

Chapter 2

U.S. Intelligence Community

Secrecy stifles oversight, accountability, and information sharing.
— The 9/11 Commission (July 22, 2004)

The situation was, and remains, too risky to allow someone to experiment with amateurish, Hollywood style interrogation methods - that in reality - taints sources, risks outcomes, ignores the end game, and diminishes our moral high ground in a battle that is impossible to win without first capturing the hearts and minds around the world. It was one of the worst and most harmful decisions made in our efforts against al-Qaeda.
— Former FBI Agent Ali Soufan (May 13, 2009)

In solving intelligence problems, including diversity of thought is essential.
— Letitia “Tish” Long, Director of the National Geospatial-Intelligence Agency (2012)

You know enough to know what’s not true, but you can’t necessarily connect all of the dots to know what is true. ... The most effective propaganda is a mixture of truths, half truths, and lies.
— American author Richard Thieme at DEF CON 22 (August 8, 2014)

2.1 “Need to Know” — Truths, Half Truths, and Lies

“You can’t handle the truth!” exclaimed Col. Nathan R. Jessup played by Jack Nicholson in the 1992 legal drama *A Few Good Men*. “Son, we live in a world that has walls, and those walls have to be guarded by men with guns. ... You don’t want the truth, because deep down in places you don’t talk about at parties, you *want* me on that wall. You *need* me on that wall” [1].

On August 8, 2014 at DEF CON 22 in Las Vegas, American author Richard Thieme recalled a conversation with his friend from the National Security Agency (NSA) who

spoke of the difficulty in knowing the truth: “You know enough to know what’s not true, but you can’t necessarily connect all of the dots to know what is true” [2].

A commentator on technology and culture, Thieme gave his talk at DEF CON for the 19th years and is widely considered to be a “father figure” in hacker conventions worldwide. He told a story about U.S. Army General Alexander Haig who served as the U.S. Secretary of State under President Ronald Reagan from 1981 to 1982: “In a small Italian newspaper where a piece of really great investigative reporting revealed that the KGB during the Cold War was sponsoring terrorism all over the world and supporting groups that were antithetical to the United States and its intentions. That small story caught the attention of an author and journalist who wrote a piece about it for *The New York Times* and also wrote a book about it. That came to the attention of Alexander Haig who was Secretary of State; and he became very, very alarmed and he held a press conference in which he demanded that the CIA explore this revelation in order to counter the nefarious and insidious work of the KGB in this way. William Casey, director of CIA, said ‘we’ll get right on it.’ Six months later the result came back: ‘We’ve explored that, you don’t have to worry about that particular thing.’ Why? Because the story in the Italian newspaper was a CIA plant in the first place. In other words, it was just propaganda to smear the Soviets, but it was picked up by our own journalist who didn’t know any better and couldn’t, turned into a book which went to the Secretary of State and then became an alarming consideration, and the CIA could not tell him the truth” [2].

The U.S. Secretary of State is the head of the State Department responsible for overall direction, coordination, and supervision of activities of the U.S. government overseas. Yet CIA director William Casey had kept U.S. Army General Alexander Haig in the dark for most of his career as Secretary of State. The “need to know” syndrome had reached epidemic proportions within the U.S. government, all the way to the top including Presidents of the United States (i.e. giving the Presidents the benefit of the doubt).

In March 1987 during the Iran-Contra affair, President Ronald Reagan said in a televised press conference that “he was not aware of a two-year secret campaign organized by key White House aides, including two advisers he saw nearly every day, to ship millions of dollars in arms to Nicaraguan contra rebels” and that “he was not aware of the alleged diversion of funds from U.S. arms sales to Iran to the rebels” [3].

In October 2013 amid Edward Snowden’s NSA leaks, President Barack Obama was reportedly unaware of the United States spying on its ally leaders: “The National Security Agency ended a program used to spy on German Chancellor Angela Merkel and a number of other world leaders after an internal Obama administration review started this summer revealed to the White House the existence of the operation, U.S. officials said ... The account suggests President Barack Obama went nearly five years without knowing his own spies were bugging the phones of world leaders. Officials said the NSA has so many eavesdropping operations under way that it wouldn’t have been practical to brief him on all of them” [4].

“The most effective propaganda,” Thieme said, “is a mixture of truths, half truths, and lies” [2].

2.2 FBI Ten Most Wanted Fugitive: Osama Bin Laden

In August 1996, *Al Quds Al Arabi* in London published Osama bin Laden's fatwā entitled "Declaration of War against the Americans Occupying the Land of the Two Holy Places" [5]. The land referred to Saudi Arabia and the two holy places Mecca and Medina. In February 1998, bin Laden issued a second fatwā declaring a holy war or jihad against America and Israel [6]. In August 1998, al-Qaeda bombed the U.S. embassies in Kenya and Tanzania simultaneously, killing 224 people [7]. In December 1998, Director of Central Intelligence's (DCI) Counterterrorist Center (CTC) reported to President Bill Clinton that "Bin Ladin and his allies are preparing for attacks in the US, including an aircraft hijacking" [8].

In June 1999, two years before 9/11, Osama bin Laden (aka Usama Bin Laden) was placed on the FBI's Ten Most Wanted Fugitives list [9]. (See Figure 2.1). Bin Laden was wanted for the murder of U.S. nationals outside the U.S., in connection with the August 1998 bombings of the U.S. Embassies.

After the September 11 attacks, the U.S. Department of State offered a reward of up to \$25 million for information leading directly to the apprehension or conviction of Osama bin Laden. An additional \$2 million was offered through a program developed and funded by the Airline Pilots Association and the Air Transport Association. However, the revised FBI poster in November 2001 inexplicably did not mention 9/11 in bin Laden's list of crimes. Instead, it simply stated, "In addition, Bin Laden is a suspect in other terrorist attacks throughout the world."

