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Re-examining 9/11

Could the Terrorist Attacks Have Been Prevented?

Kenneth Jost



AFP/Paul Richards (Rice) and Luke Frazza

National security adviser Condoleezza Rice defended the Bush administration's anti-terrorism policies in April 2004 before the commission investigating the Sept. 11, 2001, attacks. Former U.S. counterterrorism coordinator Richard A. Clarke generally praised the Clinton administration's policies in his testimony but sharply criticized Bush's anti-terrorism record.

When President Bush's national security adviser, Condoleezza Rice, agreed after weeks of pressure to testify before the independent commission investigating the Sept. 11, 2001, terrorist attacks, relatives of victims filled the first three rows immediately behind her.

Many listened on April 8 with a mixture of frustration and anger as Rice fended off questions about the administration's anti-terrorism policy in the months before the attacks.

"To listen to her not recall things, to hear those kinds of statements was very frustrating," says Carie Lemack, whose mother was on the first plane that crashed into the World Trade Center. "It was all very surreal."

Rice stoutly defended the administration's anti-terrorism policy, saying that the White House was working overtime to develop a comprehensive strategy to eliminate the al Qaeda terrorist organization. She also discounted the importance of an intelligence briefing that Bush had received on Aug. 6 warning of Osama bin Laden's intention to attack within the United States — possibly an airline hijacking.¹

The so-called Presidential Daily Brief, or PDB, was "historical information based on old reporting," Rice said. "There was no new threat information."

After more than three hours, Rice stepped down from the witness stand, embracing some 9/11 family members on her way out. But Lemack kept her distance. "Accountability, ma'am, accountability," Lemack shouted at her.

"That's the word that resonates with me: accountability," Lemack explains today. "If my mother was the CEO of a company, and somebody messed up, at the end of the day it was her fault. She would be accountable."²

From *CQ Researcher*,
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Can Separate, Secret Agencies Learn to Share?

The U.S. intelligence community “was not created and does not operate as a single, tightly knit organization,” a congressional commission wrote in 1996. “It has evolved over nearly 50 years and now amounts to a confederation of separate agencies and activities with distinctly different histories, missions and lines of command.”

As a result, there is no single place where intelligence-gathering can be coordinated and collected information can be analyzed. In the wake of hearings by the independent Sept. 11 commission, some lawmakers say the intelligence network should be restructured.

DOMESTIC INTELLIGENCE AGENCIES



HOMELAND SECURITY DEPARTMENT

Secret Service — Primary duties are protecting the president and stopping counterfeiters.

Customs Service — Inspecting cargo coming into the country by land, sea and air.

Border Patrol — Identifying and stopping illegal aliens before they enter the country.

Coast Guard Intelligence — Processing information on U.S. maritime borders and homeland security.

JUSTICE DEPARTMENT



Federal Bureau of Investigation — Lead agency for domestic intelligence and operations. Has offices overseas.

Drug Enforcement Administration — Collects intelligence in the course of enforcement of federal drug laws.

DEPARTMENT OF ENERGY

Office of Intelligence — Key player in nuclear weapons and non-proliferation, energy security, science and technology.

TREASURY DEPARTMENT

The Office of Intelligence Support — Collects and processes information that may affect fiscal and monetary policy.

STATE AND LOCAL POLICE AGENCIES

Coordinate with the FBI through joint counterterrorism task forces.

* Tenet abruptly resigned “for personal reasons” on June 10, 2004, just after this report went to press. President Bush said Tenet had done a “superb job for the American people” and that CIA Deputy Director John McLaughlin will become acting director after Tenet’s resignation takes effect in mid-July.

Trying to Pull It All Together

Several agencies were created before and after the Sept. 11 terrorist attacks primarily to analyze and integrate intelligence data. Among them:

Terrorist Threat Integration Center — Created by President Bush in 2003, this analysis center located in the CIA is designed to assess all terrorism-related information from U.S. and foreign intelligence sources.

Counterterrorist Center — CIA unit that coordinates counterterrorist efforts of the intelligence community; feeds information to the Terrorist Threat Integration Center.

Information Analysis and Infrastructure Protection Directorate — Part of the Department of Homeland Security created in 2002 to analyze terrorist-related intelligence and assess threats to critical infrastructure.

Terrorist Screening Center — A multi-agency center administered by the FBI to develop a watch-list database of suspected terrorists.

The Intelligence Community

As director of the CIA, George J. Tenet is the titular head of the U.S. intelligence community, a network of 15 departments and agencies. These agencies conduct both domestic and international intelligence-gathering.*



Lemack helped found one of the major 9/11 survivors’ groups, the Family Steering Committee, which vigorously lobbied a reluctant Bush administration in 2002 to create the independent National Commission on Terrorist Attacks upon the United States, the so-called

9/11 commission.³ Family groups have kept up the pressure since then. Most recently, they forced an equally reluctant House Speaker J. Dennis Hastert, R-Ill., to give the commission more time to complete its report; it is now due on July 26.

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INTELLIGENCE AGENCIES OPERATING OVERSEAS

CIVILIAN AGENCIES



Central Intelligence Agency (CIA) — Lead agency for collecting and analyzing foreign intelligence, including

information on terrorism. Briefs the president daily.

Department of State Counterterrorism Office — Coordinates efforts to improve counterterrorism cooperation with foreign governments.

Bureau of Intelligence and Research — Analyzes and interprets intelligence on global developments for secretary of State.

MILITARY AGENCIES

National Security Agency (NSA) — Collects and processes foreign signal intelligence from eavesdropping and signal interception. Also charged with protecting critical U.S. information security systems.

Defense Intelligence Agency (DIA) — Provides intelligence to military units, policymakers and force planners. It has operatives in many U.S. embassies.

National Geospatial-Intelligence Agency (NGA) — The intelligence community's mapmakers, able to track movements of people and machines or changes in topography.

National Reconnaissance Office (NRO) — Builds and maintains the nation's spy satellites. Provides information to the Defense Department and other agencies.

Army Intelligence

Navy Intelligence

Marine Corps Intelligence

Air Force Intelligence

TAKING STEPS TO IMPROVE COORDINATION

The weakest link in the intelligence campaign against terrorism has been the analysis and sharing of millions of bits of raw data swept up by government agencies operating in the United States and abroad.

The original plan for correcting this flaw after the Sept. 11 attacks was to centralize analysis in the Department of Homeland Security, which Congress created in 2002. After the law was passed, however, President Bush changed tack. By executive fiat in early 2003 — no written executive order was issued — Bush created the Terrorism Threat Integration Center (TTIC), housed in the Central Intelligence Agency, to coordinate terrorism-related analysis.

Except for a passage in Bush's 2003 State of the Union speech and an address to FBI employees, the administration did not formally outline the roles and responsibilities of agencies participating in the center. A memorandum signed in 2003 by Attorney General John Ashcroft, Director of Central Intelligence George J. Tenet and Homeland Security Secretary Tom Ridge explained the information-sharing responsibilities of the center's participants.

It was not until an April 13, 2004, letter from Tenet, Ridge, FBI Director Robert S. Mueller III and TTIC Director John O. Brennan to several members of Congress that the administration made clear that terrorism-related intelligence would be analyzed by the threat center Bush had created.

The letter was sent in response to a series of inquiries dating to February 2003 from Susan Collins, R-Maine, chairwoman of the Senate Governmental Affairs Committee, and Carl Levin of Michigan, the panel's second-ranking Democrat.

The letter said Brennan's unit controls "terrorism analysis (except for information relating solely to purely domestic terrorism)," which is the province of the FBI. Homeland Security manages information collected by its own components, such as the Coast Guard and Secret Service, and is responsible for analyzing material "supporting decisions to raise or lower the national warning level."

— Justin Rood

CC Graphic/Marilyn Gates-Davis

Judging by questions from the 10 commission members and from several "staff statements" already released, the panel's final report is likely to fault the anti-terrorism policies of both Bush and his Democratic predecessor, Bill Clinton.⁴ For Bush, the report is likely to intensify

the political problems generated by legal attacks on the administration's post-9/11 detention policies and the recent, high-profile disclosures — including shocking photographs — of Iraqi prisoners being abused by U.S. servicemembers.⁵

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The commission gained most attention with its reconstruction of events immediately leading up to the four hijackings of Sept. 11, which ultimately took some 3,000 lives. The actions of the 19 hijackers also have been dissected to try to understand how they eluded detection by immigration, law enforcement and aviation-security personnel on Sept. 11 and in the days, months and years beforehand.⁶

In its first interim report, released on Jan. 26, 2004, the commission staff documented numerous holes in immigration procedures that allowed some of the hijackers to enter or remain in the United States despite detectable visa violations. Another staff report released the same day reconstructed how the hijackers exploited “publicly available vulnerabilities of the aviation-security system” to pass through checkpoint screening and board their flights.⁷ (*See sidebars, pp. 6, 14.*)

“I would not say that 9/11 was preventable, but I would certainly say we had a chance,” says Amy Zegart, an assistant professor of public policy at UCLA who specializes in national security issues. “We could have been better organized than we were. Whether that could have made a difference, we’ll never know.”

The commission is also examining how the Clinton and Bush administrations dealt with al Qaeda since its first attack: the 1993 truck-bomb explosion at the World Trade Center that killed six persons and injured more than 1,000.

In sharply critical statements in April, the commission staff said the Central Intelligence Agency (CIA) failed through the 1990s to develop a “comprehensive estimate” of al Qaeda. In a second report, the staff said the FBI had failed to go beyond its law enforcement role to try to detect and prevent possible terrorist incidents. That report also criticized Bush’s attorney general, John Ashcroft, for giving terrorism a low priority in the months before 9/11.⁸

Officials from both the Bush and Clinton administrations testified before the panel to defend their actions, including CIA Director George J. Tenet,* who served in both administrations; FBI Director Robert S. Mueller III and his Clinton administration counterpart, Louis Freeh; and Ashcroft and his predecessor, Janet Reno.

