This combination leads to employee burnout and leaves little time for strategic reflection on both analysis and operations—potentially leading to missed opportunities. Employees told us that they deal with this situation by working extra hours and frequently they have time for only the most essential tasks." The report further indicated that, "CTC also must cope with information overload, frequently resulting from successful operations against terrorist cells. Most Center interviewees who had an opinion gave mixed reviews of CTC's ability to effectively exploit the data the Center collects. They generally believed that the Center does its best to scope, scan, and prioritize information for immediate action. Some officers acknowledged, however, that the demands placed on CTC do not allow it to exploit all the information it collects. As a consequence, the risk exists that a potential warning will go unidentified."

~~(S//NF)~~ The Team examined the Station's cable traffic during the critical month of March 2000 as a way of

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more clearly ascertaining the burden of the workload when the key cables [redacted] were received. A review of Hercules data holdings shows that UBL Station received, on average, 36 DO action cables each day that month. When "info" cables, like the two from [redacted] are included, the Station received an average of 221 DO cables per day for the month, according to cable counts provided by CTC Hercules Support. Because the Station was covering a key transnational issue, this was more than comparably sized DO field stations, although UBL Station sent out fewer cables per day that month than such field stations. Adding in cables from the Departments of Defense and State, the National Security Agency, and other agencies, UBL Station received an average of 534 action and info cables per day in March.²⁶ Lotus notes received add even more to the total. Station officers told the Team that, to get through such a large cable load, they practiced triage, opening those messages that appeared to be the most critical to their mission.

~~(S//NF)~~ An examination of documents actually accessed provides a more refined indicator of workload, and an audit of key UBL Station officers' actual reading habits shows the volume of traffic handled during the key day of 6 March 2000, a Monday. On that day, an audit of computer system access shows that:

- The targeting officer electronically accessed 160 documents—including cables, Lotus notes, and messages in other databases. This officer opened the two key cables within 15 minutes of badging in around 0715 that morning. The officer had [redacted] open for 33 seconds and [redacted] open for one minute and five seconds.²⁷

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²⁶ (U) The Team did not have comparable comparative total cable counts for other stations.

²⁷ (C) Although the [redacted] cable was disseminated a full day earlier than the [redacted] one, all the individuals discussed here who accessed both on the 6th opened the [redacted] one first.

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- The Chief of the Targeting Branch electronically accessed 189 documents. This officer also accessed both cables relatively early in the morning, opening [redacted] [redacted] for 12 seconds and [redacted] for three minutes.
- The Chief of the Operations Branch electronically accessed 214 documents, including both of the key cables later in the afternoon. This officer accessed [redacted] for 14 seconds and [redacted] for 29 seconds.
- The DCOS accessed 217 documents, including [redacted] which he had open for 17 seconds early in the morning. The DCOS had also been in on the previous day, a Sunday, during which he accessed 49 documents, including [redacted]. He had this cable open for 25 seconds.
- The COS opened 219 documents. He accessed [redacted] for only six seconds and never opened [redacted].

(U) Inexperience in Operations

~~(S//NF)~~ The officers of UBL Station working [redacted] [redacted] with the exception of the COS, did not have operational backgrounds; this may explain why they did not follow up on other operational opportunities posed by the al-Qa'ida associates coming to the United States. Of the 14 officers serving in operational positions in the Station at the time of [redacted] only one had taken the Field Tradecraft Course and only three others had taken the Accelerated Operations Course. Moreover, none had had any overseas tours as operations officers. Even the Station's Operations Branch Chief was a Directorate of Intelligence (DI) officer with no formal operational training as of early 2000. That said, this branch chief and other Station officers did have relevant on-the-job training, honed by past operational successes. Nonetheless, the lack of operational experience within the Station was a recurring theme that

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many DO officers, including senior officials, raised in Team interviews. A few of the individuals detailed from other agencies to CTC also remarked on this situation.

~~(S//NF)~~ Of particular note, the targeting officer who handled [redacted] had little to no operations experience at the time. [redacted]

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(U) Confusing Chain of Command

~~(S//NF)~~ Several interviewees depicted a chaotic atmosphere in UBL Station during the early months of 2000, with no single supervisor fully aware of activity underway at any point in time. Indeed, interviews indicate that no particular officer was responsible for monitoring traffic to ensure all actions had been addressed. In January 2000, responsibility for general operational activity against al-Qa'ida fell to the Operations Branch, with assistance from the Targeting Branch. Branch members were loosely assigned geographic areas of responsibility. Tasking of any Branch was normally handled via Lotus notes and could originate from any of five senior managers within UBL Station—the COS, two DCOSs, or the Operations and Targeting Branch Chiefs. Each officer was responsible for monitoring his or her own activity.

~~(S//NF)~~ This confusing management oversight may have been partly at fault for the failure to follow up on the March cables [redacted] The [redacted]

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Station's FBI DCOS initially assigned the targeting officer to handle the operation because the travel was originating in Yemen, within that officer's area of responsibility, and because the Station had no one covering Southeast Asia at the time. Although that DCOS soon departed the Station, the COS, the other DCOS, and the Operations and Targeting Branch Chiefs continued to read [redacted] traffic and to oversee the officer's work. In responding to this draft report, [redacted] indicated that the management oversight was not confusing, in that,

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[redacted]
[redacted] That said, while this officer and the other Station managers opened one or both of the early March cables noting that the al-Qa'ida associates had traveled to the United States, none ensured that the targeting officer—who by then had begun working on other issues, including the terrorist threat to the Sydney Olympics—or any other Station officer took appropriate action at the time. As mentioned, when the Team interviewed these managers, none recalled reading these cables; at the time, however, they may have assumed that one of the other managers was handling the case. Given the targeting officer's newness, lack of operations experience, and unfamiliarity with Southeast Asia, dedicated close supervision of the operation was in order.

(U) Implications

~~(C)~~ The consequences of the failure to pursue proper operational followthrough with the information acquired in [redacted] while difficult to fully assess, were potentially dire:

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- By itself, watchlisting al-Mihdhar in early January 2000, when his travel document data first became available, could have prevented his entrance into the United States in mid-January. On the other hand, watchlisting al-Hazmi in March 2000, when the CIA got access to his travel documentation would not have kept al-Hazmi out

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of the country, since he was here already. Watchlisting al-Mihdhar after March—even as late as mid-May 2001, when UBL Station again became aware of his travel—could have prevented his re-entry on 4 July 2001. Nonetheless, if this had occurred, al-Qa'ida may well have continued the 9/11 plot, either with a replacement or with one fewer team member.

- Good operational followthrough, however, including proper notification of the FBI and [redacted] could have resulted in surveillance of al-Hazmi and al-Mihdhar once they were in the United States. This, in turn, would have had the potential to yield information on flight training, sources of finance, contacts with other hijackers, links through Malaysian apartment owner Yazid Sufaat to Moussaoui, and contacts with Khalid Shaykh Muhammad.

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(U) Accountability

~~(C)~~ So many CIA officers at Headquarters and in the field could have taken appropriate and timely action to notify appropriate State, FBI, INS, and other US Government officials about al-Mihdhar and al-Hazmi, but did not do so, that the Team considers these failures systemic. However, when the Team examines the record in detail, the responsibility and potential accountability of some individuals emerge.

~~(S)~~ In regard to watchlisting:

- Broadly publicized, periodic guidance lays out the responsibility of stations and bases on the VISA VIPER program. [redacted]

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[redacted] This did not occur. However, as the record shows, these overseas facilities, as well as [redacted] had engaged.

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in little to no VISA VIPER activity during the prior year despite familiarity with the program, and no one in Headquarters had questioned their lack of attention to the program. Moreover, these stations and bases were providing the travel information to UBL Station, which was in a better position to ascertain the other part of the watchlisting criteria: the individuals' involvement with terrorist organizations.

- The Team notes, however, that the DO at Headquarters and in the field paid inconsistent and inadequate attention to the VISA VIPER program prior to 9/11. Although the Office of the DDO and, later, CTC/RR included VISA VIPER information in numerous terrorism guidance cables it sent to the field prior to 9/11, this repeated effort appears to have been a bureaucratic exercise, with the VISA VIPER guidance usually buried in the middle of each cable. Indeed, most DO interviewees told the Team that they could not recall seeing any VISA VIPER guidance, and about one-third were not familiar with the program at all. Because CTC had assumed responsibility for communicating the watchlisting guidance from 1998 onward, the Team recommends that an Accountability Board assess the performance of the Chiefs of CTC from 1998 until 11 September 2001 for the systemic failures involving lack of understanding and inadequate management and implementation of this program. The Team notes, however, that the latter Chief of CTC had been in place only about five and a half months at the time of the Malaysia operation and thus had had less time to devote to overseeing the VISA VIPER program than had his predecessor.

~~(S)~~ As for the Agency's failure to use proper channels to inform the FBI about the planned and actual travel of the al-Qa'ida associates to the United States, UBL Station did not use prescribed channels to pass along to FBI Headquarters al-Mihdhar's travel document information. However, because the Team cannot confirm or refute statements by UBL Station officers that they used commonly accepted

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informal means of communication to inform the FBI, it makes no recommendation related to accountability.

(S) That said, no one in UBL Station informed the Bureau about al-Hazmi's departure from Bangkok on a flight bound for the United States after learning about this [redacted] in March 2000, nor did any UBL Station officer take any other prompt, relevant operational action. Although no one in the Station now recalls reading these cables, audit records indicate that several officers had them open for enough time to absorb the critical information they contained. While the Team notes that the targeting officer was the main point of contact handling the operation, her inexperience placed her in a poor position to understand all the operational opportunities available. [redacted]

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[redacted] to ensure prompt action relevant to al-Hazmi and al-Mihdhar during several later opportunities between then and August 2001. Regardless of other Station priorities or the importance of the two future hijackers in the al-Qa'ida organization, these were identified al-Qa'ida associates with known planned or actual travel to the United States. In terms of particular considerations for [redacted]

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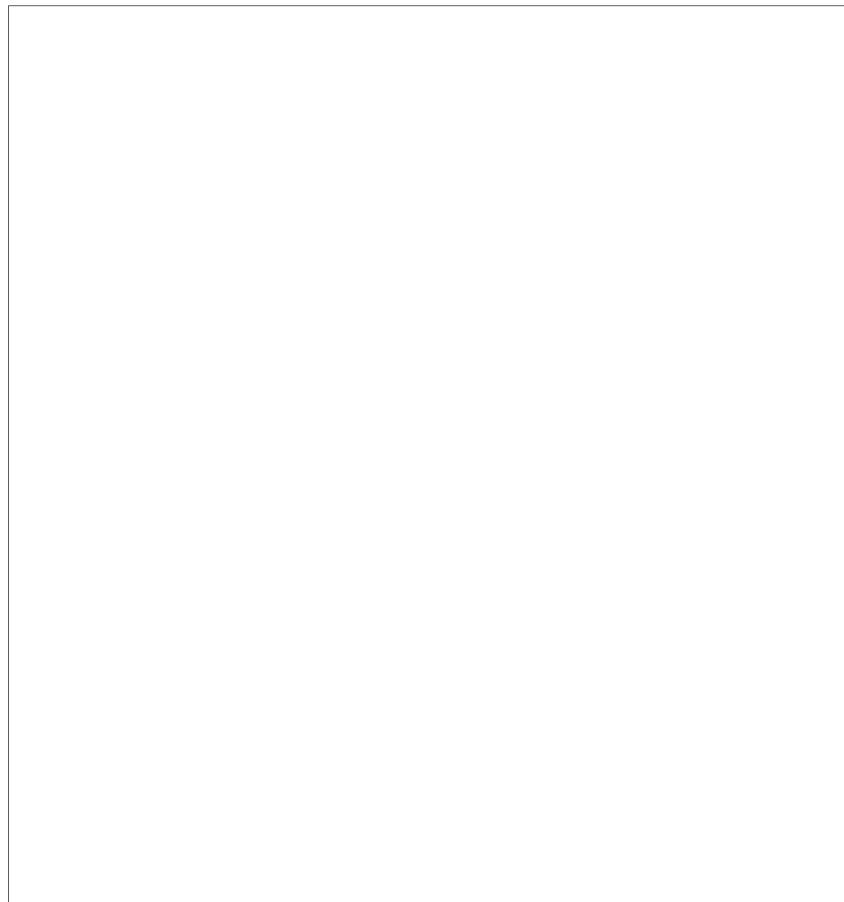
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(S) Appendix F5.b-1: Cables Related to [redacted]

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Cable	Date	Summary
[redacted]	3-Jan-00	
SCALEC 134546	3-Jan-00	
[redacted]	3-Jan-00	
SCALEC 134547	3-Jan-00	
	4-Jan-00	Notes transit of al-Mihdhar through Dubai.
	4-Jan-00	Reports that al-Mihdhar's passport includes a US visa.
	4-Jan-00	Notes that al-Mihdhar has multiple-entry US visa; provides visa number.
SCALEC 134589	4-Jan-00	[redacted] on al-Mihdhar's travel.
	4-Jan-00	[redacted] of possible lead on UBL associate.
	5-Jan-00	Reports that al-Mihdhar's US visa application lists his destination as New York.
	5-Jan-00	Notes that al-Mihdhar's visa application did not reveal US entry stamps; defer to UBL to pass to INS.
	5-Jan-00	
	5-Jan-00	
SCALEC 134684	5-Jan-00	Summarizes scheduled influx of UBL associates to Malaysia; notes that UBL Station had passed al-Mihdhar's travel documents to the FBI.
	6-Jan-00	Reports that al-Mihdhar has arrived.
	6-Jan-00	Notes that al-Mihdhar is under surveillance [redacted] [redacted] photos of meeting participants.
SCALEC 134789	7-Jan-00	
	8-Jan-00	
	8-Jan-00	Reports that UBL associates departed for Bangkok.

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(b)(1) (b)(3)	SCALEC 134804	9-Jan-00	
			Indicates that Station has forwarded surveillance photos to UBL
		9-Jan-00	Station, [REDACTED] Also notes UBL associates [REDACTED]
		9-Jan-00	Provides [REDACTED] flight manifest for al-Mihdhar, al-Hazmi, and others.
		9-Jan-00	
(b)(1) (b)(3)	SCALEC 134871	11-Jan-00	Seeks concurrence to pass surveillance photos [REDACTED]
		12-Jan-00	Concurs on passage of photos [REDACTED]
		12-Jan-00	Notes passage of photos [REDACTED]
	SCALEC 134925	12-Jan-00	
		13-Jan-00	Reports on efforts to locate al-Mihdhar and his watchlisting in Thailand; identifies Yousaf as fellow traveler.
(b)(1) (b)(3)		13-Jan-00	Provides update on UBL associate [REDACTED]
		13-Jan-00	Requests that [REDACTED] obtain additional details on travelers.
		19-Jan-00	Reports possible identity of al-Mihdhar relative; request Headquarters pass lead to FBI and that [REDACTED] pass to Legatt.
		27-Jan-00	
	SCALEC 135774	10-Feb-00	
(b)(1) (b)(3)		10-Feb-00	Concurs on providing information [REDACTED]
		10-Feb-00	
		11-Feb-00	Inquires [REDACTED] regarding UBL travelers' whereabouts.
		15-Feb-00	Welcomes opportunity to pass information [REDACTED]

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(b)(1) (b)(3)		15-Feb-00		(b)(1) (b)(3)
ALEC 136056		16-Feb-00		
(b)(1) (b)(3)		24-Feb-00		
		5-Mar-00	Reports that al-Hazmi flew to Los Angeles on 15 January; notes [redacted] travels, [redacted]	(b)(1) (b)(3)
		6-Mar-00	some of the UBL associates had entered the United States.	

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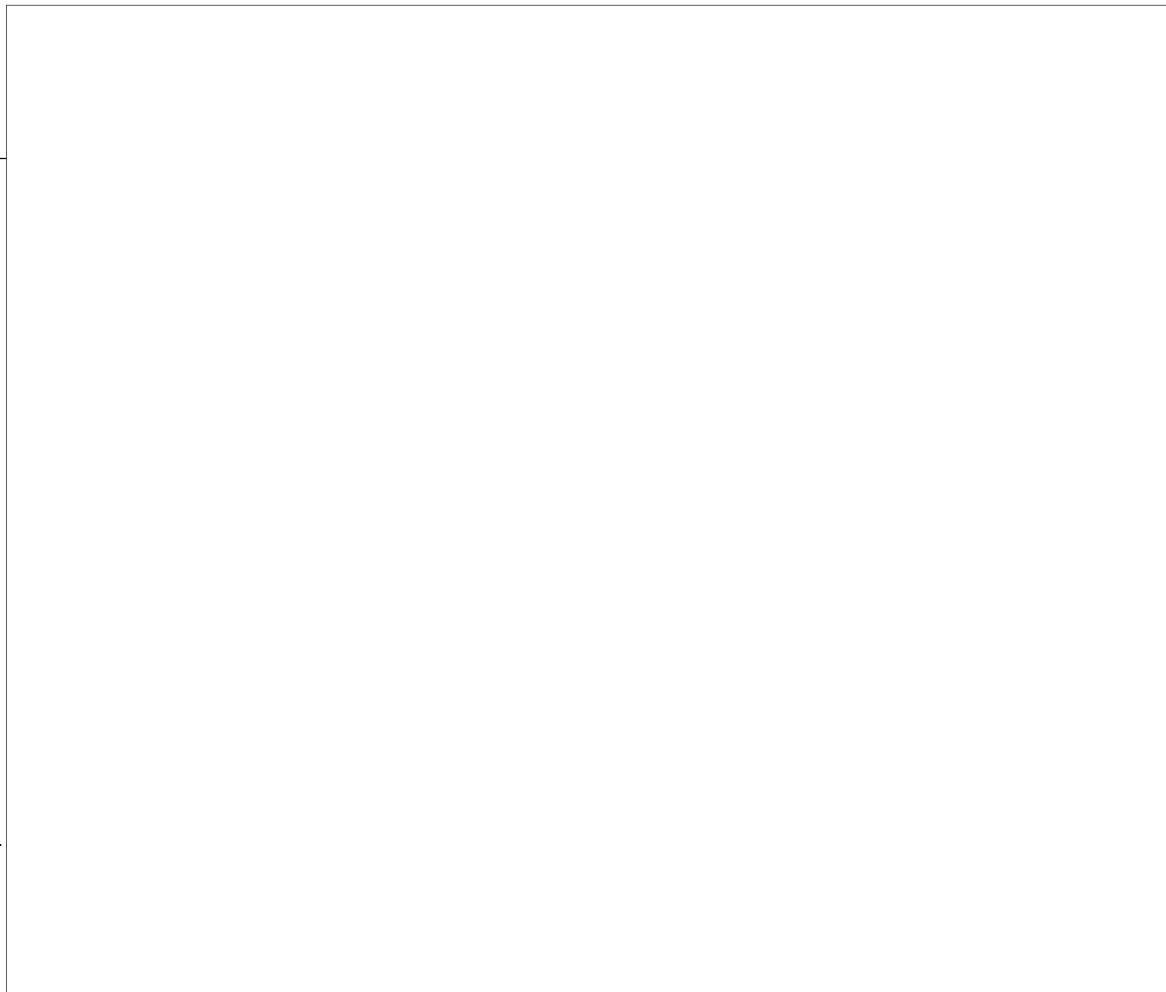
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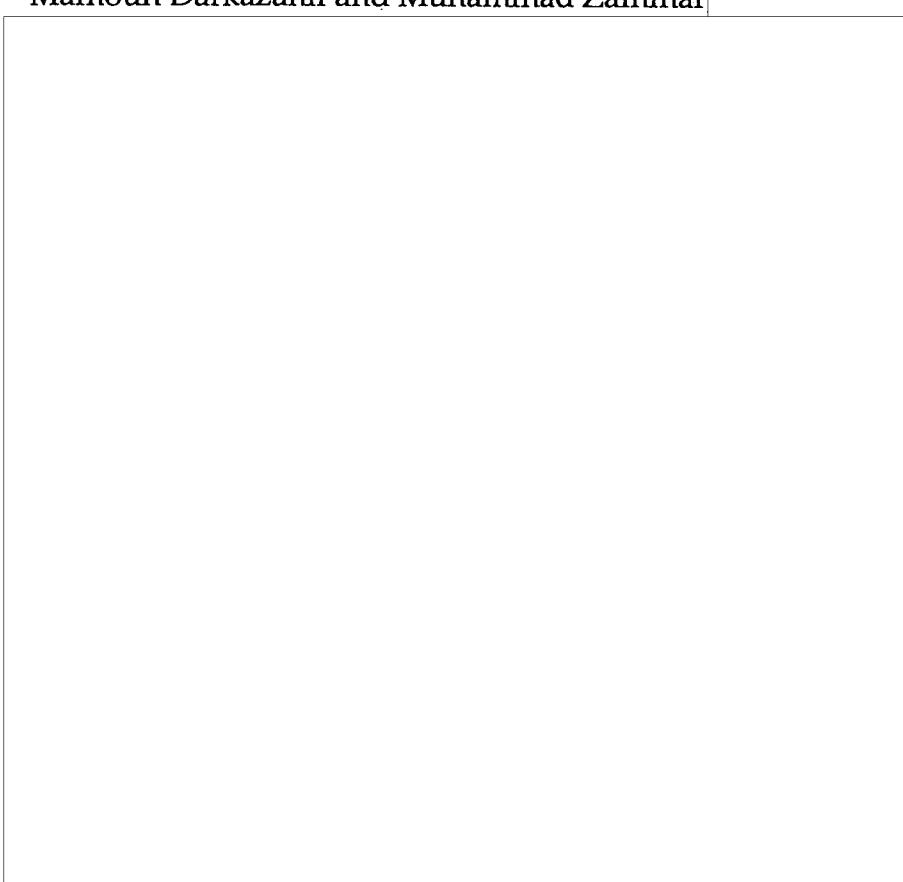
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**(U) FACTUAL FINDING 5.H: HIJACKERS'
ASSOCIATES IN GERMANY**

~~(S//NF)~~ Factual Finding 5.h of the Joint Inquiry (JI) Report states, "Since 1995, the CIA had been aware of a radical Islamic presence in Germany, including individuals with connections to Usama Bin Laden. Prior to September 11, 2001, the CIA had unsuccessfully pressured [redacted] on individuals who have now been identified as associates of some of the hijackers."

~~(S//NF)~~ The JI Report focuses on CIA's intelligence on two suspected al-Qa'ida operatives in Hamburg, Mamoun Darkazanli and Muhammad Zammar [redacted]


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(U) Assessment of Joint Inquiry's Findings

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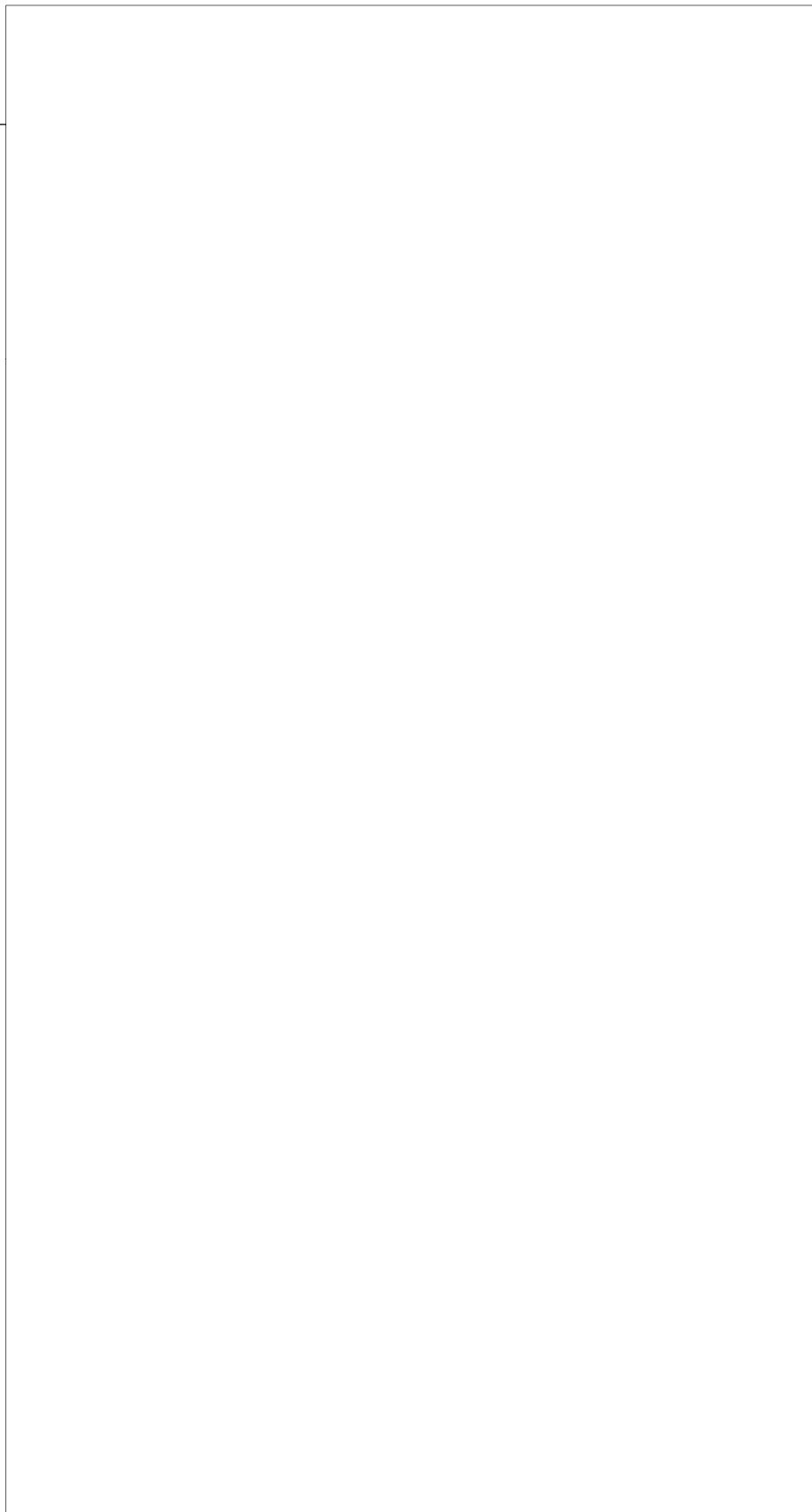
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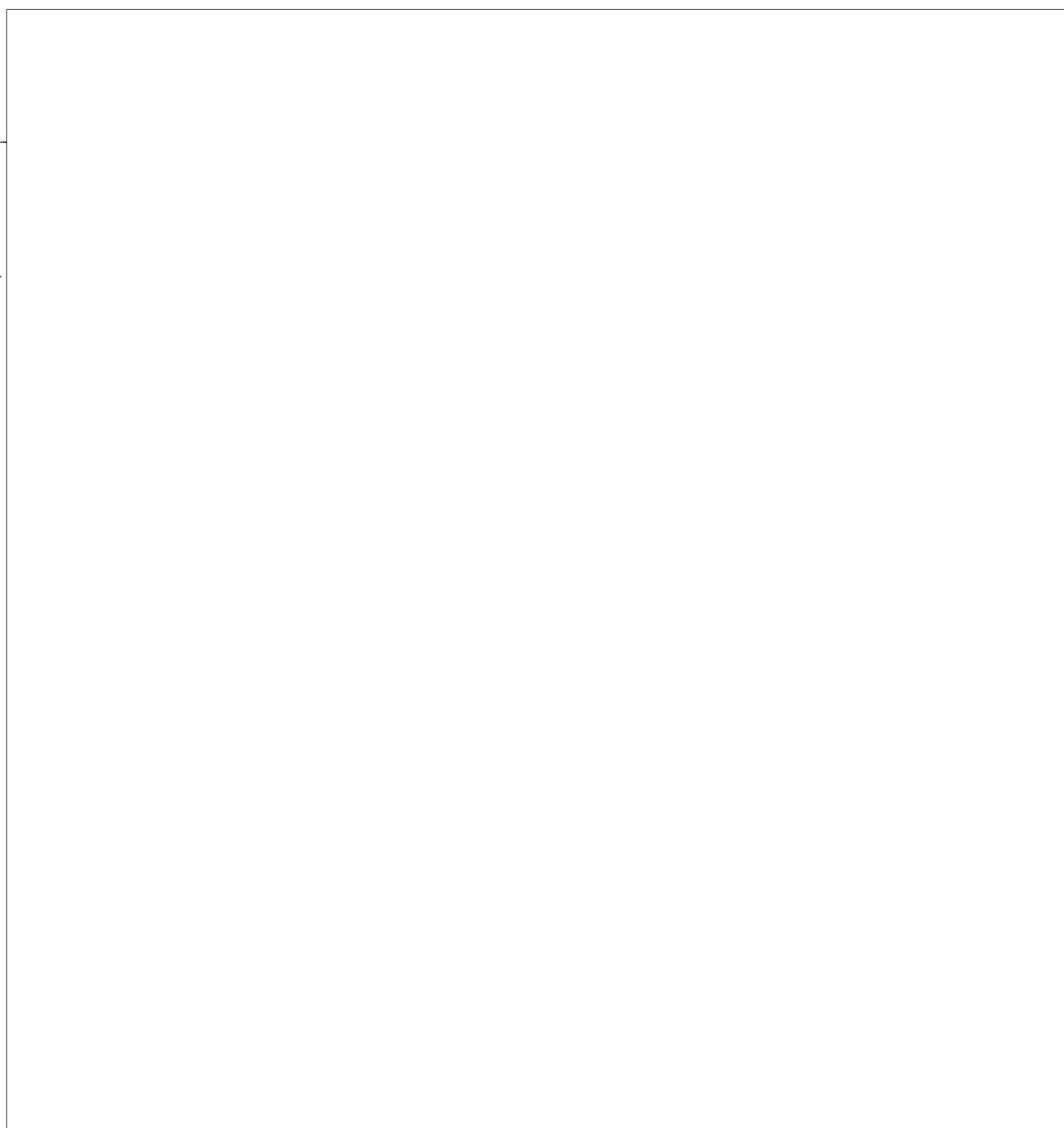
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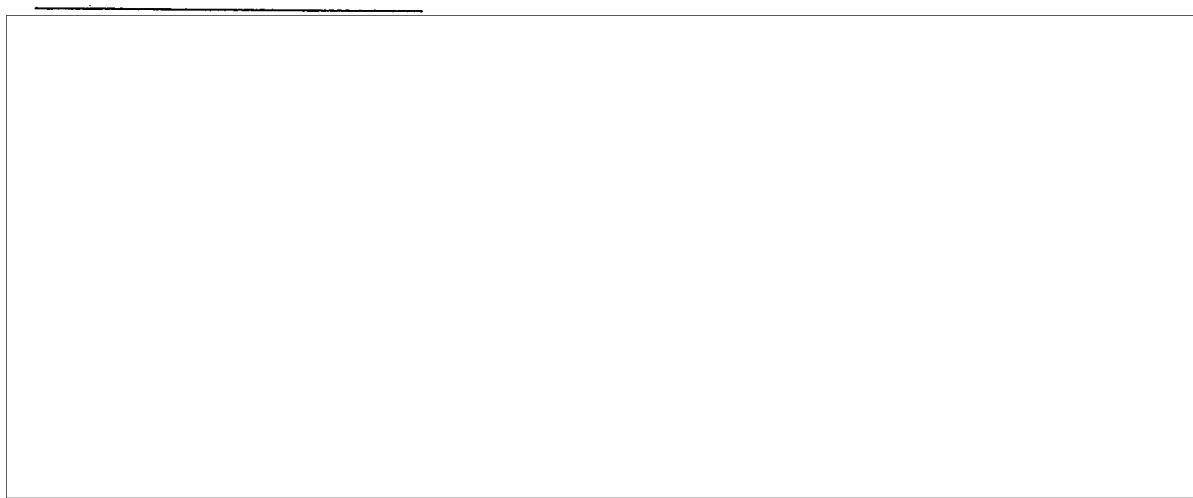
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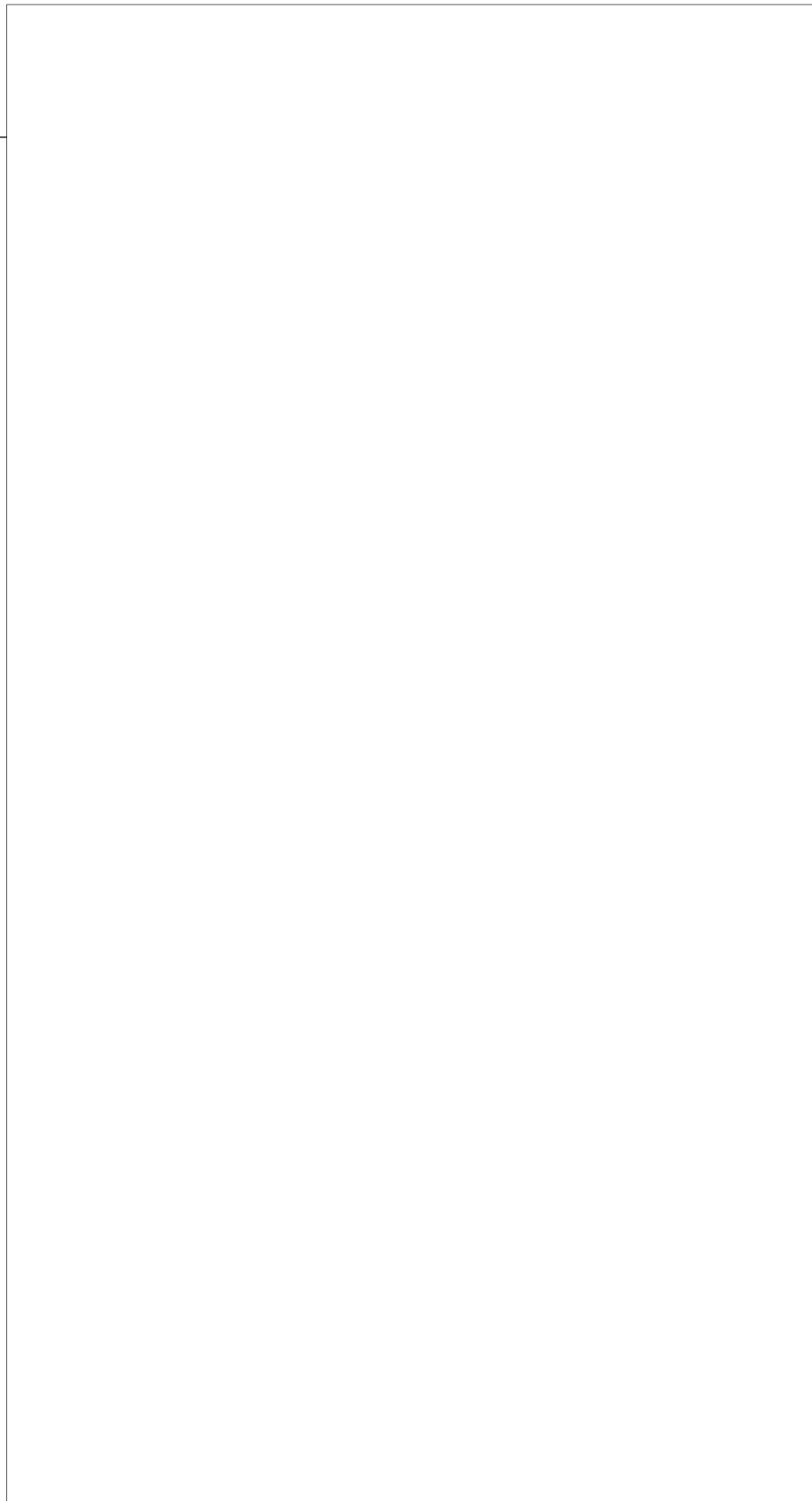
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(b)(3)**(U) Accountability**

~~(S)~~ Based on its examination, the 9/11 Team believes CIA mounted reasonably robust efforts [redacted] [redacted] on terrorist suspects Mamoun Darkazanli and Muhammad Zammar. The Team judges that CIA's failure to gain access to these individuals prior to 9/11 was not due to lack of diligence or neglect of duty. Accordingly, the Team does not have any recommendations regarding accountability.

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(U) FACTUAL FINDING 5.I: KHALID SHAYKH MOHAMMED

~~(S//NF)~~ Factual Finding 5.i of the Joint Inquiry (JI) report states that, "Prior to September 11, the Intelligence Community had information linking Khalid Shaykh Mohammed (KSM), now recognized by the Intelligence Community as the mastermind of the attacks, to Bin Laden, to terrorist plans to use aircraft as weapons, and to terrorist activity in the United States. The Intelligence Community, however, relegated KSM to rendition target status following his 1996 indictment in connection with the Bojinka Plot and, as a result focused primarily on his location, rather than his activities and place in the al-Qa'ida hierarchy. The Community also did not recognize the significance of reporting in June 2001 concerning KSM's active role in sending terrorists to the United States, or the facilitation of their activities upon arriving in the United States. Collection efforts were not targeted on information about KSM that might have helped better understand al-Qa'ida's plans and intentions, and KSM's role in the September 11 attacks was a surprise to the Intelligence Community."

(U) Joint Inquiry Discussion

~~(S//NF)~~ The JI report further states that information that the Intelligence Community (IC) obtained after September 11, 2001 (9/11) identified Khalid Shaykh Muhammad (KSM)³⁴—also known as Mukhtar "the Brain," Khaled, Pacha, Sheikh Khalid, Khalid al-Shaykh al-Ballushi, and Muhammad Nabi, among other names—as the mastermind of the attacks. Before 9/11, KSM had played a major role in several Islamic extremist plots that were notable for the large number of casualties they sought to, the use of airplanes, and their focus on symbolic targets.

³⁴ (U) Following FBIS transliteration guidelines, the Team uses the spelling "Muhammad" instead of "Mohammed."

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~~(S//NF)~~ The JI report indicates that KSM came to the attention of the IC in early 1995, when information linked him to Ramzi Yousef's Bojinka Plot, also referred to as the Manila Air Conspiracy, in the Philippines. The plot involved bombing US airplanes flying Asian routes, killing the Pope, and crashing an airplane into CIA Headquarters. KSM is Yousef's uncle, and the two are married to sisters. Both were linked to the 1993 bombing of the World Trade Center (WTC-1) and were indicted by a US grand jury in 1996. The US Government kept KSM's indictment under seal until 1998, while the Federal Bureau of Investigation (FBI) and CIA tried to locate him and take him into custody. In 1995, the National Security Council's Policy Coordination Group concluded that KSM was a top priority target.

~~(S//NF)~~ The JI report notes that the CIA had information about KSM prior to 9/11, including that he:

- Had traveled with Usama Bin Ladin (UBL) [redacted] (b)(1)
[redacted] (b)(3)
- Was working in Qatar in 1995 and 1996. During this time, the Agency was unsuccessful in efforts to render him [redacted] (b)(1)
[redacted] (b)(3)
- Took "jihad" leave in 1995, presumably to fight in Bosnia, [redacted] (b)(1)
[redacted] (b)(3)
- Had moved to Quetta, Pakistan, by March 1998, according to FBI information.
- Had flown into Nairobi (using one of his known aliases) in August 1998, prior to the embassy bombing there.

The JI report goes on to say that this information led CIA to see KSM as part of Bin Ladin's organization.

~~(S//NF)~~ According to the JI report, by early 1998, the Counterterrorist Center (CTC) had moved responsibility for KSM from its Islamic Extremist Branch (IEB) to the Renditions Branch (RB), which focused on finding terrorists

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and transferring them to justice. The Report states that, after this transfer, CTC issued few collection requirements regarding KSM's activities and, in August 2000, cabled to the field that, "traditional [foreign intelligence] collection is not our goal with this rendition operation." The Report says that only once prior to 9/11 did an analyst write requirements intended to gather information about KSM's role and plans.

~~(S//NF)~~ In June 2001, the CIA broadly disseminated a cable to the intelligence and policymaking communities that emphasized KSM's ties to Bin Laden and indicated that KSM (here identified as Khaled) traveled to the United States frequently and actively recruited individuals to travel outside Afghanistan, including to the United States, to carry out unspecified activities on behalf of UBL. [redacted]

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[redacted] while it was clear from Khaled's comments that the recruits would be engaged in planning terrorist-related activities, he did not explicitly say so. The JI report states that the CIA did not find this information to be credible but thought that it was worth pursuing in case it was accurate. The report claims that the Agency apparently did not recognize the significance of a Bin Laden lieutenant sending terrorists to the United States and asking them to establish contact with colleagues already here.

~~(S//NF)~~ Finally, the JI report argues that KSM is the common thread running between WTC-1 and the 9/11 attacks. The report concludes that the IC's efforts against KSM reveal problems in understanding al-Qa'ida activities and structure and in formulating a coherent response. It charges that the IC devoted few analytic or operational resources to tracking KSM or understanding his activities; that coordination was irregular at best; and that what little information was shared was usually forgotten or dismissed.

(U) Assessment of Joint Inquiry's Finding

(U) The Office of Inspector General (OIG) 9/11 Review Team concurs with the Joint Inquiry's analysis and conclusions with respect to this finding. While the Team has

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differences with respect to some of the facts and interpretations presented in the JI report, particularly the JI's assessment of collection efforts, it agrees with its overall conclusion that CIA failed both to pursue reporting concerning KSM's connections and operations and to analyze the information it had available. This failure limited CIA's ability to review the range of possible al-Qa'ida options during the period of intense concern in 2001 about a possible attack against US interests by al-Qa'ida.

(U) Collection Against KSM

~~(TS/~~ ~~NP~~) While the Joint Inquiry Report accurately assesses that the CIA focused its collection effort against KSM on locating him in order to render him to justice, it understates the extent of these efforts:

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- CTC's Renditions Branch amplified these requirements with cables in March and October 2000. These contained background details on KSM and requested that NSA publish any information regarding KSM's whereabouts or activities.
- CTC issued hundreds of requirements cables in its effort to locate KSM and bring him to justice. These cables often emphasized the fact that KSM posed a threat and asked for information about what he was doing and with whom he was meeting.

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~~(S//NF)~~ In addition, the JI report's implicit criticism of the aforementioned August 2000 cable to the field failed to provide relevant context. While Headquarters indeed stated in the cable that, "traditional [foreign intelligence] collection is not our goal with this rendition operation," it did so in response to the field's information that the source on which

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the collection depended could not be trusted as a collector of such intelligence. The Headquarters cable went on to say that the source might still be used to provide actionable information on rendition targets, including KSM.

~~(S//NF)~~ As the Joint Inquiry emphasized, however, these requirements and cables to the field reflected little effort to focus on the reasons for or significance of KSM's frequent and widespread travel. Moreover, they did not put his travel into a broader context, such as his role in coordinating worldwide planning for terrorist operations in cooperation with Usama Bin Laden. Renditions Branch, which had primary responsibility for KSM within CTC, focused on locating and capturing him.

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(U) Reporting on KSM

~~(S//NF)~~ As the JI report indicates, before September 11, Agency reports on KSM noted:

- His connections to Ramzi Yousef, UBL, and other leading Islamic extremists.
- His extensive international travel.
- The nature of the threat he had posed in the past, including his involvement in WTC-1 and the purported plans to fly an explosives-laden plane into CIA Headquarters; to train Arab pilots in the United States; and to conduct suicide terrorist attacks against facilities in the United States, including the White House.

~~(S//NF)~~ In addition to what the JI noted, CIA also had information alleging that, among other things, KSM had:

- Attended a university in the United States.
- Worked as an engineer when he resided in Qatar in the mid-1990s.

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- Taken paramilitary training in Afghanistan.
- Joined Abdul Rasul Sayyaaf's Islamic Union, an Afghan resistance group, in Pakistan in the late 1980s.
- Been involved in other Yousef plots, such as attacking Pakistani Prime Minister Bhutto and bombing a Shia shrine in Iran.

Moreover, the hundreds of cables that the Agency disseminated on KSM during the 1990s trace his extensive travels,

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~~(S/ [] NF)~~ The knowledge that the CIA gained about the Manila Air Conspiracy, with which KSM was closely associated, was compelling in establishing the high priority of KSM as a target. Philippine authorities had arrested and interrogated one of the accomplices of Ramzi Yousef and KSM, Abdul Hakim Murad, in the mid-1990s. Murad laid out the various plans the Yousef group had developed, including planting bombs on US passenger aircraft flying Asian routes and having a suicide pilot crash an explosives-packed aircraft into CIA Headquarters.

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Murad said

~~[]~~ that he had planned to use his skills to crash a plane into CIA Headquarters.

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~~(S/ [] NF)~~ CIA also had reporting on KSM that suggested strong ties to UBL, if not formal membership in al-Qa'ida:

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- "Sheikh Khalid," identified by Agency Headquarters as KSM, was very close to UBL and had joined UBL's organization in Afghanistan in 1998. This information was included in a series of Agency cables in the fall of 1998;

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~~[]~~ CTC officers in the Renditions Branch, UBL Station, and the Assessments and

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Information Group (AIG)—CTC's analytic group—read this reporting.³⁵

- A September 2000 cable from the field identified Khalid al-Shaykh al-Ballushi as one of the most important members of al-Qa'ida in Afghanistan. UBL Station's response indicated that this individual might well be KSM.

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- In June 2001

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One, known as Khaled, aka Pacha, was a relative of Ramzi Yousef and appeared to be one of UBL's most trusted lieutenants. He was active in recruiting people to carry out activities on behalf of UBL.

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- A series of cables in August 2001 described KSM as a well-respected leader within the UBL organization. KSM was well respected by UBL Arabs, especially for his "past deeds" and that he had a large amount of resources and cash.

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(S/NF) Additional CTC reporting presented KSM's links to UBL as a matter of fact.

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In addition, the CIA had been well aware of KSM's close ties to Ramzi Yousef since the mid-1990s and

³⁵ (S//NF) One of the reviewers of the draft report stated that it had not been possible to understand KSM's role and importance before 9/11 because he had used numerous aliases. The Team agrees that KSM used numerous aliases and that he was not always identified as KSM by the source of the field reporting. UBL Station had a good understanding of the aliases used by KSM, however, and provided the probable identification in its follow-up cables. In every series of cables that the Team cites in this report, Khalid Shaykh Muhammad is identified as the probable subject of the reporting, either in the original reporting or in subsequent cables. The Team found these cables in CTC's Hercules database by conducting a search using KSM's name.

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had received reports of Yousef's connections to UBL and al-Qa'ida.

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(U) Declining Appreciation of KSM's Significance

~~(S//NF)~~ UBL Station focused on KSM and the potential danger that he posed from the mid-1990s through mid-1999, when its focus on KSM's significance, operational importance, and links to Usama Bin Ladin faded. From mid-1999 through 11 September 2001, the Station appears to have made little effort to look at KSM's connections to UBL in order to better understand how al-Qa'ida was operating and where KSM might fit into its operations. While the Center's Renditions Branch maintained a high level of interest in *where* he was, it had little apparent interest in *who* he was and *what* he might be planning.

~~(S//NF)~~ Cables from the early years of UBL Station conveyed a sense of urgency on KSM:

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- In the fall of 1998, the broadly disseminated CIA cable that stated that KSM had joined UBL's organization also reminded readers that, "the United States regards Khalid Shaykh Muhammad as a dangerous fugitive with the skills and the international connections to carry out further terrorist acts."

~~(S//NF)~~ Throughout this period, the US Government was treating KSM as a serious threat. In 1998, the State Department's Heroes Program had promised an award of \$2 million for information leading to his arrest. By 1999, CIA cables were referring to a \$5 million award for such information. CTC itself considered KSM its prime renditions target.

~~(S//NF)~~ After mid-1999, most cables originating in UBL Station that referred to KSM downplayed his connections to UBL; did not reinforce the type of threat he represented; and failed to pick up on indications he was a senior UBL lieutenant. Indications of this lapse include:

- A UBL Station cable from August 1999 that provided an analysis of al-Qa'ida but excluded KSM from a list of UBL lieutenants.

- [Redacted]
- [Redacted]

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~~(S//NF)~~ CIA reporting [redacted] pre-September 2001 provided strong evidence that Khalid Shaykh Muhammad was a senior lieutenant in al-Qa'ida. Neither UBL Station officers nor AIG analysts picked up on the significance of the information, however. The JI report emphasized the June 2001 cable [redacted] [redacted] that discussed KSM's connections to UBL and his possible operations in the United States. [redacted]

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[redacted] The [redacted] cable of 28 August 2001 identified KSM as Mukhtar.

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~~(S//NF)~~ A September 2000 cable directed to UBL Station [redacted] reported that an individual identified as Khalid al-Shaykh al-Ballushi was one of the most important members of al-Qa'ida in Afghanistan. UBL Station's response cable indicated that Khalid al-Shaykh al Ballushi might well be KSM, who was a fugitive for his role in the Manila Air Conspiracy. It asked [redacted] gather more information [redacted] including why al-Ballushi was considered an important person within al-Qa'ida and what he had done for al-Qa'ida. The Team found no response [redacted] to this specific request, and UBL Station took no further action on it. [redacted]

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~~(S//NF)~~ The June 2001 cable [redacted]
[redacted] associates of UBL. [redacted]

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³⁶ ~~(S//NF)~~ The cable from UBL Station, sent on 28 September 2000, was originated and authorized by reports officers and released by the Chief of UBL Station.

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[redacted]

appeared to be one of UBL's most trusted lieutenants. Among other things, the cable said that Khaled was active in recruiting people to come to the United States to carry out unspecified terrorist activities on behalf of UBL and that he continued to travel frequently to the United States himself.³⁷ Several UBL Station officers saw this cable, including the Chief of Station and the Chief of the Targeting Branch; several analysts from CTC/AIG also saw the cable as did the officer in Renditions Branch who was tracking KSM.

[redacted]

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[redacted]

"Khaled" might be Khalid Shaykh Muhammad. Neither UBL Station officers nor AIG analysts appear to have focused on the significance of the information in terms of al-Qa'ida's structure and organization, the role played by KSM, or the possible threat to the United States.

- The Renditions Branch responded to the field,

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[redacted] While expressing doubt that the real KSM would actually come to the United States, the cable indicated that, if KSM did come to the United States, this would pose both a threat and an opportunity. The cable concluded by reminding [redacted] that Renditions Branch had primary action on KSM and should be the recipient of future cables concerning him.³⁸

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³⁷ (S//NF) Khalid Shaykh Muhammad obtained a visa to visit the United States [redacted]

[redacted] There is no evidence he

entered the United States, [redacted]

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³⁸ (S) This was determined by an audit of computer system access.

³⁹ (S) This cable was originated by the RB officer tracking KSM and coordinated with an officer in CTC/IEB.

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(S//NF) On 11 July 2001,

follow-up

about KSM.

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[redacted] repeated the claim that KSM traveled frequently to the United States.

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⁴⁰ (U) [redacted] There is no "p" sound in Arabic and, when Arabs use foreign names containing the "p" sound, they pronounce it as "b."

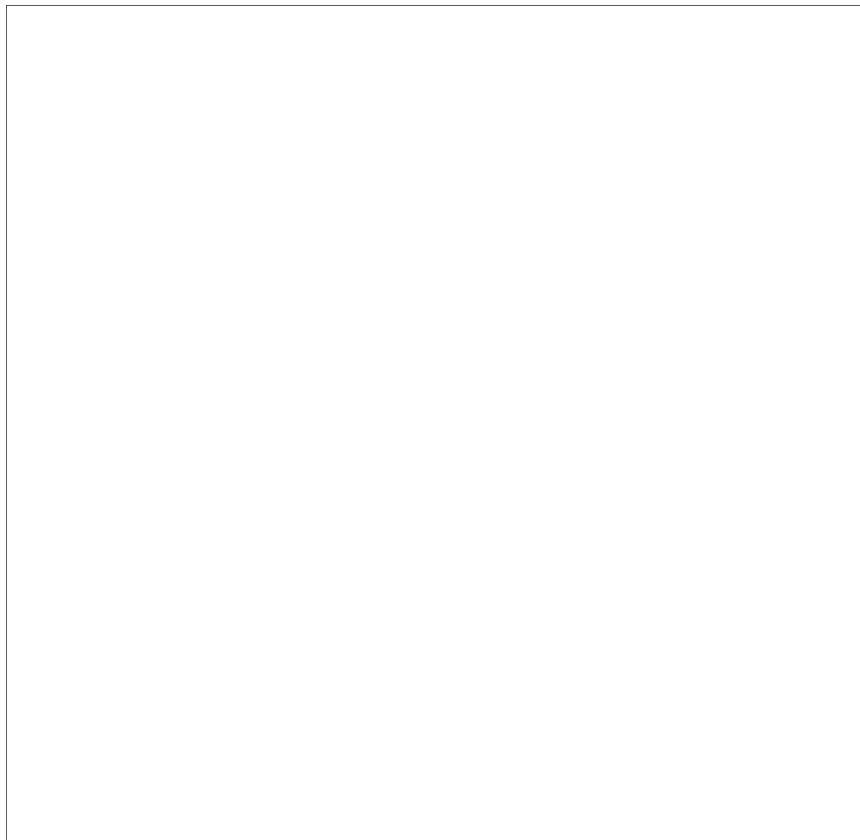
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(S//NF) [redacted] cable of 28 August
2001 [redacted]

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[redacted] to Khalid Shaykh Muhammad as Mukhtar [redacted]

[redacted] The Team found no evidence
of reaction to this information from any of these units or
individuals before 9/11.

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~~(S//NF)~~ Although CTC did not pick up on the significance of past reporting on Khalid Shaykh Muhammad before 9/11, it quickly saw its relevance in the wake of the attacks.

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~~(C//NF)~~ In the summer of 2003, the OIG Team asked CTC officers why they had failed to understand the significance of reporting indicating that KSM was associated with al-Qa'ida prior to 9/11. Of the 14 people who responded:

⁴⁴ ~~(S)~~ A month after the attacks, on 17 October 2001, CTC recommended that Khalid Shaykh Muhammad be watchlisted.

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⁴⁵ ~~(S)~~ This one-paragraph cable was in response to a cable sent [redacted] indicating a possible sighting of KSM. The UBL Station cable asked that [redacted] forward all future action on Khalid Shaykh Muhammad to CTC/RB; it was drafted, authorized, and released by officers in UBL Station.

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- Two key CTC individuals [redacted]

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[redacted] said they still had not seen pre-9/11 evidence that KSM was al-Qa'ida.

- Three officers, including [redacted] maintained that CTC did know KSM was al-Qa'ida before 9/11.

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- The rest provided a variety of explanations ranging from the murky nature of al-Qa'ida and its superb tradecraft to the assertion that KSM was not connected to al-Qa'ida until late in his career.

~~(S//NF)~~ In their comments on the IG draft report, a number of CTC officers challenged the Team's conclusion that CTC had convincing evidence before 9/11 that KSM was aligned with UBL; these officers charged the Team with relying on 20/20 hindsight. The Team believes, however, that its analysis and conclusions are based on reliable reporting that was available to and seen by numerous CTC officers in the years before 11 September 2001. Several of the specific arguments made by the reviewers and the responses of the OIG Team follow:

- The reviewers note that KSM's links to al-Qa'ida were not known before 9/11, and that no amount of research would have uncovered KSM's role as a key UBL lieutenant. The Team believes that these links were well documented [redacted] in the years before September 2001; we have evidence that CTC personnel in UBL Station, Renditions Branch, and AIG were aware of this reporting.
- The reviewers state that KSM used many different aliases and these aliases could not be attributed to him. The Team notes that UBL Station itself provided the linkage of his various aliases to KSM. This was certainly the case in the relevant cables cited in this report.

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- The reviewers indicate that, because CTC was pursuing hundreds of known terrorists and thousands of possible terrorists, there was no reason it should have focused particularly on KSM. The Team believes that KSM's status as one of the US Government's top rendition targets; his past actions, known capabilities, and ongoing extensive travel, which were well known to CTC personnel; and the indications from 1998 through 2001 that he had close relations with al-Qa'ida should have made him a leading target for CTC. Indeed [redacted] [redacted] in his own comments on this report, stated that KSM was, in fact, one of CTC's high priority targets before 9/11. (b)(7)(d)
- The reviewers state that KSM's connections to al-Qa'ida were limited during the mid-1990s, and it was not until he relocated to Qandahar in 1999 that his role within the organization grew beyond his previous fairly autonomous connections. The Team notes the field and Headquarters reporting cited above, indicating that KSM's contacts with al-Qa'ida did indeed become more formal in the 1998-1999 period; the Team believes there was sufficient reporting to have alerted CTC officers to KSM's changing status with respect to al-Qa'ida.
- The reviewers indicate that, before 9/11, intelligence reporting with respect to KSM was very bad; some was pure fabrication, some was recycled information, and some was information that inflated the importance of the source. The Team has provided source descriptions in the text of the report and notes that UBL Station took key reporting on KSM seriously during the 1990s; the source reporting from 2000 and 2001 received praise from the DO and UBL Station.

(U) Mukhtar the Brain

~~(S//NF)~~ The JI report also implied that CIA might have been able to determine that KSM and Mukhtar, "the Brain," whom the IC knew to be a close associate of UBL, were one and the same. Had CIA been able to identify

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Mukhtar as KSM, it might have been better able to understand the specifics of the threat posed by al-Qa'ida. In their interviews, CTC officers clearly stated that they were unaware of this connection until after 9/11. As indicated above, however, the Team found a 28 August 2001 cable to UBL Station [redacted] identifying KSM as Mukhtar. While late in the day, this report might well have triggered an examination of KSM's possible role in al-Qa'ida.

(TS/ [redacted] NF) The Team also found that Agency officers did not pursue information related to Mukhtar and therefore failed to collect intelligence that ultimately proved to be relevant to the 9/11 attacks. [redacted]

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(TS/ [redacted] NF) Meanwhile, additional intelligence linked Mukhtar with senior al-Qa'ida operative Abu Zubaydah. [redacted]

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imminent threat posed by Abu Zubaydah, while a later slide stated that the Bin Ladin organization might be in the throes of advanced preparations for a major attack—most probably

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on a US or Israeli target—and that Abu Zubaydah was at the hub of this activity. Had anyone in CTC picked up on the identification of KSM as Mukhtar, he or she might have connected some of the dots.

(U) Reasons for Lack of Focus on KSM

~~(S//NF)~~ There were several reasons for CIA's inability to fully comprehend KSM's significance:

- A fragmented organizational structure and a rigid division of responsibility created a prolonged artificial divide within CTC that resulted in KSM's falling between the cracks operationally.
- AIG paid virtually no analytic attention to KSM prior to 9/11, despite the potential danger he had posed since the mid-1990s and frequent reporting on his continuing operational activity.

(U) Arbitrary Assignment of Responsibility for KSM

~~(C//NF)~~ The creation of UBL Station in 1996 split responsibility for coverage of Islamic extremist groups; this negatively affected CIA's handling of KSM. Prior to 1996, IEB was CTC's single operational unit responsible for covering all Sunni extremists, including UBL and KSM. In 1996, however, CTC created UBL Station and moved it out of Headquarters to operate as a "virtual" station. The Station reported directly to CTC's deputy chief of operations, while IEB was subordinated to the chief of offensive programs who, in turn, reported to the chief of operations. UBL Station took responsibility for al-Qa'ida and associated groups, and IEB retained responsibility for other Sunni extremist groups. Because Bin Ladin's role was not clearly understood, however, and because Sunni extremists tended to have multiple ties, the division made it more difficult for the two units to track and reconcile information.

 indicated that trying to label people al-Qa'ida is a wasted effort, as terrorist associations are often loose

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structures that provide little central direction to what any individual or cell might be planning.

~~(C//NF)~~ CTC management did not consider KSM to be an associate of UBL in 1996, so it assigned responsibility for him to IEB. [redacted]

[redacted] told the Team that he took with him to the Station the officers who had followed KSM and had hoped that CTC management would assign the KSM target to his unit. (b)(7)(d)

~~(C//NF)~~ After the split, IEB was understaffed and overworked, according to the branch chief at the time. This chief complained that COS/UBL Station had taken the most experienced officers with him, leaving IEB with only six or seven officers. Furthermore, he stated that IEB remained extremely busy working on a variety of issues, including the TWA 800 crash and the Khobar Towers bombing. The unit continued to follow KSM and orchestrated several unsuccessful attempts to render him from Qatar, but other crises took precedence. The upshot was that IEB did not work actively on KSM after January 1997.

~~(C//NF)~~ In late 1997, CTC moved responsibility for KSM to its new Renditions Branch (RB). CTC management had created RB to work with the FBI to render terrorists, such as KSM, whom the United States had indicted. CTC cables and our interviews strongly support the conclusion, which the Team shares with the Joint Inquiry, that the Center's focus on KSM from 1998 through 9/11 was heavily oriented towards rendition planning.

~~(C//NF)~~ The RB officer assigned responsibility for KSM began tracking KSM in 1998 and continued to do so after 9/11. This officer believed the FBI had the lead on KSM because of the US warrant, and he cooperated with the FBI to identify operational leads. The New York Special Agent working the KSM issue, who had been tracking KSM since the Manila Air Plot of 1995, told the JI that he also considered KSM an FBI case, not a joint case with the CIA. In his interview, the RB officer said that he worked both KSM and Abdul Rahman Yasin, but that Yasin took precedence because he had more information on him.

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Despite the fact that KSM remained a top-priority rendition target, the RB officer stated that KSM was on a backburner until after 9/11.

~~(C//NF)~~ It is clear from reviewing many of this officer's cables that the focus of CTC's effort on KSM was to locate him and render him to justice. Numerous cables referring to KSM's frequent travels included a warning that this was a dangerous individual, possibly traveling to a location to organize a terrorist operation. The cables sought intelligence on KSM's travels, meetings, and actions so as to help find him, but they did not seek to learn more about his connections, intentions, and methods of operating. No one in CTC ever pulled together these individual operational cables into an assessment that might have contributed insight into both KSM's operations and those of al-Qa'ida.

~~(C//NF)~~ New CTC management moved UBL Station and IEB under a single organizational umbrella, the Sunni Extremist Group (SEG), in late 1999—in part to end the tension and competition between the two. Responsibility for KSM remained in RB, however. [redacted]

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[redacted] told the Team that his group was overwhelmed with targets; since Renditions Branch wanted to retain responsibility for KSM, he did not go to the mat on the issue. [redacted] did not consider KSM an al-Qa'ida figure; [redacted] KSM was autonomous and not subordinate to UBL.

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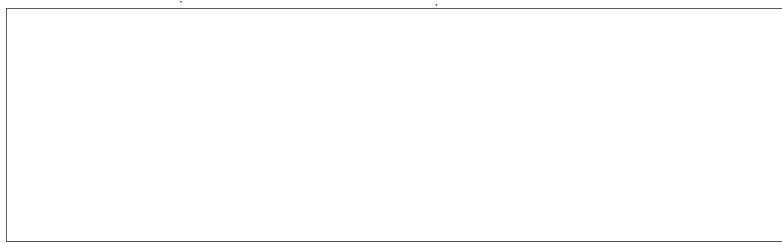
~~(C//NF)~~ The responses of senior CTC managers to the JI's questions about KSM suggested that they either were not aware of or did not understand the impact of the division of responsibilities. [redacted]

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that RB and UBL Station would have worked a target such as KSM together.

(U) In their comments on the draft report, CTC officers defended the fact that responsibility for KSM had been transferred to the Renditions Branch. They argued that US Government policy mandates that law enforcement take the lead in pursuit of an indicted terrorist and that RB was the key focal point of interaction with the FBI. They stress that efforts to capture KSM would not have been more successful had CTC linked him to al-Qa'ida. Finally, they say that assigning the hunt for KSM to RB was a logical way to share the workload within CTC and criticize the OIG report for claiming that an already overworked UBL unit should have been given primacy. The Team does not claim, however, that efforts to capture KSM would have been more successful had his links to al-Qa'ida been established. Nor does the Team argue that primary responsibility for KSM should have been given to a UBL unit. Rather, the Team believes that assigning KSM to RB should not have prevented UBL Station and AIG from focusing on the continuing danger that KSM posed; the nature of the danger that he posed; his growing importance within al-Qa'ida; and the possible implications of his association with UBL.

~~(C//NF)~~ Several CTC interviewees told us that KSM moved slightly off the screen during the period around the Millennium, when it became clear that al-Qa'ida was massing resources for jihad. The shift from awareness of KSM's significance to lack of awareness roughly coincides with the mid-1999 merger of UBL Station and IEB under SEG. Moreover, several of the UBL Station officers who had crafted cables noting KSM's ties to UBL had moved on by mid-1999; this included the former Chief of Station. A loss of institutional memory in the case of KSM may have

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contributed to a failure to retain and continually reinforce an understanding of his significance—and thus to recognize the importance of the cables emphasizing his role in al-Qa'ida in 2000 and 2001.

~~(S//NF)~~ In mid-1999, CTC embarked on its new Plan against Usama Bin Ladin. Part of this plan involved the targeting of UBL lieutenants [redacted]

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[redacted] KSM did not make it to the list of lieutenants until after 9/11, in spite of cables from the field identifying him as a senior aide to UBL.

(U) Lack of Analysis⁴⁶

~~(C//NF)~~ CTC's Assessments and Information Group produced no analysis dealing with KSM. This vacuum of analysis is particularly notable given KSM's high priority as a rendition target; the wealth of information available to AIG

[redacted] field and

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Headquarters reporting on the nature of the threat he posed; his ongoing and extensive travels, often linked by CTC to possible planning for terrorist operations; and reporting

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[redacted] increasingly close ties to al-Qa'ida.

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~~(C)~~ No AIG Branch was given or took responsibility for KSM. Eight of the 10 individuals the Team queried said that no one in the Group was responsible for working on KSM. [redacted]

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analysts who followed the UBL network knew about KSM and knew he was an important player, but that no one analyst focused on him. [redacted]

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[redacted] have focused on KSM. [redacted] said that

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⁴⁶ (U) As a result of a conflict of interest, the Inspector General recused himself from deliberations on the performance of Agency components and individuals relating to this issue. Two successive Deputy Inspectors General did participate in accountability discussions regarding analysis of Khalid Shaykh Muhammad.

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analysts [redacted] were not working on KSM before 9/11, however, because they never thought he was a member of al-Qa'ida. [redacted]

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[redacted] followed KSM because of his possible connections to the Philippines. [redacted] AIG had no analysts designated to follow KSM; [redacted] maintained an interest in KSM because [redacted] he was "a bad guy."

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~~(S//NF)~~ In his response to the OIG draft, [redacted]

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[redacted] emphasized that the argument that KSM played a key role in al-Qa'ida throughout the period prior to 9/11 is false—that, as KSM himself has acknowledged, he was neither a formal member of al-Qa'ida nor a member of its leadership council.

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[redacted] went on to emphasize the extremely poor nature of the reporting on al-Qa'ida's leadership and the fact that KSM did not fit into any of the known categories of that leadership. The Team believes, however, that there was considerable reporting in the years before 9/11 [redacted]

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[redacted] which should have alerted analysts in AIG, [redacted] to the possibility that KSM was working with al-Qa'ida. More important, the Team believes that AIG analysts should have been covering KSM because he had been recognized by CTC as a key terrorist target since the mid-1990s; because he was known to represent a serious potential terrorist threat to the United States; because he was considered by CTC to be operationally active; and because, from the late 1990s on, he was identified as having close links to al-Qa'ida. The Team believes that all of these considerations outweigh the argument that analysis of KSM was not warranted because he was perceived to be neither a formal member of al-Qa'ida nor a member of its leadership council.

~~(C//NF)~~ The Team has found no mention of KSM in any finished intelligence product—Intelligence Report (IR), Presidential Daily Brief (PDB), Senior Executive Intelligence Brief, and Terrorism Review—that AIG did between 1998 and 9/11. The Southeast Asia analyst told the Team that he

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never had enough information on KSM to make the PDB threshold. Although the Joint Inquiry stated that the Southeast Asia analyst was "concerned that KSM might be using Asia as a platform for anti-US terrorist operations and was providing support to local extremist groups, such as the Abu Sayyaf Group," an October 2000 AIG IR that provides a comprehensive assessment of all Islamic terrorist networks operating in Southeast Asia makes no mention of KSM.

~~(C//NF)~~ Finally, most of the CTC officers we queried said that AIG provided little to no support to the Renditions Branch. A few officers said that the Southeast Asia analyst would have been involved in supporting Renditions on KSM. That analyst told the Team, however, that he did not have much contact with Renditions Branch. Similarly, the [redacted] told the Team he could not remember any analysts following KSM prior to 9/11.

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(U) Implications

~~(S//[redacted] NF)~~ CTC's failure to focus on KSM analytically from the mid-1990s through September 2001 limited its ability to put together important pieces of the puzzle in the period leading up to 9/11. Failure to understand the nature of the threat posed by KSM; his continuing operational activity; and the growing evidence of his connections to UBL and al-Qa'ida limited CTC's ability to review the range of possible al-Qa'ida options. One of the values of analysis and of a written analytic record is the creation of connective tissue that protects institutional memory and provides context for new developments. During the period of intense concern in 2001 about a possible attack against US interests by al-Qa'ida, a complementary focus on KSM might have caused CIA analysts to review aspects of the various plots associated with KSM, including his intentions to strike US domestic targets, to use airplanes as weapons, and to use Arabs trained in the United States as pilots. A focus on these particular tactics might have provided a context for assessing the reporting on Moussaoui in August 2001.

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9/11. Had this information been correlated [redacted]

[redacted] understanding of

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KSM/Mukhtar's methods of operating, and concerns about an imminent al-Qa'ida threat, however, it is possible that stronger and more predictive analysis might have resulted.

~~(C//NF)~~ Moreover, CTC's operational focus on disruption in general and on rendition in the case of KSM appears to have limited its ability to gain a better understanding of al-Qa'ida's structure and operations, including the role of KSM. A broader approach that used the full scope of intelligence in CTC files would have helped CIA better understand both KSM's intentions and those of al-Qa'ida.

~~(C//NF)~~ There was a lack of synergy within the Center between operations and analysis on KSM. Failure in each area fed failure in the other. Had the analysts focused on KSM, for example, they would have been in a better position to drive collection. Had the operations officers been more aware of the implications of KSM's travel and operational activity from mid-1999 through the summer of 2001, their cables might have better informed analysis. CTC did not provide an environment that fostered development of either a systematic operational approach to KSM as a target or a coherent analytical effort to understand who he was, with whom he was working, and what he might do.

(U) Accountability

~~(S//NF)~~ The failure to follow up on KSM's significance and to recognize and incorporate incoming

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information that would have shed light on the nature of the danger he posed was individual, collective, and systemic.

~~(S//NF)~~ Despite its focus on Usama Bin Laden and his lieutenants, UBL Station generally overlooked the significance of KSM from mid-1999 through the attacks of 11 September 2001. Failure to focus on KSM's operational significance and his increasing ties to the al-Qa'ida organization in the late 1990s hindered the Station's ability to understand the implications of the reporting in 2000 and 2001 that noted KSM's role in al-Qa'ida. While the Station responded [redacted]

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[redacted] it did not follow up in any other way. Nor did it pick up on the reports of KSM's links to UBL, his alleged travel to the United States, and his identification as Mukhtar in the summer of 2001. Regardless of who had responsibility for KSM operationally, the Team believes UBL Station had a responsibility to review consistently the structure and capabilities of al-Qa'ida.

~~(S//NF)~~ A number of officers had access to these cables and were involved in the cable traffic back and forth. Some of these officers were relatively junior, however, and not in a position to understand the significance of the cables on their own. The Team believes that ultimate responsibility for tracking individuals who might be associated with UBL rested with UBL Station and that responsibility for overseeing the work of the Station belonged to Station management.

~~(S//NF)~~ Up until mid-1999, UBL Station had been doing a good job of keeping track of KSM and noting the threat that he posed in numerous cables—in spite of the fact that Renditions Branch had the lead role with respect to tracking him. After mid-1999, UBL Station did not follow through in the same way and even began to discourage field stations from alerting it to KSM's activities, advising them to deal with RB instead. [redacted]

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[redacted] for failure to provide oversight and guidance to the

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officers in the Station, coordinate effectively with other units, and allocate the workload to ensure that Khalid Shaykh Muhammad was being covered appropriately.

~~(C//NF)~~ The Team also recommends that the Board review the performance of the Chief of CTC from mid-1999 through September 2001 for failure to ensure that CTC units were working together effectively on KSM. The Chief of CTC stated in his interviews that KSM was one of a number of UBL's key lieutenants that CTC was after and that SEG would have been responsible for tracking him—not Renditions Branch. His deputy said that UBL Station and Renditions Branch would have worked on KSM together. Their subordinates in CTC did not have the same understanding of their responsibilities, however. As demonstrated earlier, after mid-1999, officers in UBL Station did not believe or behave as though they had any responsibility to focus on KSM; rather, they deferred to Renditions Branch.

~~(C//NF)~~

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The fact that KSM had been a key rendition target for CTC since the late 1990s; the nature of the threat he posed, particularly to the domestic United States; his continuing and extensive operational activity; and his growing ties to al-Qa'ida—all reflected in field and Headquarters reporting from the mid-1990s through 11 September 2001—should have been reflected in the analytic product [redacted] It was not.

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(U) SYSTEMIC FINDING 1: MEETING THE GLOBAL TERRORIST CHALLENGE

(U) Systemic Finding 1 of the Joint Inquiry (JI) Report states that, "Prior to September 11, the Intelligence Community was neither well organized nor equipped, and did not adequately adapt, to meet the challenge posed by global terrorists focused on targets within the domestic United States. Serious gaps existed between the collection coverage provided by US foreign and US domestic intelligence capabilities. The US foreign intelligence agencies paid inadequate attention to the potential for a domestic attack. The CIA's failure to watchlist suspected terrorists aggressively reflected a lack of emphasis on a process designed to protect the homeland from the terrorist threat. As a result, CIA employees failed to watchlist al-Mihdhar and al-Hazmi. At home, the counterterrorism effort suffered from the lack of an effective domestic intelligence capability. The FBI was unable to identify and monitor effectively the extent of activity by al-Qa'ida and other international terrorist groups operating in the United States. Taken together, these problems greatly exacerbated the nation's vulnerability to an increasingly dangerous and immediate international terrorist threat inside the United States."

(U) This finding serves to sum up many of the JI's overall conclusions. Accordingly, the Office of Inspector General's 9/11 Review Team examines this finding's broad range of issues in the remaining systemic findings as well as in several of the factual findings already addressed.

(U) Accountability

(U) The Team does not address accountability issues for this broad finding but instead addresses accountability matters, where pertinent, with regard to the specific systemic findings that follow.

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(U) SYSTEMIC FINDING 2: A COMPREHENSIVE COUNTERTERRORISM STRATEGY AND THE DCI'S ROLE

(U) Systemic Finding 2 of the Joint Inquiry (JI) report indicates that, "Prior to September 11, 2001, neither the US Government as a whole nor the Intelligence Community had a comprehensive counterterrorism strategy for combating the threat posed by Usama Bin Laden. Furthermore, the Director of Central Intelligence (DCI) was either unwilling or unable to marshal the full range of Intelligence Community resources necessary to combat the growing threat to the United States."

(U) Joint Inquiry Discussion

~~(S//NF)~~ In supporting its charge that the Intelligence Community (IC) lacked a comprehensive counterterrorism strategy prior to 11 September 2001 (9/11), the JI criticizes two broad CIA initiatives:

- The DCI's Declaration of War Against Usama Bin Laden (UBL). The JI points out that the DCI's December 1998 memorandum, which stated that, "We are at war...I want no resources or people spared in this effort either inside the CIA or the Community," had only a limited readership. It notes that important members of the counterterrorism community such as the Assistant Director of the Counterterrorism Division in the Federal Bureau of Investigation (FBI), the Deputy Secretary of Defense, and the Chairman of the Joint Chiefs of Staff (JCS) were unaware of the memorandum. The JI concludes that this lack of awareness suggests the Community was fragmented and operating without a comprehensive strategy.
- The Plan. In his JI testimony, the DCI referred to The Plan—a broad operational effort that the Counterterrorist

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Center (CTC) devised in 1999 and pursued through 9/11—as a “new, comprehensive, operational plan of attack against UBL and al-Qa’ida, inside and outside of Afghanistan.” However, the JI notes that The Plan was largely CIA-driven and consisted primarily of covert action efforts directed at UBL and the development and deployment of the Predator. It asserts that The Plan was inadequate as a strategy because of the absence of a number of important strategic components, including an IC-wide National Intelligence Estimate (NIE) of the threat posed by UBL, a delineation of the resources required to execute The Plan, significant participation by other IC elements and the FBI, a downgrading of other IC priorities, and attention to the threat to and vulnerabilities of the US homeland.

(U) The report observes that the IC’s dispersed nature hampered its effective leadership. It states that the relatively few IC officers who worked on the al-Qa’ida target were geographically separated, often not connected by secure information technology, and operated within established bureaucracies that were not attuned to one another’s requirements. It notes that, in such an environment, leadership was an especially critical factor in achieving success.

(U) In backing its claim that the DCI failed to marshal the full range of IC resources, the JI report states that the inability to realign these resources to combat the threat Bin Ladin posed was in part a direct consequence of the limited authority the DCI enjoys over major portions of the Community. The JI goes on to state that, while the DCI has statutory responsibility spanning the IC, his actual authority is limited to the budgets and personnel of components over which he exercises direct control: the CIA, the Office of the DCI, and the Community Management Staff (CMS).

(U) The JI also alleges, however, that the DCI failed to marshal CIA resources, over which he did have control. The report asserts that, despite the DCI’s call for resource dedication in his December 1998 Declaration of War against Bin Ladin, CTC had insufficient personnel before 9/11,

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which had a negative impact on its ability to detect and monitor al-Qa'ida. The JI report goes on to contend that, while a substantial infusion of personnel into CTC took place following 9/11, no comparable shift of resources occurred after the DCI's Declaration of War; prior to the Millennium crisis; or after the attack on the USS Cole in October 2000.

(U) Assessment of the Finding

(U) The 9/11 Accountability Review Team has differences with respect to some of the interpretations presented in the JI's discussion of this finding. It agrees overall, however, that a number of important strategic elements were missing from the Intelligence Community's approach to the threat posed by UBL. The Team also agrees that the DCI failed to marshal the full range of either IC or CIA resources in his effort to combat the growing threat to the United States.

(U) An Incomplete Approach

(U) The Team concurs that the IC's approach to al-Qa'ida prior to 9/11 was not as comprehensive as it should have been.⁴⁷ The Team agrees that both the DCI's December 1998 memorandum stating, "We are at war with Usama Bin Laden," and The Plan were focused primarily on operations and collection and lacked many of the elements one would expect in an all-inclusive strategy against al-Qa'ida. Furthermore, the Team believes that the limited distribution of the DCI's Declaration of War memorandum, both within CIA and across the IC, as well as the lack of a

⁴⁷ (U) The JI's charge regarding the absence of a US Government strategy on counterterrorism is outside the scope of the Team's efforts. In his reviewing comments on the draft report, the former DCI emphasized his belief that an accurate account of the IC's strategy cannot be presented without describing his interactions with Presidents Clinton and Bush, other policymakers and heads of IC agencies, and the National Security Council. The 9/11 Team notes that the former DCI is not judged for failure to interact with these individuals, which he did frequently. Rather, the Team discusses his responsibility, as DCI, for certain deficiencies found in the IC's approach, as described in this section.

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formal, written document articulating The Plan, are further evidence that these two initiatives, if intended as strategies to drive the IC's war against al-Qa'ida, were inadequate.

~~(S)~~ **The Declaration of War.**⁴⁸ The DCI's memorandum of December 1998 listed seven specific operational actions that the DCI wanted addressees to pursue with respect to the al-Qa'ida target:

- Engagement of liaison services.
- Provision of timely and accurate information to the military for targeting purposes.
- [Redacted]
- [Redacted]
- Engagement of the collection community to ensure it was meeting CTC's requirements (including holding meetings, to be chaired by the Assistant DCI for Collection (ADCI/C), with the National Security Agency (NSA), the National Imagery and Mapping Agency (NIMA), and officers from other IC agencies).
- Pursuit of conventional and special collection methods to attack UBL.
- [Redacted]

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⁴⁸ (U) A copy of this memorandum is found at the end of this section in Appendix S2-A. The Team devoted special attention to this memorandum because it figured prominently in the JI report to support the charge that the IC lacked a comprehensive counterterrorism strategy.

