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George J. Tenet

Response to Inspector General's 9/11 Accountability  
Final Draft Report

June 9, 2005

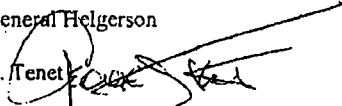
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Memorandum

To: Inspector General Helgeson

June 9, 2005

From: George J. Tenet 

Subject: Final Draft of 9/11 Accountability Report

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For the first time I have been permitted to read the full IG draft report, and the standard of judgment being applied. I am accused of not devoting professionalism, skill and diligence in countering terrorism as DCI. I object to and reject these accusations.

In my previous submission to you, I presented detailed information to respond to that draft report's unsupportable conclusions. I incorporate my February 20, 2005 submission in this response.

After reading the final draft report, it is clear that the material I previously submitted has had no impact on a draft report that continues to mischaracterize my actions and ignores the context in which I served as DCI from 1997 through 2001 to deal with the threat posed by al-Qa'ida.

Your final draft cannot stand as a legitimate assessment of my performance against al-Qa'ida before September 11, 2001. You have failed to seek information from those officials outside CIA who were most intimately involved with me in dealing with terrorism. Instead of gathering information from such officials to enlighten and provide context to your report, you instead chose to speculate. In the most egregious example of this, your report states that policy makers were not able to realize the full advantage of their intelligence capabilities and that a more comprehensive approach could have resulted in a more complete understanding and magnitude of the threat prompting a consensus within the Government to move against Bin Ladin earlier and more aggressively than it did.

Yet, your report fails to support such an assertion. It contains no information from any of the senior policy makers I worked with (often on a daily basis during periods of intense threat) in either the Clinton or Bush Administrations. There is not one shred of evidence in your report that suggests that these officials did not understand the urgency and magnitude of the threat, or that they failed to take action in response. In fact the sworn testimony of these officials before the 9/11 Commission and other bodies shows that they certainly understood the threat. Yet your report provides no facts or evaluation of my interactions with two National Security Advisors, two Secretaries of Defense and their Deputies, two Secretaries of State and their Deputies, two Attorneys General, the interagency lawyers who drafted covert action Findings, NSC senior director Richard Clarke, and former FBI Director Freeh and his counterterrorism deputies. Your report fails to provide information about my participation in NSC Deputies and Principals

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meetings in either Administration, or about my weekly meetings with NSC Advisor Berger and NSC Advisor Rice and their deputies.

To assert that policymakers would have formed a consensus to move against Bin Ladin earlier and more aggressively is irresponsible without supporting evidence. The Clinton Administration chose not to invade Afghanistan, and the Bush Administration took until September 2001 to expand covert action authorities shortly before the September 11 attacks. Your report basically asserts that one or both of these key decisions would have been made differently if the DCI and US intelligence had warned or informed of the magnitude of the threat differently. There is not one statement from any senior policy official in either Administration to support such an unfounded assertion.

I know directly how the Clinton Administration reacted after the East Africa bombings, and during the Millennium threat period, and after the USS Cole was attacked. At one point I informed President Clinton directly to expect from five to fifteen attacks against United States' interests. I directly interacted with NSC Advisor Berger, Senior Director Clarke and Director Freeh during the Millennium threat period on a daily basis. Afterwards, Berger commissioned an after action review of the actions taken to respond to the threat. Neither he nor any other senior official involved in countering terrorism were ignorant of either the threat or the challenge posed by al-Qa'ida. Proof of this is found in the specific covert action Findings developed by CIA working with NSC officials. The threat is carefully set forth in each of those documents, as is the increasingly aggressive nature of our responses. These Findings were reviewed, debated and approved by senior policy makers. I had constant interaction with them during NSC meetings, and I assert without fear of contradiction that they fully understood the magnitude of the threat and were taking the policy actions they felt were available to them at the time.

The incoming Bush Administration was briefed on all counterterrorism covert action Findings in January 2001. In addition, they were presented with specific policy and budgetary choices in a memorandum provided to the National Security Advisor by Richard Clarke on January 25, 2001. Clarke specifically articulated the threat posed by al-Qa'ida and he stated that the NSA and CIA made collection against the al-Qa'ida network a priority requirement with higher priority given only to support of ongoing military operations.

On July 10, 2001, I personally led a team to brief the National Security Advisor on the threat posed by al-Qa'ida and I discussed with her and Richard Clarke strategies to take offensive action against Bin Ladin. Throughout the summer of 2001, we produced written assessments of the threat, and the DDCI attended a series of Deputies meetings at the NSC in which options were discussed. But your report provides absolutely no understanding of any actions taken by me or others during either Administration to work directly with those in our Government who were dealing with terrorism. You never examined our interactions with Richard Clarke's CSG process in the White House, which

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drove counterterrorism actions throughout the Government. You did not learn from either Dr. Rice or from Richard Clarke that I directly intervened in the summer of 2001 to urge that Clarke return as chair of the CSG to insure that the Government was taking all necessary steps to respond to the threat as described by American intelligence.