Bin Laden initially denied any involvement in 9/11. In a statement issued to the Arabic satellite channel Al Jazeera, bin Laden said, "The U.S. government has consistently blamed me for being behind every occasion its enemies attack it. I would like to assure the world that I did not plan the recent attacks, which seems to have been planned by people for personal reasons. I have been living in the Islamic emirate of Afghanistan and following its leaders' rules. The current leader does not allow me to exercise such operations" [10].

To contradict bin Laden's denial, the Bush administration released in December 2001 a video tape showing bin Laden bragging about the 9/11 attacks: "I was thinking that the fire from the gas in the plane would melt the iron structure of the building and collapse the area where the plane hit and all the floors above it only. This is all that we had hoped for" [11].


Nonetheless, Saudi Defense Minister Prince Sultan bin Abdul Aziz questioned, "Who stands behind this terrorism and who carried out this complicated and carefully planned terrorist operation? ... Are bin Laden and his supporters the only ones behind what happened or is there another power with advanced technical expertise that acted with them?" [12].

In an audiotape surfaced in May 2006, bin Laden claimed responsibility for 9/11: "The truth is that he [Zacarias Moussaoui] has no connection whatsoever with the events of September 11th, and I am certain of what I say, because I was responsible for entrusting the 19 brothers — Allah have mercy upon them — with those raids, and I did not assign brother Zacarias to be with them on that mission" [13].

FBI TEN MOST WANTED FUGITIVE

Murder of U.S. Nationals Outside the United States; Conspiracy to Murder U.S. Nationals Outside the United States; Attack on a Federal Facility Resulting in Death

USAMA BIN LADEN



Deceased

Date of Photograph
Unknown

Aliases:
Usama Bin Muhammad Bin Ladin, Shaykh Usama Bin Ladin, the Prince, the Emir, Abu Abdallah, Mujahid Shaykh, Hajj, the Director

DESCRIPTION

Date(s) of Birth Used:	1957	Hair:	Brown
Place of Birth:	Saudi Arabia	Eyes:	Brown
Height:	6' 4" to 6' 6"	Complexion:	Olive
Weight:	Approximately 160 pounds	Sex:	Male
Build:	Thin	Nationality:	Saudi Arabian
Occupation:	Unknown		
Scars and Marks:	None known		
Remarks:	Bin Laden is the leader of a terrorist organization known as Al-Qaeda, "The Base". He is left-handed and walks with a cane.		

CAUTION

Usama Bin Laden is wanted in connection with the August 7, 1998, bombings of the United States Embassies in Dar es Salaam, Tanzania, and Nairobi, Kenya. These attacks killed over 200 people. In addition, Bin Laden is a suspect in other terrorist attacks throughout the world.

REWARD

The Rewards For Justice Program, United States Department of State, is offering a reward of up to \$25 million for information leading directly to the apprehension or conviction of Usama Bin Laden. An additional \$2 million is being offered through a program developed and funded by the Airlane Pilots Association and the Air Transport Association.

CONSIDERED ARMED AND EXTREMELY DANGEROUS

If you have any information concerning this person, please contact your local FBI office or the nearest American Embassy or Consulate.

June 1999 Poster Revised November 2001

Fig. 2.1 FBI ten most wanted fugitive — Usama Bin Laden (November 2001, courtesy of the Federal Bureau of Investigation)

The initial denials and subsequent admissions might have suggested that bin Laden eventually decided to go for this once-in-a-lifetime opportunity and take credit for the actions of his top lieutenants in order to maintain a unified support of jihad against America. Although the authenticity of the bin Laden "confession" audio and video tapes is subject to debate, the al-Qaeda terrorist organization has been inextricably linked to the 9/11 attacks, thanks to the FBI's relentless investigations.

2.3 An American Hero Born in Lebanon

Back in March 2000, the U.S. Central Intelligence Agency (CIA) learned that two military trained al-Qaeda terrorists, Khalid al-Mihdhar and Nawaf al-Hazmi, had entered the United States [14]. However, the CIA did not inform the FBI or the U.S. State Department until August 2001, a year and half later [15]. By then, it was too late for the FBI to track down al-Mihdhar and al-Hazmi who, along with three other terrorists, hijacked American Airlines Flight 77 that crashed into the Pentagon on September 11, killing 189 people [16].

“When [Ali] Soufan realized that the CIA had known for more than a year and a half that two of the hijackers were in the country he ran into the bathroom and threw up,” wrote Pulitzer Prize-winning author Lawrence Wright in the July 2006 issue of *The New Yorker* [17].

Lebanese-American Ali Soufan is a former FBI agent who might have prevented 9/11 if the CIA and the FBI had been cooperative with one another. Soufan’s close friend and colleague John O’Neill was killed in the attacks. O’Neill was the former head of the FBI National Security Division. He died less than a month after he started his new job as head of security at the World Trade Center.

Back in 1998, O’Neill drafted Soufan into the FBI’s I-49 squad to investigate al-Qaeda in connection with the U.S. embassy bombings in Kenya and Tanzania [7]. Soufan was one of eight FBI agents who spoke Arabic fluently. The FBI collected evidence linking the bombings to Osama bin Laden, and placed him on the FBI’s Ten Most Wanted Fugitives list [9]. The FBI also discovered a phone number in Yemen that functioned as a virtual switchboard for al-Qaeda’s global organization. However, the CIA had jurisdiction over monitoring the overseas phone conversations, and they refused to share the intercepted messages with the FBI.

The CIA followed al-Qaeda terrorist Khalid al-Mihdhar to Dubai where they learned that he had a U.S. visa. Nevertheless, the CIA did not alert the FBI or the U.S. State Department to put al-Mihdhar on the terrorist watch list. The CIA had hoped to recruit al-Mihdhar to infiltrate the al-Qaeda organization. However, the CIA realized in March 2000 that al-Mihdhar and his accomplice Nawaf al-Hazmi had entered the U.S. legally, and the spy agency failed to inform the FBI and the U.S. State Department that had jurisdiction inside the United States.

