

APPENDIX

**CIA/FBI FAILURES
IN REGARD TO
TWO OF THE SEPTEMBER 11 HIJACKERS,
THE PHOENIX ELECTRONIC COMMUNICATION,
AND
THE MOUSSAOUI INVESTIGATION**

**(ADAPTED FROM A CHART PRESENTED
BY SENATOR CARL LEVIN
AT THE OCTOBER 17, 2002
JOINT INQUIRY HEARING)**

**CIA/FBI FAILURES IN REGARD TO TWO SEPTEMBER 11 HIJACKERS,
THE PHOENIX ELECTRONIC COMMUNICATION, AND THE MOUSSAOUI INVESTIGATION
(BASED ON CHART PRESENTED BY SENATOR CARL LEVIN AT OCTOBER 17, 2002 JOINT INQUIRY HEARING)**

CIA Failures

<p>al-Mihdhar</p> <p>1. 1/5/00 – CIA acquires Midhar’s passport information with multiple entry U.S. visa but does not watchlist him.</p> <p>2. 1/8/00 – CIA does not notify FBI when it learns Mihdhar has left Malaysia and, again, does not watchlist him.</p> <p>3. 3/5/00 – CIA Headquarters does not read cable on Hazmi travel to U.S., so does not consider likelihood that Mihdhar traveled with him. CIA does not check to determine whether Mihdhar is in the U.S. until 8/21/01 - 17 months later.</p> <p>4. 1/2001 – CIA does not watchlist Mihdhar after learning he was in Malaysia with Khallad, aka Tawfiq bin Attash, planner of the bombing of <i>USS Cole</i>.</p> <p>5. 6/11/01 – CIA analyst at N.Y. meeting with FBI is aware of Mihdhar travel and visa information but does not pass it on to FBI because “it does not mean anything to [him]” and he does not have permission to reveal operational details.</p>	<p>Al-Hazmi</p> <p>1. 1/9/00 – CIA has information to determine Hazmi’s full name and learns that Hazmi left Malaysia with Mihdhar on 1/8/00 but does not watchlist Hazmi. Nor does it notify the FBI about the Hazmi travel.</p> <p>2. 1/9/00 – CIA does not check U.S. immigration records to determine whether Hazmi, like Mihdhar, has a U.S. multiple entry visa (which had been used on 4/3/99).</p> <p>3. 3/5/00 – CIA Headquarters does not read cable noting Hazmi travel to U.S., so does not watchlist Hazmi or notify the FBI that he is in the country.</p> <p>4. 1/2001 – CIA does not watchlist Hazmi after learning he was in Malaysia with Khallad, aka Tawfiq bin Attash, planner of the bombing of <i>USS Cole</i>.</p>
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FBI Failures

<p>al-Mihdhar</p> <p>1. 1/5/00 – CIA notifies FBI about Malaysia meeting, but FBI does not watchlist Mihdhar.</p> <p>2. 8/28/01 – FBI NY agent request for full criminal investigation is denied by FBI Headquarters official. Agent decries the “wall: preventing the sharing of intelligence information with criminal investigators.</p>	<p>al-Hazmi</p> <p>1. 8/28/01 – After Mihdhar and Hazmi are placed on watchlist, FBI opens investigation on Mihdhar, but not Hazmi. FBI does not check whether Hazmi extended his original U.S. visa (an extension applied for on 7/12/00, and granted on 6/18/01).</p>
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Phoenix 7/10/01 Electronic Communication

<p>1. FBI RFU does not direct that FBI field offices establish liaisons with aviation schools around the country, as requested by the Phoenix agent who wrote the Electronic Communication.</p> <p>2. FBI RFU fails to share the Phoenix Electronic Communication with other agencies prior to September 11, the FBI’s analytical unit, or any of the FBI’s field offices.</p> <p>3. FBI’s New York field office receives the Phoenix Electronic Communication, but does not take action, although personnel there knew that al-Qa’ida had previously received flight training in the U.S.</p>	<p>Moussaoui Investigation, August – September 2001</p> <p>1. FBI Headquarters and agents in Minneapolis misunderstand legal standard for obtaining a FISA order, believing they have to link Moussaoui to a “recognized foreign power.” Minneapolis wastes time and resources trying to connect Chechen rebels, which FBI did not consider a “recognized foreign power,” to al-Qa’ida.</p> <p>2. On August 24, CTC alerts CIA stations worldwide about Moussaoui. FBI waits until September 4 to send teletype to Intelligence Community and other government agencies, noting that Moussaoui was in custody, but not describing any particular threat, i.e., that he might be connected to a larger plot. The teletype did not recommend that addressees take action or look for additional indicators of a terrorist attack.</p> <p>3. FBI does not connect Moussaoui with heightened threat in Summer 2001, the Phoenix Electronic Communication, or Mihdhar and Hazmi’s entry into U.S.</p>
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APPENDIX

