

What the September 11 commission hearings revealed

Part three: The CIA and Al Qaeda

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The testimony this month before the national commission investigating the September 11 terrorist attacks completely contradicts the longstanding claims by the Bush administration that “no one could have imagined” the use of hijacked airliners as weapons of mass destruction. (National Security Adviser Condoleezza Rice made this claim in May 2002, when it became known that the CIA had briefed President Bush on August 6, 2001, six weeks before the attacks on the World Trade Center and the Pentagon, on the threat of terrorism within the United States directed by Osama bin Laden.)

The CIA issued National Intelligence Estimates (NIEs) in both 1995 and 1997 that warned of attacks on US landmarks in Washington and New York City, and the use of hijacked airliners. This fact was made public by CIA officials who spoke to the media in response to criticisms in the draft report issued by the staff of the 9/11 commission.

The 1995 estimate did not name Al Qaeda, but attributed the threats to Islamic fundamentalists opposed to the US presence in the Middle East. According to an unnamed “senior US intelligence official” quoted in the Associated Press, the 1997 NIE “identified bin Laden and his followers and threats they were making and said it might portend attacks inside the United States.”

According to the AP account: “The intelligence official also said that while the 1995 intelligence assessment did not mention bin Laden or al-Qaida by name, it clearly warned that Islamic terrorists were intent on striking specific targets inside the United States like those hit on Sept. 11, 2001. The report specifically warned that civil aviation, Washington landmarks such as the White House and Capitol, and buildings on Wall Street were at the greatest risk of a domestic terror attack by Muslim extremists, the official said.”

The 1997 estimate contained much more precise data on bin Laden, based on the account of a former top aide who quit al Qaeda when the group shifted its operations from the Sudan to Afghanistan in 1996. The former terrorist walked into a US embassy in the region and provided a large volume of information.

Deputy CIA Director John McLaughlin told the 9/11 commission that the 1997 estimate “included information that people associated with bin Laden had been surveilling institutions in the United States, and that therefore we concluded the likelihood was growing that he would attack in the United States. That was, I think, the most significant finding in the ’97 NIE.”

The Afghan mujaheddin

The subject of the CIA’s longer-term connection with Al Qaeda—whose origins lie in the CIA-organized Islamic fundamentalist mujaheddin who fought in Afghanistan against the Soviet-backed regime in Kabul—was barely touched on in the commission hearing. Commissioner Richard Ben-Veniste, a Democrat and former Watergate prosecutor, raised the subject in a brief exchange with CIA Director George Tenet, which went as follows:

Ben-Veniste: The CIA provided massive aid to the mujaheddin fighting the Soviets in Afghanistan on the theory that our enemy’s enemy could be our friend. What has continued to puzzle and troubled me, George, is this: Didn’t the CIA—knowing the proclivities and the extreme xenophobia of these jihadists, who the CIA had helped to arm and train—why didn’t the CIA seek to penetrate these organizations and keep close track of them in the years that followed the disbanding of the effort in Afghanistan?

Tenet: Well, first of all, there was an accommodation of mutual convenience, because we had a common enemy. And, in fact, if you go back and look at some of the planning that we did, we went back and found people that used to work for us who became part of our networks again. Equally, you found other people that were fighting you, people who had become jihadists. There are people in Afghanistan today fighting us that we knew way back when, and people in Afghanistan today who are on our side. So, I mean, we had an advantage in terms of understanding all of the personalities on the ground, who they were, what their networks looked like, so it was a plus. But, you know, we drove the Russians out and essentially the United States left Afghanistan right after all of that, and the Taliban emerged and took a country down and allowed a terrorist organization to run a state. So the history here is interesting on all sides.

Ben-Veniste: But given the fact that these were people trained in lethal modalities, who hated foreigners in Muslim countries, which is a basis of their attempt to throw the Russians out, don’t you think you could have been more effective following up on some of these personalities, who include Osama bin Laden?

Tenet: Well, but we didn’t train him, Richard. But the point of the matter is, a guy like Masood [Mohammed Shah Masood, head of the Northern Alliance who was assassinated September 9, 2001] is somebody we met in this conflict and continued to work with. I mean, you know, we kept track of some of these people. We didn’t keep track of all these people. Many of them show up as jihadists in other conflicts around the world.

Ben-Veniste’s questioning was perfunctory, and Tenet’s replies raise more questions than they answer. He concedes that the CIA had enormous opportunities in seeking to penetrate Al Qaeda, particularly in its Afghanistan base, because of the longstanding relationship with the anti-communist Islamic fundamentalists who were recruited for the war against the Soviet army in the 1980s by then-CIA Director William Casey.

But after Tenet's concession that "we had an advantage in terms of understanding all of the personalities on the ground, who they were, what their networks looked like, so it was a plus," the commission simply dropped the subject.