In October 2000, a fiberglass fishing boat containing plastic explosives blasted open a hole in USS *Cole* in Yemen, killing 17 American sailors [18]. O’Neill and Soufan went to Yemen for the investigation. The FBI identified the one-legged al-Qaeda lieutenant Khallad who orchestrated the *Cole* attack. Despite numerous requests from the FBI, the CIA withheld information about Khallad and his meeting in Malaysia with the future 9/11 hijackers.

O’Neill retired from the FBI in August 2001 and took a job as head of security at the World Trade Center. Meanwhile, the FBI learned that al-Mihdhar and al-Hazmi were in the U.S. but the agency was unable to track them down.

Less than a month later on September 11, al-Mihdhar and al-Hazmi hijacked American Airlines Flight 77 that crashed into the Pentagon, killing a total of 189 people [16]. Other 9/11 hijackers piloted American Airlines Flight 11 and United

Airlines Flight 175 that crashed into the North Tower and South Tower of the World Trade Center, killing O'Neill and a total of 2,762 people [19]. Including the crash of United Airlines Flight 93 after its 40 passengers revolted against the four hijackers [20], the total death toll on September 11, 2001 was 2,995 people.

On September 12, the FBI ordered its agents to identify the 9/11 hijackers “by any means necessary.” Soufan was tasked to interrogate al-Qaeda terrorist Fahd al-Quso in Yemen, the only lead that the FBI had at the time. The CIA handed Soufan the surveillance photos of 20 al-Qaeda terrorists and a complete report on the Malaysia meeting of the suspected hijackers. When Soufan learned that the CIA had known for more than a year and a half that two al-Qaeda terrorists were living in the U.S., the shock made him physically ill.

Unlike Jack Bauer (played by Kiefer Sutherland) in the counterterrorism TV drama *24*, Soufan did not torture or threaten the suspects in order to extract information from them and exact revenge for the death of his close friend and colleague O'Neill. Instead, Soufan's arsenal of interrogation included American bottle water, sugarless wafers, theological debates, and a history book of America in the Arabic language.

Soufan was able to persuade Fahd al-Quso and disarm Abu Jandal (aka Nasser al-Bahri) who was trained in counter-interrogation techniques. Al-Quso and Jandal eventually identified many 9/11 hijackers from the photos of known al-Qaeda terrorists, including Mohammed Atta who was the lead hijacker. Working on the 9/11 case for days and nights with almost no sleep, his coworkers referred to Soufan as “an American hero.”

For every hero recognized by the news media, there are many more unsung heroes who work steadfastly and risk their lives to keep the world safer. In 2009, for example, seven CIA officers were killed by a Jordanian double agent when he detonated his suicide bomb vest at their secret meeting in Khost, Afghanistan [21].

2.4 The FBI-CIA Bureaucratic Rivalries

Former *Newsweek* investigative correspondent Michael Isikoff said, “The CIA knew who they were, they knew that they were suspected al-Qaeda operatives, they failed to alert the INS [Immigration and Naturalization Service], the State Department, the Customs Service, agencies who could have kept them out of the country. And, perhaps more importantly, they failed to alert the FBI, which could have tracked them while they were in the country” [14].

Although the Ali Soufan story placed the blame squarely on the CIA, Michael Scheuer, former chief of the Osama bin Laden unit at the CIA Counterterrorism Center, accused the FBI instead. Scheuer wrote in the July 4, 2006 issue of *The Washington Times* [22]:

FBI officers sat in the unit I first commanded and then served in and they read the same information I did. If the data did not get to FBI headquarters it is because the FBI then lacked, and still lacks, a useable computer system. The FBI did not know the September

11 hijackers were here because Judge Louis Freeh [5th FBI Director] and Robert Mueller [6th FBI Director] have failed to provide their officers computers that allow them to talk securely to their headquarters and other intelligence community elements. ... In my own experience, Mr. O'Neill was interested only in furthering his career and disguising the rank incompetence of senior FBI leaders. He once told me that he and the FBI would oppose an operation to capture bin Laden and take him to a third country for incarceration. When I asked why, he replied, "Why should the FBI help to capture bin Laden if the bureau won't get credit among Americans for his arrest and conviction?"

Contrary to Scheuer's negative assessment of O'Neill who was killed in the 9/11 attacks, the FBI I-49 squad intercepted phone calls between bin Laden and his al-Qaeda operatives by installing two antennae in the Pacific and the Indian Ocean, as well as a satellite phone booth with a hidden camera in Kandahar, Afghanistan [17].

The CIA apparently did not get along with the National Security Agency (NSA) either. A military officer from the 1998 Middle East signals-intelligence operation team told Seymour Hersh of *The New Yorker* that he was unable to discuss the activity with representatives of the CIA and the NSA at the same time. "I used to meet with one in a safe house in Virginia, break for lunch, and then meet with the other," the officer said. "They wouldn't be in the same room" [23].

A senior manager at a U.S. intelligence agency disclosed that the major intelligence centers were so consumed by internecine warfare that the professional analysts find it difficult to do their jobs. "They're all fighting among each other," said the senior manager. "There's no concentration on issues" [23].

To make matter worse, the U.S. Justice Department in 1995 established a policy known as "the Wall" or "Chinese Wall," that hindered the exchange of foreign intelligence information between FBI agents and criminal investigators. U.S. Attorney Mary Jo White voiced her dissonance in a memorandum faxed to Deputy Attorney General Jamie Gorelick in December 1995. White argued that the Justice Department and the FBI were structured and operating in a way that did not make maximum legitimate use of all law enforcement and intelligence avenues to prevent terrorism and prosecute terrorists. White asserted that the Justice Department was building "unnecessary and counterproductive walls that inhibit rather than promote our ultimate objectives" and that "we must face the reality that the way we are proceeding now is inherently and in actuality very dangerous" [24]. Using the Chinese Wall policy as an excuse, the FBI withheld intelligence from the White House, and the CIA refused to share intelligence with the FBI.

