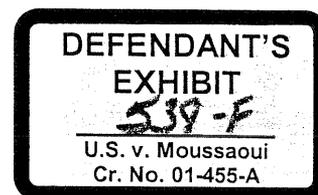


COVER SHEET FOR PORTIONS OF THE JICI REPORT REGARDING
THE USE OF AIRCRAFT AS WEAPONS

In February 2002, the U.S. Senate Select Committee on Intelligence and the U.S. House Permanent Select Committee on Intelligence agreed to conduct a joint inquiry into the activities of the U.S. intelligence community in connection with the September 11, 2001 terrorist attacks. During the course of the inquiry, the committees held nine public hearings as well as thirteen closed sessions. In addition, the joint inquiry staff reviewed almost 500,000 pages of documents from the intelligence community agencies and other sources. The staff also conducted approximately 300 interviews, and participated in numerous briefings and panel discussions, that have involved almost 600 individuals from the intelligence community agencies, other U.S. Government organizations, state and local entities, and representatives of the private sector and foreign governments.

On December 20, 2002, the committees filed their final report, entitled "Joint Inquiry into Intelligence Community Activities Before and After the Terrorist Attacks of September 11, 2001" (the "JICI Report"). One part of that report discussed the pre-9/11 intelligence information on the use of aircraft as weapons. Attached hereto, is a copy of portions of the declassified JICI Report discussing that matter. Specifically, the following pages, some excerpted, are attached: 1, 9-10 and 209-215.



PART ONE—FINDINGS AND CONCLUSIONS

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

Discussion: [While the credibility of the sources was sometimes questionable and the information often sketchy, the Inquiry confirmed that the Intelligence Community did receive intelligence reporting concerning the potential use of aircraft as weapons. For example, the Community received information in 1998 about a Bin Ladin operation that would involve flying an explosive- laden aircraft into a U.S. airport and, in summer 2001, about a plot to bomb a U.S. embassy from an airplane or crash an airplane into it. The FBI and CIA were also aware that convicted terrorist Abdul Hakim Murad and several others had discussed the possibility of crashing an airplane into CIA Headquarters as part of “the Bojinka Plot” in the Philippines, discussed later in this report. Some, but

apparently not all, of these reports were disseminated within the Intelligence Community and to other agencies].

The Transportation Security Administration, for example, advised the Committees that the Federal Aviation Administration (FAA) had not received three of these reports, that two others were received by the FAA but through State Department cables, and that one report was received by the FAA, but only after September 11, 2001. Many policymakers and U.S. Government officials apparently remained unaware of this kind of potential threat and the Intelligence Community did not produce any specific assessments of the likelihood that terrorists would in fact use airplanes as weapons. For example, former National Security Advisor Sandy Berger testified before these Committees that:

I don't recall being presented with any specific threat information about an attack of this nature [the use of aircraft as weapons] or any alert highlighting this threat or indicating it was any more likely than any other.

That testimony is consistent with the views publicly expressed by the current National Security Advisor, Condoleezza Rice, shortly after the September 11 attacks.

[Page 11] Similarly, Deputy Under Secretary of Defense Paul Wolfowitz testified that he had not been made aware of this type of potential threat:

I don't recall any warning of the possibility of a mass casualty attack using civilian airliners or any information that would have led us to contemplate the possibility of our shooting down a civilian airliner.

Even within the Intelligence Community, the possibility of using aircraft as weapons was apparently not widely known. At the FBI, for instance, the FBI Phoenix field office agent who wrote the so-called "Phoenix memo" testified that he was aware of the plot to crash a plane into CIA Headquarters, but not the other reports of terrorist groups considering the use of aircraft as weapons. The Chief of the Radical Fundamentalist Unit in the FBI's Counterterrorism Division also confirmed, in a Joint Inquiry interview, that he was not aware of such reports.

