

CUI

1 Declaration of Donald C. Canestraro

2 Your Declarant, Donald C. Canestraro, declares the following:

3 I am an investigator assigned to the Office of Military Commissions – Military Commissions  
4 Defense Organization and have been working in that capacity since April of 2016. Prior to my  
5 assignment to the Military Commissions Defense Organization, I was a Special Agent for the  
6 Drug Enforcement Administration (DEA) for more than 21 years. While serving as a DEA  
7 Special Agent, I interviewed numerous suspects and witnesses. Information developed during  
8 these interviews furthered investigations under my purview; these investigations led to seizures  
9 and arrests. Testimony I have provided has been accepted by both federal and state courts as  
10 accurate and trustworthy and has contributed to numerous convictions. I have not included each  
11 and every fact known to me in this declaration.

12 During July of 2016, I began an investigation into the possible involvement of the Saudi Arabian  
13 Government and the Central Intelligence Agency in the events leading up to the 9/11 attacks. In  
14 support of this inquiry, I began a review of discovery provided by the Government to the  
15 Defense and open source materials available on Omar Al-Bayoumi, a suspected Saudi  
16 intelligence officer who had contact with 9/11 hijackers Nawaf Al-Hazmi and Khalid Al-  
17 Mihdhar. During the review I conducted, I noted that an FBI file on Al-Bayoumi released to  
18 Judicial Watch by the FBI pursuant to a FOIA request used a “199” numerical designator  
19 followed by the letters “SD”. Based on prior training and experience, I noted that the FBI file  
20 designator is a part of a numerical code that tells the reader what type of violation the FBI is  
21 investigating in a given case. I observed that the “199” numerical designator most likely  
22 indicates a counter intelligence file and that the capital letters “SD” indicates that the  
23 investigation was conducted by the San Diego Field Office.

24 I then analyzed FBI documents referencing Omar Al-Bayoumi released by the Government to  
25 the Defense pursuant to a prior discovery production. The documents show that a witness  
26 interviewed by the FBI, following the 9/11 attacks, told agents that he suspected Al-Bayoumi  
27 was a Saudi intelligence officer. Further information from the discovery shows that FBI agents  
28 conducted numerous interviews regarding Al-Bayoumi after the 9/11 attacks. The interviews  
29 show that Al-Bayoumi was seen with 9/11 hijackers Nawaf Al-Hazmi and Khalid Al-Mihdhar on  
30 numerous occasions and had organized a social gathering for the hijackers while the two men  
31 were living in San Diego. Further investigation by the FBI shows that Al-Bayoumi assisted the  
32 two hijackers with getting an apartment.

33 The released FBI information shows that Al-Bayoumi was interviewed by FBI agents in 2003 in  
34 Riyadh, Saudi Arabia. During the interview, Al-Bayoumi stated that he met Al-Hazmi and Al-  
35 Mihdhar at a Middle Eastern Restaurant in Los Angeles, California. Bayoumi stated that he  
36 overheard Al-Hazmi and Al-Mihdhar speaking Arabic in the restaurant and that he spoke with  
37 the two men and then offered to assist them in finding an apartment in Sani Diego.

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38 A review of discovery provided by the FBI, however, shows that one witness, whose name is  
39 redacted from documents provided by the Government to the Defense, told agents in 2002 that  
40 he/she observed Al-Bayoumi dropping a piece of paper near Al-Hazmi and Al-Mihdhar's table  
41 and then striking up a conversation with them. According to the FBI's witness, Al-Bayoumi's  
42 actions appeared "unnatural."

43 I then conducted further research regarding Omar Al-Bayoumi. Information obtained from open  
44 sources shows that the FBI suspected that Al-Bayoumi was associated with Fahad Al-Thumairy,  
45 a Saudi government official who was assigned to the Saudi Consulate in Los Angeles prior to  
46 9/11. Open source documents also show that an FBI examination of telephone records shows  
47 numerous phone calls between numbers associated with Al-Thumairy and Al-Bayoumi prior to  
48 the 9/11 attacks.

49 During June of 2016, I interviewed a former 9/11 Commission investigator whose identity is  
50 known to me. The investigator is identified herein as CS-1. CS-1 stated that sometime around  
51 2003, he/she interviewed Fahad Al-Thumairy at a Saudi Government building in Riyadh. CS-1  
52 stated that the purpose of the interview was to question Al-Thumairy regarding his relationship  
53 with the San Diego hijackers and his possible association with Omar Al-Bayoumi. CS-1  
54 recalled that numerous other people were in the room while he/she and other investigators were  
55 questioning Al-Thumairy.

56 CS-1 stated that members of the Saudi counter intelligence agency were also present during  
57 his/her interview of Al-Thumairy. CS-1 told me that he/she felt that Al-Thumairy was "less than  
58 100% forthcoming" when he was questioned by the commission. CS-1 noted that Al-Thumairy  
59 seemed to react when questioned regarding his relationship with Omar Al-Bayoumi. CS-1  
60 recalled that sometime after the first interview, he/she and other members of the 9/11  
61 Commission interviewed Al-Thumairy a second time in Riyadh. The second interview was held  
62 in a Saudi government building. Members of the Saudi security service were also present at the  
63 second interview.

64 CS-1 recalled that Al-Thumairy spoke English fluently. CS-1 also noted that during both  
65 sessions when Al-Thumairy was asked a controversial question, he asked that the question be  
66 translated from English into Arabic. CS-1 noted that the above might had been an indicator that  
67 Al-Thumairy was being deceptive during his questioning by the members of the commission.  
68 CS-1 confirmed that Al-Thumairy worked for the Saudi government in the Department of  
69 Religious Affairs.

70 I next interviewed a second former 9/11 Commission investigator, whose identity is known to  
71 me. The investigator is herein referred to as CS-2. CS-2 stated that he/she was responsible for  
72 the 9/11 Commission's investigation into the possible link between the Saudi government and  
73 the 9/11 attacks. CS-2 noted that the staff director of the 9/11 Commission, Philip Zelikow,  
74 limited the number of witnesses that Commission investigators could interview. CS-2 recalled

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75 that the FBI had Omar Al-Bayoumi under investigation prior to the 9/11 attacks. CS-2 told me  
76 that it was his/her belief that Omar Al-Bayoumi was receiving substantial sums of money from  
77 the Saudi Embassy in Washington, DC prior to the 9/11 attacks. CS-2 recalled that this money  
78 was being funneled from accounts at Riggs Bank belonging to Haifa bin Faisal, the wife of the  
79 Saudi Ambassador to the United States, Bandar bin Sultan.

80 CS-2 related that his/her investigation showed that Al-Bayoumi had several “no show” jobs  
81 while he was living in the United States. CS-2 defined a “no show” job as one where an  
82 employee is paid by a given employer but not required to actually show up for work. CS-2  
83 stated that Al-Bayoumi allegedly was employed by Ercan, a Saudi company. According to CS-  
84 2, Commission investigators later learned that Al-Bayoumi was paid by the company but rarely  
85 showed up for work.

86 Based on the above, I checked open source information regarding Ercan. The information shows  
87 that Ercan was a subcontractor for a Saudi aviation company, Dallah Avco. The information  
88 further shows that Dallah Avco is suspected of having ties to the Saudi government. Checks of  
89 open source information show that two months following Al-Bayoumi’s meeting with the two  
90 San Diego based hijackers, his monthly allowance from Ercan rose from \$465 to \$3,700.

91 CS-2 stated that he/she believed that Fahad Al-Thumairy was an intelligence officer working for  
92 the Saudi government. Checks of open source intelligence show that Al-Thumairy was later  
93 deported from the U.S. on suspicion of links to terrorism.

94 CS-2 stated that sometime following the 9/11 attacks, the FBI set up a squad at the Washington  
95 Field Office to investigate ties between the Saudi Government and the 9/11 attacks.