In his 1998 book *Secrecy: The American Experience*, U.S. Senator Daniel Patrick Moynihan wrote that "Departments and agencies hoard information, and the government becomes a kind of market. Secrets become organizational assets, never to be shared save in exchange for another organization's assets. ... Too much of the information was secret, not sufficiently open to critique by persons outside government. Within the confines of the intelligence community, too great attention was paid to hoarding information, defending boundaries, securing budgets, and other matters of corporate survival. ... The system costs can be enormous. In the void created by absent or withheld information, decisions are either made poorly or not at all" [25].

2.5 Operational Failures of the U.S. Intelligence Community

After 9/11, CIA director George Tenet and CIA Counterterrorist Center director Cofer Black testified to Congress that the CIA had divulged information about future hijacker Khalid al-Mihdhar's to the FBI in a timely manner. However, the 9/11 Commission concluded that their statements were false [26].

The 9/11 Commission Report identified several major operational failures — opportunities that the U.S. intelligence community and governmental agencies could have exploited to prevent 9/11 [27]. The failures included:

Central Intelligence Agency (CIA)

- Not watchlisting future hijackers Khalid al-Mihdhar and Nawaf al-Hazmi, not trailing them after they traveled to Bangkok, and not informing the FBI about one future hijacker's U.S. visa or his companion's travel to the United States.
- Not sharing information linking individuals in the *Cole* attack to al-Mihdhar.

Federal Bureau of Investigation (FBI)

- Not taking adequate steps in time to find al-Mihdhar or al-Hazmi in the United States.
- Not linking the arrest of Zacarias Moussaoui, described as interested in flight training for the purpose of using an airplane in a terrorist act, to the heightened indications of attack.
- Not expanding no-fly lists to include names from terrorist watchlists.

U.S. State Department and Immigration and Naturalization Service (INS)

- Not discovering false statements on visa applications.
- Not recognizing passports manipulated in a fraudulent manner.
- Not realizing false statements to border officials to gain entry into the United States.

Federal Aviation Administration (FAA)

- Not making use of the U.S. TIPOFF terrorist watchlist where two of the hijackers were listed.
- Not searching airline passengers identified by the Computer-Assisted Passenger Prescreening System (CAPPS).
- Not hardening aircraft cockpit doors or taking other measures to prepare for the possibility of suicide hijackings.

Furthermore, a 2001 Congressional report disclosed that the NSA was faced with “profound needle-in-the-haystack challenges.” *The New York Times* revealed in 2002 that there were 200 million pieces of intelligence in a regular workday, and less than one percent of it was ever decoded, translated, or processed [28].

Despite the establishment of the Terrorist Screening Center (TSC) in 2003, U.S. agencies handling the terrorist watch lists have continued to “work from at

least 12 different, sometimes incompatible, often uncoordinated and technologically archaic databases” [29]. The TSC has been tasked to consolidate the State Department’s TIPOFF, Homeland Security’s No-fly list, and FBI’s Interpol terrorism watch list [30].

For spy agencies like the CIA and military intelligence organizations, *The Wall Street Journal* revealed in 2009 that there are hundreds of databases each and most of them are not linked up [31]. Analysts often have to query individual databases separately and analyze the data through the conventional “pen and paper” method.

In short, finger-pointing, interagency rivalries, personal animosity, operational inefficiency, outmoded government regulations, and intentional withholding of vital information had resulted in a colossal failure of the U.S. intelligence community to protect and serve the American public.

2.6 Unity of Counterterrorism Effort Across U.S. Government

Most U.S. military officers serving on the front lines overseas have heard “One Team, One Fight” — everyone working together to accomplish the mission [32]. Aesop’s fable *The Four Oxen and the Lion* reminds us that “united we stand, divided we fall.” To effectively fight against terrorism, the 9/11 Commission called for unity of effort in five areas of the U.S. government [27]:

1. **National Counterterrorism Center (NCTC)** unifying strategic intelligence and operational planning against Islamist terrorists across the foreign-domestic divide. Placed in the Executive Office of the President, the NCTC would:
 - a. Build on the existing Terrorist Threat Integration Center, and would replace it and other terrorism “fusion centers” within the government.
 - b. Become the authoritative knowledge bank with information collected from both inside and outside the United States.
 - c. Perform joint operational planning with existing agencies and track implementation of plans.
 - d. Influence the leadership and the budgets of the counterterrorism operating arms of the CIA, the FBI, the departments of Defense, and Homeland Security.
 - e. Follow the policy direction of the President and the National Security Council.
2. **National Intelligence Director (NID)** unifying the U.S. intelligence community. Located in the Executive Office of the President, the NID would:
 - a. Oversee national intelligence centers (e.g. CIA, DIA [Defense Intelligence Agency], NSA, and FBI) that combine experts from all the collection disciplines against common targets such as counterterrorism or nuclear proliferation.
 - b. Oversee the agencies that contribute to the national intelligence program including setting common standards for personnel and information technology.

- c. Have authority over three intelligence deputies:
 - Director of the CIA (for foreign intelligence)
 - Under Secretary of Defense for Intelligence (for defense intelligence)
 - Executive Assistant Director for Intelligence at the FBI or Under Secretary of Homeland Security for Information Analysis and Infrastructure Protection (for homeland intelligence)
3. **Network-based Information Sharing System** unifying the many participants in the counterterrorism efforts and their knowledge. Transcending traditional governmental boundaries, the decentralized network-based information system would replace the system of “need to know” by a system of “need to share.” The 9/11 Commission acknowledged that “secrecy stifles oversight, accountability, and information sharing.” Legal and policy issues must be resolved in order for the new information sharing system to be used effectively.
4. **U.S. Congress** unifying and strengthening congressional oversight to improve quality and accountability. For intelligence oversight, Congress would combine authorizing and appropriating intelligence committees to empower their oversight function. To minimize national security risks during transitions between administrations, Congress would create a permanent standing committee for homeland security in each chamber.
5. **U.S. Government** strengthening the FBI and homeland defenders. The FBI would establish a specialized and integrated national security workforce consisting of agents, analysts, linguists, and surveillance specialists, in order to develop a deep expertise in intelligence and national security. The Department of Defense’s Northern Command would regularly assess the adequacy of strategies and planning to defend against military threats to the homeland. The Department of Homeland Security would regularly assess the types of threats the country faces, in order to determine the readiness of the U.S. government to respond to those threats.