This comment, however, makes nonsense of the claim that it was impossible to forestall the September 11 attacks because the CIA had no "assets" within the camp of Al Qaeda. Clearly, the CIA was in far better position to understand bin Laden and his cohorts, know their movements and operations, even influence their decisions, than it was with targets of American intelligence activities in many other parts of the world. The question which was not raised in the commission hearing, and has rarely been voiced publicly, is when, or even if, the CIA actually parted company with bin Laden, its former comrade-in-arms.

Incompetence or obstruction?

This background provides the necessary context for assessing the claims that instances of CIA failure to pursue the investigation into Al Qaeda, documented in the draft report of the commission staff or in televised questioning of the major witnesses, were to be explained as "mistakes." Rather than mere incompetence, these incidents suggest a systematic pattern of obstructing aggressive action against Al Qaeda operatives. The incidents include the following:

* As early as 1999, the CIA was given the first name and telephone number of one of the future hijackers, Marwan al-Shehhi, believed to be the pilot of United Airlines Flight 175, one of the planes that struck the World Trade Center. The German intelligence service obtained the name and phone number, but al-Shehhi was never located, although he continued to use the phone number during the period before the attacks.

* In early 2000, as noted in a previous part of this series, the CIA learned that two of the future hijackers, Khalil al-Mihdhar and Nawaf al-Hawazmi, had attended an Al Qaeda meeting in Malaysia. A clandestine search of al-Mihdhar's hotel room produced a photocopy of his passport, showing a visa stamp permitting him to enter the United States. When the two flew to Bangkok, in the company of a third Al Qaeda member, the CIA failed to notify its Bangkok station in time to track the movements of the suspected terrorist with a US entry visa. Only after the fact, the agency says, did it learn that al-Mihdhar and al-Hawazmi had boarded a flight from Bangkok to Los Angeles, indicating their final destination was New York City.

* The CIA did not inform any domestic US police or security agency until August 2001 that the two suspected Al Qaeda operatives had arrived in the United States early in 2000. During this time, al-Mihdhar and al-Hawazmi were listed in the San Diego phone book, al-Hawazmi took flight training, and al-Mihdhar applied for and received a reentry visa from the US State Department, which had never been asked to add his name to its terrorist watch list. The two men's names only reached the Los Angeles FBI office on September 11, 2001, a few hours after they had boarded American Airlines Flight 77, the plane that was hijacked and crashed into the Pentagon.

There are allegations of CIA contact with other hijackers that have been raised in the European press but never pursued either in the US media or the 9/11 commission. The German public television network ARD and the British newspaper the *Guardian* reported in late 2001 that alleged hijacking ringleader Mohammed Atta had been the subject of monitoring by American intelligence agents for several months in 2000, during the time when he traveled between Hamburg and Frankfurt and bought large quantities of chemicals that could be used to make explosives. Yet in the first several months of 2001 Atta went in and out of the United States

several times, never being stopped by immigration authorities, although his tourist visa had expired.

Once again—the strange case of Zacarias Moussaoui

By far the most important revelation about the role of the CIA in September 11 to emerge from the commission hearings is a fuller account of the case of Zacarias Moussaoui, the Al Qaeda supporter who is now on trial for his alleged connection to the terrorist attacks. Moussaoui was arrested on August 13, 2001 on immigration charges after his conduct at a Minneapolis-area flight school aroused suspicion. He demanded to learn how to fly a Boeing 747, despite limited training and no aptitude for flying smaller planes. He was loud, intolerant and paid cash.

As is now well known, the FBI agents in Minneapolis recognized that Moussaoui's case was of potentially great significance. They forwarded a request to FBI headquarters in Washington for a warrant to search Moussaoui's computer and conduct other standard investigatory measures, but an FBI supervisor, David Frasca, turned them down. Top FBI and Justice Department officials said they were never informed of the request until after September 11.

But according to the testimony before the 9/11 commission, the same information was routed to the CIA and went right to the top. The Moussaoui case became known to CIA officers working on a joint FBI-CIA counterterrorism task force in the Twin Cities, and they sent the details swiftly up the chain of command—first to Director of Operations James Pavitt and Deputy CIA Director McLaughlin a week after Moussaoui's arrest, and then, on August 23 or 24, to Tenet himself.

Tenet told the 9/11 commission that he had received and read a briefing paper on Moussaoui, the headline of which was "Islamic Extremist Learns to Fly." This extraordinary document—the existence and title of which had not been previously disclosed—was followed by even more extraordinary inaction. The director of the CIA, after nearly a decade of increasing warnings of Al Qaeda terrorist attacks and threats of hijackings and the use of airliners as weapons, read the report, and did nothing.

As the commission staff report observed: "In late August, the Moussaoui arrest was briefed to the DCI [Director of Central Intelligence—i.e., Tenet] and other top CIA officials under the heading 'Islamic Extremist Learns to Fly'... The news had no evident effect on warning."

A week later, on August 31, Tenet briefed President Bush on the latest in terrorist attacks, but made no mention of the case of Moussaoui. Nor did he mention the case at a meeting September 4 in the White House, where cabinet-level "principals" gathered to approve a new presidential National Security Decision Directive on terrorism.