96 CS-2 stated that sometime in 2003, he/she was fired by the staff director of the 9/11, Philip  
97 Zelikow. According to the investigator, he/she was fired in that he/she obtained a classified  
98 index to the House and Senate’s joint inquiry into 9/11 from a source other than official  
99 channels. According to CS-2, the index is a document that identifies the source documents, i.e.  
100 FBI and other government agency reports, that detail the suspected Saudi involvement in the  
101 9/11 attacks. CS-2 described his/her actions as a minor security violation. He/she further stated  
102 that he/she was terminated by Zelikow, as Zelikow was attempting to blunt the 9/11  
103 Commission’s inquiry into Saudi involvement with the hijackers. CS-2 noted that sometime  
104 before his/her termination, Zelikow had blocked his/her requests to conduct interviews and  
105 obtain documents pertaining to his/her inquiry. CS-2 noted that Zelikow seized the index from  
106 him/her at the time of his/her termination and did not let anyone else on the commission see the  
107 document. CS-2 stated that the former Deputy Staff Director of the 9/11 Commission may  
108 know where the index is currently located.

109 During August of 2016, I interviewed a former FBI Special Agent whose identity is known to  
110 me. The former agent is herein referred to as CS-3.

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111 CS-3 recalled that from January of 1999 until May of 2003, he/she was assigned as an FBI  
112 Special Agent to the CIA Station that handled all matters concerning Usama Bin Laden, herein  
113 referred to as UBL Station. CS-3 stated that sometime in 2000, while he/she was assigned to  
114 UBL Station, he/she and another FBI agent became aware that two suspected terrorists, Nawaf  
115 Al-Hazmi and Khalid Al-Mihdhar, had multiple entry visas to enter the United States. CS-3  
116 stated that the two hijackers ultimately made their way to the United States and that prior to  
117 entering the U.S., the CIA had tracked the above individuals to Kuala Lumpur, Malaysia. CS-3  
118 stated that the two hijackers attended what CS-3 described as a high level meeting with members  
119 of Al-Qaeda. According to CS-3, after the meeting, Nawaf Al-Hazmi and Khalid Al-Mihdhar  
120 then traveled to the U.S. via Bangkok, Thailand.

121 CS-3 stated that his/her FBI colleague at UBL Station, whose identity is known to me, prepared a  
122 Central Intelligence Report (CIR) outlining the possible presence of Al-Hazmi and Al-Mihdhar  
123 in the United States. CS-3 stated that after the CIR was prepared, he/she attempted to send it to  
124 the FBI, where it would eventually be forwarded to agents for action. CS-3 recalled that a CIA  
125 analyst, whose identity is known to me and is herein referred to under the cryptonym VVV, told  
126 him/her that, per the Deputy Head of UBL Station, he/she was not to distribute the CIR to  
127 anyone outside of UBL Station. CS-3 related that he/she passed this information to his/her FBI  
128 counterpart at UBL Station, and, as a result, the CIR was not sent. Later, in the course of an  
129 inquiry into the events prior to 9/11, VVV claimed that he/she had passed the information  
130 regarding the two suspected terrorists to FBI. However, according to CS-3, FBI records show  
131 that VVV never visited FBI HQS as she claimed to pass the information to agents. CS-3 stated  
132 that a search of the FBI files also showed no record of the CIR. However, according to CS-3, the  
133 document was located by CIA officials in their computer system sometime after 9/11 during an  
134 Inspector General's investigation into the events leading up to the 9/11 attacks. According to  
135 CS-3, the CIA IG also obtained copies of instant messages from the deputy head of the UBL  
136 station to unnamed persons that corroborate CS-3's account of the events leading up to 9/11.

137 CS-3 stated that he/she was interviewed about the events prior to the 9/11 hijackings sometime in  
138 2002 by representatives of the Joint Congressional Inquiry into the 9/11 attacks. CS-3 stated  
139 that before he and his/her FBI colleague were interviewed, he/she was told by CIA officials at  
140 UBL station not to cooperate fully with Congressional investigators. CS-3 stated that the  
141 justification the CIA used for the above was that the investigators were looking to "hang  
142 someone" for the events of 9/11. CS-3 also stated that CIA personnel told him/her that  
143 Congressional officials were not cleared for access to information regarding activities at UBL  
144 station. According to CS-3, the CIA had an officer in the room while he/she was being  
145 interviewed by the Congressional investigators. CS-3 stated that he/she never mentioned the  
146 order not to distribute the CIR to Congressional investigators. CS-3 stated that when he/she was  
147 questioned by the CIA's own Inspector General about the events prior to 9/11, he/she did not  
148 mention the CIR as he/she had no lawyer present and was concerned with the legal ramifications  
149 of the CIR not being passed to FBI.

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150 CS-3 recalled that shortly after the 9/11 attacks, he/she approached one of his/her supervisors, an  
151 FBI Special Agent whose identity is known to me, and told him/her about the existence of the  
152 CIR. CS-3 stated that his/her supervisor asked him/her if he/she was sure that the CIR had been  
153 drafted. CS-3 stated that he/she left his/her supervisor's office and returned with a draft of the  
154 CIR that he/she had obtained from another FBI agent at UBL Station. According to CS-3, the  
155 supervisor read the draft CIR and immediately called a counter terrorism official at FBI  
156 headquarters with news of the CIR's existence. According to CS-3, his/her supervisor then  
157 quickly drove to HQS with the draft CIR to meet the official in the parking lot of the Hoover  
158 Building to give him a copy of the CIR. CS-3 stated that he/she was unsure what happened to  
159 the draft CIR after it was given to the HQS official.

160 Sometime after he/she was interviewed by the CIA's Inspector General, CS-3 was questioned by  
161 investigators from the FBI's Office of Professional Responsibility (OPR). CS-3 stated that  
162 he/she told OPR investigators about the existence of the CIR and how CIA officials had ordered  
163 him/her not to distribute the document to the FBI.

164 CS-3 stated that he/she believed at the time that the CIA prevented the distribution of the CIR as  
165 the agency did not want the FBI interfering with a CIA operation that was being run domestically  
166 in violation of U.S. law. CS-3 explained that two suspected Al-Qaeda terrorists were living in  
167 San Diego, CA during 2000. CS-3 stated that Omar Al-Bayoumi was working for the Saudi  
168 Intelligence service when he approached Al-Hazmi and Al-Mihdhar in San Diego. According to  
169 CS-3, Al-Bayoumi set up bank accounts and rented an apartment for the two hijackers in the San  
170 Diego area. CS-3 stated that this was done at the behest of the CIA through the Saudi  
171 intelligence service. According to CS-3, prior to the 9/11 attacks, the CIA was under pressure to  
172 recruit informants within Al-Qaeda. Responding to this pressure, VVV and his/her colleagues at  
173 the CIA were attempting the recruit Al-Hazmi and Al-Mihdhar via a liaison relationship with the  
174 Saudi GID.

175 CS-3 further explained that the operation was being run by CIA analysts rather than case  
176 officers. CS-3 stated that normally, officers trained in covert operations ran human sources at  
177 the CIA. However, in the case of the two hijackers living in San Diego, CS-3 told me that a  
178 team of analysts ran the operation inside the United States.

179 CS-3 stated that had the FBI been informed about the possible presence of the two Al-Qaeda  
180 operatives in the United States, the investigation would have ultimately been turned over to the  
181 New York field office sometime in 2000 for further action and possible disruption of the 9/11  
182 plot. CS-3 further explained that FBI agents in the field would have most likely targeted  
183 following Al-Hazmi and Al-Mihdhar with electronic and physical surveillance during the course  
184 of a terrorism investigation.

185 According to CS-3, the FBI had an interest in Al-Qaeda for a number of years prior to the 9/11  
186 attacks. In 1998, for example, an FBI Special Agent, whose identity is known to me, learned

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187 from an Al-Qaeda suspect that a “hard line” phone located in a house in Yemen was being used  
188 as a communications switchboard by the organization. CS-3 recalled that the existence of the  
189 phone number was never exploited by the FBI. However, according to CS-3, agencies of the  
190 U.S. intelligence community were able to determine that Al-Hazmi and Al-Mihdhar were  
191 traveling to Malaysia for the meeting.