**THE
PHOENIX
ELECTRONIC COMMUNICATION**

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 07/10/2001

To: Counterterrorism

Attn: RFU
SSA
IRS

SEARCHED
SERIALIZED
INDEXED
FILED

[REDACTED]

New York

From: Phoenix

[REDACTED]

Contact: SA [REDACTED]

Approved By: [REDACTED]

Drafted By: [REDACTED]

Case ID #: (S) [REDACTED] (Pending)

Title: (S) [ZAKARIA MUSTAPHA SOUBRA;
IT-OTHER [REDACTED]]

Synopsis: (S) UBL [REDACTED] supporters attending civil aviation universities/colleges in the State of Arizona.

(S) Derived From: G-3
Declassify On: X1

(S) Full Field Investigation Instituted: 04/17/2000 (NONUSPER)

Details: (S) [The purpose of this communication is to advise the Bureau and New York of the possibility of a coordinated effort by USAMA BIN LADEN (UBL) to send students to the United States to attend civil aviation universities and colleges. Phoenix has observed an inordinate number of individuals of investigative interest who are attending or who have attended civil aviation universities and colleges in the State of Arizona. The inordinate number of these individuals attending these type of schools and fatwas [REDACTED]

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To: Counterterrorism From: Phoenix
Re: [REDACTED] 07/10/2001

(S)
[REDACTED] gives reason to believe that a coordinated effort is underway to establish a cadre of individuals who will one day be working in the civil aviation community around the world. These individuals will be in a position in the future to conduct terror activity against civil aviation targets.

(S) Phoenix believes that the FBI should accumulate a listing of civil aviation universities/colleges around the country. FBI field offices with these types of schools in their area should establish appropriate liaison. FBIHQ should discuss this matter with other elements of the U.S. intelligence community and task the community for any information that supports Phoenix's suspicions. FBIHQ should consider seeking the necessary authority to obtain visa information from the USDOS on individuals obtaining visas to attend these types of schools and notify the appropriate FBI field office when these individuals are scheduled to arrive in their area of responsibility.

(S) Phoenix has drawn the above conclusion from several Phoenix investigations to include captioned investigation and the following investigations: [REDACTED], a Saudi Arabian national and two Algerian Islamic extremists [REDACTED]

(S) Investigation of ZAKARIA MUSTAPHA SOUBRA was initiated as the result of information provided by [REDACTED] a source who has provided reliable information in the past. The source reported during April 2000 that SOUBRA was a supporter of UBL and [REDACTED]. SOUBRA arrived in Arizona from London, England on 08/27/1999 on an F-1 student visa to attend EMBRY RIDDLE UNIVERSITY (ERU), Prescott, Arizona. ERU only teaches courses related to the field of aviation. SOUBRA is an Aeronautical Engineering student at ERU and has been taking courses in "international security" relating to aviation. SOUBRA, within weeks of his arrival at Prescott, Arizona, [REDACTED] supporting UBL, at Mosques located throughout Arizona. SOUBRA has also organized anti United States and Israeli demonstrations in the area of ARIZONA STATE UNIVERSITY (ASU), Tempe, Arizona. He has also established and organized an Islamic student association on the ERU campus organizing the Muslim student population on the ERU campus.