Figure 2.2 shows the post-9/11 organizational chart for the U.S. intelligence community recommended by the 9/11 Commission to achieve a unity of effort in managing intelligence. The Executive Office of the President includes the President of the United States (POTUS), the National Intelligence Director (NID), and the National Counterterrorism Center (NCTC). The three NID deputies are the CIA Director (foreign intelligence), the Under Secretary of Defense for Intelligence (defense intelligence), and the FBI Intelligence Director (homeland intelligence).

The “new” Open Source Agency in Figure 2.2 became a reality in 2005 when Douglas Naquin was appointed the director of the Open Source Center (OSC). Replacing the former Foreign Broadcast Information Service (FBIS) head by Naquin, the OSC collects information available from “the Internet, databases, press, radio, television, video, geospatial data, photos and commercial imagery” [33]. According to the OSC website, “OpenSource.gov provides information on foreign political, military, economic, and technical issues beyond the usual media from an ever expanding universe of open sources. Our website contains sources from more than 160 countries, in more than 80 languages and hosts content from several commercial providers, as well as content from OSC partners” [34].

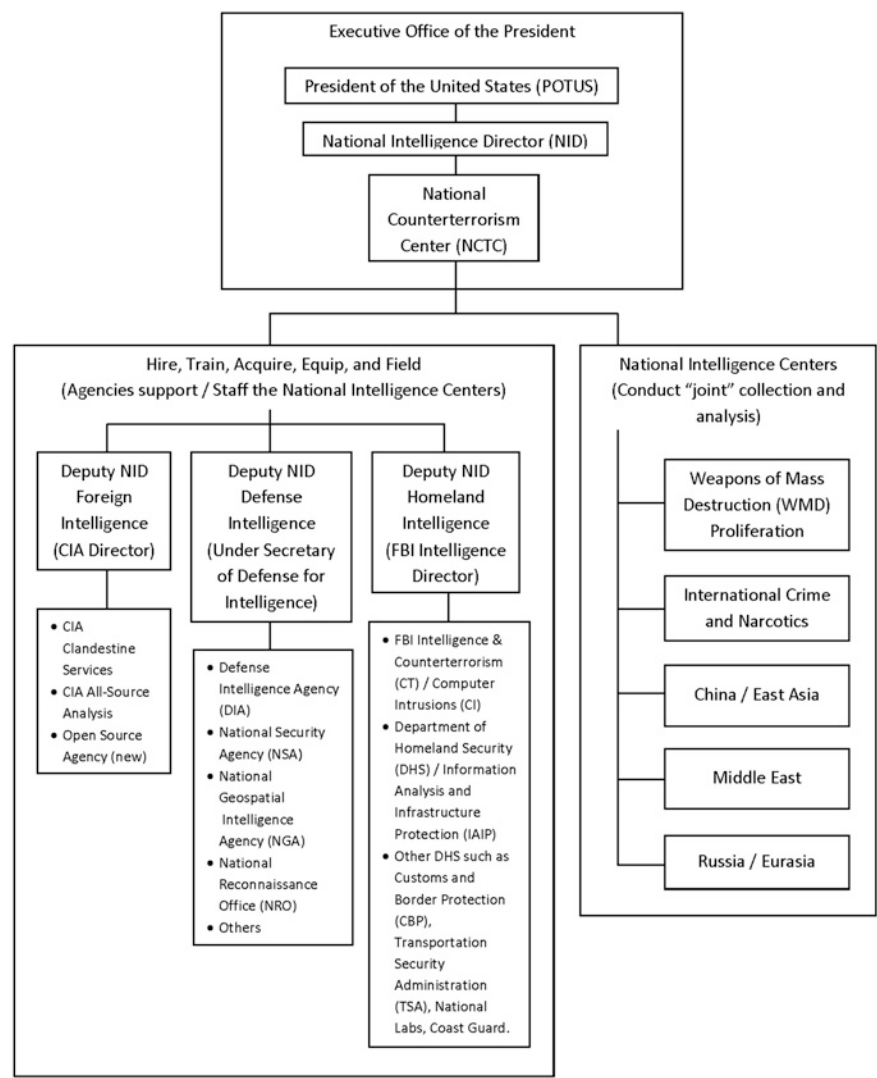


Fig. 2.2 Unity of effort in managing intelligence

2.7 Transition from Need-to-Know to Need-to-Share and Need-to-Provide

Based on the 9/11 Commission’s recommendations, Congress passed the Intelligence Reform and Terrorism Prevention Act in 2004 and established the Office of the Director of National Intelligence (ODNI) [35]. Former Ambassador John Negroponte served as the first Director of National Intelligence (DNI) in April 2005.

Although the CIA had objected to the creation of the ODNI, the CIA issued a statement in 2006 admitting the necessity of interagency cooperation: “Based on rigorous internal and external reviews of its shortcomings and successes before and after 9/11, the CIA has improved its processing and sharing of intelligence. CIA’s focus is on learning and even closer cooperation with partners inside and outside government, not on public finger pointing, which does not serve the American people well” [36].