The parade of high-ranking officials came after the commission’s most dramatic witness before Rice’s appearance: Richard A. Clarke, a career civil servant whom Clinton named in 1998 as the nation’s first national

counterterrorism coordinator and who continued in that position under Bush for more than two years, though with downgraded status.

Clarke appeared before the panel after publication of his first-person account, *Against All Enemies*, which paints a fairly positive picture of the Clinton administration’s counterterrorism policies but sharply criticizes the Bush administration’s record. Bush “failed to act prior to Sept. 11 on the threat from al Qaeda despite repeated warnings,” Clarke writes. He goes on to blame Bush for having launched “an unnecessary and costly war in Iraq that strengthened the fundamentalist, radical Islamic terrorist organization worldwide.”⁹

Zegart, who is writing a book on U.S. intelligence agencies’ response to terrorism, faults both the CIA and the FBI for organizational deficiencies and “cultural” blind spots in dealing with the problem.¹⁰ But she also criticizes policymakers in both the Clinton and Bush administrations. “It seems fairly clear that terrorism was not a high enough priority for either administration,” she adds.¹¹

Under widespread pressure, Bush himself agreed to submit to questioning by the commission, but only after insisting that Vice President Dick Cheney accompany him and that no recording or transcript be made of the closed-door session. (The commission had earlier heard separately from Clinton and former Vice President Al Gore.) The April 29 meeting with Bush and Cheney lasted more than three hours. Afterward, the commission said Bush and Cheney had been “forthcoming and candid.” Bush described the meeting as “very cordial.”

As the 9/11 commission continues its hearings and deliberations, here are some of the major questions being considered by the panel and by policymakers, experts and the public:

Did the Clinton administration miss good opportunities to take action against al Qaeda?

The CIA’s Counterterrorism Center knew enough about bin Laden’s role in financing and directing al Qaeda that it created a special “Issue Station” in January 1996 devoted exclusively to tracking his activities. But the unit’s “sense of alarm” about bin Laden was not widely shared, according to the 9/11 commission staff. “Employees in the unit

9/11 Commission Bucked White House

The special commission created to investigate the 9/11 terrorist attacks has clashed with the Bush administration ever since its creation.

Congress approved creating the 10-member National Commission on Terrorist Attacks upon the United States on Nov. 15, 2002, a month after the White House had blocked a version passed by both the House and the Senate that summer. President Bush signed the bill into law on Nov. 27 and immediately named former Secretary of State Henry Kissinger to chair the commission.¹

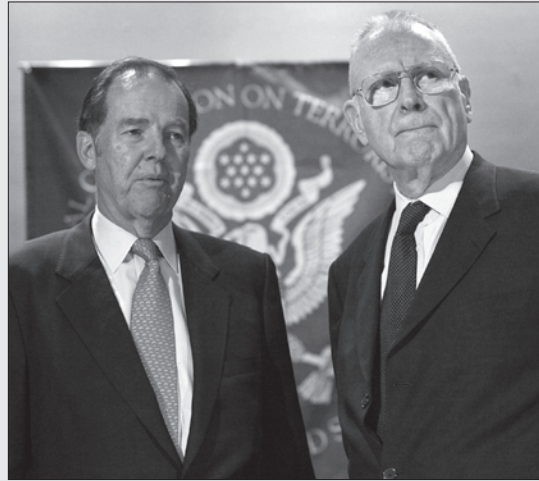
Congressional Democrats chose former Senate Majority Leader George Mitchell of Maine as the vice-chair of the panel. But both men resigned from the posts barely two weeks later: Mitchell cited the time demands of the job; Kissinger refused ethics requirements to disclose the clients of his international consulting firm.

Bush then picked former New Jersey Gov. Thomas F. Kean to chair the panel on Dec. 16. Kean, currently president of Drew University, is well regarded as a political moderate but lacks any foreign policy experience. In the previous week, congressional Democrats had tapped former Rep. Lee Hamilton of Indiana as vice chair. Hamilton had extensive foreign affairs experience during 34 years in the House and was widely respected.

The law creating the commission required it to complete its work within 18 months — by May 27, 2004. The timetable, insisted on by the White House, was aimed at getting the commission's report published before the 2004 presidential campaign. By late 2003, however, the commission was saying that it needed more time to complete its work. House Speaker J. Dennis Hastert, R-Ill., opposed the request, but finally agreed in late February 2004 to a 60-day extension for the commission's report — now due on July 26.

The commission said it needed more time in part because federal agencies — chiefly, the Defense and Justice departments — had responded slowly to requests for information. The commission also tangled with the White House over access to intelligence briefings Bush received on terrorism issues — including the now famous Aug. 6 “Presidential Daily Brief” warning of Osama bin Laden's interest in attacking the United States.

Bush eventually bowed to the commission's demands. He also agreed under pressure in April 2004 to meet and answer questions from all 10 members of the commission.



AFP Photo/Timothy A. Clary

Commission Chairman Thomas Kean, left, and Vice Chairman Lee Hamilton.

The commission now states on its Web site that it has had access to every document and every witness it has sought, and that Bush has yet to assert executive privilege on any document request.

Kean and Hamilton have maintained the appearance of bipartisan unity in public statements and hearings. However, Attorney General John Ashcroft complained that Jamie Gorelick, deputy attorney general under President Bill Clinton, should have recused herself from discussions of Justice Department guidelines limiting information sharing between intelligence agencies and the FBI. Both Kean and Hamilton defended Gorelick.

Other Democrats on the panel include Richard Ben-Veniste, a former Watergate prosecutor; former Sen. Bob Kerrey of Nebraska; and former Rep. Timothy Roemer of Minnesota. Besides Kean, the Republican panel members are Fred Fielding, White House counsel under President Ronald Reagan; former Sen. Slade Gorton of Washington; former Navy Secretary John F. Lehman; and former Illinois Gov. James R. Thompson.

¹ The legislation was part of the Intelligence Authorization Act for Fiscal Year 2003, Public Law 107-306. The text of the law is on the commission's Web site: www.9-11commission.gov.

Improved Aviation Security Still Has Gaps

The American airline industry was virtually brought to its knees on Sept. 11, 2001, by 19 men with box cutters like those available at any hardware store.

The federal government's response to the hijackings — creation of a massive, new security agency with 45,000 passenger screeners — created a more secure atmosphere at U.S. airports. But two years after its creation, the Transportation Security Administration (TSA) finds itself consistently criticized by politicians and the public. Occasional security gaffes — including a North Carolina college student's efforts last October to expose security glitches by hiding box cutters on two Southwest Airlines flights — have not helped the agency's image.

Moreover, lawmakers have complained the TSA is understaffed at some airports and overstaffed at



AFP Photo/Rubyn Beck

Weapons confiscated from passengers at Los Angeles International Airport last year include a knife hidden inside a belt.

others. For example, Rep. Harold Rogers, R-Ky., pointed out at a March hearing that the tiny Rutland, Vt., airport had seven screeners to handle just seven passengers a day.¹

In addition, those lawmakers who in 2001 opposed the idea of taking airport security away from private contractors and making it a federal responsibility remain critical of the agency. Rep. John Mica, R-Fla., chairman of the Aviation Subcommittee of the House Transportation and Infrastructure Committee, believes more and more private companies should be given the opportunity to take screening back from the government in order to prove that businesses can do as good a job as the government in keeping terrorists off airplanes.

"Private screening companies are required to meet the same rigorous security standards as . . . federal screeners," Mica said. "As long as the highest-level security standards are

told us they felt their zeal attracted ridicule from their peers," the staff's March 24, 2004, statement said.¹²

The skepticism even among intelligence professionals about targeting bin Laden was one of many difficulties the Clinton administration faced in confronting al Qaeda in the late 1990s. Clinton today gets some credit, even from political conservatives, for recognizing the threat. But he is also criticized for failing to mobilize support in or outside the government for strong action or to make effective those initiatives he was willing to authorize — most significantly, an Aug. 20, 1998, cruise missile attack against an al Qaeda base in Afghanistan aimed at killing bin Laden after he was linked to the Aug. 7, 1998, bombings of embassies in Kenya and Tanzania.

Moreover, many of the intelligence agencies' missteps occurred on Clinton's watch — most notably, the CIA's and FBI's mutual failure in 2000 to track two al Qaeda operatives into the United States and their eventual roles as 9/11 hijackers. Many experts fault Clinton for adopting

a law enforcement approach toward al Qaeda — focusing on criminal prosecutions inside the United States — instead of a military approach using armed force.

"They continued to have largely a criminal-justice model for al Qaeda rather than a military model, rather than a counterinsurgency model," says John Pike, director of GlobalSecurity.org, an Alexandria, Va., think tank.

Mark Riebling, editorial director at the conservative Manhattan Institute and author of a history of the relationship between the CIA and the FBI, says it was "patently absurd" for Clinton to designate the Justice Department as the lead agency in his 1995 Presidential Decision Directive on terrorism. Both men, however, say Clinton's approach matched what Riebling calls the "conventional wisdom" of the time.

Some other experts are less forgiving of what they regard as the Clinton administration's misdirection. "There was a strategic failure to understand the magnitude of the threat — that the 1993 World Trade Center

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met or exceeded, how that is accomplished should be determined by those most closely involved.”²

But a recent investigation of five airports still using private security firms gave private screeners a mixed review. Clark Kent Ervin, inspector general of the Department of Homeland Security (DHS), said private contractors and the TSA performed “equally poorly.”³ But he blamed the problem largely on the slow hiring and screening process, which is still overseen by the TSA, even for the few airports still using private screeners.

As the summer travel season unfolds and the commercial airline industry continues its financial recovery, the TSA is nearing a crossroads.⁴ In November, airports will be able to “opt out” of the federalized screening programs and outsource the work to private contractors. Mica predicts up to 25 percent of the nation’s airports will opt out, primarily out of frustration with the TSA’s bureaucracy.

