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MICHAL MACHNOWSKI

January 13th 2010

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U.S. Intelligence-Post 9/11

A first probe into the lapses that almost led to an explosion on a transatlantic airliner on Christmas Day reportedly found that US government agencies failed to share key information that would have stopped the would-be bomber from ever getting on an airplane. Despite the billions of dollars spent over the last eight years to improve the intelligence flow and secret communications across the United States' national security apparatus, the system failed according to President Obama. President Obama spoke in blunt terms about the "mix of human and systematic failures that contributed to this potential catastrophic breach of security", and promised "accountability at every level"¹. In interviews, government officials and others have started to provide an account of how various agencies had gleaned bits and pieces of information about the young Nigerian, but failed to put them together to disrupt the plot. In Washington, the blame game has begun.

National Counterterrorism Center

The harshest spotlight fell on the very agency created to make sure intelligence dots were always connected: the National Counterterrorism Center (N.C.T.C.). The crown jewel of intelligence reform after the Sept. 11, 2001, attacks, the center was the hub whose mission was to unite every scrap of data on threats and suspects, to make sure an extremist like Umar Farouk Abdulmutallab, the would-be bomber, would never penetrate the United States' defenses. The Center combined analysts from the C.I.A. (Central Intelligence Agency), F.B.I. (Federal Bureau of Investigations), D.H.S.

(Department of Homeland Security), D.O.D. (Department of Defense), T.S.A. (Transportation Security Administration), and 17 other agencies.

"N.C.T.C. is supposed to be the nerve center," said Amy B. Zegart, who studies intelligence at the University of California, Los Angeles. "It's the fusion center of all fusion centers. So if something was missed, that's where the blame is going to go."

Those who led the major studies of how the United States government failed to prevent the Sept. 11 attacks watched the unfolding story of the Christmas Day attack with growing dismay. "It's totally frustrating," said Thomas H. Kean, chairman of the national Sept. 11 commission. "It's almost like the words being used to describe what went wrong are exactly the same."

Eleanor Hill, staff director of the joint Congressional inquiry into Sept. 11, called the emerging story "eerily similar to disconnects and missteps we investigated. There seems to have been the same failure to put the pieces of the puzzle together and get them to the right people in time," Ms. Hill said.²

Their dissections of the 2001 attacks came out years afterward, based on a mountain of classified records and hundreds of interviews. By contrast, the review of how Abdulmutallab was permitted to board a Detroit-bound airliner with explosives in his underpants has barely started. A full account may show that the failures were not as egregious as they appeared, or as Mr. Obama has suggested.

1

http://www.economist.com/world/unitedstates/displayStory.cfm?story_id=15179544

2

http://www.nytimes.com/2009/12/31/us/31intel.html?_r=4&ref=politics

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But two critical pieces of information appear never to have been connected: National Security Agency intercepts of Al-Qaeda operatives in Yemen talking about using a Nigerian man for an attack, and a warning from Abdulmutallab's father to American diplomats in Nigeria about the son's radicalization in Yemen. If the N.C.T.C. or any other agency had those two items and never linked them, Congress and the public will want to know why.

The echoes of Sept. 11 are very striking. Before the attacks on New York and the Pentagon, the National Security Agency the Central Intelligence Agency and the Federal Bureau of Investigation all had gathered bits of intelligence about the future hijackers. The C.I.A. sounded the alarm about an impending attack, including the now-famous President's Daily Brief of Aug. 6, 2001, titled, "Bin Laden Determined to Strike in U.S."³

But the information that could have unraveled the plot remained at each of the three agencies and was never put together. The remedy, proposed by the Sept. 11 commission and passed by Congress in 2004, was to place a single director of intelligence over the nation's 16 spy agencies. At the core would be the N.C.T.C.

In 2004 and since, critics of the intelligence reorganization complained that the new spy czar had too little power and merely added a cumbersome layer of bureaucracy. But even the critics applauded the counterterrorism center, which now must defend its performance.

Ms. Zegart, author of "Spying Blind: The C.I.A., the F.B.I., and the Origins of 9/11," said she was especially disheartened that the near-miss was, once again, on an airplane. "This is textbook Al-Qaeda 2001," she said. "They tried to hit the hardest target we have, the one on which the most money and attention has been spent since 2001. And yet we didn't prevent it."

Some observers of counterterrorism cautioned against claims that nothing had im-

proved since 2001. Intelligence analysts from one agency now routinely serve for a time in another agency, to develop personal ties. Databases of suspected terrorists are far more complete and accessible. The ban on hoarding data is strictly enforced.