Former NSA director and vice admiral John Michael McConnell became the second Director of National Intelligence in February 2007. He implemented an aggressive “100 Day Plan for Integration and Collaboration” in order to address and overcome barriers — legal, policy, technology, process, and culture — in the U.S. intelligence community [37]. The 100 Day Plan focused on six enterprise integration priorities:

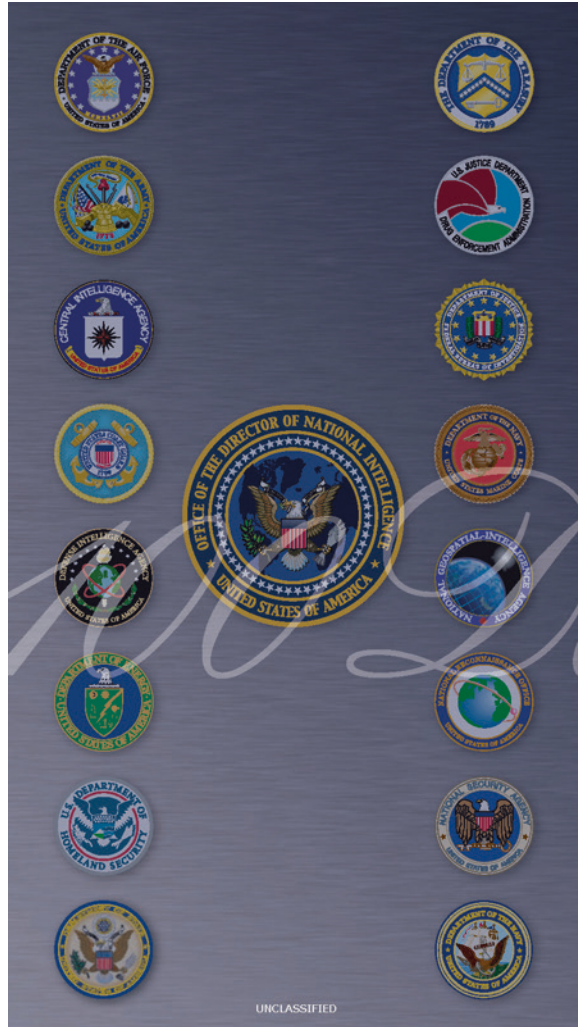
1. Create a Culture of Collaboration
2. Foster Collection and Analytic Transformation
3. Build Acquisition Excellence and Technology Leadership
4. Modernize Business Practices
5. Accelerate Information Sharing
6. Clarify and Align DNI’s Authorities

McConnell’s 100 Day Plan was followed by his “500 Day Plan for Integration and Collaboration” in October 2007 that “continues to build the foundation to enable the IC to work as a single, integrated enterprise” [38].

As of 2015, the U.S. intelligence community is a coalition of 17 agencies and organizations headed by the Office of the Director of National Intelligence (ODNI) [39] (See Figure 2.3):

1. ODNI
2. Air Force Intelligence, Surveillance, and Reconnaissance (AF ISR)
3. Army Intelligence (G-2)
4. Central Intelligence Agency (CIA)
5. Coast Guard Intelligence
6. Defense Intelligence Agency (DIA)
7. Department of Energy (DOE)
8. Department of Homeland Security (DHS)
9. Department of State: Bureau of Intelligence and Research (INR)
10. Department of the Treasury: Office of Intelligence and Analysis (OIA)
11. Drug Enforcement Administration (DEA): Office of National Security Intelligence (ONSI)
12. Federal Bureau of Investigation (FBI): National Security Branch (NSB)
13. Marine Corps Intelligence
14. National Geospatial-Intelligence Agency (NGA)
15. National Reconnaissance Office (NRO)
16. National Security Agency (NSA) /Central Security Service (CSS)
17. Navy Intelligence (ONI)

Fig. 2.3 U.S. intelligence community (Courtesy of the Office of the Director of National Intelligence)



The intelligence community employs more than 100,000 people including private contractors. The annual budget exceeds \$50 billion, more than the U.S. government spends on energy, scientific research, and the federal court and prison systems [40].

Letitia “Tish” Long, Director of the National Geospatial-Intelligence Agency (NGA), described the shift across the post-9/11 intelligence community as the transition from a need-to-know atmosphere to a need-to-share and need-to-provide culture. “In solving intelligence problems, including diversity of thought is essential,” said Long in a 2012 interview. “[In] the Osama bin Laden operation, the intelligence community witnessed the true value of merging many thoughts and perspectives, and we must continue to replicate this kind of integration across the enterprise in the future” [41]. The NGA was responsible for the analysis of satellite imagery of the bin Laden compound in Pakistan [42].

2.8 Informed Interrogation Approach

At the 2012 Aspen Institute Security Conference, Admiral William McRaven touted the bin Laden raid as one of the “great intelligence operations in history” [43]. However, the FBI and CIA have been at odds with each other’s interrogation techniques. FBI agent Ali Soufan who firmly believes in “knowledge and empathy” has accused CIA’s “enhanced interrogation” methods for being harsh, ineffective, and borderline torture. Senate Intelligence Committee Chairman Dianne Feinstein and Senate Armed Services Committee Chairman Carl Levin released their findings in April 2012 that seriously questioned the effectiveness of CIA’s coercive interrogation methods [44]. Ali Soufan testified before Congress in May 2009 [45]:

The Informed Interrogation Approach is based on leveraging our knowledge of the detainee’s culture and mindset, together with using information we already know about him.... This Informed Interrogation Approach is in sharp contrast with the harsh interrogation approach introduced by outside contractors and forced upon CIA officials to use.... The [enhanced interrogation] approach applies a force continuum, each time using harsher and harsher techniques until the detainee submits.... There are many problems with this technique. A major problem is that it is ineffective. Al-Qaeda terrorists are trained to resist torture. As shocking as these techniques are to us, the al-Qaeda training prepares them for much worse — the torture they would expect to receive if caught by dictatorships for example.... A second major problem with this technique is that evidence gained from it is unreliable. There is no way to know whether the detainee is being truthful, or just speaking to either mitigate his discomfort or to deliberately provide false information....