About the same time, controversial passenger database programs like the Computer Assisted Passenger Pre-screening System (CAPPS II) and the entry-exit immigration tracking system known as US VISIT will be in place at many airports, adding a new layer of scrutiny while raising questions about privacy.

TSA executives insist they have made the skies safer, noting that there have been no terrorist attacks on airlines since 9/11. In addition, the agency has confiscated 1.5 million knives and incendiary devices and 300 guns, just since last

October, said TSA Deputy Administrator Stephen J. McHale.⁵

Despite the progress, several security gaps still exist in passenger aviation: There are no shields to protect commercial airliners from attacks with shoulder-fired missiles, and there is no mandatory screening of air cargo. Rep. Jim Turner, D-Texas, the top Democrat on the House Homeland Security Committee, has introduced a bill that would require cargo screening and hardened cockpit doors on foreign airliners flying in U.S. airspace.

“There are still some security gaps. We need to do more, faster on this troubled system. It’s not foolproof,” Turner says. “But the good news is that it is clearly more difficult for a terrorist to use an airplane as a weapon.”

— *Martin Kady II*

¹ Martin Kady II, “TSA Shouldn’t Expect an Easy Ride From This Appropriations Cardinal,” *CQ Today*, March 12, 2004, p. 1.

² Quoted in *CQ Today*, April 23, 2004, p. 3.

³ Testimony to House Transportation and Infrastructure Committee’s Subcommittee on Aviation, April 22, 2004.

⁴ Although some older airlines are still struggling, overall revenues for the industry have recovered somewhat since 9/11. See Eric Torbenson, “Airlines Get Lift from Rise in Revenue,” *The Dallas Morning News*, May 21, 2004.

⁵ Testimony to House Transportation and Infrastructure Committee Subcommittee on Aviation, May 13, 2004.

bombing and the other incidents were part of a larger campaign,” says Steven Aftergood, a senior research analyst at the liberal-oriented Federation of American Scientists.

But Aftergood also says the administration’s attitude coincided with the public’s. “There was a kind of post-Cold War relaxation that did not properly assess the rising hostility in parts of the Islamic world,” he says. “It seems to have been a blind spot.”

On the other hand, Richard Betts, a professor at Columbia University and member of the Hart-Rudman commission on terrorism in the late 1990s, says Clinton could have done more to mobilize public support for stronger action against al Qaeda. “There would have been political support for much more decisive military action” after the embassy bombings in Africa, Betts says.

Pike gives the administration credit for the strike against the al Qaeda camp in Afghanistan. Stronger action — an invasion of Afghanistan — was unrealistic at the time, he

says. “I don’t think they could have convinced anybody even if they had convinced themselves,” he says.

In any case, Betts notes that Clinton faced personal and political problems in trying to overcome the military’s reluctance to go after al Qaeda. “Clinton, being Clinton, had no moral authority to challenge the military on anything,” Betts says.

“The other problem is that there was that whole impeachment business,” Pike adds. “The last two years of the administration, they were politically paralyzed.”

Intelligence experts also emphasize that the administration inherited a decades-old lack of CIA and FBI coordination. “The problem was deeply structural,” says Greg Treverton, a RAND Corporation senior research analyst who has held intelligence-related positions in government. “We built these agencies to fight the Cold War. But they set us up to fail in the war on terror.”¹³

The “most stunning” of the agencies’ missteps, Zegart and others say, was the lack of effective follow-up after

two of the eventual hijackers — Nawaf al Hazmi and Khalid al Mihdhar — were observed at an al Qaeda meeting in Kuala Lumpur, Malaysia, in 2000. After receiving pictures of the two from Malaysia's security service, the CIA tracked both men into the United States. Subsequent events are bitterly disputed by the agency and FBI.¹⁴

In one version, the CIA never told the FBI about the two men; in the other, the FBI had access to the information but failed to act on it. In any event, the two men were never put on a terrorism "watchlist" and lived openly in San Diego — under their real names — until the hijackings. The 9/11 commission staff says the episode illustrates the failure "to insure seamless handoffs of information" among intelligence agencies — including the ultrasecret National Security Agency.¹⁵

Was the CIA or the FBI more to blame for the foul-up? "There's plenty of blame to go around," Zegart says bluntly.

Clinton left office with actions against al Qaeda again under discussion after the bombing of the *USS Cole* off Yemen in August 2000. But delays in linking the bombing to al Qaeda and reluctance to engage in a quick tit-for-tat response combined to quash any proposals to retaliate. Instead, Clinton and his national security team told incoming President Bush that he should put al Qaeda at the top of the list of national-security problems.

Did the Bush administration miss telltale clues that might have prevented the 9/11 attacks?

Intelligence agencies picked up a high volume of al Qaeda-related "threat reporting" in summer 2001. More than 30 possible overseas targets were identified in various intercepted communications. Officers at the CIA's Counterterrorism Center felt a sense of urgency, but some felt administration policymakers were too complacent. In fact, two veteran officers "were so worried about an impending disaster that . . . they considered resigning and going public with their concerns."¹⁶

Their frustration further buttresses the damning picture of the Bush administration's view of al Qaeda drawn by Clarke. He says in his book that his initial briefing on al Qaeda in January 2001 was greeted with sharp skepticism from Paul Wolfowitz, the deputy secretary of Defense. "I just don't understand why we are beginning by talking about this one man bin Laden," Clarke quotes Wolfowitz. Moreover, he describes Wolfowitz as linking the 1993 trade center bombing and other incidents to

"Iraqi terrorism" — a theory Clarke says was "totally discredited."¹⁷

Experts representing a range of political views say Clarke's account rings true. "They took a long time to get off the mark studying this," the Manhattan Institute's Riebling says.

The American Federation of Scientist's Aftergood agrees: "In its first eight months, the Bush administration received warnings [about al Qaeda], but nevertheless moved at a leisurely pace until the crisis was upon us."

RAND's Treverton says the new administration apparently regarded state-sponsored terrorism as a greater threat than al Qaeda, and thus discounted Clinton officials' warnings. "It's pretty plain that terrorism — particularly, the brand represented by al Qaeda — was not quite on their radar scope," he says.

Some experts are less critical, acknowledging the difficulties that a new administration faced in taking office and setting policies on a range of foreign-policy and national-security issues. "Six months into a new administration, they were still getting their sea legs," says Pike of GlobalSecurity.org.

In both interviews and her sworn testimony before the 9/11 commission, national security adviser Rice insisted Bush understood the threat posed by al Qaeda. She told the commission on April 8 the administration was seeking to develop "a new and comprehensive strategy to eliminate" al Qaeda.

"I credit the administration with recognizing that at some point they were going to have to make really hard strategic choices," says James Jay Carafano, senior research fellow for defense and homeland security at the conservative Heritage Foundation. "That's a real testament to the administration."

Still, Carafano and others say the administration would have been hard-pressed to take stronger action against al Qaeda before 9/11. "Can you imagine if Bush had walked in the door and said let's invade Afghanistan?" Carafano asks. Pike says there were "missed opportunities, but they probably were not attainable, not realistic opportunities that you could have convinced people to implement."

The debate over the administration's response has come to focus on the now-famous PDB warning that bin Laden was "determined" to strike in the United States. The two-page document was first described in press accounts in May 2002, but the White House refused to provide it to the joint inquiry by House and Senate Intelligence

CHRONOLOGY I: THE CLINTON YEARS

1993-2000 *Al Qaeda grows into worldwide terrorist organization under Osama bin Laden; U.S. attacked at home and abroad; Clinton administration tries but fails to stunt group's growth and kill or capture bin Laden.*

Feb. 26, 1993 Truck bomb at World Trade Center kills six, injures more than 1,000; conspirators are later identified, indicted and some convicted.

June 1995 Presidential Decision Directive 39 labels terrorism a "potential threat to national security," vows to use "all appropriate means" to combat it; FBI designated lead agency.

January 1996 CIA's Counterterrorism Center creates special "Issue Station" devoted exclusively to bin Laden.

May 1996 Bin Laden leaves Sudan for Afghanistan.

June 25, 1996 Attack on Khobar Towers, U.S. Air Force residential complex, in Saudi Arabia kills 19 servicemembers.

April 1998 Taliban declines request to turn bin Laden over to United States.

May 1998 Presidential Decision Directive 62 lays out counterterrorism strategy; Richard A. Clarke named first national director for counterterrorism.

August 1998 U.S. embassies in Kenya and Tanzania bombed on Aug. 7; Clinton orders cruise missile strike ("Operation Infinite Reach") on al Qaeda base in

Afghanistan; Aug. 20 strike hits camp, but after bin Laden had left. . . . Plan for follow-up strikes readied ("Operation Infinite Resolve") but not executed; Pentagon opposed.

December 1998 Plans prepared to use Special Operations forces to capture leaders of bin Laden network, but never executed; strikes readied after bin Laden possibly located, but intelligence deemed not sufficiently reliable, and strikes not ordered.

February, May 1999 Bin Laden located in February and again on several nights in May, but no strike ordered due to risk of killing visiting diplomats from United Arab Emirates (February), doubts about intelligence (May).

Summer 1999 High volume of threat reporting tied to Millennium celebrations.

July 1999 Clinton imposes sanctions on Taliban; U.N. sanctions added in October; through end of year, administration debates diplomatic vs. military approach but comes to no conclusion.

January 2000 Al Qaeda unsuccessfully tries to bomb *USS The Sullivans*; plot undisclosed until after attack on *USS Cole*. . . . Two future 9/11 hijackers tracked by CIA from al Qaeda meeting in Malaysia to United States; CIA and FBI trade accusations later over failure to place them on terrorism watch list.