While your report makes no reference to Clarke's effective CSG efforts, it makes only passing acknowledgment that the most effective interagency effort against Bin Ladin was that of the ADCI for Collection who, from the early months of 1998 to September 11, worked with representatives of several intelligence agencies to stimulate collection. I agree that Mr. Allen's efforts were important and represented a critical, coordinated activity of the Intelligence Community. But what astounds me is that your report fails to acknowledge that the ADCI for Collection acted at my direction as DCI. I am informed that the IG team never interviewed Mr. Allen and therefore certainly never evaluated his interactions with me.

The Intelligence Community at my direction through the ADCI for Collection marshaled its resources to enhance its collection against al-Qa'ida before September 11. I interacted with Mr. Allen constantly, urging him to drive the Community's collectors as hard as possible. He used my December 1998 memorandum as leverage in bringing the collectors together and refining collection strategies across the Community. Mr. Allen communicated with me directly about these efforts, and I have attached at Tab A number of his update memorandums in response to my memorandum, to show the extent of the Community's active engagement. I provided Mr. Allen steady and direct feedback and pushed him to accelerate his efforts. Instead of acknowledging my efforts in this regard, your report discusses who attended what meetings, and whether my December 1998 memorandum was properly disseminated. The facts are that Mr. Allen attended my UBL update meetings, and I was driving the collectors in the Intelligence Community aggressively against the al-Qa'ida target through him.

There is no analysis in your report regarding the quality of our collection efforts, or the magnitude of the collection resources and people involved across the Intelligence Community as a result of the direction I provided to Mr. Allen or even an assessment of what was not done in terms of collection. You never discussed these efforts with Community program managers to assess my performance as DCI. Rather you opine that I did not do enough to marshal the community's resources.

Your report suggests that the leaders of the Community were not fully aware of the priority they should have given to counterterrorism, because, in some instances a program manager did not recall receiving my December 1998 memorandum. This is nonsense. Read the update memorandums Mr. Allen sent to me. You will understand that the Community collectors were actively pursuing the terrorist target.

Do you actually believe that the Director of NSA was not fully aware of the significance of that kind of action? And program managers testified with me before the authorizing and appropriations committees each year during our annual budget presentations. They heard and supported the priorities we were budgeting against and

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understood full well the importance I attached to countering terrorism. But your report fails to describe what the program managers knew or the role the ADCI for Collection was playing on my behalf because you did not seek information from the Director of NSA, the Director of NIMA, the Director of DIA or the Director and Acting Director of the FBI. Without gathering facts about my work with these officials or their agencies, your report accuses me of not performing my duties as DCI with skill, professionalism and diligence.

Your report also continues to ignore how the National collection agencies worked with the Chief, Deputy Chief and Chief of Operations of CTC to insure that the actions of the Intelligence Community actively supported the Plan CTC put in place in 1999. Instead, your report continues to dismiss the 1999 Plan as merely tactical and operational. It was not. It was our blueprint for attacking al-Qa'ida as vigorously as possible using the collection and operational elements of the Community. Certainly our actions to implement the Plan were focused through CTC. That is because CTC served my Community interests as DCI. This fact was noted positively in the August 2001 IG inspection report of CTC:

"CTC fulfills interagency responsibilities for the DCI by coordinating national intelligence, providing warning and *promoting the effective use of Intelligence Community resources on terrorism issues.*" [Emphasis supplied.]

With regard to resources, you have chosen to largely ignore my previous submission which attempted to put in context the fiscal environment in which the Community was operating and which explained the decisions I made to rebuild the CIA and Community beginning in 1998. Despite the fact that we made specific decisions to triple NFIP funding in counterterrorism as a percentage of the Community's budget during the decade of the 1990s when the NFIP declined by 10 percent in real terms, or the fact that CIA counterterrorism resources quadrupled in the same period, I continue to be accused of not marshaling sufficient resources for counterterrorism. Yet, your report fails to explain what the proper level of resources should have been. By what standard am I now being judged? What additional resources were available from other programs to apply to counterterrorism?

I must also correct your mischaracterization of my earlier submission. On line 4128, the report states that "a meaningful strategy could not be developed to deal with any threats unless the CIA or the Community as a whole were rebuilt and given new direction." I made no such statement or suggestion. Rebuilding capabilities of the CIA, including recruiting and training case officers, and developing new overhead collection systems takes years, and is still ongoing. I never implied in my previous response that I had to wait for the rebuilding to be complete before moving against key targets like terrorism. We had no choice but to work against priority targets and, at the same time, rebuild the CIA, recapitalize overhead systems and fund NSA's transformation.

