

looked into the issues yet herself. “John” asked her to do the research in her free time.⁷³

“Mary” began her work on July 24. That day, she found the cable reporting that Mihdhar had a visa to the United States. A week later, she found the cable reporting that Mihdhar’s visa application—what was later discovered to be his first application—listed New York as his destination. On August 21, she located the March 2000 cable that “noted with interest” that Hazmi had flown to Los Angeles in January 2000. She immediately grasped the significance of this information.⁷⁴

“Mary” and “Jane” promptly met with an INS representative at FBI headquarters. On August 22, the INS told them that Mihdhar had entered the United States on January 15, 2000, and again on July 4, 2001. “Jane” and “Mary” also learned that there was no record that Hazmi had left the country since January 2000, and they assumed he had left with Mihdhar in June 2000. They decided that if Mihdhar was in the United States, he should be found.⁷⁵

They divided up the work. “Mary” asked the Bin Ladin unit to draft a cable requesting that Mihdhar and Hazmi be put on the TIPOFF watchlist. Both Hazmi and Mihdhar were added to this watchlist on August 24.⁷⁶

“Jane” took responsibility for the search effort inside the United States. As the information indicated that Mihdhar had last arrived in New York, she began drafting what is known as a lead for the FBI’s New York Field Office. A lead relays information from one part of the FBI to another and requests that a particular action be taken. She called an agent in New York to give him a “heads-up” on the matter, but her draft lead was not sent until August 28. Her email told the New York agent that she wanted him to get started as soon as possible, but she labeled the lead as “Routine”—a designation that informs the receiving office that it has 30 days to respond.⁷⁷

The agent who received the lead forwarded it to his squad supervisor. That same day, the supervisor forwarded the lead to an intelligence agent to open an intelligence case—an agent who thus was behind “the wall” keeping FBI intelligence information from being shared with criminal prosecutors. He also sent it to the *Cole* case agents and an agent who had spent significant time in Malaysia searching for another Khalid: Khalid Sheikh Mohammad.⁷⁸

The suggested goal of the investigation was to locate Mihdhar, determine his contacts and reasons for being in the United States, and possibly conduct an interview. Before sending the lead, “Jane” had discussed it with “John,” the CIA official on detail to the FBI. She had also checked with the acting head of the FBI’s Bin Ladin unit. The discussion seems to have been limited to whether the search should be classified as an intelligence investigation or as a criminal one. It appears that no one informed higher levels of management in either the FBI or CIA about the case.⁷⁹ There is no evidence that the lead, or the search for these terrorist suspects, was substantively discussed at any level