Oct. 12, 2000 Attack on *Cole* kills 17 sailors; after the attack is linked to al Qaeda, strikes readied, but not ordered.

committees investigating 9/11 and declassified it on April 10 only under pressure from the 9/11 commission.¹⁸

The brief describes bin Laden as wanting to retaliate "in Washington" for the 1998 missile strike in Afghanistan. It also quotes a source as saying in 1998 that a bin Laden cell in New York "was recruiting Muslim-American youths for attacks." Since that time, the brief continues, the FBI had noticed "patterns of suspicious activity" in the U.S. "consistent with preparations for hijackings or other types of attacks." Rice, in her testimony, described the brief as "historical," and Bush later insisted that it contained no "actionable intelligence."

Some experts agree. "That does not seem to me to be a case of something that was egregiously overlooked and that should have prompted a response that could have made a difference," says Columbia University's Betts. "I don't think that was politically realistic before the fact."

Aftergood is more critical. "The fact that Bush received the Aug. 6 PDB while on vacation in Texas tells us something," he says. "What it tells us is that more could have been done; greater vigor could have been exercised." As one example, Bush named Cheney on May 8, 2001, to head a task force to look into responding to a domestic attack with biological, chemical or radioactive weapons. The task force was just getting under way in September.

CHRONOLOGY II: THE BUSH YEARS

2001-Present *Bush administration developing anti-terrorism policies on eve of 9/11 attacks; president rallies nation, launches invasion of Afghanistan to eliminate haven for al Qaeda; later, investigations by congressional committees, independent commission focus on missed clues, possible reforms.*

January 2001 President Bush takes office Jan. 20; administration officials briefed on *USS Cole* attack, but no strikes ordered; national security adviser Condoleezza Rice retains Richard A. Clarke in White House post but has him report to lower-level officials and asks him to draft new counterterrorism strategy.

March-July 2001 Various options for Afghanistan discussed at deputies level.

May 8, 2001 Bush names Vice President Dick Cheney to head counterterrorism task force; it was just getting organized in September.

Summer 2001 Increased threat reporting prompts concern by Clarke, CIA Director George J. Tenet.

June 2001 Draft presidential directive circulated by deputy national security adviser Stephen Hadley calls for new contingency military plans against al Qaeda and Taliban.

July 2001 Federal Aviation Administration issues several security directives; agency is aware that terrorist groups are active in United States and interested in targeting aviation, including hijacking. . . . Internal FBI memo urges closer scrutiny of civil aviation schools and use of schools by individuals who may be affiliated with terrorist organizations.

Aug. 6, 2001 Bush receives Presidential Daily Brief (PDB) warning, "Bin Ladin Determined to Strike in U.S."; two-page brief notes interest in hijacking; no immediate follow-up.

Late August 2001 Immigration and Naturalization Service arrests Zacarias Moussaoui in Minnesota after FBI lawyer raises suspicions about his enrollment in flight school; FBI headquarters rejects bid to search his computer.

Sept. 4, 2001 Top officials approve draft directive on terrorism for submission to Bush, calling for covert action, diplomacy, financial sanctions, military strikes.

Sept. 10, 2001 Three-phase strategy on Afghanistan agreed on at interdepartmental meeting of deputies.

Sept. 11, 2001 Hijackers fly airliners into World Trade Center and Pentagon as well as field in Pennsylvania; 3,000 persons killed; nation reacts with shock, anger.

October-December 2001 U.S.-led coalition ousts Taliban regime in Afghanistan.

2002 House, Senate Intelligence committees launch joint investigation of 9/11; under pressure, Bush administration also agrees to separate probe by independent commission.

2003 CIA, FBI, other intelligence agencies sharply criticized in report by joint congressional intelligence committees; panels call for intelligence overhaul, including new director of national intelligence.

2004 9/11 commission's interim staff reports fault CIA, FBI, other agencies for pre-9/11 lapses; Clarke book blasts Bush administration as slow and weak on terrorism; Bush, aides rebut criticisms; commission due to report in late July.

In line with existing procedure, the Aug. 6 PDB was not disseminated outside the White House. So, the Federal Aviation Administration (FAA) was given no special reason to step up airport security. Perhaps more significantly, the Justice Department never received the warning about possible domestic airline hijackings — which might have heightened attention to concerns raised by FBI agents in Phoenix and Minnesota in the months before Sept. 11.

In Minnesota, FBI lawyer Coleen Rowley had raised suspicions about a French-Algerian man, Zacarias Moussaoui, who attended flight school without being able to identify who was paying his tuition. But FBI

officials in Washington said Rowley did not have enough information to justify searching his computer. Moussaoui is now charged with conspiracy in the attacks. Meanwhile, an FBI counterterrorism agent in Phoenix had become suspicious of the number of Arab men taking flight lessons, but FBI headquarters also rejected his request for an investigation.

Are intelligence reforms needed to better guard against future terrorist attacks?

After weeks on the defensive following publication of Clarke's book and the 9/11 commission hearings, the

Bush administration sought to regain control of the agenda by leaking word in mid-April of possible plans to back major changes in intelligence gathering. The White House was said to be considering a longstanding proposal from the intelligence community to create a new “director of national intelligence” with budgetary and operational control over all of the government’s 15 intelligence agencies. In addition, the White House was said to be eyeing the creation of a new FBI domestic-intelligence unit.¹⁹

The proposed organizational changes draw mixed reactions. Some experts say the changes are long overdue, others that they would be ill-advised. Several say the greater need is for changes in procedures and attitudes better adapted to confronting the threat of terrorism in an age of instant global communication.

“I’m skeptical of large institutional changes,” says Aftergood. Instead, he favors “steady, incremental reform and learning directly from experience, including, above all, learning from mistakes.”

The proposal for a director of national intelligence, or DNI, at first seems simply a new title for the current director of central intelligence, or DCI. The 1947 National Security Act empowers the DCI to coordinate all the intelligence agencies with overseas operations.

In practice, however, the DCI has had no control over individual agency’s budgets or other matters. “Almost every major study of the intelligence agencies has recommended bolstering the authority of the DCI,” UCLA’s Zegart says.

She would prefer to increase the DCI’s power instead of creating a new position. “George Tenet needs more power over the entire community,” she says. In particular, Zegart says the preponderant role of the military units — with around 80 percent of the estimated \$40 billion intelligence budget — skews priorities in favor of identifying and locating military targets (“tactical intelligence”) at the expense of broader research and analysis (“strategic intelligence”).

Other experts, however, envision a DNI with a broad analytical role and no operational authority. “A director of national intelligence is probably a pretty good idea,” RAND’s Treverton says. “Someone looking across the spectrum and asking how we’re spending the money, and what we’re getting for it.”

“You have to break up the two hats that Tenet wears,” says Melvin Goodman, a former CIA officer who teaches at the National War College. “To be director of central

intelligence and director of the CIA is an impossible task.”

Tenet told the 9/11 commission, however, that he opposed separating the DCI’s overall role from operational control of the CIA. The Defense Department has also resisted taking the military intelligence agencies’ budgets out of the Pentagon. “Politically, it would be a very bloody fight to bring it about,” says Columbia University’s Betts, “and [very] expensive.”

Proposals to reorganize the FBI reflect the view that the bureau’s historic law enforcement role short-changes intelligence collection and analysis. The methodical collection of evidence for use in courtroom prosecutions is “not quick enough” to prevent terrorist incidents, Zegart says. In addition, she says the FBI’s “culture” is ill-suited to intelligence work.

Mueller says he is reorienting FBI policies and procedures to deal with the problems. “That kind of cultural change takes a long time,” says a dubious Zegart. But Pike is more optimistic. “I found the argument compelling that the FBI has the matter in hand,” he says.

In any event, Pike and other experts strongly oppose one widely discussed proposal: To create a freestanding domestic-intelligence unit comparable to Britain’s MI-5. “We’re citizens; we are not subjects,” Pike remarks.

The Heritage Foundation’s Carafano calls it “a really bad idea. We don’t need another intelligence organization. We probably have too many now.”

Zegart acknowledges the criticisms and suggests a “semiautonomous” domestic-intelligence unit within the FBI might be the answer. Other experts, however, say leadership is more important than organizational change. “If you’ve got a director who has a mission to reorient [the agency’s priorities], it’s not absolutely clear to me that a reformed FBI might not be able to do the job,” Betts says.

Apart from organizational issues, several experts say 9/11 exposed above all the need for better information sharing. Much of the debate has focused on the “wall” — guidelines restricting the CIA’s ability to provide intelligence to the FBI or other domestic agencies.

Several other experts, however, say cultural and organizational barriers may be more significant. “We have a CIA that is very much focused on secrets,” Treverton says. The problem, he says, is “getting people to talk to people more.”

Aftergood agrees. “The age of central intelligence is behind us,” he says. “What we need to move toward is distributed intelligence” — making information more readily accessible for use in enhancing security and preventing terrorist incidents.

In any event, he says, organizational changes alone will not solve the problems. “Institutional arrangements are all less important than the ability of the people who are engaged,” he says.

BACKGROUND

Dysfunctional Systems?

The 9/11 attacks disclosed huge gaps in the ability of U.S. intelligence, law enforcement and security systems to detect or prevent terrorist incidents at home. In hindsight, government agencies gave too little attention to domestic terrorist attacks, while airlines and the government agency that regulated them were lax in instituting and enforcing security measures. In addition, both the CIA and the FBI were constrained by reforms instituted after surveillance abuses by both agencies against domestic political groups in the 1960s and ’70s.

Neither the CIA nor the FBI was created with counterterrorism in mind.²⁰ The FBI was established within the Justice Department by President Theodore Roosevelt. It first drew critical scrutiny during and after World War I for its aggressive investigations of sedition, espionage and anti-draft cases. A public and congressional backlash prompted Attorney General Harlan Fiske Stone in 1924 to appoint J. Edgar Hoover, then the bureau’s assistant director, as director with a charge to professionalize the organization.