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In making the decisions necessary to rebuild the Intelligence Community, I also made decisions not to subject the Community to numerous transfers and reprogramming requests that would have disrupted ongoing programmatic initiatives, involved protracted negotiations with the Department of Defense and OMB, and the staffs of six congressional committees. While we did reprogram some funds to deal with urgent gaps, I felt it was important to maintain sustained funding in our rebuilding effort.

There is no meaningful discussion in your report of our budget submissions, our over guidance packages, or our urgent supplemental requests to OMB. Nor is there any discussion of how I aggressively sought more money at every turn. In fact I went outside of established channels to work with Speaker Gingrich when he offered to provide what became the largest infusion of supplemental funding we received before the Bush Administration came into office. I was criticized directly at the highest levels within the Administration for this action. Yet, in your report I am accused of not being diligent or skillful in marshaling sufficient resources for counterterrorism.

With regard to warnings provided to senior policy makers and the President before September 11, your report claims that "the volume of other reporting in the PDB was such that the impact of these warnings *could have been diluted.*" [Emphasis supplied.] What information did you gather from PDB recipients to support this speculation? There was no "dilution" of the warnings we gave to senior policy makers. In fact, in the summer of 2001 some PDB readers, who were obviously paying close attention to our assessments, suggested that Bin Ladin might be engaged in a disinformation campaign. We produced an assessment of this possibility [redacted] In addition, I personally briefed the President in July 2001 during a PDB session, when other senior policy makers were present. But, to stress the point again, you have presented no information from any senior policy maker to permit you to make any judgments about our warnings or assessments. And, before making any assertions about my skill, diligence or professionalism, your team should review the briefing materials I used in the briefing to NSC Advisor Rice, the President and other senior officials in July 2001.

In terms of actions taken by policy makers to respond to the threat, your report is simply in error in discussing the December 24, 1998 MON. Contrary to the "judgment" on page 265, the language of the MON did not "cross a threshold" to authorize killing Bin Ladin through more "broadly defined offensive lethal operations" than had previously been authorized. Your report cites instructions "sent by the DCI" to the field wherein I allegedly "gave prominence to the need for a capture operation as a vehicle for a lethal operation" and in which I allegedly "emphasize[d] the importance of conducting a capture operation in any lethal assault without communicating the MON's ambiguous formulations on what might be permissible." The clear implication of your report is that, for reasons unknown, I authored instructions to misinform the field that Bin Ladin could be killed without the predicate of a capture operation.

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First, I did not author the instructions to the field, nor did I direct those who did, to "give prominence" or "emphasize" any provision of the MON. In fact, the instructions were developed by the NSC in coordination with the Attorney General of the United States, and the Agency transmitted them to the field. The instructions made clear the Government's policy preference was to capture Bin Ladin and his principal lieutenants and render them to the United States.

Secondly, the Chief of CTC and I met with the Attorney General of the United States to discuss operations against Bin Ladin. It was absolutely clear to me that the Attorney General would only contemplate lethal action against Bin Ladin and his lieutenants in the context of capture and rendition operations. But, again, your report reflects no information from the Attorney General or other principals directly involved in reviewing and approving MONs against Bin Ladin. Instead your report incorrectly "suggests" that the MON represented something new with respect to lethal authority. There was no new ground broken with this MON. The instructions to the field were authorized by the President and the NSC, and they clearly state, in pertinent part<sup>1</sup>:

"-- The US Government prefers that Bin Ladin and his principal lieutenants be captured.  
-- If a successful capture operation is not feasible, the plfdtrodpints may undertake offensive operations to kill Bin Ladin with his principal lieutenants."

Finally, I am struck by the apparent suggestion in an Inspector General's report that in "authoring"<sup>2</sup> instructions about the use of lethal force I should have encouraged the field to take advantage of the "MON's ambiguous formulations on what might be permissible." I knew full well what was permissible: lethal action against Bin Ladin in the context of capture and rendition operations. I would never sanction the field taking advantage of ambiguities to do what I knew was not authorized.

In terms of setting priorities for national intelligence, your report accuses me of not using "my influence" within the White House to change or modify priorities. The President of the United States establishes priorities for intelligence. But beyond this fact, there is an underlying assumption in your report: that without a Presidential Decision Directive being issued, senior policy makers and the leaders of the Intelligence Community were ignorant that countering terrorism was a key priority of the Intelligence Community. As I have repeatedly tried to explain, the principals in our Government and the leaders of the Community did not need a directive to tell them that we had to deal with al-Qa'ida. Clinton Administration leaders lived through the East Africa embassy bombings, the Millennium threat period and the attack against the USS Cole. Richard Clarke was driving the Government's efforts against terrorism with the full support of the President and his National Security Advisor. I was driving the Community to collect as

<sup>1</sup> I have attached the MON, together with the instructions authorized by the President.