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~~(S)~~ The memorandum appears in large measure to have been an expression of the DCI's growing concern about the al-Qa'ida threat, his frustration with the limitations of the Agency's covert action programs directed at al-Qa'ida, and his desire to reinvigorate those programs.⁵⁰ Two senior CIA officers close to the DCI told the Team they interpreted the memorandum in this light. Indeed, a number of the memorandum's initiatives were not new:

- The Directorate of Operations (DO) already was employing a broad range of human and technical collection approaches to ascertain UBL's location and other critical information for targeting purposes.
- The ADCI/C told the Team that he was actively engaging the collection community to meet CTC requirements.⁵¹
- SOCOM had already been involved in evaluating CIA's operations.

~~(S/ [] NF)~~ In the memorandum, however, the DCI did call for two new actions that had the potential to create a broader, more inclusive Community approach to attacking the UBL target:

- The first was a tasking for the Deputy Director of Central Intelligence (DDCI) to "chair [a] group to coordinate the actions proposed above and any other actions which may

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⁵⁰ (U) The Team addresses the Agency's covert action programs with respect to al-Qa'ida and UBL in discussion of Systemic Finding 13.

⁵¹ ~~(TS/ [] NF)~~ According to a January 2004 memorandum summarizing IC Collection against al-Qa'ida that was written by the ADCI/C and submitted by the former DCI in his response to the draft report, collectors began focusing on UBL and his organization in the mid-1990s but intensified their efforts and became more sharply focused after the East Africa embassy bombings in August 1998 and in response to the former DCI's urgings. These efforts included frequent meetings of the National Intelligence Collection Board (NICB), which consisted of the most senior collection managers in the Community, to develop comprehensive strategies to support, in particular, CTC's human operations against al-Qa'ida. In addition, the ADCI/C chaired a collection cell that met daily and included officers from CIA, NSA, DIA, and NIMA. The cell focused on tracking al-Qa'ida leaders and their facilities and on integrating collection and operations.

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be possible." Although the then-DDCI told the Team that he did not recall what he had done in response to this tasking, the Team found evidence that he did chair at least one IC-wide meeting. Meetings with more limited participation and chaired by the CIA's Executive Director soon replaced this forum, however.⁵² Discussions at these meetings were largely operational in nature, and did not include important elements that might have made them more comprehensive.⁵³ For example, the absence of representatives from the offices responsible for analysis, finances, and personnel resources, as well as from the broader Intelligence Community, meant these meetings could not benefit from their perspectives or be informed by analytic or resource considerations. The 9/11 Team was unable to establish whether the DCI was aware of the nature of these meetings, but it found no evidence that he did anything to follow up on this tasking.⁵⁴

- The second was a tasking to develop an "integrated plan which captures these elements and others which may be appropriate." It is unclear whether the operational plan that became known as The Plan emerged out of this Call-to-War tasking. On the one hand, the DCI told the Joint Inquiry Committee that The Plan resulted from his request in "early 1999" for a baseline review of CIA's operational strategy against Bin Laden. On the other hand, a CIA response to a Question for the Record following the DCI's testimony stated that this request stemmed from the Declaration of War. However, precursors of The Plan date to November 1998—a month before the Declaration of War—when the then [redacted]

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⁵² (U) Attendance at these meetings was limited to the Chief and Deputy Chief of CTC, the ADCI/MS and ADCI/C, the DCI's Counselor, and the DDO or ADDO.

⁵³ (U) The Team requested, but did not receive, copies of minutes of these meetings; the Team was unable to determine whether minutes for these meetings were recorded. The Team relies on its interview with the former Executive Director for this information.

⁵⁴ (U) At the same time, the DCI was reportedly chairing meetings with the heads of IC agencies every two weeks and, while counterterrorism was discussed, it was certainly not the sole focus of these meetings. According to [redacted] "nobody dropped everything for terrorism; other serious issues abounded. Terrorism was a priority to be sure, but still relative to other concerns."

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[redacted] recommended them in a cable. Regardless, as is evident below, The Plan did not provide a comprehensive framework for a Community approach against al-Qa'ida.

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Neither of these actions was fully realized, however.

~~(S//NF)~~ The Team found that the CIA and the rest of the IC had limited awareness of the DCI memorandum. The memorandum was addressed to the DDCI, the DDCI/Community Management, the ADCI/Military Support, CIA's Executive Director, Deputy Director for Operations (DDO), and Deputy Director for Intelligence (DDI), with a copy to the DCI's Counselor. Notably absent were key IC leaders, such as the Directors of NSA, the Defense Intelligence Agency (DIA), the National Imagery and Mapping Agency (NIMA), and the FBI.⁵⁵ Also missing were several senior Agency leaders—the Deputy Director for Science and Technology, the Deputy Director for Administration, the Comptroller, the Director of Congressional Affairs, and the General Counsel—who were playing important roles in the effort against UBL. Similarly, the memorandum was not released to the Executive Board or the Resource Board, which were responsible for evaluating and executing Agency plans.⁵⁶

⁵⁵ ~~(S)~~ [redacted] stated in [redacted] interview with the Team that [redacted] sent copies of the DCI's memorandum to the heads of IC agencies after extracting the covert action portion of it. The Team has not been able to locate copies. Other information indicates that the DCI and other senior CIA managers used the statement, "We are at war with Usama Bin Laden," in a variety of briefings to leaders within the Agency, Community, and military, but not until nine months after the memorandum was written.

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⁵⁶ ~~(S)~~ In his reviewing comments on the draft report, the former DCI takes exception to the Team's claim that the Call to War memorandum was not "properly communicated." He asserts that The Plan had captured key elements of the memorandum and had been fully briefed to the following: the FBI [redacted] in September 1999; the National Security Council (NSC) on 29 September 1999; Richard Clarke on 15 November 1999; National Security Advisor Berger (the executive summary) on 30 November 1999; the NSC Small Group on 2 and 3 December 1999; Lieutenant General Kennedy on 4 January 2000; Army Vice Chief of Staff Keane on 31 January 2000; General Taylor, State Department Counterterrorism Coordinator, on 1 July 2000; and former Secretary of State Kissinger, former DCIs Helms and Woolsey, and selected members of Congress in July 2001. The Team points out that these briefings occurred between nine and 30 months following the issuance of the memorandum and, even then, did not include all key Community players, such as NSA.

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(S) Nor were the contents of the memorandum communicated down the CIA chain of command. Numerous officers at all levels claimed never to have heard of the memorandum or not to have had much familiarity with it.

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In short, neither the DCI nor his staff disseminated his memorandum as broadly as would have been required for it to have had real impact in forging a comprehensive IC or CIA approach to the battle against al-Qa'ida.

(C//NF) In addition [redacted] suggested that the memorandum had little practical effect because they were already doing everything they could, considering the resource constraints. The latter remarked that the money and officers that were going to CTC were being taken out of the Agency's hide and that the result was that the area divisions—which he referred to as the "lifeblood of CTC"—were weakened. With the Agency getting fewer resources, he told the Team, it actually wound up with less money to fight terrorism. Finally, some senior managers viewed the memorandum as little more than an emphatic statement. A senior manager close to the DCI said it was characteristic of the DCI's dramatic style and speculated that the memorandum probably was interpreted in this context. This manager said the fact that there was no infusion of resources into CTC showed that people had not taken the memorandum seriously. [redacted]

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[redacted] the memorandum was important in that it showed the DCI understood the issue, but added that it "didn't mean a hill of beans" outside CIA. [redacted]

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[redacted] "it was what a coach would say to his team when he wanted the team to do the best it could with what it had." [redacted] told the Team that he thought the memorandum had been

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overblown by the Joint Inquiry; he said that the DCI would frequently cogitate about something over the weekend, then come in and issue a memorandum.

~~(TS//NF)~~ **The Plan.** In the summer of 1999, the operational plan of attack against al-Qa'ida that would become known as The Plan began to emerge. Elements of The Plan were outlined in a 25 August 1999 cable from UBL Station to the field bearing the subject line, "Usama bin Ladin—The Way Ahead," in which the then-Chief of UBL Station sought to begin a dialogue between the field and Headquarters on possible new approaches to capturing Bin Ladin and disrupting his operations. [redacted]

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[redacted] outlined strategies for targeting
Bin Ladin's lieutenants [redacted]

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⁵⁷ (U) The station established in January 1996 to target UBL was initially called TFL because of Bin Ladin's known status as a terrorist financier. It was later renamed UBL Station.

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~~(S)~~ In addition to the absence of significant focus on or participation by other IC agencies, the JI alleges—and the 9/11 Team agrees—that The Plan did not incorporate other elements that might have made it a more comprehensive strategy, including:

- A delineation of the resources that would be required to execute it. A review of The Plan shows that it raised the need for additional resources but did not elaborate. The Team discusses resources later in this section and in its treatment of Systemic Finding 3.
- A call for the downgrading of other IC priorities to balance the counterterrorism initiatives.⁵⁸
- An NIE or similar IC-wide estimative product on terrorism.
- Any attention to the threat to and vulnerabilities of the US homeland. The Team addresses this issue in Factual Finding 3.

~~(S//NF)~~ No Action to Downgrade Other Priorities.
The intelligence priorities in place on 11 September 2001 were based on Presidential Decision Directive (PDD)-35, signed by President Clinton on 2 March 1995.

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⁵⁸ ~~(S)~~ While acknowledging that this is indeed true, the Team notes that neither a reprioritization of targets nor an NIE would logically have been part of an operational plan, nor would it have been necessary to downgrade other priorities in order to execute The Plan.

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~~(S//NF)~~ The Intelligence Community's approach to priorities in the years following PDD-35 was to add issues to the various tiers, but not to remove any. Nor was there any significant effort to connect intelligence priorities to resource issues—providing increases to some while decreasing resources provided to lower priority issues. The 9/11 Team believes that a formal reprioritization of intelligence priorities in the years leading up to 9/11 might have provided important context for resource decisions relating to counterterrorism. A number of senior leaders, including the DCI, have stated that the IC had to deal with major challenges that competed for available resources.⁶² Indeed, as a Tier 1B issue, terrorism remained at the same level—at least in the formal prioritization—[redacted]

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~~(S)~~ In his reviewing comments on the draft report, the former DCI stated that, while he could issue guidance within the constraints of the overall policy, he could not ignore a Presidential directive, and the previous Administration showed no inclination to revisit PDD-35.

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[redacted] the DCI did affect such a reprioritization while still working within the parameters of PDD-35.

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[redacted] he issued to the deputy directors and mission support office chiefs a memorandum establishing counterterrorism as one of the Agency's three top priorities. At the same time, he identified

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other issues for which the level of effort would remain the same, be temporarily reduced, or be minimized.⁶³

(C) The Absence of a National Intelligence

Estimate. The 9/11 Team believes that the absence of an estimative product on the threat posed by al-Qa'ida and UBL in the four years leading up to 9/11 was a strategic error. As explained in Factual Finding 3 and Systemic Finding 5, the NIC had not produced an NIE on the terrorism threat to the United States since 1995, with an update in 1997; it had never done a paper of any kind devoted to the overall threat posed by al-Qa'ida.⁶⁴

~~(TS//NF)~~ The 9/11 Team believes that the former DCI bears some responsibility for the failure of the NIC to produce timely estimative work on terrorism. On the one hand, the DCI had indicated that he wanted the NIC to play an expanded role in galvanizing the Community. In a June 1998 memorandum to the then-NIC Chairman, he stated that the NIC had a major role to play in achieving "better integration, collaboration, and synergy across Intelligence Community." But he never called upon the NIC to produce an estimate on al-Qa'ida or terrorism generally in the four

⁶³ (U) The former DCI also commented that the Team's report makes the assumption that, "without a Presidential Directive being issued, senior policymakers and the leaders of the Intelligence Community were ignorant that countering terrorism was a key priority." The 9/11 Team points out that—whatever the case—the policymakers' focus on counterterrorism did not result in any realignment of resources from lesser priority areas to counterterrorism-related areas.

⁶⁴ (U) The 9/11 Team believes that the absence of such an estimate may have been, in part, an unintended consequence of the decision made in 1989 to place Community responsibility for counterterrorism warning in CTC, while leaving the responsibility for producing counterterrorism NIEs with the NIC. The record suggests, however, that the NIC did not pursue this task aggressively. [redacted] attributed the 1989

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decision to the fact that the NIO and CTC had been competing voices. He argued that the move had been poorly executed, however, and that the need to create the Terrorist Threat Integration Center after 9/11 constituted an admission that CTC had not become the Community player originally envisioned. [redacted]

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said there had been concern at the time of the transfer of responsibility that CTC would focus on the tactical aspects of the account and would neglect the longer-term, strategic view. He said that other agencies also had worried that CTC would not have the objectivity of the NIC. [redacted] told the Team that the transfer of Community responsibility to CTC had never worked, but that he could recall no discussion of revisiting the decision—nor did the Team find any evidence of such a discussion.

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years leading up to 9/11. In his reviewing comments on the draft report, the former DCI stated that it would have been helpful to have produced a comprehensive estimate on al-Qa'ida as background for the incoming Bush Administration in late 2000-early 2001. The former DCI concluded, however, that an NIE might not have resulted in strategic actions to minimize the threat, given the "previous experience with the estimates in the mid 1990s and the limited time available to the new Administration before September 11." The Team believes that the failure of the Community to produce an estimate deprived the IC and policymakers of the broader strategic look at UBL and al-Qa'ida that might have provided the background for assessing the specific threat warnings of the spring and summer of 2001.

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~~(TS)~~ In sum, the 9/11 Team agrees with the JI that the DCI's Declaration of War memorandum and The Plan were limited and that certain important elements—such as significant participation by IC agencies, the production of a national estimate, a formal reprioritization of intelligence targets, and a delineation of resources to implement these initiatives—were lacking in the years leading up to 9/11. The 9/11 Team further notes that a number of senior CIA leaders themselves acknowledged in interviews that a comprehensive IC strategy was lacking prior to 9/11. For example, [redacted] told us there was no comprehensive strategy before 9/11 and that, while the IC was in better shape today because it was devoting more personnel and resources to the counterterrorism issue, and while real national awareness now existed, the IC still had no comprehensive strategy. In addition, [redacted] discussions took place about developing a coherent and focused plan, but until the galvanizing event of 9/11, it was difficult to capture on one page a comprehensive plan on al-Qa'ida. He called this, "a problem for the Intelligence Community that needs to be addressed." [redacted] also observed in his interview with the Team that no IC-wide operational plan existed before 9/11.

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(S) (NF) With his reviewing comments on the draft report, the former DCI submitted documentation stating that a meaningful strategy could not be developed to deal with any threats—either existing ones or newly emerging ones—unless CIA and the Community as a whole were rebuilt and given a new direction. He offered, as evidence of his involvement in this strategic rebuilding activity, a number of strategic plans that were developed between 1999 and 2001, including, among others, the March 1999 DCI Strategic Intent for the US Intelligence Community and the September 2001 Findings of the 2001 Quadrennial Intelligence Community Review. The 9/11 Team does not disagree that rebuilding of the CIA and the Community was a necessary undertaking, or that the plans cited by the former DCI were legitimate steps toward accomplishing that task. The Team points out, however, that none of these plans was intended to be or constituted a strategy for a war against terrorism in general or against al-Qa'ida in particular:

- The DCI Strategic Intent for the US Intelligence Community, for example, outlined five broad objectives whose aim was to unify the Community through collaborative processes; invest in people and knowledge; develop new sources and methods for collection and analysis; adapt security to the new threat environment; and improve corporate management of resources. While it mentioned, as background, that terrorism was a growing threat and that the Community should “give serious attention” to it, its principal focus was the “business of intelligence,” infrastructure, and work force issues.

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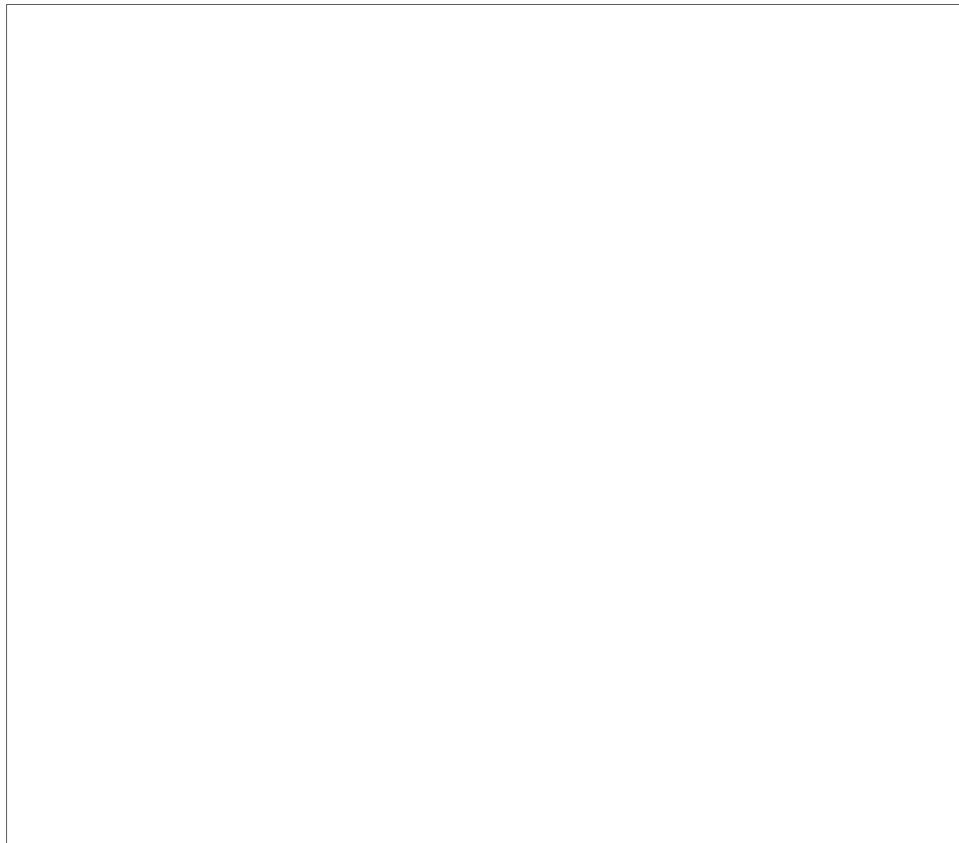
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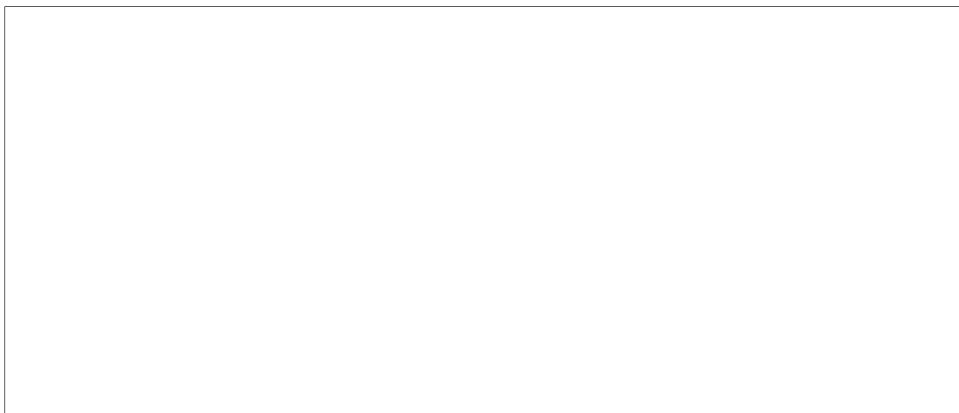
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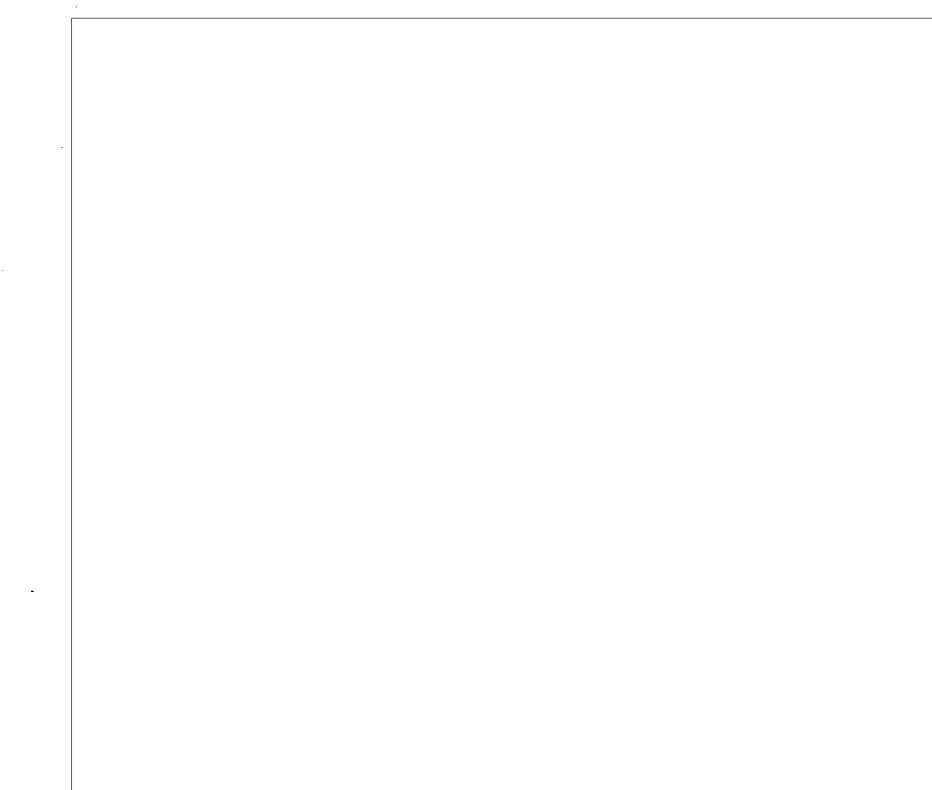
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**(U) Inadequate IC Leadership**

~~(C//NF)~~ While the 9/11 Team concurs with the JI regarding the above deficiencies of the DCI's Declaration of War memorandum and The Plan, it believes that there were more blatant indicators of the inadequacy of the IC's strategy, and that these indicators are found throughout the pages of this report—in the sections describing strained relations between CIA and other agencies;⁶⁶ the problems with information sharing and collaboration across agencies;⁶⁷ the deficient focus on strategic and alternative analysis in the products provided to policymakers;⁶⁸ the inadequate domestic focus;⁶⁹ and the ineffectual redirection of resources dedicated to this target across the Community.⁷⁰ These shortcomings cause the Team to conclude that the IC did not

⁶⁶ (U) See Systemic Findings 4 and 7.⁶⁷ (U) See Systemic Findings 9 and 10.⁶⁸ (U) See Systemic Finding 5.⁶⁹ (U) See Factual Finding 3.⁷⁰ (U) See discussion in this Finding as well as in Systemic Finding 3.~~TOP SECRET~~~~HCS/SI//ORCON, NOFORN//MR~~

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address counterterrorism in general and the al-Qa'ida target in particular as collaboratively or comprehensively as was warranted by the nature of the threat described by the DCI. The DCI clearly considered counterterrorism a top priority. He was more deeply engaged in pursuing the operational and warning aspects of the war on terrorism, however, than in utilizing every mechanism available to him, as DCI, to direct needed resources from lesser priority programs to the counterterrorism effort.

~~(C//NF)~~ **The DCI's Engagement.** During the years prior to 9/11, the DCI was personally engaged in following CIA's prosecution of the war against UBL. The 9/11 Team does not dispute that his efforts resulted in actions that likely saved lives. Beginning as early as summer 1999, he was receiving regular updates once or twice a day on efforts to track and disrupt UBL. [REDACTED] the only rival for CIA executive-level attention was Kosovo, but daily meetings did not occur for that issue. Clearly, the DCI's actions demonstrate his tireless, personal effort to warn and inform.

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~~(TS/ [REDACTED] NF)~~ The DCI was deeply and personally active in sounding the alarm about the threat posed by UBL on numerous occasions to many different audiences at the policy level:⁷¹

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- During the Millennium threat in late 1999, the DCI warned the President to expect "between 5 to 15 terrorist attacks against American interests both here and overseas."
- Beginning in 1999, in his annual testimony to the Congressional committees on the worldwide threat, the

⁷¹ (U) The 9/11 Team intends the following to be an illustrative, not an exhaustive, list of activities undertaken by the DCI.

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DCI repeatedly highlighted UBL as a dominant threat to the United States.⁷²

- In December 1998 and May 1999, the DCI sent to members of the policy community a series of urgent letters that provided warnings on the UBL threat and indications of potential attack. Recipients of these memoranda at one time or another included the President, Vice President, Secretary of State, Secretary of Defense, the Chairman of the Joint Chiefs of Staff, the White House Chief of Staff, the National Security Advisor, and the National Counterterrorism Coordinator. Additionally, in early 1999, the DCI sent similar updates to various individuals at the National Security Council, the Departments of State, Justice, and Transportation; the Defense Intelligence Agency; FBI; NSA; the Federal Aviation Administration; and the military.
- The DCI interacted personally with foreign liaison partners in attempts to secure their assistance in tracking Bin Laden. Following the bombings of the East African embassies, for example, he sent personal letters to a number of foreign liaison officials requesting their help in gaining information on Bin Laden and his possible connection to the bombings. In July 2001, he phoned 13 foreign liaison counterparts to urge them to redouble their efforts against al-Qa'ida. As the former DCI points out in his reviewing comments on the draft report, his nurturing of relationships with liaison services around the world was an important factor in securing their cooperation during the Millennium period when the

⁷² ~~(TS/~~ ~~NF)~~ In his 1999 briefing, for example, he stated that, "First, there is not the slightest doubt that Usama bin Ladin, his worldwide allies, and his sympathizers are planning further attacks against us;...he will strike wherever in the world he thinks we are vulnerable." In his 2000 testimony, he stated that, "Islamic terrorist groups account for many—but certainly not all—of the threats... Foremost among them is Usama bin Ladin, who remains determined to strike further blows against America ... we believe he could still strike without additional warning." In 2001, he stated that, "Usama bin Ladin and his associates remain the most immediate and serious threat."

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largest disruption operations up to that point were launched.

- The DCI made personal visits to policymakers to highlight the seriousness and imminence of the threat in the months leading up to 9/11. Numerous officials described him as running around town "pounding on desks" during the spring and summer of 2001.

~~(S)~~ **Community Leadership Authorities.** The Team recognizes the difficulties inherent in the task of harnessing the Intelligence Community into commitment to, and execution of, a shared strategy. The JI Report suggests, and we agree, that the structure of the IC made leadership of it problematic for a number of reasons. Community stovepipes, for instance, inhibited greater collaboration on terrorism. In addition, the Department of Defense controlled the vast majority of the IC budget. Indeed, numerous officers suggested in interviews that the best a DCI can hope to do is, as one put it, "cajole cooperation" through "moral-suasion."

~~(S//NF)~~ Nonetheless, several authorities provided the DCI with a platform to move forward with an Intelligence Community strategy:

- The National Security Act of 1947 authorized the DCI to serve as head of the Intelligence Community by, among other things, establishing the requirements and priorities to govern the collection of national intelligence by elements of the Intelligence Community; approving collection requirements, determining collection priorities and resolving conflicts in collection priorities levied on national collection assets; and promoting and evaluating the utility of national intelligence to consumers within the Government.
- Presidential Decision Directive (PDD)-39, issued in June 1995, authorized the DCI to lead the efforts of the IC to reduce US vulnerabilities to international terrorism.

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- PDD-62 of May 1998 specified that CIA was the lead agency for preemption and disruption of foreign terrorists abroad and directed CIA to develop and coordinate for interagency approval disruption program plans and specific actions.

Furthermore, the Community's periodic review of priorities provided the DCI with a mechanism to formally reprioritize intelligence targets to reflect the heightened threat of counterterrorism relative to other targets.

~~(C//NF)~~ In addressing the al-Qa'ida target, the DCI did not exploit these authorities as fully as he might have to bring the Community together in the war against UBL.⁷³ For example:

- The Team found no evidence that the DCI intervened to broaden the scope of or attendance at the meetings he had called for in the Call-to-War memorandum so that they might include representation both from all relevant IC agencies and from analytic, financial, and human resource entities within CIA. The Team believes that the absence of an analytic focus and the lack of utilization of resource mechanisms in this IC strategy were significant omissions.
- As is discussed elsewhere in this report, serious tensions existed between CIA and NSA; resolving them would

⁷³ (U) The DDCI/CM also did not play a prominent role in facilitating the development of an IC strategy against al-Qa'ida and UBL. The 9/11 Team notes, however, that, according to DCID 1/1, her principal responsibility was to execute the responsibilities of the DCI that related to: providing and promoting services of common concern; promoting common administrative practices; collection; and development of an annual budget. The DDCI/CM and her Staff would not normally have been involved in developing Community-wide strategies against specific targets.

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have required forceful intervention on the part of the DCI.⁷⁴

~~(S//NF)~~ Finally, the DCI did not ensure that CTC was fulfilling its role as strategic coordinator of the Community's counterterrorism efforts as effectively as it should. The DCI had the authority to vest CTC with this role,⁷⁵ and CTC's stated mission included—in addition to implementing a comprehensive operations program and exploiting all-source intelligence to produce in-depth analysis—coordination of the IC's counterterrorism activities. Center managers did not emphasize the latter function, however. In reviewing the Center's briefing notes and memoranda as well as interview data, the Team found that CTC's focus was heavily operational.⁷⁶

~~(C)~~ In his response to Congressional questions for the record following his 17 October 2002 testimony, the DCI explained that, when CTC was established in 1986, the intention was to give it a Community reach. This was to be accomplished by incorporating representatives from as many of the relevant agencies as possible into the Center's structure to provide connectivity, encourage sharing and communication, and assist in breaking down cultural barriers to cooperation and collaboration. The DCI stated in his testimony, however, that positions identified and

⁷⁴ ~~(S//NF)~~ See the Team's treatment of Systemic Findings 4, 7, and 9. In his reviewing comments on the draft report, the former DCI stated that, while the report implies he should have "commanded a result," that was not the way he worked with [the Director of NSA] on any issue and that, in the case of [redacted] he was not empowered to do so. He further stated that the President ultimately clarified the matter, as was required. The 9/11 Team does not argue that the DCI should have "commanded a result." Rather, it argues that the DCI had a responsibility to take serious interagency differences to the level necessary for their resolution. The President did not clarify the matter until after 9/11.

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⁷⁵ (U) Per the National Security Act of 1947, Section 303; 50 USC 405; and Executive Order 12333, §1.5(j), "[The DCI shall] establish appropriate staffs, committees, or other advisory groups to assist in the execution of the Director's responsibilities."

⁷⁶ (U) For a full discussion of CTC's operational focus see Systemic Findings 11 and 15. For a discussion of CTC's analytic efforts, see the Team's treatment of Systemic Finding 5.

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reserved for DIA, NSA, FBI, and State/INR in the Center's Community Counterterrorism Board (CCB)⁷⁷ were not always filled; indeed, according to his testimony, the Center had to reach out to other organizations [redacted]

[redacted] to fill them.

In spite of CTC's charter and the role he had expected it to play, the DCI did not act to alter either the way CTC was fulfilling its Community role or the way the Community was fulfilling its obligation to CTC.

~~(C//NF)~~ In his reviewing comments on the draft report, the former DCI quoted the August 2001 OIG Inspection Report on CTC, which stated, "CTC fulfills inter-Agency responsibilities for the DCI by coordinating national intelligence, providing warning, and promoting the effective use of Intelligence Community resources on terrorism issues." The 9/11 Team notes that the report's language accurately describes the mission of CTC and also notes that the 2001 inspection report praised the CCB for its coordination role in facilitating terrorist threat warnings. At the time of 9/11, however, four of the five warning slots on the CCB's Terrorism Working Group (TWG)—the group that produced these warnings—were vacant; only the unit chief and one warning officer were in place.

~~(C//NF)~~ Moreover, the detailing of representatives from outside agencies to CTC did not ensure that these representatives were in fact fulfilling a Community coordination role. As is discussed fully in the Team's treatment of Systemic Finding 9, CTC's detailee program was neither well defined nor effectively managed. Indeed, some senior managers told the Team that they believed CTC was not fully executing its Community coordination role. One [redacted] said that the high-water mark of the CCB process was recorded before 1997 [redacted]

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⁷⁷ ~~(C//NF)~~ The Community Counterterrorism Board (CCB) was the Community management component of the DCI Counterterrorist Center; it served as the Executive Secretariat for the Interagency Intelligence Committee on Terrorism (IICT). Its functions included management of the Counterterrorism Community Terrorist Threat Warning System and coordination of interagency terrorist threat alerts, advisories, and assessments. The Chairman of CCB also served as Chairman of the IICT.

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[redacted] successors took the CCB's IC responsibility seriously. In addition, [redacted] indicated that, after the position of NIO for Counterterrorism was abolished in 1989, no entity assumed responsibility for a comprehensive IC strategy on counterterrorism.⁷⁸

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~~(C)~~ DCI's Efforts to Marshal Resources

~~(C//NF)~~ A key component of the DCI's lack of broad strategic leadership concerns the marshalling of resources against the counterterrorism effort. The Team found that the DCI's efforts helped secure additional funding for the Agency from the Congress, but his efforts to redirect resources, both at the Agency level and in the IC in general, were ineffectual.

~~(S)~~ **Agency Resources.** From Fiscal Year (FY) 1999 to FY 2001, no significant internal CIA resources were redirected to CTC, nor were CTC base funds protected from corporate and DO adjustments.⁷⁹ Based on interview data and a review of the Agency's financial and personnel resources during FY 1999-2001, the Team did not find evidence that the DCI had redirected any significant amount of resources at an Agency level in response to his Declaration of War, the Millennium crisis, or the attack

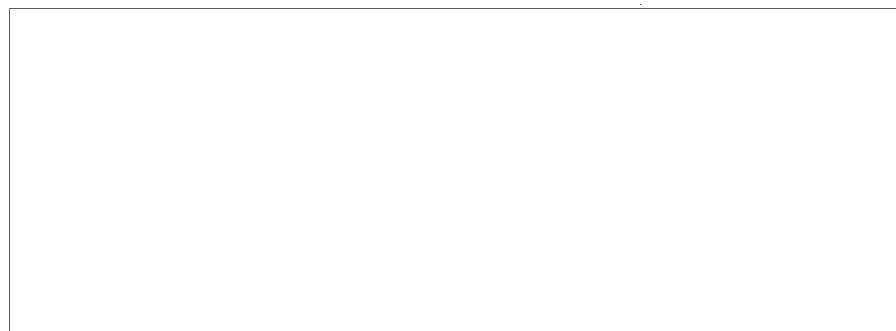
⁷⁸ ~~(S//NF)~~ In his reviewing comments on the draft report, the former DCI indicates his belief that, "The report appears to presume that I was the only official in our government who was responsible for designing a strategy for operating against al-Qa'ida" and that, as such, the report "fails to provide important context and understanding of what we were attempting to accomplish." The subject of a broader US government strategy vis-à-vis terrorism was outside the scope of this report. For information regarding national counterterrorism strategy, the reader is directed to The Report of the National Commission on Terrorism of March 2000 on "Countering the Changing Threat of International Terrorism," chaired by Ambassador Paul Bremer; the reports of the Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction, commissioned in 1999 and known as the Gilmore Commission; and the Hart-Rudman Commission, also established in 1999, to look at broad issues of national security including terrorism.

⁷⁹ (U) In its assessment of the DCI's efforts to marshal resources against a growing counterterrorism threat, the JI focuses on events beginning with the DCI's Declaration of War against UBL in the first quarter of FY 1999. Accordingly, the Team has focused on this timeframe in its assessment of this finding. For a more complete discussion of the Agency's management of counterterrorism resources, see Systemic Finding 3, which also includes a detailed discussion of the impact of the DCI's Declaration of War on counterterrorism resources.

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against the USS Cole.⁸⁰ Moreover, the Team determined that, during FY 1999-2001, Agency officials redirected \$13.3 million of CTC base funds *from* the Center to cover corporate and DO adjustments; some of these funds went to programs that were not related to counterterrorism, according to the Agency's official accounting system.

~~(S)~~ The Team had difficulty assessing the sufficiency of personnel working in CTC and UBL Station.⁸¹ While the numbers did increase, several officials told us that the increase was not sufficient to cover an overwhelming workload:

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(U) **Intelligence Community Resources.** While the DCI did not have control of major portions of the IC budget, he did have certain legally sanctioned authorities to transfer money and personnel between IC agencies. This allowed him to augment the agencies' budgets and personnel for high-priority targets such as al-Qa'ida. The DCI had this option available to him prior to 9/11, and he could have utilized it to address the resource limitations that several

⁸⁰ (U) In their comments on the OIG draft, [redacted] commented that the then-DCI did "declare war" but did not give the DO any additional funds to fight that war.

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⁸¹ ~~(C)~~ The former DCI contends in his reviewing comments that the report accuses him of "not marshalling sufficient resources for counterterrorism." The 9/11 Team points out that the report addresses the matter of sufficiency only as it relates to personnel, not funding, and only in the context of addressing the JI's charge that CTC had insufficient personnel prior to 9/11. The Team notes that, prior to 9/11, the former DCI himself complained about the shortage of counterterrorism funds; the record shows, as described in this section however, that he did not use every available means at his disposal to alleviate this shortage.

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senior Agency officials—including the DCI himself—said hampered efforts against UBL and al-Qa'ida.⁸²

(U) Statute provides the DCI with the authority to transfer resources from other agencies to perform specified functions:

- Section 104(d) of the National Security Act of 1947 authorizes the DCI as Head of the IC to move funds and personnel within the National Foreign Intelligence Program (NFIP). Section 104(d) has conditions, however, that govern its application. It provides that any movement of funds within the NFIP be based on higher priority needs and unforeseen requirements. In addition, the head of the affected department must agree to the transfer. Finally, the Director of the Office of Management and Budget (OMB) must approve the transfer, and the agency must notify Congress.
- Section 5 of the CIA Act authorizes the DCI to transfer funds into and out of the Agency to perform CIA functions. The DCI uses Section 5 authority primarily to direct appropriations from the Department of Defense to the Agency or to execute other transfers of funds to the Agency as directed by the Administration. As with Section 104(d), Section 5 requires OMB approval; although Section 5 does not require Congressional

⁸² ~~(C)~~ In testimony following 9/11, the then-DCI described to the JI his inability, before September 11, to generate [the] necessary support within the Executive Branch: He stated that, “[I would ask every] year in [the] budget submission... I’m not talking about the Committee. I’m talking about the front end at OMB and the hurdle you have to get through to fully fund what we thought we needed to do the job. Senator Kyl once asked me ‘How much money are you short?’ ‘I’m short \$900 million to \$1 billion every year for the next five years’ is what I answered.” The Team has been unable to locate supporting documentation for the budget figures included in the DCI’s testimony. The Team asked several officials—both current and former—[redacted]. One [redacted] stated that he recalled the DCI’s testimony, but knew of no specific spreadsheet or budget option that the DCI would have had in mind when he said he could use an additional \$900 million to a billion per year. [redacted] presumed that the DCI was probably thinking of the attempts made in the fall of 1998, 1999, 2000, and spring 2001, when he requested that the Administration increase the NFIP topline [redacted]
[redacted]

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notification, such notification occurs by custom and practice.⁸³

(S) From FY 1996 to FY 2001, the DCI exercised his authority to transfer funds from one IC agency to another several times, but none of these funds were designated for programs targeting UBL or al-Qa'ida. During this timeframe, [redacted]

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[redacted] six transfers that were executed under Section 5 and Section 104(d) authority, [redacted]

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[redacted] Of these transfers, only one [redacted]

[redacted] was

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for a program designated as counterterrorism-related, but these funds were for a part of the [redacted] program. The remaining funds were designated for programs or efforts that were not counterterrorism-related. [redacted]

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(C) [redacted] the DCI also did not transfer any personnel from one IC agency to another from Fiscal Year 1996 to 2001, even though he had the authority to do this under Section 104(d). For example, he might have [redacted]

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⁸³ (U) In his comments on the OIG draft, the former DCI stated that as a practical matter, he could never count on approval of transfers in the year of execution in a timely manner. They required the concurrence of Agency directors, the Director of OMB, the Secretary of Defense, and six committees of Congress. It took months of effort to secure transfers. In his view, "year of execution transfers were never a way of meeting pressing requirements in a timely manner."

[redacted] Section 5 authority requires OMB approval;

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although the statute does not require that the Agency notify Congress, the Agency does so as a matter of custom and practice. [redacted] that Section 104(d) has more conditions: the Director of OMB must approve, and Congress must be notified. While the Team cannot attest to the timeliness of this process, it notes that transfers did indeed take place under both authorities. Furthermore, the DCI's voluntary practice of notifying Congress in the case of Section 5 transfers and obtaining the concurrence of components other than OMB and Congress in the case of both Section 5 and 104(d) transfers may well have contributed to the lack of timeliness.

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requested that IC agencies provide personnel to staff the CCB.

(C) The DCI could have been successful in making additional transfers of funds and personnel in support of the counterterrorism effort, had he attempted them. Indeed, the Section 104(d) transfers that took place during 1996-2001 show that agency heads have, on occasion, agreed to such transfers. Moreover, transfers under Section 5 have no similar restrictions to those imposed on Section 104(d).

(S//NF) In his comments on the OIG draft, the former DCI stated that transferring funds from other Community agencies to support counterterrorism efforts presumes incorrectly that funding in other agencies was sufficient for them not only to conduct their mission, but more importantly to meet the transformational objectives incorporated in the five-year budget submissions. He indicated his belief that he had to balance the CIA's and the Community's needs to fund strategic programs and any "major reductions to NFIP agencies' budgets in the year of execution would have only worsened their financial plight." Furthermore, the former DCI stated that he did not "believe we could or should move large amounts from NSA, NIMA or even NRO to CIA's counterterrorism program without understanding the overall impact of such funding shifts on the missions of those agencies. For it is fundamental that the programs of those agencies are also a vital part of the counterterrorism effort. CTC's program needed more, not less imagery; it needed more, not less signals intelligence." He opined that "any short-term gain in CTC's program would have been more than offset by the impact of further cuts in our collection and processing systems."

(S//NF) Given the limitations that the former DCI included in his comments to the OIG draft, i.e., the Administration would not provide top line adds to the NFIP budget and transferring funds from one IC agency to another was neither timely nor effective, the Team believes the former DCI had an obligation to use the money available to him. However, both CTC and the counterterrorism issue as a whole actually lost funds in CIA internal funding

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reprogrammings. Furthermore, although the former DCI did transfer funds into CIA from other agencies, he did not utilize those funds for programs targeting UBL or al-Qa'ida. The former DCI's comments notwithstanding, the 9/11 Team judges that his failure to redirect funds and personnel from noncounterterrorism programs contradicts his 1998 Call to War memorandum in which he stated, "We are at war... I want no resources or people spared in this effort, either inside CIA or the Community."

(U) Implications

~~(C//NF)~~ Effectively meeting the al-Qa'ida threat required a multilevel approach on the part of the Intelligence Community. At the operational level, CTC was focused on addressing the threat, and the DCI was fully engaged in this effort. At the broader, strategic level, however, the efforts by the IC and the CIA were less comprehensive, and managerial leadership on the part of the DCI was less effective. As a result, US policymakers and the nation were not able to realize the full advantage of their intelligence capabilities. As discussed in this and other findings, a comprehensive, strategic framework could have prompted enhanced exploitation of the full range of key intelligence components such as analysis, interagency cooperation, and resources. This could have positioned the IC to more effectively counter the challenges that the al-Qa'ida target posed. In addition, a more comprehensive approach could have resulted in a more complete understanding and portrayal of the magnitude of the threat, possibly prompting a consensus within the US Government to move against UBL earlier and more aggressively than it did.

(U) Accountability

~~(C//NF)~~ The Team concludes that the former DCI, by virtue of his position, bears responsibility for the failure of the IC to formulate and implement a comprehensive, documented strategic plan to counter al-Qa'ida and UBL.

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The DCI recognized the need for such a plan, and directed that it be created, but did not follow up to see that this was done, and it was not. Notable efforts were undertaken prior to 9/11 to stimulate IC collection on terrorism, at the initiative of the ADCI/Collection and in response to the DCI's injunctions, but in the absence of a formal, coordinated effort, the IC's operational, analytic, and resource capabilities were not integrated and used to maximum effectiveness. In particular, no comprehensive IC analytic examination of the threat posed by UBL and al-Qa'ida had been undertaken, formal actions had not been initiated to raise the priority of terrorism relative to other intelligence issues, and funds and personnel earmarked for counterterrorism were not effectively marshaled prior to 9/11. However, in light of the actions the DCI did take to address the al-Qa'ida target, no recommendation for Accountability Board consideration of performance is made.

~~(C/NF)~~ The Team finds that the DDCI in 1998, per the DCI's Declaration of War memorandum, was responsible for ensuring that an interagency group was created to identify and pursue a comprehensive set of strategic options for addressing the UBL threat. This did not happen. It is not clear, however, whether this was due to neglect on the part of the DDCI, or whether the action was reassigned by the DCI. For this reason the Team does not recommend that an Accountability Board review the DDCI's performance in this matter.

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Appendix S2-A

~~TOP SECRET~~**THE DIRECTOR OF CENTRAL INTELLIGENCE
WASHINGTON, D.C. 20505**

24 December 1998

MEMORANDUM FOR: Deputy Director of Central Intelligence
 Deputy Director of Central Intelligence for
 Community Management
 Associate Director of Central Intelligence for
 Military Support
 Executive Director
 Deputy Director for Operations
 Deputy Director for Intelligence

SUBJECT: Usama Bin Laden

1. ~~(TS)~~ We must now enter a new phase in our effort against Bin Laden. Our work to date has been remarkable and in some instances heroic, yet each day we all acknowledge that retaliation is inevitable and that its scope may be far larger than we have previously experienced.

2. ~~(TS)~~ We must now redouble our efforts against Bin Laden himself, his infrastructure, followers, finances, etc. with a sense of enormous urgency.

3. ~~(TS)~~ We must acknowledge that our efforts can no longer be solely relied upon to bring Bin Laden to justice. As a result, we must now pursue multiple paths simultaneously. This should include:

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- a. Discussions with all liaison services who may have a capability to capture and render Bin Ladin to justice.
- b. Active and immediate efforts to ensure that we are able to provide the military with timely and accurate information for targeting purposes against Bin Ladin himself and facilities, training camps, etc. associated with him worldwide.
- c. Immediate operational exploitation, planning and threat warning [redacted]
[redacted]
both unilaterally and in concert with liaison partners.
- d. We must isolate liaison relations which have the potential for greatest gain and recontact at senior levels. [redacted]
[redacted]
- e. We need to immediately push the rest of the collection community to make Bin Ladin and his infrastructure our top priority. I want Charlie Allen to immediately chair a meeting with NSA, NIMA, CITO, and others - to ensure that we are doing everything we can to meet CTC's requirements.
- f. I want to know that we are pursuing all available conventional and special collection methods to get after Bin Ladin, his infrastructure, people and money.
- g. [redacted]
etc. which may be of assistance to our efforts.

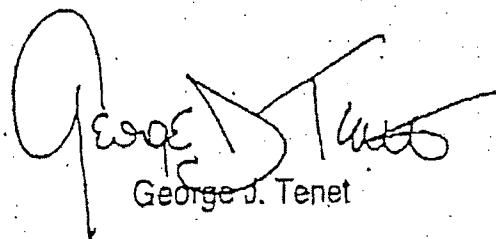
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4. ~~(TS)~~ We need an integrated plan which captures these elements and others which may be appropriate. This plan must be fully coordinated with the FBI.

5. ~~(TS)~~ We are at war. The DDCI will chair the group to coordinate the actions proposed above and any other actions which may be possible. I want no resources or people spared in this effort, either inside CIA or the Community.


George J. Tenet

cc: Counselor to the DCI

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(U) SYSTEMIC FINDING 3: COUNTERTERRORISM RESOURCES

(U) Systemic Finding 3 of the Joint Inquiry (JI) report states that, "Between the end of the Cold War and September 11, 2001, overall Intelligence Community funding fell or remained even in constant dollars, while funding for the Community's counterterrorism efforts increased considerably. Despite those increases, the accumulation of intelligence priorities, a burdensome requirements process, the overall decline in Intelligence Community funding, and reliance on supplemental appropriations made it difficult to allocate Community resources effectively against an evolving terrorist threat. Inefficiencies in the resources and requirements process were compounded by problems in Intelligence Community budgeting practices and procedures."

(U) Joint Inquiry Discussion

(U) The report's accompanying narrative goes on to state that the Intelligence Community (IC) cited a lack of money and people to explain why agencies failed to produce more intelligence on al-Qa'ida, did not arrest or disrupt more terrorists, and were otherwise limited in their response to the growing terrorist threat. The report further notes that IC officials contended that the increasing resources they received were not sufficient to meet the growing threat; indeed, a former Chief of the Counterterrorist Center (CTC) testified that a lack of resources was a major impediment for CTC. The JI report goes on to state that the IC shielded counterterrorism programs from budget cuts. The report also notes that the Associate Deputy Director for Operations for Resources, Plans and Policies (ADDO/RPP) had recalled that some attempt to protect counterterrorism funding was made after the Declaration of War memorandum against al-Qa'ida that the Director of Central Intelligence (DCI) issued in December 1998; however, this memorandum did

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not lead to any dramatic increase in the size of CIA's Middle East stations or significantly greater numbers of personnel assigned to CTC.

(U) The JI report also addressed limitations that its members and staff encountered during their review in determining actual counterterrorism resources. The report noted that the ADDO/RPP had stated that measuring how much is spent on counterterrorism is difficult and that the least precise area of accounting is human resources. Prior to fiscal year (FY) 1999, the Agency undertook little effort to track counterterrorism spending because counterterrorism was not an office or an expenditure center, according to the report.⁸⁴

(U) Assessment of the Joint Inquiry's Findings

(U) The Office of Inspector General (OIG) 9/11 Review Team generally concurs with the JI finding as it relates to the CIA but disagrees with, or needs to clarify, some information provided in the narrative. The Team:

- Agrees that total funding for CIA declined during the decade preceding the attacks of 11 September 2001.
- Agrees that certain factors made it difficult for the Agency to allocate its resources effectively against the evolving terrorist threat.
- Reaches no conclusion on the issue of whether the Agency had sufficient funding to meet the growing

⁸⁴ (U) Many components throughout the Agency—including CTC, several DO area divisions, and the Office of Security—execute counterterrorism expenditures. Because each component uses different program numbers to record their counterterrorism expenditures and a unique identifier—like an expenditure center—was not coded into the Agency Financial Management System, the Agency cannot systematically generate the total amount spent on its counterterrorism effort. In 1999, the Office of the Chief Financial Officer began to manually generate this data based on a set of program numbers that it believes—based on its analysis and discussions with Agency officers—are counterterrorism-related. This manual reconstruction did not provide actual Agency counterterrorism expenditures; rather it provided a solid estimate.

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counterterrorism threat. The Team found, however, that, at a time when the Agency was authoritatively stating that it was short of funds for counterterrorism and was requesting supplemental funding from Congress, Agency managers were not making maximum use of funding that was available to them for counterterrorism.

- Disagrees that CIA shielded its counterterrorism program, but cannot comment on whether the IC as a whole protected counterterrorism programs.
- Did not assess the sufficiency of personnel in CTC as a whole, but agrees that the number of people with operational expertise in CTC's Usama Bin Ladin (UBL) Station was not adequate.
- Agrees that the DCI's Declaration of War did not produce an increase in counterterrorism resources.

~~(C)~~ Finally, the JI report did not specifically address the issue of management of available counterterrorism resources. On the basis of its review of CTC funds and personnel prior to 11 September 2001 (9/11), however, the Team questions CTC management's performance in overseeing and leveraging resources against the counterterrorism target.

(U) The Budgeting Process, Terminologies, and Methodology

~~(S)~~ CIA's budget formulation process begins nearly two years prior to the associated fiscal year of execution. The Community Management Staff (CMS) conducts the initial external review of the Agency's request. The Office of Management and Budget (OMB) then follows with its Budget Estimate. Results from these two exercises eventually are incorporated into the Agency's Congressional Budget Justification Book (CBJB), which serves as CIA's financial and personnel resource request for the coming

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fiscal year.⁸⁵ The CBJB is due to Congress, by law, on the first Monday in February (eight months prior to year of execution). Usually, the pertinent Congressional committees begin marking this request up/down in June and come together to resolve any differences in conference in September. Once the submission is authorized and appropriated, CIA knows its base budget as well as the amount of the CIA Reserve for Contingencies.⁸⁶ Supplemental funding requests are subject to a separate process and are normally addressed once execution is underway.

(C) The Agency Financial Management System (AFMS) is CIA's accounting system of record, and, consequently, the Team used it as much of the basis for its analysis in this area. AFMS describes the base budget, to include Congressional marks, as regular (REG) appropriations, although REG may also include certain supplemental funds. When such funds are included, AFMS associates a separate label, or reason code, with the supplemental to help differentiate it. The "Gingrich Supplemental" of FY 1999 was more explicitly accounted for by the assignment of its own unique fund type (REG3).

(C) Precise identification of funds dedicated to counterterrorism is difficult, as the Team discovered that such funds were not reliably labeled within AFMS. [redacted]

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⁸⁵ (U) In his response to this review, [redacted] stated that CMS played a large part in the CIA budget process, which [redacted] said did not work. [redacted] went on to state that the CMS staff built the budget with detailed input from individual CIA directorates. "What emerged in every instance was a CMS defined budget submission which bore no resemblance to the CIA input requests."

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[redacted] stated that the CIA in-house budget process was also flawed, and for the DO that meant insufficient funding. On the other hand, [redacted] stated, in an interview conducted prior to 9/11, that the DO exhibited no budgeting skills whatsoever. It typically waited until the budget execution year to formulate its budget and then dangled high priority items in order to manipulate a Reserve for Contingencies release.

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⁸⁶ (U) The CIA Reserve for Contingencies consists of funds set aside to meet unforeseen requirements and unique operational opportunities that were not budgeted for in the normal process.

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[redacted] Team members extracted a program listing for FY 1996-FY 2001 from that database and used it to query AFMS. Budget officials in the Office of the Chief Financial Officer (CFO) also told the Team that, beginning with FY 1999, the Agency had ceased disclosing counterterrorism as a separate line of business within the CBJB.

(U) Agency Funding and Infrastructure

~~(TS)~~ Following the end of the Cold War, Agency resources decreased in terms of purchasing power.

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~~(C)~~ According to several Agency and CMS officials, although on the increase, the small budgets of the mid- to late-1990s had a particularly negative impact on CIA's infrastructure. The OIG Inspection of CIA's Budget Formulation and Execution process, published in December 2001, noted that Agency managers believed that core mission activities eventually suffer when they are funded by dollars taken from infrastructure.

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[redacted] in a bind by the late-1990s.

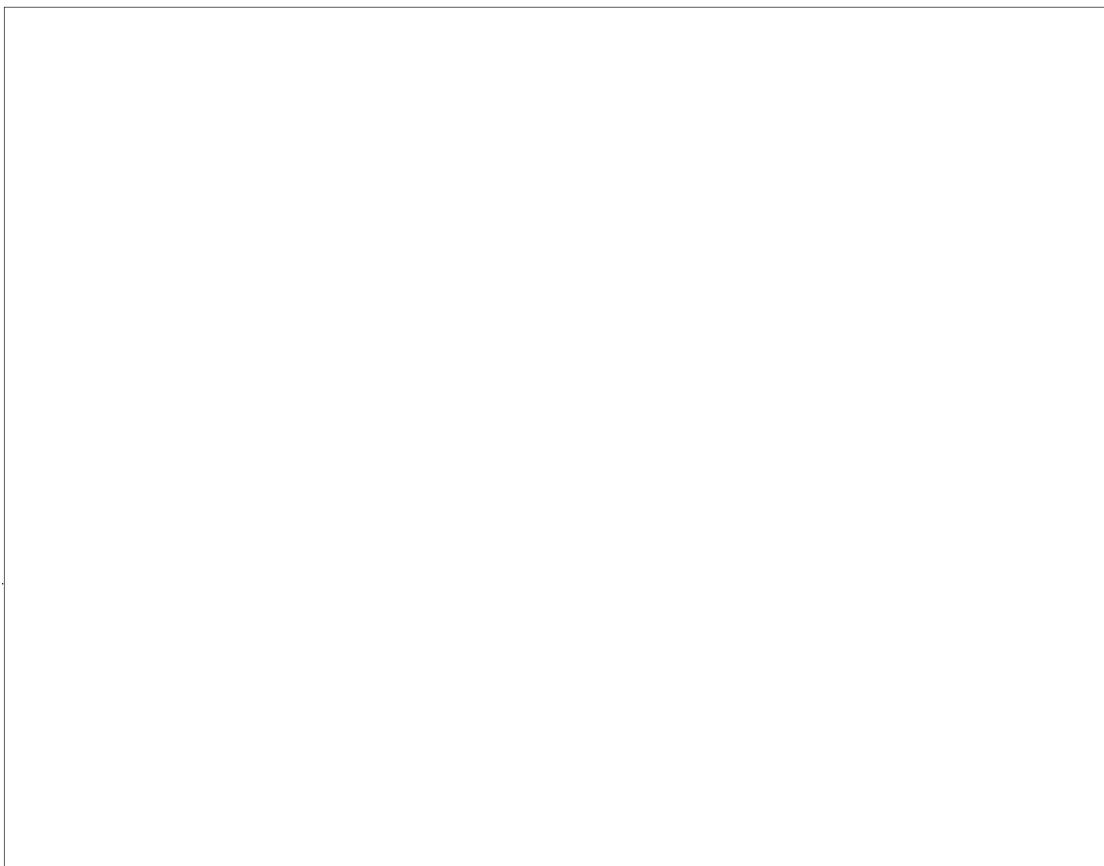
⁸⁷ (U) The CFO's calculations are based on a Department of Defense deflator scale that recognizes a higher "inflation rate" on personal services costs.

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Figure S3-1

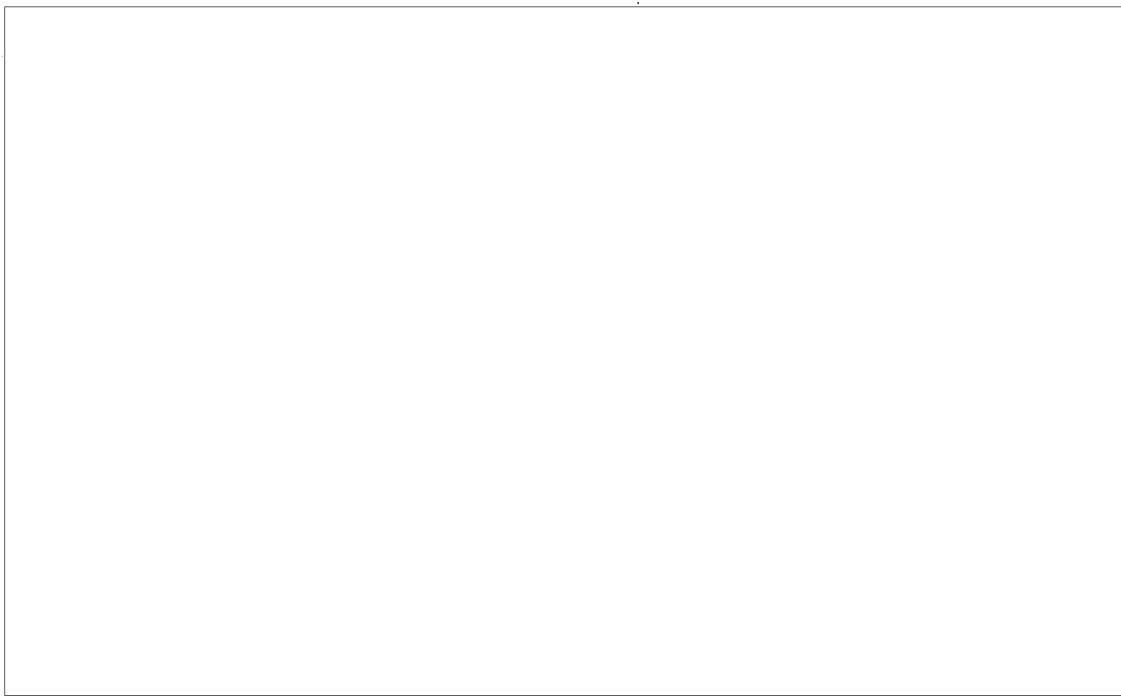


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Figure S3-2



(U) Agency's Counterterrorism Finances

~~(S)~~ In contrast to the overall CIA budget, the Agency's expenditures on the counterterrorism target—which include amounts spent on both counterterrorism and antiterrorism activities—increased significantly after the end of the Cold War, particularly during the latter half of the 1990s. (See Figure S3-3.) According to data from AFMS:

- Total expenditures on the counterterrorism target (including base funds, supplementals and reserve releases) almost doubled

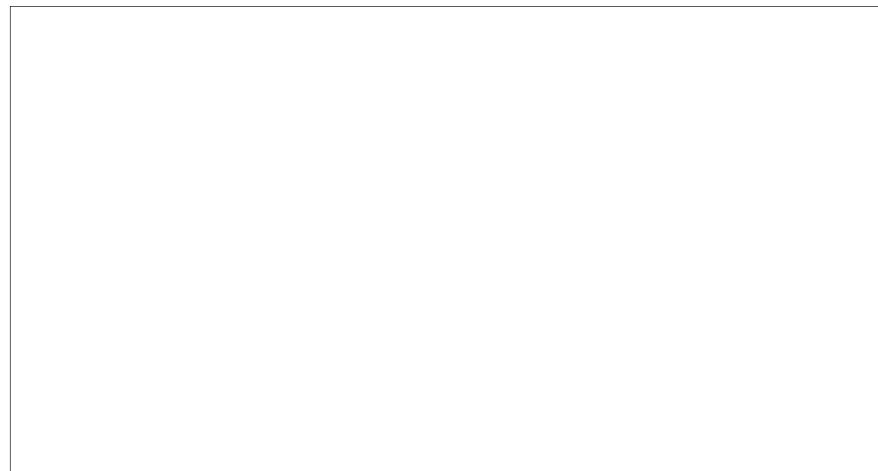
In FY 1999, expenditures show a spike due to the Gingrich supplemental, [REDACTED] of which went to counterterrorism programs.⁸⁸

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⁸⁸ ~~(S)~~ Most of the supplemental money allocated to counterterrorism programs went to components other than CTC, [REDACTED] million.

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(b)(3)**(U) Components of Counterterrorism Funding**

(U) Per Office of Management and Budget's definition, funding data for combating terrorism includes expenditures on counterterrorism (offensive measures used to combat terrorism) and antiterrorism (defensive measures to protect against terrorism, such as providing physical security for government facilities and employees). In this review, the Team uses the term "counterterrorism" to include both counterterrorism and antiterrorism expenditures, except in those cases in which a distinction is made between the two.⁸⁹

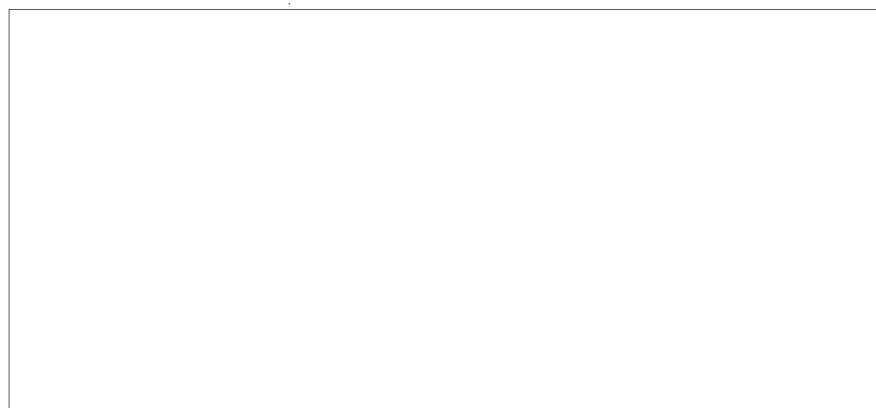
⁸⁹ (U) The Office of Security and its predecessors recorded expenditures for antiterrorism activities; CTC did not.

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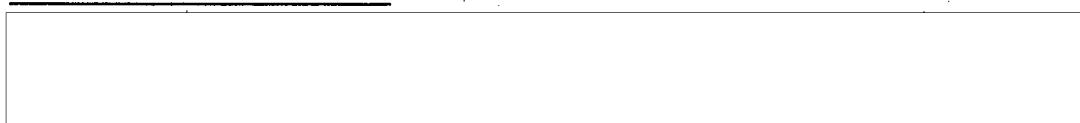
Figure S3-3



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Figure S3-4

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(U) Difficulties in Allocating Resources

(U) Two main factors made it difficult for the Agency to allocate its resources effectively against the evolving terrorist threat:

- The unpredictable nature of the terror threat against the rigidity inherent in the budget formulation and execution process.
- The negative impact of supplemental appropriations on long-term planning.

(C) The Budget Formulation and Execution Process.

The OIG's Inspection Report of the Agency's Budget Formulation and Execution, released in December 2001, noted that most CIA officers who deal with the budget as managers or resource professionals believe the structure and process do not assist them in obtaining or managing needed resources because the funds Agency managers receive do not necessarily match the amount of funds they requested,

or even the amounts originally appropriated for their specific programs. CIA officers interviewed for that inspection made the following points:

- Budget formulation and execution are disconnected. According to the report, 83 percent of interviewees who commented on the usefulness of the budget blamed this disconnect for their inability to manage resources well.
- Internal Agency "taxes" assessed in the year of execution render spending plans worthless and make managerial accountability difficult.⁹²
- The Agency does not build a budget request on the basis of needs or requests from its components; rather it copes with a top-line figure provided by OMB. Forty percent of field manager respondents said they rarely received the funds they requested.⁹³

← During the Team's current review, many budget and finance officials elaborated further on the problems they faced:

- [redacted] were among those who agreed that not all Agency requests—including counterterrorism requests—were fully funded. [redacted] cautioned, however, that one should not conclude that, because counterterrorism did not receive 100 percent of the funds it requested, it was not properly resourced. Where claims arose that counterterrorism was not properly resourced, they were difficult to substantiate objectively. Although the Team found no shortage of internal memoranda and spreadsheets that suggested shortfalls in

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⁹² (U) Taxation is a systematic process of reprogramming funds from one activity or group of activities to another within the Agency. A difficulty with this method is the lack of direct connection between sources and uses of monies. This calls into question rigorous application of the "higher priority" requirement.

⁹³ (U) In his comments on the OIG draft, [redacted] mentioned that the Agency does build a budget based on needs, but then prioritizes those needs in line with fiscal guidance from OMB.

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counterterrorism funding, the Team was unable to determine when the material was compiled and whether any had been forwarded to Congress or other external parties.

- A few Agency officials familiar with DO and CTC resources stated that CTC requested top-line increases to its base budget

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[redacted]
the Agency supported the idea of permanent increases, but that OMB was skeptical about the Agency's claims for additional funding needs.

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Table S3-1

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~~(S)~~ Reliance on Supplemental Appropriations.

From FY 1999 to FY 2001, the DO relied heavily on supplemental appropriations to fund counterterrorism rather than building counterterrorism requirements into its base budget. Interview data and results of the OIG budget inspection show that this reliance made it difficult for

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Agency managers to plan and allocate their resources against the counterterrorism target. Although, as stated earlier, counterterrorism expenditures almost doubled during FY 1996-2001, the base budget for CTC remained at or below 10 percent of total DO spending. To achieve the increase in funding, the DO relied on supplemental appropriations. [redacted] stated that CTC's base funding (although significantly increased from the mid-to late-1990s) was inadequate for a program that needed to expand. [redacted] added that CTC "lived on" supplemental funding and that, although [redacted] tried to increase CTC's base budget, [redacted] had to economize internally.

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(S) Relying on supplemental appropriations to fund counterterrorism efforts has been challenging for Agency managers and may have had an impact on mission performance.⁹⁴ The 2001 OIG budget inspection noted that, while supplemental funds allowed the Agency to maintain operational activity begun in prior years, they did not meet its long-term needs. This affected Agency officials' abilities to plan programs—especially multiyear programs—because the tenure of most supplemental appropriations prior to 9/11 was one-year. An additional concern with supplemental appropriations is uncertainty about when Congress and OMB will make the funds available to the Agency. Planning and executing counterterrorism programs have been especially difficult when those funds are not available until late in the fiscal year. For example, Congress approved [redacted] in new funds under the FY 2000 counterterrorism supplemental; however, due to the late appropriation of the supplemental funds, the Agency chose, and was allowed, to hold onto [redacted] to cover FY 2001 counterterrorism requirements.⁹⁵

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⁹⁴ (U) In his comments to the OIG draft of Systemic Finding 2, the former DCI agreed that relying on supplemental appropriations made it extremely difficult to build long-term programs with strategic integrity for the CIA's counterterrorism efforts.

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~~(C/NF)~~ Although hardly optimal, some planning can be done within the context of supplemental appropriations. [redacted]

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stated, for example, that, from late FY 1998 through FY 2001, supplemental appropriations were largely expected—although the amounts were uncertain—which did allow for planning. In addition, when Congress permits CIA to hold its supplemental funds beyond a one-year tenure, Agency managers can compensate for funding difficulties. The decisions to carry forward amounts from both the FY 2000 and pre-9/11 FY 2001 counterterrorism supplemental appropriations demonstrate CIA's ability to compensate—to a certain extent—for immediate or high-priority counterterrorism requirements that might have been underfunded. As mentioned earlier, the Agency carried forward [redacted] million from the FY 2000 supplemental into FY 2001 rather than use the funds for existing unfunded requirements. Of the [redacted] million FY 2001 counterterrorism supplemental funds that Congress appropriated in December 2000, CIA did not use [redacted] million until FY 2002.⁹⁶ Even though several Agency officials familiar with the counterterrorism budget believed that the Agency could have spent the funds for counterterrorism programs in FY 2001—although not necessarily against the UBL or al-Qa'ida targets—the Agency chose to hold onto the money, creating a "reserve" that could augment or replace a future supplemental. This sort of last-minute funding does not permit either long-term planning or investment in long-term programs, as increases in base funding do.

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(U) Despite these long-term planning issues, CIA obviously was better off receiving this money than not. Such supplemental funding for counterterrorism was the result of earnest efforts on the part of the DCI, the DDO, the CFO's Office, and other Agency officials. These officers

⁹⁶ ~~(S)~~ Congress approved [redacted] million for the CIA via Public Law 106-554 and appropriated the entire amount in December 2000. The funds provided in the FY 2001 counterterrorism supplemental were available for one year once the funds were reprogrammed from the [redacted]

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[redacted] account. The Agency transferred [redacted] million from the [redacted] account to the [redacted] account during March-July 2001 and chose to hold onto the remaining [redacted]. The remaining funds were transferred from the [redacted] account in March 2002.

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worked hard to develop and provide detailed program analyses, spend plans, and testimony to Congress to make a case for such funding.⁹⁷

(U) Adequacy of Funding

~~(C)~~ The Team found conflicting information on the sufficiency of counterterrorism funding, and it did not attempt to reach a conclusion on what the overall level of funding should have been. It notes, however, that senior Agency managers, both before and after 9/11, cited lack of resources as having had a negative impact on counterterrorism programs. The Team further notes that, at a time when Agency managers were strongly petitioning Congress for supplemental funding for the counterterrorism effort, they were not making maximum use of the counterterrorism funds they already controlled; in fact, they were diverting some of these funds to other programs. Nor did they try to access additional Agency funds potentially available to them.

~~(TS//NF)~~ Agency managers communicated to various audiences several times prior to 9/11 that financial resources devoted to counterterrorism were problematic:

- In a cable dated 25 August 1999, the then-Chief of UBL Station stated that most of the initiatives outlined in the cable, which focused on rendering and tracking UBL, had not been pursued due to a lack of personnel and financial resources. He went on to state that, without additional resources, the stations (mainly NE field stations) would not make any serious headway against UBL.

⁹⁷ (U) In their comments on the OIG draft, a few former Agency officials stated that the report failed to recognize the extensive CIA management and Administration efforts to obtain and defend supplemental appropriations. In his comments to the OIG draft of Systemic Finding 2, the former DCI stated that, in 1999, he went out of Administration channels in responding directly and positively to the former Speaker of the House Gingrich about increasing funding. The Team agrees that the DCI's efforts contributed to the Agency's receipt of [redacted] million from the Gingrich supplemental. [redacted]

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- In a November 1999 memorandum, the Chief of CTC stated that the Center's nonpersonal services (NPS) budget in FY 2000 was 20 percent less than it had been in FY 1999, and that any further loss in real as well as relative dollars would result in a cut greater than any other DO component. Furthermore, the Chief listed a number of programs that might have to stop entirely as a result of a cut.
[redacted]

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- Talking points written for the DCI by the Deputy Chief of CTC in March 2000, in response to a paper drafted by NSC Counterterrorism Coordinator Clarke, advised the DCI to agree with Clarke's recommendation to "seriously attrite the al-Qa'ida and affiliates network to the point where large scale terrorist acts against the US are not likely," but also to point out that, "we do not have the resources to carry it out. Indeed, we are already spending at a rate that exceeds available resources (our UBL effort has already spent 140 percent of its budget for FY 00, for example)."
- A 30 March 2000 briefing for the DCI on CTC's budget showed 75 percent of CTC's FY 2000 NPS budget already obligated, committed, and spent, and the [redacted] Group's FY 2000 UBL Operations budget already overspent by 5 percent. The briefing slides indicated that CIA must make long-term investments to step up the offensive against terrorists, but stated that CTC was mortgaging its future to meet the cost of current crises.
- According to a December 2000 CMS document commenting on the DO's FY 2001 budget request, "the scope and pace of CT operations increased significantly during FY 00 and has left CTC and other components of CIA with a serious funding shortfall that will extend into FY 01."

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(C) Agency officers echoed such statements after 9/11:

- The DCI was asked in testimony, "Did you really have what you felt comfortable with as far as resources to be able to fight this war [against UBL] at that point in time?" He responded, "No," and went on to say that "money was a big issue... it was an enormous tension among all the other things we were trying to do with the money we had at hand."
- In response to a question on how the DO responded to the DCI's Declaration of War, the then-Deputy Director for Operations (DDO) told the 9/11 Team that the clandestine service had been dramatically downsized and that the DO 2005 plan, which was created in 1997-1998, was an attempt to rebuild the service. He also stated that, two weeks prior to 9/11, he had persuaded the DCI to go to the Senate Select Committee on Intelligence and request an additional [redacted] million in order to rebuild the DO.

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- [redacted] told the Team in an interview that resources were insufficient to create a global counterterrorism center.

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(C//NF) [redacted] because of the increased spending to counter the Millennium threat, CTC was not going to make it financially to the end of FY 2000 and would be three months short. As such, CTC would not be able to operate. [redacted] remembered the DCI telling him to, "...do what's right for the country, blow it out." [redacted] stated that he did just that. The Team's review shows a different picture, however.

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(C//NF) After a greatly increased rate of spending through January 2000, CTC spending dropped off until

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June.⁹⁸ The Team found that ORMS had sent a list of "critical funding needs"—including those of CTC—to the Office of the Comptroller on 6 April 2000. Another month passed before the former Executive Director requested a [redacted] million release from the CIA Reserve for Contingencies. This money was not available to CTC until June 2000. By that time, previously requested supplemental funds were also arriving.⁹⁹ The result was that [redacted] million provided to the Center in FY 2000 were unspent.¹⁰⁰

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~~(C//NF)~~ The Team collected interview and other information that suggested that counterterrorism funding had not been viewed as a serious problem before the end of

⁹⁸ ~~(S//NF)~~ In their response to the OIG draft, some CTC managers commented that funding discussions consumed a great deal of time. These discussions took place about the same time the Center would have been attempting to follow up on leads emerging from the Millennium period, including those that emerged from the Malaysia meeting. These managers also stated that they "were faced with pressure from the NSC to maintain [their] operational tempo without adequate funding...." The Team notes that CTC managers may have had particular difficulty dealing with funding issues during this period because they were operating without the professional help of a Plans Staff—largely because of actions taken by the Chief of CTC. This situation is discussed later in this section.

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⁹⁹ ~~(S)~~ By 18 May 2000, CIA had reached an agreement with OMB to fund [redacted] million that the Agency stated was necessary to sustain or enhance its counterterrorism efforts in FY 2000. Of this amount [redacted] million was to come from two sources within CIA—[redacted] million from the Reserve for Contingencies and the balance [redacted] million) to be reprogrammed from "lower priority efforts." The latter action required Congressional approval. The Team found that, while CIA was engaged in seeking this funding relief, it had actually moved approximately [redacted] million out of counterterrorism-designated programs as of that date. Funds were not restored until late July 2000. The Team further notes that the "lower priority efforts" from which the funding came actually had been the beneficiaries of [redacted] million in corporate taxes by May 2000.

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¹⁰⁰ (U) "Unspent funds" are monies—including base, supplements, and reserve funds—not obligated, expensed, or committed. Although other offices returned unspent funds, this is a significant amount for CTC to return, considering that it was requesting additional monies and indicating that additional activities could be pursued if it had more funds.

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1999, but that it became an increasing problem during and after the Millennium.¹⁰¹

- [redacted] told the Team that CTC was well funded and had "all of the money it needed." (b)(7)(d)
- [redacted] believed that funding was sufficient. [redacted] told the Team that the Station had sufficient money. [redacted] said that the Station never dropped an operation as a result of lack of funds. Moreover, [redacted] stated that a CTC reprogramming of [redacted] million in FY 1997 to help fund the Mir Aimal Kansi reward did not adversely affect the Station, again implying that it had ample financial resources. (b)(1)
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(b)(7)(d)
- Many Agency officials interviewed did not believe that any CTC programs—technical or otherwise—had to be phased out or cut as a result of inadequate funding. Indeed, [redacted] stated that, "it was almost embarrassing how much money CTC had." At the same time, however, many of these officials also noted that, if CTC had had more funds, it might have been more effective, pursued new initiatives, or increased its operational tempo. (b)(7)(d)
- On 2 December 1999, the then-Chief of CTC sent a cable to all DO stations and bases implying that funding had not been an issue prior to that time. In this cable he stated, "We are all accustomed to spending CTC money freely. How many times have we said, 'don't [redacted]" (b)(7)(d)

¹⁰¹ (U) In his response to the OIG draft, [redacted] stated that, throughout [redacted] tenure (mid-summer of 1997 to the fall of 2001), there was never, to [redacted] recollection, a request for additional counterterrorism monies other than one funding issue with [redacted] and resolution of NSC-mandated programs. [redacted] stated, "Moreover, as the OIG report indicates, managers in both CTC and the DO conducted themselves and made decisions that did not suggest that counterterrorism funds were a constraining issue." [redacted] recalled the situation differently, indicating that the Executive Director never offered to help with resources. Rather, [redacted] said, the latter was preoccupied with adhering to the Agency's budget guidance and had made it clear that CTC was not to express a need for more resources or people—even if asked.

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worry...CTC can pay." He went on to say that this was no longer the situation, however.

~~(S//NF)~~ The Team's review of counterterrorism and CTC funding data indicates that, even after funding problems for counterterrorism became more apparent during 1999, Agency managers did not make maximum use of the funds that were available for counterterrorism:

- The Team found that Agency managers made little use of the CIA Reserve for Contingencies.

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- The DCI never exercised his authority as head of the IC to move funds within the National Foreign Intelligence Program (NFIP) for programs targeting UBL or al-Qa'ida. The DCI did exercise these authorities several times during FY 1996-2001, however, moving funds from other agencies into the CIA to cover non-UBL or al-Qa'ida programs. (See Systemic Finding S-2 for more details.)
- On several occasions, Agency managers did not spend supplemental funds—which they had requested—in the year they received them.¹⁰² In FY 1999, the bulk of the one-year "Gingrich" Supplemental arrived on the Agency's books by January 1999, and all of it came by March. The CIA returned nearly million of this supplemental to the US Treasury five years later as unspent funds, however, according to Agency records. In the case of multiyear supplemental funds, as mentioned previously, Agency officials elected to carry forward million of the FY 2000 supplemental into

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¹⁰² (U) In his comments to the OIG draft, agreed that, "CTC did not always spend funds available."