Hoover gained national celebrity by leading the FBI’s anti-gangster efforts in the 1930s. With the Cold War, however, the bureau again turned its attention to suspected subversives. Hoover also directed FBI investigations of civil rights groups — notably, by eavesdropping on the Rev. Dr. Martin Luther King Jr. Investigations by journalists and congressional committees in the late ’60s and early ’70s uncovered a wide-ranging counterintelligence program — known as COINTELPRO — that used illegal or dubious practices to investigate or disrupt domestic political groups.

The Central Intelligence Agency traces its origins to the famed World War II Office of Strategic Services (OSS),

which combined research and analysis functions with espionage, counterespionage, sabotage and propaganda. In late 1944, OSS chief Gen. William J. Donovan outlined to President Franklin D. Roosevelt a plan for a centralized peacetime civilian intelligence agency.

After Roosevelt’s death, President Harry S. Truman in 1946 created a weak coordinating body called the “Central Intelligence Group.” A year later, the National Security Act created the CIA in its present form to coordinate and evaluate intelligence affecting national security.

The CIA became notorious for Cold War covert operations against communist or anti-American regimes in the 1950s and ’60s. It toppled leftist governments in Iran and Guatemala, supported anti-Castro rebels in Cuba and encouraged U.S. entry into the war in Southeast Asia. The Watergate scandals under President Richard M. Nixon in the early 1970s led to evidence of illegal domestic political spying by the agency.

Despite its prominence, the CIA is actually dwarfed by Department of Defense intelligence agencies. The biggest is the National Security Agency (NSA), which grew from World War II codebreaking into intensely secretive, electronic surveillance worldwide. Another DoD unit, the National Reconnaissance Office, manages satellite-collection systems, and the National Geospatial Intelligence Agency processes images gleaned from the satellites. Each of the military services also has its own intelligence unit.

The Pentagon also has its own analytical office: the Defense Intelligence Agency, which — like the State Department’s Bureau of Intelligence and Research — provides assessments and policy advice independent of, and often at variance with, CIA conclusions. Coast Guard Intelligence and the Department of Homeland Security’s (DHS) Information Analysis and Infrastructure Protection Directorate have been added to the intelligence community since 9/11.

Aviation safety is the province of the Federal Aviation Administration (FAA). Hijacking and sabotage emerged gradually as a major FAA concern after hijackings of planes to and from Cuba became common in the early 1960s. After the first passenger death in a U.S. hijacking in 1971 and a rash of violent hijackings, the agency began scanning carry-on baggage and passengers for potential weapons in December 1972.²¹ Additional security measures were adopted after other deadly incidents in the 1980s: air marshals in 1985 and X-raying of checked baggage

following the bombing of Pan Am Flight 103 over Lockerbie, Scotland, in 1988.

During the '90s, there were no hijackings or aircraft bombings within the United States, possibly leading to increased security laxness. Two Department of Transportation reports in 1999 and 2000 faulted airport-security procedures — specifically for failing to control access to secure areas.

Meanwhile, several studies in 2000 and early 2001 found overall counterterrorism policies deficient.²² The reports drew attention for short periods but then largely disappeared from the national agenda.

Frustrating Initiatives

Terrorism became a major domestic concern for the United States in the 1990s, but al Qaeda became a major focus of that concern only slowly. The deadly 1995 bombing of the federal office building in Oklahoma City turned out to be the work of domestic rather than international extremists. Meanwhile, bin Laden's buildup of his organization into a wide-ranging, paramilitary operation largely escaped attention — even from intelligence agencies — until the middle of the decade. Even after al Qaeda was linked to the 1998 bombings of two U.S. embassies in Africa, bin Laden remained little known to Americans.

Bin Laden began his path to international terrorism as a “freedom fighter” in Afghanistan in the 1980s, seeking to undo the Soviet invasion of the predominantly Islamic country.²³ He founded al Qaeda (Arabic for “the base”) in 1987 to mount a global Islamic crusade. The son of a wealthy Saudi family, he turned against the Saudi government — and the United States — after the Saudis allowed U.S. troops on the Arabian peninsula during and after the Persian Gulf War (1991).

Bin Laden was known at the time only as a “terrorist financier” working from Sudan.²⁴ Clarke, who handled counterterrorism at the National Security Council (NSC) early in President Bill Clinton's first term, pressed the CIA for more information. In 1996, according to Clarke's account, the CIA got its first big break when a top aide to bin Laden defected. Jamal al-Fadl described bin Laden as the mastermind of a widespread terrorist network with affiliate groups or sleeper cells in 50 countries. By this time, bin Laden had moved his base of operations to Afghanistan.

The administration had tried without success while bin Laden was in Sudan to persuade Saudi Arabia to take him into custody for prosecution and trial. Once bin Laden was in Afghanistan, the Counterterrorism Security Group that Clarke headed drew up plans to abduct him — plans never executed because of logistical difficulties.

When al Qaeda was linked to the 1998 embassy bombings, however, Clinton authorized cruise missile strikes at an al Qaeda base in Afghanistan; they missed bin Laden by minutes.*

Tasked by Clinton, Clarke then designed a strategy to eliminate al Qaeda, including diplomatic efforts to eliminate its sanctuary in Afghanistan; covert action to disrupt terrorist cells; financial sanctions beginning with the freezing of funds of bin Laden-related businesses; and military action to attack targets as they developed.

In his book, Clarke voices great frustration with efforts to put the plan into effect — particularly the military's reluctance to get engaged. The 9/11 commission staff says the strategy “was not formally adopted” and that Cabinet-level officials have “little or no recollection of it.”

Clarke writes that Clinton also approved assassinating bin Laden. Tenet told the 9/11 commission, however, that the agency considered the instructions unclear, at best. Clarke writes that he viewed the CIA's demurrals as an “excuse” for its inability to carry out the mission. Efforts to enlist the FBI's help in counterterrorism also proved difficult, according to the commission's staff report. Clinton's national security adviser, Samuel R. Berger, told the panel that despite regular meetings with Attorney General Reno and FBI Director Freeh, the FBI “withheld” terrorism information, citing pending investigations.

In Clinton's final year in office, al Qaeda was viewed as an increasing threat in the United States and overseas. Al Qaeda had been linked to plans to disrupt celebrations of the new Millennium: A plot to plant bombs at Los Angeles International Airport was foiled when an Algerian man later linked to al Qaeda was stopped at the U.S.-Canadian border on Dec. 18, 1999, driving a car filled

* Clinton also approved a missile strike against a pharmaceutical plant near Khartoum, Sudan, suspected of manufacturing precursors of chemical weapons. The Sudanese government denied that the factory had any connection to chemical weapons — denials credited today by many U.S. intelligence experts.

Reorganizing Immigration Triggers Growing Pains

Rep. Harold Rogers, R-Ky., was so fed up with the Immigration and Naturalization Service's efforts to stop illegal immigrants from crossing the borders that he introduced a bill to abolish the agency. The 2000 measure went nowhere.

But the Sept. 11, 2001, terrorist attacks accomplished what Rogers could not: They ushered in the demise of the INS. The agency had spectacularly failed to track the comings and goings of the 19 hijackers, some of whom were in the United States on student visas — allowing them to operate without fear that the government would realize they had overstayed their visas.

The Homeland Security Act of 2002 broke up the old INS into separate pieces and assigned its duties to different divisions within the newly created Department of Homeland Security (DHS). Immigration investigations and administration were assigned to the new Bureau of Immigration and Customs Enforcement, while border enforcement became the responsibility of Customs and Border Protection.

However, reorganizing the INS has not come without bureaucratic growing pains. According to a May 11 General Accounting Office report, the department lacks adequate long-term estimates of the cost of its proposed US VISIT program, a multibillion-dollar computer system designed to track the entry and exit of every foreign visitor.¹ Meanwhile, the so-called “visa waiver” program, which allows citizens of 27 U.S.-friendly countries to travel in the United States without visas, is underfunded and poorly organized, according to an April report by the DHS's inspector general. That report also noted that DHS has not adequately tracked lost or stolen foreign passports to determine whether they were used to enter the country.

By October 2004, the passports of visitors without visas must include biometric data, such as fingerprint or facial recognition, to make them less susceptible to fraud. All 27 countries — which include England, France and Japan — will likely miss the deadline, according to DHS Secretary



AFP Photo/Robyn Beck

The Department of Homeland Security's US VISIT program uses digital cameras and computers to track immigrant entries and exits at airports.

Tom Ridge and Secretary of State Colin L. Powell, who both asked Congress to extend the deadline.

“Rushing a solution to meet the current deadline virtually guarantees that we will have systems that are not operable,” Powell said in April 21 testimony before the Senate Judiciary Committee's Subcommittee on Immigration. Sen. Saxby Chambliss, R-Ga., has introduced a bill to extend the deadline.

U.S. citizens will not be exempt from such biometric identities. This fall, the State Department will begin a pilot project to equip U.S. passports with biometric identifiers, with nationwide production of biometric passports beginning some time next year.

— *Martin Kady II*

¹ U.S. General Accounting Office, “First Phase of Visitor and Immigration Status Program Operating, but Improvements Needed,” GAO-04-586 (May 11, 2004).

with bomb-making materials. Clarke reported afterward that al Qaeda “ sleeper cells” might have taken root in the United States.²⁵

In March, officials approved a four-part agenda that included disruption, law enforcement, immigration enforcement and U.S.-Canadian border controls. The

White House also approved Predator aircraft attacks on al Qaeda bases — or on bin Laden himself. But CIA opposition to the flights derailed the plan. And Clinton left office in January 2001 with retaliation for al Qaeda's role in the October 2000 attack on the *Cole* still under consideration.

Postmortems

The Bush administration gave little visible attention to counterterrorism before 9/11. Bush drew wide public approval for rallying the nation immediately after the attacks and then leading a broad international coalition in ousting the pro-al Qaeda Taliban government in Afghanistan. But both the Clinton and Bush administrations have come under critical scrutiny since then — first from a joint inquiry by two congressional committees and now from the 9/11 commission.