(S) Phoenix has identified several associates of SOUBRA at ERU who arrived at the university around the same time that he

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To: Counterterrorism From: Phoenix
Re: ~~(S)~~ [REDACTED] 07/10/2001

did. These individuals are Sunni Muslims who have the same radical fundamentalists views as SOUBRA. They come from Kenya, Pakistan, United Arab Emirates, India, Saudi Arabia and Jordan. SOUBRA's associates are ~~(S)~~

~~(S)~~ [REDACTED]

~~(S)~~ [REDACTED]

~~(S)~~ [REDACTED]

~~(S)~~ [REDACTED]

~~(S)~~ [REDACTED]

~~(S)~~ [REDACTED]

~~(S)~~ [REDACTED]

~~(S)~~ The above individuals are involved with SOUBRA and regularly participate in meetings with him in Prescott, Arizona.

~~(S)~~ FBIHQ, IRS [REDACTED] RFU, wrote an analytical paper on the [REDACTED] dated 11/09/1999, in support of FBINY investigation captioned: [REDACTED]

[REDACTED] research paper can be found in [REDACTED]. The following information was gleaned from IRS research paper.

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To: Counterterrorism From: Phoenix
Re: (S) [REDACTED] 07/10/2001

(S) [REDACTED]

(S) [REDACTED]

(S) [REDACTED]

(S) " The Fatwa is jihad against the U.S. and British government, armies, interests, airports (emphasis added by FBI Phoenix), and instructions and it has been given because of the U.S. and British aggression against Muslims and the Muslim land of Iraq...we...confirm that the only Islamic Fatwa against this explicit aggression is Jihad. Therefore the message for the British governments or any other government of non-Muslim countries is to stay away from Iraq, Palestine, Pakistan, Arabia, etc...or face full scale war of Jihad which it is the responsibility and the duty of every Muslim around the world to participate in...We...call upon...Muslims around the world including Muslims in the USA and in Britian to confront by all means whether verbally, financially, politically or militarily the U.S. and British aggression and do their Islamic duty in relieving the Iraqi people from the unjust sanctions."

(S) SOUBRA was interviewed by FBI Phoenix on 04/07/2000 and 05/11/2000 at his residence. On 04/07/2000, interviewing Agents observed photocopied photographs of UBL, IBN KHATTAB and wounded Chechnyan Mujahadin tacked to his livingroom wall. SOUBRA admitted to [REDACTED] in the State of Arizona. SOUBRA stated that he considers the United States Government and U.S. Military forces in the Gulf as "legitimate military targets of Islam." He also stated that the targeting of the U.S. Embassies in Africa was "legitimate." SOUBRA denied having received any military training. However; Phoenix believes that SOUBRA was being less than truthful in this

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To: Counterterrorism From: Phoenix
Re: [REDACTED] 07/10/2001

regard. SOUBRA was defiant towards interviewing Agents and it was clear that he was not intimidated by the FBI presence. It is obvious that he is a hardcore Islamic extremist who views the U.S. as an enemy of Islam. Investigation of SOUBRA is continuing.

(S) [REDACTED]

(S) [REDACTED]

(S) [REDACTED]

(S) [REDACTED]

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To: Counterterrorism From: Phoenix
Re: (S) [REDACTED] 07/10/2001

(S) [REDACTED]

(S) [REDACTED]

(S) [REDACTED]

(S) Phoenix believes that it is more than a coincidence that subjects who are supporters of UBL are attending civil aviation universities/colleges in the State of Arizona. As receiving offices are aware, Phoenix has had significant UBL associates/operatives living in the State of Arizona and conducting activity in support of UBL. [WADIH EL-HAGE, a UBL lieutenant recently convicted for his role in the 1998 bombings of U.S. Embassies in Africa, lived in Tucson, Arizona for several years during the 1980s.]

[REDACTED]

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To: Counterterrorism From: Phoenix
Re: (S) [REDACTED] 07/10/2001

[REDACTED]

(S) This information is being provided to receiving offices for information , analysis and comments.

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To: Counterterrorism From: Phoenix
Re: (S) [REDACTED] 07/10/2001

LEAD(s):

Set Lead 1:

COUNTERTERRORISM

AT WASHINGTON, DC

(S) The RFU/UBLU is requested to consider implementing the suggested actions put forth by Phoenix at the beginning of this communication.

Set Lead 2:

NEW YORK

AT NEW YORK, NEW YORK

(S) Read and Clear

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