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the next fiscal year and did the same with [redacted] million of the pre-9/11 FY 2001 supplemental. In FY 2000, the money came late in the fiscal year; as such, it was arguably a prudent decision to carry over those funds. However, the circumstances were somewhat different in FY 2001. During December 2000, Congress appropriated an additional [redacted] million of counterterrorism money but required that CIA submit a spend plan for approval by January 2001. The spend plan the Agency provided on 22 January 2001 did not even list requirements for [redacted] million of those funds, and CIA did not ask OMB to release supplemental funds to benefit CTC until July 2001. Portions of these multiyear supplemental funds brought in during the latter part of FY 2001 remained unspent at the time of the 9/11 attacks.¹⁰³

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- Finally, as will be discussed in the next section of this finding, the Agency did not reprogram Agency-level funds from other intelligence priorities to counterterrorism. Instead, it moved funds out of counterterrorism programs to other activities, sometimes via corporate or directorate taxes.

Figure S3-5

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¹⁰³ (U) Agency officials stated that waiting for Congressional approval and DoD reprogramming delayed the spending of these funds.

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(U) Protecting Counterterrorism Programs?

~~(S)~~ The JI report states that, to achieve funding increases for the counterterrorism effort, the IC shielded counterterrorism programs from budget cuts. Several officials from the Office of the CFO and CTC told the Team they believed that CTC programs were indeed protected. In addition, per the JI report, the ADDO/RPP had recalled that the Agency made some attempt to protect counterterrorism funding. However, the Team found that the Agency actually subtracted a significant amount of money from counterterrorism programs.

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Due to the sheer number of programs involved in this analysis, the Team did not determine the reason for every adjustment; a review of the funds that were moved, however, shows that money left programs identified by the NSC/OMB database as counterterrorism for programs not identified as counterterrorism-related. Table S3-2 shows the dollar value of adjustments made to counterterrorism programs each fiscal year.¹⁰⁴

¹⁰⁴ (U) In their comments on the OIG draft, [redacted] defended their decision to redirect funds from CTC to the field. They argued that, in order for the Agency to succeed against the counterterrorism target, funds needed to get to the field. That was where, in their opinion, the operational work was performed. The Team questions this use of counterterrorism money at the same time the Agency was requesting additional counterterrorism funding, however, and notes that some of this money was subsequently used to pay the gaining DO Divisions' share of corporate taxes.

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Table S3-2

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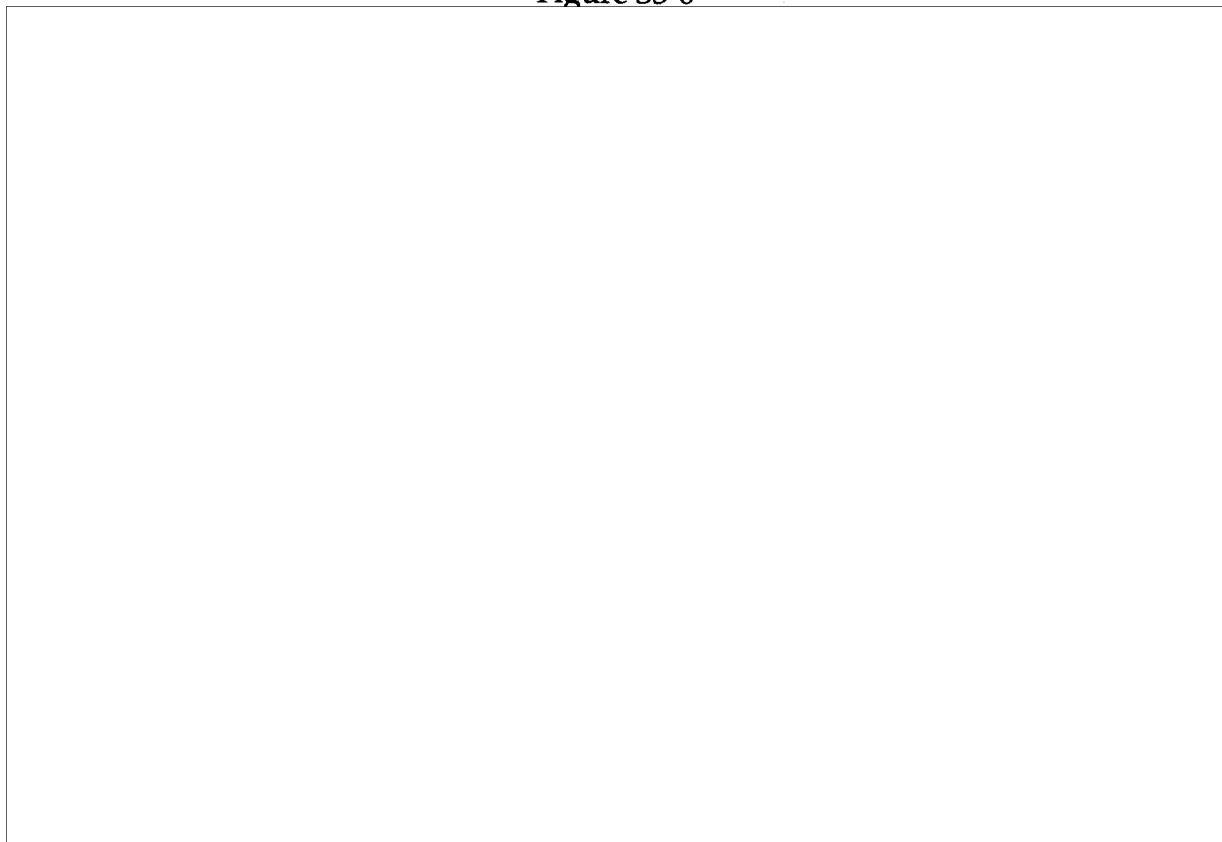
(S) In essence, the Agency and DO used CTC base funds to augment programs not specifically designated for counterterrorism. [redacted] stated that CTC had been viewed as a "cash cow." For example, FY 1996 was the only fiscal year in which CTC received more funds from internal DO redistributions of base funds than it lost. During FY 1997-2000 and FY 2001 before 9/11, the net impact of DO adjustments was an overall reallocation of approximately [redacted] million from CTC programs to other DO programs that may or may not have been counterterrorism-related.

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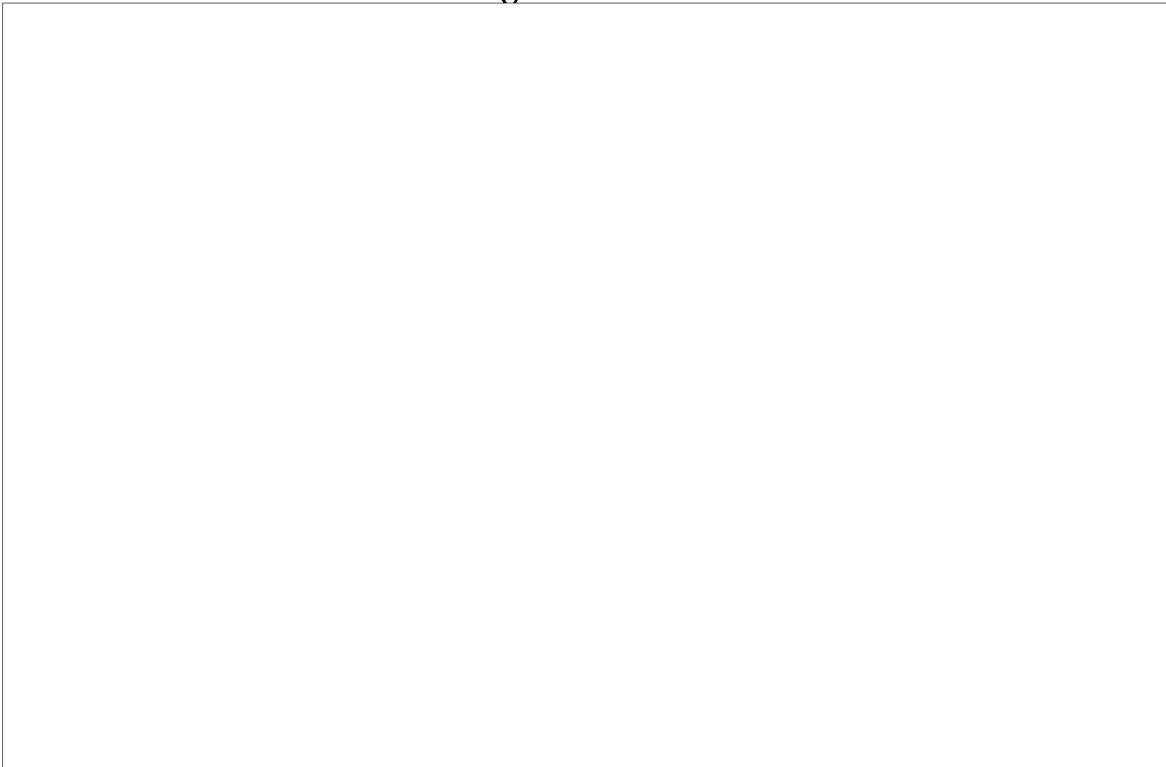
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Figure S3-6



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Figure S3-7



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[redacted] it did not protect counterterrorism programs against corporate-level taxes. During FY 1997-2000 and FY 2001 before 9/11, the Agency reprogrammed a net of [redacted] million of CTC base funds to cover corporate adjustments. To pay corporate taxes, the Agency salami-sliced counterterrorism programs, among many others, rather than cut entire programs. [redacted]

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[redacted] attempts to tax at a program level had not been successful because it was more difficult and the Agency was not good at cutting programs. [redacted]

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[redacted] the first level of appeal to corporate taxes was the directorate, which in CTC's case would have been the DO. Normally, a list of activities deemed to be not taxable was submitted and the CFO would try to honor such

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requests. [REDACTED] did not recall (b)(7)(d) CTC falling into this category, however.¹⁰⁵

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(\$ The amount of funds reprogrammed from CTC's base budget from FY 1996-2001 before 9/11 totaled [] million—[] million for other corporate priorities and [] million to internal DO requirements. Although this amount represents a small percentage of CTC's total base budget, which cumulatively totaled some [] million for these years, the fact that these movements occurred demonstrates that the Agency as a whole and the DO did not protect counterterrorism resources.¹⁰⁶ The DDO from mid-1997 to mid-1999 redirected approximately [] million from DO counterterrorism programs to other priorities after issuance of the DCI's Declaration of War memorandum. His successor stepped up this practice, moving [] million from the counterterrorism base between August 1999 and 10 September 2001.

(S) The Team found that funds moved from counterterrorism programs included amounts that were

¹⁰⁵ (U) [redacted] stated that corporate taxes "played havoc with DO planning and affected all operational activity, to include CTC activity and funding." [redacted] went on to state that the DO's critical mission was not funded properly and corporate taxes added to that burden. "Good management and good leadership demanded that we not blindly pour dollars into any single area, CTC included. Rather, the responsibilities of command demanded prudent prioritization of all spending. The CTC budget was not always spent or spent prudently."

[redacted] shared the view that corporate taxes were burdensome and believed the DO should have been relieved of most of this burden, given the paucity of its resources. Since the DO was not relieved from taxes, [redacted] stated that he "could not exempt CTC, whose resources dwarfed those of other DO components, from its share of the burden..." Again, the Team notes that funds redirected from CTC to other DO Divisions were often then used by those divisions to pay corporate taxes and did not go to higher priority operations.

¹⁰⁶ ~~(S)~~ In [] comments on the OIG draft report, [] stated that the need to fund the Agency's Strategic Direction, which the DCI had announced in May 1998, was in large part responsible for the taxes that affected counterterrorism programs. Strategic Direction was an aggressive program that consisted of several major elements, including increasing the number of deployed operations officers [] and the number of analysts [] championing a new avenue to meet the technology challenges of the day; and finding new ways to deliver support services in a timely and more cost effective manner. [] argued that Strategic Direction efforts were expected to add to the robustness of activities such as counterterrorism. The Team notes, however, that the Agency's practice of reallocating funds or "taxing" began in FY 1996, well before implementation of Strategic Direction, and continues to the present.

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redirected to programs that were most likely *not* counterterrorism.¹⁰⁷ For example:

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- In FY 1999, the Agency redirected [redacted] million of counterterrorism funds to the [redacted] infrastructure, [redacted] million to the former Directorate of Administration's Business Process Reengineering, [redacted] to security background investigations, and [redacted] million to multiple Information Management Staff programs; the latter came from CTC's CACTIS program, [redacted]

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- In FY 2000, CTC paid over [redacted] million in nonspecific corporate "taxes".

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- In FY 2001, the Agency redirected [redacted] million of counterterrorism funds from the Office of Technical Collection to the Directorate of Science and Technology's Working Capital Fund rent, another [redacted] million to Directorate executive training and miscellaneous contracts, and [redacted] to help fund a [redacted] million write-off for an NE Division erroneous payment [redacted]

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¹⁰⁷ (U) These programs were not on the list of counterterrorism programs provided to the Team by the CFO's office.

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(U) Reprogramming Guidelines and Impact of Taxes

(U) The authority to reprogram is implicit in an agency's responsibility to manage its funds. Agencies are free to reprogram unobligated funds as long as the expenditures are within the general purpose of the appropriation and are not in violation of any other specific limitation or otherwise prohibited. For the CIA, Congress has regulated reprogramming by statute. In the Intelligence Authorization Act for FY 1986, Congress enacted into permanent law provisions to govern the expenditure of appropriated funds by CIA. The provisions are codified in 50 USC 414 [Section 504 of the National Security Act of 1947]. The statute provides that appropriated funds available to the Agency may be obligated or expended for an intelligence or intelligence-related activity only if the funds were "specifically authorized" by Congress for such activities.¹⁰⁸ The statute further states that an Agency may take funds that are specifically authorized by the Congress for one activity and expend them for a different activity only if:

- The activity to be funded is a higher priority intelligence or intelligence-related activity.
- The need for funds for such activity is based on unforeseen requirements.
- The DCI, the Secretary of Defense, or the Attorney General, as appropriate, has notified the appropriate Congressional committee of the intent to make such funds available for such activity.

(U) Strictly interpreted, Section 504 would require Congressional notification for every reprogramming action. However, the legislative history to the provision states that notification is subject to certain dollar thresholds. The requirements for Section 504 guidelines are restated in Agency Regulation 30-3, *Control of Funds: Allotments and Obligations*.

(U) An OIG Special Assessment on Reprogramming, published on 12 December 2000, concluded that the way the Office of the CFO and directorates levy taxes obscures how the Agency determines that the program receiving additional funds is a higher priority than the programs that are taxed. In addition, taxes leave senior management with little visibility into how the cuts are allocated across the Agency and how the mission is affected. Finally, taxing creates the appearance to CMS and Congress that the Agency can absorb across-the-board reductions and still accomplish its mission. According to the assessment, it may be difficult for the Agency to justify the need for additional funds if it appears there is "fat" in the program and, even if successful, such relief often comes late in the year.

¹⁰⁸ (U) According to the Act, in the case of funds proposed for an activity in a formal budget request to Congress, funds shall be deemed "specifically authorized" for an activity, "only to the extent that the Congress both authorized the funds to be apportioned for that activity and appropriated the funds for that activity;" in the case of funds not formally requested, "the Congress both specifically authorized the appropriation of the funds for the activity and appropriated the funds for the activity."

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~~(C)~~ **Inefficiencies in Managing and Leveraging Counterterrorism Resources**

~~(C)~~ According to the OIG budget inspection of 2001, CIA officers at all levels believed that the culture of the Agency did not foster good financial management. That inspection found that less than half of the 25 Agency component chiefs interviewed thought that sufficient incentives were in place for managers to make resource-savvy decisions. Rather, they stated:

- Managers who save money one year may receive a smaller budget the following year.
- Bad budget decisions have little impact on an officer's subsequent career.
- Managers who plan poorly or behave noncorporately are bailed out with more funding.

~~(C)~~ Like the rest of the Agency, the DO and CTC had difficulty managing and leveraging resources.

(b)(7)(d)

 stated that CTC, in particular, did not work with DO area divisions to determine what resources—including personnel—were available before forwarding requests. This lack of coordination made the DO and CTC inefficient because it was impossible to optimize resources across the directorate. In addition, the lack of end-to-end budget building often left funding for infrastructure and support costs on the cutting room floor. An example of this is the DO 2005 plan, which called for placing 500 new core collectors in the field; indicated in an interview with the Team that this plan served as his approach to addressing counterterrorism resources.

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However, the Senate Select Committee on Intelligence (SSCI) issued a report in May 2001 stating that the DO plan contained no consideration of basic necessities such as financial resources, adequate workspace, and technical and communications support. The SSCI report further asserted that prudent corporate resource management should not

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lead to a situation where an effort to rejuvenate an enterprise's core mission is on a path to [redacted] million annual shortages. The SSCI audit team recommended that CIA's Executive Director provide the Committee with a detailed strategic plan of how the CIA would implement and fully fund the planned increase in core collectors.

~~(C)~~ In addition, the perception—although incorrect—that CTC received the bulk of funds or, at a minimum, was protected from taxes, created friction between CTC and the area divisions, [redacted]

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[redacted] observed that the divisions began to slant their program write-ups toward counterterrorism in order to justify receiving CTC funds. Although DO management was aware of this friction, the DDO stated that the tension between CTC and the area divisions was merely the "nature of the beast."

~~(S)~~ Finally, officers who could have helped CTC formulate an effective resource strategy and prioritize its requirements were not always involved in CTC's budget process:

- DO budget requests typically flow through ORMS, for example, but several senior officers familiar with the budget process told the Team that the Chief of CTC occasionally circumvented ORMS and went directly to Congress.
- Furthermore, when the Chief of CTC reorganized the Center's Plans Office in 1999, he eliminated one of the three plans positions. This caused a rift with the two remaining plans officers, who left in January 2000. As a result, CTC had no plans staff until it filled the Chief of Plans position four months later.

~~(C)~~ The budget-related actions of the former Chief of CTC might also have contributed to a negative perception of CTC within OMB. [redacted]

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[redacted] stated that OMB officers were skeptical when the Agency pushed for permanent increases in its counterterrorism budget because they thought a lot of it was "crying wolf;"

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this officer recalled that the then-Chief of CTC would give what he called the "dead-baby" speech.¹⁰⁹ [redacted]

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[redacted] also believed that the Chief of CTC's approach was not effective, adding that the latter did not get a resource package together until a few months before 9/11, when he began working on an operational plan to fight terrorism in Afghanistan.

(U) Adequacy of Personnel Resources

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(S) Personnel resources assigned to the counterterrorism and al-Qa'ida targets increased during FY 1996-2001. The number of people working in CTC grew [redacted] (59 percent) during that period, with the most significant growth [redacted] (38 percent) occurring during FY 1996-1997.¹¹⁰ Staffing for the Assessments and Information Group (AIG)—CTC's analytic group—grew by 34 percent [redacted] during this timeframe,¹¹¹ and personnel in UBL Station increased by 153 percent [redacted]
[redacted]

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¹⁰⁹ (U) The implied logic of such a reference is that failure to support a particular request could allow some terrorist act to go ahead, resulting in innocent deaths, including of infants.

¹¹⁰ (U) The Agency, at the request of the JI, reviewed its counterterrorism effort during 1998 to 2002 and provided data on the estimated people "work-years" spent on counterterrorism.

According to these data, total Headquarters staff work-years devoted to al-Qa'ida grew [redacted] officials

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involved in collecting these data described them as "good ball park figures." The Team reviewed these data but could not independently verify them with any degree of certainty. As a result, the Team chose to focus on the number of personnel working in CTC during 1996 to 2001. Although these data do not include the number of officers outside of CTC working these targets, the data show a trend in the number of personnel dedicated to work the counterterrorism and al-Qa'ida targets during this timeframe.

¹¹¹ (U) The Team discusses the adequacy of analytic resources devoted to counterterrorism in Systemic Finding 5.

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Figure S3-8

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(S) The Team did not assess whether CTC as a whole had sufficient manpower but did examine the adequacy of personnel in UBL Station. There, the Team found an overly heavy workload and a generally inexperienced operations work force. CTC's efforts to augment this staff met with only limited success.

(C) Heavy Workload in UBL Station. Despite increases in personnel, the Team believes the composition of the UBL Station work force was inadequate to address the heavy workload. Many of those we interviewed indicated that this was the case. The survey that accompanied the OIG inspection of CTC in 2001 showed that 57 percent of the 28 UBL Station respondents believed that, most of the time, the amount of work they were expected to do was too much, well above the 38 percent of overall CTC respondents who answered similarly. In addition, 59 percent of Station respondents disagreed that their work unit had sufficient staffing to accomplish its mission, compared with 40 percent of CTC respondents.

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~~(C//NF)~~ Other data collected during the Team's interviews provide possible insight as to why UBL Station personnel felt overwhelmed and overworked. Several UBL Station personnel told the Team that other responsibilities, such as preparing charts and providing briefings to senior Agency management on a daily basis took time away from conducting their normal activities. In addition, a few UBL personnel expressed the sentiment that it was stressful working in an environment where decisions might make the difference between life and death. Although the Team cannot assess the impact of this perception, it is reasonable to assume that it would contribute to employees' feelings of being overwhelmed.

~~(C//NF)~~ **Inexperienced Officers.** Before 9/11, CTC's ability to attract and retain experienced personnel was hampered by the perception that working in CTC was not career enhancing.¹¹² For example, a former CTC reports officer stated that DO trainers would warn Clandestine Service Trainees (CSTs) not to go to a center because they would not be promoted or receive overseas assignments. A former CTC plans officer stated that CTC was always looking for people—especially operations officers—and in the 2000 timeframe still had to convince CSTs that CTC was a good place to work. CTC's reputation as an intense and stressful center that required its officers to work long hours did not help its recruitment efforts.

~~(C//NF)~~ UBL Station officers had a positive perception of their own capabilities and expertise. In their responses to the survey conducted for the inspection of CTC in 2001, 79 percent of Station personnel said they believed their work unit had the appropriate skills mix to accomplish its mission, about the same as CTC respondents (77 percent) and higher than the response for the Agency as a whole (71 percent). More recent Team interviews indicated that Station personnel continued to hold this opinion.

~~(C//NF)~~ In contrast, the Team's interview data indicate that many DO officers believed UBL Station

¹¹² (U) See Systemic Finding 5 for more on the expertise and skill mix of CTC/AIG analysts.

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personnel lacked the expertise to run operations. Several officials voiced concern that CTC personnel did not have the proper expertise, operations experience, or requisite skills to perform their jobs effectively. Other interviewees told the Team that the lack of operational expertise negatively affected UBL Station's credibility with COSs, its support to field operations against al-Qa'ida, and its ability to respond properly to DO traffic.¹¹³ Indeed, the first Chief of UBL Station was a DI officer. That said, UBL Station officers had gained considerable experience on the job, conducting successful operations against al-Qa'ida.

(S) The operations credentials of the UBL Station officers in 2000 and 2001 were not those that one would expect, given the importance of the al-Qa'ida target. Based on a review of the staffing records, the Team found that, in 2000:

- While the COS had both formal operations training and relevant overseas experience, he was gone frequently,¹¹⁴ leaving his deputy—who had neither—in charge.



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¹¹³ (S//NF) In their response to the OIG draft, CTC managers stated that the Center attempted to balance operational and analytical demands with the skills and expertise it had available to it during a period when the entire Agency was understaffed. They referenced the 2001 CTC inspection report, which concluded that "CTC has limited options for dealing with this perceived personnel shortage....Center employees are managing this perceived shortage in a way that leaves many vulnerable to burnout and allows little time for strategic work. Personnel regularly work extra hours and are only able to perform what they perceive to be the essential tasks. One manager commented that the demand on the staff means that they go from crisis to crisis and are not able to look at trends or more long-range issues to get ahead of the terrorists." The Team agrees with this description of the Station's workload and the resulting pressure on its staff.

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(b)(3) comparison, of the [redacted] serving in operations positions in the Washington-based [redacted] Station in 2000, 100 percent had both formal operations training and practical overseas experience.¹¹⁵

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(b)(3) • Of the [redacted] serving in Intelligence Officer Generalist positions, [redacted] including the account manager for [redacted] had neither formal operations training nor practical operations experience overseas; the remaining officer had both.

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In 2001, the overall level of operations expertise was about the same if not worse, according to a review of Agency training and official travel records. Moreover, the Team found that, as UBL Station staffing increased, the overall Agency experience of those working in the Station declined from an average of 12.8 years at the end of FY1998 to 7.4 years by the end of FY 2001, according to Agency data.

~~(S//NF)~~ Efforts Made to Augment Staff. To make up for shortfalls, CTC augmented its staff in several ways:

- The Center utilized a number of detailees from other government agencies. During the period FY 1996-2001, the number of detailees in CTC fluctuated from 4 to 9 percent of total CTC manning. [redacted] detailees were in CTC at one time or another during this period, about the same as the number of employees who worked in UBL Station over the same timeframe. A former Chief of CTC told the Team that, to obtain more resources, CTC would press other agencies for additional detailees; this was not a popular option with these

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¹¹⁵ (U) [redacted] stated in [redacted] review comments that UBL Station had few operations officers at the outset because its original mission had been to analyze UBL's finances. By 1997, however, the Station had a more operational focus. [redacted] said that [redacted] had tried to get more operational personnel into the unit and had repeated conversations with the DDO about the need to do so. The problem was that there were none to be found without taking them from the area divisions and from the field. The Team recognizes that operations officers were in short supply, but notes that a similar "virtual" station that dealt with [redacted] had a far higher proportion of operations officers during this period than UBL Station. The Team believes that the high priority of the target warranted an infusion of officers with operations expertise into the Station.

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agencies, however, because many detailees did not return to their home agencies. (See Figure S3-9.)¹¹⁶

- The Agency tended to address CTC's personnel needs in times of crises, such as during the Millennium threat or following the East Africa Embassy bombings and the USS Cole attack, by temporarily surging other personnel into the Center. However, this caused additional stress on an already overwhelmed work force.

[redacted] recalled that, after the Africa Embassy bombings, the Station's request for officers with knowledge of operations and cable-writing skills was met with three CSTs on their first interims. While these CSTs were undeniably astute and contributed to Station efforts by the end of their three-month assignment, the officer noted that it still took valuable time to train them.¹¹⁷

- CTC also hired contractors to help address personnel needs. The number of term employees (blue-badge contractors) was relatively small, however, and the Team was unable to obtain reliable data on the number of independent and industrial contractors working in CTC during FY 1996-2001. Thus, the Team was not able to assess the full extent of CTC's efforts to augment its staff using contractors.
- Finally, CTC leadership reduced its [redacted] from [redacted] in FY 1998 to [redacted] in FY 2000, in part to free up positions that could be used to enhance the number of personnel elsewhere in CTC. However,

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¹¹⁶ (C//NF) Moreover, using these detailees to fulfill Center responsibilities meant that the detailees were not able, or were less able, to perform the mission of sharing information with their home agencies. (See Systemic Finding 9—Information Sharing for further discussion of this issue.)

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¹¹⁷ (U) In commenting on the draft of this report, [redacted] noted that [redacted] had raised the issue of CTC staffing, especially UBL Station staffing, many times. [redacted] stated that the Station's two pre-9/11 chiefs both "resisted efforts to assign new people to the Branch [sic], claiming that the need to train and supervise any new people would detract from the Branch's operation and make their task more difficult." [redacted] has a different perspective, indicating that, during his tenure, [redacted] had never offered more resources or people to the Center.

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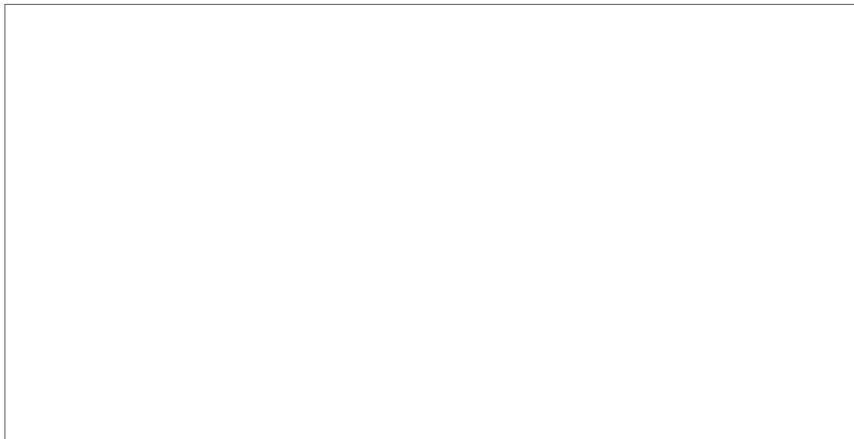


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(U) Impact of the Declaration of War

~~(S)~~ As the JI report mentions, in the December 1998 Declaration of War, the DCI indicated that he wanted the CIA and the IC to spare no resources or people in their efforts against UBL. However, on the basis of interview data and the Team's review of the Agency's financial and personnel resources during FY 1998-1999, the Team did not find any indication that the Agency, at the corporate level, reallocated a substantial amount of either following the DCI's Declaration of War.¹¹⁸

~~(S)~~ Although funding and personnel allocated to CTC increased between FY 1998 and FY 1999, the increase to base resources was not substantial and did not result from a permanent reallocation of Agency resources.¹¹⁹

- The Team's review of CTC's base resources shows that, in FY 1999 alone, the net impact of DO adjustments on CTC's base funds was an overall reallocation of million from CTC programs; as mentioned, some of these funds went to programs not specifically designated as counterterrorism-related. (b)(1)
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- CTC base budget submissions for FY 1999-2001 increased by only 3-4 percent per year after dramatic increases the prior two years. As mentioned previously, the formulation of both the FY 2000 and 2001 budgets began after the issuance of the Declaration.

¹¹⁸ (U) In their comments on the OIG draft, stated that the then-DCI did "declare war," but did not give the DO any additional funds to fight that war. However, the Team notes that the DO also continued to redirect funds from counterterrorism programs. (b)(7)(d)

¹¹⁹ ~~(S//NF)~~ In his comments to the OIG draft of Systemic Finding 2, the former DCI noted a difference between the OIG's 9/11 Review and its 2001 Inspection Report of CTC—in particular, that in areas where the latter had praised performance, the former is critical. The Team agrees that there are differences; these derive from distinct taskings, terms of reference, and methodologies. The Inspection Team did not look at how Agency resources were being allocated or reallocated against the counterterrorism target. Such a review was required of the 9/11 Team, which included two auditors.

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- While CTC personnel increased by 7 percent [redacted] during FY 1998-1999, the most significant increase in CTC personnel—39 percent—occurred during FY1996-1997, prior to the Declaration of War.

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~~(S)~~ In contrast, CTC did reallocate resources to strengthen the fight against al-Qa'ida. During FY 1998-2000, UBL Station resources increased substantially, partly as a result of funds that the Center reprogrammed from other CTC programs:

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- Station core program expenditures grew by 76 percent from [redacted] million in FY 1998 to [redacted] million in FY 1999. This increase continued into FY 2000, when expenditures doubled to [redacted] million, largely as a result of greater funding for operations and travel.
- Manning for UBL Station also increased significantly, from [redacted] in FY 1998 to [redacted] in FY 1999. Nonetheless, Station personnel interviewed for this report believed this still was not enough to deal with the overwhelming workload.

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(b)(3)**(U) Impact and Implications of Resource Decisions**

~~(C)~~ CIA management actions and statements created a contradictory picture on the financing of counterterrorism efforts. If Agency managers believed—as they stated both before and after 9/11—that counterterrorism programs were not adequately funded, then they had an obligation to use the money available to them. However, both CTC and the counterterrorism issue as a whole actually lost funds in CIA internal funding reprogrammings, and CTC did not request significant funds from the CIA Reserve for Contingencies until late FY 2000.

~~(C)~~ Agency and CTC managers failed to make maximum use of the funds available to them in the war against UBL and al-Qa'ida. One cannot know whether this caused Headquarters or field station officers to slow down

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their operational pace out of concern that funds were not, or would not be, available. It is clear, however, that additional counterterrorism operations could have been funded with the monies transferred out of CTC and other counterterrorism programs, as well as from funds left unspent at the end of each fiscal year.

← Although the Team did not attempt to reach a conclusion about the sufficiency of pre-9/11 staffing in CTC as a whole, it is clear that UBL Station personnel did not have the appropriate operational expertise or background. The lack of adequate staffing was a factor in the stations inability or failure to:

- Develop a comprehensive operational program that went beyond the Station's Afghanistan-focused efforts. (See Systemic Finding 11.)
- Undertake better targeting efforts against Bin Ladin and other al-Qa'ida leaders.
- Ensure appropriate follow-up—including information sharing with other agencies—of various operations, such as [redacted] (See Factual Finding 5b.)

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(U) Accountability

← After a review of the JI report and our independent review of counterterrorism resources, the Team recommends that an Accountability Board review the performance of the following individuals:

- The Executive Director from July 1997 to March 2001, for failing to protect CIA counterterrorism program money. At a time when the Agency was authoritatively stating that it was short of funds for counterterrorism and needed supplemental funding, the Executive Director was overseeing the transfer of funds from counterterrorism programs to other Agency priorities.

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This occurred over a period of years—both before and after the DCI's Declaration of War memorandum, which expressly directed that no resources be spared against Bin Laden.

- The DDO from mid-1999 to 9/11, for failing to protect CTC base funding, a portion of which was regularly redistributed to other DO components for programs that often were unrelated to counterterrorism. The DO did not significantly increase funding for counterterrorism in the years following the issuance of the DCI's Declaration of War memorandum; rather, CTC's budget request grew by only 3-4 percent per year and accounted for a declining share of the DO overall budget during FY 1999-2001. The DDO from mid-1999 through September 2001 was overseeing the redirection of counterterrorism base funding during the period when the Agency was stating authoritatively that it was short of funds for counterterrorism and needed supplemental funding.
- The Chief of CTC from mid-1999 to 9/11, for not fully utilizing the financial resources available to the Center, including failure to expend both money in his base budget and supplemental funds. Despite paying various taxes and leaving significant budgetary authority unused at yearend, he continually pressed Congress for supplemental funding. These actions and statements created a contradictory picture on counterterrorism financing for those inside and outside of the CIA.
- The two Chiefs of CTC in the three years before 9/11, for not ensuring that UBL Station received trained operations personnel it needed to do the job.

 The Team believes the DDO from mid-1997 to mid-1999 is responsible for redistributing DO counterterrorism base funding to other DO components for programs that were unrelated to counterterrorism during the seven-month period between the receipt of the DCI's Declaration of War memorandum in late December 1998 and his retirement in late July 1999. His comparatively short

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tenure after the Declaration is insufficient for such actions to
be referred to an Accountability Board.

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(U) SYSTEMIC FINDING 4: APPLICATION OF TECHNOLOGY

(U) Systemic Finding 4 of the Joint Inquiry (JI) report states that, "While technology remains one of this nation's greatest advantages, it has not been fully and most effectively applied in support of US counterterrorism efforts. Persistent problems in this area included a lack of collaboration between Intelligence Community agencies, a reluctance to develop and implement new technical capabilities aggressively, the FBI's reliance on outdated and insufficient technical systems, and the absence of a central counterterrorism database."

(U) Joint Inquiry Discussion

~~(TS)~~ The JI discussion of this finding that is relevant to the CIA focuses primarily on CIA's relationship with the National Security Agency (NSA). According to the report, friction existed between the two agencies over "overlapping and greater use of similar technologies." It states that interviews with Agency personnel indicate that, while individual relationships at the working level were good, those at mid- and upper-management levels were often strained. The report observes that, "CIA perceived NSA as wanting to control technology use and development, while NSA was concerned that CIA was engaged in operations that were NSA's responsibility."

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It also alleges that, because of this friction, the Intelligence Community (IC) devoted significant resources to documenting authorities and responsibilities, noting that the effort necessitated "no less than seven executive level memoranda including one from the President."

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(TS/ [REDACTED] /NF) Elsewhere in the report, the JI devotes a section to technology gaps focusing principally on NSA. [REDACTED]

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(U) With regard to the issue of a central counterterrorism database, the JI report provides no information or clarification other than the assertion in the finding itself.

(U) Assessment of Finding and Discussion

(TS/ [REDACTED] /NF) The 9/11 Review Team concurs with portions of the JI report on this finding but disagrees with others as well as with some of the facts and interpretations presented in the discussion. The Team:

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- Agrees that significant differences existed between CIA and NSA over their respective authorities and that executive-level attention was devoted to deconflicting

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- Agrees that the IC had no central database that included all information relevant to counterterrorism. We note, however, that the JI report fails to mention systems such as the Community Automated Counter Terrorism Information System (CACTIS) and Counterterrorism-Link (CT-Link) that CIA had in place as early as 1995 and that were designed to link the Community.
- Disagrees with the JI's charge that the CIA was reluctant to develop and implement new technical capabilities aggressively. The CIA made vigorous attempts to leverage technology against al-Qa'ida. Indeed, the Agency demonstrated an impressive degree of creativity in its exploration of alternative solutions, although it was not always as successful in implementing them. The JI appears to disparage CIA's technology efforts by characterizing them as "seemingly robust" and evidencing the DDS&T's retrospective comment. The team does not feel the DDS&T's remark was intended to, or did, invalidate the number and variety of programs developed.
- Disagrees with the JI's characterization of CIA's and

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The 9/11 Team found that the two systems were needed because of different requirements.

(U) CIA-NSA: A Problematic Relationship¹²⁰

~~(TS//NF)~~ The difficult relationship between CIA and NSA was longstanding. More than half of the CIA officers

¹²⁰ (U) During the final review of this draft, the Team discussed the relevant findings herein with various senior NSA legal, operations, and technology officials.

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with whom the Team spoke about this relationship agreed that the two agencies routinely battled over turf. At least as early as June 1998, senior CIA and NSA officials began meeting to work out these differences. Nonetheless, the differences remained unresolved well into 2001.

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~~(TS//NF)~~ While many CIA officers tended to view NSA as the guilty party in this longstanding feud, the Team found evidence that CIA was to blame as well.

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¹²¹ ~~(S//NF)~~ In his reviewing comments on the draft report, the former DCI observed that the August 2001 OIG Inspection Report on CTC stated that, "CTC's relationship with NSA has improved dramatically since the last inspection." He added that, while there were conflicts over the years among officers of CIA and NSA, the two organizations have worked effectively on the most difficult national security challenges, and offers, as evidence, "successes we have had together in decimating the al-Qa'ida leadership to date."

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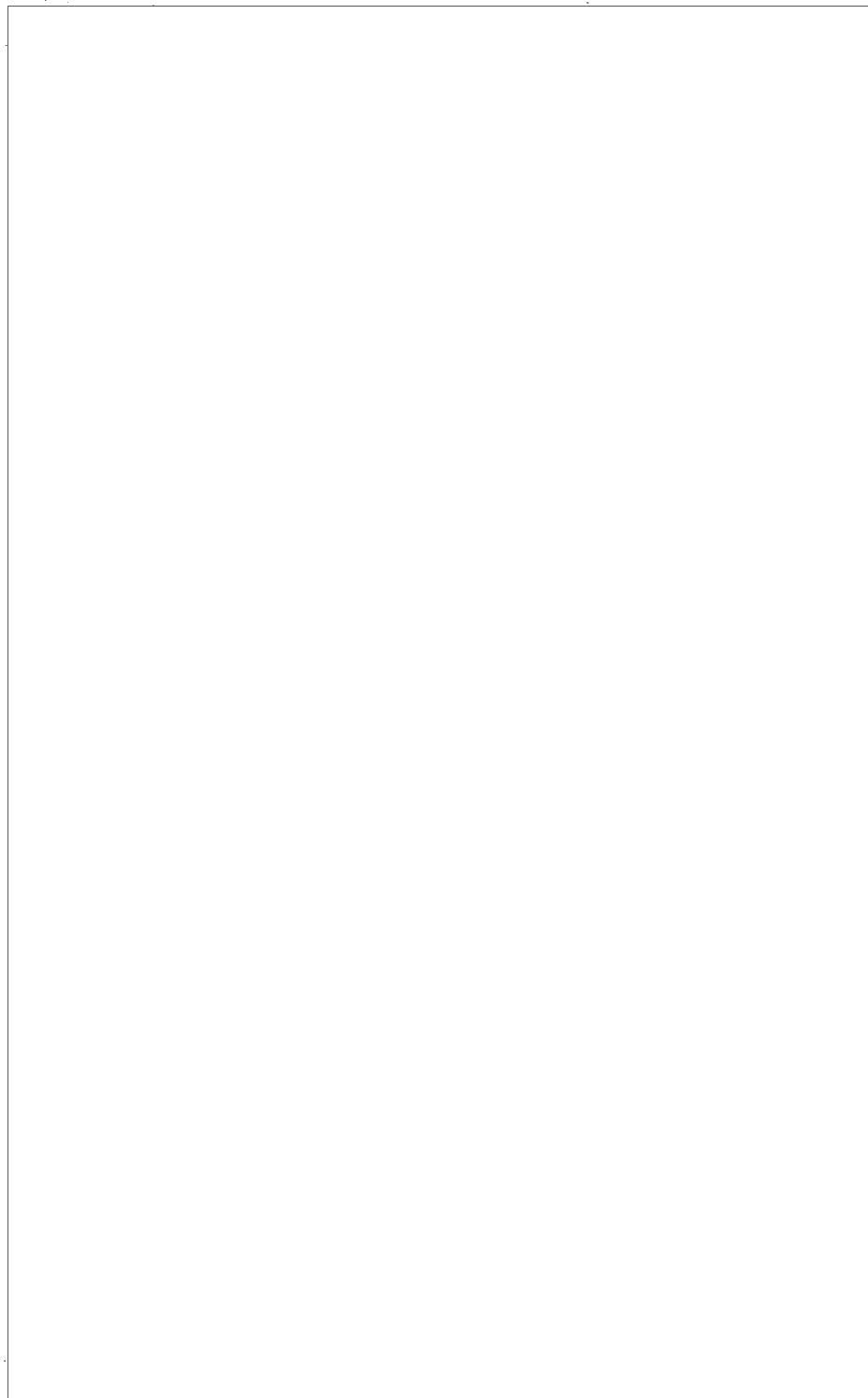
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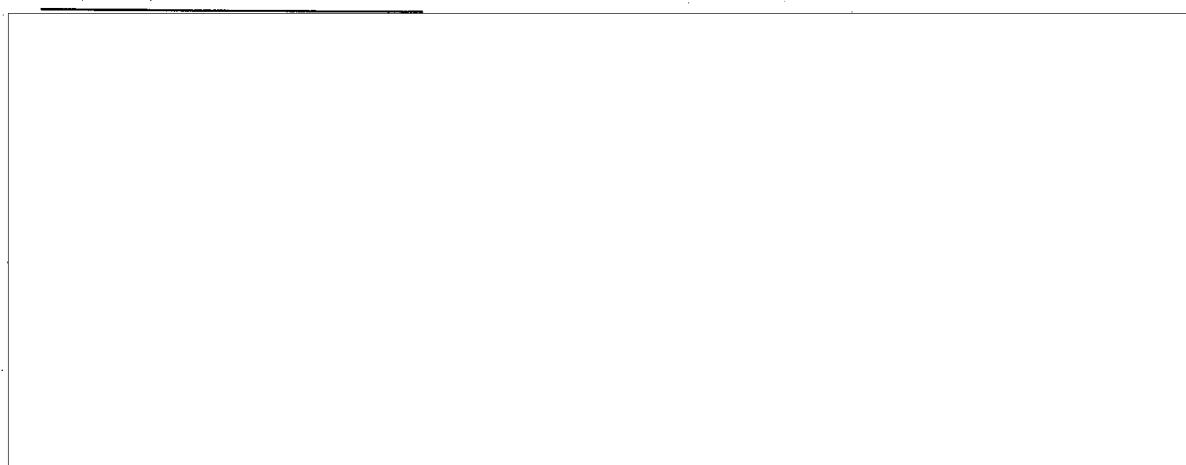
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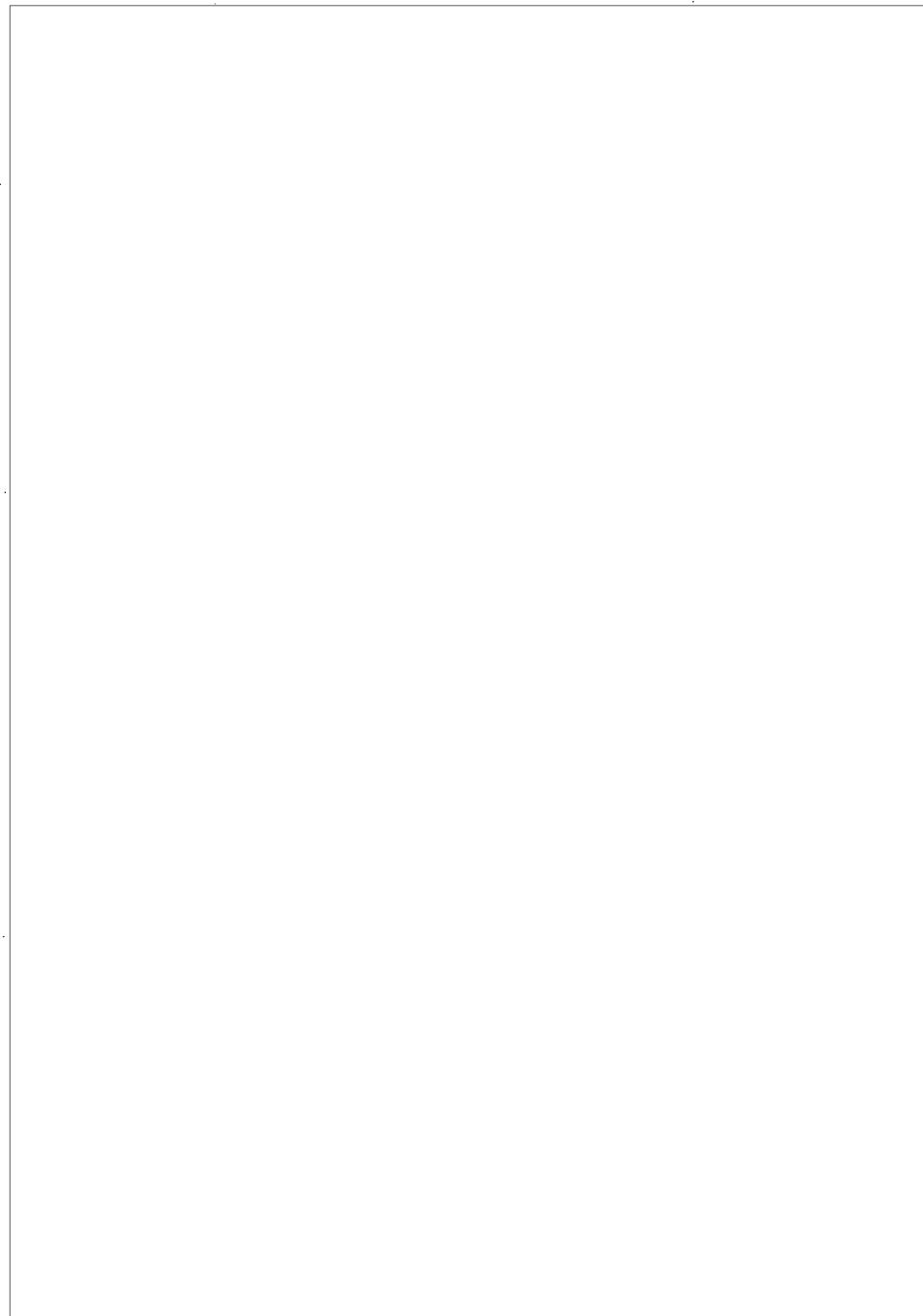
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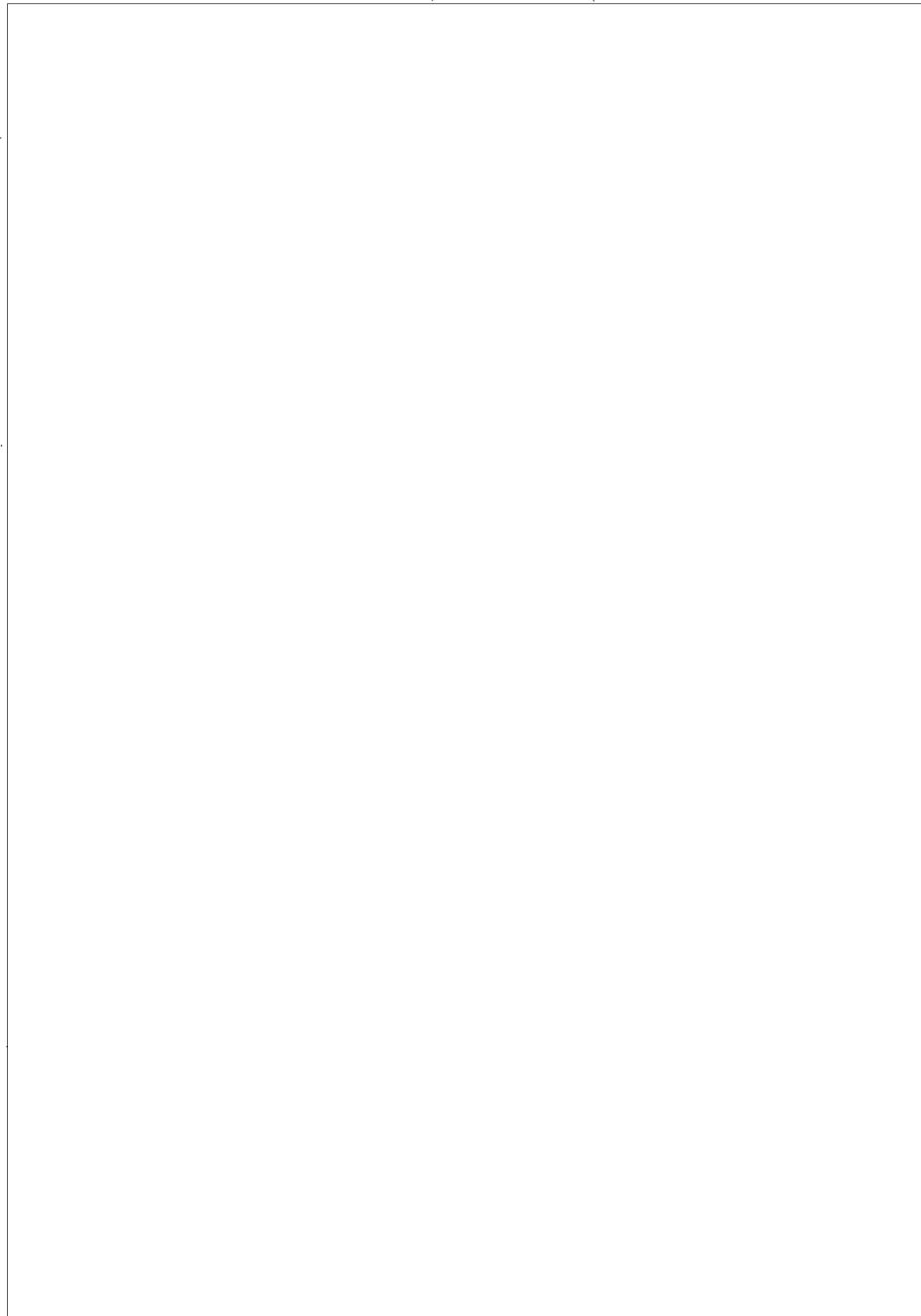
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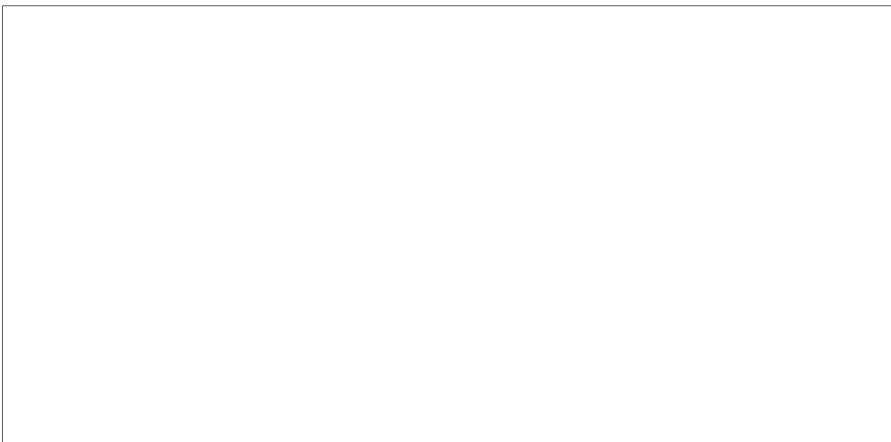


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(U) A Central Counterterrorism Database

~~(S//NF)~~ The need for a central database that would house all relevant counterterrorism information and would be accessible to all IC members was acknowledged years before 9/11 and is undisputed. The IC Five-Year Counterterrorism Initiatives of July 1996 lists as one of the Community's main initiatives "upgrading community databases and exploring expanding access to interagency databases." These goals were in line with the DCI's Strategic Intent for the Intelligence Community of March 1999, which, among other things, outlined the expectation that the IC would ... "deploy tools that will establish a shared, electronic working environment for all communities of interest." Progress on a counterterrorism database was slow, however. Indeed, in his 2 June 2002 testimony to the

¹³⁰ ~~(S//NF)~~ In his reviewing comments on the draft report, the former DCI observed that, while the report implies he should have "commanded a result," that was not the way he worked with [the Director of NSA] on any issue and that, in the case of [redacted] he was not empowered to do so. He further stated that he spoke with the NSA Director numerous times on the issue and that the President ultimately clarified the matter, as was required.

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The Team does not contest the DCI's assertions that the problem was difficult and that he spoke with the Director of NSA about it many times. The Team concludes, however, that the DCI was aware of the severity of the issue for several years and that he therefore had an obligation to see to it that it got resolved more speedily than it did.

¹³¹ ~~(S//NF)~~ In his reviewing comments on the draft report, the former DCI commented that he had been told the problem was resolved and he had not been asked to intervene further at any point prior to 9/11.

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JL, the DCI stated that the IC still had 58 separate watchlisting databases.

~~(S)~~ Although the 9/11 Review Team concurs that the IC lacked a central counterterrorism database, the team believes it is relevant to point out two specific efforts CIA had underway as early as 1995 to link the Community electronically:

- CACTIS (the Community Automated Counterterrorism Intelligence System), initiated in 1995, provided IC users¹³² access to terrorism-related cable traffic and publications and afforded them the ability to search for summaries and statistics in CTC's New Incident Summary Database, the US Government's official database of record on terrorist incidents, according to the Agency's FY 1997 Congressional Budget Justification Book. The DCI's Terrorism Warning Group, under the management of the Community Counterterrorism Board, oversaw the CACTIS effort. In 1996, CTC touted CACTIS as a prime illustration of the Center's role in consolidating and streamlining Community programs. It said that CACTIS would merge independent and increasingly obsolete systems into a single, multi-purpose, improved data-sharing network. According to the CACTIS Program Manager, drawbacks to the system included its nonavailability on user desktops and its slowness. These factors prevented users from utilizing the system to its full advantage.
- CT-Link, which connected government agencies involved in fighting terrorism, was initially deployed in October 1999 as a successor to CACTIS.

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¹³² (U) In addition to the WARN-5 agencies, CACTIS was available to smaller agencies, such as the US Postal Inspection Service, US Defense Nuclear Agency, and US Army Counterintelligence Center.

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(U) Technology Development and Implementation

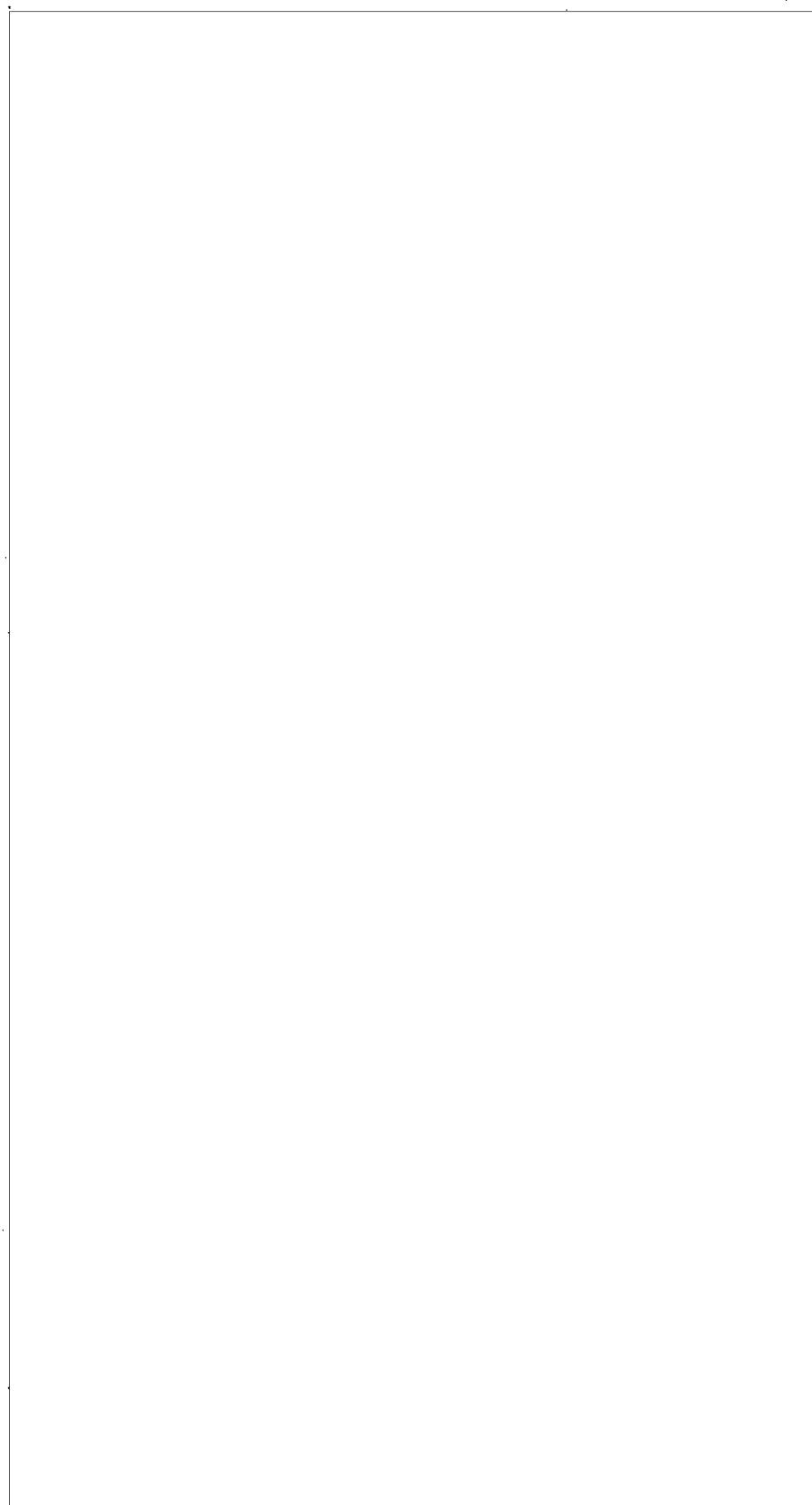
~~(S)~~ The 9/11 Review Team believes the JI report understates the difficulty of conducting clandestine technical operations against al-Qa'ida. First, the main theater, Afghanistan, had no US diplomatic or CIA Station presence and had a communications infrastructure that had been demolished by decades of civil war. Second, the target itself was elusive: CIA was essentially collecting against small cells of people who were constantly changing the technology by which they communicated.

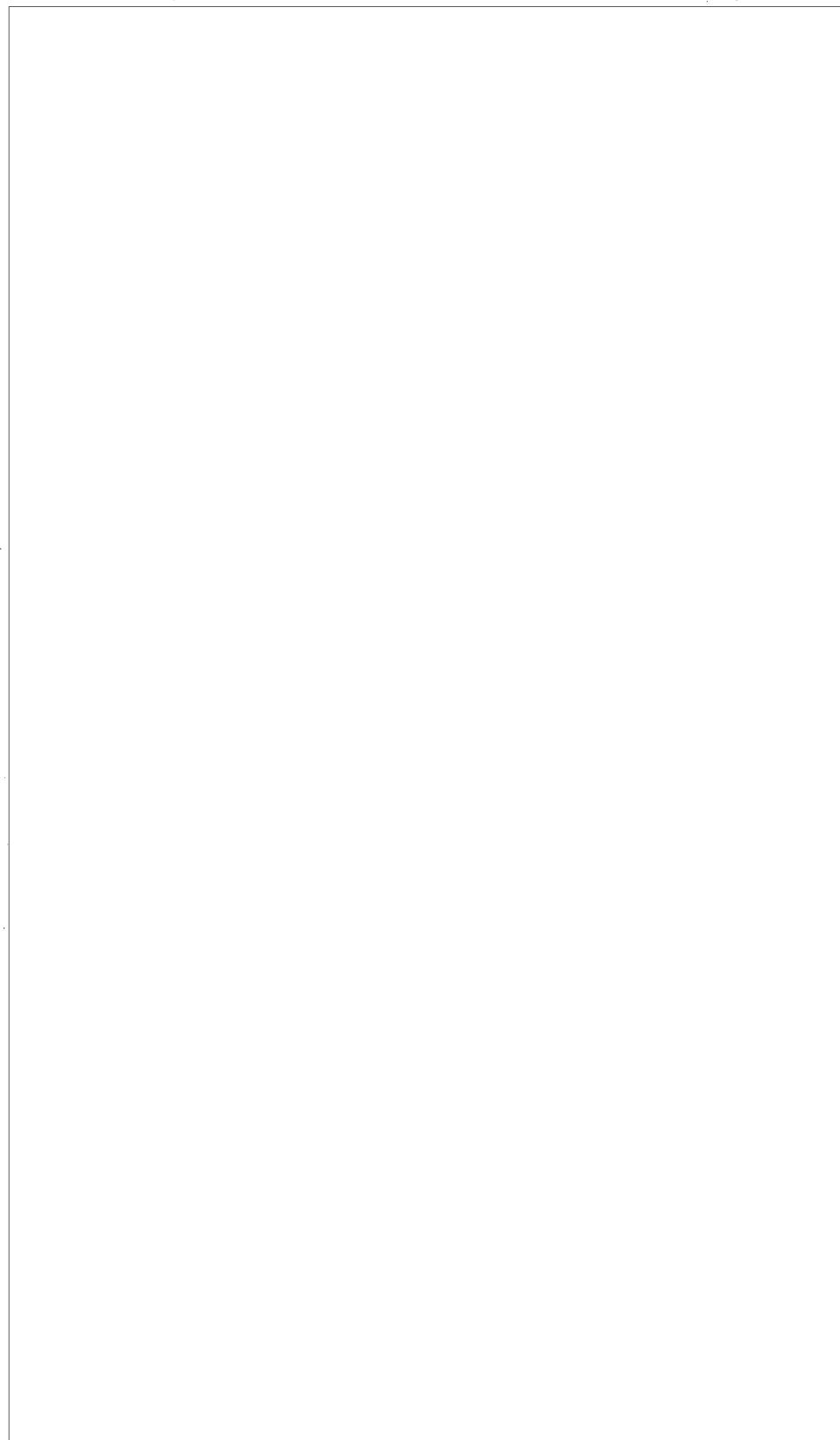
~~(S)~~ Despite these obstacles, the 9/11 Team believes that the CIA mounted a reasonably robust technical effort against UBL and al-Qa'ida. The Agency did not implement all of the possible solutions it explored and was not always successful in the operations it undertook; nonetheless, by employing a variety of approaches, CIA was able to achieve notable successes.

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[] Indeed, the Team believes these ideas and CIA's elicitation and examination of them attest to its willingness to study nontraditional solutions, even if it reveals a lesser degree of success in their implementation.

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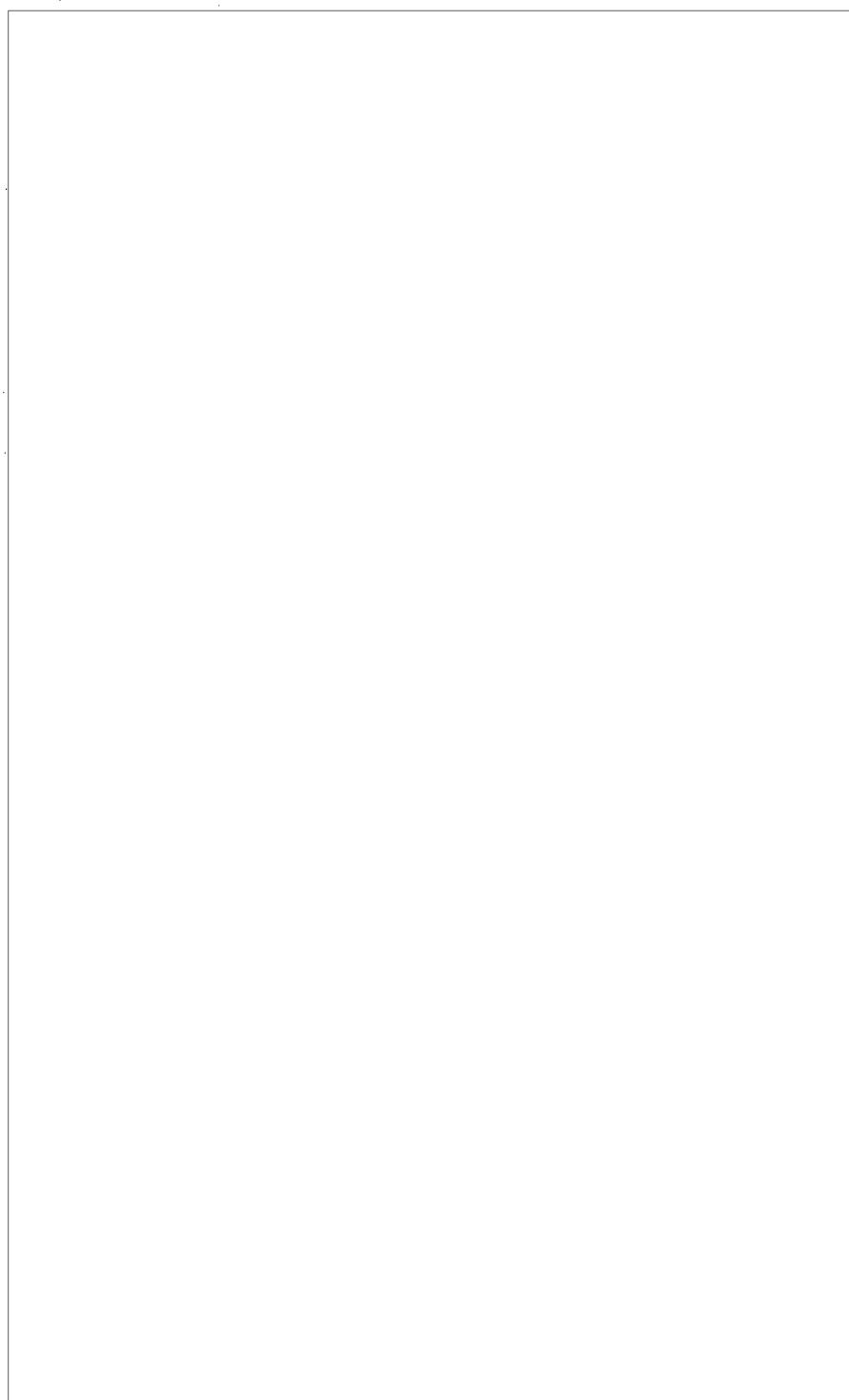
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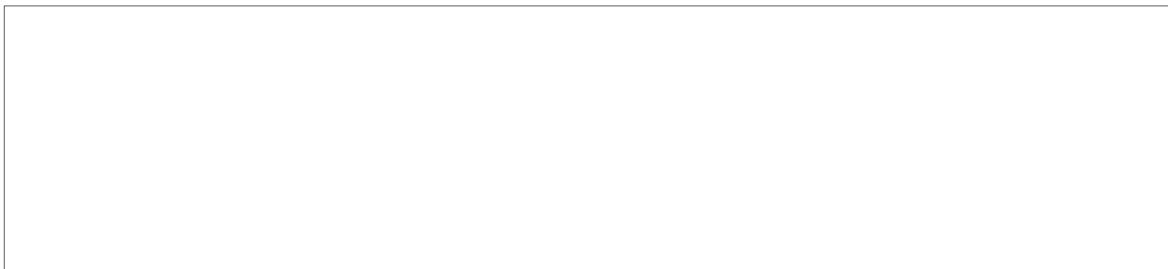
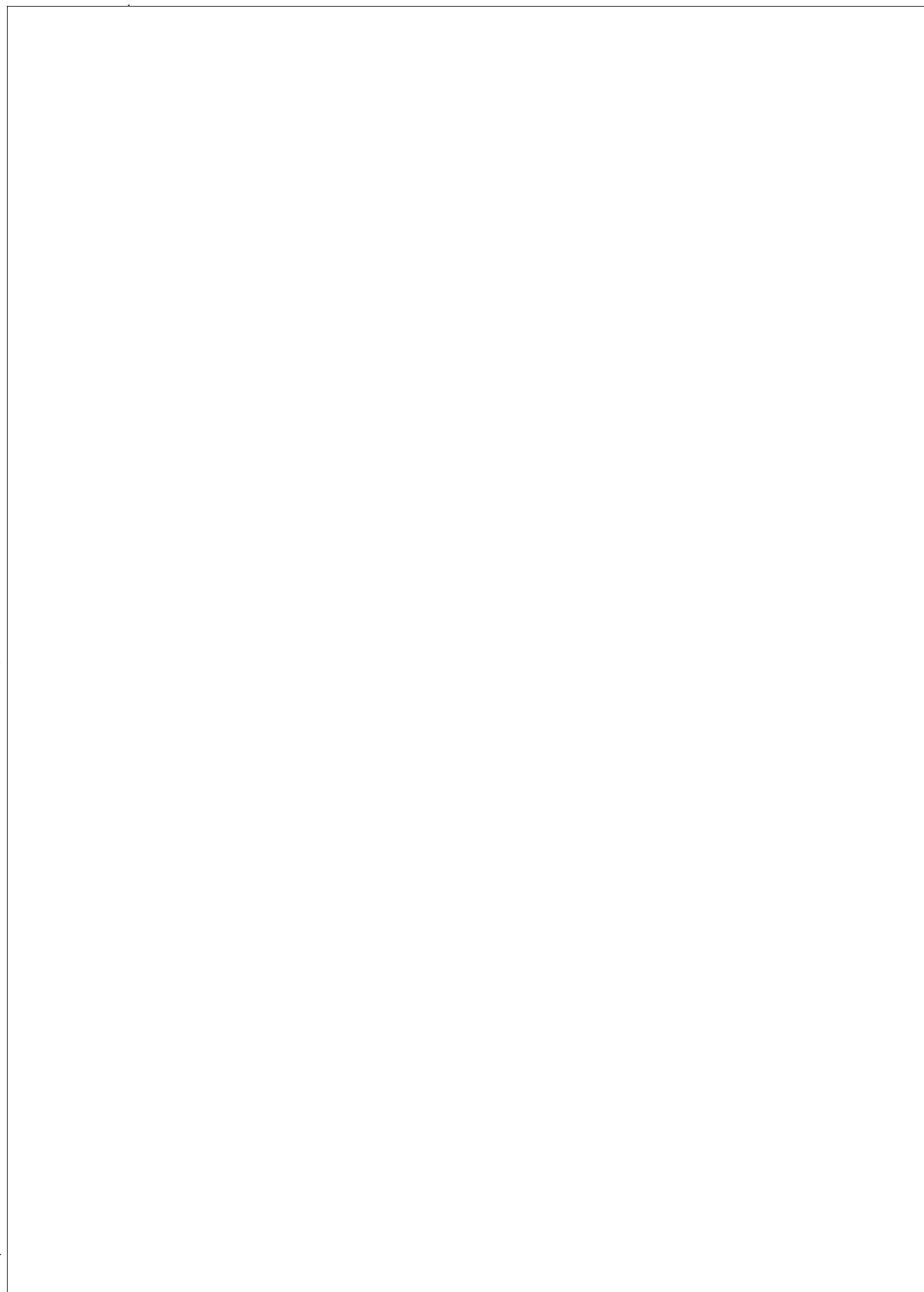
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(b)(3)**(U) Impact**

~~(S)~~ Although many observers agree that the NSA-CIA relationship was problematic, the 9/11 Review Team is unable to measure the consequences that this situation had on the two agencies and their ability to perform their missions. Nonetheless, the Team acknowledges the perception of senior CIA and Community Management officials that the impact was significant. The relationship was in the process of being addressed at executive levels of CIA during the summer of 2001. The fact that this problematic relationship was permitted to persist for as long as it did and to the degree that it did, however, given the enormity of the threat and the potentially disastrous implications of noncooperation, we consider to be a specific and notable failure.

(U) Accountability

~~(S)~~ As noted in this report, a troubled relationship existed between CIA and NSA, the seriousness of which was acknowledged by senior CIA and Community Management leadership and perceived as detrimental to the missions of both agencies. This relationship persisted over the course of several years. Furthermore, with the exception of one short-term stint, CTC failed [redacted]

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[redacted]—an arrangement to which [redacted] had agreed—potentially resulting in valuable information being overlooked, including during the run-up to the Millennium and the increased threat environment of 2001. The Team recommends that an Accountability Board review the performance of the following individuals:

- The DCI from the pre-9/11 period, for failing to take action personally on a more timely basis to resolve the

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differences between the two agencies in an effective manner.

- The CTC Chiefs from mid-1998 through 11 September 2001, for failing to [redacted]

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(U) Systemic Finding 5 states that, "Prior to September 11, the Intelligence Community's understanding of al-Qa'ida was hampered by insufficient analytic focus and quality, particularly in terms of strategic analysis. Analysis and analysts were not always used effectively because of the perception in some quarters of the Intelligence Community that they were less important to agency counterterrorism missions than were operations personnel. The quality of counterterrorism analysis was inconsistent, and many analysts were inexperienced, unqualified, under-trained, and without access to critical information. As a result, there was a dearth of creative, aggressive analysis targeting Bin Laden and a persistent inability to comprehend the collective significance of individual pieces of intelligence. These analytic deficiencies seriously undercut the ability of US policymakers to understand the full nature of the threat, and to make fully informed decisions."

(S) The accompanying narrative goes on to term analytic focus on al-Qa'ida by the Intelligence Community (IC) and the Counterterrorist Center (CTC) as "woefully inadequate:"

- In terms of numbers, the report states that the branch in CTC's analytic unit, the Assessments and Information Group (AIG), that focused on al-Qa'ida had only five full-time analysts working on that issue between 2000 and 11 September 2001 (9/11); that AIG as a whole had only devoted the equivalent of some 34 analysts to the subject prior to 9/11; and that—including officers from elsewhere in the CIA—fewer than 40 analysts were working on al-Qa'ida. It notes that the DCI acknowledged to the Joint Inquiry that the number of

¹³⁶ (U) As a result of a conflict of interest, the Inspector General recused himself from deliberations on the performance of Agency components and individuals relating to this issue. Two successive Deputy Inspectors General did participate in accountability discussions regarding strategic analysis and all other issues.

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analysts devoted to following al-Qa'ida was too small. That said, it also indicates that CTC refused to accept offers of analytic help from the Defense Intelligence Agency (DIA) and the Federal Aviation Administration (FAA).

- In terms of analytic experience, the report critiques the relatively junior status of CTC analysts, claiming that, on average, they had only three years of analytic experience in contrast to eight years for analysts in the DI as a whole. It notes that CTC did not have enough qualified analysts to produce in-depth analysis.

~~(S)~~ The Joint Inquiry Report further states that CIA analysis on al-Qa'ida was oriented toward the tactical rather than the strategic. For example, the National Intelligence Council produced no National Intelligence Estimate (NIE) on al-Qa'ida. The Report claims that this focus on the crisis de jour meant that analysts had no time to spot trends. It quotes the Director of CTC's Office of Terrorism Analysis (OTA)—the post-9/11 successor to AIG—as acknowledging that strategic research production had remained flat prior to 9/11 but that CTC had recognized its shortcomings and was taking steps to address them. The Report also quotes the testimony of the Director of Central Intelligence (DCI) to the Joint Inquiry: "...the strategic analytical part of this has to be big and vibrant to give you the chance to be predictive..."

~~(S)~~ The narrative makes additional claims about analysis, including:

- That analyst opinion was given no weight, especially among operations officers, who allegedly did not like to take direction "from the ladies from the Directorate of Intelligence."
- That CIA was reluctant to provide raw data to analysts outside the Agency. For example, it says that DIA stated that it did not see the operations traffic on the

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January 2000 Malaysia operation and therefore had no chance to add its analytic insight to the al-Mihdhar/al-Hazmi case.

- That the US Government relied too much on its own analysts rather than on outside experts.

(U) Assessment of the Finding

← The Office of Inspector General (OIG) 9/11 Review Team concurs with some, but not all, of the finding.
The Team:

- Has conflicting information on the adequacy of the number and the qualifications of analysts devoted to counterterrorism. As such, the Team is unable to either agree or disagree with this part of the finding.
- Agrees with the main thrust of the finding—that there was a relative dearth of strategic analysis on al-Qa'ida and that the quality of this analysis was inconsistent.

(U) Adequacy of Analytic Resources

← The number of analysts working on counterterrorism in AIG and in the regional and transnational offices of the Directorate of Intelligence (DI) grew in the years prior to 9/11. A review of the work product of the analysts suggests, however, that the DI and CTC may have exaggerated some of the numbers of analysts they indicated were working on the al-Qa'ida target:

- The number of analysts who worked exclusively on al-Qa'ida—that is, those in AIG's [redacted] (b)(3)

[redacted] grew after 1998 but remained relatively small immediately before 9/11. Prior to the African embassy bombings, one analyst in the branch covered al-Qa'ida. After the bombings and the DCI's call to war, the number increased to three, according to the

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[redacted] Following the Cole bombing, the number increased to five, where it remained until 9/11. (b)(7)(d)

- In addition, analytic coverage of al-Qa'ida grew in other AIG branches. On the basis of CTC's response to a July 2002 Congressional query, the equivalent of 29 AIG analysts worked on al-Qa'ida in AIG's [redacted]

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[redacted] branches as of August 2001, compared with only six in August 1998.¹³⁷ This would mean that the proportion of AIG analysts working on al-Qa'ida grew from 24 percent to 83 percent during the period. However, an examination of production topics suggests that AIG was devoting a greater percentage of its work force to other terrorist organizations in the year prior to 9/11 than its statistics would suggest. Forty percent of the Intelligence Reports (IRs) that AIG produced during the period September 2000-August 2001 focused on al-Qa'ida or Bin Ladin, according to AIG's IR Log, and all of the articles and most of the highlights that appear in the CIAlink version of CTC's Terrorism Review during this period cover issues other than al-Qa'ida. Moreover, about three-quarters of the pieces for the Senior Executive Intelligence Brief (SEIB) that AIG did during the six months prior to 9/11 covered terrorist groups other than al-Qa'ida, such as Hizballah.

- The number of DI analysts working on al-Qa'ida outside of CTC also increased in the three years prior to 9/11. In response to the mid-2002 Congressional query, the DI indicated it had devoted the equivalent of almost eight analysts to al-Qa'ida in September 1998 and that this increased to 15 in August 2001. The largest concentrations of these analysts were in the [redacted] Group of the Office of Transnational Issues (OTI) and the [redacted] Issue in the Office of Near Eastern and South Asian Analysis (NESAA). However, an examination of production records causes the Team to

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¹³⁷ (S) CTC actually reported the equivalent of nine analysts in September 1998 and 33.8 in August 2001. From these, we have subtracted the three and five analysts, respectively, working in [redacted] at those times. (b)(3)

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question these numbers also. Whereas OTI's production record supports the claim of 3.75 OTI analysts working on al-Qa'ida as of 1 August 2001, NESA's claims of the equivalent of four analysts devoted to the issue seem high, considering that NESA produced no IRs on the organization after 1998 and that [redacted] told the Team that the office did not work on al-Qa'ida because it was not a country. Similarly, the [redacted] Issue in the Office of Russian and European Analysis (OREA) claimed the equivalent of 2.5 analysts working on al-Qa'ida as of 1 August 2001; an examination of OREA production submitted for this inspection suggests that this figure, too, is inflated and probably reflects the number of analysts working on the [redacted] account, only a portion of whom covered links to al-Qa'ida.