"It is the death penalty if you are not sharing threat information," said Kip Hawley, who headed the Transportation Security Administration until January. That agency, for example, participates in daily briefings run by the counterterrorism center, and at times National Security Agency analysts visit counterparts at the T.S.A. to walk them through intercepts, he said. Yet the flood of intelligence collected against a scattered and shadowy terrorist network continues to grow, threatening to overwhelm the system, said Matthew M. Aid, an intelligence historian.

The eavesdropping agency, tracking e-mail and cell phone traffic around the world, each day collects four times the volume of information stored in the Library of Congress, Mr. Aid said. "To pluck out the important threats is an almost impossible task," he said. In the case of Abdulmutallab, the N.S.A. appears to have captured critical intercepts, and his father provided the name that would have allowed American agencies to take action.

For Mr. Kean, of the Sept. 11 commission, it is the father's role that should have moved even the most jaded bureaucracy. "Think of what it took for the father, one of the most respected bankers in Nigeria, to walk into the American Embassy and turn in his own son," Mr. Kean said. "The father's a hero. His visit by itself should have been enough to set off all kinds of alarms."

Department of Homeland Security

In the rush to fix blame for a failure to prevent the attack on Northwest Flight 253, Homeland Security Secretary Janet Napolitano quickly emerged as the Obama administration's designated lightning rod. She has, in one important respect, brought the criticism upon herself. On the Sunday talk shows days after the incident, she said that "the system worked" - "an assertion that

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President Obama himself contradicted two days later in calling the incident a "systematic failure."

Due to the criticisms of the agency's failures, D.H.S. has been on the top of the list of agencies to be blamed for the security threat. With the primary responsibilities of protecting the territory of the US from terrorist attacks and responding to natural disasters, DHS works in the civilian sphere to protect the US within, at, and outside its borders. Incorporating 22 government agencies into a single organization, the original idea of D.H.S. was to solve "the Wall" problem—the impediments to intelligence sharing that were making the F.B.I. and the C.I.A., the US domestic and international intelligence services, ineffective.

The Department of Homeland Security has been dogged by persistent criticism over excessive bureaucracy, waste, and ineffectiveness. Congress estimates that the department has wasted roughly \$15 billion in failed contracts (as of September 2008).⁴ In 2003, the department came under fire after the media revealed that Laura Callahan, Deputy Chief Information Officer at D.H.S. with responsibilities for sensitive national security databases, had obtained her advanced computer science degrees through a diploma mill in a small town in Wyoming.

Department of Homeland Security - Organizational Chart⁵

On top of such D.H.S. embarrassments, Napolitano makes for an especially tempting target. As the standard-bearer for the Obama administration's desire to reform national immigration policy, she was a lightning rod before Abdulmutallab ever boarded a plane for Detroit. The prospect of damaging her political credibility - if not

bringing her down entirely - would, by extension, be a significant victory against President Obama's immigration policy.

Moreover, Napolitano has presided over a department that has stoked fears of domestic extremist activity from conservatives and libertarians dissatisfied with Mr. Obama's election. "The historical election of an African-American president and the prospect of policy changes are proving to be a driving force for right-wing extremist recruitment and radicalization," a department report dated April 7 read.

Napolitano had to apologize because the report suggested that veterans could be particularly prone to radicalization, an assertion that veterans' groups vehemently protested. "Janet Napolitano has been busy trying to pass amnesty for illegal aliens and casting suspicion on American citizens who are fed up with government corruption and failures, instead of doing the job of protecting Americans against terrorist threats," said William Gheen, president of Americans for Legal Immigration Political Action Committee.

Secretary Napolitano can be a convenient scapegoat both for President Obama and for the Republicans - "and her remarks [on Sunday] just added fuel to the fire," says Julian Zelizer, a historian at Princeton University. "For Obama, the focus on Napolitano takes attention away from the rest of the administration. For Republicans, it's a way to avoid discussing the homeland security system which was put into place under Republicans," he adds.

The public might accept a Napolitano rebuke or resignation as sufficient action, Professor Zelizer says. "Even for the public, there's something about a person who made a mistake that's more satisfying than looking more broadly at what's gone wrong in the system: If it's just one person who made a mistake, you can replace or reprimand that person, but if the system is the problem, it's a lot harder."