Another disastrous consequence of the use of the harsh techniques was that it reintroduced the ‘Chinese Wall’ between the CIA and FBI — similar to the wall that prevented us from working together to stop 9/11.... The situation was, and remains, too risky to allow someone to experiment with amateurish, Hollywood style interrogation methods — that in reality — taints sources, risks outcomes, ignores the end game, and diminishes our moral high ground in a battle that is impossible to win without first capturing the hearts and minds around the world. It was one of the worst and most harmful decisions made in our efforts against al-Qaeda.

U.S. senators Dianne Feinstein (Senate Intelligence Committee Chairman) and Carl Levin (Senate Armed Services Committee Chairman) released a joint statement in April 2012 saying that “We are deeply troubled by the claims of the CIA’s former Deputy Director of Operations Jose Rodriguez regarding the effectiveness of the CIA’s coercive interrogation techniques.... We are also troubled by Rodriguez’s statements justifying the destruction of video tapes documenting the use of coercive interrogation techniques as ‘just getting rid of some ugly visuals.’ His decision to order the destruction of the tapes was in violation of instructions from CIA and White House lawyers, illustrates a blatant disregard for the law, and unnecessarily caused damage to the CIA’s reputation” [46].

The 2012 movie *Zero Dark Thirty* dramatized the hunt for bin Laden by the U.S. intelligence community. Acting CIA director Michael Morell issued a statement to agency employees on December 21, 2012 saying that *Zero Dark Thirty* is not a historically accurate film [47]. U.S. senators Dianne Feinstein, Carl Levin,

and John McCain wrote in a letter to Sony Pictures Entertainment that “*Zero Dark Thirty* is factually inaccurate, and we believe that you have an obligation to state that the role of torture in the hunt for Usama Bin Laden is not based on the facts, but rather part of the film’s fictional narrative.... The filmmakers and your production studio are perpetuating the myth that torture is effective. You have a social and moral obligation to get the facts right” [48].

CNN national security analyst Peter Bergen also remarked that “the compelling story told in the film captures a lot that is true about the search for al-Qaeda’s leader but also distorts the story in ways that could give its likely audience of millions of Americans the misleading picture that coercive interrogation techniques used by the CIA on al-Qaeda detainees — such as waterboarding, physical abuse and sleep deprivation — were essential to finding bin Laden” [49].

2.9 U.S. Fusion Centers

To encourage information sharing among governmental agencies, seventy-seven fusion centers have been set up in various cities across the U.S. “Fusion centers have stepped up to meet an urgent need in the last decade,” Homeland Security and Governmental Affairs Committee Chairman Joe Lieberman said in October 2012. “Without fusion centers, we would not be able to connect the dots. Fusion centers have been essential to breaking down the information silos and communications barriers that kept the government from detecting the most horrific terrorist attack on this country — even though federal, state, and local officials each held valuable pieces of the puzzle” [50]. Lieberman cited examples of counterterrorism cases:

- “Raleigh Jihad” case — This case from 2009 involved Daniel Patrick Boyd and six others who planned to attack Marine Base Quantico. The North Carolina fusion center partnered with the local FBI Joint Terrorism Task Force on this investigation.
- Rezwan Ferdaus — In 2010, homegrown violent Islamist extremist Ferdaus was arrested in Boston for planning to attack the Pentagon and the Capitol with explosives attached to remote control small planes. The Massachusetts state fusion center was credited with making a “significant contribution” to the investigation.
- Seattle military recruiting center plot — In 2011, two homegrown violent Islamist extremists were arrested in Seattle for planning to attack a military recruiting center. The initial lead in this case came from a Seattle Police Department informant, and the investigation was jointly coordinated by the FBI and state and local agencies at the Washington state fusion center.

However, U.S. Senators Carl Levin and Tom Coburn issued a report in October 2012 of their two-year investigation that uncovered the ineffectiveness and inefficiency of the state and local fusion centers around the country [51]:

Sharing terrorism-related information between state, local and Federal officials is crucial to protecting the United States from another terrorist attack. Achieving this objective was the motivation for Congress and the White House to invest hundreds of millions of taxpayer dollars over the last nine years in support of dozens of state and local fusion centers across the United States.

The Subcommittee investigation found that DHS [Department of Homeland Security]-assigned detailees to the fusion centers forwarded “intelligence” of uneven quality — oftentimes shoddy, rarely timely, sometimes endangering citizens’ civil liberties and Privacy Act protections, occasionally taken from already-published public sources, and more often than not unrelated to terrorism.

The findings of both the 2010 and 2011 assessments contradict public statements by DHS officials who have described fusion centers as “one of the centerpieces of our counterterrorism strategy,” and “a major force multiplier in the counterterrorism enterprise.” The Subcommittee investigation found that the fusion centers often produced irrelevant, useless or inappropriate intelligence reporting to DHS, and many produced no intelligence reporting whatsoever.

Despite some success stories cited by Joe Lieberman, the Senate investigative report clearly reveals that the U.S. fusion centers are in dire need of revamp. Reorganization is a common practice in successful businesses, the U.S. government should learn from the private sector.

2.10 International Collaboration on Counterterrorism

During the investigation of the Boston Marathon bombing suspect Tamerlan Tsarnaev, U.S. Senator Saxby Chambliss cited an apparent lack of information-sharing between the federal law enforcement and intelligence agencies. Senator Lindsey Graham concurred, “It was clear to me that the homeland security shop had information about the travel to Russia, the FBI did not, and they’re not talking to each other and they’re going back to the pre-9/11 problems here” [52].

Had there been better international collaboration on counterterrorism, the Boston Marathon bombings on April 15, 2013 would have most likely been averted. In March 2011, Russian intelligence warned the FBI about Tamerlan Tsarnaev for possible terrorist activities, but the FBI cleared Tsarnaev in its own investigation. Six months later in September 2011, the Russian security agency FSB sent a similar warning letter to the CIA about Tsarnaev becoming radicalized, but refused to offer more information. “There were no details, no examples, no threads to pull,” said a senior U.S. official. “Because of the rather light nature of the information we did go back to them and asked can you tell us more. We never heard back.... There’s still a lot of suspicion [between U.S. and Russian intelligence operatives]. I am not sure they would share their source information with us” [53].