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~~(C)~~ The Team therefore cannot accurately determine the overall size of the analyst cadre devoted to working on al-Qa'ida immediately prior to 9/11. The Team believes it is probably somewhat higher than the Joint Inquiry's figure of "fewer than 40" but, based on our analysis, it is below the 49—34 in AIG plus 15 in the DI—which CTC offered in 2002 as the number of analysts working on al-Qa'ida prior to 9/11.¹³⁸

~~(S)~~ The number of analysts devoted to terrorism in general also grew over the years. At the end of 1997, AIG had 30 analysts and managers of analysts in analytic production units, according to the [redacted]. This had increased to 34 by the end of 1999 and 43 by the end of 2000. As of 10 September 2001, following a recent influx of several new officers—including some senior officers for the Group's newly established [redacted]

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¹³⁸ (U) One of the problems with these full-time analyst-equivalent numbers is that they represent a combination of numerous recollections of how individuals spent their time at work, and such personal recollection can be inflated. For additional information on analytic resources, see Systemic Finding 3.

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Group—AIG's analysts and managers of analysis numbered 47.¹³⁹ DO elements of CTC also had DI analysts and others working as targeting analysts during this timeframe. Meanwhile, the number of analysts working on counterterrorism in general within DI offices grew from about 31 in September 1998 to 46 in August 2001, according to data the Agency provided to the Joint Inquiry in mid-2002.

(S) Regardless of the size, the Team has collected contradictory information as to whether AIG's analytic resources were adequate to do the job. This is not to imply that the team considers that pre-9/11 analytic resources were adequate but that the conflicting information was such that the Team reached no conclusion on the issue.

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(S) On the one hand, many officers indicated that the numbers were too small. As the Joint Inquiry report mentions, the DCI in 2002 acknowledged that the number of analysts had been too small. In addition, [redacted] told the Team that the DI's movement of some 215 analysts into OTA a few weeks after 9/11 suggests that the number beforehand was inadequate. Moreover, a handful of CTC managers termed AIG's workload excessive, implying the need for more analysts. Several CTC officers told the Team that they could not do more strategic analysis prior to 9/11 because AIG had too few analytic resources and an excessive workload. For example, about one-fourth of the 23 CTC analysts and managers of analysts who responded to our question on the absence of strategic analysis on terrorist use of aircraft said that CTC lacked the analytic resources to do such an analysis, given the demands of meeting the daily current load.

(S) On the other hand, information, mainly from before 9/11, suggests that knowledgeable officers perceived analytic resources to be generally adequate. For example, the CIA Executive Director told the Senate Appropriations

¹³⁹ (C) In earlier years, AIG also had several editors and research support officers who occupied analytic positions. By 10 September 2001, these numbered only two. These officers have not been included in these counts.

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Committee in February 2001 that, "CTC currently has sufficient analytic resources against the terrorist target.¹⁴⁰ Similarly, in response to JIS questioning, [redacted] said he believed that, prior to 9/11, CTC had "sufficient analysts for the analyses produced." [redacted]

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[redacted] told the Team that, except in the area of strategic analysis, there was not a sense of a shortfall in counterterrorism analysts. Moreover, prior to 9/11, most AIG analysts did not perceive any shortfall. In the survey that accompanied the OIG's inspection of CTC in 2000, only 17 percent of AIG respondents disagreed with the statement that their work unit had sufficient personnel to accomplish its mission, well below the 40, 39, and 43 percent who disagreed with the statement in the rest of CTC, the DI, and the Agency, respectively.¹⁴¹ Similarly, 65 percent of the AIG survey respondents stated that the amount of work they were expected to do was about right. While 35 percent said their workload was too much, this was slightly below comparable figures for the rest of CTC and the Agency as a whole. Almost all of the 18 AIG analysts and managers of analysis whom the OIG interviewed during the 2000-2001 inspection of CTC indicated, when asked about surge practices, that the group responded well during a crisis; only three indicated that they needed more people to do so. Similarly, when asked what AIG's biggest obstacle was, only two cited inadequate resources.¹⁴²

¹⁴⁰ (C//NF) After reviewing the draft report, former AIG managers note that such Congressional testimony proves nothing about the resource situation, as senior Agency managers strongly discouraged statements about resource needs "lest this lead either to directives to the Agency to shift resources from other programs or to the impression that senior management has not done very well its job of apportioning resources in the first place."

¹⁴¹ (U) While this survey was conducted immediately prior to the Cole bombing, AIG officers would have factored into their responses observations made following the Africa embassy bombings and during the Millennium crisis. In reviewing the draft report, some former AIG managers noted that this survey question instead indicates perceptions of whether management is effectively using the resources it has available. Broader analysis of the results of this question—which OIG has asked in numerous component surveys over the years—and the question's specific reference to mission, suggests otherwise.

¹⁴² (C) In its interviews, the CTC 2000-2001 inspection team did not directly ask officers if they had enough analytic resources, since that information could be gleaned from the accompanying survey.

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~~(S)~~ While an imprecise measure, an examination of Agency personnel data suggests that the amount of resources that the DI had devoted to counterterrorism, as of immediately before 9/11, was generally in keeping with the personnel resources devoted to issues with like intelligence priorities. This is not to say that counterterrorism analytic resources were adequate but that they appeared to be generally consistent with those assigned to comparably tiered issues.

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~~(S)~~ In the year prior to 9/11, managers in AIG did attempt to get more analytic slots. For example, in early 2001, Chief/AIG converted three support positions to analytic ones. For the most part, this overall effort was designed to address the long-identified need for a strategic analytic unit. As a result of the need for additional analysts, the DI moved three slots to AIG in summer 2001. That this move occurred more than a year after a review by the DI's

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[redacted] identified the need for such a unit and several months after the DCI ordered the unit's establishment suggests a lack of urgency on the DI's part in shifting resources to counterterrorism. Indeed, according to [redacted]

[redacted] the DDI and ADDI devoted extra analytic slots to CTC only after the DCI intervened in early 2001.¹⁴⁶

(C) In regard to the Joint Inquiry's statement that CTC did not accept offers of analytic assistance from FAA and DIA, the Team has found no information that these organizations made any such offers that were unconditional. In response to a question following October 2002 testimony to the JI, CTC officers:

- Contacted FAA representatives who told them that the FAA never offered to provide substantial analytic support, including personnel. FAA told CTC that it intended its letter of November 2000, which some may later have interpreted as an offer of analysis, as an effort to inform the Center that it was interested in increasing the scope and quantity of intelligence it received beyond that of immediate threats to civil aviation.
- Recalled that DIA's offer of analytic assistance was related to an analytic unit that DIA wanted to create, subject to CTC providing DIA with access to operational traffic. Meanwhile, DIA repeatedly refused to fill a DIA-designated position in the Community Counterterrorism Board (CCB)—which would have provided access to all information available to CTC analysts—from early 2000 through 9/11, until CTC provided an analyst to DIA. The Team's review confirms that the DIA position—as well as other IC positions—on the CCB remained vacant for many months. In addition, CTC hosted three DIA detailees, including one in AIG, in 1998 and 1999,

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¹⁴⁶ (C//NF) In [redacted] May 2005 comments on the second draft of this report, [redacted] noted that, during AIG's April 2001 briefing to the DCI on the status of strategic analysis, the DCI "urged the then-DDI to direct 'hundreds' of analysts to CTC." The 9/11 Team did not hear this from any other source during either its data collection or first review phase of the report.

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suggesting that CIA was not reluctant to welcome rotatees from DIA.

(U) Qualifications of Analysts

(U) The OIG 9/11 Review Team also collected conflicting information regarding the qualifications of analysts devoted to counterterrorism. Consequently, the Team neither concurs with nor disputes the Joint Inquiry's assertion that analysts in AIG were less qualified than those elsewhere in the DI.

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(C) Interviews and other information from former AIG managers suggest that many analysts who worked in AIG prior to 9/11 were relatively unqualified. An examination of AIG officer biographies shows that several had little prior experience working as analysts. In an interview conducted during the CTC inspection of 2000-2001, [redacted] group needed more experienced people. Former AIG managers, in commenting on the draft report, noted that, in the year prior to 9/11, the Group had only some 10 analysts who had the experience and time-on-account to do strategic analysis.

(C) Indeed, time-on-account data suggest that the CTC analysts were at a disadvantage when compared with other analysts. For example, as of 9/11, officers in AIG analytic positions had averaged 25 months working in CTC; in contrast, analysts on [redacted] Issue—a comparably sized unit—had worked on their issue for about twice as long, according to Agency biographic data. In large part, the relatively short time on counterterrorism accounts resulted from:

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- The legacy of previously maintaining AIG positions as rotational ones. Until AIG established its own career service in 1997, most officers in the group generally rotated back to the DI after a two- to three-year stint. This greatly curbed development of expertise. As of 9/11, however, this was changing, as 11 AIG officers—no

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doubt encouraged by the creation of the career service—each had more than four years experience in CTC.

- The large number of officers who had recently entered on duty or transferred into AIG. Indeed, 14 AIG officers had been in the group for less than six months as of 9/11. (Several of these individuals had recently moved to CTC to fill the new strategic analysis unit.)

~~(C)~~ Other information from the years before 9/11 suggests that AIG personnel had the appropriate skills mix. When the Team asked these officers what were the consequences of AIG staffing levels and skills mix, most of those who addressed the latter point replied that the group had many strong, experienced analysts. Moreover, in the OIG 2000 survey of CTC, 78 percent of AIG respondents agreed that their work unit had the appropriate skills mix to accomplish the mission, about the same as the comparable figure for the DI as a whole and above the overall Agency figure. In addition, Agency data indicate that the average grade of analysts in AIG was 12.5 as of 1 January 1999, only a little less than the 13.0 for analysts in the DI as a whole.

~~(C)~~ Whatever the case, AIG analytic qualifications improved greatly shortly before 9/11, following the influx of several more experienced analysts into the Strategic Analysis Unit. Although this occurred just before 9/11 and therefore had little impact on the Group's strategic or other output prior to 9/11, it nonetheless shows that the Center was addressing the qualifications issue. A comparison of analysts and managers in analytic slots in CTC/AIG with those in the DI as of 10 September 2001 shows that both groups had about the same average grade level: 12.7 for CTC compared with 12.9 for the DI. Although AIG had no SIS-level or active GS-15 analysts, GS-14s accounted for more than one-quarter of its analysts immediately prior to 9/11. As of 9/11, CTC analysts on average actually had more overseas experience than the wider DI analytic population—[redacted] Agency Human Resources data show that, while CTC officers had almost three years less Agency experience than their DI

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counterparts, they nonetheless averaged a respectable 8.6 years since their entry on duty.¹⁴⁷

(U) Educational characteristics of the AIG analytic work force also indicate that the group was appropriately qualified as of 9/11. For example, of the 39 pre-9/11 AIG officers for whom the Team has academic records, 23 had earned masters degrees and six had PhDs. In addition, a review of Agency training records shows that, on average, each AIG analyst had taken three Agency-sponsored training courses devoted to analysis prior to 9/11. Most officers had also taken pertinent courses on counterterrorism, operations, and substantive regional or technical issues.¹⁴⁸

(C) In addition, some senior customers at State and the National Security Council (NSC), whom the OIG interviewed in its 2000-2001 inspection of CTC, praised the expertise of AIG officers. During interviews for that inspection, policymakers singled out several experienced analysts and managers in AIG for kudos.

(S) Finally, while the Joint Inquiry claims that counterterrorism analysts did not have access to critical operational information, the Team's research found otherwise. Within a few years prior to 9/11, all AIG analysts had access to CTC's Hercules database, which contains CTC's operations traffic. In addition, the DI's [redacted] database and various open source databases were available to these officers.

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(U) Inconsistent Quality of Strategic Analysis

(U) The CIA's counterterrorism analysts did produce numerous pieces of strategic analysis in the years prior to

¹⁴⁷ (C) Again, this contradicts the Joint Inquiry's report, which said that analysts in CTC had three years experience compared with eight among DI officers.

¹⁴⁸ (C) Nonetheless, in the survey that accompanied the 2000-2001 Office of Inspector General inspection of CTC, only 56 percent of AIG analysts agreed that they had received adequate training for their current job, as compared with 67 percent for CTC as a whole and 78 percent for the rest of the DI.

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9/11, both in longer term papers and in the current intelligence publications.¹⁴⁹ While several of these were strong analytic pieces, others were marked by various tradecraft deficiencies. As such, the quality was, indeed, uneven.

(U) Strategic Analysis

~~(C)~~ The Joint Inquiry does not define the term, so we have adapted the following definition for strategic counterterrorism analysis: the in-depth, well-researched, and often longer term analyses that suggest trends and put threat reporting in context. We believe this definition fits with CTC's own interpretation of strategic analysis. During its early 2001 presentation on "Creating a Strategic Assessment Capability in CTC," AIG officers cited several examples of what they mean as a "strategic assessment," including:

- Interpretation of indicators prior to the terrorists conducting an operation.
- Evaluation of foreign counterterrorism practices.
- Assessment of alternative means of terrorist attack beyond the traditional truck bomb.
- Analysis of the evolving threat of terrorism without borders.

~~(S//NF)~~ Longer-Term Reports. Over the years, CTC/AIG produced a few standout strategic analytic pieces. For this review, the team asked three independent reviewers to assess the quality of IRs and other longer term papers that focused on UBL and/or al-Qa'ida between 1 January 1997

¹⁴⁹ (U) CTC officers also conveyed the analytic judgments of these and other strategic pieces through direct and indirect briefings of key policymakers. However, by their nature, the record and the content of these nonwritten presentational vehicles are less comprehensive than those of written products. As such, when assessing strategic analysis, the Team focused most of its attention on written reports. Moreover, in its interviews and other research, the Team did not come across any briefings that covered strategic analytic topics other than those also covered in the various written products.

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and 10 September 2001.¹⁵⁰ Among the 34 such papers done by CTC/AIG, our independent reviewers singled out a handful of strong efforts.¹⁵¹ These include:

- “Bin Ladin Network Rattled But Still a Potent Force.” One reviewer noted that, from the title through the last paragraph, this November 1998 assessment conveys the gravity of the threat posed by Bin Ladin and al-Qa’ida.
- “How Bin Ladin Commands a Global Terrorist Network.” This report from January 1999 paints a vivid picture of a highly dangerous terrorist group with a focused leadership structure.
- “Bin Ladin’s Terrorist Operations: Meticulous and Adaptable.” This assessment, done in November 2000, highlights the gravity of the threat al-Qa’ida poses to the United States abroad. It clearly depicts Bin Ladin and al-Qa’ida as dangerous enemies of the United States and—unlike most other AIG papers done after mid-1998—reminds readers of the implications of UBL’s February 1998 fatwa calling on all Muslims “to kill Americans and their allies, both civilian and military, worldwide.”
- “Sunni Extremists Sinking Roots in Afghanistan.” This August 2001 report paints a realistic picture of the implications of terrorist groups operating freely in Afghanistan. One of our reviewers commented, “No reader can come away from this report without a clear appreciation of the value of the safe haven the terrorists have developed in this country.”

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¹⁵⁰ (U) These reviewers consisted of two former senior managers [redacted] and a senior analyst [redacted]

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¹⁵¹ ↗ The Team does not mean to indicate that these 34 reports represent all of AIG’s strategic, longer term production. AIG produced many additional IRs on other terrorist groups—including some with links to al-Qa’ida—and on other topics. The Team’s reviewers did not examine these. In commenting on this draft, a former AIG manager indicated that the Group produced 68 strategic papers on Bin Ladin between August 1998 and September 2001. This count, however, includes papers in which al-Qa’ida is mentioned but is not the central focus. It also includes an NIE and several papers produced by other DI offices.

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(C) The Team's independent reviewers found that the analytic tradecraft in the 34 CTC reports and 12 non-CTC reports was generally good. Each reviewer examined the papers independently and, for each product, assigned numerical scores for elements of tradecraft and of strategic warning involving the al-Qa'ida threat. After averaging all the scores for all the CTC papers, most of the 10 tradecraft elements received a score of 2 or more on a 0-3 scale, 3 being high.¹⁵² A comparison of the 34 CTC papers with nine written in OTI—the only other office to have produced a sizable quantity of IRs related to al-Qa'ida—shows average scores for the tradecraft elements to be about even; each office scored significantly higher than the other on only one element apiece: CTC on provision of warning and OTI on actionability. Similarly, average scores for various tradecraft elements were comparable to those that other independent reviewers had assigned for IRs on other subjects during previous OIG inspections.

(C) These findings generally echo those revealed in a study by the DI's [redacted] (b)(3)

[redacted] staff. Following the 1998 African embassy bombings, CTC management had commissioned the [redacted] (b)(3) staff to review the Center's finished intelligence on Bin Laden and to suggest tradecraft improvements. The [redacted] (b)(3)

[redacted] staff's report, issued in March 2000, found that the products CTC disseminated in the year following the bombings more fully discussed intelligence gaps, analytic uncertainties, and the line of reasoning used to support judgments than did those published in the year prior.

Indeed, one of our three reviewers noted that, "Many of the papers laid out deficiencies and gaps in the reporting, as well as what could be corroborated from other sources," adding however that this may have tempered the overall message.

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¹⁵² (U) The 10 tradecraft elements that our reviewers evaluated were actionability, argumentation, assumptions, confidence level, context, implications, sourcing, value-added, warning, and writing. The reviewers also looked at the contribution made by graphics, but, because of inaccessibility of graphics for many papers, the Team has not incorporated scores for this element in our overall evaluation.

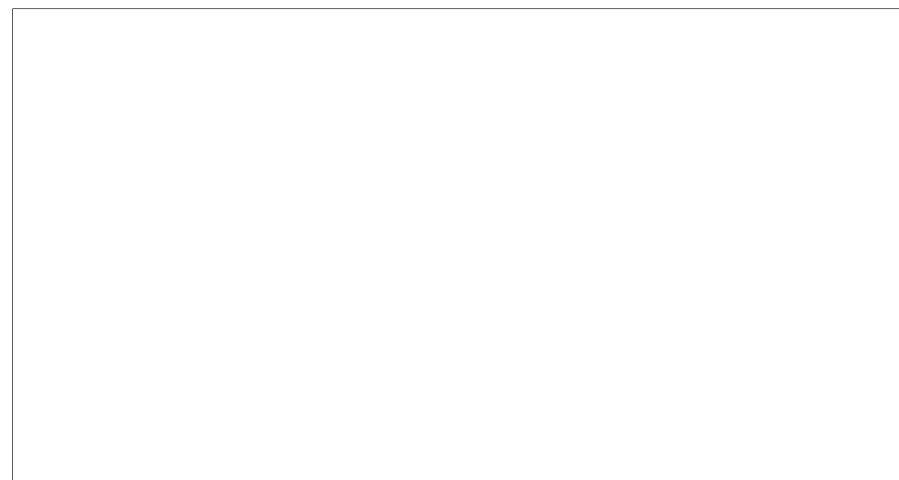
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(C) One aspect of tradecraft that the reviewers found wanting in these IRs, however, was consideration of implications. In addition to scoring this tradecraft element relatively low, on average, the reviewers noted that:

- "One of the most striking characteristics of this material is the absence in many papers of any discussion of implications. In those papers where the implications of a development were put forward, there was—with some notable exceptions—a constrained, tentative quality to the analysis."
- "A large number of the papers...did not score well in the implications category.... [redacted] maintained, 'all good papers had a beginning, middle, and end.' Too many papers in this package failed to pass that test because they did not have an 'end.'" This is contrary to the [redacted] review, which had noted a substantial improvement in CTC/AIG's incorporation of implications into its products in the year following the African embassy bombings, as compared with the year before. The difference between the two studies possibly results from the different time periods considered.

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(S/[redacted] NF) Current Intelligence. AIG also submitted several strategic analysis pieces on al-Qa'ida to the current intelligence publications—the President's Daily Brief (PDB) and the Senior Executive Intelligence Brief (SEIB). [redacted]

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[REDACTED] Many of the better examples of strategic analysis, however, occurred after January 2001, when the DI revamped the publication to meet the heightened current intelligence demands of the new Administration.

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- An aforementioned piece from 6 August on Bin Laden's determination to strike in the United States. (See discussion in Factual Finding 3.)

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~~(C)~~ The Team did not conduct a comparable outside independent qualitative review of the pre-9/11 current intelligence production on al-Qa'ida because:

- Most of the finished current intelligence products had passed through several layers of editorial review outside of CTC, so a retrospective assessment would be

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hard-pressed to determine the source of particular tradecraft strengths or flaws.

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Since most such pieces did not go beyond warning of impending al-Qa'ida attacks, it would be unfair to assess them across a full range of tradecraft elements.

That said, the Team's own cursory examination shows the quality of most of the SEIBs and PDBs to be adequate and reveals no consistent tradecraft problems.

(S//NF) However, the proportion of al-Qa'ida-related current intelligence pieces that were strategic in nature was relatively low, especially prior to the change in the PDB format in January 2001. Between 1 January 1998 and 20 January 2001, only one-fifth of the al-Qa'ida related pieces in the current publications were strategic in nature; about half of the current articles done during this period were straightforward warning pieces, and many of these presented only the threat described in some recently received report without providing any value-added analysis. The remaining pieces were more informational in nature,

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(U) Weaknesses of Strategic Analysis

~~(C)~~ A comprehensive examination of CTC/AIG's strategic analysis record on al-Qa'ida prior to 9/11 shows many missing elements. Among other things, AIG:

- Did not produce comprehensive reports on several issues that could have been under prime consideration for strategic analysis coverage.
- Only occasionally employed alternative analysis techniques.
- Seldom explored the possibilities of denial and deception (D&D) analysis.

(U) Issues Not Covered

~~(S)~~ Perhaps of greater significance than the inconsistent quality of analysis was AIG's absence of comprehensive strategic analysis on numerous critical topics.

- CTC's strategic analysis on the United States as a potential target was largely limited to the items in the early August 2001 PDB/SEIB and the January 2000 IR, "Terrorist Plotting in Canada and Jordan: Lessons Learned About Bin Ladin and the Broader Sunni Extremist Network." This report indicates that recently available information confirms AIG's "analysis since the August 1998 bombings in East Africa that Bin Ladin and his allies have developed plans to hit targets on US soil;" no other pre-9/11 report delves into these plans. (See Factual Finding 3.)
- While AIG wrote a short piece for the current intelligence publications in late June 2001 on how al-Qa'ida was planning high-profile attacks, this relied principally on information received the previous week [redacted] CTC analysts did not produce any comprehensive piece that pulled

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together the threads from all the threat reporting received in the late spring and early summer. (See Factual Finding 2.)

~~(S)~~ Moreover, during the 1997-2001 timeframe, AIG never published a comprehensive strategic assessment of the overall threat posed by al-Qa'ida. CTC's Eight-Day Project—a post-9/11 study by various analysts who reviewed the previous two years of intelligence reporting to determine, among other things, if the Agency had any indicators that forewarned of the attack of 9/11—noted this lack, remarking that "such a paper would undoubtedly be well-received by the Intelligence Community and policymakers, and it would serve as a tutorial for new analysts." Such a comprehensive assessment would have been especially useful for the policymakers in the new Administration as it took office in January 2001. While AIG produced papers that covered individual aspects of the organization, such as operations and leadership succession, none pulled the whole story together. One of the Team's reviewers commented that, although the body of work produced in the five years prior to 9/11 would raise serious alarm if read in its entirety, most readers—particularly top policymakers—would have read only some of the material over a period of years. Another reviewer noted that only a few publications provided a unifying framework for consumers. A review of [redacted] FY 02 Program of Analysis, developed before 9/11, indicates that the branch planned several other strategic papers on al-Qa'ida—such as reviews of UBL's use of media and al-Qa'ida recruitment—but none that would have served as a comprehensive assessment of the organization's overall threat.

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~~(S//NF)~~ This lack of a "big picture" paper is surprising given that CTC officers had been working on two such efforts before 9/11:

- In the summer of 1998, AIG's then-most experienced al-Qa'ida analyst produced several iterations of a draft IR, "Usama Bin Laden's al-Qa'ida: Promoting Global Jihad and Terrorism." Former AIG managers note that

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the material in this paper served as the basis for a briefing the DCI gave to the President after the August 1998 African embassy bombings.

this paper was an overly long, unwieldy conglomeration of facts in need of a good deal of work prior to publication. After managerial review, the analyst—who by then had commenced a rotation in the DO—produced another draft in January 1999. Because of the analyst's absence and because management continued to have analytic and presentational concerns with the draft, AIG managers decided to divide up the paper's themes among four different analysts and have them produce separate papers. Prior to 9/11, CTC had published three of these—one in January 1999 on Bin Ladin's command system (this was already underway but drew on material from the earlier draft of the paper); one in November 2000 on al-Qa'ida's modus operandi; and another in August 2001 on Afghanistan as an incubator for terrorism. As is evident, many months separated the production of these papers. While the Team's independent reviewers assessed these three as among CTC's best on al-Qa'ida, they ranked the unpublished draft as high as those on all tradecraft issues except clarity of writing.¹⁵³ Moreover, the reviewers assessed the unpublished draft to be better than any published by CTC in terms of providing an understanding of al-Qa'ida's leadership, operations, and communications. One of our reviewers termed the paper a significant missed opportunity, stating that, "it could have been made ready for publication given a reasonable amount of additional analytic effort plus sufficient management guidance."

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¹⁵³ (U) The reviewers examined the January 1999 draft of this paper.

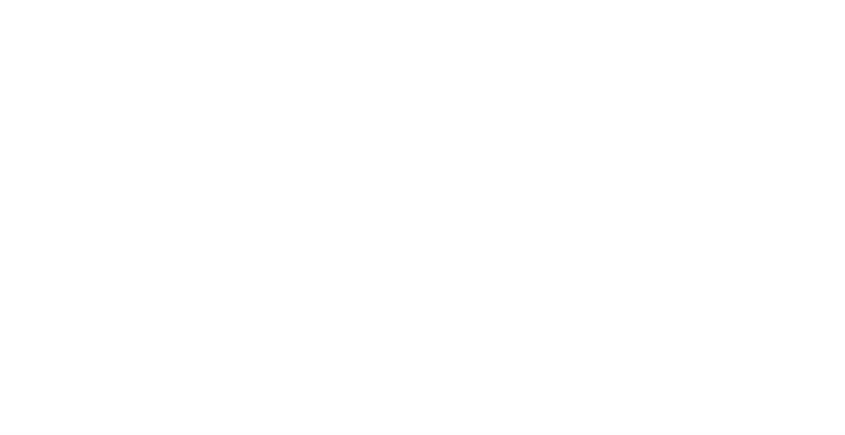
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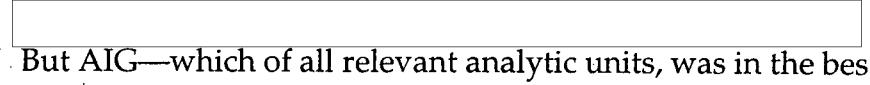
[redacted] drafted a lengthy paper on al-Qa'ida and Bin Ladin. [redacted]


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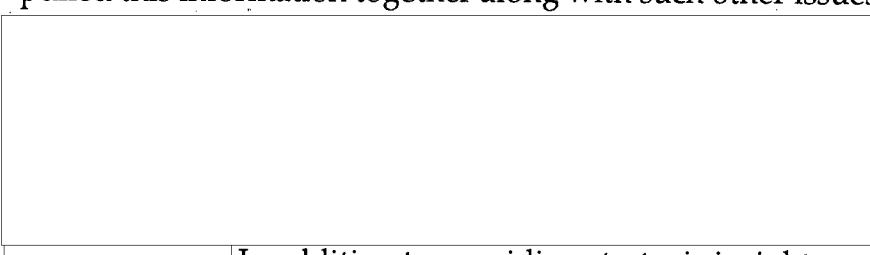
(S) Similarly, CTC/AIG never produced a paper expressly focusing on Bin Ladin himself. [redacted]



[redacted] In the late 1990s, analysts covered various aspects of Bin Ladin in a handful of separate products: In September 1998, NESA published a useful paper on Bin Ladin's political and religious agenda; in late 1998 and 1999, OTI produced several papers on UBL's wealth and financial ties; and in January 1999, AIG's paper, "How Bin Ladin Commands a Global Terrorist Network,"


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But AIG—which of all relevant analytic units, was in the best position to do so—produced no comprehensive piece that pulled this information together along with such other issues


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[redacted] In addition to providing strategic insight on al-Qa'ida decisionmaking and leadership, UBL Station could have found such a study extremely useful for targeting purposes. [redacted] told the Team he lobbied AIG for such a paper, noting that it could also serve as a useful primer for the incoming Administration. It was not until April 2002 that the CIA produced an operational

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profile of Bin Laden, but, even then, it was the DCI's UBL Task Force that undertook such a study, not AIG.

~~(S//NF)~~ Many of AIG's post-1998 reports, both long-term and current—also lacked emphasis on Bin Laden's February 1998 fatwa authorizing the killing of Americans. Indeed, this absence independently and particularly struck the reviewers. One noted that the fatwa was a watershed development that had "too soon became a distant image in the rear view mirror." AIG's November 2000 paper on Bin Laden's terrorist operations does a good job linking the fatwa to al-Qa'ida's operational doctrine. Nonetheless, CTC did not mention the fatwa in the few post-1998 products that touched on the United States as a target, such as the January 2000 Jordan-Canada IR or the 6 August 2001 PDB.¹⁵⁴

(U) Alternative Analysis

~~(S//NF)~~ CTC also undertook few alternative analysis studies during the years prior to 9/11. Indeed, the March 2000 study faulted AIG for not incorporating more alternative analysis into its products, given:

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- The "surprise" of the East Africa bombings and the lack of consideration beforehand of attack scenarios beyond those supported by existing reporting and assumptions about Bin Laden's preferred target locations.
- CTC's recognition in its post-Africa bombing evaluation that errant assumptions about Bin Laden's intentions led analysts and policymakers to conclude that he would not act in Africa.
- Bin Laden's breaks with more characteristic terrorist behavior in planning and carrying out operations.

¹⁵⁴ ~~(C)~~ Similarly, FBIS, which readily issued a translation of the fatwa on the day of its release—23 February 1998—missed an opportunity to analyze the fatwa and related statements by Bin Laden and associated extremists. Indeed, a search of FBIS's website reveals that the organization issued only two foreign media notes or foreign media analyses focusing on Bin Laden or al-Qa'ida between 1 January 1998 and 10 September 2001.

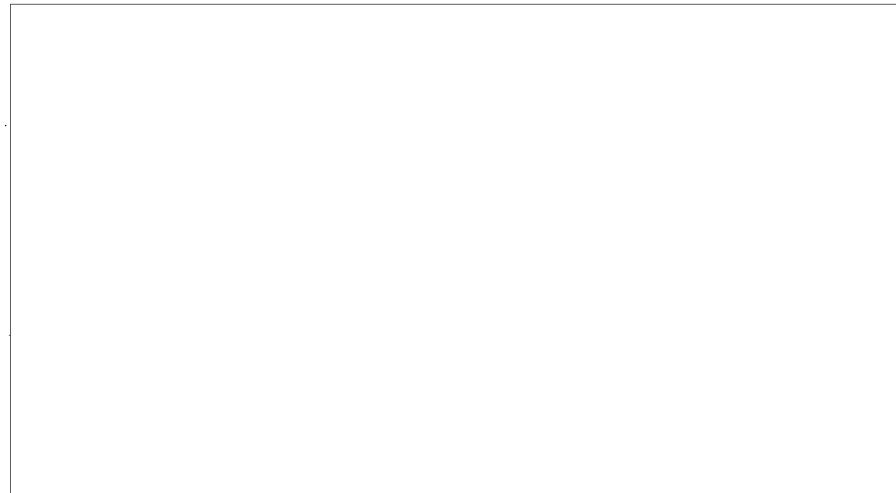
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- Bin Ladin's demonstrated predilection to change plans if he decides that it is too risky to strike the original target.

The [redacted] study provided numerical scores to seven tradecraft elements,¹⁵⁵ and alternative analysis consistently scored well below the other six.

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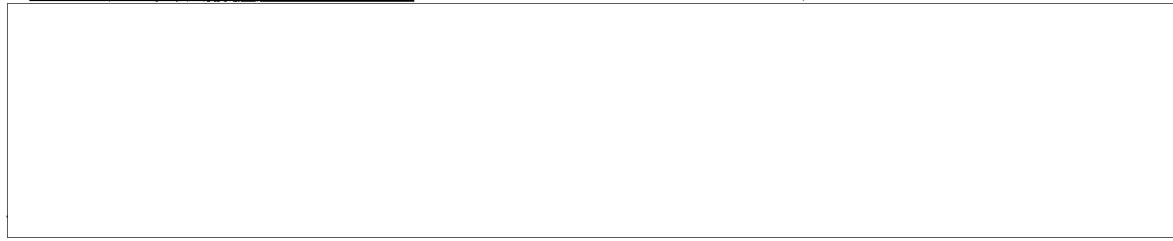
~~(S//NF)~~ AIG did undertake some measures to ensure incorporation of alternative analysis in its work on al-Qa'ida. AIG management required its work force to take CTC-dedicated alternative analysis training during the summer of 2001.¹⁵⁶ And, in February 2000 and May 2001, respectively, AIG disseminated two papers specifically billed as "alternative analysis:"

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~~(S//NF)~~ AIG analysts in [redacted] who worked most closely on al-Qa'ida undertook only limited alternative analysis in the years prior to 9/11, however. In a review of analytic papers produced by [redacted] the Team found only one example of such analysis; [redacted]
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[redacted]
 In interviews, most of the analysts in [redacted] recall utilizing no alternative analysis, and [redacted] they did not do any because they "did not have the luxury to do so." That said, the [redacted] FY 02 Research Plan listed a paper, "Key UBL Assumptions Check," which was to take a comprehensive look at the key assumptions underlying analysis of the entire Bin Laden issue and which likely would have employed alternative analysis techniques; 9/11 occurred before the branch could get to this paper.

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~~(S//NF)~~ Probably in response to this dearth of pre-9/11 alternative analysis, on 12 September 2001, the DCI created the Red Cell, a unit of senior DI analysts and other IC officers tasked with thinking "outside the box" on counterterrorism. In short order, the Red Cell's nontraditional approach began receiving praise from the President, Vice President, and other senior policymakers. Later, the Red Cell's mandate expanded to other intelligence topics.

(U) Denial and Deception

~~(S//NF)~~ CTC/AIG rarely utilized D&D techniques to assess al-Qa'ida tactics. Indeed, the Team found only two examples of AIG's examination of possible al-Qa'ida D&D, both done in summer 2001:

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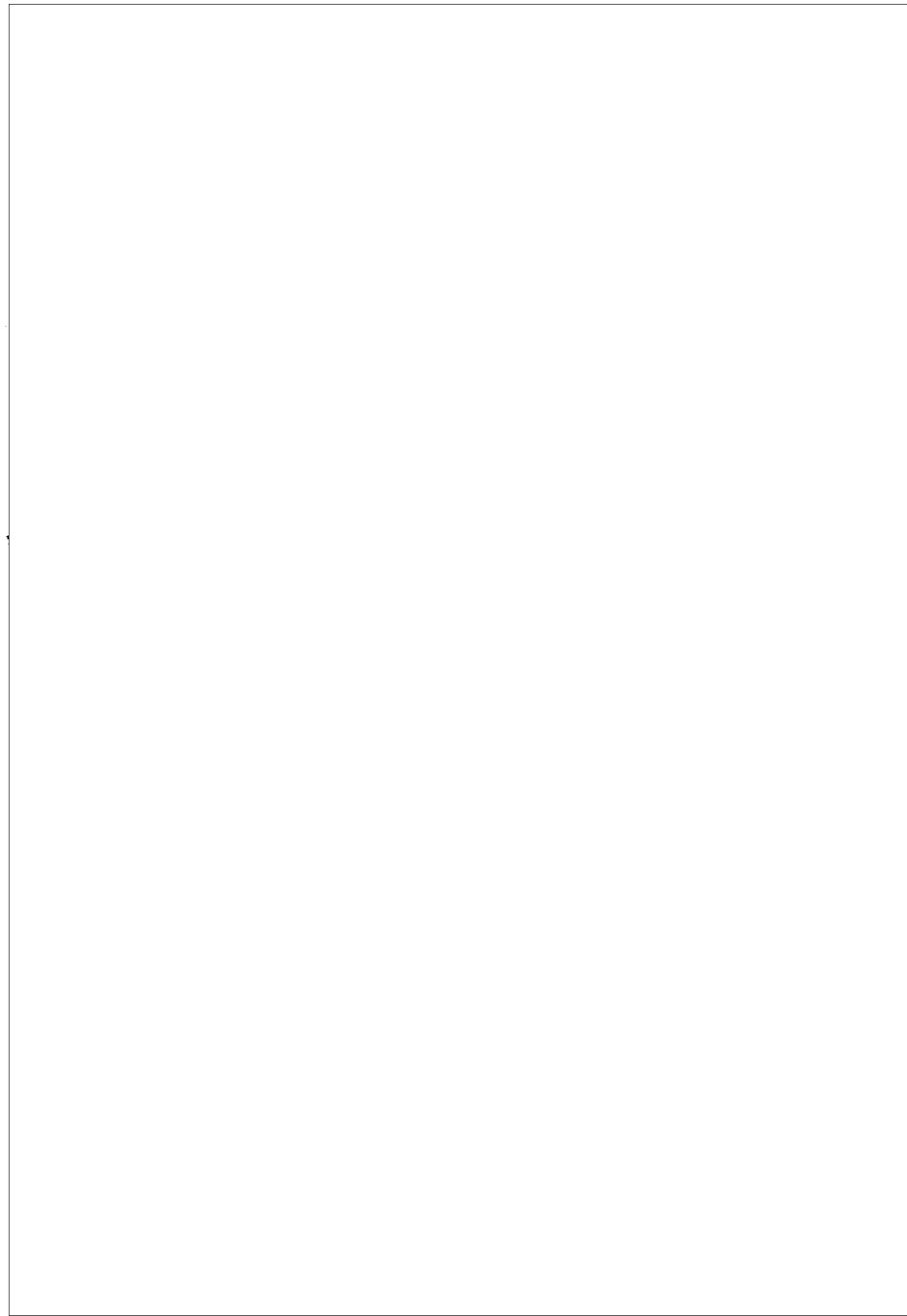
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(b)(3)**(U) Reasons Limiting Strategic Analysis**

← Several reasons underlie the inadequate attention to strategic analysis on al-Qa'ida. These include other demands on analysts' time, the lack of an analytic unit

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specifically dedicated to the production of such analysis, and absence of oversight on terrorism analysis by senior DI managers. In addition, IC organizations closely associated with CIA—the NIC and the Interagency Intelligence Committee on Terrorism (IICT)—produced few strategic pieces on the terrorist organization.

(U) Current, Tactical, and Other Demands

~~(S)~~ Many AIG officers told the Team that current and tactical demands prevented them from doing more strategic analysis than they did. Indeed, the CTC inspection of 2000-2001 found that, "Analysts acknowledge that the constant state of crisis and strong demand from policymakers and Agency senior managers limit their ability to conduct strategic research and develop in-depth expertise." In spring 2001, AIG managers cited current and tactical demands while making the case for additional resources to staff the planned strategic analysis unit. Among other things, they noted that production of PDBs and SEIBs had more than doubled between January 2000 and March 2001.

~~(S//NF)~~ Despite this, comparison of selected DI issues' pre-9/11 production of current intelligence (PDBs and SEIBs) and IRs shows that several DI issues had similar or even heavier current intelligence burdens but still produced more long-term pieces per capita than did AIG.

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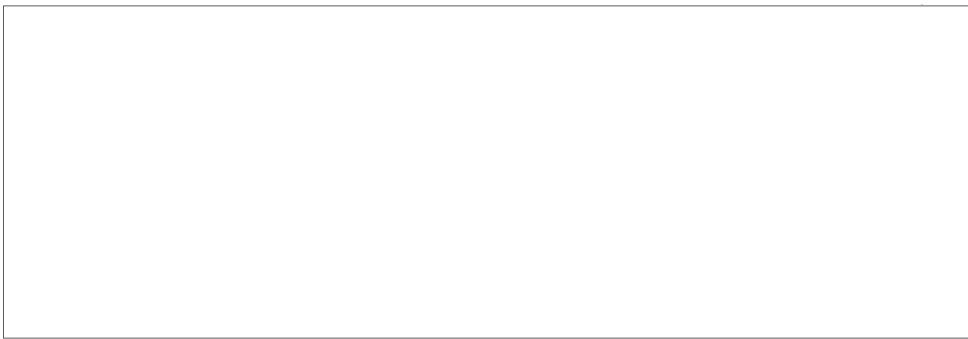
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Table S5-1

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~~(S)~~ Moreover, an examination of the chronological record of AIG's production shows periods in which few IRs were produced on al-Qa'ida:

- During the months March through November 1999, for example, AIG produced only two longer term papers on al-Qa'ida—one on the organization's chemical program

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and the other on Bin Laden's threats to US interests in Pakistan.

- Similarly, in the period March 2000 through January 2001, AIG produced only two IRs on al-Qa'ida, albeit the aforementioned strategic ones on al-Qa'ida's leadership succession and operational tactics. While increased tactical analysis responsibilities following the Cole bombing likely explain the dearth of strategic production during the latter part of this period, this is not the case prior to October 2000.

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- Between mid-May and late August 2001, AIG produced no IRs or similar products on al-Qa'ida. As previously mentioned, these are the months when policymakers would likely have found useful an assessment of the heightened threat reports received during the early summer.

~~(S)~~ AIG managers have indicated that current and tactical support to policymakers curbed the group's ability to produce longer term strategic analysis. Of particular note, AIG supported the NSC-led Counterterrorism Security Group process, which was designed to ensure appropriate IC follow-up on terrorist threat reporting. As part of this, AIG officers prepared for, and attended frequent video teleconferences with other IC members. In spring 2001, AIG management noted that the group's preparation time for NSC-sponsored meetings had more than tripled between 1997 and 2000 to 126.5 analyst/manager days. However, if—after making allowances for holidays, and sick and annual leave—one assumes that each year has 220 work days, then the 43 analysts and managers in AIG as of the end of 2000 worked a total of 9,460 analyst/manager days. Using AIG's figures, NSC meeting preparation time therefore accounted for about 1 percent of the group's collective work time. Meanwhile, AIG analysts were also, for a time during the Clinton Administration, producing a

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daily memorandum on Bin Laden for the NSC. Then again, analysts in the Balkans and Arab-Israeli issues, among others, were producing daily situation reports around this time as well.

~~(TS/~~ ~~/NF)~~ Tactical support to the Directorate of Operations (DO) also occupied a good deal of AIG analyst time. In early 2001, AIG managers noted that the average AIG analyst was spending 30 percent of his or her time directly supporting DO activity. In interviews conducted for this review, AIG analysts told the Team that they spent anywhere from 10 percent to 90 percent of their time reading DO operations traffic. Among other things, AIG officers commented on DO TDs, graded DO reporting, and vetted DO threat reports, which trebled in volume between 1997 and 2000, according to CTC statistics. Analysts also supported the DO by participating in numerous intelligence exchanges and helping to develop targeting plans. AIG analysts also undertook such support as a targeting study on al-Qa'ida WMD sites.

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Indeed, the 2000-2001 inspection of CTC found that "the consensus from AIG's operational counterparts in CTC is that analyst support to operations planning continues to be one of the strengths of the Center." While the Team collected no comparable information on DO support by other DI issue groups, information gathered during OIG inspections of various DI offices suggests that the proportion of time AIG analysts spent supporting the DO was indeed greater than that in other DI offices.

~~(S)~~ AIG officers had other demands on their time as well. Among these, AIG analysts drafted numerous IICT products.

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and produced country threat assessments for senior policymakers; the latter reports numbered 108 in 2000, according to CTC statistics. In fairness, it should be noted that analysts in DI offices also

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had similar account-specific tasks; the Team did not attempt to collect or calculate relevant statistics for purposes of comparison.

~~(S)~~ These current, tactical, and other demands also imposed on AIG managers' time, sometimes apparently hindering their ability to review longer term papers on a timely basis. Indeed, several AIG officers told the Team during the 2000-2001 CTC inspection and during this current review that certain AIG managers at the branch and group level served as bottlenecks for paper review. Some complained of managers taking months to turn around papers, while other papers never got out. When asked in the 2000-2001 CTC inspection to identify the biggest obstacle facing AIG, about 30 percent of the 14 analysts who answered—as well as one of the AIG managers—identified the Group's product review as such an obstacle.

(U) Absence of a Strategic Analysis Unit

~~(S//NF)~~ A key reason why CTC did not conduct much strategic analysis on Bin Laden is that, until shortly before 9/11, it had no protected unit devoted expressly to research and production of such analysis, as did many of the DI's regional offices, as well as OTI. However, the Center had been long aware of the need for such a unit:

- The March 2000 staff report suggested that CTC "seek to insulate some analysts from daily production pressures to enhance the production of in-depth analysis" on Bin Laden and his organization. (b)(3)
- In its inspection of CTC, conducted between September 2000 and February 2001, OIG found that CTC had made no changes in regard to the report's recommendations on strategic analysis. (b)(3)
- Following the attack on the USS Cole in October 2000, the DCI ordered a comprehensive review of the Intelligence Community's reporting and assessments of the threat environment in Yemen in the year prior to the attack.

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The resulting report, among other things, concluded that relatively few IC products took a longer term, more strategic look at threat situations.

- In response to the Cole review report, the DCI issued a memorandum to the Executive Director, DDI, and the Deputy Director for Operations in early February 2001, requesting that CTC inform him of the actions it planned to take to address the matter of a strategic analysis unit and other matters. On the memorandum, the DCI added, in writing, "This is what I want to focus on—How to build the analytical cadre in CTC so that there is a separate strategic assessments group—whose job is to think out of the box—to provide context."
- In April 2001, the Chief of AIG made a presentation to the DCI and DDCI on "Creating a Strategic Assessment Capability in CTC." This presentation noted that, without infusion of senior analysts, it would take AIG three to seven years to achieve results on strategic terrorism analysis. It also indicated that, prior to receiving the new positions and people needed to start the branch, AIG would immediately expand the mission of its Transnational Terrorism Branch to include production of strategic perspectives. That said, this branch did not produce any strategic assessments on al-Qa'ida before 9/11.
- In May 2001, the Executive Director sent a memorandum to the DDI requesting that he play a central role in building a strategic analytic capability in CTC to ensure that the Center "gets the resources and personnel needed to make this happen."

(U) CTC started up a strategic analysis unit (b)(3)

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 in July 2001. When CTC updated the DCI on its Analysis Enhancement Plan in late July, it noted that seven analysts were in place in the branch, including four senior analysts reassigned from elsewhere in the DI and a senior CTC analyst with long experience working on Bin Laden.

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CTC had difficulty filling the branch chief position, however, and the new chief did not come aboard until 10 September 2001.

~~(S)~~ Despite starting up the branch, it appears that CTC had not directed this group of analysts to focus specifically on Usama Bin Laden or al-Qa'ida, as the various studies had suggested. Indeed, most of the projects that [redacted] had underway as of late July 2001 were general, somewhat academic, studies that cut across all terrorist groups. According to the Analysis Enhancement Plan, these projects included:

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- Choreography of a Terrorist Attack.
- Terrorist Counterintelligence Capabilities.
- Decapitating Terrorist Organizations.
- Terrorist Reliance on Criminal Activity.
- The Next Generation of Terrorist Devices and Techniques.
- Anti-Globalists Headed for Terrorism.
- Who's Who in the International Mujahidin Network.
- Bridging the Sunni-Shia Divide.

It is interesting to speculate whether the paper on the mujahedin would have spelled out the relationship between KSM and al-Qa'ida or whether the one on terrorist techniques might have pointed to the use of aircraft as weapons, but [redacted] had no time to produce any of these prior to 9/11.

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(b)(3)**(U) Lack of DI Guidance**

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~~(S)~~ Senior DI management made no effort to push production of strategic analysis on al-Qa'ida. In interviews for this review, several CTC and DI senior managers confirmed that no effort existed at the DI level to pull together a broader program of analysis on al-Qa'ida. Meanwhile, the DI had for several years produced longer term, in-depth analytic papers on a variety of issues as part of its premier [redacted]. None of the [redacted] papers done in the years prior to 9/11, however, was on terrorism. The lack of such [redacted] papers is surprising given that, among the relatively few papers produced during the two-year period prior to 9/11, were two—"The Global Heroin Threat" and "The International Crime Threat Assessment"—that dealt with transnational issues covered in another center, the Crime and Narcotics Center.

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~~(S)~~ Aside from some of OTI's work on al-Qa'ida finances and a few other efforts, DI components undertook little strategic analysis on al-Qa'ida:

- In late 1998, NESA produced two important papers on al-Qa'ida [redacted]

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[redacted] While NESA analysts produced papers on other terrorism issues, these were focused on state sponsorship of terrorism. [redacted] told the Team that, because al-Qa'ida was not associated with a country, it was outside that office's scope. That said, as previously mentioned, NESA still claimed that it had the equivalent of four full-time analysts working on al-Qa'ida as of August 2001.

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- OTI's [redacted] has collaborated successfully with numerous regional office components on conferences and reports on various country-specific, regional, and global issues. [redacted]

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- Although the Weapons Intelligence, Nonproliferation, and Arms Control Center (WINPAC) had devoted the equivalent of nine analysts to looking at terrorism as of August 2001, only one of these was working specifically on al-Qa'ida. WINPAC and its predecessor organizations produced only one paper that touched on al-Qa'ida, a 1998 report on Sudanese VX nerve agent production, evidently deferring to AIG's CBRN Branch on long-term production.

(U) Little Strategic Analysis Elsewhere

~~(S//NF)~~ As the Joint Inquiry Report makes clear, and has been addressed elsewhere in this report (see Factual Finding 3), the NIC undertook no NIE specifically assessing al-Qa'ida, even though DCI Webster's 1989 memorandum transferring IC counterterrorism responsibility from the NIC to CTC reaffirmed the NIC's continued role in producing estimates on counterterrorism. Indeed, before 9/11, more than cursory mention of al-Qa'ida or Bin Ladin had appeared in only a few pre-9/11 NIC publications—the 1997 Intelligence Community Brief (ICB) that followed up on the 1995 NIE, "The Foreign Terrorist Threat in the United States;" the 1998-1999 NIE, "Standoff Threats to US Civil Aviation," which dealt with the specific terrorist threat from shoulder-fired missiles and comparable weapons; the March 2001 Intelligence Community Assessment "Threats to the Continuity of Government;" and the May 2001 NIE, "Afghanistan: Implications of a Taliban 'Victory.'" While the NIC's broadly publicized, unclassified assessment, "Global Trends 2015," made mention of a potential threat to the US homeland, it did not specifically refer to al-Qa'ida or to any other terrorist group.¹⁵⁹ In mid-2001, the NIC, with drafting assistance from CTC, began work on another estimate on terrorism, but this paper was not published until

¹⁵⁹ (U) As mentioned in the Team's discussion of Factual Finding 3, this unclassified NIC product focused on a wide array of future demographic, economic, political, and other concerns. The discussions on terrorism account for a few paragraphs in this long study.

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after 9/11. As stated in Factual Finding 3, the Team heard several reasons for the delay in revisiting a broad NIE on the terrorist threat, including that no National Intelligence Officer (NIO) maintained counterterrorism as his or her chief area of concentration and that no policymaker had requested such a study. Nonetheless, the delay in initiating another NIC estimative product focusing on this issue is striking, considering the major terrorist incidents that had occurred after 1997 and the limited two-year outlook of the 1997 ICB.

~~(S//NF)~~ While an NIE may not necessarily have broken new ground analytically on al-Qa'ida, as with most estimates it could have pulled together an IC consensus and raised policymaker awareness. Of greater importance, an NIE could have laid out in strategic terms the threat

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Bin Ladin and al-Qa'ida posed,

~~[redacted]~~ It also could have reminded policymakers of the threat of Bin Ladin's 1998 fatwa. Moreover, such a paper most likely would have brought together information and analysis on the organization's tactics, weapons, leadership, finances, communications, recruitment, appeal, and relations with regional governments. No published NIE, DI, or CTC paper ever did this prior to 9/11.

~~(S//NF)~~ In reviewing the Team's discussion on the lack of an estimate (See Systemic Finding 2), the former DCI notes that, "...after 1997, senior policymakers in the previous Administration, including the President and Secretaries of State and Defense, the Attorney General, the Director of the FBI and the National Security Advisor, became so deeply and personally involved in counterterrorism issues that another estimate would have added little to what they already understood." He goes on to say, however, that, "In terms of the current Administration, I believe it would have been helpful at the beginning of the Administration to have produced a comprehensive estimate on al-Qa'ida. An NIE would have provided useful background as we engaged the incoming national security team on terrorism.... However, it is problematic at best to know whether strategic protective actions would have been taken to minimize the threat, given our previous experience with the estimates in the mid-1990s,

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and the limited time available to the new Administration before 11 September."

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(U) Other Analytic Issues in the Finding

(U) As mentioned, the Joint Inquiry Report also addresses other issues in the finding, notably the lack of respect for analysis shown by operations officers, inadequate information sharing with analysts outside the Agency, and the US Government's overreliance on its own analysts.

(U) Operations View of Analysis

⊕ Despite the operations support that AIG provided and the overall strong relationship between operations and analysis in the Center as a whole, many UBL-focused operational officers in CTC indicated they either

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ignored AIG analysis or found it of little use. When the Team asked how accessible and how helpful AIG analysis was to UBL Station,¹⁶⁰ one-third of the 24 Station officers who responded termed this analysis not useful, untimely, or wrong; another third said they never saw the analytic product.¹⁶¹ Indeed, a number of Station officers said they relied on their own analysis, and several said that the IC's real expertise on Bin Laden was in the Station, not AIG. In the 2000 inspection of CTC, [redacted] indicated that DO officers' suspicion of analysis was the biggest obstacle that the Group faced. The apparent lack of communication between UBL Station and AIG regarding the former COS's in-depth work on Bin Laden is another indication of the disconnect between the two groups.

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(C) Regardless, the Joint Inquiry Report's sole piece of evidence for its assertion that the DO gave no weight to analytic opinion is that some operations officers told the Inquiry that they did not like to take direction from the "ladies from the Directorate of Intelligence." Team research and discussions with members of the Joint Inquiry Staff suggest that these referenced ladies were actually then-current and former DI officers serving in UBL Station. The problems some DO officers had with these DI officers who were serving as operations officers is therefore not a valid example of the DO's consideration of analytic opinion but rather of internal CTC management and resource utilization issues.

(U) Information Sharing

(C) The Joint Inquiry states that analysts outside the Agency, such as at DIA, did not have access to CIA operations traffic and other CIA-origin information. However, the Team's research shows that officers from DIA, FAA, NSA, and other organizations who were on detail to



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CTC or the IICT did have access to this material. The Team addresses the issue of information sharing in Systemic Finding 9.

(U) Reliance on Government Analysts

(C) The Joint Inquiry also says that the US Government relied too heavily on its own analysts for counterterrorism analysis. The Team believes any question of accountability for this aspect of the finding lies with the policymakers rather than with the IC. Nonetheless, the Team notes that an examination of pre-9/11 back issues of "Terrorism and Political Violence," one of the premier academic journals on terrorism, shows several articles focusing on such organizations as the Irish Republican Army and Aum Shinrikyo—and even on animal rights groups—but none on al-Qa'ida. In addition, the author of *Through Our Enemies Eyes* notes that the body of work on Bin Laden by Western academics and political analysts was sparse before 9/11. This suggests that al-Qa'ida was not a major focus of pre-9/11 academic analysis, likely because of the same issues involving access to information on the group that made it a hard intelligence target; thus, academia and think tanks did not offer policymakers much in the way of unique analytic insight on the topic before 9/11.

(U) Implications

(C) The Team finds no basis on which to conclude that more strategic analysis on the part of AIG, particularly on the al-Qa'ida topics that CTC did not address prior to 9/11, would have necessarily led analysts or intelligence consumers to predict the events of 9/11; it nonetheless believes such analysis would have had an impact:

- In particular—as AIG analysts told the Team during the 2000-2001 inspection of CTC—such analysis could enable them to predict terrorists' patterns of behavior or

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operational practices, allowing the Center's operational components to "get ahead of the target."

- By putting threat warnings in context and providing a more complete picture of al-Qa'ida, increased strategic analysis would also have heightened policymaker awareness and provided a more complete understanding of the threat.
- Pulling together a broad assessment on al-Qa'ida—either in the form of an NIE, an Intelligence Report, or some other vehicle—in late 2000 or early 2001 would have put the organization's overall threat in better context for the incoming Administration.
- Creative, out-of-the-box thinking could have led counterterrorism analysts to consider previously unexamined ideas. Indeed, broader strategic analysis of terrorist tactics might have pieced together the available information on terrorist use of aircraft as weapons. A broader overall assessment on al-Qa'ida might have involved a closer look at Khalid Shaykh Muhammad's links to al-Qa'ida and the potential danger that he posed.

(U) Accountability

~~(C)~~ On the issues of adequacy and qualifications of analytic resources, the Team sees no question of accountability. The Team has not seen definitive evidence that the Agency lacked the personnel resources needed to conduct overall al-Qa'ida analysis, and the Team assesses that CTC and others had taken steps immediately prior to 9/11 to ensure that counterterrorism analysts were appropriately qualified.

~~(S)~~ In regard to strategic analysis on al-Qa'ida, however, the Team concludes that AIG missed opportunities to provide comprehensive strategic assessments on such key topics as the overall strategic threat posed by al-Qa'ida, Bin Laden as an individual, placing in context the threat

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reporting from the spring and summer of 2001, actual and potential al-Qa'ida tactics, and the United States as a target. The absence of the last of these is especially notable in view of the fundamental and original mission of the CIA. While the Team acknowledges that AIG officers were engaged in many mandatory and/or useful analytic and other activities, it nonetheless echoes the findings of both the Joint Inquiry and the Joint Commission that comprehensive, strategic analysis would have been valuable and should have been undertaken. Comprehensive assessments would have been especially beneficial for policymakers in the new Administration in early 2001. The Team assesses that [redacted]

[redacted] were responsible for these lapses.

~~(S)~~ However, while CTC managers did not ensure production of these comprehensive analytic assessments, there are several mitigating factors:

- In regard to broader assessments on al-Qa'ida, Bin Ladin, or the United States as a target, AIG and other analytic units addressed many aspects of these issues in several more narrowly focused strategic papers and other analytic products. Given analytic resource considerations and other policymaker demands, the Team has not determined that the decisions to cover these issues in this manner were unreasonable at the time.
- Similarly, although CTC analysts undertook no comprehensive assessment on the threats received during the spring and summer of 2001, as the Team notes in Factual Finding 2, they nonetheless kept policymakers informed of the general threat—and placed it in context—in current intelligence pieces, warning products, and briefings.

Accordingly, the Team does not recommend that an Accountability Board review the performance of these officers.

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(E) The Team also considers [redacted]

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[redacted] responsible for failing to produce a [redacted] product focusing on the terrorist threat to the United States. The Team does not recommend that an Accountability Board review the performance of the [redacted] produced other relevant papers during the 1997-2001 period that included information on the al-Qa'ida threat [redacted]
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(U) SYSTEMIC FINDING 6: INADEQUATE FOREIGN LANGUAGE CAPABILITIES

(U) Systemic Finding 6 of the Joint Inquiry (JI) report states that, "Prior to September 11, the Intelligence Community was not prepared to handle the challenge it faced in translating the volumes of foreign language counterterrorism intelligence it collected. Agencies within the Intelligence Community experienced backlogs in material awaiting translation, a shortage of language specialists and language-qualified field officers, and a readiness level of only 30 percent in the most critical terrorism-related languages."¹⁶²

~~(C//NF)~~ In further discussion, the JI report notes that the shortage of language specialists qualified to process large amounts of foreign language data in general, and Arabic in particular, was one of the most serious issues limiting the ability of the Intelligence Community (IC) to assess and report on terrorist activities in a timely fashion. It notes that analyzing, processing, translating, and reporting al-Qa'ida-related [redacted] communications require high levels of language and target knowledge expertise. The large number of communicants whose native origins cover all of the major Arabic dialects, combined with their use of idiom, slang, cover terms, insider references, along with misspellings and typographical errors, make this analysis linguistically and analytically difficult.

~~(C//NF)~~ To support its finding, the JI cites testimony by the Director of the CIA University Language Institute that, before 11 September 2001 (9/11), the Agency had an adequate number of Arabic speakers in the field but could not surge to fight a worldwide war on terrorism and

¹⁶² (U) The Team did not address the issue of readiness level, as the report's narrative on this issue applies only to the National Security Agency. In addition, the Team did not address the post 9/11 language inadequacies that the report covers, considering these to be beyond the Team's mandate.

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simultaneously conduct traditional agent recruitment and intelligence collection mission. Nor did the Agency have a strategic plan on linguistic skills.

(U) Assessment of Joint Inquiry's Findings

~~(C//NF)~~ The Office of Inspector General (OIG) 9/11 Review Team agrees in part with the JI assessment that the CIA:

- Lacked an adequate strategy to deal with language capabilities.
- Was ill-prepared to handle the challenges of efficiently and accurately translating volumes of foreign language data in support of the mission, especially in times of crisis. The Team uncovered no evidence, however, that translators missed any critical warning of terrorist actions.

We have contradictory information on the Agency's ability to deal with a perceived chronic shortage of skilled language specialists.

(U) Lack of an Agency Language Policy

~~(S//NF)~~ Language capability has long been key to the CIA's foreign intelligence mission. Language skills are critical for translating and assessing foreign-language data collected both clandestinely and overtly, recruiting and handling agents, working with liaison services, dealing with walk-ins and conducting debriefings, supporting technical and covert action operations overseas, and fully understanding the cultures involved in political and leadership analysis. The inability to deal in the local language may restrict a station's asset pool, limit both liaison

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and unilateral operations, and make a station more dependent on liaison in pursuing its mission.

(U) IC Leaders Fail to Move on a Foreign Language Strategy

(S) Not only was there widespread awareness before 9/11 of the need to strengthen Community strategies in general, but there was also longstanding awareness that the IC lacked a coherent strategy to address critical, hard target language issues, and that this deficit might lead to serious consequences. Numerous IC-wide studies pointed out that leadership commitment was needed to turn around the problem of a shortage of intelligence officers skilled in hard target languages—a shortage first identified some 20 years earlier. In an attempt to meet this requirement, the Deputy Director of Central Intelligence for Community Management established the Foreign Language Executive Committee (FLEXCOM) in January 2000 to “provide a senior-level bridge between the IC’s foreign language substantive experts and IC executives on foreign language readiness and modernization.” The March 2000 National Commission on Terrorism report recommended that the DCI authorize the FLEXCOM to develop a larger pool of linguists and an interagency capability. This body proved to be ineffectual in the role of Community language policymaker; however, FLEXCOM’s critics believed funding decisions were biased toward Department of Defense technology development programs. According to the Deputy Chief of CIA’s Office of Training and Development, who represented CIA at the FLEXCOM in 2000-2001, the focus eventually narrowed to the creation of a database of people with language capability across the IC. This focus may have had a negative impact, however, because no thought was being given to building mission capability.

(S//NF) Historically, the CIA has recognized the need to motivate and reward officers to develop and maintain language skills, but Agency-wide attempts to deal with the language issue have yielded unimpressive results:

- In the 1970s, CIA established the Language Development Program, which provided language instruction and broad policies on requirements, testing, and proficiency. Responsibility for the program lay with the Deputy Directors, several other senior officials, and the Agency’s

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Language Development Committee. However, no senior officer was in charge of the overall program; despite a requirement for an annual Agency progress report, the Team uncovered no evidence that any had been produced.

- In 1979, the Agency introduced the Language Incentive Program (LIP), which provided monetary rewards to officers who tested at various levels of expertise or who used language skills in their jobs.¹⁶³ In January 1996, a task force recommended modification of the LIP to encourage learning those languages critical to the Agency's mission and to provide monetary awards for demonstrated professional use of the language. According to CIA University data, however, two-thirds of students who complete language training do not return for testing, suggesting that they have little confidence in their abilities or limited incentive to do so, despite the LIP.
- Also in 1979, the National Academy of Public Administration, a congressionally chartered nonprofit corporation, studied CIA language capabilities and called for a comprehensive program to identify languages required to support the mission; resources to recruit officers who could develop and maintain these skills; and leadership to address broad language program issues. The Agency undertook no program to follow up on these recommendations, however.

¹⁶³ (U) Awards could be for achievement, use, or maintenance. Individual components determined which positions qualified for LIP awards.

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(U) The CALL: A Best Practice Lost

(U) In 1992, the IC established the Center for the Advancement of Language Learning (the CALL) to promote resource sharing, reduce duplication, improve foreign language curricula and instruction, improve foreign language coordination and develop and implement community wide foreign language testing standards. The Clinton Administration's Reinventing Government Program considered the CALL to be a model, and the 1994 Office of Inspector General Inspection on Training in the CIA stated that "the success of [this] model and outside interest in [it] suggest that [its] funding should be protected."

(U) Nevertheless, the CIA – which provided all CALL funding – determined that it could better address its language needs in-house. In January 1998, the Agency, then grappling with a number of unfunded programs, informed an IC Deputies Committee meeting of its intent to cease CALL funding. Although a Department of Defense Community Management Staff review group concluded that ending the CALL would have a negative impact on the IC's foreign language mission, none of the other IC agencies offered to contribute funding, and the CALL disbanded in September 1998.

~~(S//NF)~~ In general, the Agency has deferred the language-development issue to its directorates, expecting each to deal with its own specific needs:

- In April 2001, the Directorate of Operations (DO) established a Language Training Group, which recommended that the Deputy Director for Operations (DDO) appoint a senior officer to develop a framework for DO language policy, evaluate language development needs across the directorate, coordinate language development plans and policies with other directorates and training entities, and represent the DO's language interests to the IC. It was not until June 2003, however, that the DO formally promulgated these recommendations as part of the DCI Strategic Plan for Language.

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- The Directorate of Intelligence (DI) Strategic Plan of 1996 identified language skills that would be required by 2000, including a critical need for Farsi and other languages. In 1997, however, the DI rescinded its formal language policy. In 1999, the DI Council on Intelligence Occupations concluded that knowledge of a foreign language was an important part of expertise development for certain analytic sub-occupations, such as country/regional political analysts, rather than a core capability for all analysts. Similarly, the DI did not make language capability an explicit requirement for membership in the Senior Analytical Service when it inaugurated that program in January 2000. Although the DI continued to participate in the LIP, a comparison of LIP awards to DI and DO officers shows far less paid, proportionately, to DI officers; this presumably reflects both the fact that fewer employees were positioned to take advantage of this program and the lack of consensus on its value.

~~(C//NF)~~ The information we have collected on resources, specifically the issue of whether or not resources dedicated to language training and translation declined during the 1990s, is contradictory. There was an overall decline in Agency resources during this period, as well as a decline in resources dedicated to training. We believe, but cannot demonstrate, that funding for language training also declined. Nor can we demonstrate the impact of such a decline on language programs and the Agency's language capability.

~~(S//NF)~~ By Fiscal Year (FY) 1992, all Office of Training and Education (OTE) funds were in a precipitous decline.¹⁶⁴ In September 1998, as part of the effort to determine whether or not training should become part of the Agency's Working Capital Fund (WCF), OTE's Language Training Division (LTD) reviewed the CIA's language program, scrutinizing the quality of language instruction and seeking to eliminate unnecessary overhead. LTD sought

¹⁶⁴ (U) OTE was the Agency's training body prior to the creation of CIA University in February 2002.

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to protect instructional capability in core hard-target-associated languages—particularly Arabic, Chinese, Farsi, Korean, and Russian; it had difficulty finding instructors for these languages, however, because OTE had no systematic recruiting procedures for language instructors and could not pay salaries beyond a certain threshold. LTD's nonpersonal services (NPS) training budget dropped from [redacted] million in FY 1998 to [redacted] in FY 1999, increased to [redacted] million in FY 2000, then dropped to [redacted] in FY 2001.¹⁶⁵ Faced with the prospect of increased costs because of the anticipated movement of the language program into the WCF, a number of DO and DI managers, whose officers comprised most of LTD's customer base, examined their requirements and opted to use commercial language schools.¹⁶⁶

~~(S//NF)~~ Despite the budgetary roller coaster, CIA University officials state that they generally met Agency demands for language training.¹⁶⁷ They told us that, until 2001, the number of students planning for overseas assignments and enrolled in full-time language training remained constant.

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OTE was

[redacted] able to increase staff positions by 40 percent after a hiring freeze was lifted in April 2001.

~~(S//NF)~~ The Foreign Broadcast Information Service (FBIS)—the Directorate of Science and Technology (DS&T)

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¹⁶⁶ (U) Ultimately, language training did not become part of the WCF.

¹⁶⁷ ~~(C)~~ The CIA University officials noted that the Language Institute often could not meet requests for customized training in cases in which students had existing proficiency or had schedules that conflicted with established Language Institute schedules.

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office that collects, translates, and analyzes foreign media—also was dealing with the general CIA downsizing. In 1996, top Agency managers determined that FBIS had not implemented enough cuts and ordered it to undergo larger budget reductions. Between 1996 and 1999, FBIS's budget had declined by 33 percent and 86 positions had been cut. It is unclear how many of the 86 positions included staff linguists or if linguists filling those positions were absorbed by other Agency offices. In addition, while the OIG FBIS Inspection of 2000 noted that FBIS funds had not been protected, FBIS did receive additional non-personal services funds for technological development and to underwrite some of its downsizing costs. Moreover, FBIS benefited from counterterrorism supplemental funds and, in FY 1997, a \$3 million add back. Furthermore, throughout this period, the FBIS budget remained a constant percent of the DS&T budget. Although the OIG Inspection found that many FBIS employees believed senior managers had not done enough to protect the FBIS core mission, the 9/11 Team did not find any objective data on the level of effort by FBIS or senior DS&T managers to ensure that FBIS received sufficient resources.

(U) Shortfalls in Language-Capable CIA Officers

~~(C//NF)~~ The Team was unable to obtain usable data on the number of language-capable staff officers or on the number of such officers deemed necessary to meet job requirements. In the case of the former, the CIA has no accurate Agency-wide database of officers claiming language capability. While CIA University's LTD maintains a database of employees who submit to language testing in three skill areas—reading, speaking, and understanding—the University managers believe, and Agency studies have shown, that these data underestimate the number of employees with language ability, as many employees do not test regularly. While some Agency components have tried to determine how many linguists or language-qualified officers would be needed in any given year, no comprehensive, Agency-wide attempt to quantify this need

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has been undertaken. Several Agency studies over the years have reviewed the CIA's position regarding its cadre of language-capable officers, with an eye to perceived current and future shortfalls, however.

~~(C//NF)~~ Various studies have indicated that the CIA lacked or would soon lack adequate numbers of language-qualified officers:

- A 1994 Agency-wide study of critical languages projected significant shortfalls in Arabic, Farsi, Turkish, and several other languages. It is not clear what data were used in this study, however.
- A 1995 survey of current CIA critical foreign language resources, conducted by the LIP Task Force, reportedly showed shortfalls in the same critical languages identified in the 1994 study, particularly at the intermediate and advanced proficiency levels. According to this survey, the "early out" retirement program had resulted in the departure of officers with language capabilities, including 25 with Arabic and three with Farsi. Although the Task Force's recommendations focused on restructuring the Language Maintenance Award criteria to be more closely aligned with PDD-35 and subsequent directives, one recommendation was that components annually designate and update their language use positions. These data were to be provided to OTE. The OIG Report on Foreign Language in the Agency of June 2001 recommended a zero-based review, especially in the DO, of all overseas positions to identify current and future language proficiency requirements, suggesting that the data components had been providing, despite the LIP Task Force recommendation, were inadequate.
- In 1999, the DO Language Standards Working Group, perceiving weaknesses in the Agency's language resources, suggested a review of the assignments process as a means to change the situation.

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- In 1999, an OIG Inspection Report of the Clandestine Information Technology Office (CITO), the joint DO-DS&T office that targeted information systems from 1996 to 2000,¹⁶⁸ noted that processing voluminous foreign language data collected from computers would require a major investment in foreign language translators, suggesting a need to acquire additional linguists to provide timely translations.
- The OIG Inspection of the Agency's Foreign Language Capabilities, issued in June 2001, echoed previous studies that had warned of expected increased demands for foreign language capabilities and had stated that the Agency was not prepared to meet those demands. The Report also confirmed serious shortfalls at the Agency in specific languages, but noted that OIG survey data showed the Agency population evenly divided on whether or not the Agency had adequate language skills.

~~(C//NF)~~ Within CIA, the level of effort exerted to increase the pool of language-qualified officers varied by office and by directorate. Despite a 1987 study by an Agency econometrician that found no statistically significant correlation between the LIP and language capabilities, most Agency offices continued to rely on the LIP to achieve their goals. However, some components attempted other means, such as targeted recruitments of new hires, to reverse the downward trend. Impeding their efforts was a climate of budget cuts and shrinking programs.

~~(S//NF)~~ The challenge was greatest within the DO, which relies on language-capable officers to conduct its business in the field. Indeed, the Director of the CIA University Language Institute and three Counterterrorist Center (CTC) officers, who regularly traveled overseas to support stations, observed that the DO did not have enough Arabic-qualified officers in the field to interview assets, debrief walk-ins, or support technical operations on demand. Staff officers with native linguistic skills for certain

¹⁶⁸ ~~(C//NF)~~ CITO's functions were incorporated into the DO/Information Operations Center in August 2000.

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hard-target languages, such as Arabic, were at a premium. CIA University test data from 1998 to 2001 indicate that 85 DO officers were considered Arabic-language qualified (testing at a level two in two out of three skills).¹⁶⁹ The Team had no way to assess how many Arabic-qualified officers the DO needs to perform its mission, however.

~~(S//NF)~~ Despite concerns that inappropriate follow-on assignments for language-qualified officers have had a negative impact on Agency language capabilities,¹⁷⁰ the Team found that, overall, the Agency has done a good job assigning these officers to positions where they can improve their language skills. Almost 90 percent of the 34 officers whose records we reviewed, who had completed full- or part-time Agency-sponsored Arabic language training, were sent to countries where they could further develop their linguistic skills.

~~(S//NF)~~ CTC experienced the same pressures regarding language-qualified officers as the rest of the DO. In 1997, the Center justified a planned increase of 60 people because its operations elements were short of language-skilled journeymen-level case officers. A former Chief/CTC told the Joint Inquiry that the Center placed a heavy emphasis on hiring people with the right language skills, and a CTC briefing to the House Permanent Select Committee on Intelligence in August 2001 asserted that CTC officers were being provided appropriate language training.

~~(S//NF)~~ The Team received conflicting data on the language capabilities of officers in the Assessments and Information Group (AIG)—CTC's analytic unit. On the one hand, Chief/AIG told the Joint Inquiry that, before 9/11, about one-third of AIG analysts had a foreign language at the three level or higher. CIA University test data show, however, that only eight of the 49 AIG officers in analytical positions immediately prior to 9/11 had tested at the three level in at least one of three skills, and that only four of these

¹⁶⁹ ~~(C)~~ Between 1998 and 2001, only 15 (or 11 percent) of the Agency's 138 Arabic language-qualified officers tested at the expert to native level (four or five).

¹⁷⁰ ~~(C)~~ This perception was noted in the 1999 DO Language Standards Working Group, the OIG Language Inspection of 2001, and 9/11 Team interviews with various officers.

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had current test scores.¹⁷¹ As of 2001, AIG had no analysts with current level three or up in Arabic. However, the Team is aware of several Arabic-qualified officers in AIG who appear to have continued to maintain and use their Arabic but who had not undergone current testing.

~~(C//NF)~~ FBIS also was experiencing some shortfalls in language-capable officers during the last half of the 1990s. As mentioned earlier, the Service lost 86 positions between 1996 and 1999. Although the number of FBIS officers who received Arabic language use pay increased [redacted]

[redacted] in 2000, the number of slots for foreign national monitors providing Arabic translations in the FBIS overseas bureaus declined [redacted] in 2000, [redacted]

[redacted] Overall payments, including salaries and benefits, to all foreign national monitors, not just Arabists, dropped [redacted]

Meanwhile, FBIS payments to independent contractors remained between \$5 million and \$6 million during the period, according to information collected during the OIG inspection of FBIS in 2000.

~~(C//NF)~~ It is unclear how these cuts affected FBIS's ability to translate Arabic or other languages relevant to the terrorist target. On the one hand, FBIS production statistics for those bureaus doing Arabic translations indicate that output increased from 1.1 million words per month in 1997 to 1.4 million words per month in 2000. On the other hand, during the OIG inspection of FBIS in 2000, staff employees voiced concern that the Service was changing its collection priorities and that a gain in quantity was resulting in a loss of quality.

¹⁷¹ (U) Test scores at native proficiency (level five) are valid for six years; all other scores are valid for three years.

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(U) Backlog of Untranslated Material

~~(C//NF)~~ Team interviews and additional research confirm that the Agency routinely experienced backlogs of materials requiring translation, although actual data on such backlogs are unavailable. That said, some units in CIA were undertaking sometimes-successful efforts to address the backlogs.

~~(C//NF)~~ Previous OIG reports as well as our interviews reveal that data recovered from clandestine operations have taken months or longer to process fully. According to Arabic linguists who support such operations, collected data are "triaged" according to priority, leaving a considerable amount of information unexploited. CITO collected large amounts of information from its overseas operations but did not have the linguistic expertise to exploit the material. Although the Team was unable to measure the impact of these backlogs, it did not find that critical information about impending terrorist attacks was overlooked.

(U) Because of the volumes of untranslated terrorism-related documents it had in its possession, CTC set up the Translation Transcription Unit, later renamed the Language Exploitation Branch (LEB), in 1995. CTC staffed LEB with native linguists—including Arabic-, Dari-, Farsi-, Pashto-, Turkish-, and Urdu-speakers—whom it recruited as independent contractors and trained as intelligence officers. CTC senior management sustained its commitment to LEB, enabling the Branch to increase its Arabic linguists from six in 1996 to 13 in 2000. By November 2000, LEB had 35 linguists fluent in 19 languages; for Arabic, LEB officers covered eight dialects. In addition, OTE Arabic and Farsi instructors served as a surge resource for LEB. CTC officers highly valued the expertise of LEB linguists, who were in constant demand to travel in support of other US Government agencies and CIA field stations. In 1999, for example, LEB linguists worked one weekend supporting the National Transportation Safety Board, the Federal Bureau of

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Investigation, and Egyptian officials in translating the Egypt Air 900 cockpit voice recorder.

(U) LEB worked hard to address periodic surges in untranslated materials. In early 2000, for example, the unit formed the Interagency Document Exploitation Task Force¹⁷² to handle clandestinely acquired terrorist-related documents. According to a CTC spot commentary from the time, that Task Force worked more than 1,500 man-hours in three weeks to process 40,000 pages of captured computer material; provided a cursory review for leads on imminent threats; and forwarded the material to LEB personnel for further and more detailed linguistic exploitation.

~~(S//NF)~~ Nonetheless, backlogs in hard-target language translation requests remained. Available statistics and responses compiled in 2004 from seven of the linguists employed before 9/11 reveal that LEB had to cope with almost triple the number of translation requests between 1996 and 2000. For Arabic translations, material would be triaged with the expectation that it would receive a second look and a more complete translation later. Translators tried to surge according to demand, but secondary reviews languished on occasion.

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~~(S//NF)~~ FBIS also is called upon in times of surge.

[redacted] that FBIS seemed increasingly unable to respond quickly to time-sensitive requests for translation.

¹⁷² (U) The Task Force included personnel from DoD, NSA, the FBI, and CIA.

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(U) Implications

~~(C//NF)~~ Although the Team found a lack of an Agency-wide language strategy before 9/11, it could not find any definitive indication that limited language capabilities or limited numbers of language-qualified officers had a demonstrably negative impact on the Agency's handling of the counterterrorism target. We were hindered in this assessment by a lack of quantifiable data, especially the absence of an Agency-wide database of language capabilities. Such data are necessary for the Agency to assess its weaknesses and formulate a strategy to address current capabilities and projected shortfalls.