F. Intelligence Information on Possible Terrorist Use of Airplanes as Weapons

Central to the September 11 attacks was the terrorists' use of airplanes as weapons, which National Security Advisor Condoleezza Rice addressed in a May 2002 press briefing:

I don't think anybody could have predicted that these same people would take an airplane and slam it into the World Trade Center, taken another one and slam it into the Pentagon; that they would try to use an airplane as a missile, a hijacked airplane as a missile. All of this reporting about hijacking was about traditional hijacking. You take a plane – people were worried they might blow one up, but they were most worried that they might try to take a plane and use it for release of the blind Sheikh or some of their own people.

The Joint Inquiry confirmed that, before September 11, the Intelligence Community produced at least twelve reports over a seven-year period suggesting that terrorists might use airplanes as weapons. As with the intelligence reports indicating Bin Ladin's intentions to strike inside the United States, the credibility of sources was sometimes questionable and information often sketchy. The reports reviewed by the Joint Inquiry included:

- In December 1994, Algerian Armed Islamic Group terrorists hijacked an Air France flight in Algiers and threatened to crash it into the Eiffel Tower. French authorities deceived the terrorists into thinking the plane did not have enough fuel to reach Paris and diverted it to Marseilles. A French anti-terrorist force stormed the plane and killed all four terrorists.

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- In January 1995, a Philippine National Police raid turned up material in a Manila apartment suggesting that Ramzi Yousef, Abdul Murad, and Khalid Shaykh Mohammad planned, among other things, to crash an airplane into CIA Headquarters. The police said that the same group was responsible for the bombing of a Philippine airliner on December 12, 1994. Information on the threat was passed to the FAA, which briefed U.S. and major foreign carriers.
- In January 1996, the Intelligence Community obtained information concerning a planned suicide attack by persons associated with Shaykh al-Rahman and a key al-Qa'ida operative to fly to the United States from Afghanistan and attack the White House.
- In October 1996, the Intelligence Community obtained information regarding an Iranian plot to hijack a Japanese plane over Israel and crash it into Tel Aviv. A passenger would board the plane in the Far East, commandeer the aircraft, order it to fly over Tel Aviv, and crash the plane into the city.
- In 1997, an FBI Headquarters unit became concerned about the possibility that an unmanned aerial vehicle (UAV) would be used in terrorist attacks. The FBI and CIA became aware of reports that a group had purchased a UAV and concluded that the group might use the plane for reconnaissance or attack. The possibility of an attack outside the United States was thought to be more likely, for example, by flying a UAV into a U.S. embassy or a U.S. delegation.
- In August 1998, the Intelligence Community obtained information that a group, since linked to al-Qa'ida, planned to fly an explosive-laden plane from a foreign country into the World Trade Center. As explained earlier, the FAA found the plot to be highly unlikely given the state of the foreign country's aviation program. Moreover, the agencies concluded that a flight originating outside the United States would be detected before it reached its target. The FBI's New York office took no action on the information.

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- In September 1998, the Intelligence Community obtained information that Bin Ladin's next operation might involve flying an explosives-laden aircraft into a U.S. airport and detonating it. This information was provided to senior government officials in late 1998.
- In November 1998, the Intelligence Community obtained information that the Turkish Kaplancilar, an Islamic extremist group, had planned a suicide attack to coincide with celebrations marking the death of Ataturk, the founder of modern Turkey. The conspirators, who were arrested, planned to crash an airplane packed with explosives into Ataturk's tomb during a ceremony. The Turkish press said the group had cooperated with Bin Ladin, and the FBI's New York office included this incident in a Bin Ladin database.
- In February 1999, the Intelligence Community obtained information that Iraq had formed a suicide pilot unit that it planned to use against British and U.S. forces in the Persian Gulf. The CIA commented that this was highly unlikely and probably disinformation.
- In March 1999, the Intelligence Community obtained information regarding plans by an al-Qa'ida member, who was a U.S. citizen, to fly a hang glider into the Egyptian Presidential Palace and detonate explosives. The person, who received hang glider training in the United States, brought a hang glider to Afghanistan. However, various problems arose during the testing of the glider. He was subsequently arrested and is in custody abroad.
- In April 2000, the Intelligence Community obtained information regarding an alleged Bin Ladin plot to hijack a Boeing 747. The source, a "walk-in" to the FBI's Newark office, claimed that he had learned hijacking techniques and received arms training in a Pakistani camp. He also claimed that he was to meet five or six persons in the United States. Some of these persons would be pilots who had been instructed to take over a plane, fly to Afghanistan, or, if they could not make it there, blow the plane up. Although [page 222] the source passed a polygraph, the Bureau was unable to verify any aspect of his story or identify his contacts in the United States.