In September 2014, Russia Direct released a new memo explaining why U.S.-Russia joint counterterrorism collaboration has failed to materialize in the post-Cold War era. Reporter Igor Rozin wrote, “After 9/11 and the Beslan terrorist attacks in 2004, the United States and Russia have shown signs that cooperation in a global fight against terrorism is possible. Yet, the past two years have witnessed

a number of notable setbacks, culminating with the current crisis in Ukraine.... Cooperation is now more important than ever, as the Islamic State of Iraq and the Greater Syria (ISIS) continues to threaten both the West and Russia with further terrorist attacks.... Clearly, after the end of the Cold War, international terrorism has become the ‘very quintessence of other global threats’” [54].

Earlier on September 22, 2011, U.S. Secretary of State Hillary Clinton and Turkish Foreign Minister Ahmet Davutoglu launched the Global Counterterrorism Forum (GCTF) in New York [55]:

The GCTF’s overarching and long-term goal is to reduce the vulnerability of people everywhere to terrorism by effectively preventing, combating, and prosecuting terrorist acts and countering incitement and recruitment to terrorism.

It provides a venue for national counterterrorism (CT) officials and practitioners to meet with their counterparts from key countries in different regions to share CT experiences, expertise, strategies, capacity needs, and capacity-building programs. It prioritizes civilian capacity building in areas such as rule of law, border management, and countering violent extremism.

A core part of the Forum’s mission is to support the implementation of the UN Global Counter-Terrorism Strategy around the globe and it places particular emphasis on working closely with the United Nations and other relevant multilateral bodies. The GCTF maintains an inclusive, even-handed, and transparent approach to its work while continuing to be an informal, action-oriented, and flexible platform committed to ensuring that it attracts the most capable and experienced CT policymakers and experts to the table.

The main focus areas of the Global Counterterrorism Forum are:

1. Addressing the “foreign terrorist fighters” problem.
2. Promoting criminal justice responses to terrorism grounded in human rights and the rule of law.
3. Supporting victims of terrorism.
4. Taking action against kidnapping for ransom and other sources of terrorism funding.
5. Supporting multi-sectoral approaches to countering violent extremism, including community engagement and community-oriented policing.
6. Rehabilitating and reintegrating violent extremist offenders.
7. Supporting efforts to address instability in the Sahel and other key regions.
8. Inspiring and supporting new international centers and initiatives to address critical challenges.
9. Developing a worldwide network of civilian CT practitioners.
10. Catalyzing implementation of the United Nations framework for countering terrorism.

2.11 Hard Lessons from Pearl Harbor and 9/11

In an unclassified document released on September 2007, Tom Johnson, head of the Division of History and Publications at the NSA, analyzed the surprise Japanese attack on Pearl Harbor in 1941. Johnson wrote in *Cryptologic Quarterly* [56]:

Interservice and intraservice rivalry always loses. If the coordination between Army and Navy was bad in Washington and in Hawaii, it was even worse within the Navy itself. Admiral Turner unquestionably harmed the defense effort through overzealous aggrandizement and turf quarrels. It was inexcusable then — it is inexcusable today. And it can be seen everywhere one goes in the Federal Government.

There is a delicate balance between the requirements of secrecy and the needs of the customer. At Pearl Harbor this balance was not properly struck. Information was kept from field commanders on whose shoulders the administration had placed a great deal of responsibility. Information did not flow because we feared losing the source. It remained bottled up in Washington, serving as small talk for intelligence professionals, State Department officials, and a limited number of operational staff planners. It is not easy to achieve a balance, but it must be done, constantly, in thousands of daily decisions over disclosure and dissemination. We face the same decisions today, in far greater quantity, though with no greater consequence. We weren't smart about it then. Are we now?

After the surprise 9/11 attacks in similar magnitude to the attack on Pearl Harbor, the U.S. intelligence community has been moving in the right direction from “need-to-know” to “need-to-share” and “need-to-provide,” but there is still plenty of room for improvement.

On September 11, 2012, terrorists attacked the U.S. Consulate in Benghazi, Libya during the massive protests across the Muslim world over an anti-Islam film [57]. U.S. ambassador J. Christopher Stevens and three other Americans were killed.

Fran Townsend, CNN national security analyst and former homeland security advisor to President George W. Bush, reported on the progress of the FBI investigation 15 days after the attack. Townsend said on CNN's “Anderson Cooper 360°,” “They've gotten as far as Tripoli now, but they've never gotten to Benghazi,” said Townsend. “They had difficulty, and we understand there was some bureaucratic infighting between the FBI and Justice Department on the one hand, and the State Department on the other, and so it took them longer than they would have liked to get into the country. They've now gotten there. But they still are unable to get permission to go to Benghazi” [58]. The FBI finally arrived at the crime scene on October 3, three weeks after the deadly attack on the U.S. Consulate [59].

On October 10, former regional security officer Eric Nordstrom testified before a congressional hearing that his superiors denied his request for additional security for the U.S. Consulate in Benghazi months before the terrorist attack. Nordstrom told the House Oversight Committee, “You know what makes it most frustrating about this assignment? It's not the hardships. It's not the gunfire. It's not the threats. It's dealing and fighting against the people, programs, and personnel who are supposed to be supporting me.... For me, the Taliban is on the inside of the building” [60].

“Taliban on the inside of the State Department” is a dire metaphor. Bureaucratic red tape continues to hamper the effectiveness and efficiency of the U.S. intelligence community. The U.S. government needs to learn from successful private businesses that run an effective and efficient operation in serving their customers and outwitting their competitors. Like running any successful business, the government cannot afford to make serious mistakes. Bruce Riedel, former CIA

officer and chair of Strategic Policy Review of Afghanistan and Pakistan, voiced his opinion in *The Daily Beast*, “In fighting terror, our team has to stay lucky 100 percent of the time. Al-Qaeda needs to be lucky only once” [61].

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