~~(S//NF)~~ Before 9/11, as we also note in Systemic Finding 11, 95 percent of the information CTC relied on to disrupt terrorist activities came from walk-ins. In order to vet these walk-ins in their own language in a timely manner, the Agency required language-qualified officers. The Team has no objective evidence to determine whether or not the Agency had "adequate" numbers of qualified officers in hard-target languages to conduct its business. Nor can the Team assess whether or not opportunities were lost in collecting foreign intelligence or assisting in covert action because of an inability to quickly surge language-qualified officers. Therefore, we can neither agree nor disagree with the JI on the sufficiency of language-qualified officers to support the Agency's mission. Nor can we objectively assess whether or not vital information was missed because such information was not translated in a timely fashion.

(U) Accountability

~~(C//NF)~~ For over 20 years, CIA failed to develop and implement an Agency-wide strategy to address foreign language capabilities in spite of numerous studies calling upon the Agency to do so. Whatever the reason—the actions of individual components or individuals; lack of evidence; or sheer chance—the Team did not find that the lack of such a strategy had a negative impact on the war on

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terrorism. Therefore, the Team does not make any recommendations with respect to accountability.

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(U) SYSTEMIC FINDING 7: COMPUTER EXPLOITATION(b)(1)
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(TS) Systemic Finding 7 of the Joint Inquiry (JI) report states that, "Prior to September 11, the Intelligence Community's ability to produce significant and timely signals intelligence on counterterrorism was limited by NSA's failure to implement e-mail and computer exploitation capabilities aggressively, continuing conflict between Intelligence Community agencies, NSA's cautious approach to any collection of intelligence relating to activities in the United States, and insufficient collaboration between NSA and the FBI regarding the potential for terrorist attacks within the United States."

(TS/ [REDACTED])

The report states that CIA perceived NSA as wanting to control technology deployment and development, while NSA was concerned that CIA was conducting NSA-type operations. It observes that, "no less than seven executive-level memoranda (including one from the President) were issued in attempts to delineate CIA and NSA responsibilities in this collection area."¹⁷³ The JI further notes that NSA's Chief of Data Acquisition stated that this was an issue during his entire three-year tour, but that the Chief of the NSA Signals Intelligence Directorate indicated the situation was improving as evidenced by the executive memorandums.

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(b)(3)**(U) Assessment of Finding and Discussion**

(TS/ [REDACTED] NF) The 9/11 Review Team agrees with the portion of this finding that refers to the,

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¹⁷³ (U) The Team addresses these memoranda in its discussion of Systemic Finding 4.

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"continuing conflict between Intelligence Community agencies," as it applies to CIA and NSA [redacted]

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[redacted] The Team covers the problematic nature of the relationship between CIA and NSA [redacted]

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treatment of Systemic Finding 4. As noted in our treatment of that finding, various written communiq s between senior leaders of CIA and NSA, as well as a Presidential memorandum, sought to clarify authorities [redacted]

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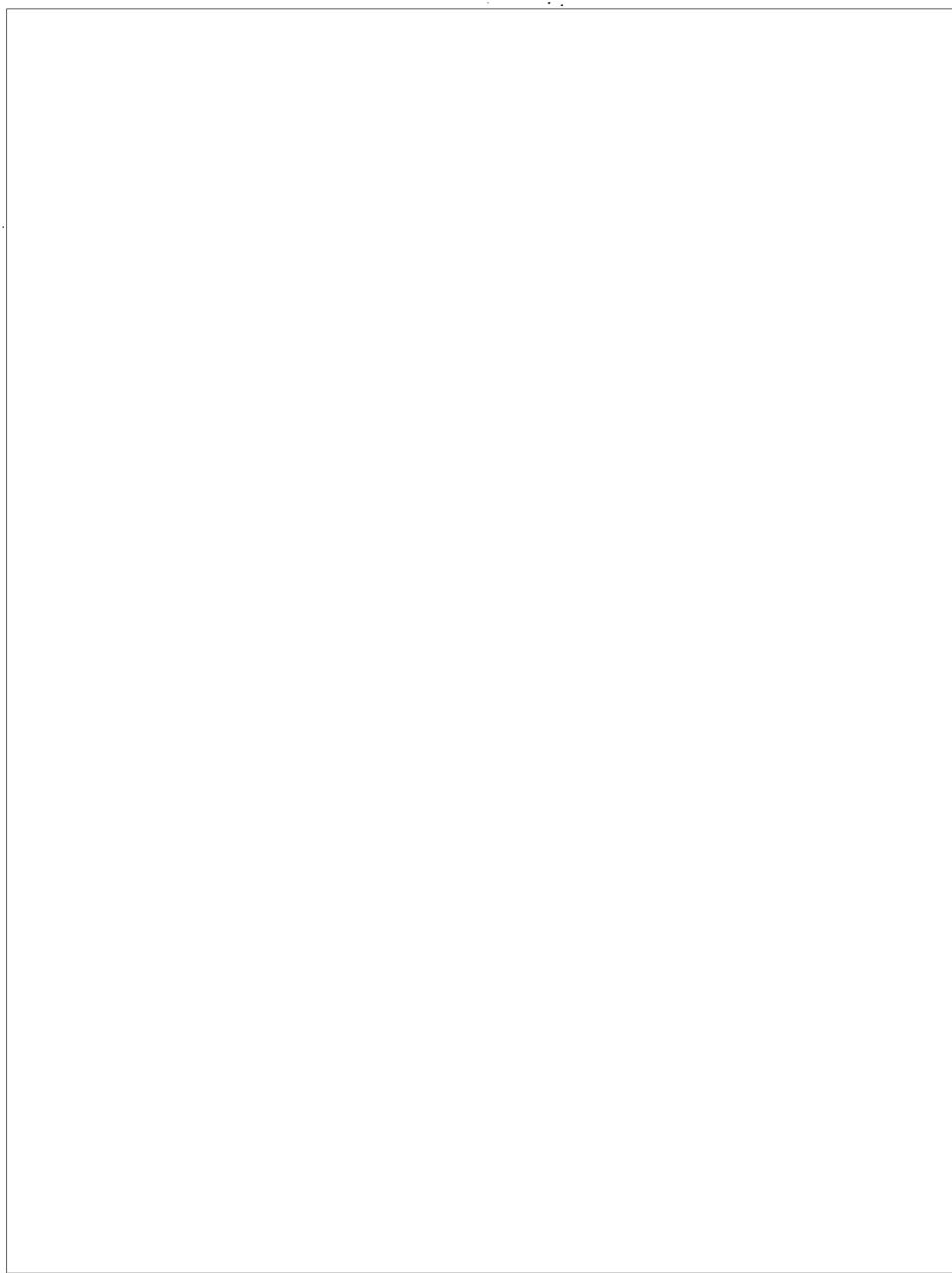
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(b)(3)**(U) Accountability**

~~(C)~~ The Team has subsumed accountability for this issue under Systemic Finding 4.

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(U) SYSTEMIC FINDING 9: INFORMATION SHARING WITHIN THE INTELLIGENCE COMMUNITY

(U) Systemic Finding 9 of the Joint Inquiry (JI) report states that, "The US Government does not presently bring together in one place all terrorism-related information from all sources. While CTC does manage overseas operations and has access to most Intelligence Community information, it does not collect terrorism-related information from all sources, domestic and foreign. Within the Intelligence Community, agencies did not adequately share relevant counterterrorism information, prior to September 11. This breakdown in communications was the result of a number of factors, including differences in the agencies' missions, legal authorities, and cultures. Information was not sufficiently shared, not only between different Intelligence Community agencies, but also within individual agencies, and between the intelligence and the law enforcement agencies."

(U) The report's accompanying narrative goes on to say that each of the principal collectors and analyzers of counterterrorism intelligence in the Intelligence Community (IC) has its own distinct mission, legal authorities and restraints, and culture, and that these factors often hinder collaboration and willingness to share information. The report indicates that agencies still act too often and at too many levels as a loose collection of entities. It says that, even after the first World Trade Center attack in 1993, the Millennium plot, and attacks against US embassies in East Africa, the Federal Bureau of Investigation (FBI), the National Security Agency (NSA), and CIA undertook little sustained effort to work together to collect and share information about contacts between foreign persons in the United States and abroad. The Joint Inquiry states that, while NSA routinely transmitted its finished intelligence electronically into Counterterrorist Center (CTC) databases, this was not the case with the FBI's domestically collected information.

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(U) The JI report indicates that several factors hampered the FBI's sharing of information with the CIA. The Acting Chief of the FBI's Radical Fundamentalist Unit said that, before 11 September 2001 (9/11), the FBI would think to provide CIA with information obtained through the Foreign Intelligence Surveillance Act (FISA) only when it was also passing that information to a foreign government. Moreover, legal concerns relating to traditional separation between law enforcement and intelligence operations hindered sharing of operations; the FBI typically used FISA information only in connection with cases for which that information was obtained and did not routinely disseminate it within the FBI or to other IC members. Finally, poor FBI information technology reduced information sharing.

(U) Culture and policy issues also limited the extent to which CIA shared counterterrorism information within the IC, according to the JI report. Most Agency officers did not focus on the domestic terrorism front, viewing it as an FBI rather than a CIA mission, and this accounted for some information-sharing problems. At times, the report says, the CIA ignored threat activity linked to the United States, focusing on radical activity overseas. One CIA officer told the JI that he did not consider the reported travel of two suspected al-Qa'ida associates—later to become 9/11 hijackers—to Los Angeles to be important and that he was interested only in their connection to Yemen.

(U) The JI's discussion of this finding also returns to its assessment of [redacted] covered in Factual Finding 5b. The report indicates that:

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- On at least three occasions between January 2000 and August 2001, the CIA failed to recommend future hijackers Nawaf al-Hazmi and Khalid al-Mihdhar for watchlisting. It notes that the Director of Central Intelligence (DCI) acknowledged in his testimony that CIA was not sufficiently focused on advising the State Department to watchlist all terrorist operatives,

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attributing this to "uneven practices, bad training, and a lack of redundancy."

- The CIA failed to notify the FBI about al-Mihdhar's US visa and al-Hazmi's travel to the United States. The JI refers to the CIA employee who spoke to two FBI officers in January 2000 about al-Mihdhar's activities in Malaysia but did not tell them about al-Mihdhar's US visa.
- CIA did not provide the Malaysia meeting [redacted] cables to all-source analysts outside the CIA, even though at least two dozen of these cables contained information of value to such analysts. The Defense Intelligence Agency (DIA) identified four leads that it says its terrorism analysts could have pursued in early 2000 and one in December 2000 had it received the information. The report also states that, had DIA received three key operational cables in August 2001, it could have taken action concerning the Malaysia meeting, Moussaoui, al-Mihdhar, and al-Hazmi. (b)(3)

(U) The JI asserts that CIA is concerned that access to cables would place its sources and methods at risk. Most analytic personnel recognize this concern, however, and profess not to want operational details or information about sources and methods. These analysts see information of potential significance embedded in the raw data, and believe CIA filters out many intelligence nuggets before they receive the information. CIA has recognized the value of these data by integrating its own counterterrorism analysts into CTC, where they are supposed to have full access to raw traffic.

(U) The Joint Inquiry asserts that longstanding IC efforts to protect sources and methods have also limited disclosures to criminal investigators and prosecutors so as to avoid having intelligence become entangled in criminal prosecutions. It states that, in deference to those kinds of restrictions, CIA did not provide the FBI New York Field Office agents who were investigating the USS Cole bombing information regarding the al-Qa'ida meeting in Malaysia.

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(U) Ownership of information is a cultural problem, according to the JI. The DCI reinforced this in his JI testimony, confirming that filtering would continue—that even the all-source analysts at Homeland Security would not have access to all raw intelligence on a routine basis. This ownership issue means that the originating agency is free to edit and otherwise truncate the information it collects before it disseminates it to other agencies. All-source analysts argue that, in the world of counterterrorism, the originating agency may not recognize information in these data as having significance to analysts elsewhere.

(U) The Joint Inquiry also includes a discussion of Department of Justice procedures governing the FBI's sharing of FISA-derived intelligence information—called the Wall. It concludes that IC agencies have been overly "risk averse" in dealing with FISA-related matters, restricting matters far beyond what was required.

(U) Assessment of the Finding

(U) The Office of Inspector General (OIG) 9/11 Review Team agrees with the Joint Inquiry on this finding but differs with some of the facts and interpretations laid out in its discussion.

(U) The Team agrees with the JI that IC agencies, including the CIA, did not adequately share relevant information before 9/11. This issue is critical because CTC does not collect terrorist-related information from all sources, nor is it the US Government's only focal point for counterterrorism analysis.

~~(C/NF)~~ Critical information related to the 9/11 attacks that was not adequately shared included:

- Al-Mihdhar and al-Hazmi, who had been linked [redacted] the 1998 bombing of the US embassies in Africa, met in Malaysia with several other individuals in January 2000 and subsequently entered the United States. CIA had this

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information but did not fully appreciate its importance; it finally passed the information to some agencies on 23 August 2001—but it did not pass it to the Federal Aviation Administration (FAA).

- Khallad (Tawfiq Muhammad Salih Bin Rashid al Atash—also known as Salah Saeed Muhammad Bin Yousaf), who was linked to the Africa bombings and who subsequently was identified as one of the planners of the attack on the USS Cole, was one of those who attended the Malaysia meeting. The links between Khallad and the two hijackers who had entered the United States, al-Mihdhar and al-Hazmi, were not shared effectively between the FBI and CIA.
- Khallad (then known by CIA as Bin Yousef, an al-Qa'ida associate who had attended the Malaysia meeting) had a ticket on a flight bound for Los Angeles on 31 December 1999, departing on 1 January 2000. CIA did not share this information.¹⁷⁷
- Suspected al-Qa'ida terrorists were engaged in flight training in the United States—analysis included in the FBI's Phoenix Memorandum. The FBI had this information in June 2001, but did not share it.
- Zacarias Moussaoui, arrested in August 2001, had taken flight training in the United States. While this information was shared within the intelligence and law enforcement communities, it may not have been shared with the FAA.
- Khalid Shaykh Muhammad, who had been involved in the Bojinka Plot, linked to al-Qa'ida and the Africa bombings, involved in plots to use aircraft as weapons and to strike at the domestic United States, reportedly had sent terrorists to the United States for the purpose of conducting terrorist operations. The CIA had this information in June 2001.

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- Khalid Shaykh Muhammad was identified as Mukhtar (the Brain), known to be a senior al-Qa'ida planner. The CIA had this information in August 2001, but did not exploit or share it.



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Had these pieces of information been shared among the intelligence and law enforcement communities; had they been pooled with other available information; and had they been included in analyses of the spike in threat reporting in the spring and summer of 2001, the US Government might have had a better chance of either disrupting the 9/11 plot or taking preventive measures with respect to airport security.

(U) A number of factors impede interagency communication and prevent the effective sharing of information. The JI mentions differing missions and cultures, legal obstacles, protection of sources and methods, and lack of focus on the US domestic front. To these the Team would add the challenges raised by a voluminous flow of information, bureaucratic turf battles and inertia, unclear responsibilities and procedures for moving information, lack of management oversight and supervision, and personality clashes.

~~(TS/~~ ~~NE~~) As of 9/11, CIA's relations with the FBI and NSA, the two agencies with which it has the most extensive relationship in the area of counterterrorism, had been strained for a number of years. Officers in these

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¹⁷⁸ (U) This claim was in the Joint Inquiry Report. See the Team's discussion of Systemic Finding 10.

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agencies had tried, with considerable success, to improve relations in order to enhance their missions and foster information sharing. The OIG stated in its 2000-2001 Inspection Report of CTC that, since the OIG's previous inspection in 1994, the Center had "broadened and deepened its operational partnerships with other US Government organizations working the terrorist target." Evidence collected by the 9/11 Team supports this conclusion.¹⁷⁹

~~(S//NF)~~ Nonetheless, overcoming all the obstacles to information sharing and sustaining cooperation proved to be difficult:

- The FBI and CIA had different missions and goals. Whereas the FBI was focused on using its information in court and its sources as witnesses, the CIA concentrated on acquiring more information and protecting its sources from exposure. Differences in tradecraft flowing from these differing objectives may have hampered or even prevented information sharing.
- NSA and CIA had differences in mission and tradecraft, as well as differing interpretations of legal authorities. (See the Team's discussion of Systemic Findings 4 and 7.) NSA was particularly concerned about protecting the rights of US citizens by not passing on information it had collected that might have involved such individuals.

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¹⁷⁹ (U) A number of officers who reviewed this report noted differences between the conclusions of the OIG's 9/11 Report and those of its 2001 Inspection Report of CTC. These differences derive from distinct taskings and methodologies. OIG component inspections rely heavily on information obtained from officers within those components as well as from partners and customers. The Inspection Team based its conclusions with respect to information sharing primarily on interviews with CTC officers and concluded that CTC's interactions with its community partners had improved dramatically. The 9/11 Team, on the other hand, focused on specific pre-9/11 failures that had been highlighted by the Joint Inquiry.

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(U) The Team agrees with the Joint Inquiry that CIA, specifically UBL Station, did not pay adequate attention to threat activity linked to the United States; its focus was on radical activity overseas. This appears to have reflected a mistaken perception on the part of many CIA officers that the Agency did not have responsibility for tracking the terrorist threat to the domestic United States. The fact that FBI does have primary responsibility for activity within the United States does not absolve CIA of its responsibility to collect on and analyze foreign threats to the United States.

(U) The Team agrees with the JI that CIA had a problem passing operational traffic to other agencies in a timely and effective manner. Problems include:

- The volume of traffic.
- The time-consuming nature of sanitizing operational data to remove sensitive sources and methods information and putting those data into a format that is suitable for passing to other agencies.
- Confusion about who is responsible for conveying the information.
- Unclear guidelines about the means for conveying it.
- Ineffective oversight and management of process.
- Cultural inertia.

(U) With respect to the specific issue of CIA's failure to recommend the watchlisting of al-Hazmi and al-Mihdhar and to inform the FBI that al-Mihdhar had a visa to enter the United States in January 2000 and that al-Hazmi had entered the United States in March 2000, the Team:

- Notes that the Agency has acknowledged that it did not sufficiently focus on watchlisting.
- Differs with the JI's conclusion that the failure reflected CIA's reluctance to share information because of its

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desire to protect sources and methods. Indeed, detailees from FBI and from other agencies in CTC had complete access to the operational traffic; these individuals share the responsibility of passing it to their agencies. As such, the Team concludes that the breakdown resulted from the failure of both CIA and FBI officers to focus sufficiently on the important passport, visa, and travel information contained in the cable traffic of early 2000 and to pass this information to the relevant agencies in the appropriate manner.

- Disagrees that legal and other restrictions prevented the CIA from providing to the FBI's New York Field Office information regarding the al-Qa'ida meeting in Malaysia. Rather, the failure to turn this information over to the FBI reflected the broader failure by UBL Station, including its FBI detailees, and of other CTC officers to ensure passage of information to the relevant agencies; the breakdown was one of process, not policy or intent.

The Team addresses information sharing involving the Malaysia operation in Factual Finding 5.b.

(U) Vehicles for Sharing Information

(U) Intelligence Community leaders have long understood the importance of sharing information among agencies and have made numerous, good-faith efforts to facilitate the flow of information. CIA and NSA, in particular, have had long records of preparing and issuing their reporting to a wide array of customers, using a variety of vehicles, including:

- Exchanges of detailees.
- Partnering.
- Creation of processes and products.
- Establishment of interagency forums.

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- Development of shared databases and electronic communications networks.

None of these methods is foolproof, however; all remain vulnerable to such obstacles as differences in mission and culture.¹⁸⁰

(U) Detailees

(U) One of the most effective means of implementing the timely and effective exchange of information on counterterrorism has been the exchange of personnel between CTC and other agencies. In 2000 and 2001, other agencies had [redacted] officers detailed to CTC.¹⁸¹ In 2000 and 2001, UBL Station alone had detailed to it four FBI officers,

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[redacted] CTC itself had three officers detailed outside the Agency during that period.¹⁸²

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(U) Without exception, CTC personnel and detailees from other agencies told the Team that detailees had access to all CTC cable traffic except Restricted Handling (RH) and eyes-only traffic; such traffic was compartmented on a need-to-know basis for both detailees and CIA employees. [redacted] representatives indicated that they also had access to

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¹⁸⁰ (U) The Team's review focuses on information sharing issues as seen from the CIA perspective. The team did not collect documentation from or interview officers at Intelligence Community agencies other than the CIA, although we did interview officers from those agencies who were detailed to CTC.

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various compartmented programs. [redacted] detailees said that, if they needed access to RH material, they got it. None of the detailees we interviewed said that these restrictions impeded their ability to share relevant information with their agencies.¹⁸³

(b)(7)(d)

(U) CTC's management of its detailee program in the pre-9/11 period led to confusion about roles, responsibilities, and guidelines for sharing information. The Center's use of the detailees as fully integrated CTC officers limited their ability to perform their information-sharing responsibilities. It also created confusion about whose responsibility it was to effect information sharing. Lack of clarity with respect to guidelines for passing information added to the confusion.

(U) Prior to 9/11, neither their home agencies nor CTC consistently made clear to detailees their responsibilities to serve as liaison with their home agencies and to ensure that information moved back and forth in an effective and timely manner. This was particularly the case with the FBI detailees in UBL Station. Detailees were put in the difficult position of having to negotiate their own responsibilities and to respond to two taskmasters, often with different missions and expectations. Job duties could range from one extreme (serving solely as the home agency's representative to CTC) to the other (serving in an integrated fashion as a CTC officer) with a variety of possibilities in the middle.

~~(S//NF)~~ CTC did not document the job responsibilities of detailees to the Center. Typically, detailees from one organization to another receive Memorandums of Understanding (MOUs) that spell out mutually acceptable responsibilities.¹⁸⁴ While detailees to CTC had MOUs, these were strictly administrative agreements outlining such issues as time and attendance; performance appraisals; security standards; and payment for

¹⁸³ (U) The Team has found no information relevant to the Joint Inquiry's discussion of information sharing that was limited by either RH or Eyes Only restrictions.

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travel, training, and salary. These MOUs did not document key job elements, job expectations, or other roles and responsibilities. This lack of documentation was reflected in the differing perceptions of detailee responsibilities held by the CTC work force.

(U) CTC managers and officers, in interviews with the Team, tended to argue that the primary responsibility of detailees was to serve as liaison between CTC and their agencies:

- One [redacted] stated that he told detailees when they arrived that they were to serve as the formal liaison between CTC and their agencies, bring their skill sets to bear on the problems at hand, and be their agencies' eyes and ears in CIA, remaining alert to what their agencies needed. (b)(7)(d)
- Another [redacted] said that the detailees' primary function was watchlisting and that their secondary function was to act as liaison between CIA and their agencies.¹⁸⁵ (b)(7)(d)
- A majority of the CTC officers queried on this issue argued that detailees should serve as liaison to their home agencies, passing on information of value. Most of these officers acknowledged, however, that many detailees worked more for the CIA than for their home

¹⁸⁵ (U) In their comments on the OIG draft, CTC managers repeated their belief that the detailees' responsibility to report back to their home agencies was clear. [redacted] emphasized that the detailees had access to all pertinent operational traffic and that, by definition, the key job element of every detailee was to keep his/her home office informed. He stated that, "This is self-evident." He also argued that the OIG's criticism of the handling of detailees is contradicted by the fact that not one detailee complained about his/her use in UBL Station. [redacted] also placed the blame on the detailees for failing to share information with their home agencies. He argued that, to the extent such sharing did not occur, the failure was due to the "cultural idiosyncrasies" of each agency and perceived differences of mission and controlling authority. Based on its interviews with detailees and the way CTC actually operated, however, the Team concludes that the views held by CTC management were not effectively communicated to either the detailees or the Agency officers in UBL Station. The Team agrees [redacted] that none of the detailees complained about the way he or she was used in UBL Station; for the most part, these officers felt they were part of the Station and doing good work for the Station. (b)(7)(d)

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agencies. UBL Station officers differentiated among the several FBI detailees working in their station. Two essentially served as CIA officers working regular accounts, they said, while two others served as liaison to the FBI.¹⁸⁶

~~(C//NF)~~ In contrast, the detailees whom the Team interviewed emphasized the lack of clarity with respect to their responsibilities and authorities:

- An FBI Special Agent who served as Deputy Chief/UBL Station confirmed that the FBI detailees were fully integrated and assigned a broad range of cases, the same as Agency officers, although their expertise in dealing with the FBI was used when needed. He emphasized that these representatives were not there to be data miners for the FBI; given their case loads, they were unable to monitor everything that came in and out of the station or to make operational decisions as to whether the information should be shared with the FBI. That decision remained with the officer assigned to the case.
- Another FBI detailee indicated that, after several months with no job definition, guidance, or training, there was no choice but to jump in and work as a fully integrated CIA officer.
- The FBI detailee from the New York Field Office did serve in a liaison capacity. His responsibility was to read as much traffic as possible and advise New York of relevant information gleaned from agency cables. CTC gave him access to the traffic relating to UBL, and he was not assigned other responsibilities. This officer was

¹⁸⁶ (U) In his comments on the final draft of the report, [redacted] indicated that day-to-day supervisory responsibility over the detailees fell to [redacted]. [redacted] went on to say that this deputy apparently also believed the detailees understood the information sharing aspect of their jobs, because [redacted] did not express any concern to the contrary. One of the individuals who served as [redacted] told the Team, however, that the FBI detailees could not be expected to manage the information exchange between the two agencies; the officer following the particular case had to be responsible for doing so. If an FBI detailee was following an issue, he or she should recognize when something should be shared. According to this individual, there was always a question about whether or not detailees were authorized to pass information.

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among those who read the January 2000 cable from Jiddah indicating that al-Mihdhar had a multiple-entry US visa and that his final destination was New York; he took no action on it, however.¹⁸⁷

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- While [redacted] officer detailed to UBL Station from July 2001 through July 2002 performed liaison duties for [redacted] in the station, her primary position was as a fully integrated targeting officer responsible for accounts in two CTC units. A CTC officer confirmed that the detailee was expected to do UBL Station work, but [redacted] often pushed her to do other things. The detailee said that Station management clearly explained her responsibilities and provided guidance for what she could and could not send back [redacted]. A CTC officer indicated, however, that the guidelines for passing information were not clear and that it often was hard for the detailee to determine what she should and should not pass [redacted]. CTC did not complete her MOU until the end of her tour. (b)(1)
- One of [redacted] detailees to UBL Station, who served from February 1997 to August 2000, indicated that her perception of her role was quite clear and that most of her time was spent doing liaison [redacted]. From day one, she had exactly the same accesses as the CIA personnel; was able to look at internal operations cables; and prepared Central Intelligence Reports [redacted] with any lead information she found in them. (b)(1)

~~(C/NF)~~ While many CTC managers and officers told the Team that the primary responsibility of the detailees was to provide liaison with their home agencies, the Center's internal documents reinforce the perception of some of the detailees that they were expected to perform as integrated CTC officers. A set of talking points prepared by CTC in the summer of 2001 stated that these detailees play an integral role in the functions of CTC and work as analysts and operations officers, "having all the same accesses and clearances." A post-9/11 CTC memorandum indicates that

¹⁸⁷ (U) For further discussion of this issue, see the discussion of Factual Finding 5b.

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the situation had not changed; it states that, because these community representatives are generally integrated desk officers in CTC branches, they do not have time to review all of the disseminated threat warning reports and must rely on CTC analysts to forward relevant information to their home agencies.

~~(C//NF)~~ Unclear information-sharing guidelines reinforced the confusion with respect to the detailees' roles and responsibilities. One detailee told the Team that they received confusing and mixed messages over their authority to share information. At one time, he said, CTC officers told the detailees that they were authorized to share information with their home agencies; later, they were told that they had to ask before sharing.

~~(C//NF)~~ Finally, in spite of the recognized need to share information, the processes in place to do so, and the fact of considerable sharing, the culture of UBL Station reflected the DO's culture of reluctance to compromise operational traffic. The 9/11 Review Team's evidence for this is primarily anecdotal in nature. The Team notes, however, that one detailee in UBL Station was reprimanded (probably properly so) for mishandling information he had provided to his home agency; the Team has no indication that anyone in UBL Station was ever reprimanded for not sharing information.

(U) With respect to the detailee program, the Team found no information that CTC or UBL Station management systematically reinforced the importance of information sharing processes to include: explaining who had primary responsibility for implementing and tracking the process; clarifying the guidelines for sharing information properly; providing the mentoring and training that would have helped detailees and CIA officers alike accomplish their information sharing responsibilities in a more consistent and effective manner.

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(U) Partnering

(U) Developing relationships at various levels between organizations is another effective way to bolster cooperation and enhance information sharing. CTC has developed relationships with a number of counterterrorism units in other IC agencies. These relationships are valuable and productive. At the same time, they are dependent on the commitment and capability of the individuals responsible for maintaining them; vulnerable to disagreements growing out of mission and cultural differences; and susceptible to bureaucratic battles over turf, inertia, and personality clashes. These complications were at play in CTC's relationships with its key partners.¹⁸⁸

(U) **The Federal Bureau of Investigation.** The key pre-9/11 CIA-FBI relationship with respect to al-Qa'ida, that between UBL Station and the FBI's New York Field Office (the Bureau's "office of origin" or office with responsibility for al-Qa'ida), was troubled at best and dysfunctional at worst. Numerous interviewees told the Team that particular animosity existed between the managers of those organizations in the 1997-1999 timeframe. A [redacted] detailee in UBL Station stated that, in 1999, the former DCI and former FBI Director Freeh met to discuss the animosity and lack of coordination between the two units. Following that meeting, [redacted] the Team, the FBI sent [redacted] to the Station [redacted] to help mend the relationship. [redacted] said that the Chief of Station (COS) did not receive him well but that things improved under the next COS. [redacted] told the Team that [redacted] realized a "clearing of the air" with FBI New York was needed, but that the New York Bureau Chief "never changed his stripes." One [redacted] told the Team that the Station detailee from the New York Field Office was there to "spy" for that office's chief, who did not trust the Station. [redacted] in turn, said [redacted] felt [redacted]

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¹⁸⁸ (U) The Team looked at these relationships only from the CIA's perspective, although it interviewed detailees to CTC from other agencies. In addition, the Team discusses only CTC's relationships with FBI, NSA, and DIA because that was the Joint Inquiry's focus. The Team did not review the CIA's important partnerships on counterterrorism with other agencies, including the State Department's Bureau of Intelligence and Research and the National Imagery and Mapping Agency (now the National Geospatial Intelligence Agency).

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like a "pariah" because he was considered New York's "spy;" many of his supervisors and peers did, in fact, characterize him that way.

~~(C//NF)~~ UBL Station had smoother—albeit not particularly close—relations with the counterterrorism office at FBI Headquarters and its UBL Unit. An August 1999 briefing for the DCI indicated that the Station intended to hold monthly meetings with the FBI's squad, but our interviews suggest that these meetings were irregular at best. Although one officer told the Team that regular meetings occurred, most who responded to the Team's question indicated that they were unaware of meetings between the two groups. One [redacted] said that these meetings were not very effective because the FBI only wanted to talk about what was happening overseas. A [redacted]

[redacted] indicated that no regular meetings occurred but that [redacted] the head of the FBI's Bin Laden Squad each made two or three trips to the other's office and had established a good working relationship.¹⁸⁹

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[redacted] The Team agrees that UBL Station's relations with both the FBI and NSA improved [redacted] but found that underlying tensions between the Station and both agencies continued.

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~~(S//NF)~~ Although the Team did not closely examine the relationships in the foreign field between the FBI's Legal Attachés and CIA stations on counterterrorism, it did look at the key partnership that existed [redacted] in the winter of 2000-2001 because the debriefings of an important joint asset during that period represented another missed information-sharing opportunity. This joint asset had described "Khallad," the senior UBL operative and planner of the October 2000 attack on the USS Cole, linked him to al-Mihdhar, and identified him from photographs as having been present at the Malaysia meeting. [redacted]

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~~(S//NF)~~ National Security Agency. The problematic relationship between CIA and NSA negatively affected information sharing between the two agencies. [redacted]

[redacted] The Team addresses these issues in detail in its discussion of Systemic Findings 4 and 7.

~~(C//NF)~~ Relations were initially strained between UBL Station officers and their NSA counterparts but were improving before 9/11. [redacted]

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credited the second COS with making an effort to meet with his NSA counterparts more often than his predecessor, however. Meetings were held every other week [redacted] and relations improved. Several [redacted]

[redacted] stated that the relationship had become positive and collaborative before 9/11.

(U) Defense Intelligence Agency. The Joint Inquiry discusses the DIA and its lack of access to CIA operational cables only briefly. In its discussion, it states that, after 9/11, DIA identified numerous leads in [redacted] cables that its analysts could have pursued had the information been shared. The Team agrees that leads in these cables could have been pursued analytically [redacted]

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(U) Products and Processes

(U) Prior to 9/11, CTC passed information to IC agencies both formally and informally. Team interviewees widely recognized the Central Intelligence Report (CIR) as the proper and formal channel to provide relevant counterterrorism information to other US Government agencies, although some told the Team that it was not necessarily an effective instrument for getting information into the hands of the appropriate officers. Interviewees also indicated that informal channels were sometimes more effective in getting information to the proper recipient in other agencies—and that this was particularly true with the FBI.¹⁹¹

¹⁹¹ (U) A number of officers, both from CIA and FBI, expressed frustration with the state of the FBI's information-technology infrastructure and the inability to know what information had been transmitted. In order to make sure a message had been relayed, these officers stressed, it was necessary to make contact with someone. Many officers indicated that FBI's computer systems are outdated and that the FBI has no central repository for information and no effective means of tracking information.

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(U) The review team asked interviewees how CTC shared information about suspected al-Qa'ida associates' travel to the United States with other agencies, particularly the FBI; the variety of responses suggests confusion with respect to the most appropriate and effective procedures. Of the 30 CTC officers and detailees who responded to the question:

- Eight stated that the correct and formal process was to send a CIR to the appropriate agencies.
- Ten indicated that some less formal process—such as a phone call, e-mail, or having the FBI detailees deliver the information—was the appropriate channel.
- Twelve said that officers should use both a CIR and some other method.

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Thus, most officers agreed that sending a CIR was a necessary step, but many believed the CIR alone was not a sufficient method for ensuring transmittal of the information.

(U) The responses of [redacted] to this question varied considerably, adding to the confusion:

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- [redacted] stated that the FBI detailee should pass the information but that the Station ideally would follow up with a CIR for the record.¹⁹²
- [redacted] said that the CIA field and pertinent DO division reports units were responsible for

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¹⁹² (U) [redacted] emphasized that one problem in information sharing was FBI's inadequate information-technology infrastructure. [redacted] said that, even when CIRs were sent to the FBI, they [CTC officers] were instructed to follow up with a telephone call to ensure the CIR was not lost. [redacted] said that the FBI's inability to process information played a critical role in the period before 9/11. The Team notes that, while this assessment of the FBI's capabilities may be accurate, the fact that CTC officers had this perspective made it all the more important that they follow appropriate procedures to ensure the FBI had received relevant information.

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sharing such information. [redacted] argued that UBL Station was not at the same level as a field station and thus did not have the same responsibility.

- One [redacted] said that such information would be given to the detailee, or the Station would do a CIR, although the FBI did not act on many CIRs. (b)(7)(d)
- Another [redacted] stated that Station officers gave the information to the FBI representative in the station or to the CIA representative at the FBI through an informal process. (b)(7)(d)

~~(S//NF)~~ In spite of the apparent confusion, UBL Station had an impressive record of sending CIRs to other agencies. As noted in the discussion of Factual Finding 5b, from 1 January 1998 through 10 September 2001, UBL Station produced over 1,000 CIRs—about one-third of the CIRs that CTC initiated during that period—according to a review of cables in the Hercules database. The vast majority of these went to the FBI; in many cases the Bureau was the only external recipient. A number of the CIRs alerted the FBI to terrorists' or terrorist associates' actual or intended travel to the United States.

~~(S//NF)~~ The FBI detailees to UBL Station drafted about one-fifth of the Station's CIRs during this period, demonstrating that they considered writing CIRs to be among their responsibilities. While one FBI detailee stated that detailees wrote CIRs only on issues for which they were responsible, the Team's review of CIRs in Hercules indicates that detailees also wrote CIRs on issues that were not part of their own accounts.

(U) Interagency Forums

(U) The Community Coordination Board (CCB), which functioned administratively within CTC, was the most significant working-level interagency group dealing

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with counterterrorism in the period before 9/11.¹⁹³ The CCB was expected to:

- Serve as the Executive Secretariat for the Interagency Intelligence Committee on Terrorism (IICT)—the interagency forum created in April 1997 for coordination and cooperation on counterterrorism-related intelligence activities—and directed the activities of the IICT’s seven subcommittees, which dealt with discrete issues. The IICT consisted of nearly 50 intelligence, law enforcement, defense, security, and regulatory agencies. Any US Government organization with a legitimate counterterrorism or antiterrorism interest was eligible to join and participate in the Committee’s two monthly meetings—one on warning and one on general issues.
- Manage the Community Terrorist Threat Warning System, which coordinated Community terrorism warnings and assessments prepared by members of the five key agencies (State/INR, NSA, CIA, DIA, and FBI).
- Manage the DCI’s Terrorism Warning Group (TWG). The TWG produced Terrorist Threat Assessments and Advisories—analytic products drafted by IC analysts and coordinated within the IC—designed to provide senior civilian and military policymakers with strategic and tactical warning of impending foreign terrorist attacks on US persons, facilities, and interests.¹⁹⁴ Once the TWG, which relied heavily on CTC analysts, authored a threat assessment, every agency in the IICT coordinated on the final version.
- Organize Community analytic exchanges with other governments.

¹⁹³ (U) With the creation of the Terrorist Threat Integration Center (TTIC) after 9/11, the CCB was folded into TTIC.

¹⁹⁴ (U) See Systemic Finding 5 for discussion of the CCB’s intelligence production on counterterrorism.

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- Direct the Incident Review Panel, which validated international terrorist incidents for statistical and other purposes.

(U) The former DCI explained in his testimony to Congress in 2002 that CTC was to establish community reach by incorporating representatives from as many of the relevant agencies as possible into the Center's structure in order to provide connectivity, encourage sharing and communication, and assist in breaking down cultural barriers to cooperation and collaboration. He noted, however, that positions identified and reserved for these agencies on the CCB were not always filled and that the Center had to reach out to organizations [redacted]

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[redacted] to fill them.

(U) Indeed, before 9/11, only one of the five analyst positions in the Threat Warning Group (TWG) was filled, and the [redacted] position had been vacant since January 2000.¹⁹⁵ Additionally, according to the [redacted] officers serving in the CCB and TWG did not interact regularly with other CTC elements. While much of the production of these interagency elements was prepared by AIG analysts—not by CCB detailees—and, while the latter officers had access to CTC information, lack of staffing resources and regular interaction limited their ability to perform their responsibilities fully and effectively.¹⁹⁶

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(U) Pre-9/11 interagency forums were not designed to review and exchange the types of raw and operational

¹⁹⁵ (U) For additional information on the CCB, see Systemic Finding 2.

¹⁹⁶ (U) In his comments on the OIG draft report, the former DCI stated that the OIG Inspection Report on CTC had stated that, "CTC fulfills inter-Agency responsibilities for the DCI by coordinating national intelligence, providing warning, and promoting the effective use of Intelligence Community resources on terrorism issues and indicated that CTC was performing this function effectively." The Inspector General acknowledges the DCI's point. The inspection report of CTC, published in August 2001, included these statements, charitably but ill-advisedly using language that described CTC's Community mission rather than more well-founded language that would have described in greater detail, and with more care, the actual performance of CTC in fulfilling these responsibilities. In fact, the earlier inspection team did not identify these as problematic issues and, thus, did not engage in intensive data gathering on them in the way that the more recent 9/11 Review Team has done.

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data that the Joint Inquiry focused on in its report. They were not staffed sufficiently to perform such a role and to take advantage of the access they may formally have had to raw DO operational traffic. [redacted]

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[redacted] told the Team, for example, that the TWG operated quite separately from CTC and that its officers dealt with finished intelligence—not with operational traffic. Thus, if analysts within CTC did not pull together the threads of specific threat reporting from the operational traffic, it was not likely to get done within the CCB.

(U) Interagency forums have considerable value as places for officers from different agencies to come together to assess their common understanding of available information and to provide a coordinated view of potential threats. They can only be as good as the officers that staff them and the information these officers bring to the table, however. Unfortunately, in the period leading up to the attacks of 11 September 2001, there were an insufficient number of officers in these forums and those that were there were not in position to exploit the raw intelligence that resided in the databases of the member agencies.

(U) Databases

(U) The IC has tried to enhance the exchange of information by constructing shared databases containing relevant counterterrorism information. As indicated in the discussion of Systemic Finding 4, the IC (primarily CIA) had developed systems before 9/11 that were designed to serve as central systems for sharing information on counterterrorism; these did not fulfill expectations for performance and effectiveness, however.

(S/- [redacted] NF) The IC also has numerous tactical databases, constructed for a variety of purposes, including sharing the names of suspected terrorists and sharing telephone numbers that provide leads and linkages. It would be a large undertaking to assess the value and effectiveness of these programs; the Joint Inquiry did not pursue this issue nor has the Team done so.

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(U) To the extent that disrupting or preventing the 9/11 terrorist attacks was possible at all, one of the critical keys was better information sharing. Different agencies had different pieces of the puzzle. Analysis of all the available information would not have pointed directly at the who, where, when, what, and how of the 9/11 plot. Nonetheless, it might have increased the chances of disrupting the plot at different points; led to the uncovering of more clues; and prompted stronger preventive measures with respect to airport and airline security.

(U) One of the lessons to be learned from this review is the importance of formal processes. As is evident in the Team's discussion of this finding, numerous CIA officers relied on informal means of ensuring passage of information to other agencies, which may have had negative consequences. Reliance on an informal exchange of information means that:

- No record exists of the exchange. This may be the situation with respect to the claims of UBL Station officers that they provided al-Mihdhar's passport and visa information to the FBI in January 2000. While this may have been the case, it cannot be demonstrated.
- No way exists to reliably retrieve or distribute informally transmitted information, thus undermining the usefulness of the information and limiting the ability of analysts to make the necessary analytic connections.

(U) A second lesson is the value of the processes already in place for information sharing. The voluminous flow of raw intelligence data into the Intelligence Community; the need to protect sources and methods; and the nature of the terrorist threat that may pose an immediate danger demand an unprecedented capability to share information within and outside the IC in a timely and effective manner. None of the systems and processes the

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Team has discussed is perfect, but it is important that all be developed and used to the greatest possible extent.

(U) The 9/11 Review Team believes that one of the most effective mechanisms for dealing with the flow of raw intelligence data within the IC is a well-defined and well-managed detailee program. Detailees should represent the interests of their home agencies first. Their role should be to review available information from the perspective of their agencies; determine what should be transmitted and how it should be transmitted; obtain the necessary approval from the host agency; then send it out in the proper manner and to the appropriate officers. This approach appears to us to offer the best chance that the relevant information will be mined from the raw traffic and conveyed to the appropriate agencies in a timely and effective manner.

(U) For this approach to work, however, IC agencies must consistently:

- Send high-performance officers on detail to other organizations. That entails making an investment of people and resources as well as recognizing and rewarding those officers who are willing to take on such responsibility.
- Provide detailees with MOUs that clearly articulate their information sharing responsibilities.
- Create effective guidelines, products, and processes for conveying relevant information to the appropriate agencies.
- Ensure effective and consistent management and supervision of detailee programs.

(U) Finally, it is important that the IC ensure that those who are doing threat warnings for the Intelligence Community have access to all the data. Whether that warning is being done in a Community Coordination Board, a Terrorist Threat Integration Center, a National

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Counterterrorism Center, or some other unit, analysts must have access to all the information necessary to make informed judgments.

(U) Accountability

~~(C)~~ CTC's documented failures to share information in a timely, effective, and proper manner with other agencies inside and outside the Intelligence Community as well as with other CIA components were individual, collective, and systemic. For this reason, the Team recommends that an Accountability Board review the performance of the following individuals:

- The Chiefs of CTC from 1998 through September 2001 for failing to provide effective management oversight in the area of information sharing to include: effective leadership of CTC's detailee program—particularly establishing and implementing a clear policy that defined the responsibilities of detailees in terms of sharing information with their home agencies; establishing and implementing a clear policy that defined the responsibilities of CTC officers in terms of sharing information with other agencies with a need to know; ensuring that the processes to accomplish this goal were in place and being used; and intervening to improve working relations between UBL Station and other entities, both internal and external.

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(U) SYSTEMIC FINDING 10: INFORMATION SHARING WITH NON-IC MEMBERS

(U) Systemic Finding 10 of the Joint Inquiry (JI) report states that, "Serious problems in information sharing also persisted, prior to September 11, between the Intelligence Community and relevant non-Intelligence Community agencies. This included other federal agencies as well as state and local authorities. This lack of communication and collaboration deprived those other entities, as well as the Intelligence Community, of access to potentially valuable information in the 'war' against Bin Laden. The Inquiry's focus on the Intelligence Community limited the extent to which it explored this issue, and this is an area that should be reviewed further."

(U) The report goes on to state that, at each level, communications with potentially valuable partners in the war against terrorism, including other federal agencies and state and local authorities, were restricted. Officials in the Departments of Treasury, Transportation, and State told the Joint Inquiry that, although they received threat information from the Intelligence Community (IC), this often lacked context, limiting their ability to estimate the value of the information and take preventive action. In addition, the report indicates that the IC did not share all of its threat information with the non-IC entities that needed it the most.

(U) For example, the former Director of Central Intelligence testified that, over a seven-year period, CIA had disseminated to the appropriate agencies—such as the Federal Aviation Administration (FAA) and the Federal Bureau of Investigation (FBI)—some 12 reports pertaining to possible use of aircraft as terrorist weapons. Subsequently, the JI report says, the Transportation Security Intelligence Service (TSIS)—formerly the Intelligence Office at FAA—researched the 12 reports to determine what actions had been taken. TSIS reported that it had no record of having received three of those reports; two others had been derived

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from State Department cables; and one was not received at all by the FAA until after 11 September 2001 (9/11).

(U) The JI report also states that, prior to 9/11, the FAA itself had key intelligence information regarding Ahmed Ressam—the terrorist apprehended on his way from Canada to Los Angeles Airport at the time of the Millennium—and that it might not have shared this information with the IC. The FAA conducted a detailed analysis of Ressam's bomb materials and connected them with the mid-1990s Bojinka Plot to blow up commercial airliners over the Pacific. The report indicates that it is unclear whether or not these findings were formally communicated to the CIA.¹⁹⁷

(U) According to the JI report, the CIA and the National Security Agency had sufficient information available to connect al-Mihdhar and al-Hazmi to Usama Bin Ladin (UBL), the East Africa embassy bombings, and the USS Cole by late 2000. It concludes that, on at least three different occasions, these agencies should have placed the two individuals on the State Department, Immigration and Naturalization Service (INS), and Customs watchlists. This was not done, nor was the FBI notified of their potential presence in the United States until late August 2001.

(U) The JI states that the CIA also did not provide the State Department with almost 1,500 terrorism-related reports until shortly after 9/11. These reports led to the addition of almost 60 names of terrorist suspects to the State Department's watchlist. Also, due to a lack of awareness of watchlisting policies and procedures among CIA personnel before 9/11, this information was not provided to INS and Customs for their watchlists. Intelligence officers at the Departments of Energy and Transportation also did not have access to names on the watchlists. In his testimony, the former DCI stated that CIA personnel had not understood

¹⁹⁷ (U) The 9/11 Review Team's response to this Finding of the JI report focuses on CIA information sharing with non-IC agencies, rather than the other way around. The Team searched several reports databases, however, and found no indication this material was shared.

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either their obligation to place people on watchlists or the criteria by which watchlist decisions should be made.

(U) Assessment of the Finding

(U) Although the Office of Inspector General's 9/11 Review Team agrees with much of the discussion in this Finding, the Team has found that CIA's pre-9/11 information sharing with non-IC agencies—although far less extensive than its information-sharing arrangements with IC agencies—was more robust than the JI implies.

(U) The Team agrees with the Joint Inquiry that CIA did not share all relevant information concerning hijackings and the use of aircraft as weapons with the FAA. The Team addresses the substance of the reporting in its discussion of Factual Finding 4 and will do that again in this finding. The Team is unable to either confirm or refute the JI's specific allegation that the FAA had not received three of 12 reports; that two others had been derived from State Department cables; and that one was not received at all by the FAA until after 9/11. Our own research does show, however, a mixed record with respect to CIA's sharing of information relating to possible attacks involving aircraft. The Team reviewed 13 incidents of reporting concerning a threat from the Middle East involving either hijacking or using airplanes as weapons during the period from 1994 to September 2001. While the Team can confirm that nine of these were passed to FAA, the Team found no record that the other four were.

(U) The Team concurs that the CIA had sufficient information to connect al-Mihdhar and al-Hazmi to UBL, the East Africa embassy bombings, and the attack on the USS Cole by late 2000. On at least two major and several lesser occasions, the Agency had the information necessary to recommend these individuals for watchlisting by the State Department as well as by INS and US Customs. It also should have recommended that they be placed on the FAA's no-fly list; in fact, the 23 August cable recommending that these men be watchlisted was not sent to the FAA. The

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former DCI has confirmed that CIA's performance with respect to watchlisting was marked by what he termed "uneven practices, bad training, and a lack of redundancy." The Team agrees that the FBI also was not formally notified of the possible presence in the United States of these men until late August 2001—although the FBI detailee to UBL Station was aware of this in May 2001. CIA did not forward information regarding al-Mihdhar and al-Hazmi to either IC or non-IC agencies as it should have done. We also agree that cooperation and collaboration among the Counterterrorist Center (CTC), [redacted]

[redacted] and the FBI's JTTFs were insufficient. (See Factual Finding 5b and Systemic Findings 9 and 11 for the Team's discussion of these issues.)

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(U) The flaws that hampered information sharing among IC agencies inhibited information sharing with non-IC agencies as well. The Team will not repeat the conclusions and recommendations it addresses in Systemic Finding 9 but believes that they are relevant to this finding. In this section, the Team will discuss information sharing only as it relates to CIA relations with those non-IC agencies,

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(U) The JI indicated that its focus on the IC limited the extent to which it explored the issue of information sharing with non-IC agencies. We have not taken a broader look either but have examined only the issues that the JI discussed.

(U) Information Sharing with Non-Intelligence Community Agencies

(U) The methods the CIA used to share information with non-IC agencies before 9/11 were similar to those it used with IC agencies, albeit on a smaller scale. Detailees played an important, although far from exclusive, part. Central Intelligence Reports (CIRs) were the primary product for relaying information and warnings. And non-IC

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agencies were included in interagency forums, such as the Community Counterterrorism Board (CCB), and received the product of those forums. There were fewer detailees; fewer formal communications; and fewer formal and informal partnerships between CIA and these agencies than between CIA and members of the intelligence and law enforcement communities, however.

(U) In addition, before 9/11, high-level attention to CIA's information-sharing performance with respect to non-IC agencies appears to have been episodic rather than sustained and/or systematic. The Deputy Director of Central Intelligence told the Team, for example, that, when he was Deputy Chairman of the National Intelligence Council (1995-1997), he had asked for permission to brief the FAA on the increased threat of airline hijackings. He indicated that this was a noteworthy event, however, not one that was repeated or reinforced.

(U) Detailees

(U) In 2000 and 2001, from four to eight officers from non-IC organizations were detailed to CTC; none of these was assigned to UBL Station, however. The FAA had three officers in CTC in 2000 and one in 2001; the Department of Energy had two in both years; Customs had two in 2000 and one in 2001; and INS had one in 2000 but none in 2001. These officers had the same access to information as their CTC and IC colleagues.

~~(S//NF)~~ As was the case with IC detailees, CTC officers and the non-IC detailees with whom the Team spoke viewed the responsibilities of the latter differently. CTC officers emphasized the detailees' responsibility to serve as liaison to their home agencies, while the detailees emphasized their roles as integrated CTC officers:

- The [redacted] detailee to CTC from 2000 to 2002 was assigned to the Center's Requirements and Reports Staff. CTC officers agreed that this detailee had access to all the traffic, established the threshold for material passed to

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the [redacted] and wrote reports of interest to the [redacted]. One officer said that others in CTC would relay warnings to the detailee who would then communicate them to the [redacted]. The detailee [redacted] saw his role differently. [redacted] said that [redacted] job was to churn out reports for CTC and that [redacted] covered weapons of mass destruction and cyber threats, as well as aviation threats. This officer agreed that [redacted] was a resource within CTC for the [redacted] and would answer questions when asked, but he insisted that it was not his job to serve as liaison to the [redacted]. For example, the Team's review of available data suggests the detailee was not formally involved in drafting the CTC cables of August 2001 that discussed Moussaoui's suspicious flight training on 747s. In fact, the detailee said that [redacted] had no recollection of such cables. [redacted] indicated that someone had sent a CIR on the subject for [redacted] to coordinate; although [redacted] remembers that it was going to the FBI and Customs but not the [redacted] was too busy doing other things to work on it and did not believe it was [redacted] job to notify the [redacted].¹⁹⁸

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- One of the [redacted] detailees to CTC echoed [redacted] colleague's perspective. [redacted] said that, while [redacted] had some responsibility as a [redacted] officer, [redacted] primary job was that of CTC desk officer, tracking Pakistani groups.

[redacted] said that CTC officers occasionally asked [redacted] to check the [redacted] database to which [redacted] had access, to see whether [redacted]

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- The [redacted] detailee said that detailees made their own way in CTC. [redacted] indicated that his own role had evolved in an ad hoc fashion and that [redacted] was in CTC to watch out first for his home agency's needs and then for the CIA's needs. [redacted] said that CTC managers did not think about where they should place detailees and what their roles should be.

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¹⁹⁸ (C//NF) Our review of the Hercules database indicates that CTC did not issue a CIR on Moussaoui before 11 September. The FBI issued a cable discussing the case on 4 September and sent it to the FAA, Customs, and INS. [redacted]

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(U) As such, the Team concludes that CTC's approach to non-IC detailees before 9/11 was virtually the same as its approach to IC detailees. The Center provided little oversight and guidance to these individuals. They had to balance their roles as integrated officers and representatives of their home agencies in the manner they thought appropriate.

(U) Products and Processes

(U) CTC used CIRs extensively to relay information about suspected terrorists or potential terrorist operations to non-IC agencies. From 1 January 2001 through 11 September 2001, for example, CTC sent approximately 300 CIRs to the Department of Transportation in general, 50 to the FAA in particular, 200 to US Customs, and 150 to INS.¹⁹⁹ Many of these reports contained unclassified tearlines that could be passed to appropriate agencies, including state and local law enforcement agencies, for their use.

(S/[redacted] NF) Key CIRs that CTC disseminated to the FAA and other agencies during this period include:

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¹⁹⁹ (U) Many of these CIRs had multiple addressees.

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(U) Non-IC detailees provided the Team the same description of CTC's lack of guidance on watchlisting as did IC detailees. They were not aware of CTC watchlisting procedures or guidance but understood the watchlisting requirements of their own agencies. [redacted]

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indicated that CTC officers who requested the watchlisting were responsible for writing the CIR, however, not the detailee. [REDACTED] no formal threshold existed for watchlisting, just a subjective one based on knowledge and expertise.

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(U) Two non-IC detailees discussed their problems in moving information from CTC to their agencies. One indicated that some CIA officers were reluctant to share information with non-IC components because of the risks to sources and methods. Another stated that electronic information sharing was problematic because of systems weaknesses at the home agency.

~~(S//NF)~~ CIA did not typically deal directly with state and local law enforcement agencies prior to 9/11. Rather, it worked through other agencies, primarily the FBI, to disseminate threat information to such organizations. FBI headquarters and the field office where the suspected

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terrorist was scheduled to arrive reviewed the IC-origin travel information and worked with INS, Customs, and local law enforcement to intercept, conduct surveillance, or interview the subject. CTC also could issue warnings through the National Threat Warning System—possibly with an accompanying National Law Enforcement Telecommunications System alert, which broadcast an unclassified version of the threat to state and local law enforcement.

(U) Interagency Forums

(U) The CCB played an important role in issuing threat warnings to non-IC agencies, drafting many of the CIRs containing counterterrorism warnings. [redacted]

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[redacted] told the Team that the threshold for reporting information to non-IC agencies was low and that any information dealing with a specific threat to US airlines would have gone to the FAA; another said that the CCB widely disseminated its weekly threat matrix, to which non-IC detailees to CTC had access.

(U) Implications

(U) The limited amount of information that the Team has collected on the issue of CTC and non-IC agencies indicates that, while these relationships were more robust than the Joint Inquiry indicated, they were less extensive than those between CTC and other IC and law enforcement agencies. It is conceivable that more active communication and cooperation between CIA and the non-IC agencies could have affected the outcome of 9/11. For example, had al-Mihdhar and al-Hazmi been placed on the FAA's no-fly list in late August 2001, when CTC recommended the two for watchlisting, they would not have been able to board American Airlines Flight 77 on 11 September 2001 using those names. CTC did not send the cable recommending watchlisting to the FAA, however.

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(U) Accountability

(U) The 9/11 Review Team refers the reader to its discussion of Systemic Finding 9; its discussion of implications; and its recommendations with respect to accountability. These apply to the issue of CTC's relationships with non-IC agencies as well as to its relationships with its IC and law enforcement partners.

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(U) SYSTEMIC FINDING 11: HUMINT OPERATIONS AGAINST AL-QA'IDA

~~(S/ [] NE)~~ Systemic Finding 11 of the Joint Inquiry (JI) report states that, "Prior to September 11, 2001, the Intelligence Community did not effectively develop and use human sources to penetrate the al-Qa'ida inner circle. This lack of reliable and knowledgeable human sources significantly limited the Community's ability to acquire intelligence that could be acted upon before the September 11 attacks. In part, at least, the lack of unilateral (i.e., US-recruited) counterterrorism sources was a product of an excessive reliance on foreign liaison services."

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(U) Joint Inquiry Discussion

~~(S/ [] NE)~~ The JI acknowledges that the Counterterrorist Center (CTC) made a number of creative efforts to unilaterally penetrate al-Qa'ida especially after the East Africa embassy bombings in August 1998.

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~~(S/ [] NE)~~ CTC interviewees told the JI staff that the Center at various times had [] outside the al-Qa'ida inner circle who were reporting on the terrorist organization and [] who were being developed for recruitment prior to 11 September 2001 (9/11). The CIA and Federal Bureau of Investigation (FBI) handled the best source jointly. In addition, the report notes that the CIA managed a network of [] in Afghanistan that reported information on Bin Ladin-related security details,

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personalities, logistics, foreign visitors, movements, and relations with the Taliban. These sources occasionally provided threat information as well but had no access to the al-Qa'ida inner circle. Moreover, these and other sources never provided any intelligence relevant to the 9/11 operation that anyone could act upon prior to September 11.

~~(S//NF)~~ The JI acknowledges that CIA faced a number of external impediments that made al-Qa'ida a hard target to penetrate:

- Members of the inner circle of Usama Bin Ladin (UBL) had close bonds established by kinship, wartime experience, and long-term association.
- Information about major terrorist plots was not widely shared within al-Qa'ida.
- Many of UBL's closest associates lived in war-torn Afghanistan, where the United States had no official presence.
- Pakistan provided the principal access to al-Qa'ida's main operating area in southern Afghanistan, but US-Pakistani relations were strained.

~~(S//NF)~~ The JI implies that CIA had a flawed human intelligence (HUMINT) operations strategy and identifies several self-created impediments that limited the Agency's success in obtaining unilateral penetrations of al-Qa'ida. These impediments included:

- **Reliance on liaison.** While acknowledging that most disruptions of al-Qa'ida activities abroad before 9/11 resulted from foreign government operations, the JI report concludes that CIA's reliance on foreign services to develop human sources meant that CIA had insufficient focus on unilateral operations.
- **Focus on disruption and capture.** The report indicates that, per the National Security Council's direction, CIA's

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HUMINT emphasis was on pinpointing the location of UBL and his principal lieutenants in Afghanistan so as to capture and render them to law enforcement authorities. As a consequence, the report suggests that CIA did not focus as heavily as it could have on recruiting relevant sources in other locations [redacted]

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- **Value of walk-ins.**²⁰⁰ [redacted]

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- **Dirty asset rules.**²⁰¹ CTC personnel told the JI that they did not view guidelines issued by former Director of Central Intelligence (DCI) John Deutch in 1996 concerning CIA recruitment of human sources with poor human rights records or who had committed proscribed acts as an impediment to pursuit of terrorist recruitments in al-Qa'ida. Nonetheless, the JI was skeptical, noting that a July 2002 report of the House Permanent Select Committee on Intelligence Subcommittee on Terrorism and Homeland Security found that CIA officers in the field did feel constrained by these guidelines.²⁰²

²⁰⁰ (U) For simplicity, we use the term walk-ins to refer to volunteers who walk in, call in, or write in offering to provide information of value.

²⁰¹ (S//NF) Dirty asset rules is the shorthand description for regulations that govern the operational use of agents tainted by criminal acts or involvement in human rights abuses. [redacted]

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²⁰² (U) US House of Representatives, Permanent Select Committee on Intelligence, Subcommittee on Terrorism and Homeland Security, *Counterterrorism Intelligence Capabilities and Performance Prior to 9-11*, dated 17 July 2002, pp. 27-29.

~~TOP SECRET~~~~HCS/SI//ORCON, NOFORN//MR~~**(U) Assessment of Joint Inquiry Finding**

~~(S//NF)~~ The Office of Inspector General (OIG) 9/11 Review Team concurs with the JI's conclusion that CIA HUMINT operations were unable to penetrate al-Qa'ida's inner circle and that both external and internal factors limited CIA's ability to be more effective. However, the Team differs to some degree with the JI's analysis and conclusions about the various flaws in CIA's operational strategy. The 9/11 Team:

- Does not concur that CIA reliance on liaison was excessive but agrees that it was not balanced with a strong focus on unilateral operations until after mid-1999. The Team addresses this issue in detail in Systemic Finding 15.
- Agrees that CIA's operational focus was on Afghanistan, although not just to capture UBL but also to gain HUMINT access to the plans and intentions of his inner circle there. This strategy did reduce the focus on HUMINT operations elsewhere, however.
- Concurs that the CIA relied on walk-ins as its principal unilateral sources but disagrees that these afforded little value as counterterrorism sources.
- Agrees that bureaucratic rules may have impeded recruitment operations—but cannot evaluate the extent of the negative impact.

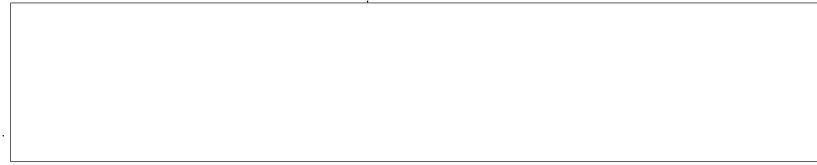
~~(S//NF)~~ The 9/11 Team also assessed two additional HUMINT collection issues that were not addressed in the JI findings:

- In their additional views to the JI Report, Senators Shelby and Dewine charged that the CIA had been negligent in failing to adjust its posture away from official cover to nontraditional platforms more suited to the terrorist

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target.²⁰³ The Team found that the Directorate of Operations (DO) made little use of nonofficial cover (NOC) officers or nontraditional platforms to address the al-Qa'ida target because these platforms were indeed too weak to offer much potential.

**(U) The Balance Between Collection and Disruption**(b)(1)
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~~(S//NF)~~ CTC's HUMINT strategy regarding UBL evolved over the years from one focused on disruptions and capture [redacted] CTC never achieved access to UBL's inner circle.

(U) Early Focus on Disruption(b)(1)
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~~(S//NF)~~ Prior to mid-1999, CTC's main focus was disruption [redacted]

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[redacted] well aware that CIA had been unsuccessful at penetrating the inner core of [redacted]

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[redacted] necessary for CIA to use the information it was collecting to take action to disrupt the terrorist infrastructure before it could be used to attack the United States. [redacted]

²⁰³(U) "September 11 and Imperative of Reform in the US Intelligence Community, Additional Views of Senator Richard C. Shelby, Vice Chairman, Senate Select Committee on Intelligence," JI Final Report, Appendix – Additional Views of Members of the Joint Inquiry, 10 December 2002.

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[redacted] told the Team that [redacted]
considered CTC's balance between collection and disruption
to be appropriate.

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²⁰⁴ ~~(C//NF)~~ Double-tap refers to the shooting tactic of firing two rounds quickly (tapping the trigger twice) to neutralize a threatening aggressor. However, in this context, it refers to law enforcement action against terrorists including monitoring, questioning, and arresting suspected terrorists under whatever criminal statutes possible, thereby accomplishing two goals: disrupting potential terrorist attacks and obtaining intelligence information on terrorist activities.

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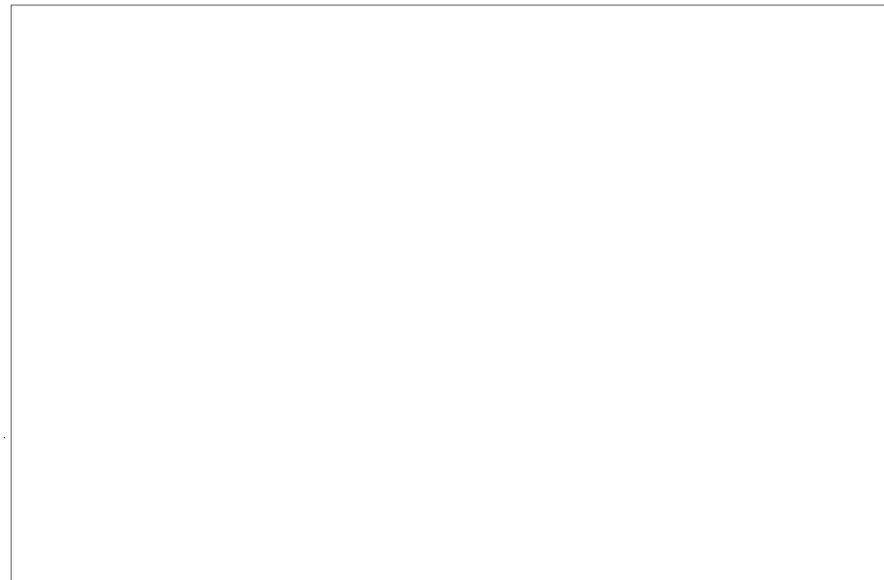
(U) Renewed Focus on Recruitments

~~(S//NF)~~ In mid-1999, the new Chief/CTC determined that the Center's al-Qa'ida effort was weighted too heavily toward disruptions and that CTC needed to focus its efforts on recruiting [redacted]

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told the Team that the earlier double-tap strategy was too heavily focused on liaison and the FBI and that the new Chief had put renewed focus on unilateral operations.

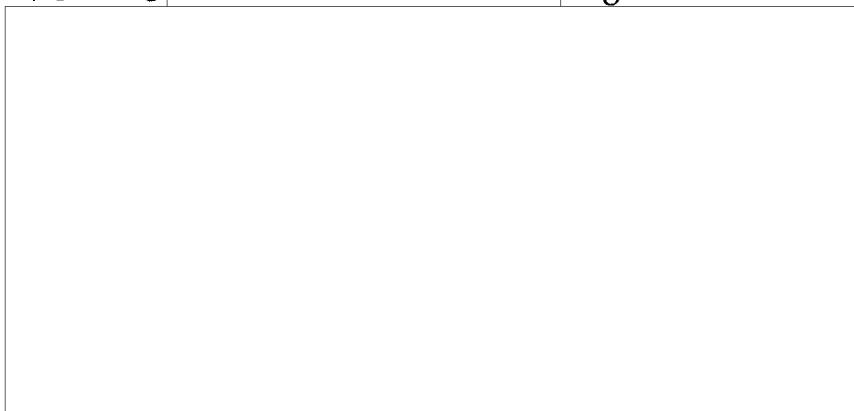
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~~(S)~~ ~~NP~~ The Team found that the increased focus on unilateral operations resulted in increased recruitment of unilateral assets and an increase in unilateral reporting [redacted]

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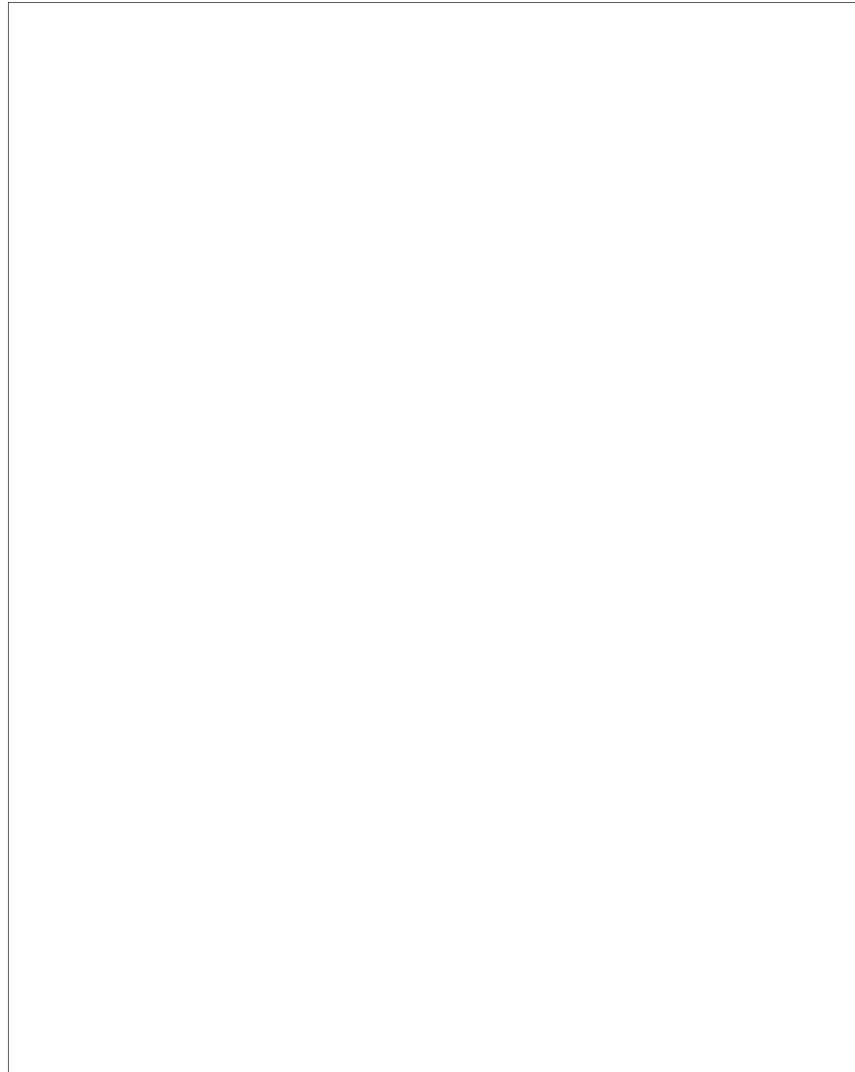
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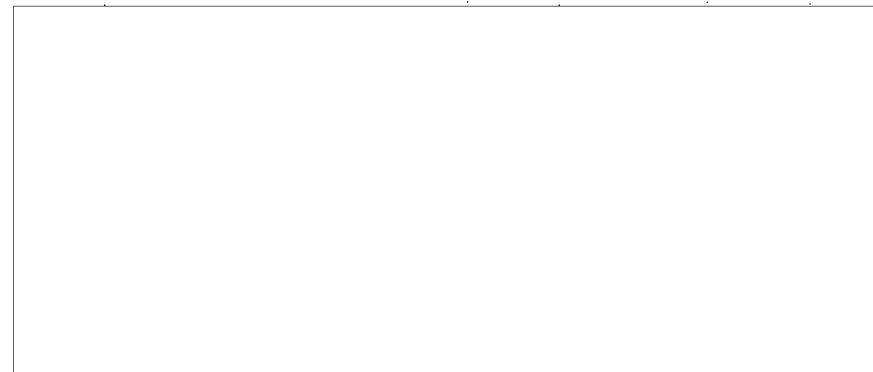
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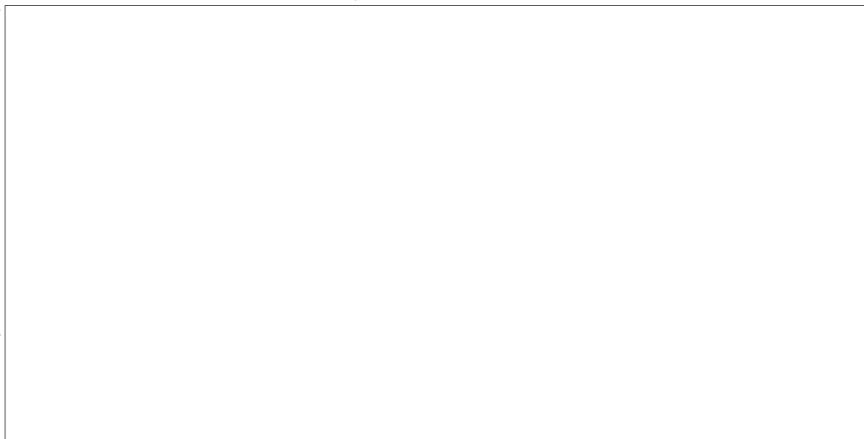


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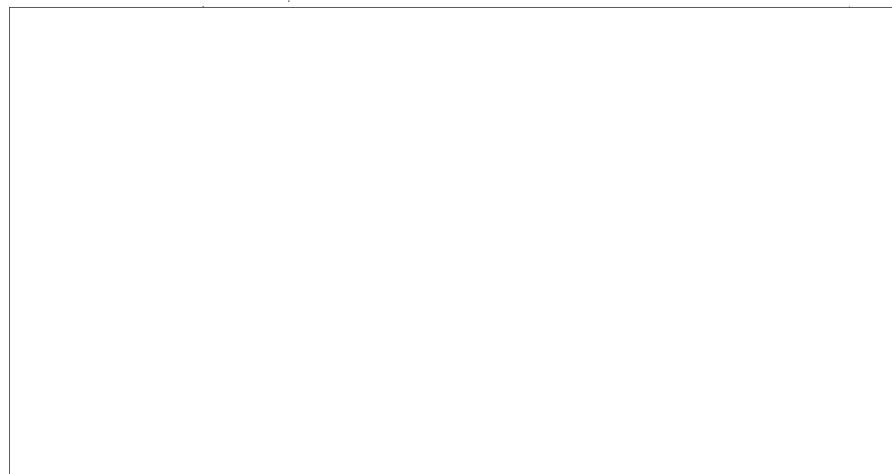
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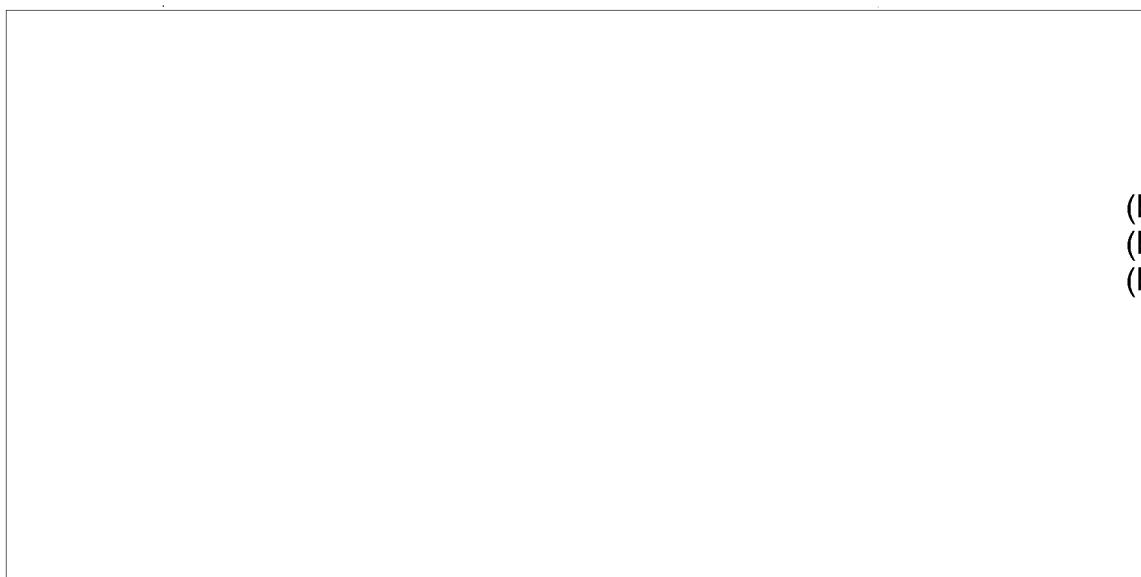


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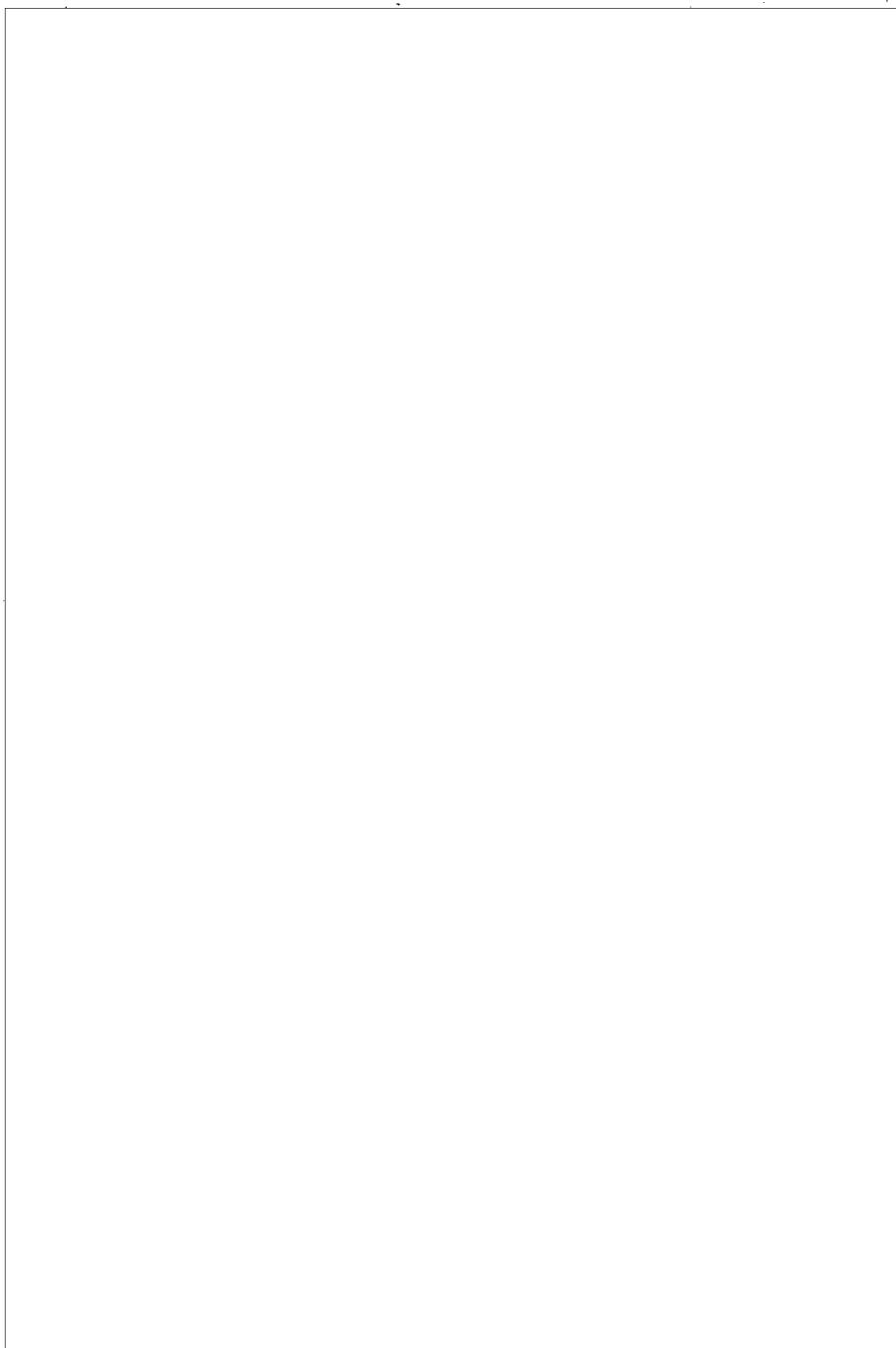
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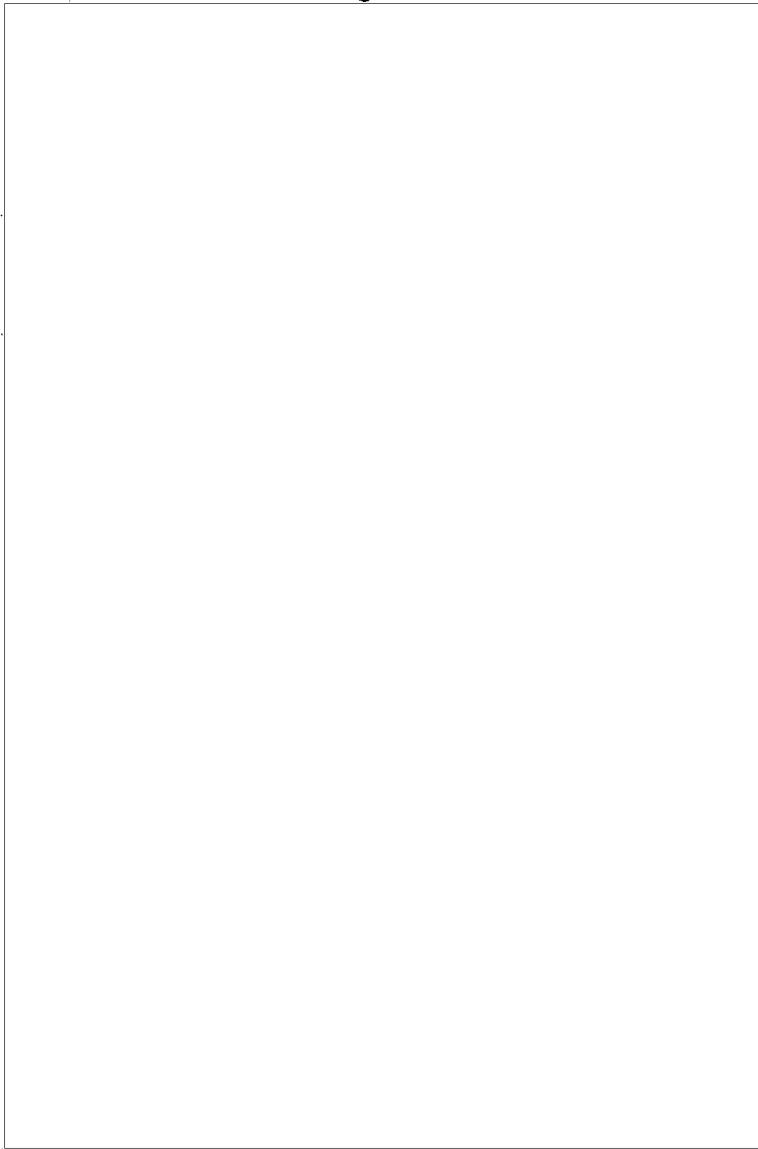
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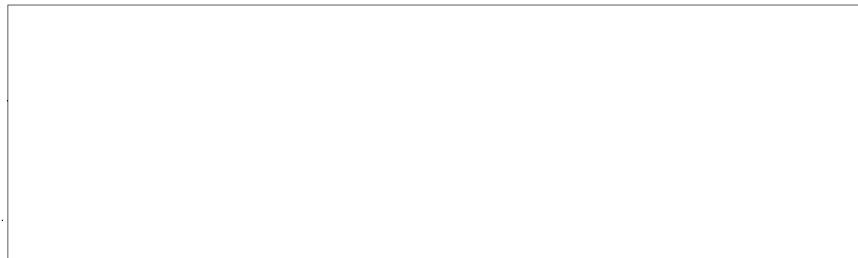
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~~(S//NF)~~ In interviews conducted during the OIG's inspection of CTC in 2000-2001, customers evaluated counterterrorism reporting positively. Most [redacted] field customers of CTC's reports termed the reporting useful, good, or meeting their needs. The few Washington customers who commented on CTC reporting also called it important and valuable. The 9/11 Team did not contact CTC customers for this current review.