- In August 2001, the Intelligence Community obtained information about a plot to bomb the U.S. embassy in Nairobi from an airplane or crash the airplane into it. The Intelligence Community learned that two people who were reportedly acting on instructions from Bin Ladin met in October 2000 to discuss this plot.

The CIA disseminated several of these reports to the FBI and to agencies responsible for preventive actions. These included the FAA, which is responsible for issuing security directives, alerting domestic and international airports and airlines of threats the Intelligence Community has identified.*

In testimony before the Joint Inquiry, DCI Tenet mentioned additional evidence developed since September 11 concerning al-Qa'ida's intention of to use airplanes as weapons:

[After 11 September, we learned from a foreign government service that in 1996, Bin Ladin's second-in-command, Muhammad Atif, drew up a study on the feasibility of hijacking US planes and destroying them in flight, possibly influenced by Yousef's and Mukhtar's unrealized plans [the Bojinka Plot]. . . . Bin Ladin's determination to strike America at home increased with the issuance of the February 1998 *fatwa* targeting all Americans, both military and civilian. The ideas about destroying commercial airliners that had been circulating in al-Qa'ida leadership circles for several years appear to have been revived after that *fatwa*, in the early planning stages of the 9/11 plot. We believe that outside events also shaped al-Qa'ida leaders' thinking about an airliner attack. [_____] the October 1999 crash of Egypt Air Flight 990, attributed in the media to a suicidal pilot, may have encouraged al-Qa'ida's growing impression that air travel was a vulnerability for the United States].

Despite these reports, the Intelligence Community did not produce any specific assessments of the likelihood that terrorists would use airplanes as weapons, and U.S. policymakers apparently remained unaware of this kind of potential threat. Former National Security Advisor Sandy Berger testified before the Joint Inquiry: "We heard of the idea of airplanes as weapons, but I don't recall being presented with any specific threat information about an attack of this nature or any alert highlighting this [page 223] threat or indicating it was any more likely than any other." In response to written Joint Inquiry questions, Deputy National Security Advisor Steve Hadley asserted:

* As noted earlier, however, the former intelligence office at FAA, the Transportation Security Intelligence Service, researched 12 reports concerning the possible use of airplanes as weapons that the DCI testified had been disseminated to appropriate agencies and found that there was no record of FAA receipt of three of them, two others had been derived from State Department reports, and one was not received by FAA until after September 11, 2001.

Before September 11, I do not recall receiving any information concerning al-Qa'ida using aircraft as weapons for attacks within the United States. One CIA analysis stated that al-Qa'ida was interested in possible hijackings in order to win the release of imprisoned al-Qa'ida members, but did not mention the possibility of using aircraft themselves as weapons.

The failure to consider seriously the use of aircraft as weapons may be the result of insufficient resources directed to intelligence analysis. Before September 11, CTC had forty analysts to analyze terrorism issues worldwide, with only one of its five analytic branches focused on terrorist tactics. As a result, the only terrorist tactic on which CTC had performed strategic analysis was the use of chemical, biological, radiological and nuclear weapons because of the obvious potential for mass casualties.

Aviation-related terrorism was included in some broader terrorist threat assessments, such as the National Intelligence Estimate (NIE) on terrorism. For example, a 1995 NIE mentioned the plot to blow up twelve U.S. airliners and cited the consideration the Bojinka conspirators gave to attacking CIA Headquarters with an aircraft laden with explosives. The FAA worked with the Intelligence Community on this analysis and drafted the section addressing the threat to civil aviation, which said:

Our review of the evidence... suggests the conspirators were guided in their selection of the method and venue of attack by carefully studying security procedures in place in the region. If terrorists operating in [the United States] are similarly methodical, they will identify serious vulnerabilities in the security system for domestic flights.