192 CS-3 stated that sometime during June of 2001, the CIA approached the FBI’s counter terrorism  
193 squad in the New York Field Office and asked for a meeting regarding the Al-Hazmi and Al-  
194 Mihdhar. CS-3 told me that the CIA had lost track of the two terrorists and were asking for the  
195 FBI’s help in locating these two subjects. CS-3 recalled that he/she was excluded from this  
196 meeting in New York by CIA’s deputy UBL station chief, herein referred to under the  
197 cryptonym HHH. CS-3 told me that had he/she been present at the meeting, he/she would have  
198 told the FBI agents assigned to the counter terrorism squad that the two suspected terrorists were  
199 of record in indices with the CIA since 2000; and CS-3 would have further explained Al-Hazmi  
200 and Al-Mihdhar’s role in the terrorist summit in Malaysia in January of 2000.

201 CS-3 stated that sometime after the events of 9/11, he/she was in a staff meeting with several  
202 high level FBI and CIA officials regarding terrorism. CS-3 stated that he/she overheard one  
203 senior CIA official, Director of Operations James Pavitt, telling CIA Director George Tenet that  
204 he was glad we kept CIA analyst VVV from 9/11 Commission investigators.

205 CS-3 recalled that Tenet acknowledged Pavitt’s statement and confirmed that keeping VVV from  
206 the 9/11 Commission was a good idea. CS-3 stated that the conversation indicated that two CIA  
207 officials had conspired to obstruct the 9-11 Commission by keeping VVV hidden from 9/11  
208 commission officials. CS-3 stated that CIA officials claimed to 9/11 Commission officials that  
209 VVV was serving in Italy, but in reality he/she was in Afghanistan.

210 CS-3 stated that he/she believes that Al-Hazmi and Al-Mihdhar obtained their visas to enter the  
211 United States at the American Consulate in Jeddah. According to CS-3, the visas were issued to  
212 facilitate the operation run by the Saudi’s GID and the CIA team at UBL station.

213 CS-3 stated that Omar Al-Bayoumi was under investigation by the FBI prior to 9/11.

214 In August of 2016, I interviewed a former FBI Special Agent, whose identity is known to me.  
215 The agent is herein referred to as CS-5. CS-5 told me that prior to 9/11, he/she was assigned to  
216 terrorism matters. CS-5 told me that the New York Field Office was responsible for  
217 investigations linked to Usama Bin Laden and Al-Qaeda. CS-5 recalled that he/she was familiar  
218 with the names Omar Al-Bayoumi and Fahad Al-Thumairy. CS-5 stated that the two individuals  
219 mentioned above were the subject of an FBI investigation centered in San Diego, CA.

220 According to CS-5, Al-Bayoumi had contact with San Diego based 9/11 hijackers Nawaf Al-  
221 Hazmi and Khalid Al-Mihdhar. In addition, CS-5 recalled that the 9/11 Commission’s  
222 investigation into the alleged Saudi connection into the hijackers was flawed in that it did not

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223 delve deeply enough into the backgrounds of Al-Bayoumi and Al-Thumairy. CS-5 stated that  
224 during his/her tenure at the FBI, he/she read a teletype outlining the bureau's investigation into  
225 Bayoumi and was therefore familiar with the investigation into Al-Bayoumi's activities.

226 CS-5 stated that a key planning meeting for the 9/11 attacks took place in Malaysia sometime in  
227 early 2000. CS-5 stated that a U.S. intelligence agency learned about the meeting by conducting  
228 a wiretap on a telephone on belonging to an Al-Qaeda safe house in Yemen. CS-5 recalled that  
229 an FBI agent had given the number to the CIA and other intelligence agencies following an  
230 interview conducted in the late 1990s with an Al-Qaeda operative who was cooperating with  
231 U.S. authorities following the operative's arrest in East Africa. According to CS-5, it was not  
232 possible for the CIA to place a clandestine listening device in the meeting. As a result, the CIA  
233 could only direct Malaysian authorities to conduct physical surveillance of the meeting.

234 CS-5 stated that the CIA did learn, however, that Al-Hazmi and Al-Mihdhar had multiple entry  
235 visas that allowed them to travel to the United States. CS-5 recalled that this information was  
236 not passed to the FBI. CS-5 stated that it was his/her belief that the information was not passed  
237 to the FBI as the CIA was running a "long term intelligence operation" to penetrate Al-Qaeda.  
238 CS-5 recalled that CIA officials claimed that they had sent information regarding the two  
239 hijackers to FBI HQS via courier. However, an investigation by the 9/11 Commission showed  
240 that no information was sent by the CIA to the FBI regarding the Malaysia meeting and the  
241 multiple entry visas obtained by Al-Hazmi and Al-Mihdhar.

242 CS-5 stated that the FBI conducted an "after action" investigation into the events leading up to  
243 9/11. According to CS-5 the investigation was conducted by a special agent assigned to the  
244 Washington Field Office for officials at FBI HQS. CS-5 told me that he/she was "astounded"  
245 by the 9/11 Commission report as the Commission did not conduct a thorough investigation of  
246 Usama Bin Ladin's associates.

247 CS-5 stated that his/her colleague, a former FBI Special Agent whose identity is known to me,  
248 has knowledge of the Saudi connection to 9/11. In addition, CS-5 identified a former FBI  
249 Analyst, whose identity is known to me, as having information regarding the events leading up to  
250 9/11. According to CS-5, the analyst was prevented by the CIA from giving critical intelligence  
251 information to the FBI. CS-5 stated that had the information about the two San Diego hijackers  
252 been given to the FBI Special Agents, it is possible that the 9/11 attacks would have been  
253 disrupted

254 CS-5 told me that he/she was aware of an electronic communication (EC) to the analyst from a  
255 Special Agent assigned to the New York Field Office. The Special Agent's identity is known to  
256 me. According to CS-5, the EC was sent in the weeks prior to the 9/11 attacks. The EC stated  
257 that, unless the analyst was able to release the information to the Special Agent, "someone is  
258 going to die." CS-5 stated that the Special Agent was so adamant that he/she be provided

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259 information for his/her investigation that he/she nearly “came over the table” at CIA officials at a  
260 meeting with the FBI’s counter terrorism squad prior to 9/11.

261 CS-5 stated that the CIA’s reluctance to give information to the FBI regarding the San Diego  
262 hijackers “didn’t make sense” to many agents assigned to the New York Field Office’s counter  
263 terrorism squad. This reluctance has led CS-5 to conclude that the CIA was running an  
264 intelligence operation targeting Al-Qaeda that somehow involved Al-Hazmi and Al-Mihdhar.  
265 CS-5 stated that he/she believed the CIA’s operation may have spun out of control and that “they  
266 (the CIA)” came to the FBI with limited information in an attempt to locate the hijackers without  
267 revealing the true nature or extent of their operation against Al-Qaeda.

268 During August of 2016, I interviewed a source of information whose identity is known to me.  
269 The source of information is herein referred to as CS-7. CS-7 stated that he/she has been an  
270 investigative journalist for over 20 years. CS-7 recalled that he/she has worked for the CNN  
271 special assignment unit nominated for the Pulitzer Prize numerous times in the past. CS-7’s  
272 knowledge is based on interviews with Confidential Sources in the law enforcement and  
273 intelligence communities.

274 CS-7 recalled that, according to sources he/she has developed, the Central Intelligence Agency  
275 has maintained a close, covert relationship with the Saudi General Intelligence Directorate for  
276 some years. CS-7 stated that the Saudi GID has worked as the CIA’s proxy several times in the  
277 past when it was unwise or not practical for the CIA to undertake an operation directly.

278 CS-7 stated that following 9/11, an FBI agent came to his/her office to interview him/her about  
279 the events of 9/11. CS-7 stated that the agent left a file in his/her office (seemingly  
280 inadvertently, but possibly on purpose) regarding the Bin Laden family and its ties to  
281 international terrorism and the Saudi government. CS-7 stated that the file outlined investigative  
282 steps being undertaken by the FBI following 9/11 to document the relationship between the  
283 Saudi government and Al-Qaeda. CS-7 stated that the FBI’s investigation was ultimately  
284 stopped by the Bush Administration.