Tenet said he did not raise the subject himself because he assumed "that this was something that would be laid down in front of" the White House Counterterrorism Security Group run by Richard Clarke. But in fact, Clarke was never informed, even though the FBI was notified on August 26 by French intelligence that Moussaoui had been linked to Al Qaeda recruiting of Islamic fundamentalists for the war against Russian troops in Chechnya.

The time sequence and political context of these events makes Tenet's failure to report the incident even more extraordinary. According to several Bush administration witnesses, Tenet briefed Bush personally on raw intelligence about possible terrorist threats on at least 40 occasions between January and July 2001. Bush's apologists have cited these briefings as evidence that Bush was deeply concerned about the threat of terrorism, in order to rebut charges by Richard Clarke and others that the Bush administration was so preoccupied with preparing for war with Iraq

that it ignored obvious dangers of an Al Qaeda attack.

On August 6, 2001, allegedly in response to a personal request from Bush, the CIA drew up and Tenet approved the Presidential Daily Briefing headlined “Bin Laden Determined to Strike In US,” which included a prominent warning of the danger of hijackings and threats to attack New York and Washington. Less than three weeks later, Tenet received the report entitled “Islamic Fundamentalist Learns to Fly.” (It is not known whether he also learned of the comment by one Minneapolis FBI agent, who warned that Moussaoui might be the type who would fly a 747 into a skyscraper.)

Tenet himself conceded, in questioning by the 9/11 panel, that he was familiar with a series of warnings from 1994 on of the use of hijacked planes as weapons, including attempts to hijack an Air France jet and fly it into the Eiffel Tower, and an effort to hit the CIA headquarters itself in Langley, Virginia, with a plane loaded with explosives.

Commissioner Timothy Roemer questioned Tenet on why he did not raise the issue before September 11, noting that he had remarked, immediately after hearing that hijacked planes had struck the World Trade Center, that this might have something to do with the arrest at a Minneapolis flight school. Clearly, then, the Moussaoui case had been on his mind:

Roemer: In the Woodward book, you say, immediately upon learning of the 9/11 attacks, that it’s Al Qaeda, and you mention somebody in a flight school. Why would you assume that that would be...?

Tenet: Because all terrorist...

Roemer: Why not bring it up to the principals? This is the first principals’ meeting in seven months on terrorism. Why wouldn’t that be something that you would think would be interesting to this discussion?

Tenet: The nature of the discussion we had that morning was on the Predator, how we would fly it, whether we...

Roemer: But it’s an overall policy discussion about Al Qaeda and how we fight Al Qaeda.

Tenet: Well, it just wasn’t—for whatever reason. All I can tell you is just it wasn’t the appropriate place. I just can’t take you any farther than that.

In the course of this questioning, Tenet exhibited a remarkably porous memory. Although coming in with a prepared statement and clearly expecting to be questioned about the Bush administration’s internal discussions on terrorism before September 11, Tenet “forgot” that he had briefed Bush twice in August, claiming he had not seen the president that month.

He also said, incorrectly, that Condoleezza Rice had been present at the August 6, 2001 briefing with the PDB on bin Laden, although this was conducted at Bush’s ranch in Texas by a CIA briefer, while Rice remained in Washington. He also could not account for the claim in the PDB that the FBI was conducting 70 full field investigations throughout the United States on bin Laden-related threats—a claim that FBI officials have since disputed. And finally, he claimed that he could not remember what the CIA actually did in response to the briefing he received on the Moussaoui case.

The 9/11 commission staff concluded, in its draft report, that if the US government had announced the arrest of Moussaoui in August 2001 and publicized the concern that he intended to hijack airliners, the resulting publicity “might have disrupted the plot” that led to nearly 3,000 deaths on September 11. Commission Chairman Thomas Kean said that prognosis was based on after-the-fact psychological profiles of the hijackers, who were said to be “very careful and very jumpy.”

“A maximum US effort to investigate Moussaoui could conceivably have unearthed his connections to the Hamburg cell, though this might have required an extensive effort, with help from foreign governments,” the staff report said.

The Federal Aviation Administration was warned September 4 about Moussaoui’s activities, but it never passed this on either to the airlines or

the public.

There is one further contradiction in the 9/11 commission testimony on Moussaoui. Tenet, like other witnesses on the issue, said that the FBI had sought intelligence information on Moussaoui from the CIA in order to get a warrant under the Foreign Intelligence Surveillance Act (FISA) from the special FISA court that authorizes such investigations.

Attorney General John Ashcroft, however, in his testimony, said the FBI had sought an ordinary criminal warrant to authorize a search of Moussaoui’s computer. The warrant was not sought under FISA, he said. It was, he claimed, rejected by FBI officials who wanted to preserve the option to seek a FISA warrant later.

The legal distinction is an obscure one, but the conflict is nonetheless important. Once again, as at several other points in the 9/11 hearings, two top US government officials—in this case the CIA Director and the Attorney General—gave diametrically opposed accounts of an issue. Yet there was no effort by any member of the panel to point out this contradiction or determine whether Tenet or Ashcroft was lying.

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