⁴ Hedgpeth, Dana (2008-09-17). "[Congress Says DHS Oversaw \\$15 Billion in Failed Contracts](http://www.washingtonpost.com/wp-dyn/content/article/2008/09/16/AR2008091603200.html)". The Washington Post. <http://www.washingtonpost.com/wp-dyn/content/article/2008/09/16/AR2008091603200.html>. Retrieved 2008-11-17.

⁵ See annex

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Central Intelligence Agency

The Central Intelligence Agency has also been shouldering some blame. According to CNN's Jeanne Meserve, the father of Umar Farouk AbdulMutallab, spoke to a C.I.A. official with the Nigerian embassy about the concerns he had with his son's disappearance, extremists views and ties to radicals in Yemen. The father, a former Nigerian banker, met with embassy officials at least once and also made several phone calls. A report was created on AbdulMutallab and delivered to C.I.A. headquarters, but the full contents of the report were not disseminated to other agencies, according to a source.⁶

However, State Department spokesman Ian Kelly pushed back against the claim that the C.I.A. sat on information that could have prevented the attempted bombing: "Department staff did what they were supposed to have done by sending a cable to the N.C.T.C. in Washington about the matter." Kelly said any decision to have revoked the suspect's visa would have been an inter-agency decision.

The cable reportedly contained AbdulMutallab's name, passport number and possible connection to extremists. "I'm not aware of a magic piece of intelligence somehow withheld that would have put AbdulMutallab on the no-fly list," an official told CNN.

The N.C.T.C. claims that the C.I.A. cable contained nothing that would have alerted officials to place AbdulMutallab on the no fly list. Out of hundreds of alerts the Counterterrorism Center receives each day, the cable on the Nigerian bomber apparently did not raise a red flag.

President Obama said that a red flag should have been raised. "Even without this one report, there were bits of information available within the intelligence community that

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<http://www.cnn.com/2009/CRIME/12/29/airline.terror.cia/index.html>

could have and should have been pieced together."

CBS News reported that as far back as August 2009, "the Central Intelligence Agency was picking up information on a person of interest dubbed "The Nigerian," suspected of meeting with "terrorist elements" in Yemen." C.I.A. officials did not connect the information to the "underwear bomber" Abudulmutallab, until after the attempted bombing of Flight 253, with about 3 ounces of a powerful explosive hidden inside a pair of specially-made underwear.⁷

President Obama has said that had the full C.I.A. report been shared with other agencies, the Nigerian bomber may have, at the very least, been given greater scrutiny that may have prevented the 23-year-old terrorist from boarding the plane in Amsterdam bound for the United States.

State Department

To keep tabs on would be terrorists, the Department of State uses the Visa Viper program to alert authorities of potential threats. The Visa Viper Program originated in response to the 1993 World Trade Center bombing and other threats and incidents of terrorism involving foreign nationals. An investigation into the WTC bombing revealed deficiencies in the way available information on terrorists was being shared at posts abroad and reported to the Department. Specifically found lacking, was a mechanism for routinely and consistently bringing suspected terrorists to the Consular Section's attention for the purpose of entering their names into the Department's "Consular Lookout and Support System and into the Department of Homeland Security's Customs and Border Protection's "Interagency Border Inspection System."

The VISAS VIPER cables reports on possible terrorists who are not current visa applicants, for the purpose of watch-listing them when they do apply or reapply for visas.

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http://www.cbsnews.com/stories/2009/12/29/cbsnews_investigates/main6035647.shtml

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The primary goal of the VISAS VIPER Program is to develop high quality usable records on possible terrorists. It is essential to develop and report all available identifying data on the subjects of VISAS VIPER telegrams. Derogatory information on a suspected terrorist, regardless of its gravity, is of little value unless it can be linked to that individual should he or she apply for a visa or for entry into the United States.⁸

When Abdulmutallab purchased his ticket from Lagos to Amsterdam on Dec. 16, a Nigerian official said, his passport and U.S. visa were scanned and his name was checked against a watch list. Despite his father's intervention, Abdulmutallab's name hadn't been added to either a 3,400-name no-fly list or a 14,000-name roster of persons who could be subjected to intensive searches. His name was added to a 555,000-name list of persons considered suspicious but less of a threat. Apparently he would have received greater scrutiny if he applied for another visa. The problem was that he already had one.