285 CS-7 recalled that a group known as the “Safari Club” was used to block Soviet influence in the  
286 Middle East by exchanging intelligence between member nations and by engaging in covert  
287 action. CS-7 stated that the club included the governments of Israel, Saudi Arabia and other  
288 states in the Middle East and North Africa region. CS-7 stated that the club used the Bank of  
289 Credit and Commerce International as a conduit for funding. CS-7 stated that the club operated  
290 in the 1970s and 1980s. According to CS-7, the existence of the Safari Club was revealed by  
291 Prince Turki in a speech at Georgetown University in October of 2001. CS-7 stated that the  
292 Safari Club worked as a proxy for the CIA in areas where the CIA could not operate.

293 CS-7 told me that Osama Bassan was an informant for the Saudi General Intelligence  
294 Directorate. According to CS-7, investigation by the FBI immediately following the 9/11  
295 attacks showed that Bassan was associated with Al-Hazmi and Al-Mihdhar.



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296 In September of 2016, I interviewed a former FBI Special Agent whose identity is known to me.  
297 The agent herein is referred to as CS-8. CS-8 confirmed that Omar Al-Bayoumi was under  
298 investigation by the FBI prior to the 9/11 attacks as part of a counter intelligence investigation.  
299 CS-8 stated that the FBI investigation noted that Al-Bayoumi was never employed while in San  
300 Diego. CS-8 told me that Al-Bayoumi was receiving funds from the Saudi Embassy in  
301 Washington, DC while he was living in San Diego. CS-8 added that he/she believed that Al-  
302 Bayomi was affiliated with Saudi Intelligence. CS-8 also recalled that an FBI investigation  
303 showed that Omar Al-Bayoumi was associated with suspected Al-Qaeda recruiter Anwar al-  
304 Awlaki.

305 CS-8 told me that an FBI investigation conducted in San Diego showed that just prior to meeting  
306 Al-Hazmi and Al-Mihdhar, Omar Al-Bayoumi met with Al-Thumairy at the Saudi Consulate in  
307 Los Angeles, California. CS-8 described Al-Thumairy as a “radical” Muslim who was employed  
308 at the Saudi Consulate.

309 CS-8 described Al-Bayoumi’s employer Dallah Avco as a corporation used as “cut out.” CS-8  
310 explained that a “cut out” is used by an intelligence agency to mask its direct involvement with  
311 an individual or group or individuals. CS-8 told me that FBI agents determined that Al-Bayoumi  
312 was in the San Diego area to spy on local dissidents. CS-8 recalled that Al-Bayoumi was later  
313 arrested in the United Kingdom on immigration charges and that British officials found extremist  
314 literature in his apartment following his arrest.

315 CS-8 stated that no charges were ever filed against Al-Bayoumi. CS-8 recalled that there was  
316 “diplomatic pressure” exerted on the FBI not to investigate the Saudi government’s connections  
317 to the 9/11 attacks. CS-8 stated that following the 9/11 attacks, the FBI requested bank records  
318 for Princess Haifa and Prince Bandar via a federal Grand Jury subpoena. According to CS-8, the  
319 subpoena was directed to Riggs Bank in Washington, DC. CS-8 stated that officials at Riggs  
320 thwarted the FBI’s efforts to obtain the records for a year. The records were eventually released  
321 and examined by a task force of FBI agents at FBI Headquarters. CS-8 stated that these records  
322 are most likely maintained by the FBI at their Headquarters in Washington, DC. CS-8 stated that  
323 he/she believed that Riggs bank was responding to political pressure to deny the FBI access to  
324 the records.

325 CS-8 stated that the presence of Al-Hazmi and Al-Mihdhar in the United States and their  
326 association with the Malaysia meeting was not communicated to anyone at the San Diego Field  
327 Office of the FBI prior to the 9/11 attacks. CS-8 stated that immediately following the 9/11  
328 attacks, an intelligence officer was detailed to the FBI’s San Diego Field Office. CS-8 recalled  
329 that the officer was supposed to be assigned to the San Diego office to further information  
330 sharing between the FBI and the CIA. However, CS-8 later learned that the officer was actually  
331 examining FBI files in an attempt to blame the FBI for the intelligence failures that led to 9/11.

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332 Later in September of 2016, I interviewed a former FBI agent whose identity is known to me.  
333 The agent is herein referred to as CS-9. CS-9 told me that he/she was assigned to the  
334 Washington Field Office following the 9/11 attacks. CS-9 stated that he/she was part of a squad  
335 of FBI agents who were tasked with investigating leads developed following the attacks. CS-9  
336 and his/his task force concentrated on leads in the Washington, DC area. CS-9 stated that agents  
337 were told they were not permitted to interview Saudi nationals in support of their investigation.  
338 CS-9 stated that many of the leads developed during his/her investigations pointed toward the  
339 Saudi diplomats stationed in Washington, DC.

340 Later in September of 2016, I interviewed Mr. Richard Clarke. Mr. Clarke is a former Deputy  
341 National Security Advisor to President Clinton and President George W. Bush. Mr. Clarke  
342 recalled that in his role within the National Security Council (NSC) was to coordinate all  
343 intelligence related to terrorism and to facilitate the sharing of information between law  
344 enforcement and intelligence agencies. Mr. Clarke stated that sometime before the 9/11 attacks,  
345 he was told by Deputy CIA Director Coffer Black that the CIA did not have any human  
346 intelligence sources inside of Al-Qaeda. Mr. Clarke recalled that Black told him that he was  
347 resolved to address this situation and penetrate Al-Qaeda with informants. Mr. Clarke stated  
348 that he was never informed that the CIA had learned that Al-Hazmi and Al-Mihdhar attended a  
349 high level Al-Qaeda meeting in Malaysia in 2000. Mr. Clarke stated that he later learned that  
350 approximately 50 people within the CIA knew that Al-Hazmi and Al-Mihdhar attended the  
351 Malaysia meeting with other members of Al-Qaeda.

352 Mr. Clarke stated that he was not informed by the CIA that the two hijackers had multiple entry  
353 visas to the United States. Mr. Clarke stated that if he had been given this information, he would  
354 have passed it to John O'Neil at the FBI's New York Field Office for further investigation. Mr.  
355 Clarke stated that it was common knowledge among the staff at NSC that he had a close  
356 relationship with Special Agent O'Neil and that any information gathered by another agency of  
357 interest to the New York Field Division would have been immediately passed by Clarke to  
358 O'Neil and the Counter Terrorism Squad. Mr. Clarke told me that he routinely passed CIA  
359 information to the FBI and that passing intelligence information between agencies was part of his  
360 day to day duties at the NSC. Mr. Clarke told me that the policy of the FBI during 2000 and  
361 2001 was that as soon as a terrorist suspect was identified, the suspect would be promptly  
362 arrested by FBI agents. Mr. Clarke stated that the top FBI official in the counter terrorism  
363 division, Dale Watson, was also not informed that the CIA knew that Al-Hazmi and Al-Mihdhar  
364 had attended the Al-Qaeda meeting in Malaysia.

365 Mr. Clarke stated that he believes that the reason why the FBI was not informed that Al-Hazmi  
366 and Al-Mihdhar had attended the Al-Qaeda meeting and that the two hijackers had multiple entry  
367 visas for the United States was that the CIA was running a "false flag" operation to recruit the  
368 hijackers. According to Mr. Clarke, this "false flag" operation would have involved Al-Bayoumi  
369 befriending the two hijackers by attempting to convince them that he was sympathetic to their  
370 cause. At the same time, Al-Bayoumi would have been reporting on the hijacker's activities to

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371 Saudi intelligence and, ultimately to the CIA. Mr. Clarke stated that when he proclaimed this  
372 belief publicly, he received an angry call from former director of the CIA George Tenet. Mr.  
373 Clarke noted, however, that Mr. Tenet did not deny the allegation made by Mr. Clarke.

