

withheld the two terrorists' names from TIPOFF. Nor did the FBI have any reason to look for them – *e.g.*, by conducting a basic Internet search for their names or by querying its informants in Southern California – since the last it had heard from CIA was that these two terrorists were overseas.

The CIA's failure to watchlist al-Mihdhar and al-Hazmi became even more alarming and inexplicable in January 2001, when the CIA discovered that the Malaysia meeting had also been attended by a suspect in the *USS Cole* bombing. This presumably made the two terrorists even more interesting to the CIA – and their known presence in the U.S. even more dangerous, by confirming their linkages to Al-Qa'ida operational cells – but the CIA still did not bother to inform TIPOFF. This failure was particularly damaging because al-Mihdhar was overseas at the time: putting his name on the watchlist would have enabled INS agents to stop him at the border.³⁹

Even when given the opportunity to tell the FBI – in face to face meetings – about the presence of these two terrorists in the United States, the CIA refused. At a meeting in June 2001 with FBI officials from the New York Field Office who were working on the *USS Cole* case, a CIA official refused to tell them that al-Mihdhar and al-Hazmi had come to the United States.⁴⁰

Meanwhile, Khalid al-Mihdhar was in Jeddah, Saudi Arabia, and applied for a new U.S.

³⁹ JIS, written statement presented to SSCI/HPSCI joint hearing (September 20, 2002), at 9; *see also* CIA official, written statement presented to SSCI/HPSCI joint hearing (September 20, 2002), at 4; Michael Rolince, written statement presented to SSCI/HPSCI joint hearing (September 20, 2002), at 2.

⁴⁰ JIS, written statement presented to SSCI/HPSCI joint hearing (September 20, 2002), at 21; *see also id.* at 10.