(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.

(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.

~~(C)~~ 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

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] 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.

~~(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

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

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] 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

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.

(~~C~~) 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 Sunni Extremist Group, 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.

(~~C~~) 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] 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

failure to produce any [redacted] 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] 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.

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

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.

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

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.

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] 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.

(~~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

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] 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 [redacted] were not effectively engaged in the battle against al-Qa'ida. In the case of [redacted] 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.

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

[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]

~~(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] 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.

~~(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] 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]

~~(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

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

(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

(~~S~~) The Joint Inquiry charged that US policymakers had wanted Usama Bin Ladin 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 Ladin or make covert attacks against al-Qa'ida [redacted] The JI said that the CIA was reluctant to seek authority to assassinate Bin Ladin 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 Ladin and that, before September 11, covert action had little impact on al-Qa'ida or Bin Ladin.

[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 Ladin, 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 Ladin 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

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

[redacted] 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.

[redacted] 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 Ladin's money successfully but finds that this was not for lack of effort. [redacted] The Team also agrees that bureaucratic obstacles and legal restrictions inhibited CIA's partnership with the Department of the Treasury.

(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

[redacted] 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] 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.

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