374 Mr. Clarke stated that the 9/11 Commission did not investigate the Saudi connection to the 9/11  
375 attacks completely. Mr. Clarke recalled that the executive director of the 9/11 Commission,  
376 Philip Zelikow, was selected by National Security Advisor Condoleezza Rice to prevent damage  
377 to the Bush Administration by blocking the Commission's line of inquiry into the Saudi  
378 connection. Mr. Clarke told me that the operation to penetrate Al-Qaeda may have organized by  
379 high level employees at the CIA. Mr. Clarke stated that he believed that most of the records of  
380 the CIA's operation to penetrate Al-Qaeda through Al-Bayoumi were destroyed in an effort to  
381 cover up the operation.

382 Mr. Clarke stated that he was first informed that the CIA had known about Al-Hazmi and Al-  
383 Mihdhar's involvement with Al-Qaeda during the late morning hours of the 9/11 attacks. Mr.  
384 Clarke stated that while he was on a secure video conference receiving an update on the attacks,  
385 he was interrupted by a call from Dale Watson, then Assistant Director of the FBI for Counter  
386 Terrorism. Watson told Mr. Clarke that he wanted to pass some important information. Mr.  
387 Clarke stated that he stepped outside the conference room into the hallway to take Watson's call.  
388 During the call, Watson told Mr. Clarke that the passenger manifests had been checked for the  
389 planes that been involved in the attacks. Watson further told Clarke that the names Al-Hazmi  
390 and Al-Mihdhar were previously identified as being members of Al-Qaeda and that the FBI was  
391 recently told of this by the CIA.

392 During September of 2016, I interviewed a former FBI Special Agent whose identity is known to  
393 me. The special agent is herein referred to as CS-4. CS-4 told me that he/she was assigned as the  
394 FBI representative to UBL Station in the spring of 2002. CS-4 noted that during his/her time at  
395 UBL station, he/she supervised two other FBI agents.

396 CS-4 stated that sometime in the spring of 2002, CS-3 approached him/her and said "boss,  
397 something is bothering me big time" CS-3 further explained to CS-4 that "we (meaning the  
398 United States Government) could have prevented the 9/11 attacks." CS-4 recalled that CS-3 then  
399 outlined to him the existence of intelligence from the CIA that showed that Al-Hazmi and Al-  
400 Mihdhar had met with other members of Al-Qaeda in Malaysia. CS-3 further explained to CS-4  
401 that the CIA knew in January of 2001 that both hijackers had multiple entry visas to the United  
402 States, and their travel plans possibly included a visit to the U.S.

403 According to CS-4, CS-3 further explained to him/her that another FBI agent had written a cable  
404 for distribution to the FBI and other agencies outlining the above information. CS-3 told CS-4  
405 that the cable was not distributed on orders from one of the analysts at UBL Station. CS-4 stated  
406 that he/she told CS-3 that although he/she did not doubt his recollection of events, he/she was not  
407 convinced as "if it is not on paper, it didn't happen." CS-4 stated that CS-3 came back into

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408 his/her office a few moments later with a draft of the CIR referenced above outlining the  
409 information on the two hijackers. CS-4 noted that the cable had been drafted by another FBI  
410 agent assigned to UBL Station. CS-4 then asked CS-3 if anyone else knew about the cable. CS-3  
411 told CS-4 that only he/she and another FBI agent knew about the documents. CS-4 told me that  
412 he told CS-3 to tell no one else about the cable.

413 CS-4 recalled that he/she then contacted Pasqual D'Amuro, the FBI's Deputy Director for  
414 Counterterrorism. CS-4 told D'Amuro that he/she needed to meet with him right away. CS-4  
415 then quickly left UBL Station and drove his/her vehicle at high rate of speed down the George  
416 Washington Parkway to FBI HQS. At FBI HQS, CS-4 met with D'Amuro. CS-4 recalls that  
417 he/she gave the cable to D'Amuro. D'Amuro read the cable and then told CS-4 "I will take care  
418 of this." The meeting then ended. CS-4 then met with CS-3 and told CS-3 "it (meaning the  
419 issue with the CIR) has been handled. Don't say anything about the cable's existence to  
420 anyone." CS-4 noted that D'Amuro never mentioned the cable's existence to him/her again  
421 during any of their subsequent conversations.

422 CS-4 stated that a short time after the above incident took place, he/she was promoted from  
423 his/her position at UBL Station to a senior liaison position outside of the FBI. CS-4 stated that  
424 he/she did not ask for the promotion. CS-4 told me that he/she felt that he/she was moved from  
425 the position at UBL Station to the position at the center in that he/she knew about the existence of  
426 the cable. CS-4 further stated that he/she believes that he/she was moved in order to ensure that  
427 he/she kept silent about the cable's existence.

428 CS-4 stated that while he/she was assigned to the UBL Station, he/she noted that CIA  
429 intelligence analysts rather than case officers seemed to be running the station's day to day  
430 activities. CS-4 stated that he/she found this situation untenable and that he/she ordered FBI  
431 personnel assigned to the UBL Station that they were not to take instructions from analysts. CS-  
432 4 noted that in a normal operational environment, case officers and sworn law enforcement  
433 officers (i.e. FBI Special Agents) give directions to intelligence analysts. In UBL Station,  
434 however, this practice was ignored as the analysts occupied all of the top positions at the station.  
435 CS-4 further explained that no communications could leave the station without authorization  
436 from the station's analysts.

437 CS-4 recalled that analysts had considerable influence on the way in which operations  
438 undertaken on behalf of UBL Station were conducted in the field. CS-4 stated that several CIA  
439 case officers had told him/her that they were upset with this situation. CS-4 stated that one of the  
440 most influential analysts at the station, whose identity is known to me and is herein referred to  
441 under the cryptonym MMM, had personality conflicts with FBI agents at the station.

442 CS-4 stated that one of the chief analysts at UBL Station, herein referred to under the cryptonym  
443 LLL, had personality conflicts with FBI Special Agent John O'Neil. CS-4 stated that it was

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444 his/her belief that information was concealed from the FBI by LLL to ensure that O'Neil did not  
445 interfere with LLL's operations.

446 During October of 2016, I interviewed a former CIA official, whose identity is known to me and  
447 is herein referred to as CS-10.

448 CS-10 told me that he/she served with the Central Intelligence Agency for 25 years. During  
449 his/her service with the CIA, CS-10 was assigned as a case officer. CS-10 told me that sometime  
450 prior to the 9/11 attacks, he/she was assigned to UBL Station. CS-10 stated that the mission of  
451 UBL Station was to collect intelligence regarding Bin Laden and Al Qaeda. CS-10 told me that  
452 he/she was brought into the UBL Station by a CIA officer whose identity is known to me.  
453 According to CS-10, he/she was one of the few case officers assigned to UBL Station, which,  
454 according to CS-10, was staffed primarily by intelligence analysts. CS-10 told me that he/she  
455 found this arrangement unusual. CS-10 stated that since the mission of the UBL Station was to  
456 gather intelligence, the station should have been staffed by case officers as the role of a case  
457 officer in the CIA was to gather intelligence. CS-10 explained to me that intelligence analysts at  
458 the CIA are not trained in intelligence gathering operations.

459 CS-10 stated that during the time that he/she was assigned to UBL Station, the CIA did not have  
460 any human sources inside of Al-Qaeda. CS-10 recalled that there was extensive pressure from  
461 CIA management to develop human sources inside of Al-Qaeda.

462 CS-10 stated that most of the information concerning Al-Qaeda was gleaned from technical  
463 collection methods. CS-10 recalled the first chief of UBL Station was LLL. According to CS-  
464 10, LLL was an analyst with no experience in operational matters. CS-10 recalled that LLL  
465 shared most of the intelligence information concerning Al-Qaeda with MMM and VVV, who  
466 were intelligence analysts assigned to the station.