The State Department's November 19 reporting on Umar Farouk Abdulmutallab through its Visas Viper cable might not have met the regulatory requirements for such a communication, withholding from the N.C.T.C. information that could have flagged him before he boarded his Christmas Day flight to Detroit. In other words, the cable from the State Department outlining Abdulmutallab's father's warnings about his son was available to the N.C.T.C. officials who maintained the no-fly list, but the cable alone did not meet the minimum standard for Abdulmutallab to get on the list.

State Department spokesman P.J. Crowley defended the official Visas Viper report as being only one part of the embassy's effort to pass on the information they had about Abdulmutallab.

"The people in Nigeria said that this was as much of the information they felt comfort-

able providing in an unclassified cable," said Crowley. "The rest of the information was submitted as part of the VISA Vipers process, but by other means."

The State Department has been pointing to the NCTC as being to blame for not going back into the database and checking on Abdulmutallab's visa status after being sent the Visas Viper cable from the U.S. Embassy in Nigeria.

"Based on what we know now, the State Department fully complied with the requirements set forth in the interagency process as to what should be done when information about a potential threat is known," said Secretary of State Hillary Clinton. But a close look at the rules for compiling Visas Viper cables shows that the information supplied about Abdulmutallab might not have met the existing requirements, leaving out some crucial pieces of information.

A State Department official told The Cable that the Viper cable on Abdulmutallab only had a short bio and one line stating that his father had raised concerns. An intelligence official said that State provided "very thin information" and "definitely not enough" to yank Abdulmutallab's visa and put him on the no-fly list.

According to the relevant section of the State Department's Foreign Affairs Manual, Viper cables should include detailed information about the suspect sufficient by itself to allow State or D.H.S. to make the determination to deny (or presumably lift) a visa. Such reporting might have given more weight to the cable, considering the source was Alhaji Umaru Abdulmutallab, not only the attacker's father but one of the richest and most prominent bankers in the country. Apparently that didn't happen.

"The embassy in Nigeria did everything they were supposed to do," said State Department spokesman Ian Kelly, while saying that the State Department was looking at beefing up the reporting in the cables, including whether or not the suspect already had a visa.

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Late in December, Ian Kelly told reporters, "The information in this Visas Viper cable was insufficient for this interagency review process to make a determination that this individual's visa should be revoked." Mr. Kelly also said that the fact that the UK denied Abdulmutallab a visa was not a red flag for the U.S. interagency process because there was no terrorism related connection. "He was denied a visa because he provided false information on his visa application, the kind of thing that happens hundreds of thousands of times all over the world," Mr. Kelly said, adding the UK decision, "was not on terrorism grounds. It was on immigration grounds." Secretary Clinton will be among those meeting with the president to go over the various agency contributions to the administration's overall review of the incident.

Transportation Security Administration

On the frontlines of the battle against stopping would-be terrorists is the Transportation Security Administration. The agency, organized under the Department of Homeland Security is responsible for security in all modes of transportation.⁹ With state, local and regional partners, the TSA oversees security for highways, railroads, buses, mass transit systems, pipelines, ports, and 450 U.S. airports. However, the bulk of the T.S.A.'s efforts are in aviation security. The organization was charged with developing policies to ensure the security of U.S. air traffic and other forms of transportation. According to the T.S.A., airport security and the prevention of aircraft hijacking are two of its main goals.

However, the T.S.A. has faced a high level of criticism since its inception. In the past, the agency's screeners failed to detect fake bombs brought through security by undercover T.S.A. agents. In the most recent test, conducted in 2006, security screeners at LAX Airport failed to identify 75% of the fake bombs.

Undercover operations to test the effectiveness of airport screening processes are routinely carried out by the T.S.A.'s internal affairs unit and the Department of Homeland Security Inspector General's office, and the outcomes have not been reassuring. A report by the Inspector General found that T.S.A. officials had collaborated with Covenant Aviation Security at San Francisco Airport to alert screeners of undercover tests. From August 2003 until May 2004, precise descriptions of the undercover personnel were provided to the screeners. A report on undercover operations conducted in October 2006 at Newark Liberty International Airport was leaked to the press. The screeners had failed 20 of the 22 undercover security tests, missing numerous guns and bombs. The Government Accountability Office had previously pointed to repeated covert test failures by T.S.A. personnel.^{10 11}

With such a sordid past, it would be hard not to point the finger of blame at the TSA for failing to detect the recent bomb plot. However, Abdulmutallab was not screened by the T.S.A.. He was checked first in Ghana and then Nigeria, where aviation security standards are notoriously poor. He then flew to the Netherlands, where security personnel working under the auspices of military police screened him and missed the explosives. He would never have been checked by the T.S.A. as his plans did not include landing in Detroit. While the T.S.A. does maintain the No Fly List, it is the National Counterterrorism Center's responsibility to provide names for that list, and it did not forward Abdulmutallab's name to the T.S.A., which would have then been passed on to carriers in Schiphol.¹²