A 1997 update to the 1995 NIE concluded:

Civil aviation remains a particularly attractive target in light of the fear and publicity the downing of an airliner would evoke and the revelations last summer of the U.S. air transport sectors' vulnerabilities.

As a result of the increasing threats to aviation, Congress required the FAA and FBI to conduct joint threat and vulnerability assessments of security at select "high risk" U.S. airports and to provide [page 224] annual reports to Congress. A classified portion of the December 2000 report downplayed the threat to domestic aviation:

FBI investigations confirm domestic and international terrorist groups operating within the U.S. but do not suggest evidence of plans to target domestic civil aviation. Terrorist activity within the U.S. has focused primarily on fundraising,

recruiting new members, and disseminating propaganda. While international terrorists have conducted attacks on U.S. soil, these acts represent anomalies in their traditional targeting which focuses on U.S. interests overseas.

Thus, less than a year before the September 11 attacks, and notwithstanding intelligence information to the contrary, the FBI and FAA assessed the prospects of a terrorist incident targeting domestic civil aviation in the United States as relatively low.

After September 11, the CIA acknowledged some of the information that was available regarding the use of airplanes as weapons. A draft analysis dated November 19, 2001, "The 11 September Attacks: A Preliminary Assessment," explains:

We do not know the process by which Bin Ladin and his lieutenants decided to hijack planes with the idea of flying them into buildings in the United States, but the idea of hijacking planes for suicide attacks had long been current in jihadist circles. For example, GIA terrorists from Algeria had planned to crash a Air France jet into the Eiffel Tower in December 1994, and Ramzi Yousef – a participant in the 1993 World Trade Center bombing – planned to explode 12 US jetliners in mid-air over the Pacific in the mid-1990s. Likewise the World Trade Center had long been a target of terrorist bombers.

Despite that intelligence, the Joint Inquiry found no evidence that, before September 11, analysts in the Intelligence Community were:

- cataloguing information regarding the use of airplanes as weapons as a terrorist tactic;
- sending requirements to collectors to look for additional information on this threat; or
- considering the likelihood that Bin Ladin, al-Qa'ida, or any other terrorist group, would attack the United States or U.S. interests in this way.

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The CTC's Deputy Director acknowledged that the CIA had not performed strategic analysis on airplanes as weapons before September 11. He also explained ways in which CTC has sought to improve its analytic capabilities since then:

We have a couple of approaches to strategic analysis in CTC now... We have spent a fair amount of analytic time looking at intelligence reporting that [al-Qa'ida is] going to use a particular type of tactic or go after a particular type of target, other intelligence reporting... that shows that they have actually trained at that tactic or trained for that type of target. . . . When you get all three of those ingredients, that's pretty sobering. What is most alarming to us is the number of tactics that we've gotten that kind of a case on, that three-legged case . . . on

surface-to-air missiles...use of truck bombs and car bombs . . . the use of aircraft, both aircraft hijackings and aircraft as weapons . . . the use of improvised explosive devices like Mr. Reid put in his shoes several months ago . . . the use of poisons and toxins. Put it all together and you can say that al-Qa'ida has built a handful of cards, any of which it could be playing, all of which it intends at some point and with some opportunity to play. Its choices are very broad and very frightening.

Even if enough analysis is done to provide better analysis to policymakers regarding strategic threats, there remains the issue of how much influence that information will have in warning other federal entities and the private sector. In discussing what could have been done better before September 11, the DCI told the Joint Inquiry that the failure to focus on the the use of airplanes as weapons was just one area that should have been part of a "systematic thought process to think about how you play defense:"

You can disseminate all of the threat reportings you want. You can do the strategic analysis about airplanes. You can do the strategic analysis about car bombs, truck bombs, assassination attempts, fast boats and everything else. You can put all of that out there to people. Unless somebody is thinking about the homeland from the perspective of buttoning it down to basically create a deterrence that may work, your assumption will be that the FBI and the CIA are going to be one-hundred percent flawless all of the time. And it will never happen.