467 CS-10 recalled that UBL Station was a "virtual" station physically located in the United States.  
468 CS-10 stated that this unusual arrangement, along with the choice to staff the station with  
469 analysts, made it difficult for the station to accomplish its mission of penetrating Bin Laden's  
470 organization. CS-10 explained that recruiting intelligence sources is normally done by CIA  
471 officers stationed in foreign countries. Consequently, it would be nearly impossible for UBL  
472 Station to develop informants inside of Al-Qaeda from its base several thousand miles from the  
473 countries where Al-Qaeda was suspected of operating.

474 CS-10 told me that he/she observed other unusual activities at UBL Station during his/her tenure.  
475 CS-10 recalled that analysts at UBL Station would direct operations to case officers in the field  
476 by sending the officers cables instructing them to do a specific tasking. CS-10 noted that this  
477 was a violation of CIA procedures in that analysts normally lacked the authority to direct a case  
478 officer to do anything. The actions of the analysts were authorized first by LLL and later  
479 supported by his/her replacement.

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480 CS-10 stated that he/she noted during his/her tenure at UBL Station that there was an unusual  
481 culture at the station. CS-10 told me that the analysts at UBL Station felt that they could  
482 undertake operations as easily as the case officers even though they had not been trained in  
483 covert intelligence gathering techniques. CS-10 stated that the analysts were able to successfully  
484 block one of his/her operations targeting Al Qaeda.

485 CS-10 stated that analysts also had some control over the communications that case officers had  
486 with CIA field units. CS-10 explained that if a case officer wanted to send a cable to a field  
487 station, authorization would have to be obtained from station management. CS-10 stated that  
488 he/she recalled that the Station Chief and his/her deputy (herein referred to under the cryptonym  
489 HHH) had the authority to release a cable to the field. According to CS-10, HHH was an analyst  
490 who had little or no understanding of the duties of CIA case officers.

491 CS-10 further explained to me the procedure for official communications within the UBL  
492 Station. If CS-10 had to write a cable to an operational station in the field, it would be drafted  
493 and then he/she would send it either HHH or the Station Chief for approval. Once they approved  
494 the message, then the cable would be routed for approval to the various sections within CIA  
495 HQS for further approval before the message would ultimately be approved and sent.

496 During October of 2016, I met with a former CIA case officer, whose identity is known to me  
497 and is herein referred as CS-11. CS-11 told me that he/she served in the operations division of  
498 the Central Intelligence Agency for approximately six years. CS-11 stated that he/she was  
499 assigned to the UBL Station sometime prior to the 9/11 attacks.

500 CS-11 stated that while he/she was assigned to UBL Station, he/she observed activity that  
501 appeared to be outside the normal CIA procedures. CS-11 recalled that one analyst, herein  
502 referred to by the cryptonym MMM, controlled operations at the station. CS-11 stated that  
503 normally a case officer is responsible for managing operations at a station. CS-11 told me that  
504 the analysts at UBL station mostly stuck to themselves and did not interact frequently with other  
505 employees at the station.

506 CS-11 stated that it would have been difficult for MMM to run an operation out of UBL Station  
507 without approval from other CIA officers. CS-11 explained that a Chief of Station (COS) would  
508 normally not allow MMM to communicate an operational plan via email. Instead, CS-11  
509 explained, a COS would normally require that operational orders be communicated from UBL  
510 Station to the COS via a cable.

511 CS-11 stated that he/she believes that MMM did not have the ability to send cables out of UBL  
512 Station on his/her own. CS-11 stated that normal communications traffic at the CIA would be  
513 sent from UBL Station to CIA Headquarters. At CIA Headquarters, the cable would be routed to  
514 the various sections that handled specific areas of the world for approval. The cable would then  
515 be sent to the COS for action. CS-11 recalled that MMM and her team of analysts used their  
516 pseudonyms when communicating with members of UBL Station. CS-11 noted that this

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517 behavior was unusual in that analysts did not work undercover and their employment with the  
518 CIA was not classified information.

519 During November of 2016, I interviewed a former FBI agent whose identity is known to me and  
520 is herein referred to by the cryptonym CS-12. CS-12 told me that he/she served as an FBI  
521 Special Agent in the New York Field Office during 2001. CS-12 stated that he/she was assigned  
522 to the investigation of the bombing of the USS Cole in Yemen.

523 CS-12 recalled that sometime in June of 2011, he/she and other FBI agents met with CIA  
524 representatives regarding the Cole investigation and other terrorism matters. CS-12 recalled that  
525 the CIA analysts from UBL Station may have attended the meeting as well. CS-12 recalled that  
526 an FBI analyst detailed to FBI Headquarters also attended the meeting.

527 CS-12 recalled that the FBI analyst told him/her that there were certain information sharing  
528 restrictions regarding the photographs due to the "wall" that was erected between intelligence  
529 and investigations. CS-12 explained that a "wall" had existed per Department of Justice and  
530 other government agency guidelines between information gleaned from intelligence sources and  
531 information obtained during the course of a criminal investigation. According to CS-12, the  
532 "wall" had been erected to prevent agents from leaking classified information to unauthorized  
533 individuals during Grand Jury or other court proceedings.

534 CS-12 stated that during the meeting, FBI agents were shown three photographs of suspected  
535 terrorists. CS-12 stated that the CIA asked him/her if one of the photographs was Fahd Al-Quso,  
536 an Al-Qaeda operative suspected of involvement in the bombing of the USS Cole. CS-12 told  
537 the CIA that he/she was unsure if any of the photos were Al-Quso. CS-12 stated that another  
538 FBI agent at the meeting began to ask CIA officials pointed questions regarding the photographs.  
539 CS-12 recalled that his/her FBI colleague asked CIA officials "where are the other  
540 photographs?" and "where is the surveillance report?"

541 CS-12 stated that the CIA refused to provide any additional details regarding the surveillance  
542 photos along with biographical information regarding the subjects of the photos. CS-12  
543 explained to me that a standard investigative technique at the time that the meeting took place  
544 was to put a "stop" on all terrorist subjects under an agent's investigative purview. CS-12 stated  
545 that a "stop" is law enforcement term for a border crossing alert on a particular subject. CS-12  
546 stated that once a "stop" is issued, agents are alerted immediately when a subject comes into the  
547 United States from another country via a computer system.

548 CS-12 recalls asking the meeting attendees "who is doing stops?" on the three subjects. CS-12  
549 stated that no one at the meeting had placed a "stop" on any of the three subjects in the  
550 photographs. CS-12 related that he/she argued with the FBI analyst on the need to place "stops"  
551 on the subjects of the photographs. CS-12 stated that he eventually learned that one of the  
552 subjects of the photographs was Khalid Al-Mihdhar and that the other was Nawaf Al-Hazmi.

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553 CS-12 told me that he/she continued to press FBI Headquarters for further information regarding  
554 the subjects in the photographs later in the summer of 2001. CS-12 recalled that sometime  
555 during the day on August 23, 2001 he/she opened an electronic communication, known in the  
556 FBI as an EC, from HQS concerning the subjects of the photographs. CS-12 recalled that the EC  
557 contained information showing that Al-Hazmi and Al-Mihdhar were in the United States. CS-12  
558 stated that he/she then contacted the FBI analyst regarding the EC. CS-12 recalls that the  
559 conversation between him/her and the analyst became "heated" when the analyst told CS-12 that  
560 he/she was not authorized to view the EC and that he/she was ordered to delete it immediately.  
561 CS-12 stated that the analyst told him/her that the information contained in the EC was obtained  
562 from intelligence sources and, as a result, the "wall" rule applied; i.e. only agents who were  
563 designated as intelligence agents could see the information.

564 CS-12 related that on or about August 24, 2001 he/she participated in a conference call with the  
565 analyst and the Special Agent who was the acting Bin Laden Unit Chief at FBI HQS. CS-12  
566 stated that the call lasted approximately 45 minutes. During the call, officials at FBI  
567 Headquarters told CS-12 to "stand down" and to cease looking for Khalid Al-Mihdhar. CS-12  
568 explained that HQS officials told him/her that they were seeking to open an intelligence  
569 gathering investigation on Al-Mihdhar. As CS-12 was assigned to a criminal rather than  
570 intelligence billet at the New York office, he/she was not authorized to pursue the case against  
571 Al-Mihdhar. CS-12 stated that he/she emailed the analyst the next day regarding the conference  
572 call. In the email, CS-12 told the analyst that "someone is going to die" unless the case against  
573 Al-Mihdhar was pursued further.