In response, President Obama ordered a review of screening methods inside the US, and has sent senior officials to overseas to coordinate security with international air-

¹⁰ [Airport screeners fail to see most test bombs](#), [The Seattle Times](#), October 28, 2006

¹¹ [Screeners at Newark fail to find 'weapons'](#) – Agents got 20 of 22 'devices' past staff. [The Star-Ledger](#), October 27, 2006

¹²

<http://www.bostonherald.com/news/national/general/view.bg?articleid=1222687>

⁹ [49 USC](#) § 114(d)

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ports, a measure that should have happened after 9/11.

Reactions in Congress and the White House

Unsurprisingly, this event has Congress and the public recalling the failure of intelligence officials to correlate available data about the plotters of the 9/11 attacks. In both cases the problem wasn't a lack of information but an inability to sift through copious data.

"The Christmas Day incident revealed some serious failures in our nation's system of security," said Democrat Senator Dianne Feinstein of California, who chairs the panel, echoing Obama's call on Tuesday for an investigation of the "mix of human and systemic failures that contributed to this potential catastrophic breach of security."

The ranking Republican on the intelligence panel, Senator Christopher Bond of Missouri, called for a close look at personal accountability in this case. "Somebody screwed up big time, that plane would have gone down if the suicide bomber was more competent or the passengers and crew were less heroic," he said in a joint statement with Senator Feinstein.

The president has also been criticized by some Republicans, including former Vice President Dick Cheney, who has suggested President Obama does not appreciate the gravity of the threats facing the United States. In response, Mr. Obama struck a defiant tone.

"Great and proud nations don't hunker down and hide behind walls of suspicion and mistrust," Mr. Obama said. "That is exactly what our adversaries want, and so long as I am president, we will never hand them that victory."

The president said America has "made progress" in that war, having inflicted "major blows against al Qaeda leaders." He said "we have disrupted plots at home and abroad and saved American lives."

He then reached out to the Muslim world, as he has in the past.

"We know that the vast majority of Muslims reject al Qaeda," he said. "But it is clear that al Qaeda increasingly seeks to recruit individuals without known terrorist affiliations, not just in the Middle East but in Africa and other places, to do their bidding."¹³

President Obama said that is the reason he has directed intelligence officials to develop a new strategy to deal with "lone recruits." And he added that it was also crucial to "communicate clearly to Muslims around the world that al Qaeda offers nothing except a bankrupt vision of misery and death, including the murder of fellow Muslims, while the United States stands with those who seek justice and progress."

At the Whitehouse, President Obama ordered intelligence agencies to take a series of steps to streamline how terrorism threats are pursued and analyzed, saying the government had to respond aggressively to the failures. The president also directed the Homeland Security Department to speed the installation of \$1 billion in advanced-technology equipment for the screening of passengers, including body scanners at American airports and to work with international airports to see that they upgrade their own equipment to protect passengers on flights headed to the United States.

President Obama said intelligence reports involving threats would be distributed more widely among agencies. He instructed the State Department to review its visa policy to make it more difficult for people with connections to terrorism to receive visas, while making it simpler to revoke visas to the United States when questions arise. He pledged not to "succumb to a siege mentality" sacrificing the country's civil liberties for security, but he called for expanding the criteria for adding people to terrorism watch lists.¹⁴

The report concluded that the government's counterterrorism operations had been

¹³

<http://www.cbsnews.com/blogs/2010/01/07/politics/politicalhotsheet/entry6069043.shtml>

¹⁴

<http://www.nytimes.com/2010/01/08/us/politics/08terror.html?partner=rss&emc=rss>

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caught off guard by the sophistication and strength of a Qaeda cell in Yemen, where officials say the plot against the United States originated.

The scrutiny will soon move to congressional hearing rooms, as at least four panels prepare oversight hearings about security failures that led to the attempted Christmas Day terrorist attack.

The Senate Intelligence Committee announced that it was launching an investigation, effective immediately, with a hearing on January 21.¹⁵

¹⁵ Is Janet Napolitano to blame for Flight 253 security failure? By Gail Russell Chaddock
[Christian Science Monitor](#)
December 31, 2009

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