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~~(S//NF)~~ A memorandum from an AIG manager in May 2000 shows that CTC was fully aware it had significant collection gaps. This memorandum stated that, among other key issues, the Intelligence Community lacked information on:

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(b)(3)**(U) Value of Walk-ins**(b)(1)
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~~(S//[]//NF)~~ [] walk-ins was a former [] officer in UBL's organization [] and walked in [] to the US Embassy []. This walk-in [] which defined UBL []

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as head of a worldwide terrorist organization. His reporting helped establish Bin Laden's intent to target the United States on its own soil and his interest in obtaining weapons of mass destruction-related materials.

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Intelligence Community build a case against UBL and understand the al-Qa'ida organization.

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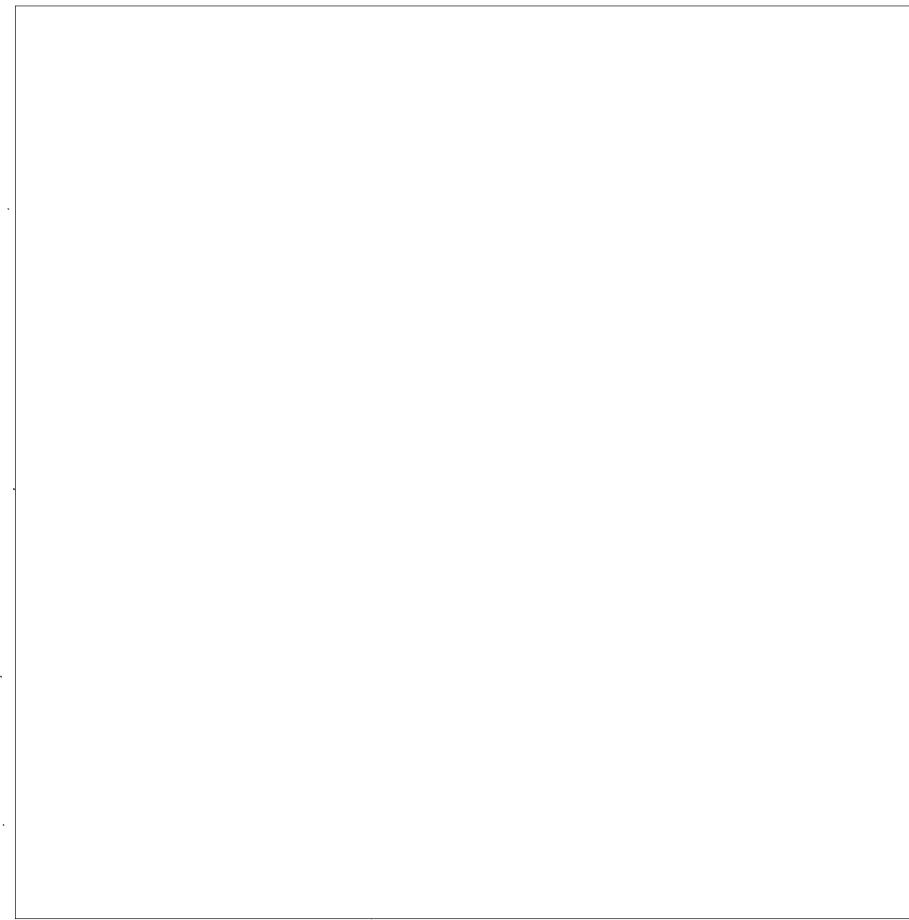
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(U) Dirty Asset Rules

~~(S//NF)~~ Although the 9/11 Review Team believes that the weight of evidence tilts to the conclusion that the dirty asset rules hampered the effectiveness of unilateral operations, the Team's review of this issue surfaced contradictory information.

~~(S//NF)~~ On the one hand, most CIA officers the Team interviewed said the rules had no impact, since senior Agency leadership approved every case that officers put forward:

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~~(S//NF)~~ On the other hand, a number of senior CIA officers and CTC managers admitted their concern that the guidelines did have a negative impact on the willingness of field officers to pursue problem cases:

- A former Deputy Director of Central Intelligence felt that senior Agency leaders were never able to convince DO working-level officers that these guidelines were to protect the Station and case officers and not to hinder their efforts.
- Another [redacted] identified one terrorist case that led to an oral reprimand of the [redacted] (b)(7)(c)
 [redacted] The reprimand came after Congress learned that a [redacted] (b)(7)(d)
 [redacted] for a terrorist group.
 [redacted] added that the DCI's handling of this incident helped send the message to the DO that the DCI would not protect anyone.
- [redacted] said that [redacted] found that it was a common misperception in CTC before 9/11 that any potential asset with human rights baggage was an automatic nonstarter. [redacted] spent time explaining to CTC officers that this was not so. (b)(7)(d)
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~~(S//NF)~~ Several senior DO managers and CTC officers acknowledged that these guidelines affected how case officers approached operations.

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~~[redacted]~~ said it had the effect of steering case officers to targets no less important, but unlikely to involve "dirty asset" issues.

~~[redacted]~~ acknowledged that the guidelines served as another bureaucratic hoop that made recruitments more difficult, and another officer who served ~~[redacted]~~ said that it was a general complaint in the Station that they felt handcuffed by these rules.

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(U) Insufficient Use of Nonofficial Cover Platforms

(U) The JI report did not address the issue of NOC utilization, but, as noted earlier, US Senators Shelby and Dewine cited it as a significant Agency shortcoming in addressing the terrorist threat. Senator Shelby sums up these views: "The CIA's Directorate of Operations (DO) has

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been too reluctant to develop nontraditional HUMINT platforms, and has stuck too much and for too long with the comparatively easy work of operating under diplomatic cover from US embassies. This approach is patently unsuited to HUMINT collection against nontraditional threats such as terrorism or proliferation targets, and the CIA must move emphatically to develop an entirely new collection paradigm involving greater use of nonofficial cover (NOC) officers.”²⁰⁸



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²⁰⁸(U) “September 11 and Imperative of Reform in the US Intelligence Community, Additional Views of Senator Richard C. Shelby, Vice Chairman, Senate Select Committee on Intelligence,” JI Final Report, Appendix – Additional Views of Members of the Joint Inquiry. December 10, 2002, page 12.

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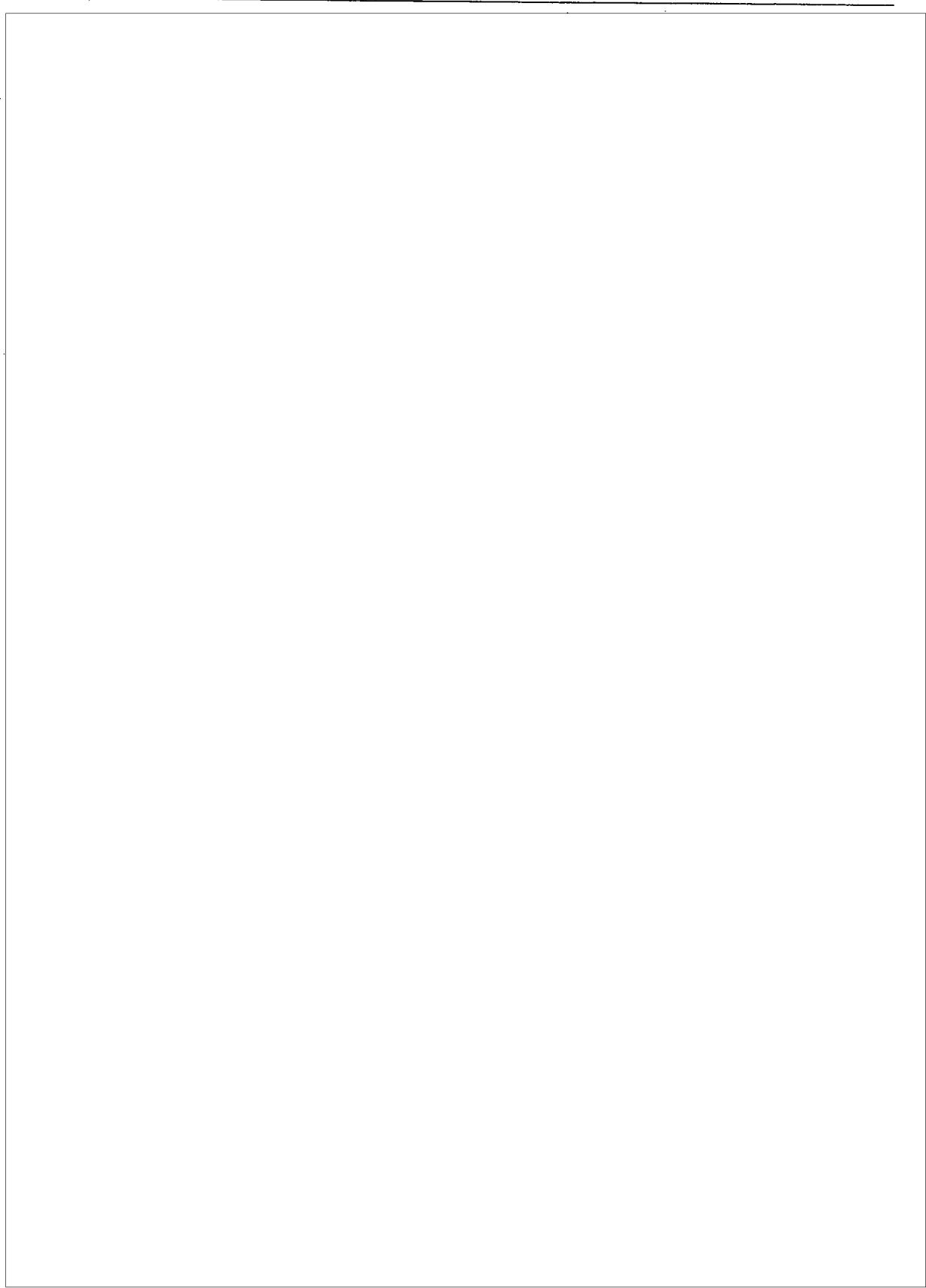
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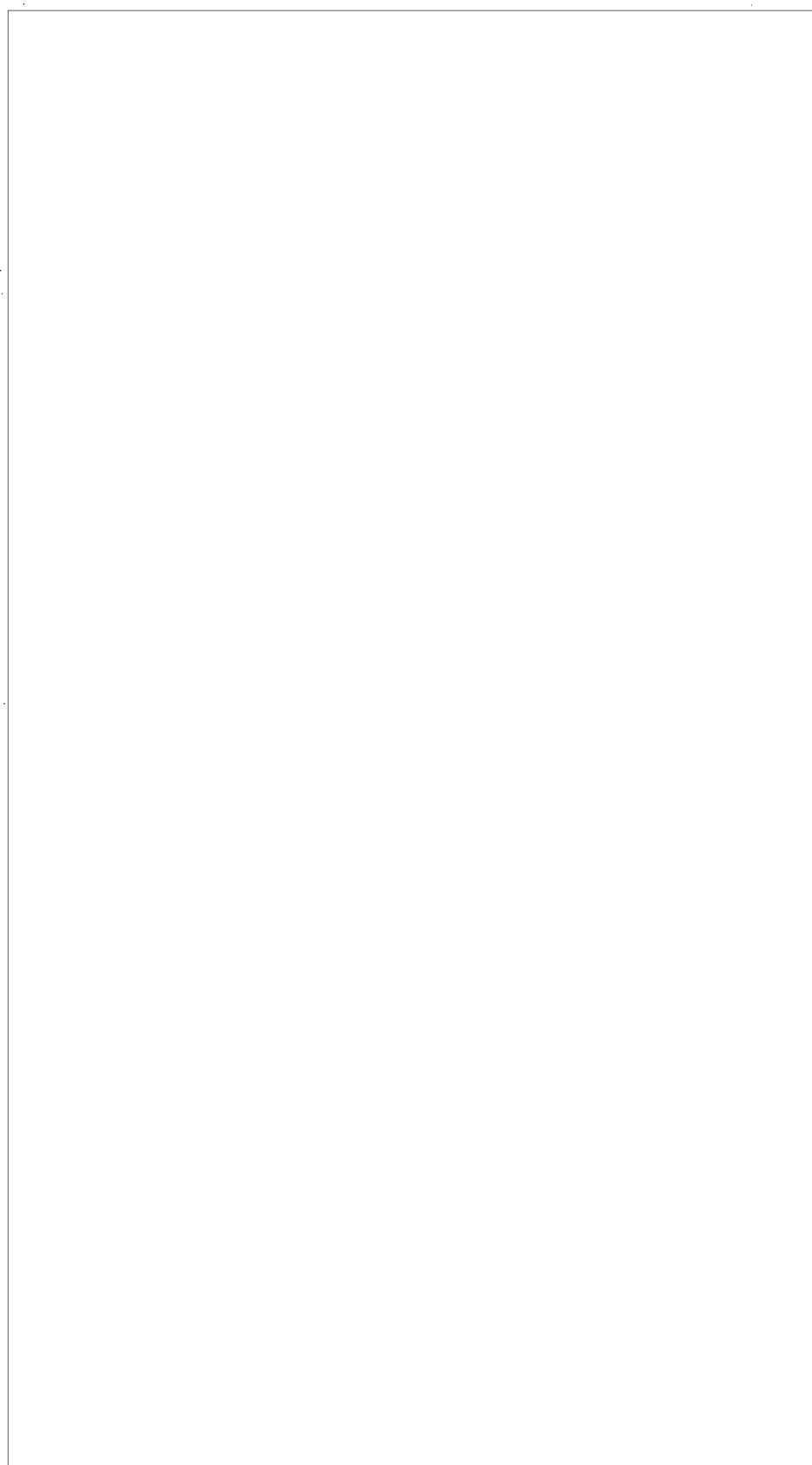
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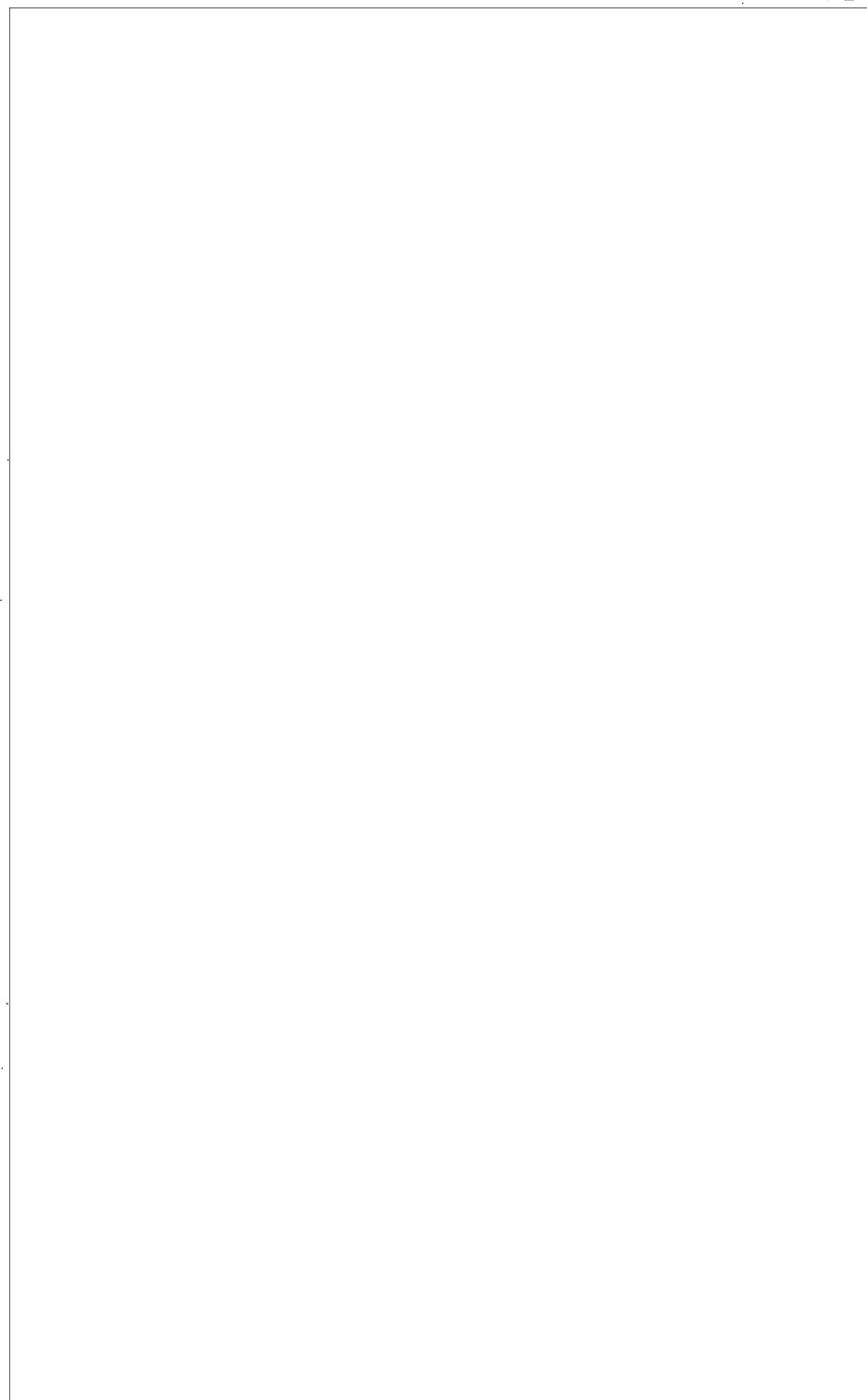
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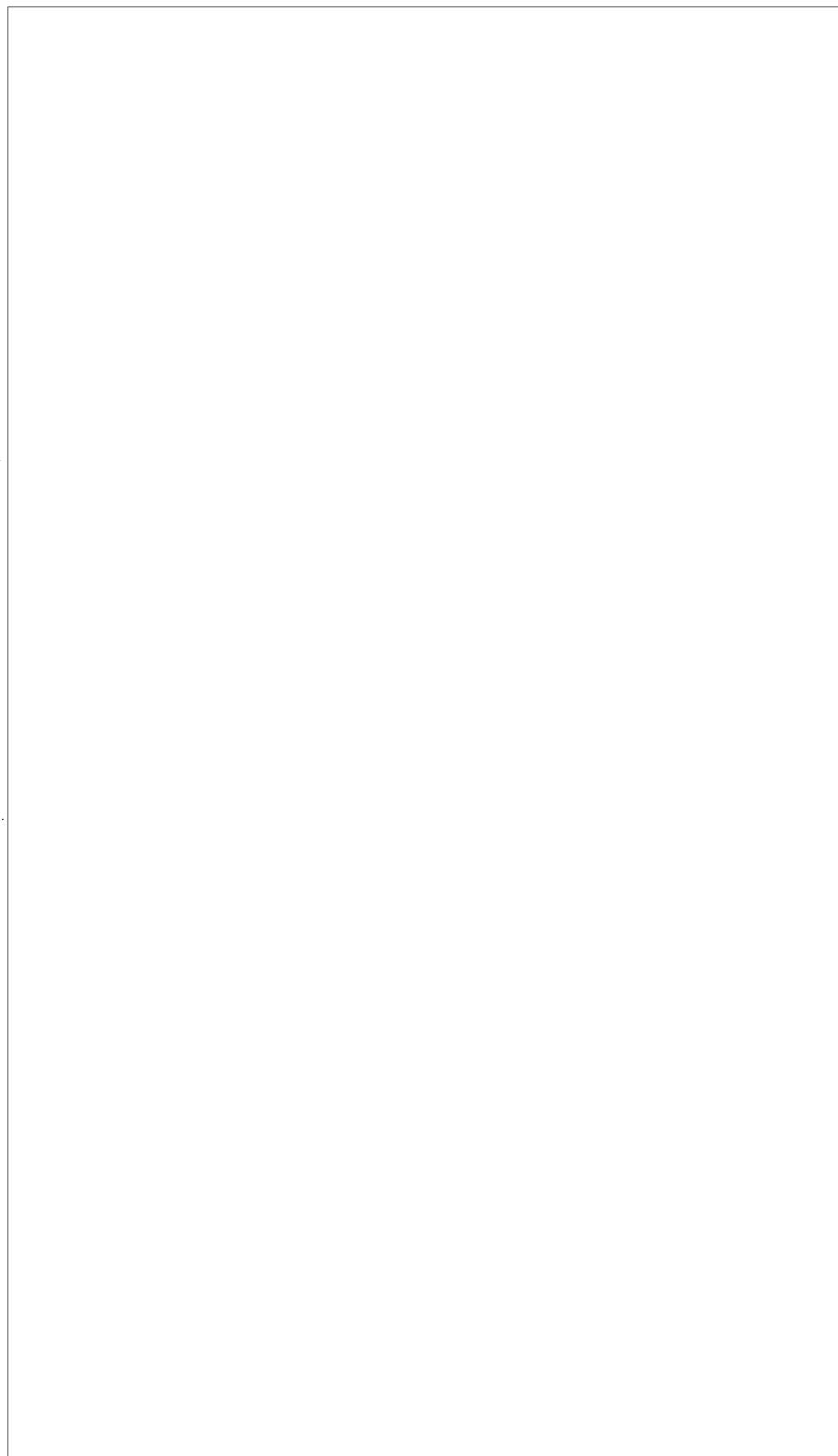
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(U) Implications

~~(S//NF)~~ The Chief of CTC prior to 1999 made reasonable choices in implementing a collection strategy he believed had the best potential to achieve results based on his understanding of the target at the time, the meager operational tools he had available, and the difficult natural impediments he faced. If this Chief had not discounted the potential of unilateral operations, CIA would have had two more years to achieve results. However, if an earlier focus on unilateral operations had been at the expense of work with liaison on disruptions and renditions, an unintended consequence might have been the failure to thwart a terrorist attack against the United States.

~~(S//NF)~~ Armed with the knowledge that liaison operations were not achieving the needed access to al-Qa'ida plans and intentions, the CTC Chief who took over in 1999 made a logical adjustment toward more unilateral operations and a focus on Afghanistan, since that was where the inner core of al-Qa'ida resided. The JI report suggests that other countries may have had more benign operating environments where CTC could have achieved better results in penetrating al-Qa'ida. The Team cannot judge whether the operational potential to acquire an agent with access to al-Qa'ida plans and intentions would have justified the costs of pursuing such an agent in other countries far removed from the al-Qa'ida leadership in Afghanistan. Nonetheless, by not casting the Center's net wider, the Chief may have lost opportunities to penetrate al-Qa'ida.

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(U) Accountability

~~(C//NF)~~ CTC officers were extremely committed and did their best, but HUMINT operations were of only limited effectiveness against the hard al-Qa'ida and UBL targets. CTC may have missed opportunities to improve its results because of the operational choices it made and those it discarded, such as more active engagement with so that all possible HUMINT platforms were

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engaged in the effort to target al-Qa'ida. Nonetheless, the 9/11 Team believes that Center management made reasonable choices in implementing the HUMINT collection strategy it believed had the best potential to achieve results against al-Qa'ida. Given the inherent and systemic impediments it faced, CTC continually adapted its HUMINT operations to try to penetrate the al-Qa'ida target and disrupt its activities. Accordingly, the Team makes no recommendations with respect to accountability for these decisions.

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(U) SYSTEMIC FINDING 13: COVERT ACTION

(U) Systemic Finding 13 of the Joint Inquiry (JI) report states that, "As early as August 1998, U.S. Government policymakers wanted Usama Bin Ladin to be killed, and believed that CIA personnel were aware of their intent. However, prior to September 11, 2001, the policymakers did not wish to waive the bar on assassinations and did not provide clear and unfettered authorization to the CIA to kill Bin Ladin or to undertake covert attacks against al-Qa'ida's financial assets. For its part, the CIA was reluctant to seek the authority to assassinate Bin Ladin, and averse to taking advantage of any ambiguity or vagueness in the authorities it did receive that might have allowed it more flexibility. These factors shaped the types of covert action the CIA was authorized to, and did, undertake against Bin Ladin. Because of the restrictive nature of the authorities that were provided to CIA—as well as the inherent difficulties of the task—covert action appears to have had little impact on al-Qa'ida or Usama Bin Ladin before September 11."

(U) Joint Inquiry Discussion

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~~(TS/~~ In support of its finding, the JI discusses the five Memorandums of Notification (MON) that President Clinton signed and that authorized CIA covert action against Usama Bin Ladin (UBL) and his

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principal lieutenants [redacted]

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Clinton Administration national security officials asserted the CIA had authority to kill UBL, knew that the Administration wanted UBL dead, but was not aggressive in using its authorities.

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Finally, the JI report outlines the

²¹¹ (U) Section 503 (50 U.S.C. 413b) of the National Security Act of 1947, as amended, defines covert action as "activities of the United States Government to influence political, economic, or military conditions abroad, where it is intended that the role of the United States Government will not be apparent or acknowledged publicly." Covert action does not include traditional intelligence, counterintelligence, security and law enforcement activities. The President must set forth in a written "finding" his determination that the covert action supports identifiable foreign policy objectives of the United States and is important to the national security of the United States. A Memorandum of Notification, signed by the President, is required for any significant change to a previously approved covert action, or any significant undertaking pursuant to a previously approved finding. These include circumstances involving the use of force, significant risk of injury or loss of life, significant US foreign policy considerations, increases in funding, or involvement of new third parties.

²¹² (U) Executive Order No. 12333 of United States Intelligence Activities (December 4, 1981, 46 F.R. 59941) paragraph. 2.11, *Prohibition on Assassination*, states: "No person employed by or acting on behalf of the United States government shall engage in, or conspire to engage in, assassination."

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difficult operational challenges and constraints CIA faced in carrying out covert action operations inside Afghanistan.

(U) Assessment of the Finding

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~~(TS)~~ The Office of Inspector General (OIG) 9/11 Accountability Review Team concurs with many but not all of the conclusions in this finding from the JI report. The Team differs in its analysis of some facts and interpretations in the report's discussion of the finding. It found the following:

- CIA officers perceived the MONs signed by President Clinton between August 1998 and December 1999 as circumscribing permissible operations against Bin Laden even though these MONs relaxed some of the previously existing restrictions significantly.²¹³
- In view of the provisions of the law and Executive Order 12333 and of past problems with covert action programs, CIA was reluctant to take advantage of any ambiguity or vagueness in the authorities it did receive. Ultimately, however, the MONs were not crucial obstacles in determining the failure of CIA offensive operations against UBL and his lieutenants.
- The CIA's covert action capabilities against Bin Laden in Afghanistan were extremely limited. Beginning in late 1998, the CIA sought to broaden the base of assets upon which it built its covert action program against the Saudi terrorist. Its available options for enhancing its ability to reliably locate and then capture or eliminate Bin Laden were weak, however. This reduced the CIA, for much of the period prior to 9/11, to relying heavily on a single set of tribal assets

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²¹³ ~~(S)~~ One DO reviewer of this draft objected to the use of "perceived" in this sentence, asserting that the circumscription of CIA's authorities was no mere perception, given President Clinton's action in striking out authorizing language in the February 1999 MON. The Team here is generalizing, not focusing only on the February MON, and it continues to believe that "perceived" is appropriate in view of a countervailing White House perception.

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[redacted] Moreover, these assets were of questionable reliability and had limited capabilities for achieving the desired results—a debilitating combination. [redacted]

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- Although CIA took a strict constructionist approach to interpreting the MONs, it considered and experimented with a number of covert action options for disrupting al-Qa'ida and apprehending Bin Laden within the constraints of White House policy. [redacted]

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~~(S)~~ The Team has covered several aspects of covert action in its discussion of other findings. The Team examines:

- [redacted]
- [redacted]

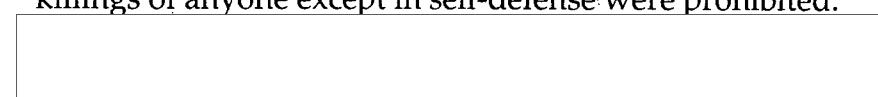
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The Team does not repeat these discussions here.

~~(S//NF)~~ **The 1986 Counterterrorism Finding and Subsequent MONs**

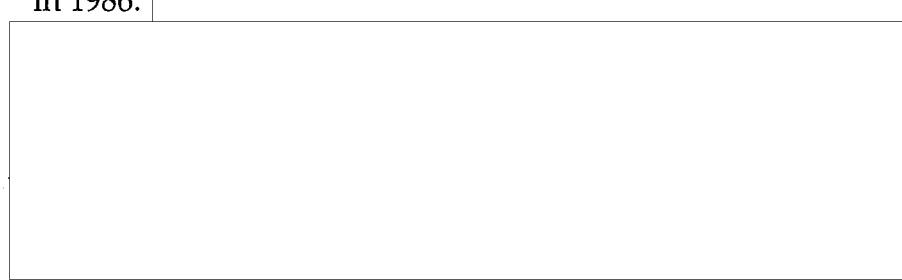
~~(TS)~~ The National Security Council (NSC) closely governed the CIA's covert action policy toward terrorism and specifically toward al-Qa'ida and its leaders throughout the decade before 9/11. The CIA, in turn, was committed to adhering to the President's policy as propounded in the authoritative findings and MONs, and it followed a strict constructionist approach to interpreting these MONs. That meant the language used in these documents governed covert action. Past controversies over various covert action programs, including real or alleged covert assassination attempts, had seared the collective memory of CIA managers. That collective consciousness, the provisions of Executive Order 12333 on assassinations, and the conviction that the CIA had to avoid anything that hinted of engaging in assassinations were all strong influences in the Directorate of Operations (DO) during the decade before 9/11. Senior Counterterrorist Center (CTC) managers exemplified the conviction that CIA-sponsored killings of anyone except in self-defense were prohibited.

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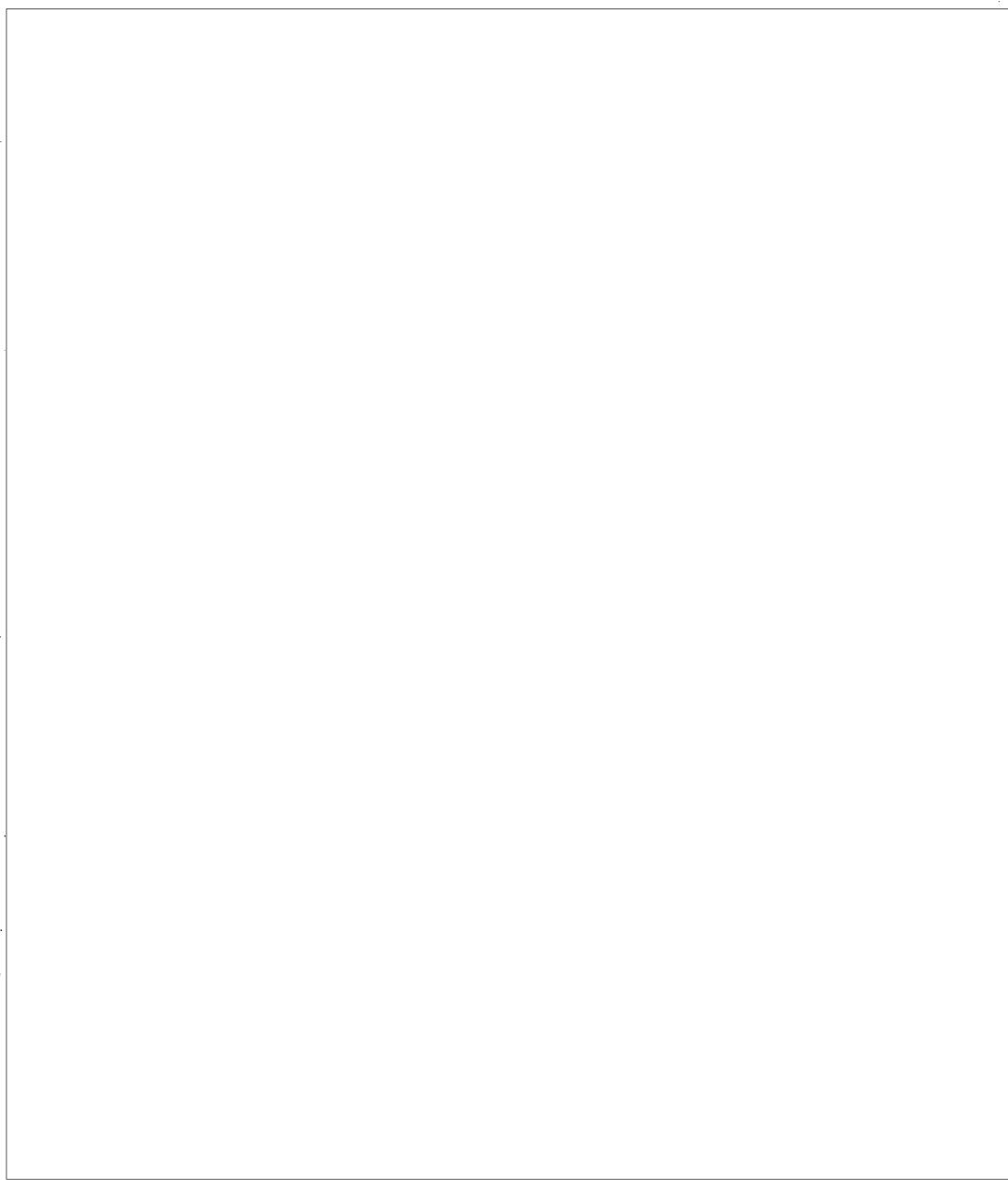
~~(C)~~ **The 1986 Finding**

~~(TS)~~ The process of authoritatively defining the boundaries of CIA covert action against terrorism began in 1986.

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(b)(3)**(C) The August 1998 MON**

~~(TS/~~ ~~NF~~) The MON that President Clinton signed was dated 20 August 1998, shortly after the al-Qa'ida bombings of the US Embassies in Nairobi and

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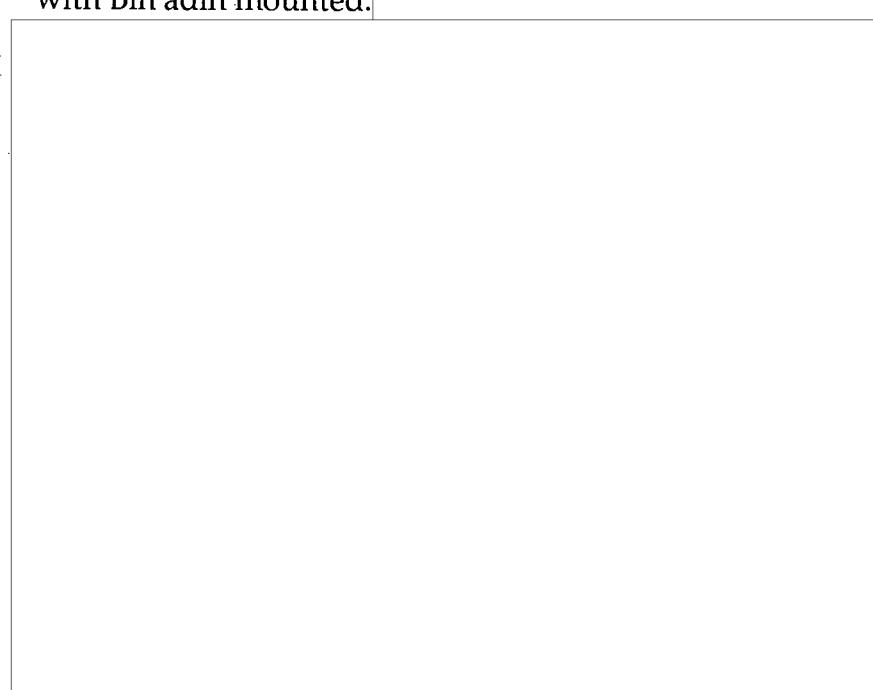
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+ The December 1998 MON

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(b)(3)(S//NF) In the ensuing months, the pressure to deal
with Bin Laden mounted.

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[redacted]
On 18 December 1998, the Director of Central Intelligence (DCI) sent one of a series of warning memorandums to senior policymakers. In it, he said he was "greatly concerned by recent intelligence reporting indicating that Usama Bin Laden is planning to conduct another attack against US personnel or facilities very soon."

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[redacted] The MON, signed by the President on 24 December 1998, bore the same title as the one signed on 20 August 1998, [redacted]

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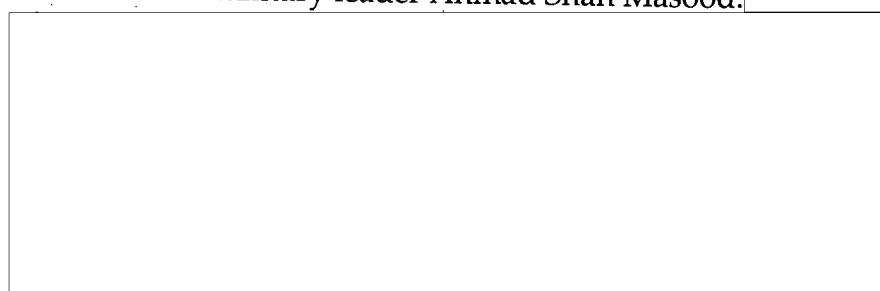
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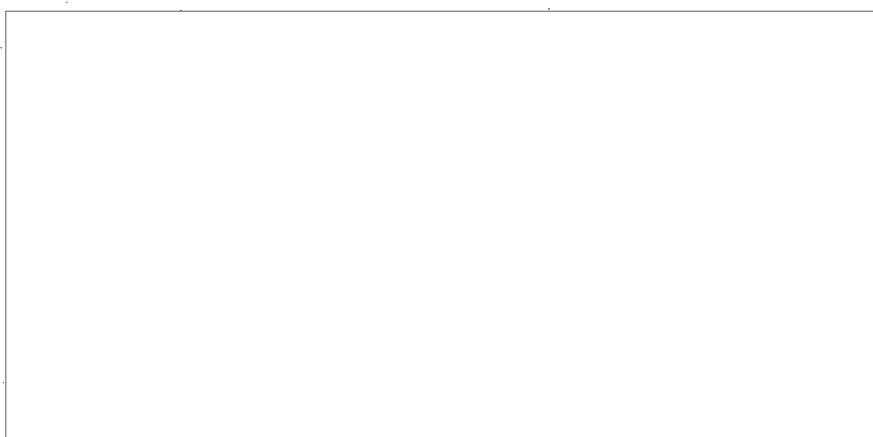
~~(C)~~ The February 1999 MON

~~(TS, [redacted]/NF)~~ When CIA began to look for new covert action options to reduce its dependence on its tribal assets, it considered another CIA contact in Afghanistan, anti-Taliban military leader Ahmad Shah Masood.

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By February 1999,

President Clinton signed a MON that amended the 24 December MON to include working with Masood in the scope of lethal offensive operations envisioned by the earlier MON.

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(b)(3)~~(C)~~-The July 1999 MON~~(TS/ [] /NF)~~ On 4 July 1999, President Clinton
signed another MON(b)(1)
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(b)(3)**(U) Interpreting the MONs**

~~(TS/~~ ~~/NF~~) A wide divergence of opinion continues to exist between CIA and former members of the Clinton White House regarding the extent of the authorities granted to CIA for dealing with Bin Laden. NSC officials assert emphatically that the Clinton Administration, in fact, made obvious its desire for Bin Laden to be killed. Former National Security Advisor Berger, for example, repeating sentiments he had expressed to the Joint Inquiry, told the National Commission on Terrorist Attacks Upon the

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United States—hereafter called the Kean Commission—at its 24 March 2004 hearings that President Clinton had given “the CIA broad, lethal and unprecedented authorities regarding bin Laden [sic] and his lieutenants. The president's willingness to destroy Osama bin Laden [sic] and his lieutenants was made unmistakably clear in August 1998, the one time we had actionable intelligence as to bin Laden's whereabouts. The president ordered a cruise missile attack against him.”²¹⁶

~~(TS/~~ ~~/NF)~~ The sentiments CIA officers expressed to the 9/11 Review Team and to the Kean Commission were quite different. The Kean Commission's 24 March 2004 statement on intelligence policy captured general CIA sentiments as expressed to the OIG 9/11 Review Team: “But if the policymakers believed their intent was clear, every CIA official interviewed on this topic by the Commission, from the DCI to the official who actually briefed the agents in the field, told us they heard a different message. What the United States would let the military do is quite different, the DCI said, from the rules that govern covert action by the CIA. CIA senior managers, operators, and lawyers uniformly said that they read the relevant authorities signed by President Clinton as instructing them to try to capture Bin Ladin, except in the defined contingency. They believed that the only acceptable context for killing Bin Ladin was a credible capture operation.”

~~(TS/~~ ~~/NF)~~ Documentary evidence from 2000 and 2001 also indicates that the CIA continued to believe it was operating under considerable restraint.

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²¹⁶ ~~(TS/~~ ~~/NF)~~ A senior DO officer noted the following about the last two sentences in this paragraph: “[A] Cruise missile strike is an overt U.S. military action and provide[s] little insight and no authority as to the limits of CIA covert action.” The Team agrees; a clear distinction must be made between covert action and military strikes.

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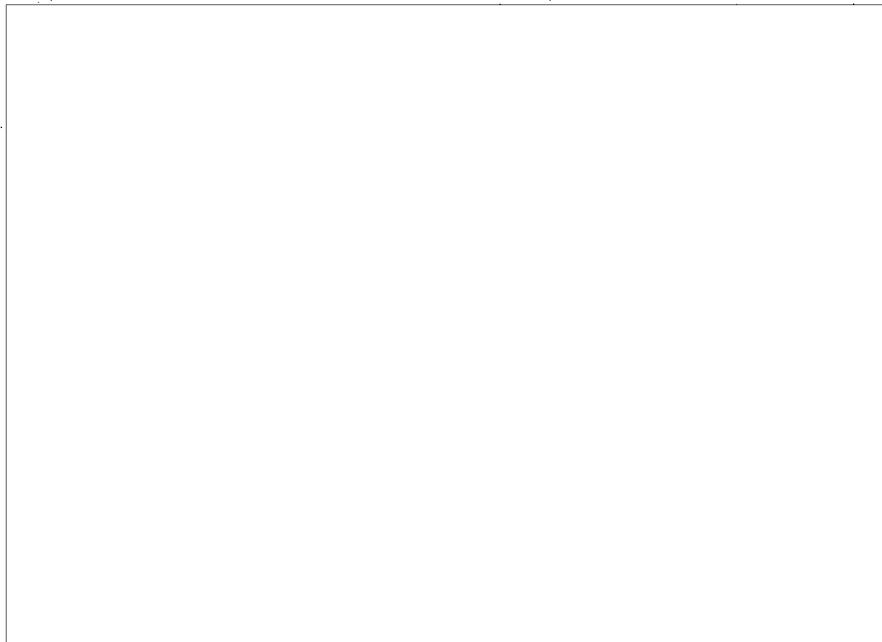


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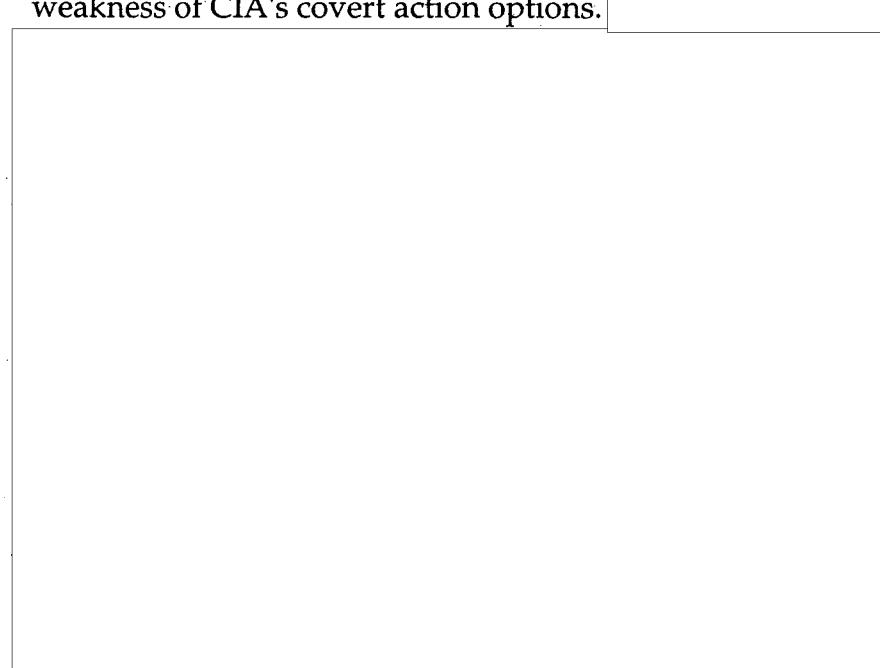
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(b)(3)**(U) CIA Pre-9/11 Covert Action Options**

~~(TS/~~ ~~/NF)~~ In the end, the restrictions imposed on operations by the MONs were an inhibition to killing Bin Ladin, but they were not the real reason for the failure to capture or destroy him and his lieutenants. That failure, in the judgment of the 9/11 Review Team, resulted from the weakness of CIA's covert action options.

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€ The Tribal Assets(b)(1)
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~~(S//NF)~~ After Bin Laden moved to Afghanistan in May 1996 and settled in Taliban-controlled Kandahar Province in the spring of 1997, CIA used a group of Afghan tribal assets as its principal source of information about Bin Laden's location. The Agency had utilized these assets previously in its efforts to find and bring to justice Mir Aimal Kansi, who had attacked and killed CIA employees in front of CIA Headquarters in January 1993. As it turned out, however, these assets were never strong, well placed, and multifaceted enough to provide the intelligence needed to convince policymakers that they had a firm basis for a US military attack. The assets' weaknesses were manifest in an apparent lack of capability or an unwillingness to carry out US plans and in an absence of asset depth for both reporting and action. These problems, in turn, gradually eroded confidence in the assets' capabilities and credibility at Headquarters and elsewhere in Washington, making US cruise missile attacks based on asset-supplied information increasingly unlikely.

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~~(TS/~~ [REDACTED] A Rough Start. In April 1997, NE and CTC officers decided that [REDACTED] should ask the senior Afghan tribal asset to use his villagers to collect information on Bin Laden. By the end of May the Station reported that the tribal assets were eager to begin [REDACTED]

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[REDACTED] At the same time, UBL Station outlined its end goal for the operation: use the tribal network to capture UBL and bring him to justice [REDACTED]

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~~(S//NF)~~ Questions about the capabilities of the tribal assets and subsources to execute a plan and about the trustworthiness and accuracy of their reporting on Bin Laden began to appear in the fall of 1997. [REDACTED]

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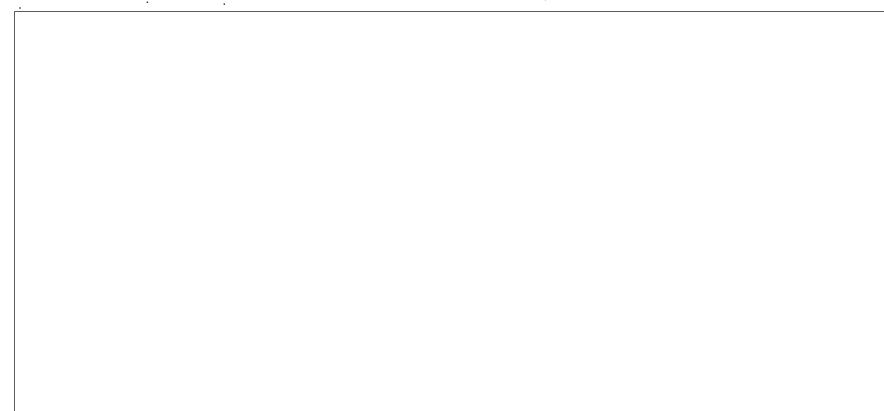
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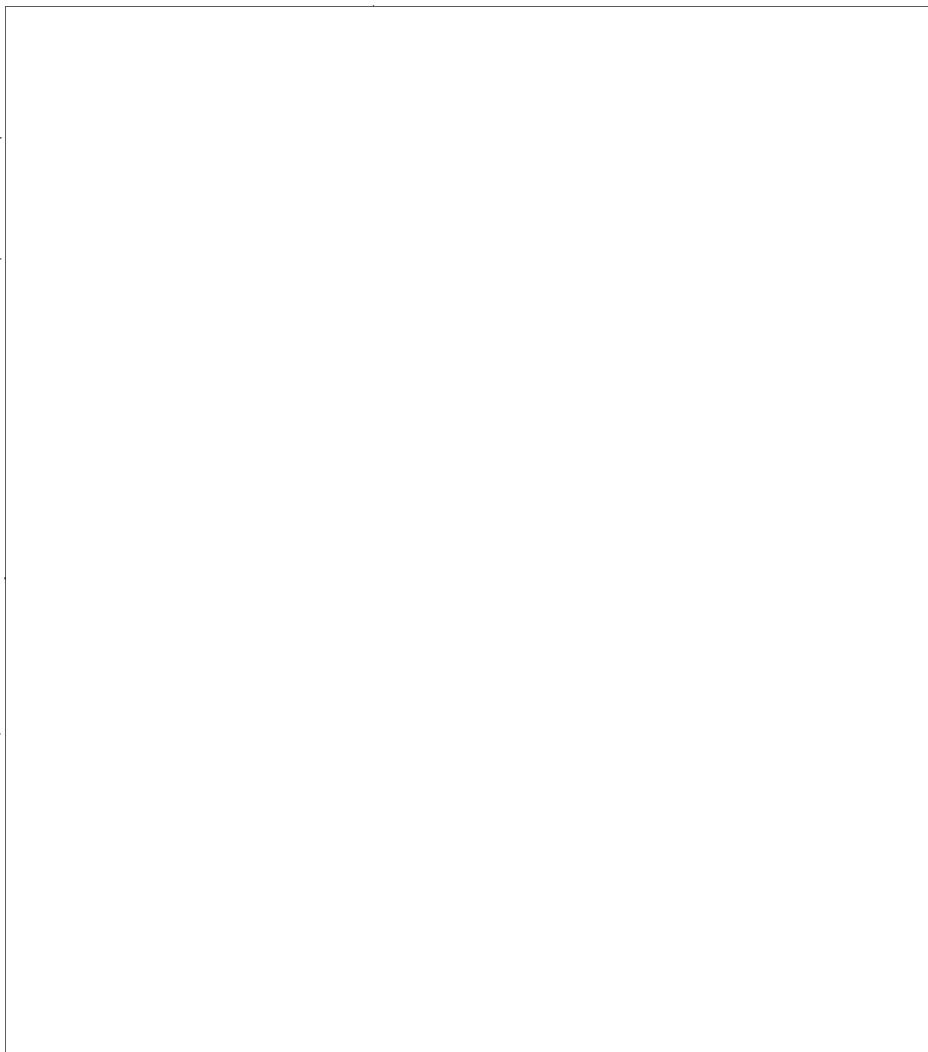
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~~(S)~~ ~~NE~~ Problems affecting confidence in the reliability of the tribal assets developed on other fronts in late 1997:

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~~(S)~~~~(NF)~~ The May 1998 Capture Operation.

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The increased sense of danger in February 1998 brought high-level deliberations of offensive operations, including both an airstrike against Tarnak farm and forcible rendition of Bin Laden.²¹⁸ Any such operations put a premium on quality assets able to support either activity directly or indirectly. The Chief of CTC informed the NSC's Counterterrorism Security Group (CSG) that CIA had assets in place that might, over time, be able to pinpoint Bin Laden's command and control facilities. The CSG made a recommendation, accepted by the National Security Advisor, that CIA should move ahead and prepare an operational plan and a draft MON authorizing a forcible rendition of UBL. [redacted] tentatively projected May as a potential window for carrying out the operation.

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~~(S)~~ ~~(NF)~~ UBL and [redacted] Stations both believed that, despite their flaws, the tribal assets were providing generally valuable and credible intelligence. Apparently concerned that the tribal assets were losing credibility in Washington, both Stations sought to refute the negative assessments and to press forward with the rendition effort:

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- In late January and early February 1998, the two Stations exchanged cables that registered dissent from CTC's critical counterintelligence assessment of the tribal asset. [redacted] said it considered the assertions made in the memorandum flawed and/or inaccurate. The COS said he had full trust and confidence in the tribal assets.
- In the late winter and spring of 1998, [redacted] lauded the quality of the assets' preparations for a rendition operation and their plan for a capture

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Moreover, on 23 February 1998, Bin Laden issued a fatwa in which he and other fundamentalist leaders publicly called for Muslims to unite to kill Americans and their allies.

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operation.²¹⁹ In early May 1998, he cabled Headquarters that, contrary to his expectations, the assets had delivered a plan he described as "impressive" and "almost as professional and detailed an operational scenario as would be done by any US military special operations element." It was, he wrote, "about as good as it can be."²²⁰

~~(TS/~~ ~~NF~~) UBL Station also lauded the credibility of the tribal network's reporting

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~~(TS/~~ ~~NF~~) UBL Station also sought to build confidence in the rendition operation in other ways. It completed a successful dress rehearsal of the air portion of the operation and asked the Joint Special Operations Command (JSOC) for its evaluation of the plan. JSOC said that the plan was generally not too different from what they might have come up with but that it had some notable gaps, including one that depended on the positive confirmation that Bin Ladin was actually onsite in the VIP area of Tarnak farm.

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~~(TS/~~ ~~NF~~) In early- and mid-May 1998, UBL Station received de facto approval to proceed with the necessary preparations for a possible June attack. Because of the potential for significant loss of life, CTC believed it needed a new MON authorizing the assault on Tarnak farm. That draft MON won approval within the Agency during

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²¹⁹ ~~(S/~~ ~~NF~~) The plan listed three options for the rendition operation: abducting Bin Ladin from the Tarnak farm;

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²²⁰ ~~(C)~~ In an interview with the 9/11 Review Team in 2003, the COS said that, while the plan was professional, he gave it a 20-30 percent chance of success because of the problem of guaranteeing that Bin Ladin was in his residence at the time of the raid.

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May, and on 22 May it went to the Deputy Director of Central Intelligence (DDCI) for signature and transmission to the NSC. After overcoming initial concerns from the Attorney General about the potential for causing accidental deaths among women and children within Bin Laden's compound, it appeared headed for Presidential approval.

~~(TS//NF)~~ Indications that the rendition operation would receive approval evaporated suddenly in late May, however, even before the 29 May Principals' meeting that was to consider the plan. Shortly before that date, the senior leaders in the CIA responsible for recommending such an operation to the DCI, after a review of the whole operation, decided against continuing the preparations, at least for the time being.

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~~[redacted]~~ told the Team they all advised against proceeding with the plan. In a reflection of the DO leadership's views at the time, the then-DDO, in a memorandum to the National Security Advisor on 12 June 1998, expressed confidence in CIA's ability to "conduct the extraction and transport phases" of the rendition but said that CIA "assesses the assets' ability to both capture Bin Laden and to deliver him to United States officials as low."²²¹

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~~(S//NF)~~ The standdown of the operation was a bitter disappointment to some UBL Station personnel. In interviews with the Team, some CIA officers closely associated with the preparations for the operation expressed confidence in the assets and in the likely success of the operation. Others expressed less certainty about its prospects. One said that, even though the tribal assets had a

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spotty track record, the rendition plan should have been tried because it was the best chance available, and it afforded little risk to Americans.²²²

~~(S/ [] NF)~~ It is doubtful, however, that the operation had the necessary support among senior policymakers to get approval even if the CIA leadership below the DCI had recommended it. Both a contemporaneous report—based on secondhand information—and subsequent recollections indicate that the White House viewed the operation as badly flawed. In late May 1998, [] advised that the Chargé had told him that he had heard that the operation had been cancelled. The Chargé said that, according to the information reaching him, the NSC's National Coordinator for Security, Infrastructure Protection, and Counterterrorism Richard Clarke had said he did not like the plan, considering it "half-assed." In his book, *Ghost Wars*, Washington Post managing editor Steve Coll reports that one of the senior Clinton Administration officials he interviewed called it a "stupid plan" and told him that Clarke had shown disdain for it at the time.²²³

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~~(S/ [] NF)~~ On 29 May, UBL Station informed the field that CIA had received an order to stand down for the time being. The reasons cited in the cable were:

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asserted in []

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interview with the Kean Commission that the operation was cancelled because the National Security Advisor and the US Ambassador to Saudi Arabia thought the Saudis would deliver Bin Ladin by pressuring or bribing the Taliban to surrender him. There is one piece of evidence that suggests that the DCI had hopes the Saudi intervention with the Taliban might pay off, but it is dated 10 days after the decision was made. According to documentation provided by the Director's Review Group, the DCI sent an e-mail to the National Security Advisor recommending that, "no action be taken on the other options currently under consideration on how to deal with the Bin Ladin threat. If the Saudi effort is successful—and I believe that the Crown Prince will spare no effort in the process—we may be able to gain control of Bin Ladin without any loss of life." The desire in June to play out the Saudi initiative, 10 days after the decision to stand down on that operation had been made, does not mean this desire caused the tribal asset capture operation to be cancelled.

²²³ (U) Clarke, in his book, *Against All Enemies: Inside America's War on Terror* (New York: Free Press, 2004), p. 149, said that the DCI and he made the decision not to proceed with the operation in order "to avoid getting all of our Afghan assets killed for nothing."

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"Cabinet-level consensus that the risk of collateral damage was too high, concerns about the lack of precision in the description of what the tribal assets might encounter in the way of armed resistance inside the Tarnak compound, and concerns that the purpose and nature of the operation would be subject to unavoidable misinterpretation and misrepresentation—and probably public recriminations—in the event that Bin Ladin, despite our best intentions and efforts, did not survive."

~~(TS/~~ ~~NE)~~ Although ostensibly postponed, in reality the Tarnak farm operation had little chance of success even if approved, in the Team's judgment. On 26 May 1998, 20 days before the operation was scheduled to take place, Bin Ladin abruptly disappeared, abandoning his semi-permanent lifestyle at Tarnak farm never to return except for brief visits; it is not clear what precipitated this change. The cruise missile attacks aimed at UBL in August, following the al-Qa'ida-led bombing of US Embassies in Africa, made the probability of capturing Bin Ladin at Tarnak farm even lower, as UBL adopted security countermeasures.

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~~(S/~~ ~~NE)~~ **Unsuccessful Later Efforts.** An in-depth review of the documentation concerning the tribal assets after the May 1998 standdown reveals that the assets repeatedly indicated that they were moving forward with preparations for an attack or were completing plans for an assault on Bin Ladin in one of his houses with the aim of capturing him. Each time, however, something arose or stood in the way. For example:

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- The tribal assets told [] on 22 August that they would be ready to carry out a rendition operation by mid-September. Headquarters gave approval in mid-September, but no such operation ever occurred. A former Chief of CTC told the Joint Inquiry, according to the JI report, that the tribal assets abandoned three planned attempts to capture Bin Ladin in September and October 1998, [] once because his security was too [] formidable.

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- In October 1998, the DCI approved a plan, with the tribal assets playing an important middleman role, to have a dissident Taliban commander lure UBL out of Kandahar to an ambush site in exchange for \$500,000. Despite prodding from the Station, the tribal assets were unable to motivate the dissident Taliban leader to live up to his promises to render Bin Laden.

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~~(S)~~ [] ~~NE~~ [] which had been a consistent proponent of the tribal assets, revealed its frustration in a 17 November cable in which it said it was sending home the landing zone team that had been in Pakistan for some time awaiting a Bin Laden rendition. []

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[] also expressed his "disappointment" with the lack of progress on the capture effort and said he was scheduling "a frank discussion" with the principal assets. A Spot Report from UBL Station the next day, disseminated to high-level leadership, reflected the cumulative impact of the assets' inaction. Building on an [] cable from 18 November, it asserted that it was time to "consider other options which might be launched concurrent with the [tribal assets] initiative." It added that, during the past month and a half, "several times it appeared possible" that the assets would attempt a capture operation; "yet in each case, the effort was not made for one reason or another."

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~~(TS//NF)~~ These failures to act and reporting inconsistencies in the fall of 1998 were crucial backdrops to policymaker decisions in late December. By 4 December, the DCI himself was convinced that the tribal assets by themselves were not going to solve the Bin Ladin problem. In his Call-to-War memorandum, he wrote, "We must acknowledge that our efforts with the [tribal assets] can no longer be solely relied upon to bring Bin Ladin to justice. As a result, we must now pursue multiple paths simultaneously."²²⁴

~~(TS/ [] NF)~~ The price of the dashed hopes of action against UBL by the tribal assets became clearer in December. On 20 December, [] reported Bin Ladin's return to Kandahar where the tribal assets could most easily monitor his activities. This set up an intense period during which the assets considered a ground attack on Bin Ladin, while policymakers and CIA considered a cruise missile attack. []

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[] After some delays, on 23 December they picked either 25 or 26 December for their operation to capture Bin Ladin.

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~~(TS/ [] NF)~~ The Chief of UBL Station, meanwhile, reported [] on 22 December that []

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[] He predicted that the interest in this [] among the CIA leadership and at the NSC would be "intense." Asset-reporting problems on the 22nd prevented any action on that day. On 23 December, at noon and then again at 7:30 pm Islamabad time, [] reported that Bin Ladin []

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~~(TS//NF)~~ With this information in hand, the CIA and policymakers, including the National Security Advisor, the Chairman of the Joint Chiefs, the Attorney General, the DCI, and the Assistant DCI for Collection (ADCI/C), among others, deliberated on launching a cruise missile attack

²²⁴ (U) See Systemic Finding 2 for more details on the Call-to-War memorandum and its impact.

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against Bin Ladin while he slept. Recollections vary slightly in detail but agree on the most important point: the outcome of the meeting. The CIA presented its information derived from the tribal assets. CTC appeared confident that the information was accurate, initially offering an estimate of 75-percent reliability; under questioning from the National Security Advisor, however, it lowered the estimate to 50 percent. According to one participant, in response to concerns from some Principals about the potential for killing innocent civilians, the military presented two estimates that diverged greatly on the anticipated extent of the collateral damage. One participant recalls that the JCS J-2 asserted that the collateral damage would be tolerable. Then officers from the [redacted] gave numbers perhaps three times as high as those from the J-2.²²⁵ In the end, the session ended with the decision not to act. The DCI in his testimony later said that, in this case, as in others where policymakers contemplated missile attacks against Bin Ladin, information on the Saudi terrorist's location was based on a single thread of intelligence, and they made the decision that it was not good enough. Others told the Team that the estimated collateral damage was also an important factor.

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~~(TS/ [redacted] NF)~~ Meanwhile, the tribal assets' schedule for a capture operation continued to slip. [redacted]

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~~(TS/ [redacted] NF)~~ The disappointments regarding capturing or killing Bin Ladin persisted in 1999 despite vigorous pursuit by [redacted] UBL Stations. [redacted] in early February, Bin Ladin and his [redacted]

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²²⁵ ~~(S//NF)~~ The ADCI for Collection recalls that the Chairman of the Joint Chiefs of Staff pulled out charts estimating a high number of deaths and injuries and that he said the proponents of launching the missiles "want me to kill 600 people."

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large entourage moved to an isolated desert camp in Helmand Province, where he stayed for about a week. Bin Ladin's camp, according to [redacted] reports, was many miles from a larger hunting camp used by visitors from the United Arab Emirates (UAE). UBL reportedly visited the UAE camp regularly during his stay in Helmand, but he may have spent some or all of his nights at his own encampment. On 10-11 February, CTC and policymakers contemplated launching a cruise missile attack against UBL after [redacted] reported that he intended to stay at his camp that night. Although Chief/UBL Station told the JI that the [redacted]

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[redacted] had provided solid information on Bin Ladin's location on 11-12 February 1999, others in the decision chain, such as the NSC Counterterrorism Coordinator, according to a Kean Commission Staff Statement, were unconvinced that the intelligence was reliable. Team review of the cables from [redacted] indicates that [redacted] were unable to provide the kind of detailed, verifiable information that the political and military leadership required to launch the missiles, and, as before, the information depended entirely on the reporting of one source, the [redacted]

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[redacted] some officials had legitimate concerns that UAE royals were in Afghanistan at the hunting camp and might have been killed by a strike aimed at Bin Ladin. The result was that, lacking the support of senior officials, no missile attack was launched.

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(TS) [redacted] In May 1999, another opportunity seemed to arise that offered the chance to attack Bin Ladin following his return to Kandahar on the 13th. During the next week, CTC's tribal asset network staged what UBL Station described at the time as its "largest and most sustained effort to track, locate, and capture UBL since it began working against UBL in the fall of 1997." For several days and nights, [redacted] UBL Station contemplated an ambush of a Bin Ladin convoy or an attack on him by the tribal assets while he slept or a US cruise missile attack on one of his houses in the Kandahar area. CTC files from this period are full of cables and e-mails discussing UBL's location and contemplating attacks. On 16-17 May, however, [redacted] reported that Bin Ladin

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would be spending the night at a particular location and that he would not be traveling, opening the door to a cruise missile attack.

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~~(TS/~~ ~~NE~~) While the wheels in Washington went into motion again to consider a missile attack, the Principals in the end declined to proceed, just as they had in December. Concerns about the precision of the intelligence, circumstances of timing, collateral damage, and signs of deception [redacted] may have contributed to the refusal to launch missiles at the time. The Principals met to deliberate on the launch only 10 days after the United States mistakenly attacked the Chinese Embassy in Belgrade based on faulty information supplied by the CIA. Evidence [redacted] suggested [redacted]

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[redacted] did not know where Bin Laden really was on 17 May, while telling CIA that they knew where he was spending the night, in the Team's judgment, probably killed all chance of action.²²⁶

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~~(TS/~~ ~~NE~~) The last known instance where the [redacted] may have attempted to attack Bin Laden also ended in failure and raised additional questions about [redacted] skills and reliability. On 9 August 2000, [redacted]

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[redacted] revealed a possible [redacted] attack (b)(1) on a UBL convoy. Subsequent exchanges between (b)(3) [redacted] and Headquarters revealed several discrepancies between what [redacted] seemed to (b)(1) indicate about the operation and what one of the (b)(3) described [redacted]. Later in the month, (b)(1) [redacted] cabled Headquarters that the (b)(3) had admitted that he embellished the reporting "a little."

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²²⁶ ~~(S//NF)~~ A more general explanation for deciding against action that was applicable to all contemplated cruise missile attacks was the inherent delay in the process. According to UBL Station's late May 1999 assessment of the 13-19 May period, even with improvements in timeliness, the normal delays from the time [redacted] observed events to the time the information about those events arrived at CIA Headquarters would be from one to three hours. The time needed first to process the information at Headquarters and to get a National Command Authority decision to launch missiles and then for the cruise missiles to arrive at their target made for great uncertainty whether the person targeted (Bin Laden) would remain in place long enough to be hit.

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(U) Ahmad Shah Masood

~~(S)~~ ~~NE~~ Already in 1998 it was apparent to many at Headquarters that the heavy dependence on a single source for locational information on Bin Ladin and for attempts to capture or kill him and his lieutenants was a major handicap. It weakened CTC's ability to win approval for US military action, and it was an impediment to validating the reporting that it was getting from [redacted]. Moreover, the repeated failure of the [redacted] act raised the possibility that they would never be able to make a serious move against UBL. Thus, by the end of 1998, CTC moved to consider other alternatives, including Northern Alliance Commander Ahmad Shah Masood.

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(b)(3) ~~(S)~~ ~~NE~~ CTC had established a relationship with Masood [redacted]

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[redacted] The CIA had long tracked Masood's activities in the Afghan struggle against the Soviets during which Masood had distinguished himself. Still, Masood's overall track record rendered a mixed picture

[redacted] On the one hand, as Chief/CTC wrote in December 2000, "Masood will only cooperate with the CIA when the CIA's and Masood's interests overlap." Masood also had limited capability to capture or kill Bin Ladin, having suffered debilitating setbacks, including loss of Kabul, in the war with the Taliban. His area of strength and control was in the Panjshir Valley, and thus remote from Bin Ladin's most frequent location. CIA also had what it judged to be reliable reporting implicating [redacted]

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[redacted] On the other hand, Masood had unique virtues as an ally of the United States against Bin Ladin. During the course of the Afghan civil war, he became the last leader opposed to the Taliban who retained control of a significant amount of territory inside Afghanistan. In addition, his territory was accessible from outside of Afghanistan and offered expanded possibilities for the CIA to conduct various operations directed against the al-Qa'ida leadership.

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The Chief of the Near East Division had originally raised Masood, among other options, for dealing with UBL, according to a 6 February 1998 UBL Station report on a high-level meeting. The DCI, DDCI, Executive Director, and ADDO agreed at that meeting that all possible opportunities should be pursued. Nonetheless, UBL Station did not move aggressively to make Masood a partner in the pursuit of UBL until late 1998, although Masood had signaled a desire to open a dialogue with CIA about a counterterrorism program in September 1998.

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~~(TS)~~ ~~(NF)~~ Only after the [redacted] had failed to deliver Bin Laden in the fall of 1998 and with encouragement from [redacted] did CIA pursue the Masood option. On 17 and 18 November, [redacted] kicked off a discussion of alternatives, arguing that it was time for a reassessment. UBL Station moved quickly to raise [redacted] proposals plus other options with CIA's leadership and with policymakers. These options included approaching Masood, although UBL Station officers still did not see much promise in him. [redacted]

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[redacted] It quickly became apparent that Masood, by his own admission, had little capability to independently monitor and target Bin Laden and was preoccupied with his battles with the Taliban. Nevertheless, in late February 1999, the President signed a MON, [redacted] authorizing Masood to carry out an operation to capture Bin Laden [redacted]

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[redacted] The authorities provided in the MON, calibrated by the handwritten language of the President himself, restricted Masood to a capture attempt during which Masood's forces, if they met resistance, might kill UBL.

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~~(S)~~ ~~(NF)~~ The message of limited potential for using Masood against Bin Laden repeated itself on several occasions over the period up until 9/11, despite CTC and NE's efforts to enhance Masood's capabilities. In October 1999, for example, Masood acknowledged to COS/UBL Station that he had devoted little time to collecting on

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Bin Ladin, because he had been fighting for his survival over the last three months.

(TS) (NF) The poor quality of Masood's helicopters also complicated CTC's ability to coordinate with him and evaluate his activities. CTC officers made visits to the Panjshir Valley aboard these helicopters in 1999 and early 2000 to supply equipment and training and to coordinate plans. After one of Masood's three MI-17 helicopters crashed on 10 April 2000, the ADDO called a temporary halt to such helicopter-borne visits in order to allow for an assessment of the risks to CIA personnel. Ultimately, in June, the ADDO said that he would approve the next planned deployment of CIA officers to Afghanistan only if the helicopters passed a flight safety inspection. That inspection revealed an impressive list of major problems, including tears in two of the five main rotor blades and inoperative instruments. The bottom line from the inspection was, "this is a pilot's coffin" and repair was not feasible. CIA was unable for many months to procure a replacement and make arrangements for its deployment.

(TS) (NF) While the helicopter procurement slowly moved forward, CTC continued to examine ways to improve the abilities of Masood's organization to contribute to the effort against UBL:

- In late December 2000, in response to a request from Clarke at the NSC, CTC and NE Division developed a series of so-called "blue sky" options (i.e., without consideration of cost or policy constraints) for review by the current and incoming Administrations. From these option papers, CTC prepared a briefing for the 2 January 2001 Principals Committee meeting in which it emphasized Masood's importance, describing him as the most viable opposition to the Taliban and someone who, with further assistance from CIA, could "divert more UBL resources." Although the briefing slides omitted any reference to Masood's ability to capture or kill Bin Ladin, the talking points CTC prepared simultaneously for the DCI intimated that additional

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support for Masood could have long-term benefits in rendering UBL.

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- Later in March 2001, after receiving a request from the NSC to prepare a finding or a MON that would support a significant increase in assistance to both Masood and the Uzbeks, CIA developed a new draft finding that included assistance to Masood's forces [redacted] million. The finding was still awaiting finalization and approval on 11 September.

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~~(S//NF)~~ Even during late 2000 and early 2001, while continuing to support Masood financially, CTC's evaluations of the performance of Masood indicated little satisfaction with or confidence in Masood's performance.

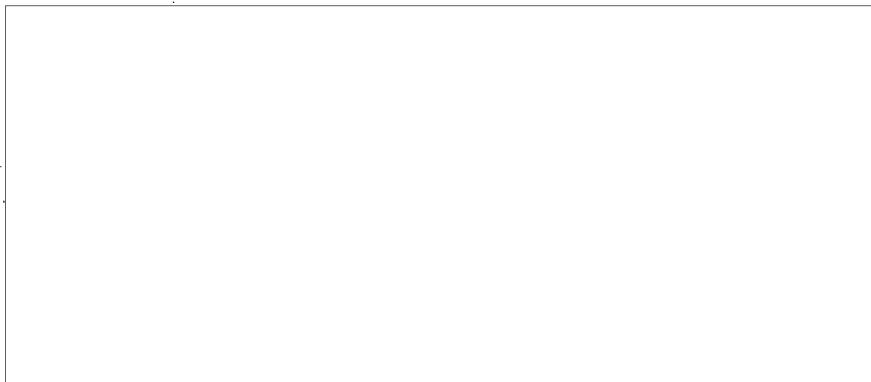
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- In December 2000, CTC acknowledged in its "blue sky" option paper that some observers were concerned that Masood was largely a spent force. It admitted that he was "generally despised by the majority Afghans" and that he was disliked even among the Afghan oppositionists, who saw him as only looking out for the interests of his fellow Tajiks and Panjshiris.²²⁷
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²²⁷ ~~(S//NF)~~ The then-DDO on 22 December 2000 indicated his skepticism about the "blue sky" Masood option program, writing without elaboration that "substantively, I question the Masood support concept."

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(S/ [REDACTED] NF) All efforts to strengthen Masood came to a sudden end before he had accomplished any notable covert actions that were a serious threat to Bin Laden. On the morning of 9 September 2001, two Arabs posing as journalists met with Masood. While Masood was greeting them, one of the Arabs detonated a bomb hidden in his clothing, mortally injuring Masood.

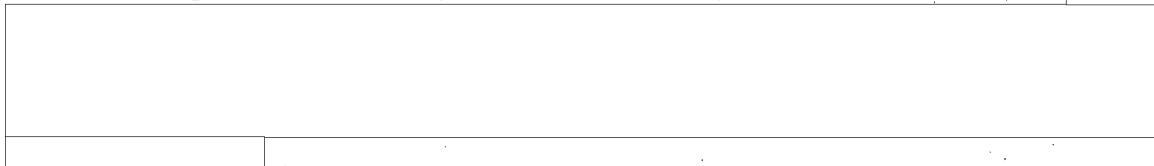
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(TS/ [REDACTED] NF) Retrospectively, CTC employees split in their assessments of CIA's Masood program. A few CTC officers interviewed by the 9/11 Review Team asserted that the DDO's refusal to permit CIA officers to deploy from Dushanbe via Masood's helicopters doomed the Masood program. Other interviewees, including a senior NE officer, a former Chief/CTC and a former COS/UBL Station, defended the DDO. Given the documented level of risk of flying in Masood's helicopters and the uncertainty about a payoff from the relationship with Masood, the Team sees no sound basis for challenging the DDO's decision.