574 CS-12 stated that immediately following the attacks of 9/11, he/she and other New York based  
575 FBI agents participated in a second conference call with FBI Headquarters. It was during this  
576 call that CS-12 learned that Al-Mihdhar and Al-Hazmi were on the flight manifests of one of the  
577 planes that were used in the attacks. CS-12 recalls that the conference call then became quite  
578 heated between New York agents and HQS personnel. CS-12 stated that one of the analysts  
579 assigned to the FBI New York Field Office ran the two hijackers against commercial databases.  
580 CS-12 told me that the analyst quickly found that the two hijackers had addresses in San Diego.

581 CS-12 told me that on or about September 14, 2001, he/she contacted the FBI analyst regarding  
582 information on the hijackers involved in the attacks. CS-12 stated that the analyst subsequently  
583 provided him/her with a fourth surveillance photograph from the same surveillance operation  
584 that was referenced above. CS-12 stated that Walid Bin Attash was depicted in this fourth  
585 photograph. CS-12 stated that this was the first time he/she had seen the photograph of Bin  
586 Attash in this context. CS-12 recalled that he/she asked the analyst about the photograph and the  
587 analyst was unable to provide any details as to why the photo had not been show to agents at the  
588 New York meeting. CS-12 noted that the photograph showed Bin Attash in an airport and that  
589 he was immediately recognizable due to his missing leg.



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590 CS-12 stated that had he/she and the other New York based agents been shown the fourth  
591 photograph, they would have immediately linked Al-Hazmi and Al-Mihdhar to Bin Attash, a  
592 prime suspect in the bombing of the USS Cole. As a result, the inquiry into the two hijackers  
593 would have shifted from an intelligence based investigation into a criminal investigation and  
594 agents would have been able to devote the full resources of the FBI's New York Field Office to  
595 efforts to find the two hijackers later in the summer of 2001.

596 CS-12 told me that he/she testified before the 9/11 Commission and also gave a statement to  
597 investigators conducting an internal inquiry regarding the events of 9/11. CS-12 stated that  
598 during his/her testimony before the Commission, he/she stated that he/she had not seen the above  
599 referenced photograph of Bin Attash until after 9/11. CS-12 stated that following his/her  
600 testimony, then CIA counter terrorism official Cofer Black told the Commission that CS-12 was  
601 aware of the photograph before the 9/11 attacks. According to CS-12, Black told the  
602 Commission that CS-12 had shown the photograph in Pakistan to an informant that CS-12 had  
603 debriefed in March or February of 2001.

604 CS-12 told me that the informant was a FBI source who had been turned over his/her agency by  
605 Drug Enforcement Administration agents assigned to Pakistan. CS-12 stated that Black had been  
606 untruthful with the 9/11 Commission as he/she had never seen the photograph of Walid Bin  
607 Attash before the 9/11 attacks.

608 CS-12 recalled that he/she advised Barbara Grewe, an official with the 9/11 Commission and  
609 former FBI investigator, that Black had given false information to the Commission. CS-12  
610 further suggested that Grewe should interview Black regarding his false statements. CS-12 told  
611 me that Grewe told him/her that "the CIA is conducting its own investigation" and that neither  
612 the Commission nor the FBI would be pursuing the matter further. CS-12 recalled that the CIA's  
613 own investigation into the above matter is still classified.

614 During November of 2016, I interviewed former Senator Robert Graham of Florida. Senator  
615 Graham served as the co-chair of the Senate Intelligence Committee from June 6, 2001 until  
616 January 3, 2003. Senator Graham is personally familiar with the workings of both the  
617 Senate/House joint inquiry into the events of 9/11. Senator Graham also has knowledge of the  
618 investigative inquiry conducted by the 9/11 Commission. Senator Graham told me that it was  
619 apparent neither the joint inquiry nor the 9/11 Commission had fully explored the involvement of  
620 the government of Saudi Arabia in the events leading up to the 9/11 attacks.

621 During December of 2016 and again in 2021, I interviewed a former FBI agent whose identity is  
622 known to me. The agent is herein referred to as CS-14. CS-14 told me that he/she was familiar  
623 with FBI's overseas operations. CS-14 told me that sometime before the terrorist attacks on 9/11,  
624 he/she debriefed a source of information, herein referred to as CW1. CW1 had been developed  
625 as a source by another government agency and given to the FBI as he/she had information on  
626 terrorism. According to CS-14, he/she was unable to work with the source alone as he/she did

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627 not speak the source's native language. CS-14 stated that he/she contacted the CIA for assistance  
628 with the source. The CIA agreed to provide assistance to CS-14. As a result, a CIA case officer  
629 was always present when CS-14 would meet with the SOI for intelligence debriefings.

630 CS-14 stated that during one of the above debriefings, his/her CIA counterpart showed CW1 a  
631 series of photographs. CS-14 stated that the CIA case officer did not tell him/her the origin of  
632 the photos. CS-14 stated that he/she also did not know the names of the suspects in the photos.  
633 As he/she did not speak CW1's language, CS-14 was unaware that, during the debriefing, CW1  
634 had been shown surveillance photographs of a meeting in Kuala Lumpur, Malaysia between  
635 members of Al-Qaeda. According to CS-14, he/she learned after the 9/11 attacks that CW1 had  
636 recognized Walid Bin Attash in the same surveillance photographs as Nawaf Al-Hazmi. CS-14  
637 further explained that CW1 had noticed Bin Attash in the background in one of the surveillance  
638 photos of the two hijackers and this information linked the two hijackers to Bin Attash. CS-14  
639 stated that he/she was never shown the full report that the CIA case officer had prepared  
640 following the debriefing. CS-14 stated that the information regarding the photo identification  
641 was never passed to FBI field offices that had Bin Attash under investigation for his role in the  
642 bombing of the USS Cole.

643 CS-14 stated that he/she gave a statement to the 9/11 Commission regarding CW1's debriefings  
644 after the 9/11 attacks. CS-14 recalled that the CIA officer assigned to handle CW1 corroborated  
645 CS-14's statement. CS-14 explained that the CIA case officer told investigators that CS-14  
646 never was privy to the photo identification by CW1. CS-14 stated that he/she later learned that a  
647 CIA analyst assigned to UBL station had prevented the FBI from getting complete information  
648 regarding the surveillance operation in Malaysia. As a result, FBI agents in the New York Field  
649 Office were unaware that Al-Hazmi and Al-Mihdhar had visas to enter the United States.

650 CS-14 stated that following the 9/11 attacks, former FBI Director Mueller took "100%" of the  
651 blame for intelligence failures that took place before the 9/11 attacks. CS-14 told me that this  
652 assessment was not accurate. For example, CS-14 explained to me that former CIA Director  
653 George Tenet misspoke when he described CS-14's knowledge of the photographs viewed by the  
654 CW1. CS-14 stated that Tenet told the 9/11 Commission that CS-14 was told by the CIA before  
655 the 9/11 attacks that CW1 had identified Bin Attash in a series of surveillance photographs taken  
656 during the meeting in Malaysia as referenced above. CS-14 reiterated that he/she was never  
657 given this information before the 9/11 attacks.

658 In June of 2021, I re-interviewed CS-14. CS-14 told me that the CIA officer who had been  
659 assisting him/her in handling CW1 had suggested to CIA officials that he/she be given access to  
660 the complete CIA file regarding CW1's cooperation. CS-14 stated that this file would have  
661 included detailed reporting regarding CW1's identification of individuals in the surveillance  
662 photographs referenced above. CS-14 told me that his/her access to the file on CW1 was  
663 blocked by the CIA's liaison officer at FBI HQS. The identity of the CIA official referenced  
664 above is the same officer identified earlier in this declaration under the cryptonym HHH. HHH

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665 is further described in this declaration as the deputy station chief of UBL station, the CIA unit  
666 that was involved in preventing the visa information regarding Al-Hazmi and Al-Mihdhar from  
667 being passed to the FBI.