<sup>2</sup> The report personalizes to me actions I did not take: "The DCI wrote..." "...the DCI gave prominence to" .... "He then inserted into the instructions...." This language is inaccurate, inappropriate and should be stricken from your draft report.

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aggressively as possible so that we could be in a better position to warn, inform and take action where possible. I worked directly and closely with Director Freeh and his counterterrorism team. Principals met and approved covert action proposals, and fully understood the threats that required them. So, through direct contact and action, the leaders of our Government and our Community were taking measures to deal with the threat as best we could.

Priorities against terrorism were also reinforced through our annual budget submissions. Terrorism was always a top priority before September 11. My testimony before Congress, supported by the testimony of Community program managers, attests to this.

In terms of realigning CIA priorities, your report is critical that my guidance was issued in January 2002. I frankly do not understand the criticism. Before September 11, CIA priorities against terrorism were clear, and we were funding our efforts as best we could with the money made available by Congress. After September 11, CTC grew [redacted] CIA was fighting the war in Afghanistan with the US military. The magnitude of our focus on terrorism almost eliminated other Agency programs, such as counter-narcotics. Analysts were being pulled from all accounts to support CTC's efforts. The Office of Transnational Analysis grew [redacted] Senior policy makers, led by the President of the United States had one overriding priority: fighting the war on terror. In January 2002, I realigned CIA to recognize this reality.

#### Other Errors

Other errors in your report need to be corrected. For example, on line 10396, the report states that in the period after the Cole attack, the NSC expressed dissatisfaction with the CIA because of its inability to stop such incidents [redacted] and according to information Dick Clarke provided to the 9/11 Commission, Sandy Berger "upbraided Tenet so sharply .. that it led Tenet to walk out of a Principals Committee meeting." This rendition is not correct. I walked out of the meeting because principals were complaining about a piece of intelligence which they claimed they had not seen when in fact the item in question had been provided to them the day before. My reaction had absolutely nothing to do with [redacted] the Cole.<sup>3</sup> Simple courtesy would have called for you showing me this portion of the report before you produced a final draft.

Another error that needs to be corrected appears on page 288. The report does not properly characterize the position I took in a Principals meeting [redacted]

<sup>3</sup> [redacted] who was in the meeting, can confirm my recollection.

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Concluding Remarks

On September 15, 2001, the Chief of CTC and I presented the President of the United States a strategy to attack al-Qa'ida in its Afghanistan sanctuary and a worldwide plan that covered 92 countries. We could only have made this presentation because CTC and the Intelligence Community had a thorough understanding of our adversary. Our plan was based on actions that we took over a sustained period of time to use the assets of the Community to collect against the target, to develop relationships with key liaison services, to develop networks of assets inside the sanctuary, and to develop innovative technologies to deal with an illusive target.

Our plan was adopted and we were given expanded authorities and significant additional resources by the President to fight the war on terror. Since then, al-Qa'ida's sanctuary has been eliminated in Afghanistan, and the central leadership of al-Qa'ida has been eliminated. The Plan we established in 1999, and the resources we were able to marshal throughout the Community in the budget and political environment in which we had to operate, allowed us to succeed after September 11.

In reflecting on the pertinent elements of my December 1998 memorandum, the facts show:

- (a) That we aggressively engaged all liaison services which had the greatest potential to collect against and disrupt al-Qa'ida's operations around the world, and those services that possessed the capabilities to capture Bin Ladin;
- (b) That as a result of my direction and ADDCI/C Allen's aggressive implementation we pursued every avenue to drive U.S. intelligence to meet CTC's requirements, including all available conventional and special collection methods;
- (c) That there was immediate engagement with Special Operations Command, DoD collection assets and program SAPs;
- (d) That I personally involved the Director of the FBI and his Deputy and gave them full transparency into our efforts;
- (e) That I worked diligently to marshal resources and people in a period of time when the world did not stand still and rebuilding America's intelligence capabilities was essential.

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Your report challenges my professionalism, diligence and skill in leading the men and women of US intelligence in countering terrorism. I take this challenge to my reputation very seriously. I did everything I could to inform, warn and motivate action to prevent harm. Your report does not fairly or accurately portray my actions, or the heroic work of the men and women of the Intelligence Community. Your report is devoid of any information from those in senior policy positions or even within the Intelligence Community who know of my efforts to counter terrorism from 1997 to September 2001. It is simply not fair to make judgments about my performance without having a complete understanding of the facts.

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