Both administrations were blamed for not better coordinating the various agencies involved in counterterrorism. The Bush administration is also faulted for failing to appreciate the gravity of the threat that al Qaeda posed and for missing potential opportunities to disrupt or prevent the 9/11 attacks.

Clarke briefed Rice on al Qaeda during the transition period in January 2001. He writes that Rice seemed ill-informed about al Qaeda and voiced doubts about the need for a 12-person NSC unit devoted to counterterrorism. Rice told the 9/11 commission that Bush's national security team fully appreciated the threat from al Qaeda and wanted to make sure there was “no respite” in the fight against the organization. She says she took “the unusual step” of retaining Clarke and his staff despite the change in administrations. But Clarke says his position was downgraded so that he reported to deputies rather than to Cabinet-level “principals.”

Rice directed Clarke to prepare a new counterterrorism strategy. Clarke says the work proceeded slowly, even with the spike in “threat reporting” in summer 2001. But Rice stressed in her testimony that the final document — approved by Cabinet-level officials on Sept. 4 — was the administration's first major national-security policy directive.

The multipart strategy parallels Clarke's unacted-on 1998 plan: diplomacy, financial sanctions, covert actions and military strikes. But Rice stressed to the 9/11 commission one difference: Whereas Clinton had called for bringing terrorists from Afghanistan to the United States for trial, the Bush plan directed the Pentagon to prepare for military action in Afghanistan itself.

When the war in Afghanistan ended, Congress in 2002 decided to examine the events leading up to 9/11. The House and Senate Intelligence committees completed their

joint investigation in December 2002, but the 900-page report was not released until July 24, 2003 — while the Bush administration reviewed the document for classified material.

When finally released, the report painted a sharply critical portrait of both the CIA and the FBI. Prior to 9/11, intelligence agencies had received “a modest, but relatively steady, stream of intelligence reporting” indicating the possibility of terrorist attacks in the United States, but they “failed to capitalize on both the individual and collective significance” of the information, the panels reported. Intelligence agencies were “neither well organized, nor equipped, and did not adequately adapt” to meet the threats posed by global terrorism.²⁶

The intelligence committees laid out ambitious recommendations, beginning with the proposal — periodically recommended by the intelligence community — to create a powerful director of national intelligence (DNI) over the entire intelligence apparatus. The Cabinet-level position would be separate from the CIA director. The panels also called for Congress and the executive branch to “consider promptly” whether the FBI should retain responsibility for domestic intelligence or whether “a new agency” should take over those functions.

The 16-page laundry list included a host of other recommended changes — less visible but equally or even more important, including developing “human sources” to penetrate terrorist organizations; upgrading technology to “better exploit terrorist communications”; maximizing “effective use” of covert actions; and developing programs to deal with financial support for international terrorism.

The panels also called for “joint tours” for intelligence and law enforcement personnel in order to “broaden their experience and help bridge existing organizational and cultural divides” between the different agencies.

In addition, the committees asked that the 9/11 commission study Congress's own record in monitoring the intelligence community, including whether to replace the separate House and Senate oversight panels with a single committee and whether to change committee membership rules. Currently, members are limited to eight-year terms, but many say the restriction prevents them from developing sufficient expertise on intelligence agencies before they are forced to leave the panel.²⁷

CURRENT SITUATION

Ground Zero

Police, firefighters and other emergency personnel were universally celebrated for their rescue efforts on Sept. 11 once the World Trade Center towers had been turned into raging infernos. However, in emotional hearings on May 18 and 19 — punctuated by angry outbursts from several victims' family members in the audience — the 9/11 commission sharply criticized the Police and Fire departments' overall management of the disaster.

Inadequate planning, poor communications and inter-departmental rivalries significantly hampered rescue efforts, the commission staff suggested in two interim reports.²⁸ The critique — and barbed comments from some commissioners during the hearing — drew sharp retorts from current and former city officials. Former Mayor Rudolph W. Giuliani conceded “terrible mistakes” were made, but he denied any problems of coordination.²⁹

But the staff reports said longstanding rivalry between the Police and Fire departments led each to consider itself “operationally autonomous” at emergency scenes. “The Mayor’s Office of Emergency Management had not overcome this problem,” the report said. Commissioner John Lehman called the command-and-control system “a scandal” and the city’s disaster-response plans “not worthy of the Boy Scouts.”

The staff reports also said 911 and Fire Department dispatchers had inadequate information and could not provide basic information to callers inside the buildings about the fires. “The 911 operators were clueless,” said Commissioner Slade Gorton. The staff report also suggested that fire officials were slow to recognize the likelihood of the towers collapsing and therefore slow to order the buildings evacuated.

Thomas Von Essen, the fire commissioner at the time, called Lehman’s remark “outrageous.” For his part, Giuliani said firefighters were “standing their ground” in the building in order to get civilians out. Giuliani, who now runs his own security-consulting firm, called for Lehman to apologize. The former Navy secretary declined.

The staff reports also criticized the World Trade Center’s owner, the Port Authority of New York and New Jersey. Despite biannual fire drills, civilians were not directed into stairwells or given information about evacuation routes, the report said. Civilians were “never instructed not to

evacuate up” or informed that rooftop evacuations “were not part of the . . . evacuation plan.” The report also noted that evacuation drills were not held and participation in fire drills “varied greatly from tenant to tenant.”

The emergency response at the Pentagon, on the other hand, was “generally effective,” the staff reports said, praising the “strong professional relationships and trust” established among emergency responders and “the pursuit of a regional approach to response” by departments from different jurisdictions.

New York’s current mayor, Michael Bloomberg, told the commission on May 19 that the city was taking steps to “improve communications within and between the Police and Fire departments.” Earlier, however, the commission’s vice chairman, Lee H. Hamilton, had described the city’s plan as a “prescription for confusion.”

Bloomberg also criticized the allocation of post-9/11 federal emergency-preparedness assistance, saying that New York ranked 49th out of 50 states in per-capita funding received despite its prominence as a terrorist target. Homeland Security Secretary Tom Ridge told the commission the Bush administration had been trying to get Congress to change the allocation formulas, but he also said it was important to help each state.

In his appearance, Giuliani was asked about the significance of federal officials’ failure to tell the city about the threat warnings described in Bush’s Aug. 6 intelligence briefing. “I can’t honestly tell you we would have done anything differently,” Giuliani said. “We were doing, at the time, all that we could think of that was consistent with the city being able to move and to protect the city.”

High Court Review

As President Bush was taking flak for his actions before Sept. 11, the administration was also awaiting Supreme Court rulings on the legality of aggressive detention policies adopted in the post-9/11 war on terrorism.

The justices will decide whether the government has crossed constitutional bounds by denying judicial review to some 600 foreign nationals detained at Guantánamo Bay Naval Base in Cuba since being captured in Afghanistan and Pakistan and to two U.S. citizens held as “enemy combatants” in the United States. One was captured in Afghanistan; the other was arrested at the Chicago airport in May 2002 and charged with conspiring to explode a radioactive bomb somewhere in the United States.

A T I S S U E

Should Congress create the new position of director of national intelligence?

YES**Sen. Dianne Feinstein, D-Calif.***Ranking Minority Member,
Subcommittee on Terrorism,
Technology and Homeland Security*Written for *The CQ Researcher*, May 2004

Intelligence failures on Iraq's weapons of mass destruction and in the months prior to Sept. 11, 2001, have made clear the need for reform within our nation's intelligence community. The place to start with this reform effort is at the top. We should begin by establishing a single director of national intelligence with the statutory and budgetary authority to truly oversee our nation's intelligence-gathering efforts.

The lack of coordination between intelligence agencies is well known. This disunity was described thoroughly in last summer's report by the Senate-House Inquiry into Sept. 11 and was echoed in the recent 9/11 commission hearings. Our intelligence-gathering efforts are plagued by territorial battles and reluctance among agencies to work together — reluctance that has caused the misreading of threats and endangered our nation.

This post-Cold War era of non-state, asymmetric threats demands cooperation among intelligence agencies. In an age when we must be prepared for the dangers of suitcase nukes, dirty bombs and bioterrorism, our entire government must share information to keep us safe.

The current intelligence structure is inadequate to address the threats posed by al Qaeda and other terrorist organizations. With 15 separate agencies, offices and departments charged with collecting or analyzing intelligence — including such little-known bodies as the National Reconnaissance Office and the National Geospatial-Intelligence Agency — our intelligence community is fragmented and inefficient.

The intelligence leadership structure exacerbates these divisions. The director of central intelligence (DCI) is charged with overseeing an agency while also acting as the leader of the entire intelligence community — two widely divergent functions that limit his effectiveness.

The DCI is further hampered by the fact that he oversees a mere one-fifth of the intelligence budget while the secretary of Defense controls most of the remaining 80 percent.

The best way to address this structural defect is to establish a single director of national intelligence with the statutory and budgetary authority to concentrate full time on coordinating intelligence resources, setting priorities and deciding strategies for the intelligence community and advising the president on intelligence matters.

Referring to the way we gather and analyze intelligence, 9/11 commission member and former Navy Secretary John Lehman recently said, "A revolution is coming."

Serious threats to our national security remain. We cannot afford to wait any longer to reform our intelligence community.

NO**Harold Brown***Counselor/Trustee, Center for
Strategic and International Studies,
Secretary of Defense (1977-1981)*Written for *The CQ Researcher*, May 2004

The present structure of the intelligence community is not working well. We need better connections between the various intelligence agencies. But there are reasons to be careful about inserting an additional position called director of national intelligence (DNI).

One suggestion is to have the DNI be a staff person in the White House. But that would merely add another layer to dealing with intelligence issues. If a referee among departments and agencies with intelligence functions is needed, the president's national security adviser or a deputy can do that.