668 In May of 2018, I interviewed a former FBI Special Agent, whose identity is known to me and  
669 herein referred to as CS-15. CS-15 told me that he/she began his/her employment  
670 with the FBI in the 1980's. CS-15 stated that he/she served on the FBI's Joint Terrorism Task  
671 Force (JTTF) prior to his/her appointment as the chief of the FBI's Bin Laden Unit. CS-15  
672 stated that in January of 2000, there was "key meeting" of Al-Qaeda members in Kuala Lumpur,  
673 Malaysia. CS-15 recalled that the CIA was able to get photographs of the meeting's  
674 participants. CS-15 related that sometime after the meeting, the CIA shared the photographs  
675 with the FBI. However, according to CS-15, the CIA never told the FBI in what context the  
676 photographs had been taken. Instead, the CIA merely showed FBI officials the photos and asked  
677 if they (the FBI) knew the identities of the individuals in the photos. CS-15 recalled that the CIA  
678 was not able to conduct any electronic surveillance of the meeting.

679 CS-15 recalled that the CIA never provided subscriber information to the FBI of the phone  
680 number in Yemen used as an Al Qaeda messaging center. CS-15 explained that had the FBI  
681 been provided with this information, FBI agents might have collected enough material prior to  
682 9/11 to prevent the attacks. CS-15 related that the former head of the CIA's Bin Laden Unit  
683 prevented the FBI from seeing key information related to the 9/11 attacks.

684 During February of 2018, I interviewed a former senior FBI official whose identity is known to  
685 me and is herein referred to as CS-16. CS-16 stated that leads developed by the FBI connected  
686 Nawaf Al-Hazmi and Khalid Al-Mihdhar to Ahmed Al-Hada. CS-16 stated that Al-Mihdhar was  
687 the son in law of Al-Hada. CS-16 recalled that Al-Hada was connected to the 1998 East Africa  
688 bombings by FBI Special Agents assigned to the New York Field Office. CS-16 stated FNU Al-  
689 Owhali provided significant information to the FBI regarding the 1998 bombings. CS-16  
690 recalled that the FBI obtained a telephone number for Al-Hada during the course of the East  
691 Africa bombing investigation. CS-16 told me that the above information was then given to a  
692 CIA case officer. According to CS-16, the case officer passed the number to the National  
693 Security Agency, who then exploited the information to obtain significant information about Al-  
694 Qaeda's operations. CS-16 stated that the FBI Field Office in New York City was not told about  
695 the presence of Al-Hazmi and Al-Mihdhar in the United States until August 26, 2001. CS-16  
696 stated that the CIA withheld the information that the two hijackers had entered the country in  
697 2000 from the FBI on orders from two CIA employees, Richard Blee and Tom Wilshire. CS-16  
698 stated that it was his/her opinion that the information was withheld as the CIA was attempting to  
699 recruit Al-Hazmi and/or Al-Mihdhar as intelligence sources while they were in the U.S.

700 During the Spring of 2021, I interviewed a Confidential Source. The identity of the source is  
701 known to me and is herein referred to as CS-22. CS-22 is a former FBI Special Agent with  
702 extensive experience in terrorism and counter intelligence matters. CS-22 told me that following

CUI

703 the 9-11 attacks, it became impossible for the FBI to unilaterally conduct a terrorism or counter  
704 intelligence investigation without the tacit approval of the CIA. CS-22 further related that  
705 officers of the local CIA domestic station located in his/her office of assignment would  
706 frequently sit in the command centers of local FBI Field Offices while FBI agents conducted  
707 operations related to counter terrorism to monitor FBI activities. CS-22 told me that the above  
708 made it easy for CIA officers to monitor FBI activities in counter terror and counter intelligence  
709 investigations.

710 CS-22 told me that he/she became aware of an investigation conducted by a private individual  
711 into the activities of a former FBI informant whom I later determined through investigation to be  
712 Abdussattar Shaikh. CS-22 told me that the investigation by the private individual was  
713 conducted sometime after the 9-11 attacks. I checked open source information and learned that  
714 Shaikh was employed by the FBI as a confidential source concerning terrorism matters prior to  
715 9-11. CS-22 related to me that the post-9/11 investigation into Shaikh's activities showed that he  
716 was receiving funds from the Saudi Arabian government while he was serving as an informant  
717 for the FBI. CS-22 further stated that the investigation also indicated that prominent Saudi  
718 Citizens would stay at Shaikh's boarding house while visiting California. CS-22 told me that the  
719 investigation revealed that the Saudi Arabian government was using Shaikh to monitor the  
720 activities of its citizens while they were abroad. A review of open source documents that  
721 conducted by your declarant shows that Nawaf Al-Hazmi and Khalid Al-Mihdhar rented a room  
722 from Shaikh during the Spring of 2000.

723 During June of 2021, I interviewed a Confidential Source, herein referred to as CS-23. CS-23's  
724 identity is known to me. CS-23 is a former FBI Special Agent with extensive knowledge of  
725 counter terrorism and counter intelligence matters, CS-23 is familiar with FBI investigations into  
726 the 9/11 attacks. CS-23 stated that the FBI conducted a counter intelligence investigation into  
727 the activities of Omar Al-Bayoumi prior to 9/11 as FBI officials in the San Diego Field Office  
728 suspected that he was operating as an intelligence officer. CS-23 told me that as a matter of  
729 routine, FBI officials contacted CIA HQS for indices checks on Al-Bayoumi to support their  
730 investigation. CS-23 told me that CIA officials responded to the San Diego field office and  
731 reported that the CIA held no files on Al-Bayoumi. CS-23 told me that the above represented a  
732 falsehood. CS-23 stated that the CIA maintained "operational" files on Omar Al-Bayoumi. CS-  
733 23 explained to me that "operational" files are those files related to an intelligence operation  
734 conducted by a given agency. CS-23 further explained that he/she was aware of a CIA "paper  
735 trail" concerning Al-Bayoumi.

736 CS-23 told me that information concerning Al-Bayoumi was never passed to the FBI. CS-23  
737 told me that Al-Bayoumi was an intelligence officer in employ of the Saudi Government. CS-23  
738 stated that Omar Al-Bayoumi was directed to attempt to recruit Nawaf Al-Hazmi and Khalid Al-  
739 Mihdhar as intelligence sources while they were in San Diego. CS-23 stated that Al-Bayoumi  
740 was instructed to recruit the two hijackers at the Saudi Consulate in Los Angeles by Fahad Al-

741 Thumairy. CS-23 told me that there are witnesses to the meeting at the Saudi Consulate between  
742 the two men.

743 CS-23 told me that the attempt to recruit Al-Hazmi and Al-Mihdhar was an operation directed by  
744 the Central Intelligence Agency. CS-23 told me that the CIA used their liaison relationship with  
745 the Saudi intelligence services to conduct an operation on U.S. soil. CS-23 told me that the  
746 Saudis were used as a go between as the CIA is forbidden by law to conduct intelligence  
747 operations within the U.S. CS-23 told me that the CIA has used its relationship with allied  
748 intelligence services to conduct operations inside the United States in the past. CS-23 stated that  
749 CIA officials never told FBI agents in San Diego that Al-Hazmi and Al-Mihdhar were in the  
750 country.

751 CS-23 told me that after 9-11, FBI officials in San Diego and at FBI Headquarters became aware  
752 of both Al-Bayoumi's affiliation with Saudi intelligence and subsequently the existence of the  
753 CIA's operation to recruit Al-Hazmi and Al-Mihdhar through Al-Bayoumi. CS-23 stated that  
754 senior FBI officials suppressed investigations into the above. CS-23 also told me that FBI agents  
755 testifying before the Joint Inquiry into the 9/11 attacks were instructed not to reveal the full  
756 extent of Saudi involvement with Al-Qaeda.

757 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true to the  
758 best of my knowledge. Executed on July 20, 2021.

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Donald C. Canestraro