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²²⁸ (TS/ [REDACTED] NF) In contrast, a 29 May 2001 memorandum from Chief/CTC to Richard Clarke at the NSC on possible nonmonetary assistance to the Northern Alliance claimed that the [REDACTED]

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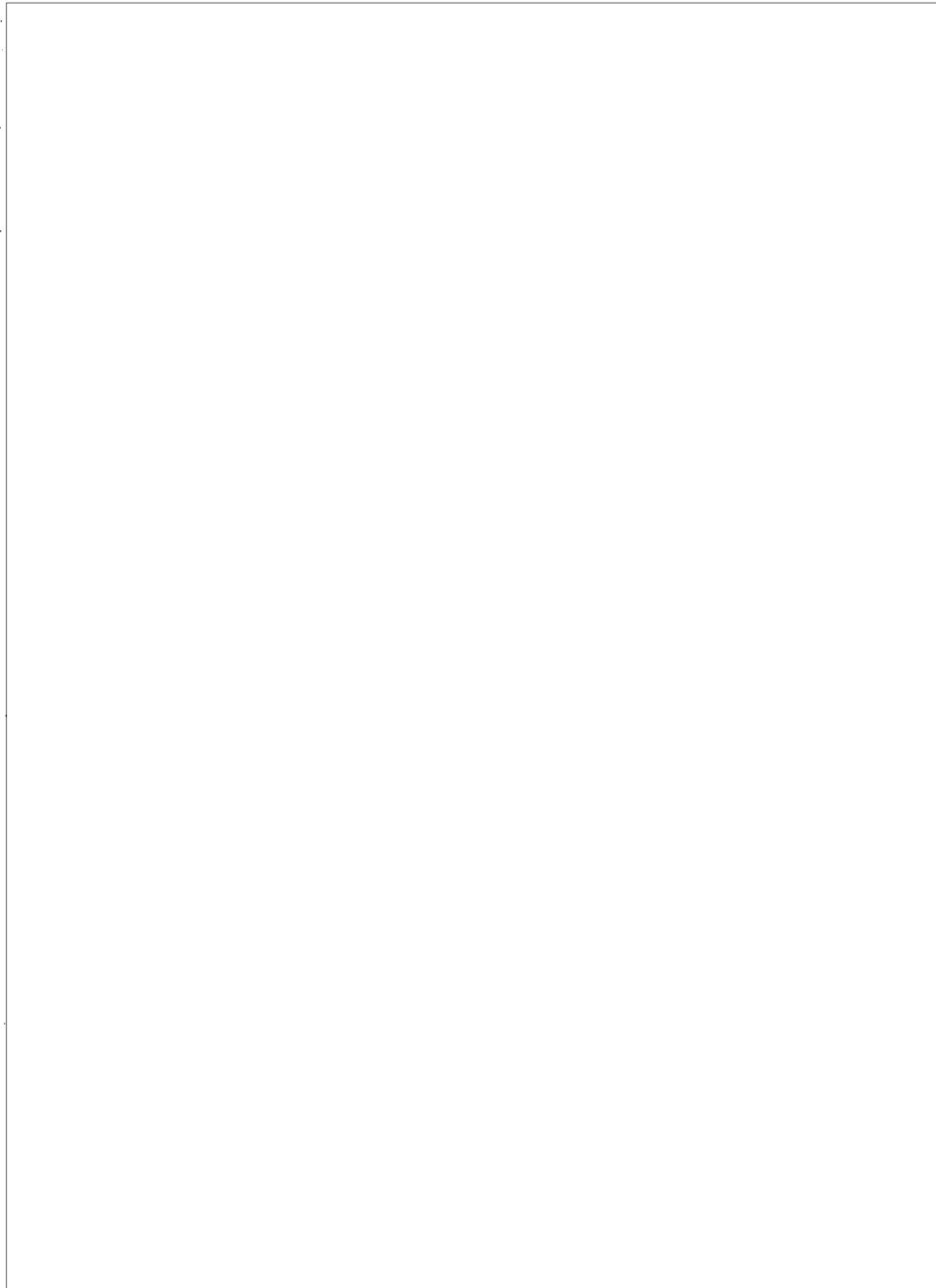
~~(S/-) NF~~ As a consequence, when [redacted] and CTC reached the conclusion that the [redacted] constituted too narrow a base for covert action against UBL, they looked at [redacted] as an option. [redacted]

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~~(S/-) NF~~ By 22 December 1998, efforts to gain Pakistani assistance had reached a temporary dead end, however. The US Government exerted pressure on the Pakistani Government, including calls from President Clinton to Prime Minister Sharif on 18 December [redacted]

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(S) (NF) On 12 October 1999, the project suffered a fatal blow when Pakistani Army Chief of Staff General Musharraf seized power in a military coup. The coup essentially doomed the program despite CIA making serious efforts to keep it alive by enlisting help from the Ambassador and the [redacted] to persuade Musharraf to support the program. By mid-December, it was clear that these efforts had been

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unsuccessful, according to a review of cable traffic related to
the project.

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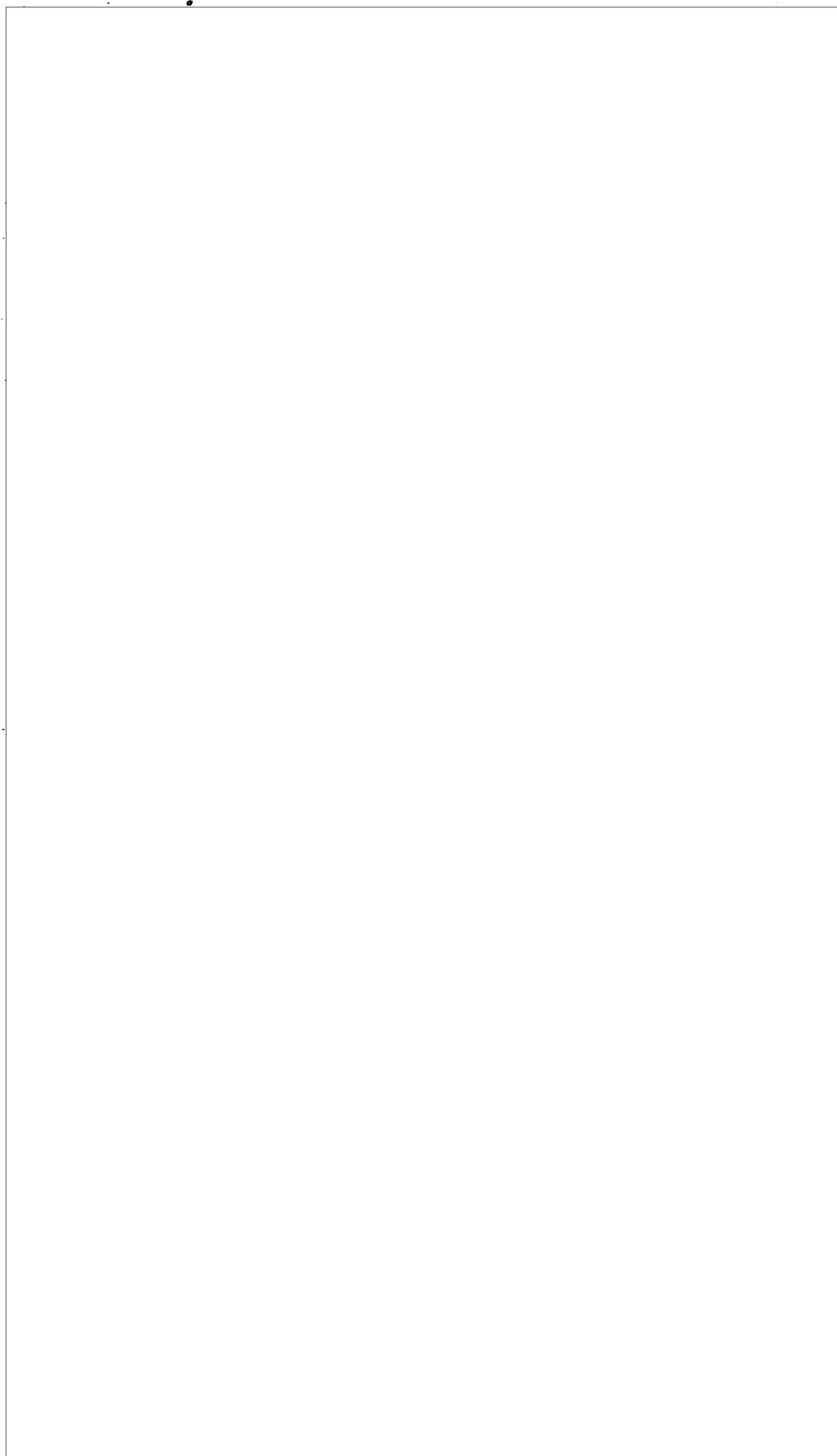
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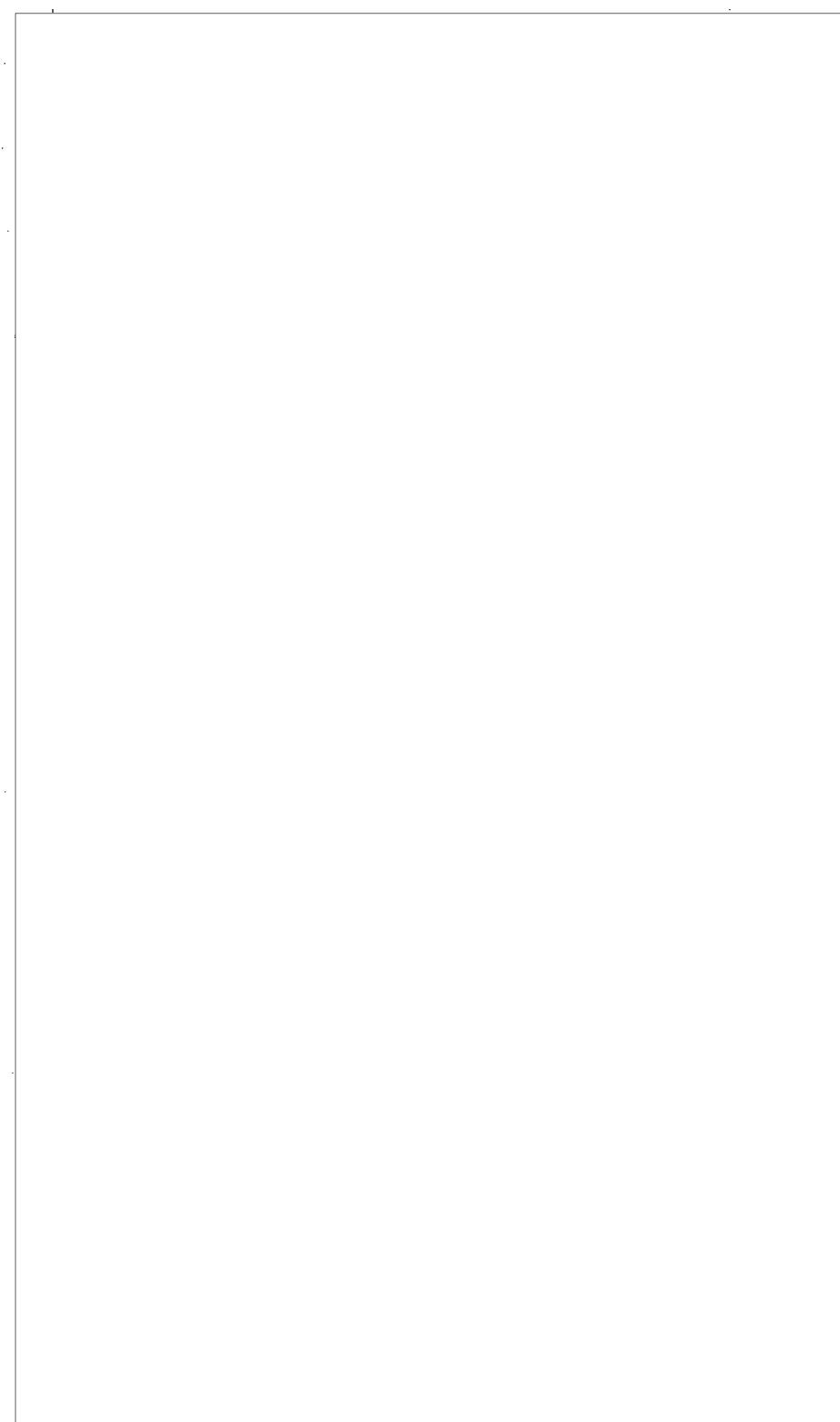
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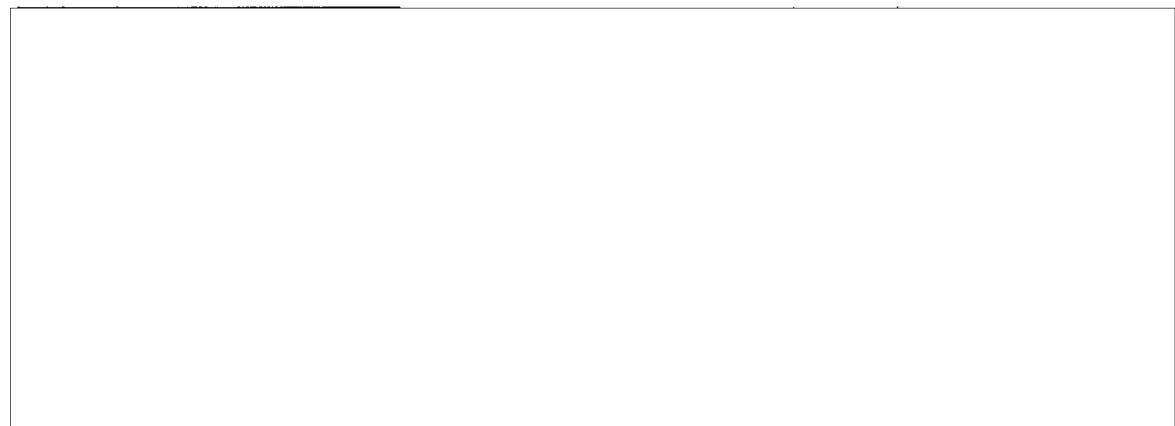
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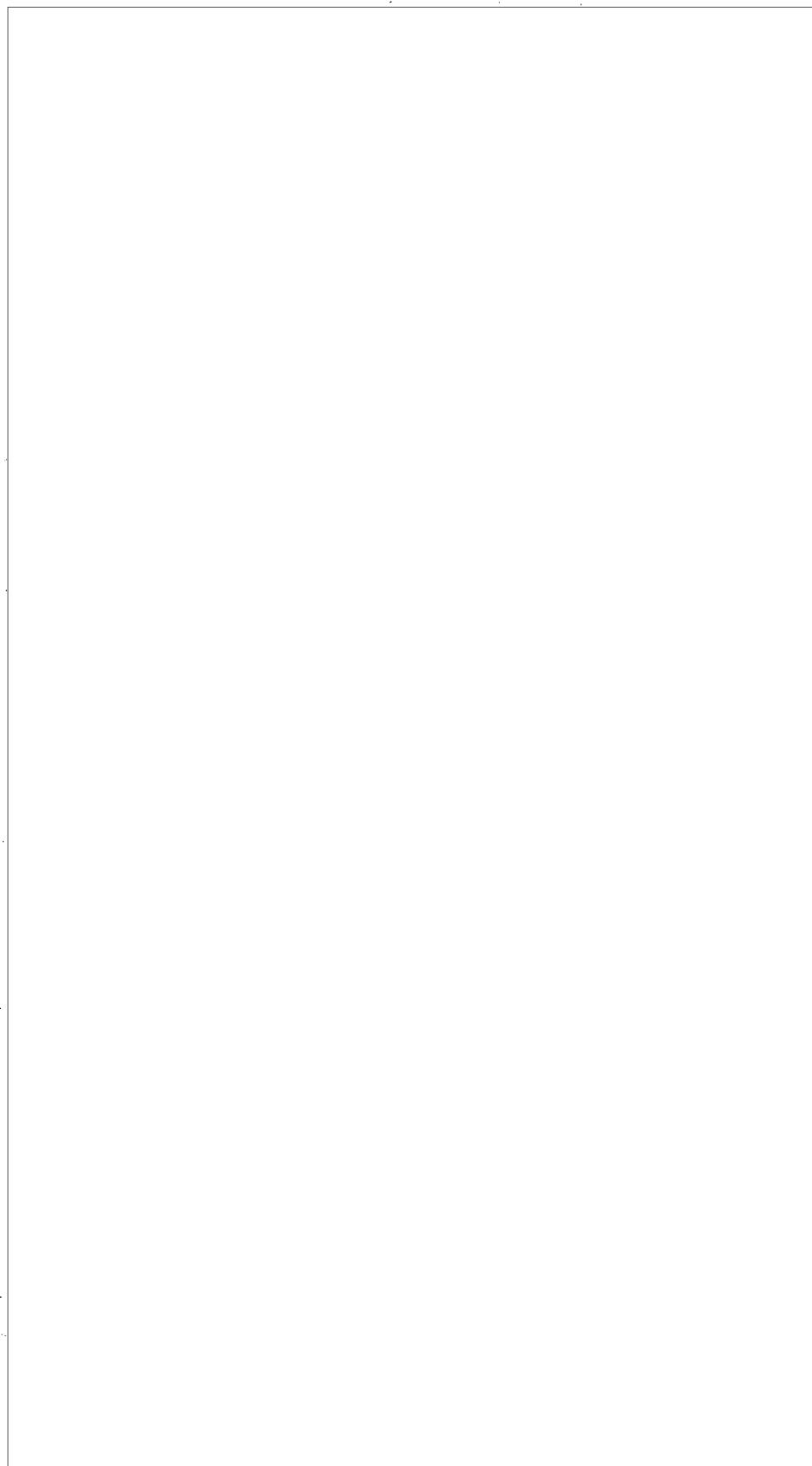
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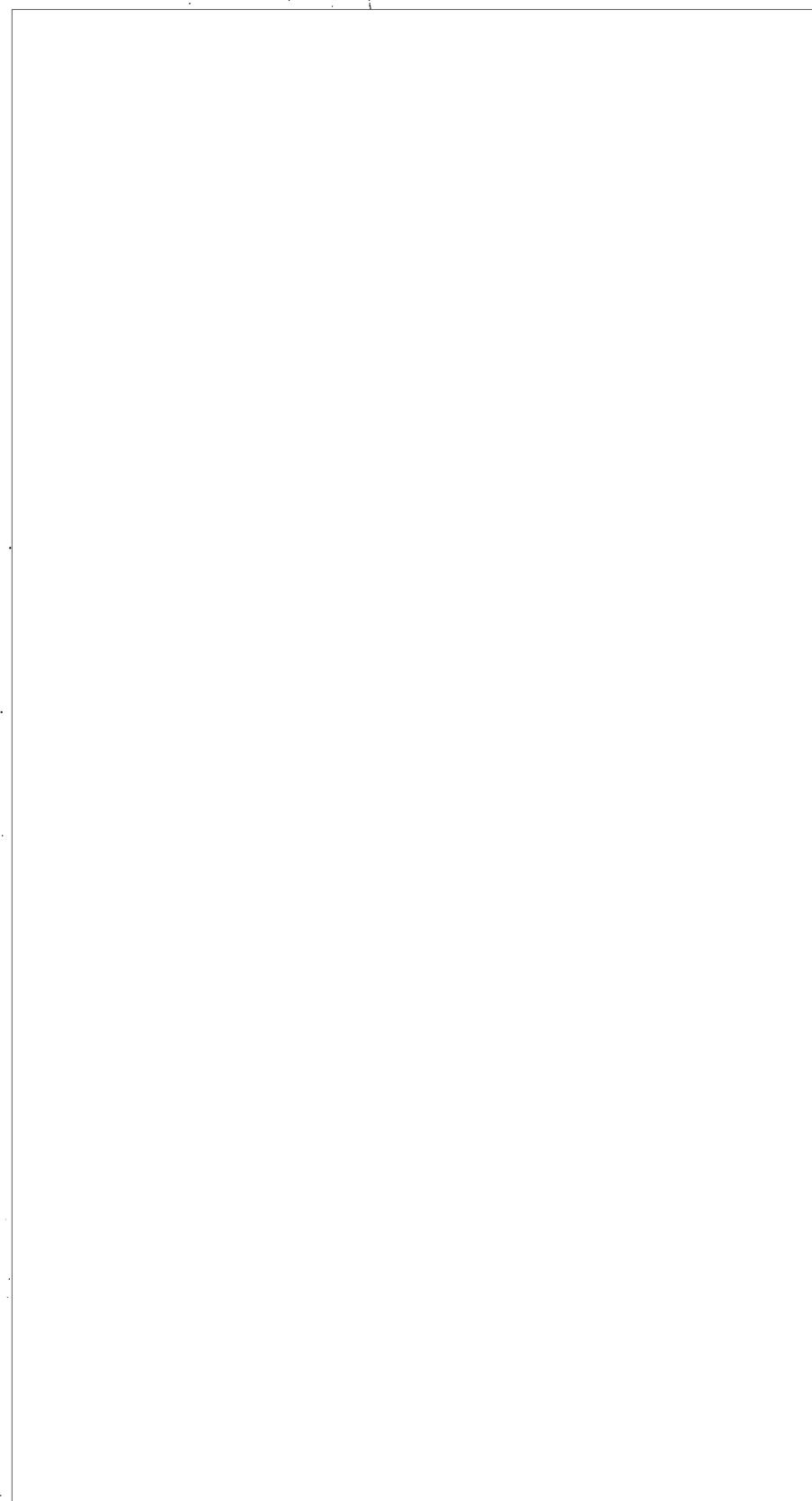
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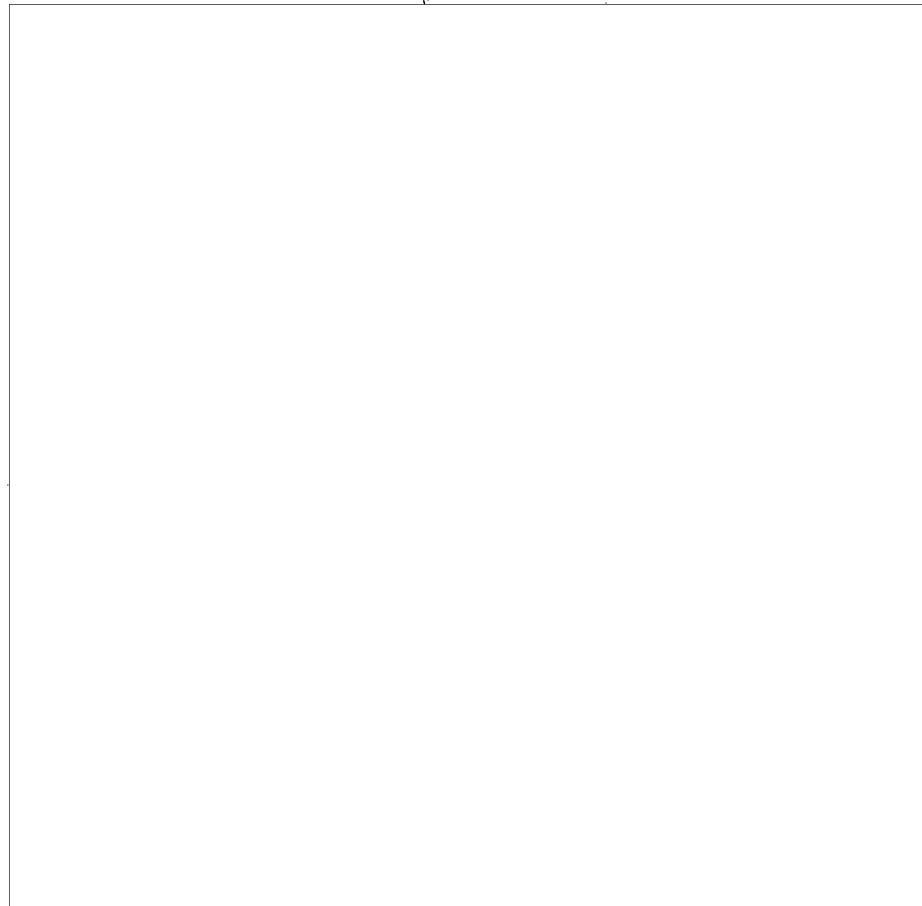
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(b)(3)**(U) Implications**

~~(TS/~~ ~~NF~~) The fundamental questions that emerge from a study of covert action prior to 9/11 are:

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- Did restrictions in the Memorandums of Notification seriously handicap the CIA effort against al-Qa'ida and did CIA willfully misinterpret the message the Clinton Administration was delivering in these MONs?



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- Did CIA have the assets and liaison relationships needed to carry out Administration policy to render Bin Ladin and his lieutenants to justice?

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(TS/ [redacted] NF) Although some former senior officials have testified after 9/11 that they were trying to tell the CIA in the MONs of 1998 and 1999 that they wanted UBL killed, that message never got through to the CIA. In fact, in the Team's judgment, these authoritative instructions to the CIA did not unambiguously communicate that message. Repeated references to Bin Ladin possibly being killed during a legitimate capture operation—something CIA [redacted] proved incapable of doing—consistently clouded the message. In the one case where the President and the NSC most forcefully indicated their increased willingness to countenance the killing of UBL, the MON still included the phrase, "if a successful capture operation is not feasible."

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[redacted] The NSC thought it

was delivering one message. The CIA heard another; it thought that message was clear and apparently did not seek further clarification.

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(TS/ [redacted] NF) The fundamental weakness of the covert action program, however, in the Team's judgment, was not with the MONs and their interpretation but with the assets the CIA could bring to bear at the time against Bin Ladin in Afghanistan. Within the parameters of its interpretation of the MONs, the CIA was aggressive in identifying and pursuing options available in the region. Despite the fact that CIA had long-established relationships with [redacted] in Afghanistan [redacted]

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[redacted] none of its assets or collaborators ever appears to have been close to capturing or killing UBL prior to 9/11. All of [redacted] were either unable or

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unwilling to undertake the task. The information from these assets, moreover, was never precise enough or judged reliable enough to permit policymakers to confidently launch cruise missile attacks on the basis of their reporting alone after August 1998.

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In short, CTC pressed ahead with the capabilities it had, but they were inadequate for fulfilling the assignment.

(U) Accountability

~~(S//NF)~~ In the Team's judgment, the JI report is correct in its conclusion that CIA covert action had little direct impact on Bin Laden before 9/11. Because CTC was generally aggressive in trying to identify, use, and fortify the various options for covert action against Bin Laden available to it, the Team sees no issue of accountability on this finding. While senior managers in the Agency were more cautious than UBL Station managers in pursuing covert action against Bin Laden, their caution was prudent and well founded, not a sign of an aversion to risk. Lacking unambiguous policy and legal direction to kill Bin Laden, Agency officers properly did not attempt to do so. The simple truth, in the Team's opinion, is that the assets available to CIA and the covert action options and parameters that policymakers had approved prior to 9/11 were insufficient to fulfill the mission of capturing or killing UBL or his lieutenants.

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(U) SYSTEMIC FINDING 14: COLLABORATION WITH THE MILITARY

~~(S//NF)~~ Systemic Finding 14 of the Joint Inquiry (JI) report states that, "Senior US military officials were reluctant to use US military assets to conduct offensive counterterrorism efforts in Afghanistan, or to support or participate in CIA operations directed against al-Qa'ida prior to September 11. At least part of this reluctance was driven by the military's view that the Intelligence Community was unable to provide the intelligence needed to support military operations. Although the US military did participate in three counterterrorism efforts to counter Usama Bin Laden's terrorist network between August 1998 and September 2001, most of the military's focus was on force protection."

(U) Joint Inquiry Discussion

(U) In its discussion, the JI further asserts that National Security Council (NSC) officials, Counterterrorist Center (CTC) officers, and senior US military officers differ "regarding the US military's willingness to conduct operations against Usama Bin Laden prior to September 11 2001. In general, however, these officials indicate that senior military leaders were reluctant to have the military play a major role in offensive counterterrorism operations in Afghanistan prior to September 11. . . ."

(U) The report then cites a number of sources that affirm its portrayal of military reluctance:

- The NSC's National Coordinator for Security, Infrastructure Protection, and Counterterrorism, told the JI that "'the overwhelming message to the White House from the uniformed military leadership" was that it did

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not want to be involved and that "their capabilities should not be utilized in Afghanistan."

- The former National Security Advisor, in a written response to the JI, laid out a similar position, asserting that President Clinton's top military advisers counseled that the kind of military operations envisioned in Afghanistan prior to 11 September 2001 (9/11) would have a low probability of success without advanced knowledge of where Usama Bin Ladin (UBL) was at a specific time.
- CTC statements and documents, the JI report asserted, support the conclusion that "the military did not seek an active role in offensive counterterrorism operations." It cited two former Chiefs of CTC who testified to the reluctance of the military to act without a declaration of war and without precise intelligence. It found that lower-level military officers showed more willingness than senior ones to actively participate in the fight against terrorism.
- The former Chairman of the Joint Chiefs of Staff (JCS) said the US military primarily thought about the UBL threat in terms of force protection, and he added that he believed that the CIA and the Federal Bureau of Investigation should have the lead in countering terrorism. He—and other Department of Defense (DoD) officials—also repeatedly cited a lack of actionable intelligence as another reason for the military's reluctance to act. The former JCS Chairman told the JI, for example, "You can develop military operations until hell freezes over, but they are worthless without intelligence." He also said he did not favor joint operations with the CIA, seeking to avoid any dependence on CIA operations for military success.

(U) The JI report concludes that, "in general, . . . the CIA and US military did not engage in joint operations, pool their assets, or develop joint plans against Usama Bin Ladin

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in Afghanistan prior to September 11, 2001—despite interest in such joint operations at CIA.”

(U) Assessment of Joint Inquiry's Finding

~~(S//NF)~~ The Office of Inspector General (OIG) 9/11 Review Team concurs with the JI's overall conclusions on this finding as it relates to the CIA. Judging by available evidence, the Agency was unable to satisfy the demands of the top leadership in the US military for precise, actionable intelligence before the military leadership would endorse a decision to deploy US troops on the ground in Afghanistan or to launch cruise missile attacks against UBL-related sites beyond the August 1998 retaliatory strikes in Afghanistan and Sudan. The military demanded a precision that, in CIA's view, the Intelligence Community was incapable of providing.

(U) Military interviewees offered their views on why senior military officials (and policymakers) generally were reluctant to act on intelligence. One senior military interviewee [redacted]

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[redacted] told the 9/11 Team that the military had a cultural reluctance and distrust about working closely with CIA prior to 9/11. [redacted] said some in the military feared that, if the military went into Afghanistan and the going got rough, the CIA would leave them in the lurch.

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~~(S//NF)~~ CIA encouraged closer cooperation with important military partners, and CIA officers worked well with the military on specific operations. [redacted]

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[redacted] for example, told the 9/11 Team that CTC got good military support at the operational level, particularly from [redacted]

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~~(S//NF)~~ At least in some instances, however, the Agency found that high-level delays impeded cooperation.

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(U) "Boots on the Ground"

~~(S//NF)~~ Available evidence supports the JI report's assertion that the CIA was unable to overcome the opposition of the military leadership to putting US military forces on the ground in Afghanistan prior to September 11. The 9/11 Team interviews of those officers who were most knowledgeable about CIA-DoD interactions are consistent with comparable JI interviews and with the relevant testimony to the Joint Inquiry hearings.

~~(TS//NF)~~ A key impediment—but certainly not the only one—was CIA's inability to provide intelligence with the specificity demanded by the top military leadership. In an August 1999 cable to the field, the Chief of Station (COS)

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for UBL Station noted that, "There has been much interest in pursuing an operation [redacted] At this time, however,

[redacted]
review requirements

can collect sufficient data on a particular [redacted]

We met with [redacted]
on 18 August to [redacted]
Bottom line; if we [redacted]

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~~(TS//NF)~~ CIA did not push the military on this count:

- According to an earlier COS/UBL Station, CTC did not ask for military forces on the ground during his tenure (through mid-1999). He said that it was clear all along that the "military didn't want to play very strongly" in Afghanistan operations. He said CTC repeatedly asked the military for two special operations specialists—a planner and an analyst—but the military had no interest in sending them.

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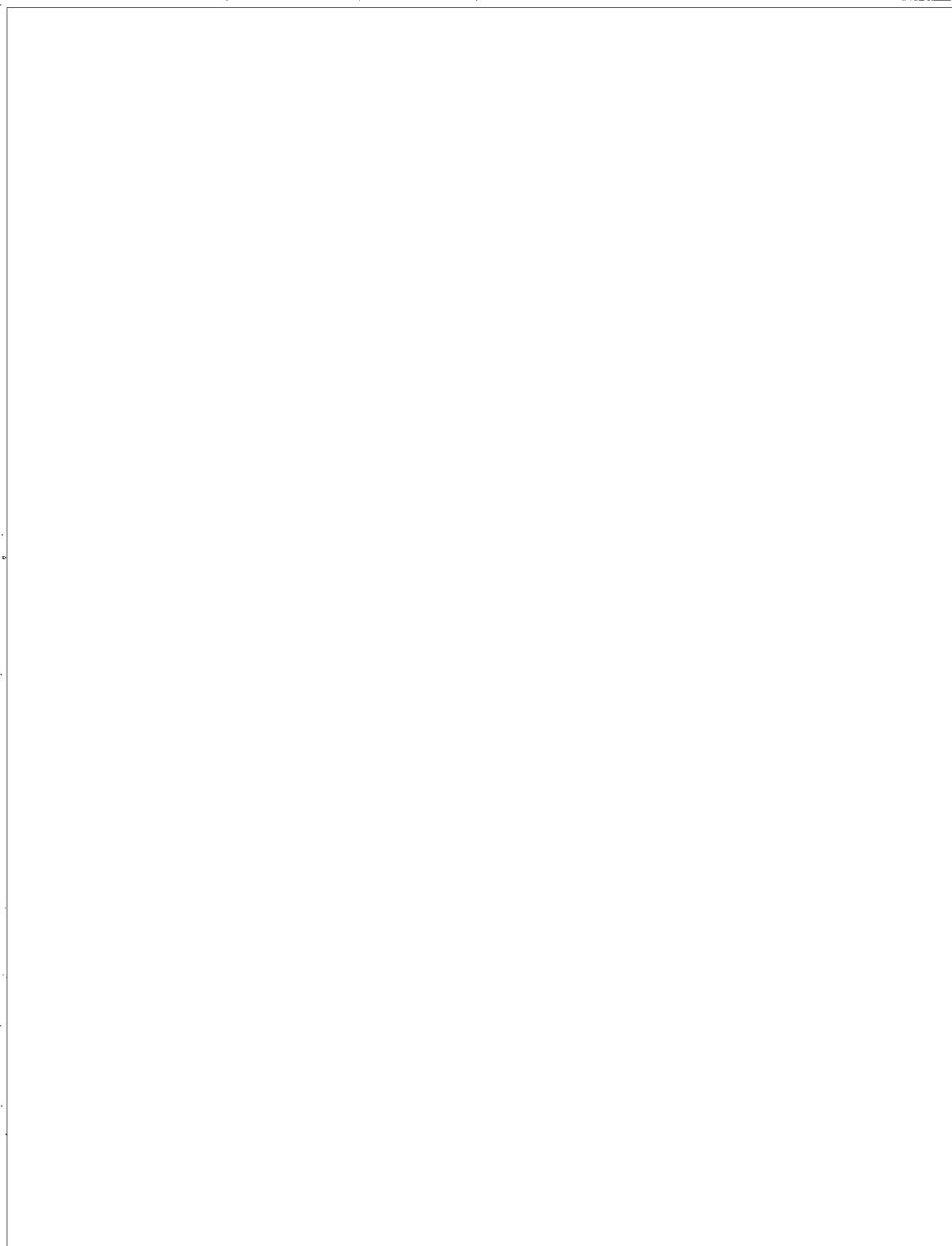
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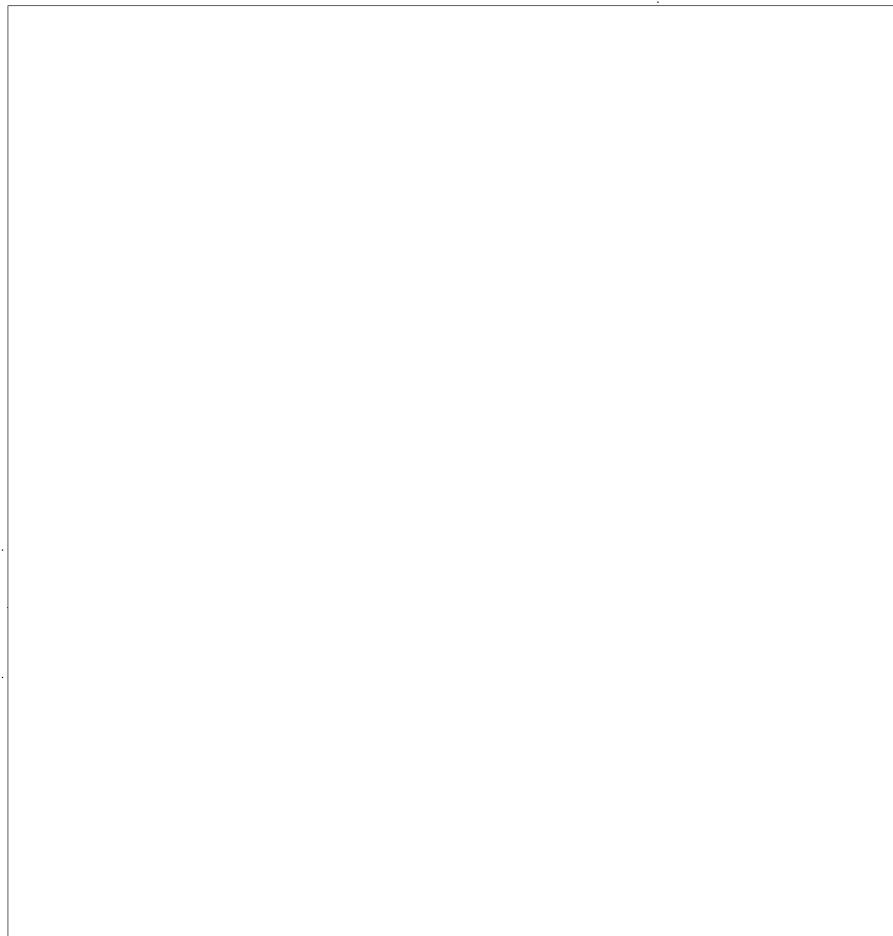
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~~(S//NF)~~ The Team also found one potent indicator that, within CIA, both in the field and at CTC, there was doubt about the value of such attacks:

- In December 2000, CTC prepared an options paper for the NSC that expressed strong doubt about the value of military strikes against Bin Laden or Taliban targets. One section of the options paper, which the Team could not confirm was ever sent to the White House but which was prepared for coordination within the CIA, laid out

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options for pressuring the Taliban to deny UBL safehaven in Afghanistan within 30 days under the 1986 Finding. It reported that the paper had been prepared with significant input from [redacted]. It said the only option was a military one, stating, "We strongly recommend against military strikes against UBL and/or Taliban targets because 1) they would be ineffective against these dispersed targets and 2) they would likely be perceived by the Pakistani government as an anti-Pakistan move rather than an action aimed at UBL."

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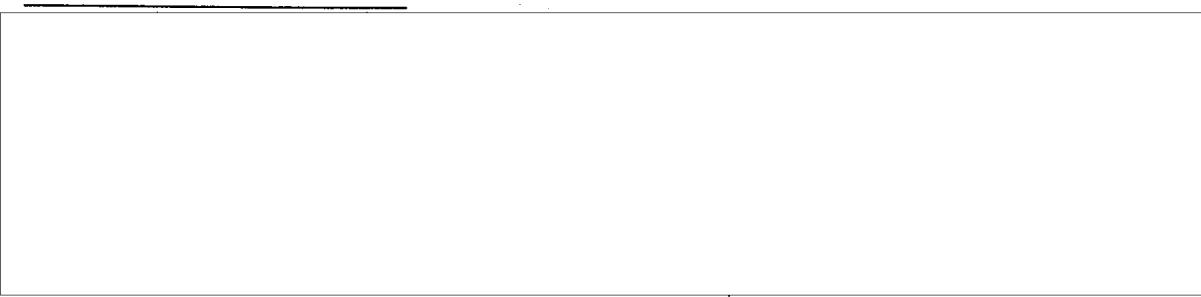
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(b)(3)**(U) Accountability**

(C) On the basis of available information, the Team believes that the CIA generally handled its relationship with the US military responsibly and within the bounds of what was reasonable and possible. CTC clearly pushed forward the effort to [redacted] but appears to have received little support at high levels inside and outside the Agency. Although intelligence on UBL and al-Qa'ida needed to be better than it was, the Team finds no negligence in the effort to supply the military with the detailed intelligence it felt it needed before agreeing to any operation. Given the difficult operating environment in Afghanistan [redacted]

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[redacted] As a result, the Team makes no recommendations with respect to accountability in regard to this finding.

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(U) SYSTEMIC FINDING 15: RELIANCE ON FOREIGN LIAISON

~~(S//NF)~~ Systemic Finding 15 of the Joint Inquiry (JI) report states that, "The Intelligence Community depended heavily on foreign intelligence and law enforcement services for the collection of counterterrorism intelligence and the conduct of other counterterrorism activities. The results were mixed in terms of productive intelligence, reflecting vast differences in the ability and willingness of the various foreign services to target the Bin Laden and al-Qa'ida network. Intelligence Community agencies sometimes failed to coordinate their relationships with foreign services adequately, either within the Intelligence Community or with broader US Government liaison and foreign policy efforts. This reliance on foreign liaison services also resulted in a lack of focus on the development of unilateral human sources."

(U) Joint Inquiry Discussion

~~(S//NF)~~ The JI report further explains that, since al-Qa'ida was engaged in a worldwide struggle against the United States, the Intelligence Community (IC) recognized early on that an effective US response to al-Qa'ida must also be global and that foreign intelligence and security services (liaison services) would be important allies in fighting terrorism. In the case of CIA, the JI states that the Counterterrorist Center (CTC) increased efforts to improve liaison ties

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- Act as a force multiplier, that is, as additional personnel who in some cases have the right languages, cultural backgrounds, skills, and experience [redacted]

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- Have legal jurisdiction in their own countries [redacted]

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- Have access in remote or hostile parts of the world [redacted]

~~(S//NF)~~ The JI report also points out several weaknesses of liaison that can hinder cooperation and even aid terrorists. Citing testimony, the JI report notes that:

- [redacted]

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- Some services are reluctant to share information [redacted]

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[redacted] implicates their citizens in terrorism, [redacted]

[redacted] because of legal restrictions and indifference to the al-Qa'ida threat.

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- Several services [redacted] —are excessively bureaucratic.

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~~(S//NF)~~ The JI report points out other factors that hinder liaison cooperation, including unauthorized leaks of information revealing liaison cooperation to the press, the United States' ability to overwhelm a small liaison service with too many demands, US laws—particularly the death

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penalty—that inhibit extradition by foreign governments, and bilateral differences on nonintelligence issues. The report then states that coordination between US agencies is not integrated with overall US policy and that independent relationships with the same foreign intelligence services can be a problem, although it acknowledges that CIA and the Federal Bureau of Investigation (FBI) have improved coordination on dealing with liaison.

(U) Assessment of Joint Inquiry Finding

~~(S//NF)~~ We concur with some, but not all, of the JI finding on this issue:

- We agree that relations with foreign intelligence services produced mixed results in terms of cooperation and productive intelligence. We also agree on the advantages and disadvantages of foreign liaison.
- We disagree, however, that interagency coordination posed a significant problem. Although the Team found a few instances of faulty coordination of liaison contacts, these had only incidental impact on counterterrorism effectiveness. We also disagree that CTC relied too heavily on liaison; while we concur that CTC focused principally on liaison in the mid-1990s (as we discussed in Systemic Finding 11), in mid-1999 the Center adjusted its operational focus to seek more unilateral human sources to complement its liaison efforts.

We discuss liaison cooperation broadly under this finding and focus specifically on [redacted] cooperation under Factual Findings 5h and Systemic Finding 20, respectively.

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(U) Liaison Cooperation

~~(S//NF)~~ Our interviews of senior managers and officers in the Usama Bin Ladin (UBL) Station found a strong consensus that liaison was important to understanding and

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attacking al-Qa'ida but also an acknowledgement that the contributions from liaison were uneven. Twenty-five of the 29 officers who addressed this issue pointed to the high value of liaison but also noted that results ranged from excellent to poor.

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Four Station officers questioned the value of liaison, albeit from a narrow perspective. One judged liaison as adding no value except for productive relations with the

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~~(S//NF)~~ A June 1999 CTC assessment on the cooperation of 22 liaison services also points to varied levels of liaison cooperation. This study:

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~~(S//NF)~~ CIA efforts in December 1999 to disrupt al-Qa'ida plans to carry out terrorist attacks during the millennium offer a snapshot of the level of cooperation and effectiveness of CTC's liaison relations

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(U) Liaison Intelligence Production

~~(S//NF)~~ Liaison reporting was an important source of information on the counterterrorism target before 9/11. Indeed, during the period 1 January 1998-11 September 2001,

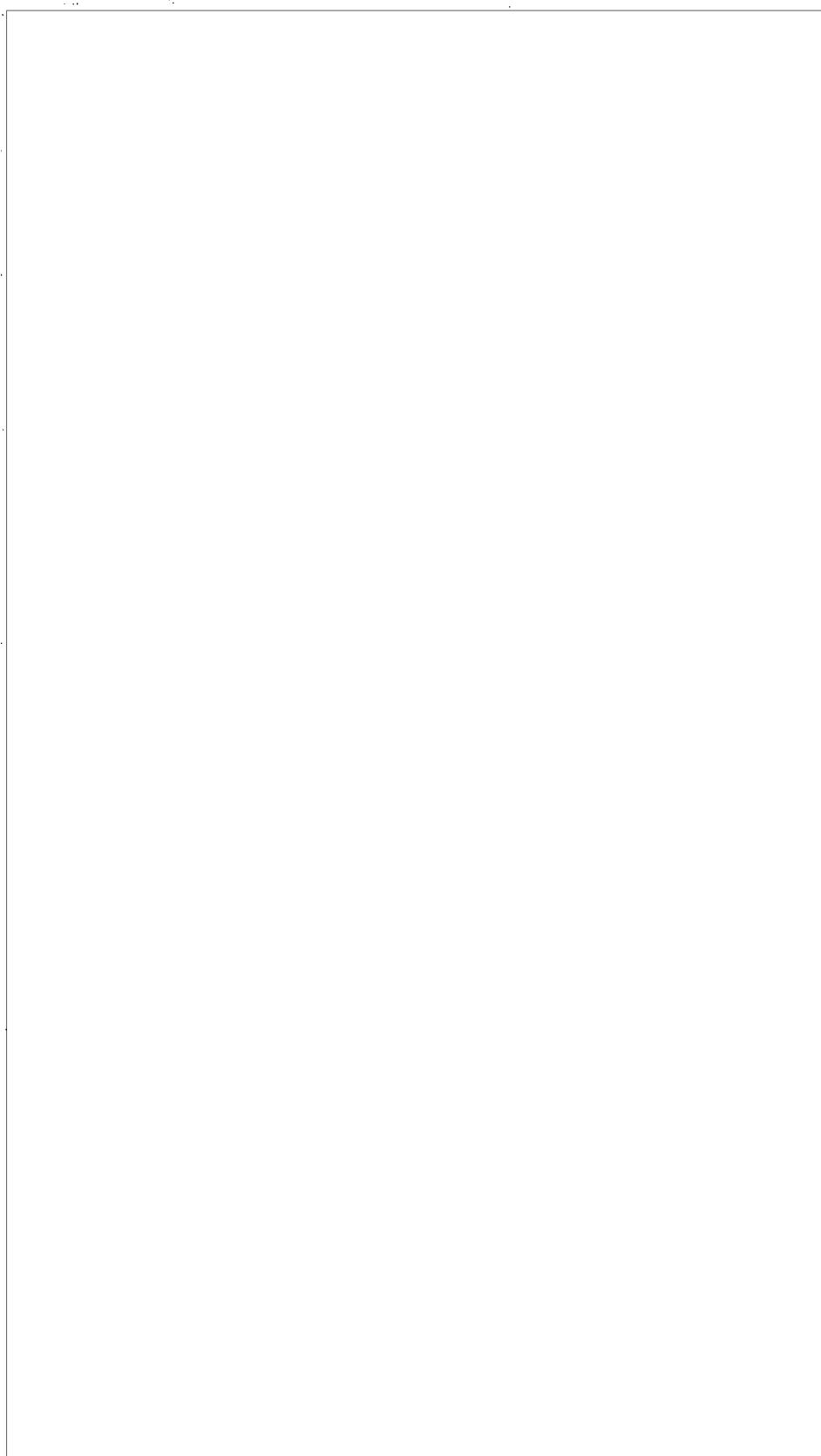
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~~(S//NF)~~ Some liaison reporting provided critical information,

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~~(S//NF)~~ As of early 2001, however, CIA recognized that the ability of its sources, both unilateral and liaison, to report on terrorist plans and intentions as well as to effectively disrupt terrorist activities left important gaps.

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(U) The Liaison/Unilateral Balance

~~(S//NF)~~ The Team's discussion of Systemic Finding 11 describes the evolution of CTC's operational focus from a primary emphasis on liaison operations to a reemphasis on unilateral operations.

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[REDACTED]

~~(S//NF)~~ The Team found no evidence to prove that liaison was better than unilateral or vice versa. Each had unique advantages and disadvantages. Moreover, we did find that they were not mutually exclusive. [REDACTED]

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[REDACTED] CTC carried out its largest and most effective disruption operations during the 1999-2000 Millennium celebrations and the [REDACTED]
[REDACTED] and liaison played a key role in these. [REDACTED]

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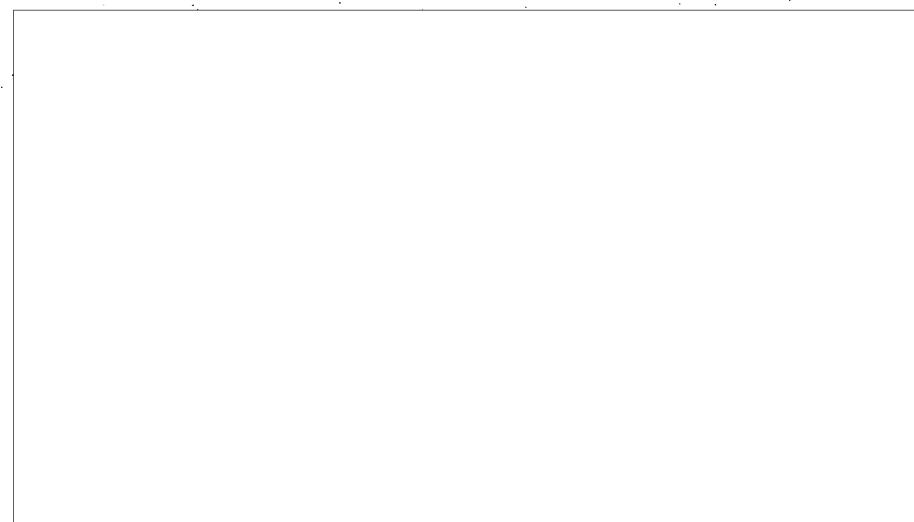
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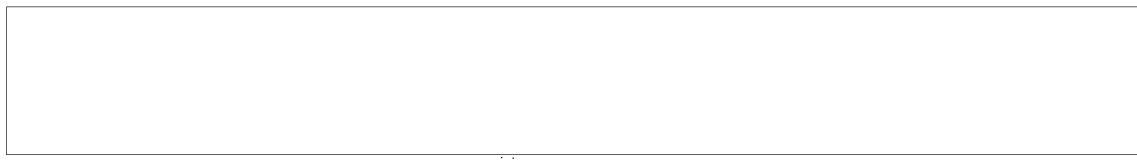
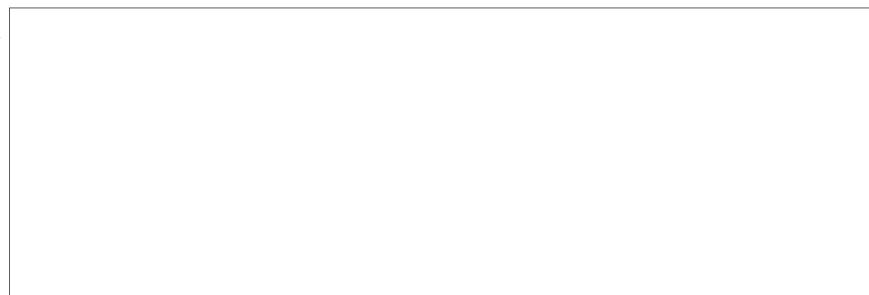
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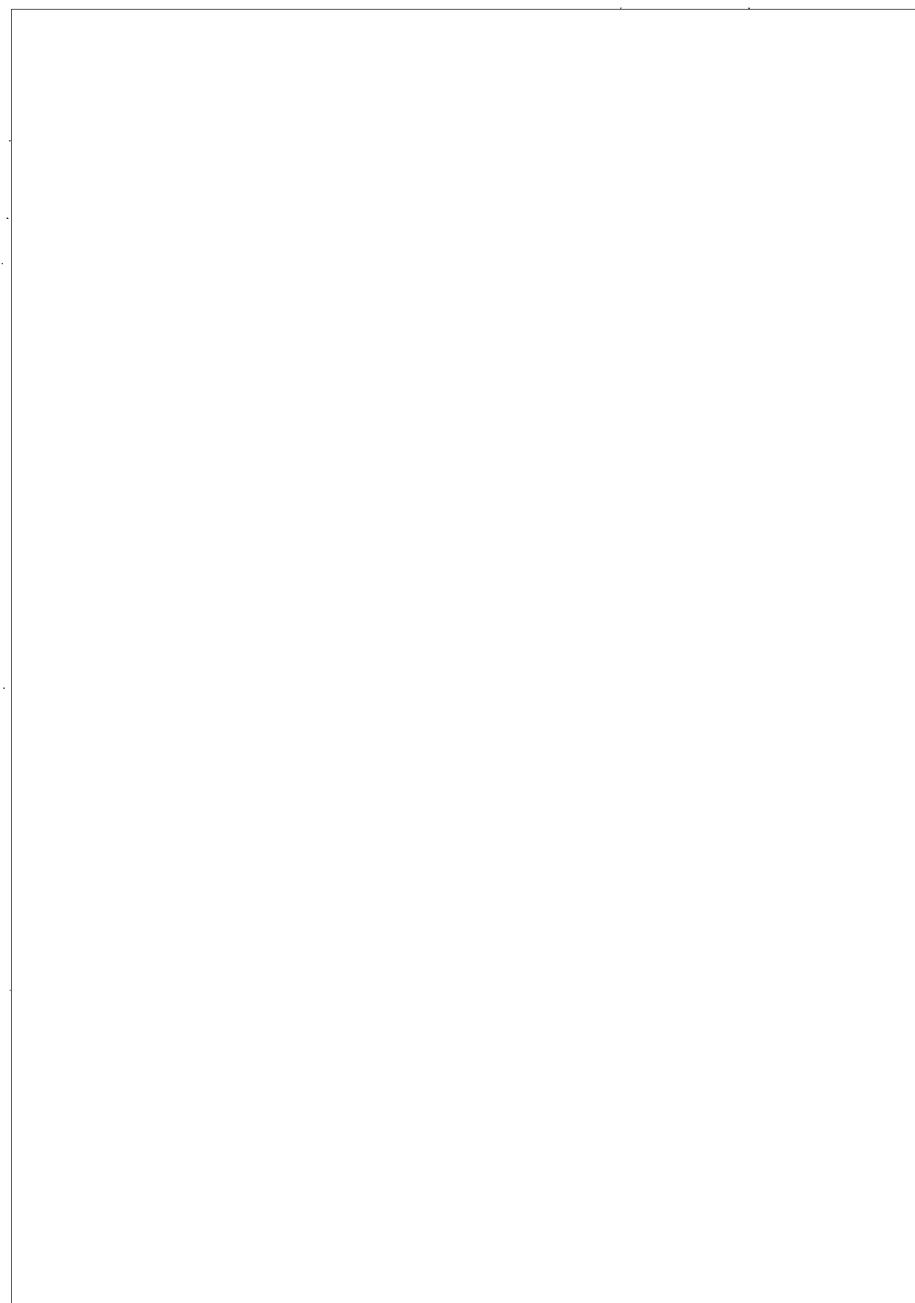
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(U) Coordination of Contact with Foreign Liaison

~~(S//NF)~~ The Team found few problems between CIA and FBI involving uncoordinated foreign liaison contacts:

- [redacted] could recall specific instances when the FBI failed to coordinate foreign liaison contacts with the COSs. However, one [redacted] said that any incidents that did occur were probably because the FBI officers did not understand the role and authority of the COS. Another acknowledged that an FBI field office might only coordinate with the Legal Attaché on a domestic case.
- For their part, CIA officers had mixed opinions on the severity of the problem, but most acknowledged that problems occurred primarily because of the increased involvement of the FBI in counterterrorism investigations overseas and the FBI's culture and lack of understanding of DCI authorities. Few could recall specific instances when it negatively affected counterterrorism operations. [redacted] characterized the problem as minor friction at the working level, which was more an irritant than an impediment. In addition, [redacted] told the Team that the problem was not endemic and that only a handful of incidents had occurred. [redacted] said that, while some coordination failures caused a lot of angst, he felt that

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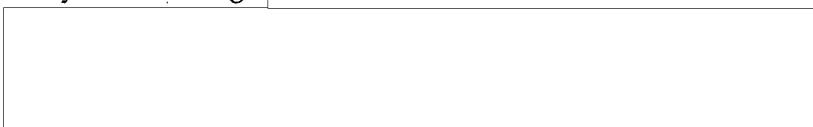
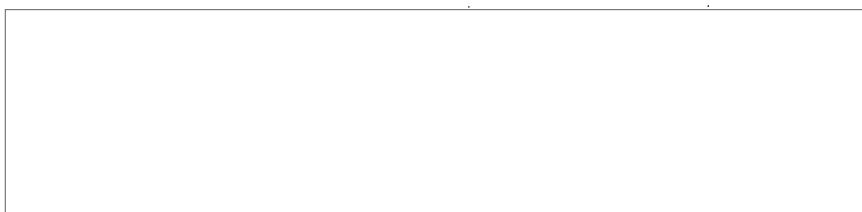
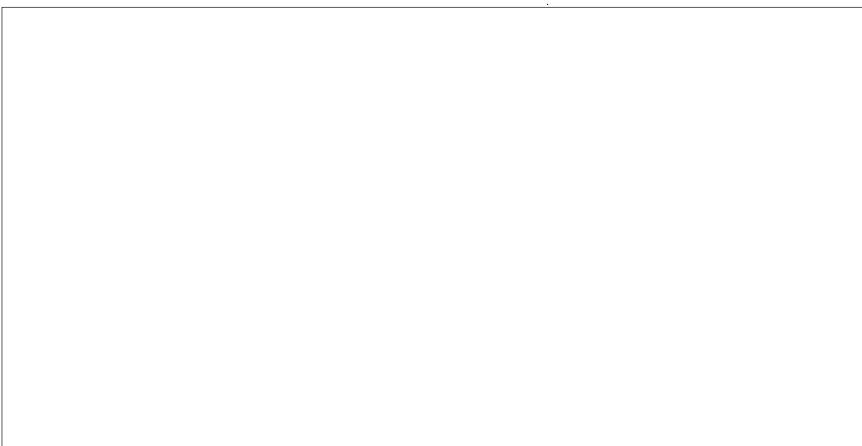
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none was purposeful. He explained that FBI Headquarters knew and followed the rules, but FBI field offices did not always tell their own Headquarters what they were doing.


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(U) Implications

~~(S//NF)~~ CIA's reliance on foreign liaison services was essential to its ability to disrupt al-Qa'ida and to thwart some terrorist attacks on the United States. The Agency did a good job of exploiting the advantages of liaison operations to pursue disruptions, renditions, and agent operations against al-Qa'ida and to produce intelligence on the target. Liaison capabilities and cooperation were uneven; disruptions and renditions had only short-term effects; and liaison support was not sufficient to gain access to al-Qa'ida plans and intentions or to warn of and thwart many al-Qa'ida terrorist attacks.

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~~(S//NF)~~ Prior to 1999, CTC management focused almost exclusively on liaison because it had determined that unilateral operations would be unproductive. After mid-1999, with the advantage of hindsight, new CTC management recognized that liaison could only produce so much and that keeping the unilateral operational tools in the toolkit reduced the potential effectiveness of CTC's counterterrorism program. At the same time, however, CTC continued to improve and expand liaison operations. In short, liaison and unilateral operations are not mutually exclusive but need to be properly balanced. This balance is not static but varies by time and place based on a judgment of the relative operational potential against the required investment in terms of resources and risk.

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(U) Accountability

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[Redacted]
As a consequence, the Team does not make any recommendation with regard to accountability on this issue.

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(U) SYSTEMIC FINDING 16: STRATEGY TO DISRUPT TERRORIST FUNDING

(TS) Systemic Finding 16 of the Joint Inquiry (JI) report indicates that, "The activities of the September 11 hijackers in the United States appear to have been financed, in large part, from monies sent to them from abroad. Prior to September 11, there was no coordinated US Government-wide strategy to track terrorist funding and close down their financial support networks." [redacted]

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[redacted]
the US Government was unable to disrupt financial support for Usama Bin Ladin's terrorist activities effectively."

(TS) In its accompanying discussion, the JI goes on to note that the CIA:

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- Never determined the extent of UBL's [redacted]
financial resources, [redacted]

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(U) The Office of Inspector General 9/11 Review Team concurs with the main points of the JI finding.

~~(S//NF)~~ In regard to the 9/11 hijackers' finances, subsequent investigation indicates that the terrorists began funding their operation nearly two years in advance. According to Counterterrorist Center (CTC) analysts, the 19 hijackers opened 24 US-based checking accounts; each hijacker had at least one account in his name, and three were jointly held. Funding for the accounts originated in the United Arab Emirates (UAE), but the terrorists used facilitators in Germany to obscure this. While in the United States, the hijackers dealt almost exclusively in cash or debit cards and kept their transactions below \$10,000. According to officers in CTC [redacted] nothing in the hijackers' financial behavior would have raised a red flag at that time.

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~~(C//NF)~~ As for the lack of a coordinated US Government strategy on terrorist funding, the Team found no evidence of such a strategy, although we did not examine the issue fully, considering it outside our scope. The Team does believe, however, that CIA was providing other federal

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agencies with intelligence and analysis on terrorist financing prior to 9/11.

~~(TS)~~ In regard to the CIA-specific issues raised in the JI report, the Team:

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- Concurs that the Agency failed to successfully attack Bin Ladin's money, but not for a lack of trying.

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- Disagrees that the Agency did not assess the extent or nature of Bin Ladin's financial resources.
- Agrees that bureaucratic obstacles and legal restrictions inhibited the partnership with the Department of the Treasury from reaching its full potential.
- Disagrees that the CIA did not

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(U) Efforts to Attack Bin Ladin's Money

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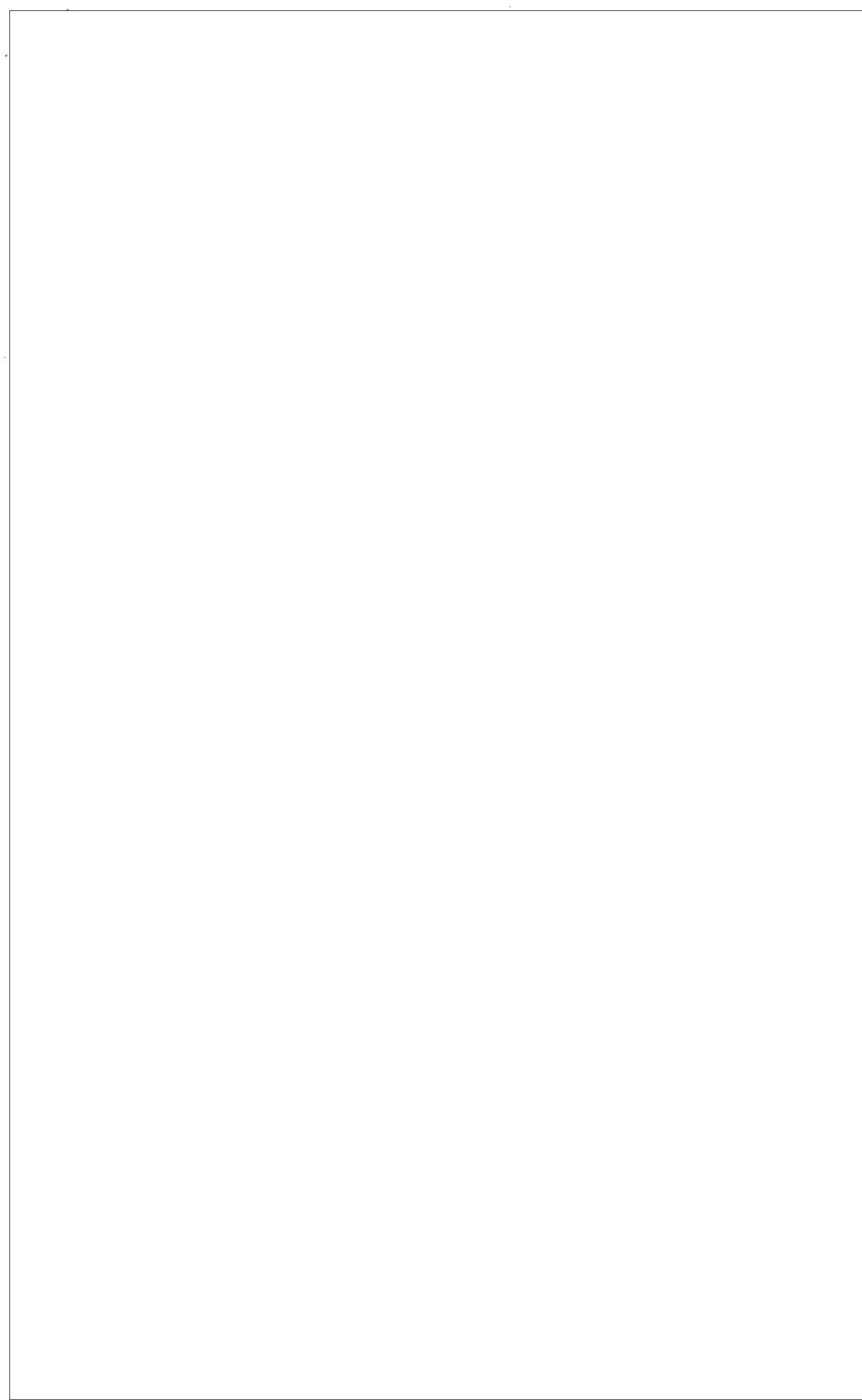
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~~(S//NF)~~ In January 1996, CTC established a virtual station—UBL Station—to "target Islamic terrorist financier Usama Bin Ladin;

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The first Chief of Station (COS) was a senior Directorate of Intelligence (DI) officer;

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²⁴⁷ (U) A hawala receives money for the purpose of making it, or an equivalent value, payable to a third party in another geographic location, whether or not in the same form. The establishment may or may not be documented. These transactions are outside the conventional banking system.

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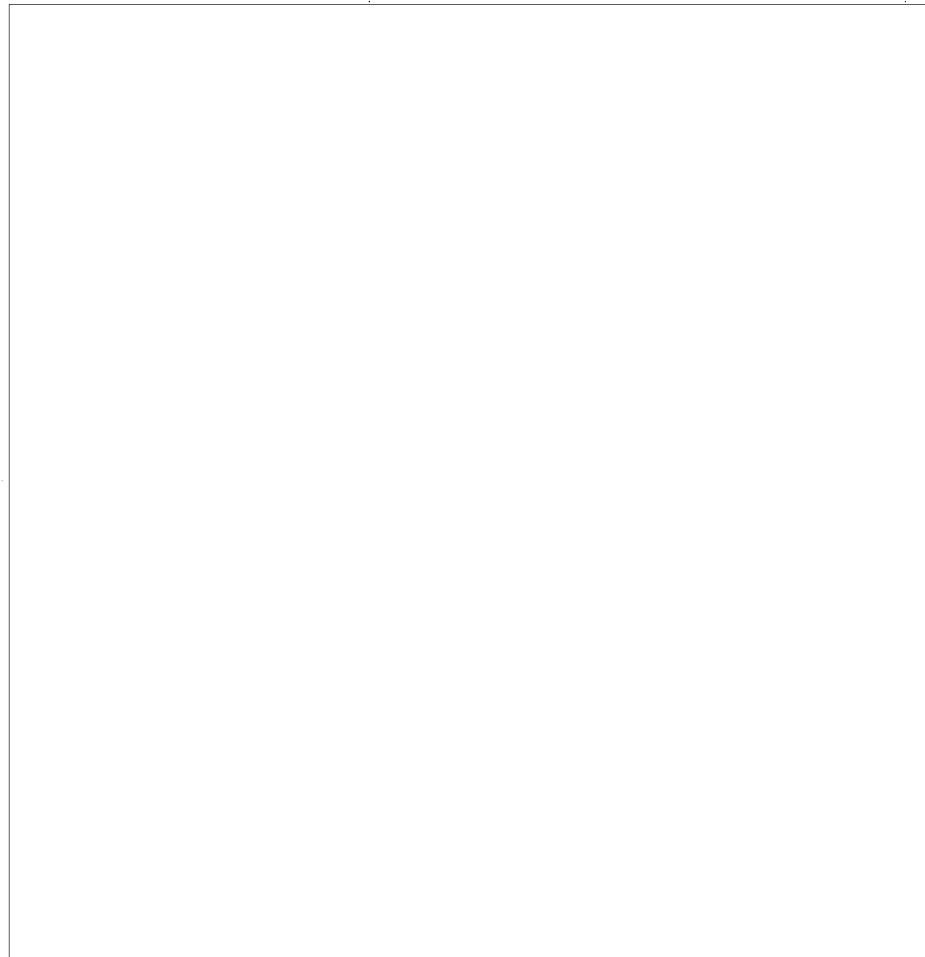
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[redacted] understanding of UBL's finances and received

[redacted] this would not stop

Bin Laden.

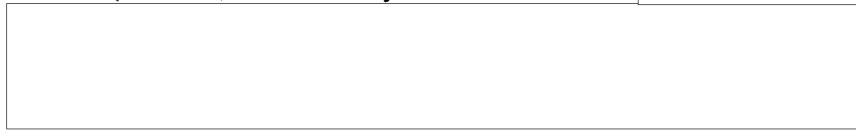
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(b)(3)~~(S//NF)~~ Nonetheless, UBL Station efforts on finances
continued [redacted](b)(1)
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(U) Determining Bin Ladin's Wealth

~~(S//NF)~~ During the years prior to 9/11, analysis of UBL's financial assets was focused in the DI's Office of Transnational Issues (OTI). Analysts in this office prepared six Intelligence Reports (IR) along these lines during 1998-2000.²⁴⁹ Many of these were prepared at the request of the NSC. In addition to the NSC, recipients of this analysis included Treasury, the FBI, and the State Department.

~~(S//NF)~~ Such analysis was difficult. 


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²⁴⁹ ~~(C)~~ In addition, prior to 9/11, the DCI Counternarcotics Center also issued several papers that discussed UBL's role in the narcotics trade.

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"Usama Bin Ladin's Finances: Some Estimates of Wealth,
Income, and Expenditures," [Redacted]

[Redacted]
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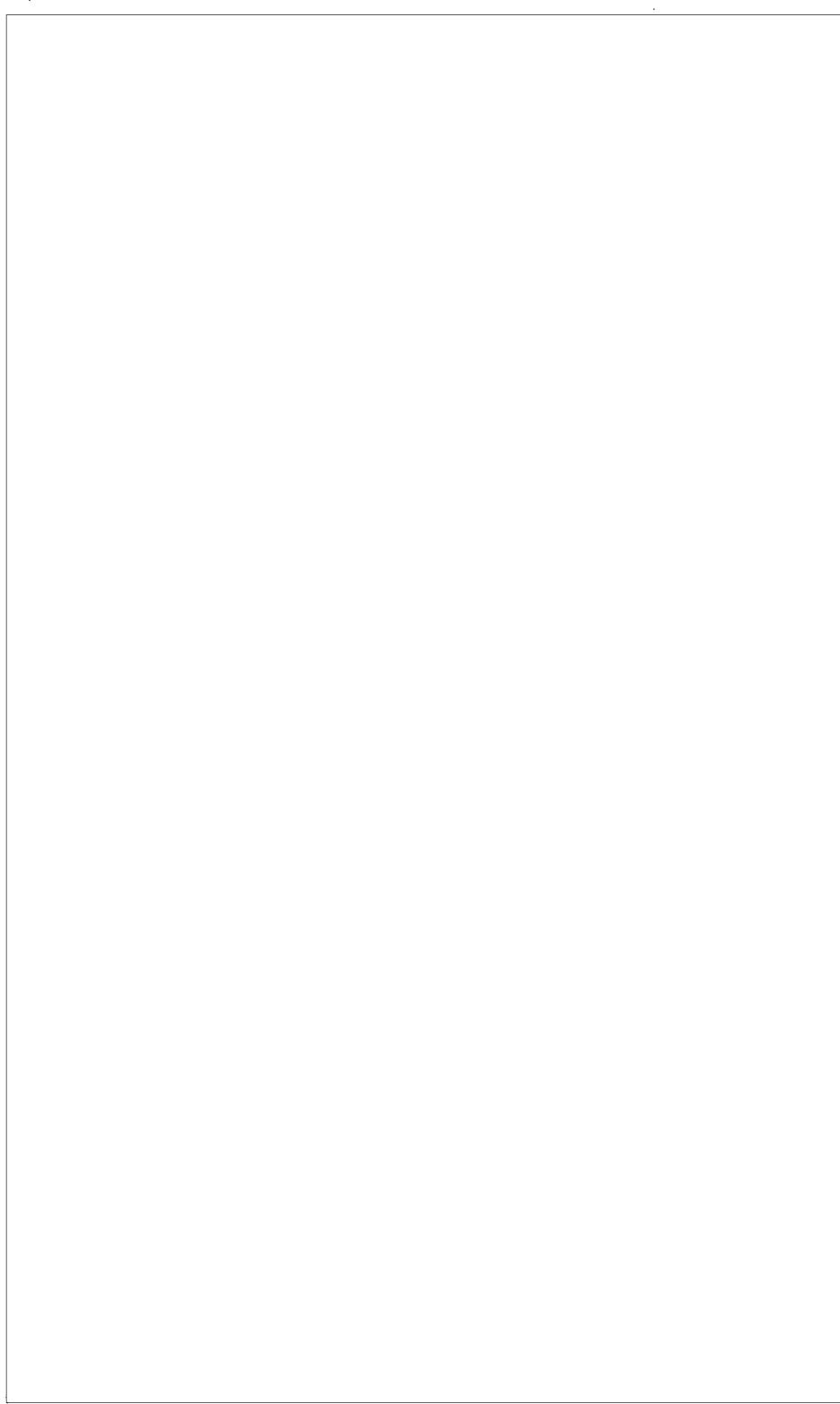
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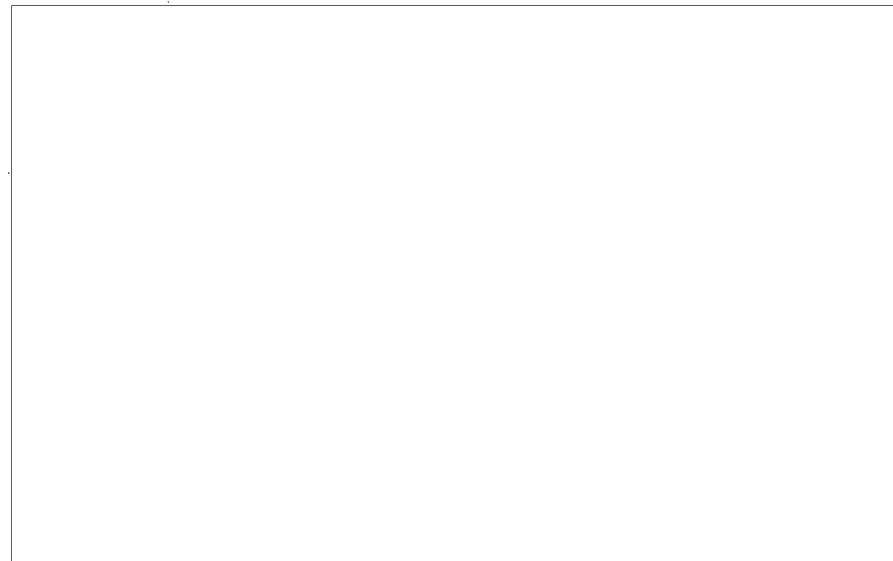


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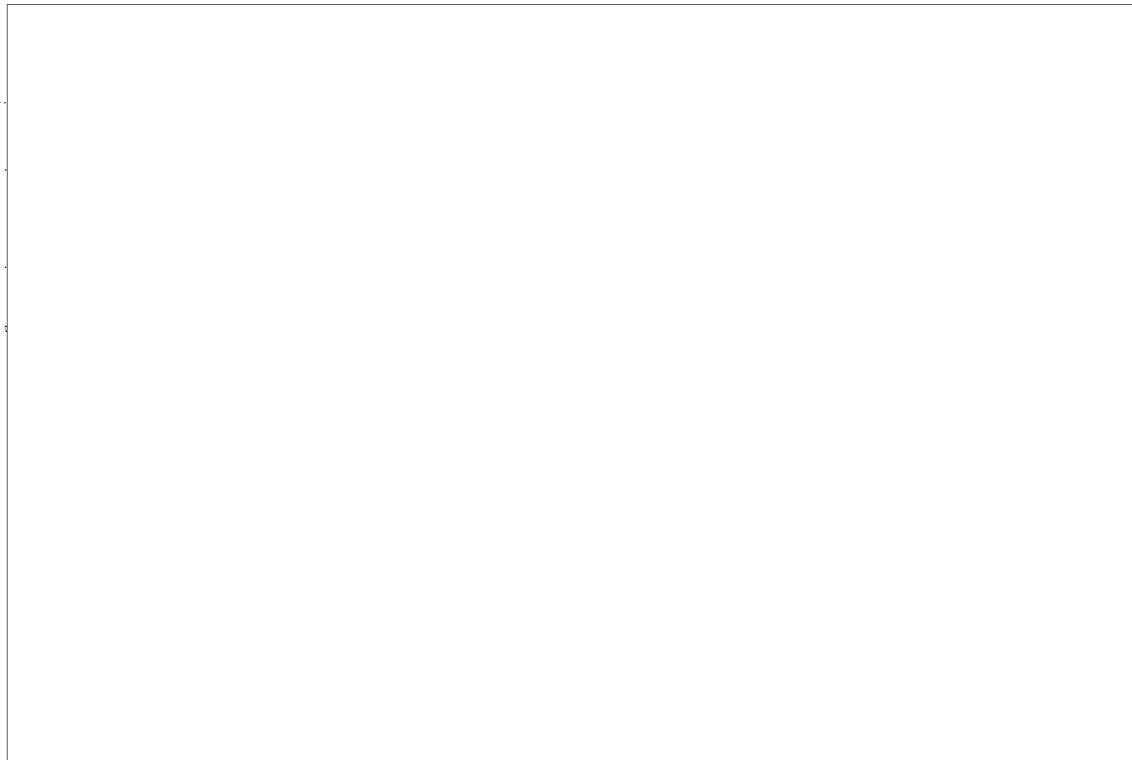
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(U) Accountability

(U) The Team's examination of the facts and circumstances surrounding this issue did not uncover an instance where any CIA person's individual performance could be characterized as lacking. Best efforts were made to pursue the target within the significant constraints imposed.