Another suggestion is to have a DNI with line authority, budget authority and personnel authority over all of the intelligence agencies, including both CIA and those in the Department of Defense. But intelligence support is so important to military operations that any functions taken out of the Pentagon's control would likely be duplicated. And further centralizing of intelligence analysis would suppress alternative views and estimates, which recent history shows to be a mistake.

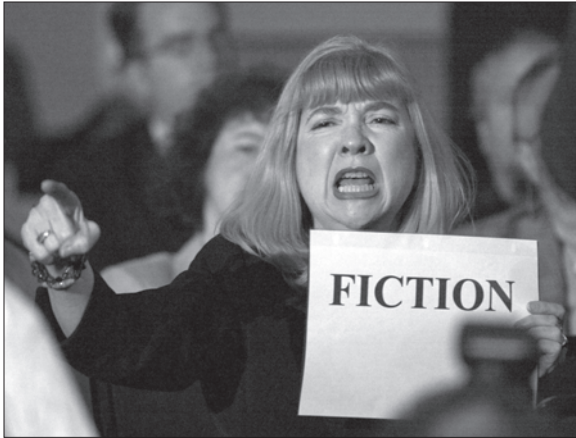
A DNI who is also director of the CIA cannot be an impartial overseer of the other agencies. But if there is a separate, subordinate, CIA head, the DNI will be too remote from the sensitive area of covert operations. Burying those further down the chain would provide more opportunity for uncontrolled activity.

Perhaps the biggest gap revealed by 9/11 is that between the FBI and the CIA. Discussion about the scope of DNI control usually omits the national security section of the FBI. If the Defense Department is recalcitrant about transferring large segments of its intelligence activities, that's nothing compared to the resistance from the Department of Justice and the FBI to taking away their national security functions.

Some suggestions for better organization can be found in the report of the Commission on the Roles and Capabilities of the U.S. Intelligence Community, which I headed in the mid-1990s. We suggested "double-hatting" heads of the separate intelligence agencies, so that they would report both to the secretary of Defense and the director of central intelligence. That's awkward, but it does correspond to the need for the DCI and the secretary of Defense to thrash out differences, which is necessary in any structure of intelligence. That report also proposed giving the DCI additional budgetary authority and training responsibility.

I would move in the direction of assuring better coordination of planning and operations, including across the sensitive boundary between domestic and foreign intelligence operations, but cautiously. Most of the proposals that have been suggested so far would likely make things worse, not better.

AFP Photo/Timothy A. Clary



The mother of a World Trade Center victim reacts angrily to former New York Mayor Rudolph W. Giuliani's testimony before the 9/11 commission in May 2004. While conceding "terrible mistakes" were made, Giuliani denied any problems of coordination between the Police and Fire departments. Commissioner John Lehman had called the city's disaster-response plans "not worthy of the Boy Scouts."

Civil-liberties and human-rights organizations say the lack of access to courts is inconsistent with the U.S. Constitution and international law. But the government argues courts have very limited authority to review the president's authority as commander in chief to detain enemy combatants.

The justices seemed divided along their usual conservative-liberal fault line during arguments in the three cases in late April: Justices Sandra Day O'Connor and Anthony M. Kennedy, moderate-conservatives who often hold the balance of power on the court, gave mixed signals.

In the first case to be argued, a former federal appeals court judge told the justices on April 20 that the government had created "a lawless enclave" at Guantánamo by blocking the foreigners from going to court to challenge their detention. "What's at stake in this case is the authority of the federal courts to uphold the rule of law," said John Gibbons, a lawyer in Newark, N.J., and former chief judge of the federal appeals court in Philadelphia.³⁰

Most of the 600 detainees being held at Guantánamo were captured during operations against al Qaeda or the Taliban in Afghanistan or Pakistan. The high court case stemmed from *habeas corpus* petitions filed by Kuwaiti, British and Australian nationals, all of whom claimed they

had not been fighting the United States. Two lower federal courts dismissed the petitions, saying Guantánamo was outside U.S. jurisdiction.

In his argument, Solicitor General Theodore Olson noted that the United States was still fighting in Afghanistan and warned that judicial review of the detainees' cases would invite legal challenges to combat-zone treatment of captured enemy soldiers. "Judges would have to decide the circumstances of their detention, whether there had been adequate military process, what control existed over the territory in which they were kept," Olson said.

The administration urged a similarly broad view of executive authority in the cases of the two citizens, argued on April 28.³¹ Deputy Solicitor General Paul Clement told the justices it was "well established and long established that the government has the authority to hold both unlawful enemy combatants and lawful prisoners of war captured on the battlefield to prevent them from returning to the battle."

Lawyers representing the two detainees, however, insisted the government's position amounted to authorizing "indefinite executive detention." Frank Dunham, a federal public defender, told the justices, "We could have people locked up all over the country tomorrow without any due process, without any opportunity to be heard."

Dunham was representing Yaser Hamdi, an American-born Saudi seized in Afghanistan. The second case involved José Padilla, a Chicagoan arrested at O'Hare Airport on May 8, 2002, after a flight originating in Pakistan. Both men were held at a Navy brig in Charleston, S.C., without charges and without access to lawyers. The federal appeals court in Richmond, Va., upheld Hamdi's detention, while the federal appeals court in New York ordered the government to charge Padilla or release him.

The cases raise legal questions that the high court has not considered since two pro-government rulings in World War II-era cases: One involved German saboteurs captured in the United States and later executed and the other German soldiers captured in China and later tried by military tribunals.³²

The administration argued that both decisions supported its position in the current cases, while the detainees' attorneys maintained the rulings were factually and legally distinguishable. Decisions in the current cases are due before the justices' summer recess at the end of June.

OUTLOOK

Law of Averages?

Could 9/11 happen again? Federal officials warn that a new terrorist attack could come this summer or during the presidential campaign this fall. And they concede that despite tightened security measures, there is no assurance that an attack could be thwarted.

“Those charged with protecting us from attack have to succeed 100 percent of the time,” national security adviser Rice told the 9/11 commission. “To inflict devastation on a massive scale, the terrorists only have to succeed once, and we know they are trying every day.”

“I tend to be somewhat fatalistic about surprise attacks,” says Columbia University’s Betts. “We’re dealing with a problem of batting averages. You’re never going to bat 1,000.”

The terrorist attacks have already brought about significant changes in the federal government and in Americans’ daily routines. In Washington, the new Department of Homeland Security in 2002 consolidated existing border and transportation security functions and emergency preparedness and response under one department. And Americans in all walks of life have grown accustomed to tighter security, while aviation experts are warning of long security lines this summer. Meanwhile, many employers have increased their fire and evacuation drills.

Intelligence reorganization has emerged as the most significant issue in the two official investigations of 9/11. Leading Democratic members of the House and Senate Intelligence committees have proposed creating a new “director of national intelligence” with budget authority over all 15 intelligence agencies and who would no longer head the CIA itself.

A bill by Rep. Jane Harman, D-Calif., ranking member of the House panel, would give the proposed DNI substantial budgetary authority over the intelligence community but leave responsibility for “execution” with the Pentagon or other departments that house existing agencies. The DNI would serve at the pleasure of the president, while the bill would give the director of the CIA a 10-year term — the same as the FBI director. Senate Intelligence Committee member Dianne Feinstein, D-Calif., has sponsored similar legislation since 2002. Her current bill is somewhat less detailed than Harman’s and does not give the CIA director a fixed term.³³

Neither Feinstein nor Harman has any Republican cosponsors. Harman says there is “no reason” Republicans should not support the measure. “This is not a partisan bill,” she says. GOP staffers on the Intelligence panels say Republican members are taking a wait-and-see approach. For its part, the administration has given no additional specifics since Bush said in mid-April that the intelligence agencies need to be overhauled.

“We will see no major reforms before another major catastrophic attack,” says UCLA’s Zegart. “Even then, I don’t put the odds better than 50/50. The barriers to intelligence reform are exceptionally high.”

The National War College’s Goodman is more optimistic but sees the 9/11 commission report as the key to any significant changes. “The only hope is that this 9/11 report will be so strong and so shocking that people will suddenly say, ‘Stop. Something’s got to be done.’”

Commission Chairman Kean has repeatedly said he hopes the panel’s final report will be unanimous. But some commission members are saying the panel may be divided on such major issues as intelligence reorganization. “Unanimity is a nice goal, but it isn’t going to be a necessary goal,” former Sen. Slade Gorton said.³⁴ A divided report is assumed likely to have less impact than a unanimous one.

Proposals to reorganize the FBI seem unlikely to advance, largely to allow time to evaluate the changes being put into effect by Director Mueller. Meanwhile, Rep. Christopher Cox, R-Calif., chairman of the House Select Homeland Security Committee, plans to give DHS’s intelligence unit more authority over terrorism intelligence in the department’s authorization bill. Cox says he is concerned that the unit — known as the Information Analysis and Infrastructure Protection Directorate — is not playing the role intended when the DHS was created.

As for local emergency preparedness, Homeland Security Secretary Ridge told the 9/11 commission his department has disbursed \$8 billion to states, regions and cities to train and equip first responders. Noting the communications problems in New York City, Ridge also said the department was working to make communications and equipment “interoperable” between different departments and jurisdictions. Democrats have criticized the administration for not spending enough money to strengthen local emergency preparedness.

Republican and Democratic lawmakers are also squaring off already over renewing the USA Patriot Act, which Congress passed after 9/11 to strengthen law enforcement powers in anti-terrorism cases. Bush is urging Congress to extend the legislation this year, but Democrats are criticizing some of its provisions and questioning the need for action now. Some of the provisions expire in 2005.

Many observers fear that no matter how hard the government tries, the threat of terrorism cannot be eliminated. "There are going to be terrorist attacks, and there are going to be successful terrorist attacks," says the Heritage Foundation's Carafano. "We're never going to be immune from terrorism."

NOTES

1. For background, see David Masci and Kenneth Jost, "War on Terrorism," *The CQ Researcher*, Oct. 12, 2001, pp. 817-848.
2. Some eyewitness material taken from David Lightman, "A Frustrating Day for 9/11 Families," Knight Ridder/Tribune News Service, April 8, 2004.
3. The Family Steering Committee's Web site can be found at www.911independentcommission.org. For other victims' organizations, see Families of Sept. 11 (www.familiesofseptember11.org) and World Trade Center United Family Group (www.wtcufg.org).
4. The commission maintains a thorough and well-organized Web site: www.9-11commission.gov.
5. For background, see Kenneth Jost, "Civil Liberties Debates," *The CQ Researcher*, Oct. 24, 2003, pp. 893-916, and David Masci and Patrick Marshall, "Civil Liberties in Wartime," *The CQ Researcher*, Dec. 14, 2001, pp. 1017-1040.
6. For background, see Martin Kady II, "Homeland Security," *The CQ Researcher*, Sept. 12, 2003, pp. 749-772.
7. Staff Statement No. 1 (immigration), Jan. 26, 2004. Staff Statement No. 3 (aviation security), Jan. 27, 2004.
8. Staff Statement No. 11 (intelligence community), April 14, 2004. Staff Statement No. 9 (law enforcement), April 13, 2004.
9. Richard A. Clarke, *Against All Enemies: Inside America's War on Terror* (2004), p. x. See also Masci, *op. cit.*
10. For an overview, see the Intelligence Community's Web site: www.intelligence.gov.
11. Zegart's book is tentatively titled *Stuck in the Moment: Why American National Securities Agencies Adapted Poorly to the Rise of Terrorism After the Cold War* (Princeton University Press, forthcoming 2005). Zegart notes as disclosure that Condoleezza Rice, President Bush's national security adviser, was her dissertation adviser at Stanford University.
12. Staff Statement No. 7 (intelligence policy), March 24, 2004.
13. For background, see Brian Hansen, "Intelligence Reforms," *The CQ Researcher*, Jan. 25, 2002, pp. 49-72.
14. See Michael Isikoff and Daniel Klaidman, "The Hijackers We Let Escape," *Newsweek*, June 10, 2002; and David Johnston and James Risen, "Inquiry Into Attack on the Cole in 2000 Missed Clues to 9/11," *The New York Times*, April 11, 2004, Section 1, p. 1.
15. Staff Statement No. 2 ("Three 9/11 Hijackers: Identification, Watchlisting, and Tracking") Jan. 26, 2004.
16. Staff Statement No. 7, *op. cit.*
17. Clarke, *op. cit.*, pp. 231-232.
18. The document is appended to Staff Statement No. 10.
19. See Douglas Jehl, "Administration Considers a Post for National Intelligence Director," *The New York Times*, April 16, 2004, p. A1.
20. Background drawn from entries in George T. Kurian (ed.), *A Historical Guide to the U.S. Government* (1998).
21. History drawn from undated "Aviation Security" entry on Web site of U.S. Centennial of Flight Commission: www.centennialofflight.gov/essay/Government_Role/security/POL18.htm.
22. See Scott Kuzner, "U.S. Studied Terrorist Threat for Years," in David Masci and Kenneth Jost, *op. cit.*, p. 840.
23. For a compact biography, see Charles S. Clark, "Bin Laden's War on America," in Masci and Jost, *op. cit.*, pp. 824-825.

24. Remainder of section drawn from 9/11 commission Staff Statement No. 8; Clarke, *op. cit.*, pp. 134-154, 181-204.
 25. For background on computer-related Millennium problems, see Kathy Koch, "Y2K Dilemma," *The CQ Researcher*, Feb. 19, 1999, pp. 137-160.
 26. House Permanent Select Committee on Intelligence/Senate Select Committee on Intelligence, Report of the Joint Inquiry into Intelligence Community Activities before and after the Terrorist Attacks of Sept. 11, 2001, December 2002 (S. Rept. 107-351, H. Rept. 107-792; www.gpoaccess.gov/serialset/creports/911.html).
 27. See Dana Priest, "Congressional Oversight of Intelligence Criticized," *The Washington Post*, April 27, 2004, p. A1.
 28. Staff Statements Nos. 13 (emergency preparedness and response), May 18, 2004, and 14 (crisis management), May 19, 2004.
 29. Some quotes taken from coverage in *The New York Times*, May 19-20.
 30. The case is *Rasul v. Bush*, 03-334. For information, including a transcript of the oral argument, see the Supreme Court's Web site: www.supremecourt.us.
 31. The cases are *Hamdi v. Rumsfeld*, 03-6696, and *Rumsfeld v. Padilla*, 03-1027.
 32. The decisions are Ex parte Qirin, 323 U.S. 283 (1944) (saboteurs), and *Johnson v. Eisentrager*, 339 U.S. 763 (1950) (POWs).
 33. Harman's bill is HR 4104, Feinstein's S 190. Feinstein's legislation was also incorporated in a broad intelligence reorganization measure (S1520) introduced July 31, 2003, by Sen. Bob Graham, D-Fla.
 34. Quoted in Philip Shenon, "9/11 Panel May Not Reach Unanimity on Final Report," *The New York Times*, May 26, 2004, p. A19.
- Published before 9/11, this informative general history of the NSA has two index entries for Osama bin Laden. Includes detailed notes.
- Benjamin, Daniel, and Steven Simon, *The Age of Sacred Terror*, Random House, 2002.**
Former National Security Council staffers in the Clinton administration provide a comprehensive account of the rise of al Qaeda. Benjamin is a senior fellow at the Center for Strategic and International Studies in Washington and Simon is an assistant director of the International Institute for Strategic Studies in London. Includes glossary, detailed notes.
- Clarke, Richard A., *Against All Enemies: Inside America's War on Terror*, Free Press, 2004.**
The former national coordinator for security, infrastructure and terrorism under both Clinton and Bush offers his controversial first-person account of the government's anti-terrorism efforts leading up to the 9/11 attacks.
- Lowenthal, Mark M., *Intelligence: From Secrets to Policy* (2nd ed.), CQ Press, 2003.**
This updated overview of the structure, role and operations of the various agencies in the nation's intelligence community was written when Lowenthal worked with a security-consulting firm. He is now assistant director of central intelligence for analysis and production. Includes suggested readings, Web sites and other appendix material.
- Riebling, Mark, *Wedge: From Pearl Harbor to 9/11. How the Secret War Between the FBI and CIA Has Endangered National Security*, Touchstone, 2002 (originally published, 1994).**
The director of the Manhattan Institute for Policy Research provides a detailed history of policy differences and bureaucratic rivalry between the CIA (and its precursors) and the FBI. An epilogue and afterword in the paperback edition relate continuing tensions between the agencies through 9/11. A 14-page list of sources is included; sources for the epilogue and afterword are posted at secretpolicy.com/wedge/epilogue.

BIBLIOGRAPHY

Books

Bamford, James, *Body of Secrets: Anatomy of the Ultra-Secret National Security Agency from the Cold War Through the Dawn of a New Century*, Doubleday, 2001.

Treverton, Greg, *Reshaping National Intelligence for an Age of Information*, Cambridge University Press, 2001.

A RAND Corporation expert argues for a "sweeping" reshaping of national intelligence to make it more open and decentralized in the post-Cold War information age.

Articles

Dlouhy, Jennifer A., and Martin Kady II, "Lawmakers Eager to Weigh In on Overhaul of Intelligence," *CQ Weekly*, April 17, 2004, pp. 902-905.

Overview of lawmakers' views on various proposals to reorganize the U.S. intelligence community.

Gup, Ted, "The Failure of Intelligence," *The Village Voice*, April 13, 2004.

A veteran journalist and author provides a critical overview of terrorism-related intelligence collection and analysis before 9/11. Gup is now a journalism professor at Case Western Reserve University.

Johnston, David, and Eric Schmitt, "Uneven Response Seen to Terror Risk in Summer '01," *The New York Times*, April 4, 2004, Section 1, page 1.

The author reconstructs the Bush administration's limited follow-up to increased threat reporting during summer 2001; includes chart detailing some of the 33 intercepted messages with threat warnings.

Paltrow, Scot J., "Detailed Picture of U.S. Actions on Sept. 11 Remains Elusive," *The Wall Street Journal*, March 22, 2004, p. A1.

The reporter provides a meticulous reconstruction of the government's actions on Sept. 11, with some evidence contradicting previous official accounts.

Reports and Studies

House Permanent Select Committee on Intelligence/ Senate Select Committee on Intelligence, Report of the Joint Inquiry into Intelligence Community Activities before and after the Terrorist Attacks of September 11, 2001, December 2002 (S. Rept. 107-351, H. Rept. 107-792; www.gpoaccess.gov/serialset/creports/911.html).

The 900-page report includes a summary of major findings and conclusions and a list of 17 recommendations. The report is dated December 2002 but was released in July 2003 following executive branch review for redaction of classified material.

National Commission on Terrorist Attacks upon the United States (www.9-11commission.gov).

The 9/11 commission's extensive Web site includes testimony and transcripts from all hearings and interim reports by the commission or staff. The commission's final report is scheduled to be released on July 26; the report will be published by W.W. Norton on the day of release and available for \$10.

For More Information

Center for Strategic and International Studies, 1800 K St., N.W., Washington, DC 20006; (202) 887-0200; www.csis.org.

Families of September 11, 1560 Broadway, Suite 305, New York, NY 10036-1518; (212) 575-1878; www.familiesofseptember11.org.

Federation of American Scientists, 1717 K St., N.W., Suite 209, Washington, DC 20036; (202) 546-3300; www.fas.org.

National Commission on Terrorist Attacks Upon the United States, 301 7th St., S.W., Room 5125, Washington, DC 20407; (202) 331-4060; www.9-11commission.gov.

World Trade Center United Family Group, P.O. Box 2307, Wayne, NJ 07474-2307; (973) 216-2623; www.wtcufg.org.