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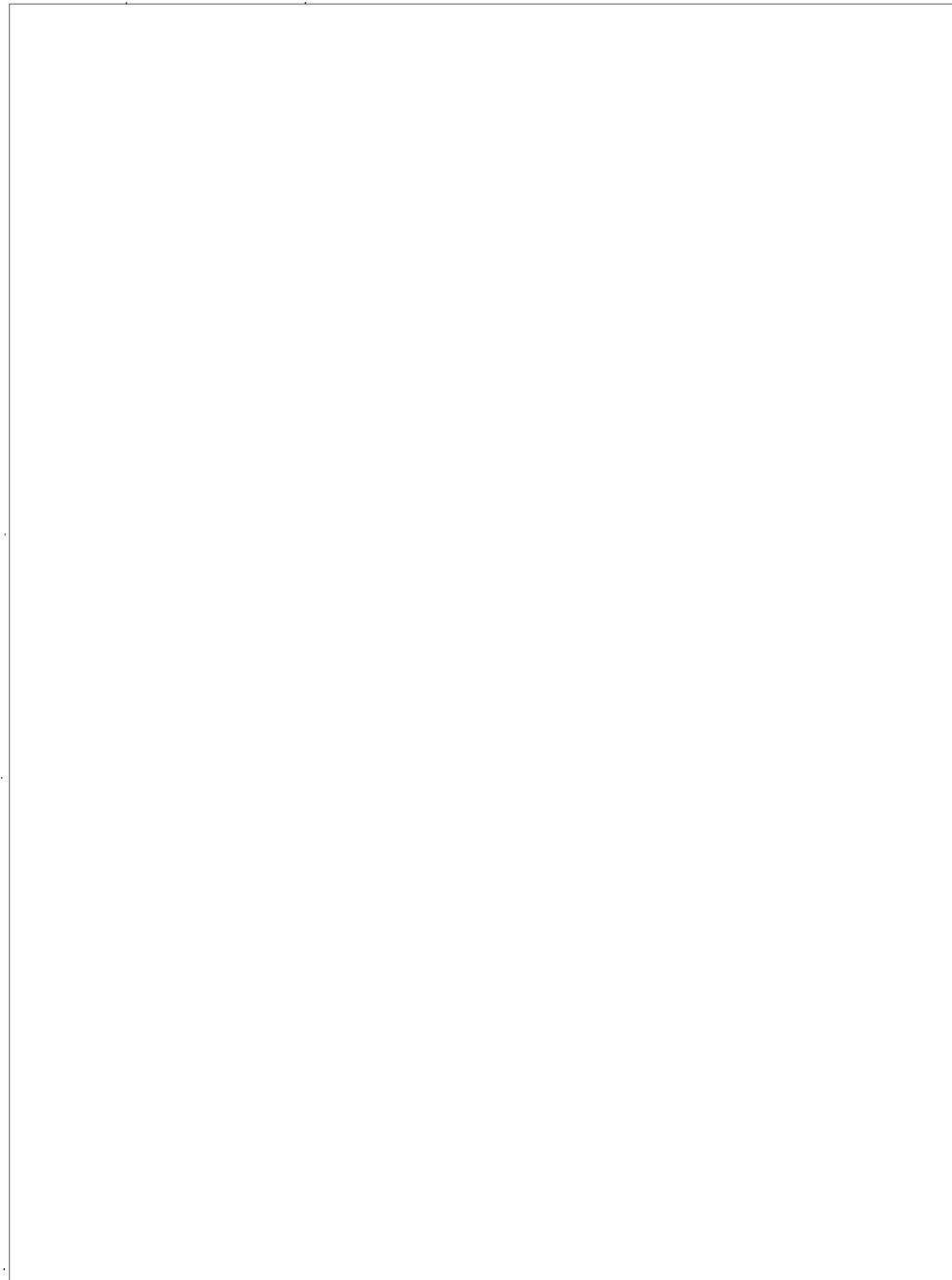
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~~(S)~~ RELATED FINDING 20: ISSUES RELATING
TO SAUDI ARABIA

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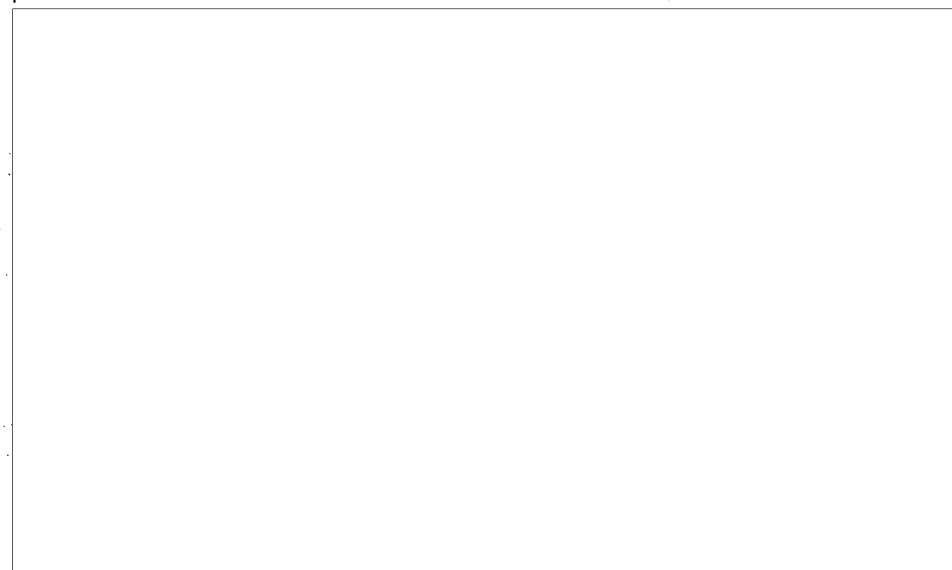
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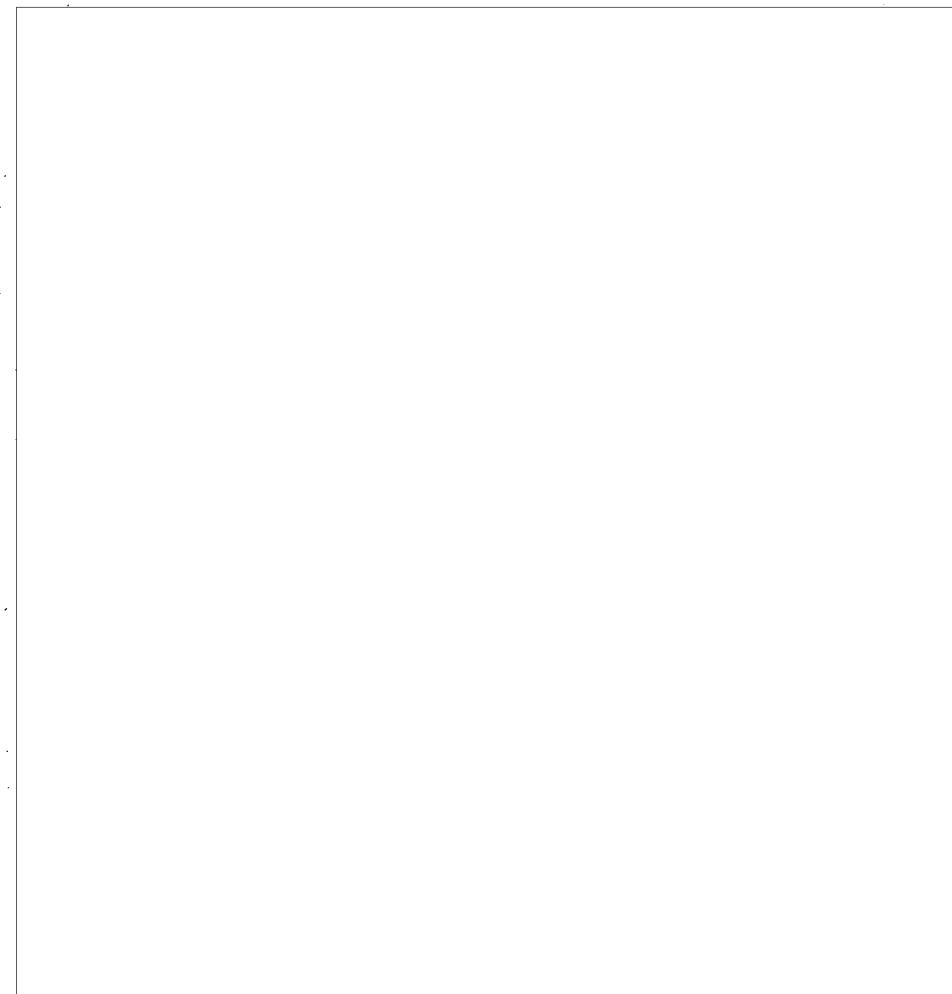
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(U) Joint Inquiry Discussion

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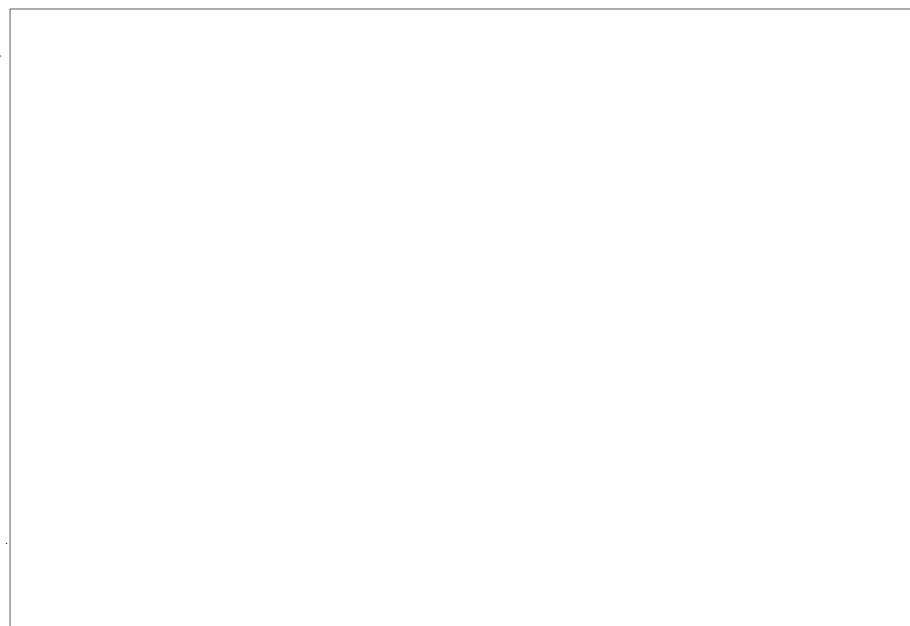


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~~(S)~~ ~~NE~~ The report emphasized that the JI had made "no final determinations as to the reliability or sufficiency of the information" regarding Saudi issues raised by its inquiry.

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(U) Assessment of the Finding(b)(1)
(b)(3)

~~(S)~~ ~~NE~~ Many of the points of this finding relate to the FBI's investigative efforts on the Saudi intelligence presence in the United States and of Saudi officials' contacts with terrorists in the country, and, as such, the Office of Inspector General (OIG) 9/11 Review Team defers consideration of these to the Department of Justice and the FBI. The Team lacks access to the full range of investigative materials in FBI possession and is therefore unable to either concur or dissent on those points. In addition, the Team encountered no evidence that the Saudi Government knowingly and willingly supported al-Qa'ida terrorists. Individuals in both the Near East Division (NE) and the Counterterrorist Center (CTC)

(b)(3)

told the Team they had not seen any reliable reporting confirming Saudi Government involvement with and financial support for terrorism prior to 9/11, although a few also speculated that dissident

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sympathizers within the government may have aided al-Qa'ida. A January 1999 Directorate of Intelligence (DI)/Office of Transnational Issues Intelligence Report on Bin Laden's finances indicated that "limited" reporting suggested that "a few Saudi Government officials" may support Usama Bin Laden (UBL) but added that the reporting was "too sparse to determine with any accuracy" such support. None of the Saudi Government officials named in that report was a member of a [redacted]

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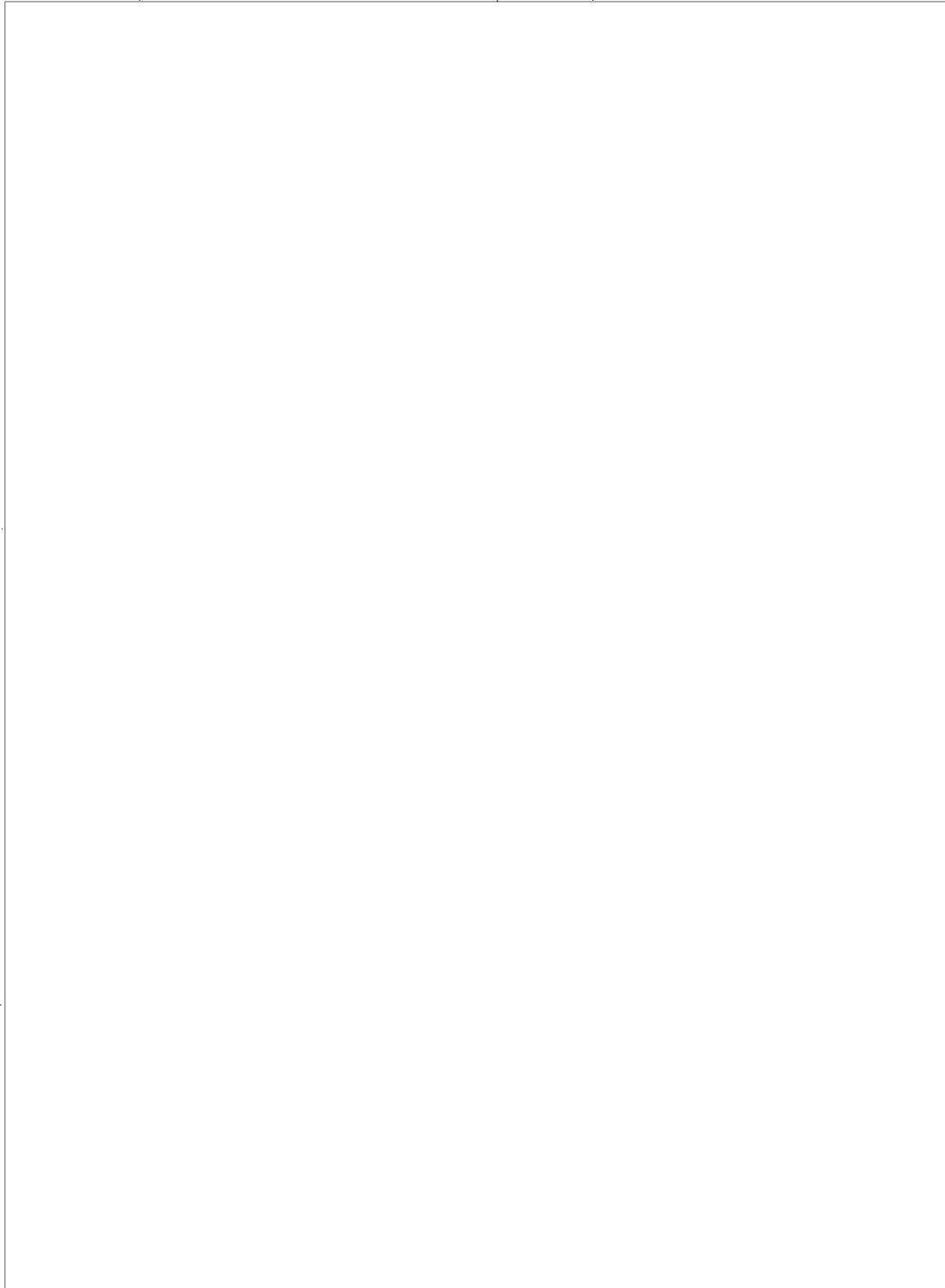
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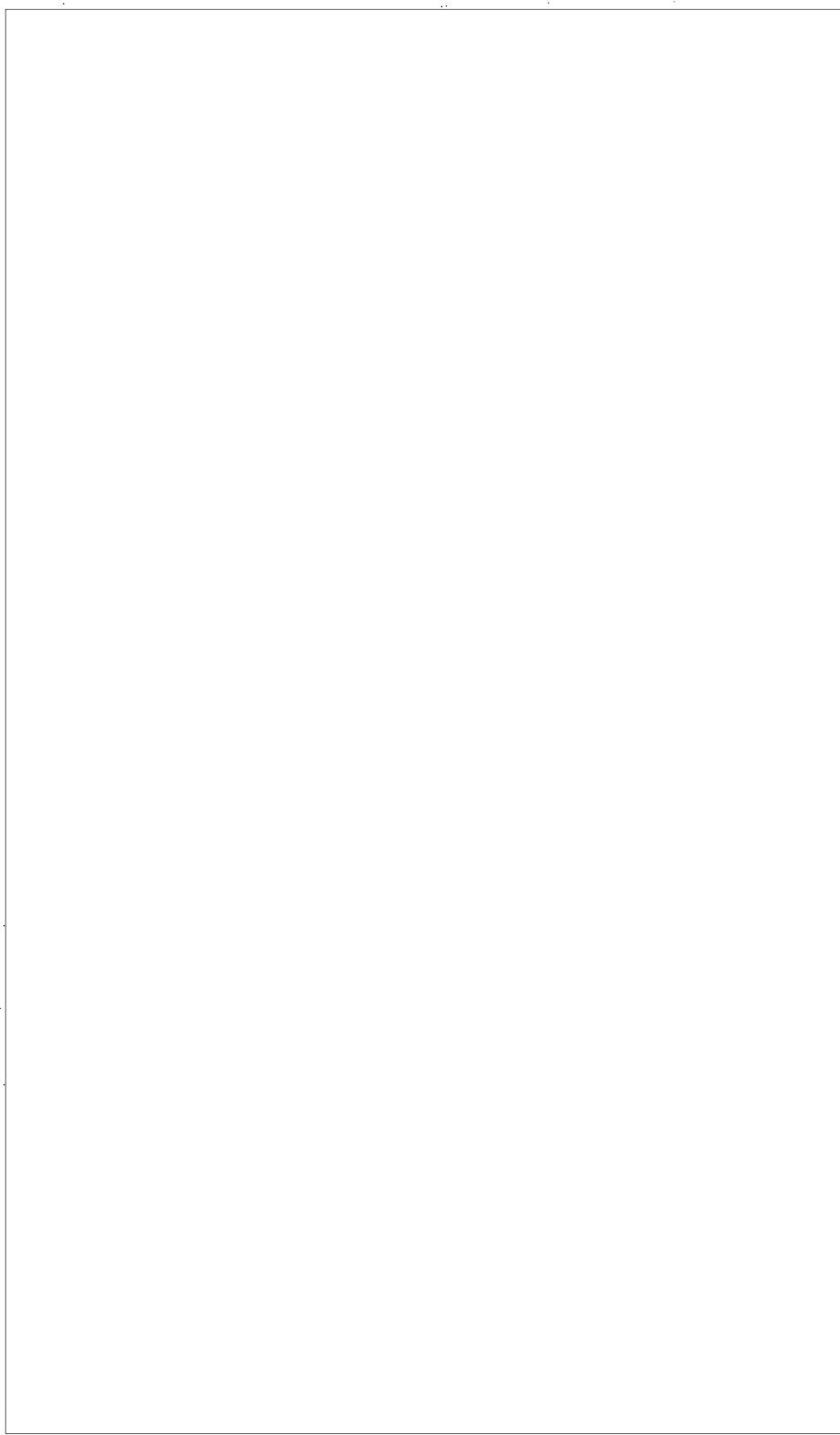
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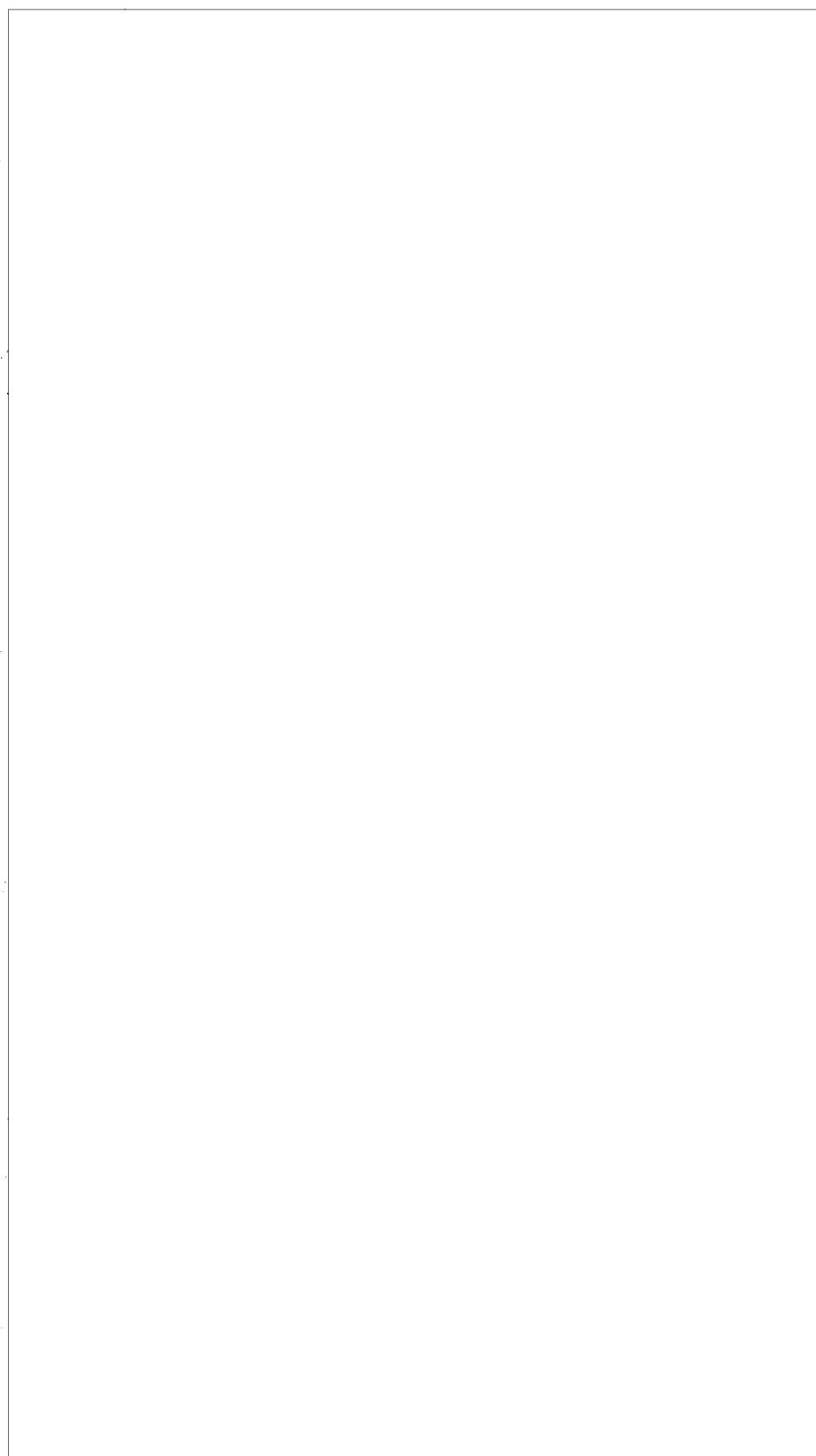
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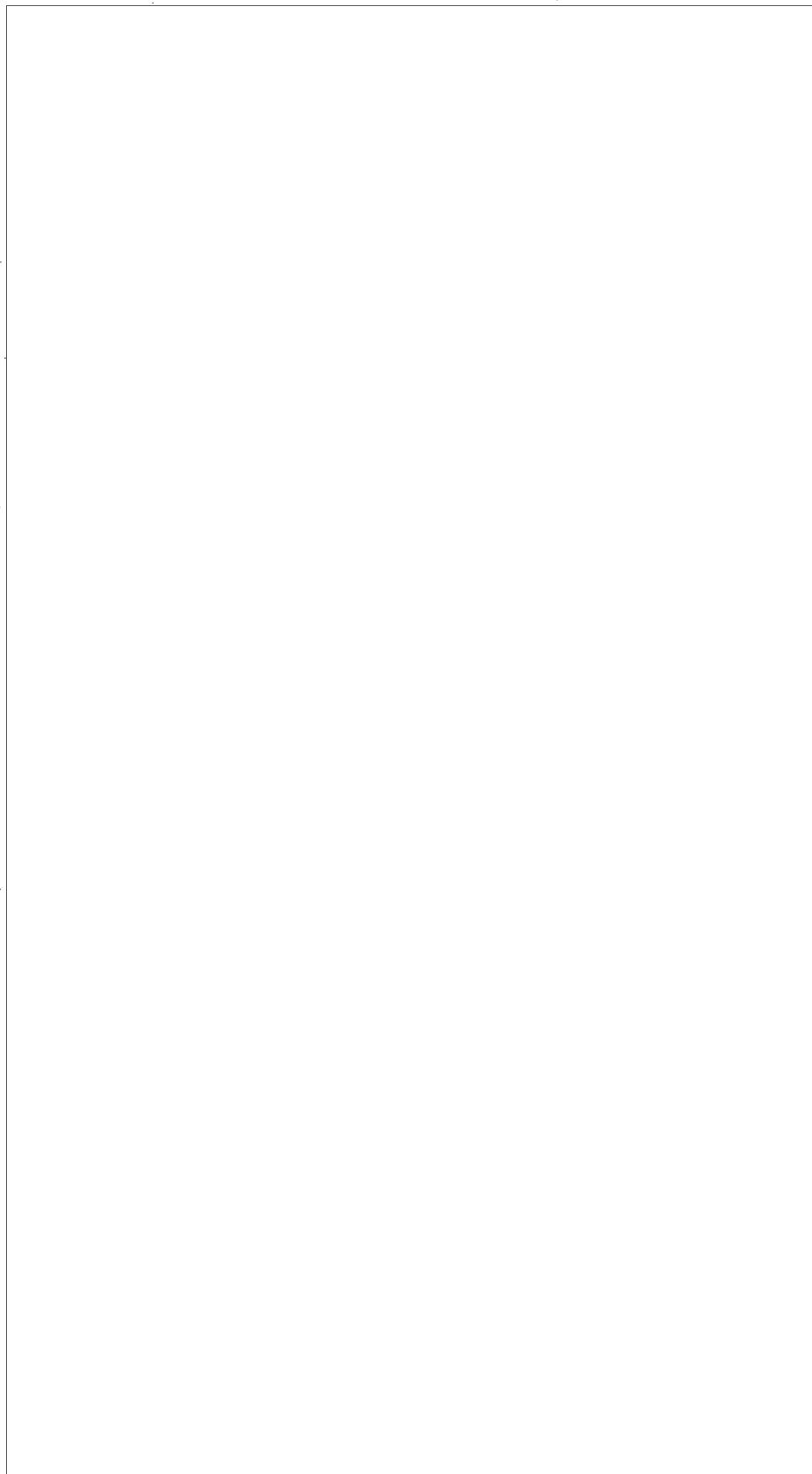


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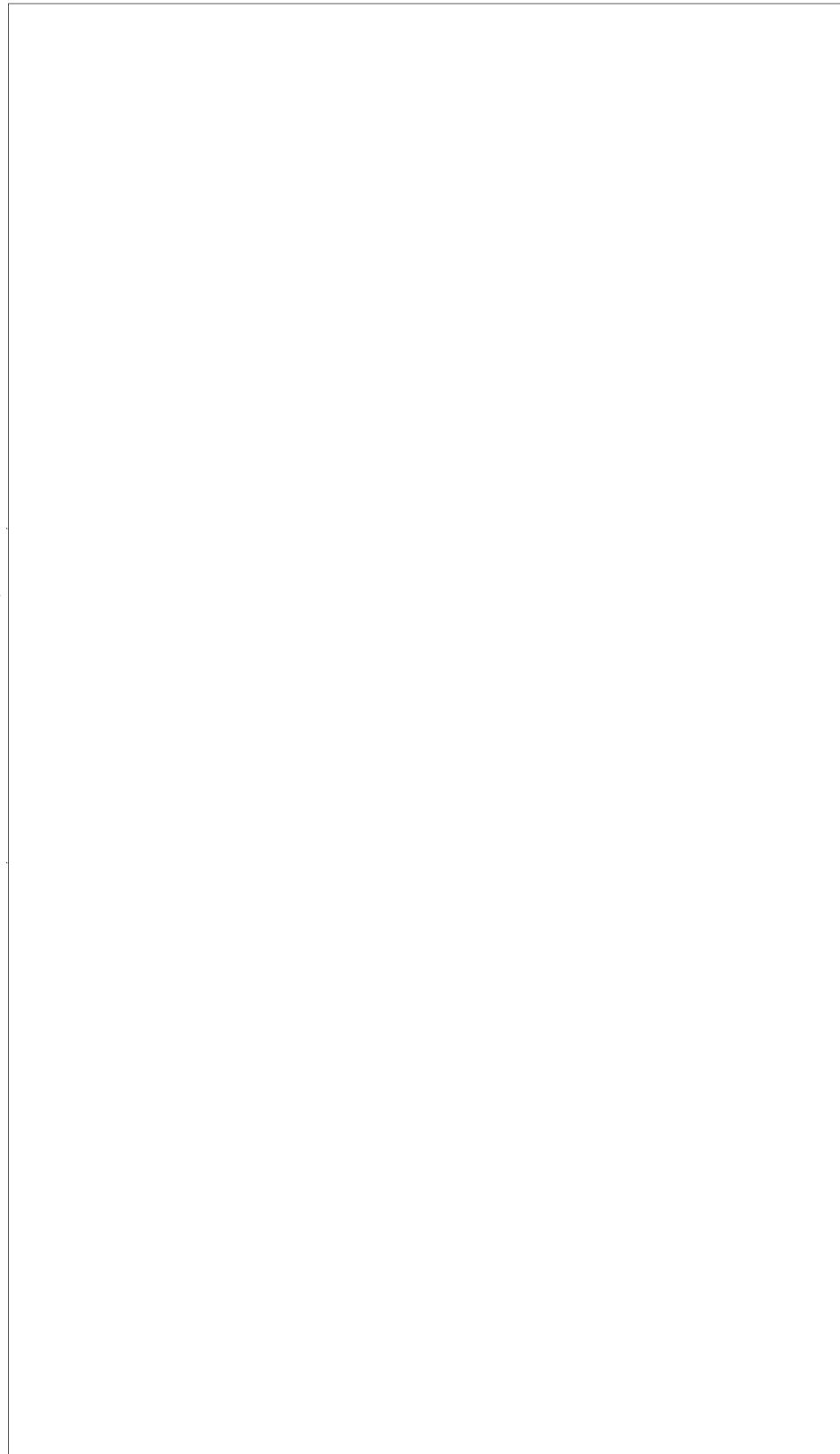
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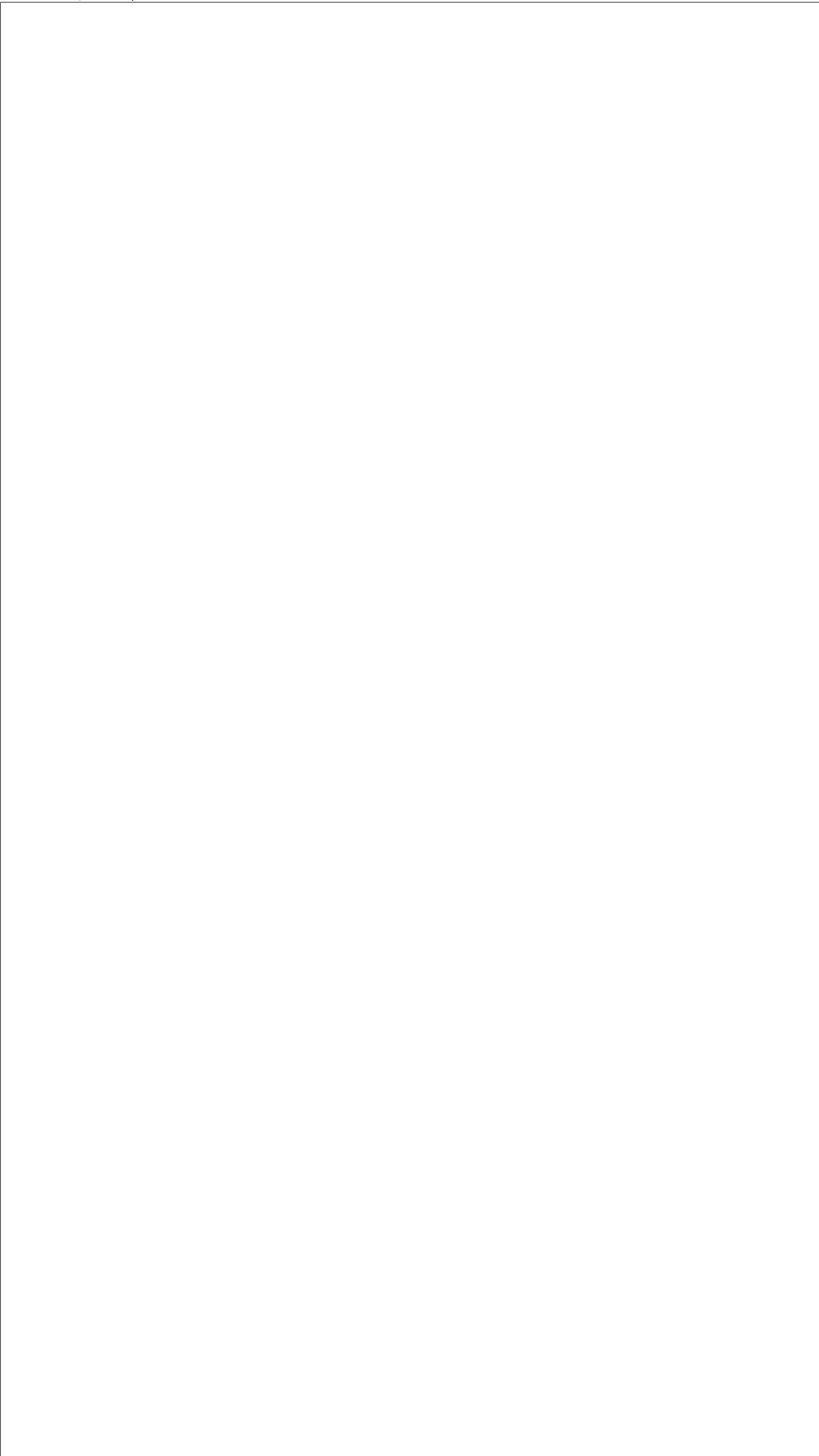
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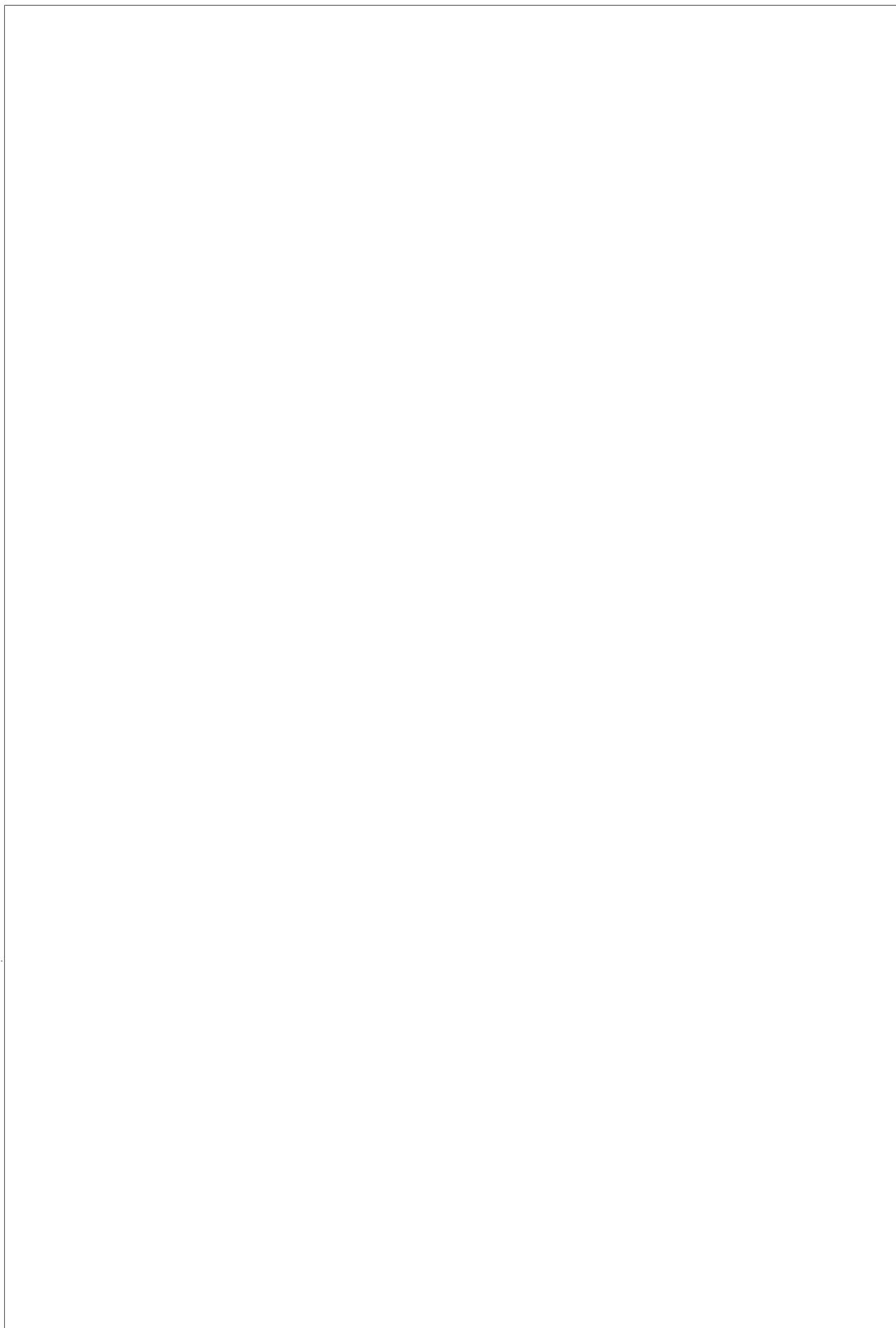
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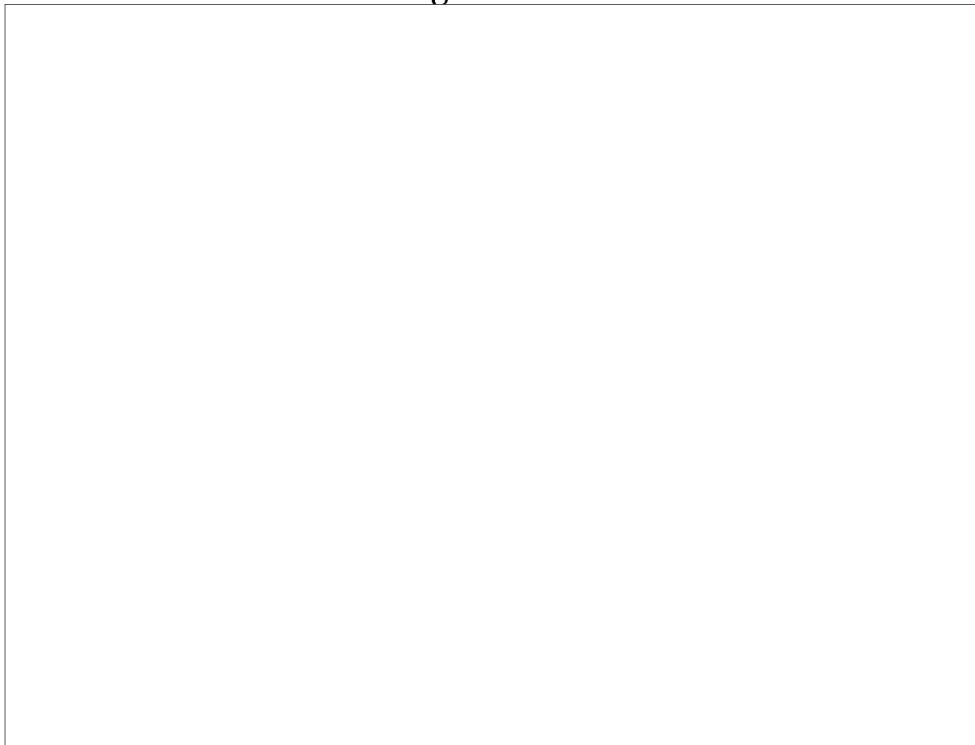
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Figure R20-1



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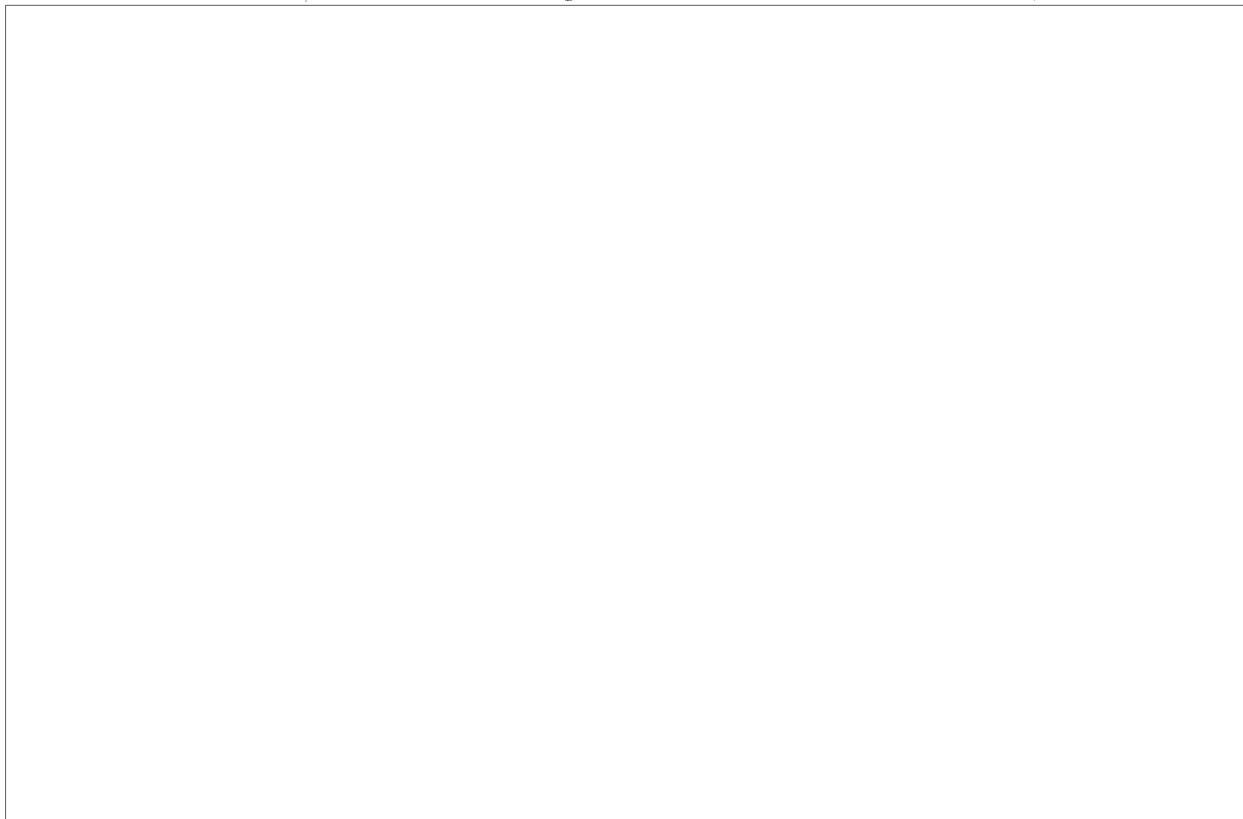
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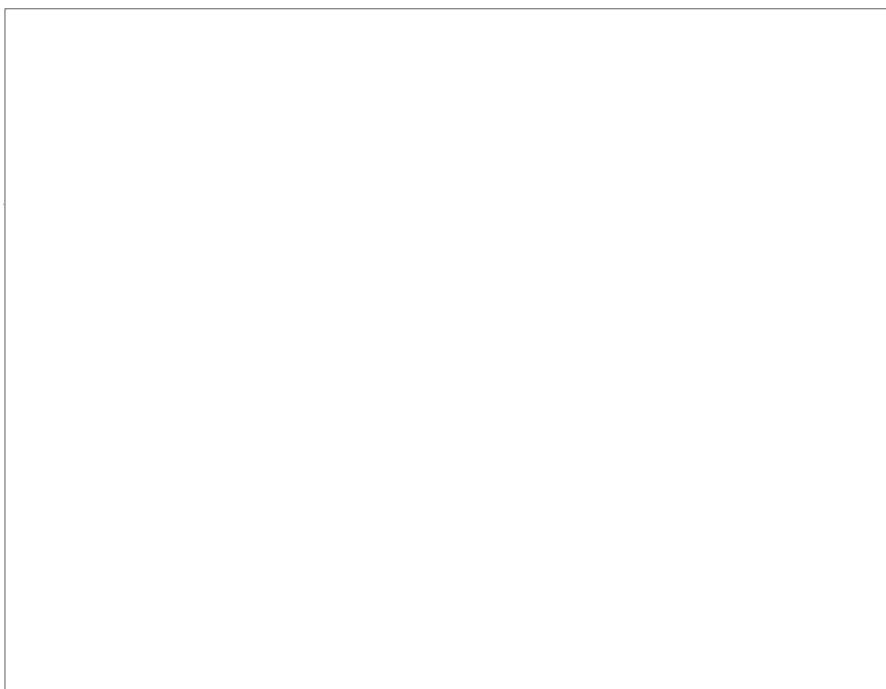
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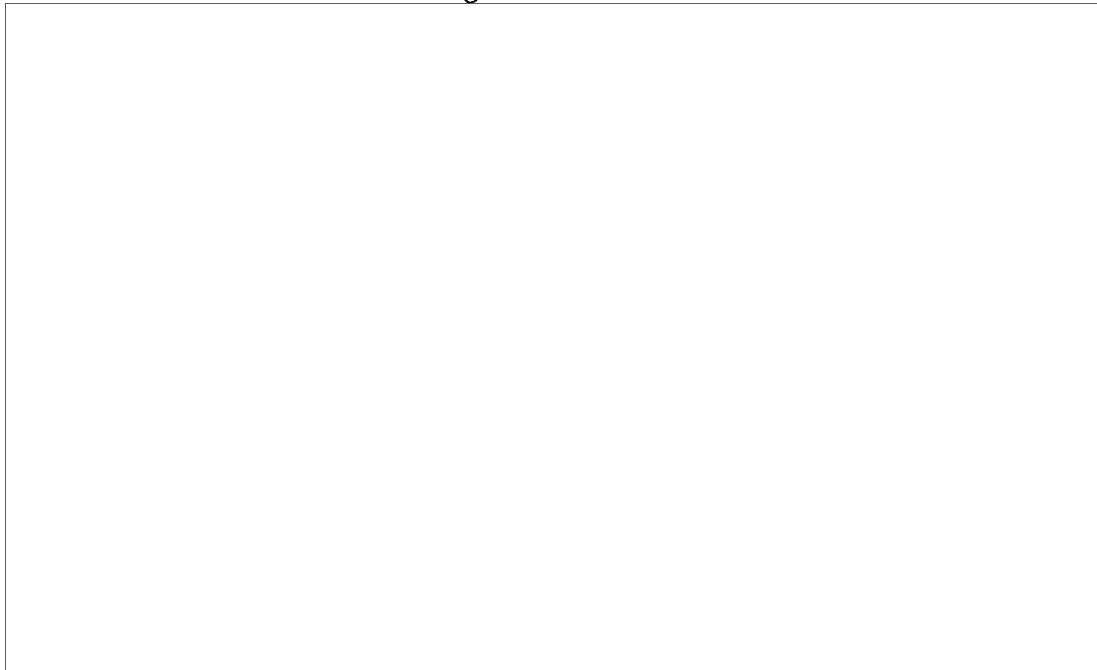
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Figure 20-3

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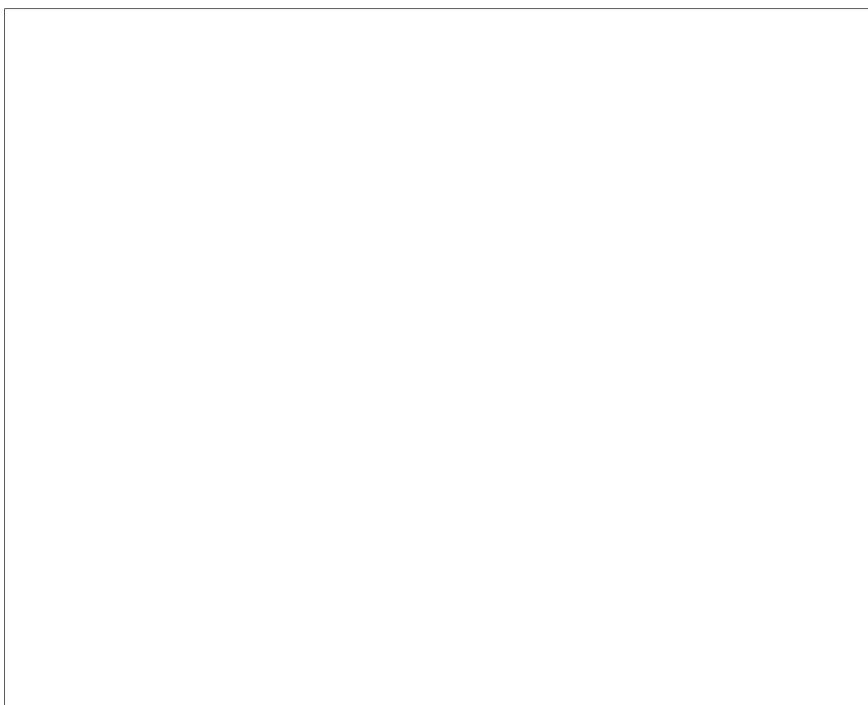
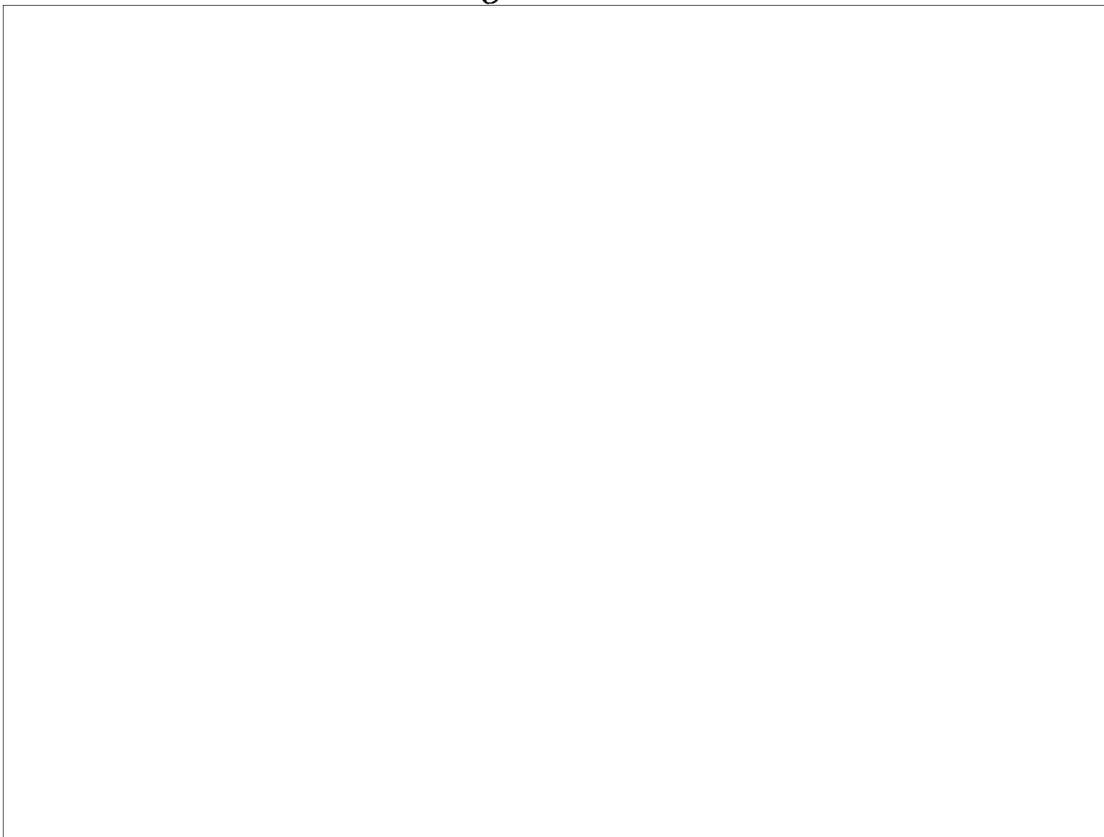
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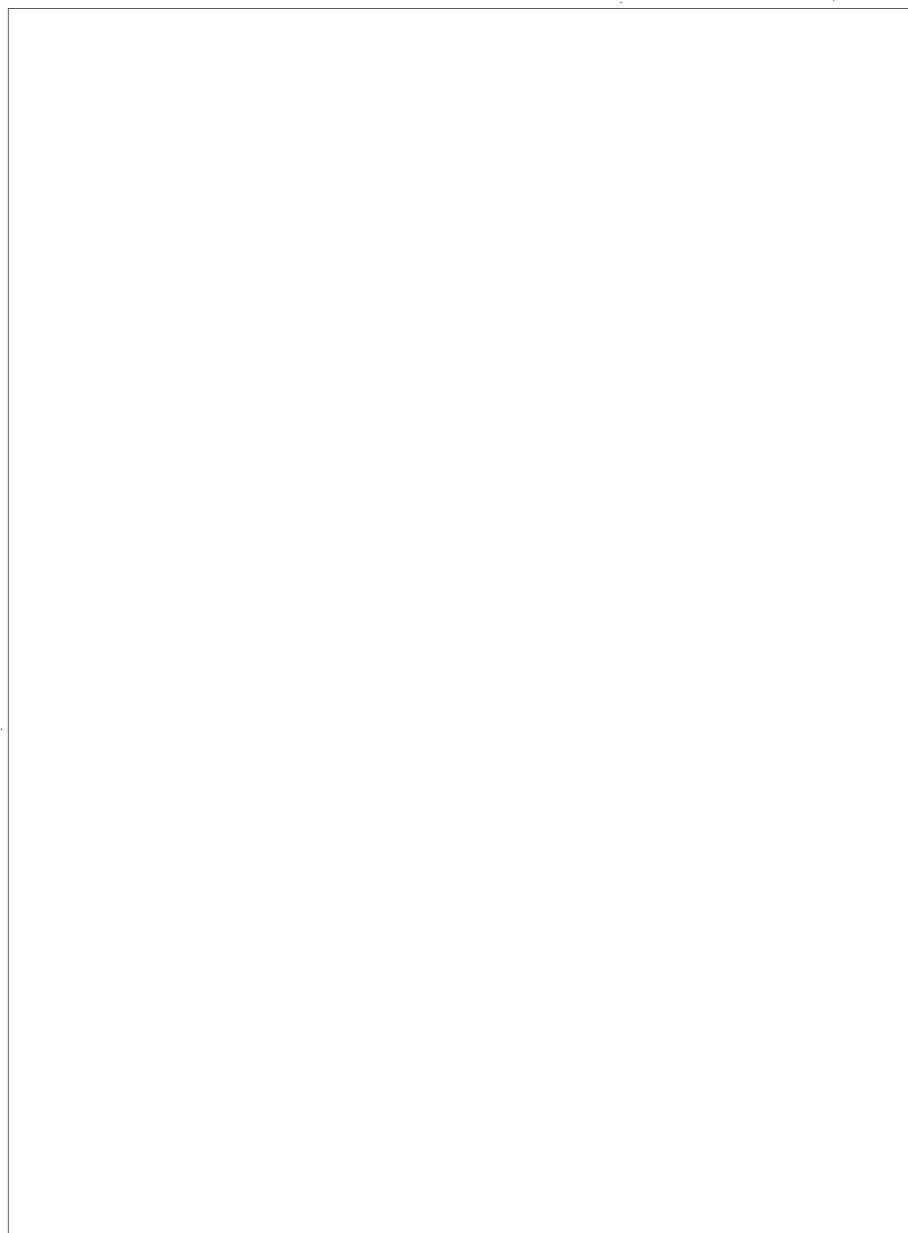
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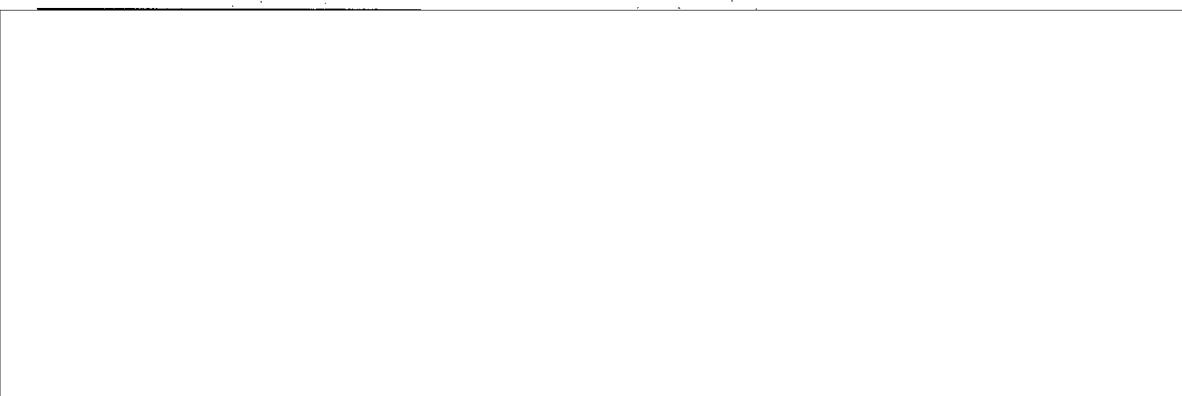
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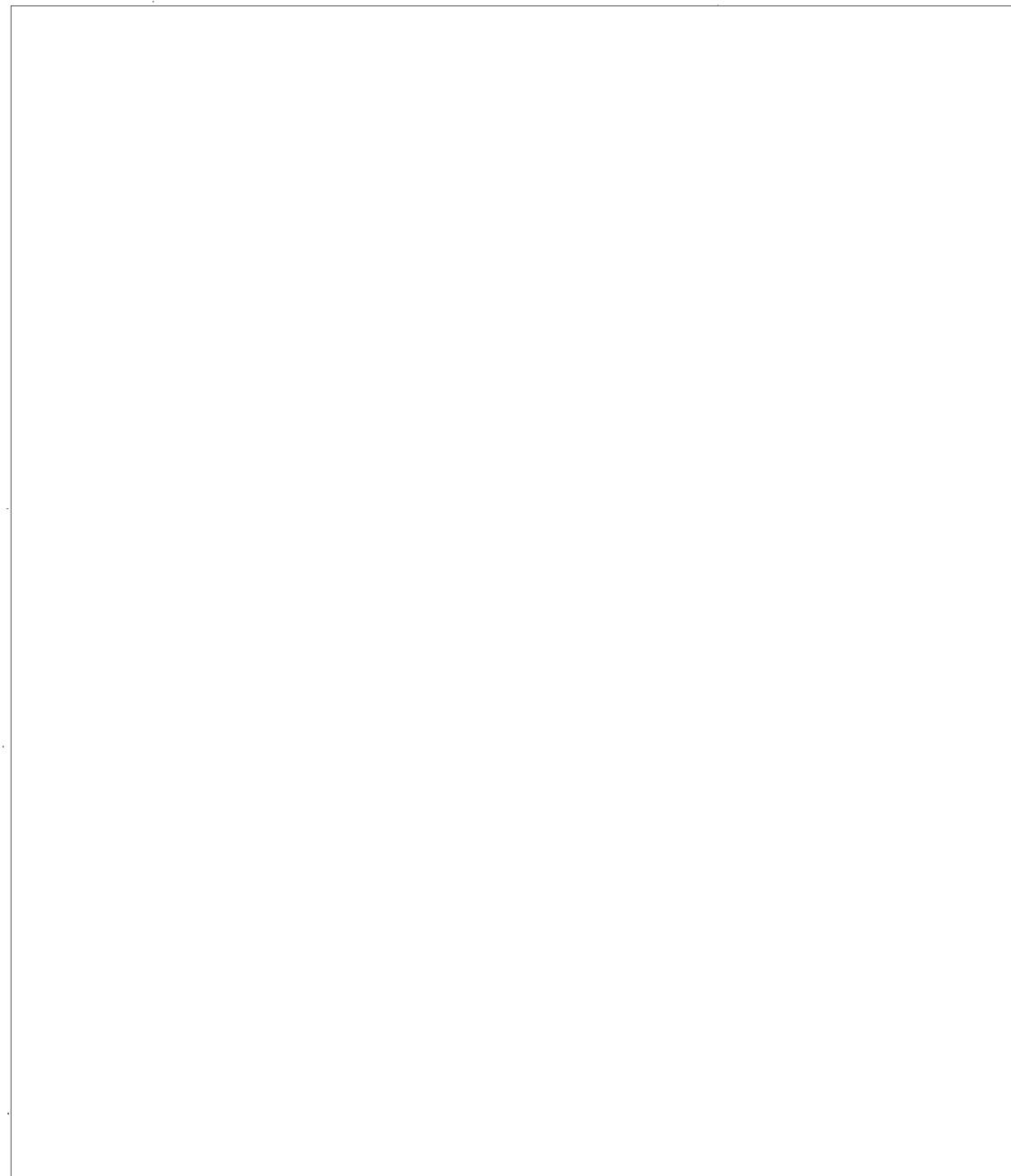


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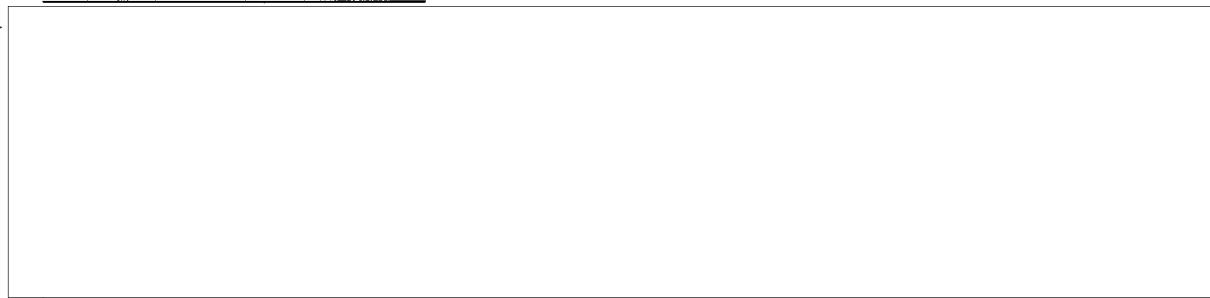
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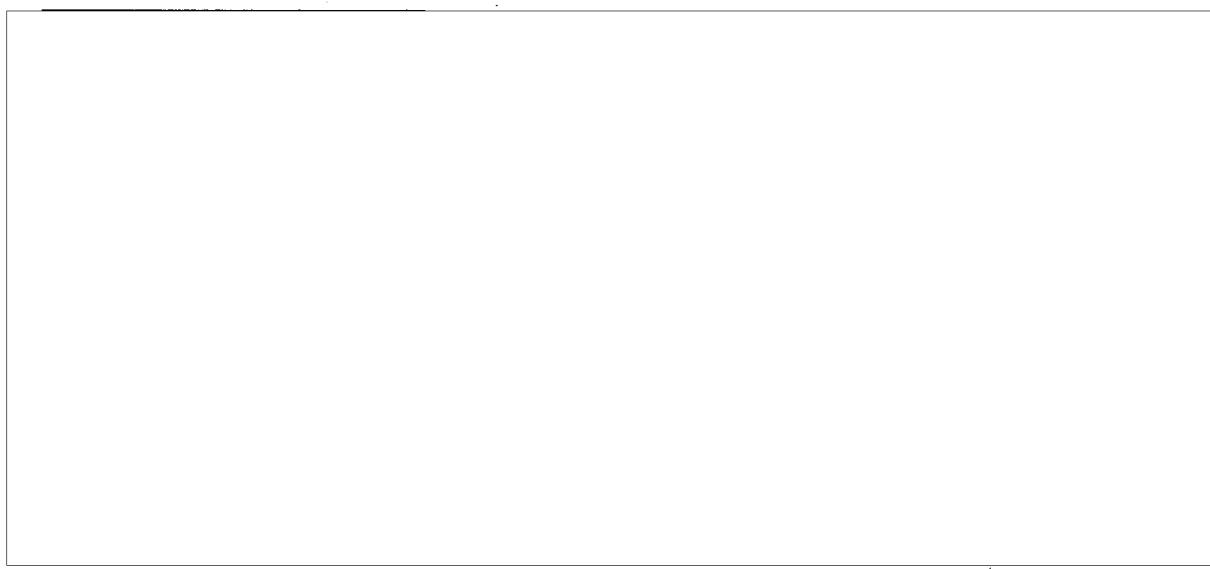
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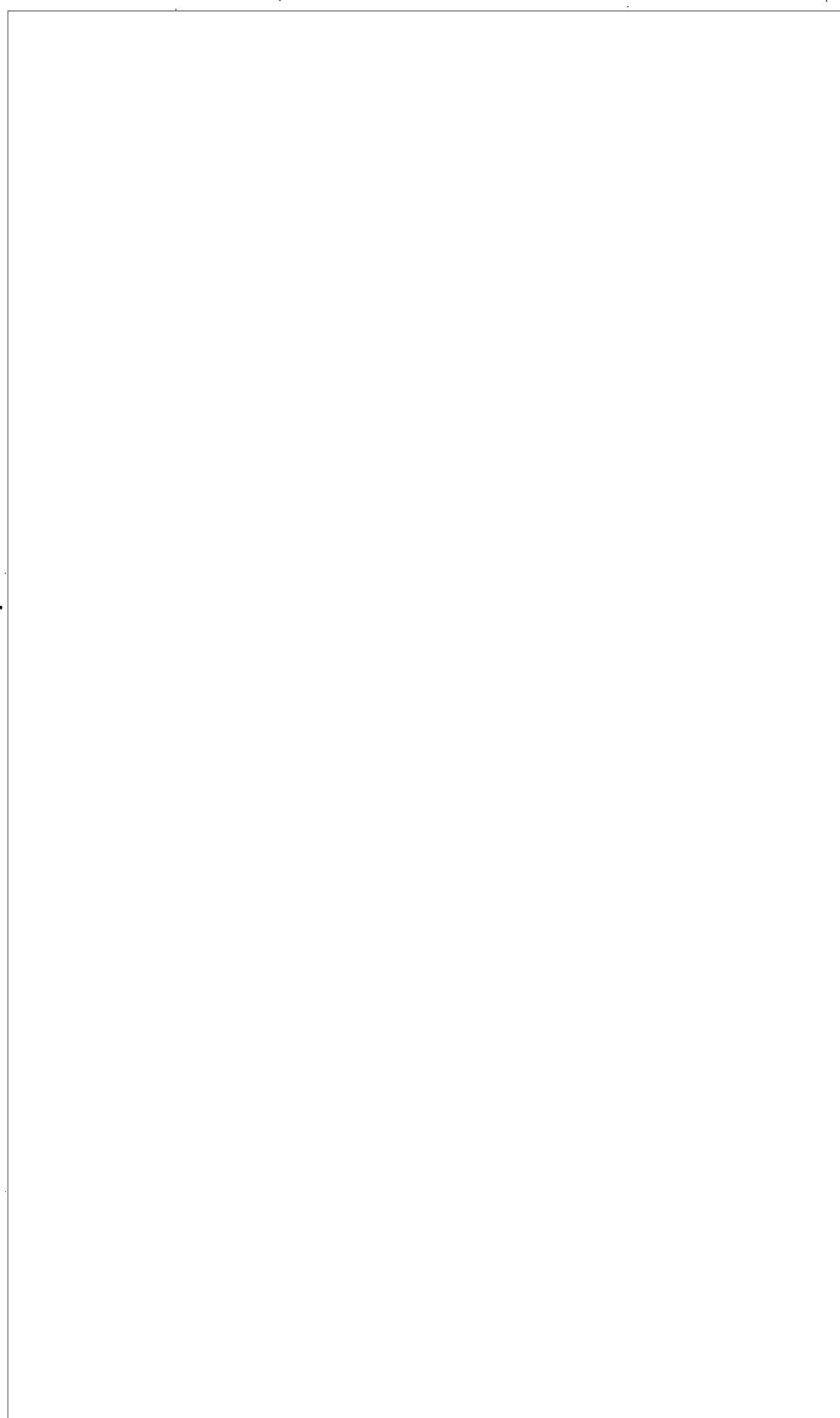
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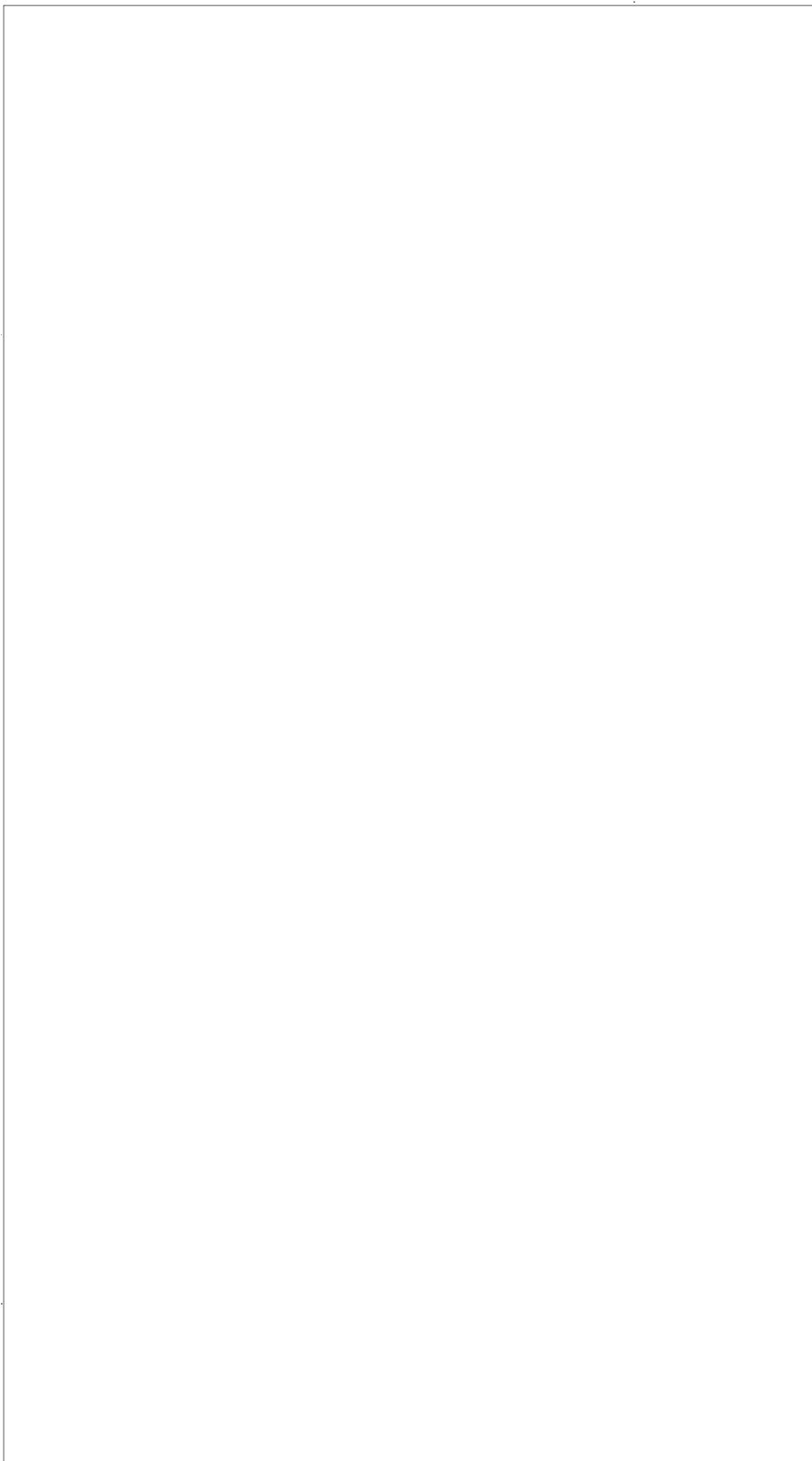
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OIG Report on CIA Accountability
With Respect to the 9/11 Attacks

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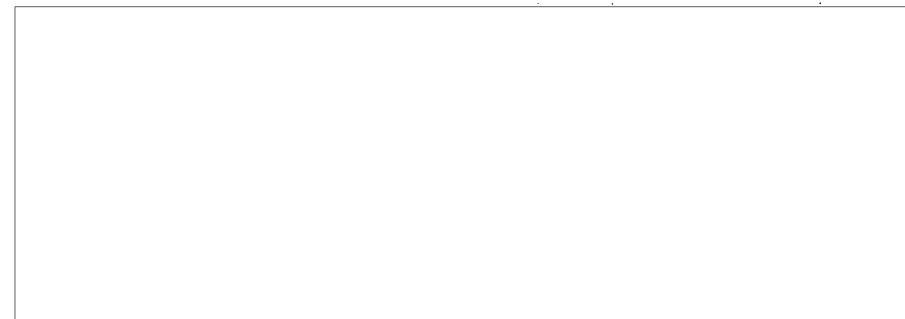
June 2005

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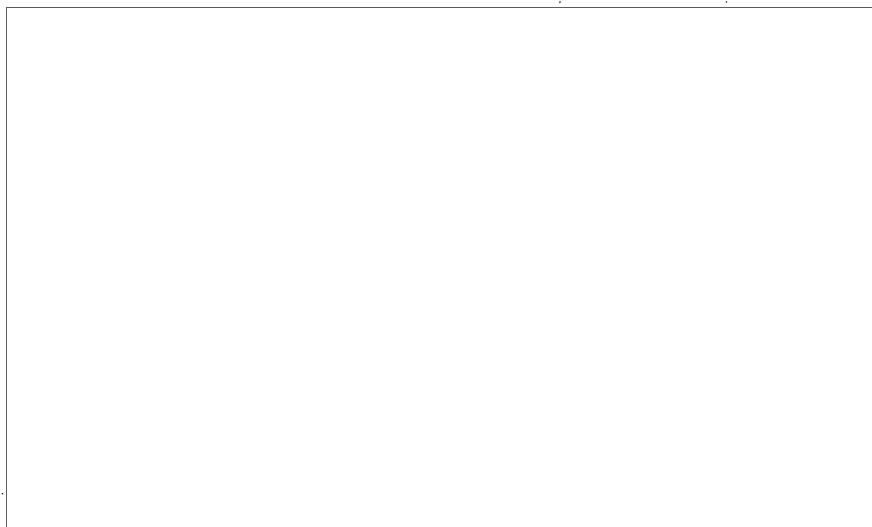
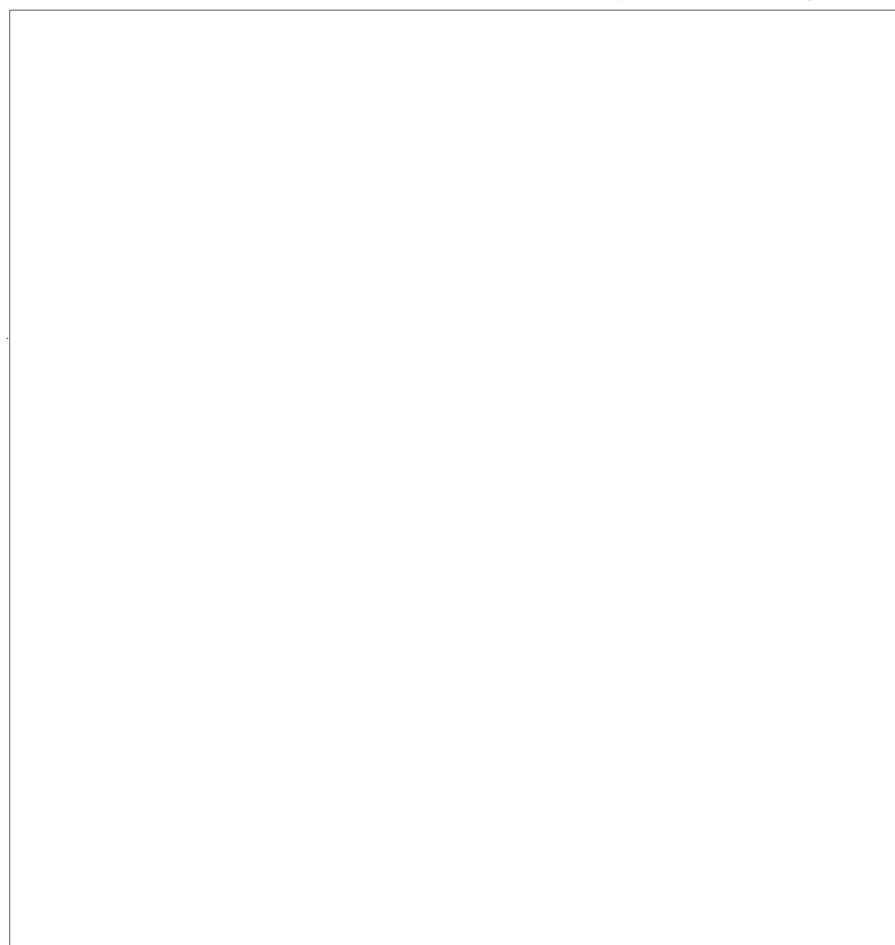
(U) Implications



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(b)(3)



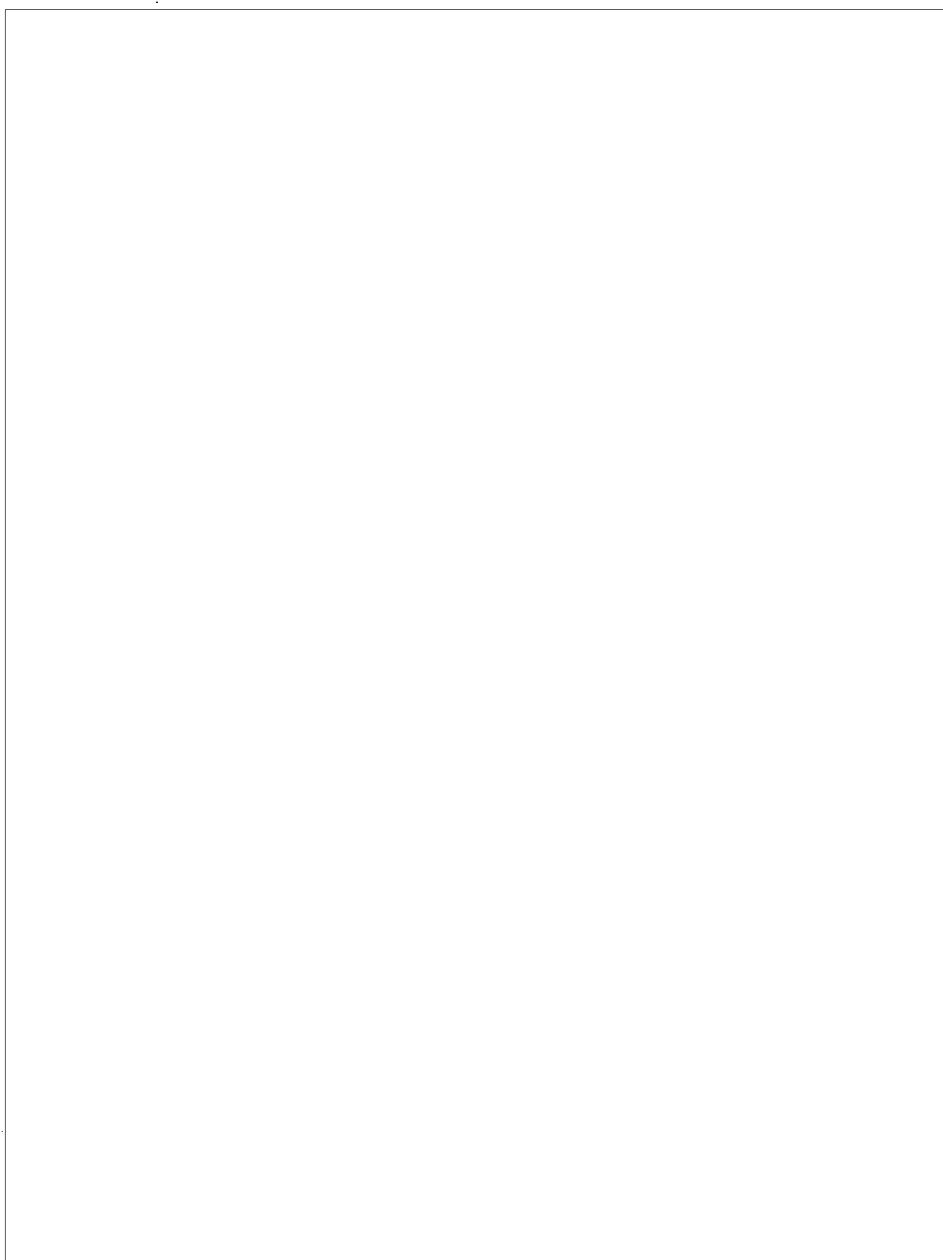
(b)(1)
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With Respect to the 9/11 Attacks(b)(1)
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