

SENATE SELECT COMMITTEE ON INTELLIGENCE

*Unclassified Executive Summary of the
Committee Report on the Attempted Terrorist Attack on Northwest Airlines Flight 253
May 18, 2010*

Background: On December 25, 2009, a 23 year-old Nigerian man, Umar Farouk Abdulmutallab (hereafter Abdulmutallab) attempted to detonate a concealed non-metallic device containing the explosive pentaerythritol tetranitrate (PETN) on Northwest Airlines Flight 253 from Amsterdam to Detroit, Michigan, as the plane was descending into Detroit Metropolitan Wayne County Airport.

Committee Investigation: Chairman Feinstein and Vice Chairman Bond of the Senate Select Committee on Intelligence (SSCI) announced on December 31, 2009, that the Committee would conduct hearings on the attempted Christmas Day terrorist attack and “collect all intelligence related to Umar Farouk Abdulmutallab held by various intelligence agencies in order to determine who had what, and how the information was handled. In addition, the Committee [would] review national security policies on sharing information and terrorist watchlisting.”¹

Background on Report: This report contains information gathered by the Committee through hearings, briefings, and document requests from the following agencies:

- Office of the Director of National Intelligence (ODNI)
- National Counterterrorism Center (NCTC)
- Central Intelligence Agency (CIA)
- National Security Agency (NSA)
- Federal Bureau of Investigation (FBI)
- Department of State
- Department of Homeland Security (DHS)—including agencies under its purview, such as the Transportation Security Administration (TSA), U.S. Customs and Border Protection (CBP), and the Office of Intelligence and Analysis (I&A).

Findings and Conclusions: The Committee found there were systemic failures across the Intelligence Community (IC), which contributed to the failure to identify the threat posed by Abdulmutallab. Specifically, the NCTC was not organized adequately to fulfill its missions. Following 9/11, Congress created the NCTC and charged it with serving as “the primary organization in the United States Government for analyzing and

¹ SSCI Press Release, “Intelligence Committee Announces Hearings into Failed Christmas Day Terrorism Attack,” available at <http://intelligence.senate.gov/press/record.cfm?id=321274>

integrating all intelligence possessed or acquired by the United States Government pertaining to terrorism and counterterrorism....”² In practice, however, the Committee found that no one agency saw itself as being responsible for tracking and identifying all terrorism threats. In addition, technology across the IC is not adequate to provide search enhancing tools for analysts, which contributed to the failure of the IC to identify Abdulmutallab as a potential threat.

The SSCI report identifies fourteen specific points of failure—a series of human errors, technical problems, systemic obstacles, analytical misjudgments, and competing priorities—which resulted in Abdulmutallab being able to travel to the United States on December 25, 2009. Those points of failure are:

1. The State Department Did Not Revoke Abdulmutallab’s U.S. Visa.
2. Abdulmutallab Was Not Placed in the “Terrorist Screening Database” (TSDB), on the Selectee List, or on the No Fly List.
3. Reporting Was Not Distributed to All Appropriate CIA Elements.
4. A CIA Regional Division, at CIA Headquarters, Did Not Search Databases Containing Reports Related to Abdulmutallab.
5. CIA Did Not Disseminate Key Reporting Until after the 12/25 Attempted Attack.
6. A CIA Counterterrorism Center (CTC) Office’s Limited Name Search Failed to Uncover the Key Reports on Abdulmutallab.
7. CIA CTC Analysts Failed to Connect the Reporting on Abdulmutallab.
8. FBI Counterterrorism Analysts Could Not Access All Relevant Reports.
9. NCTC’s Directorate of Intelligence Failed to Connect the Reporting on Abdulmutallab.
10. NCTC’s Watchlisting Office Did Not Conduct Additional Research to Find Additional Derogatory Information to Place Abdulmutallab on a Watchlist.
11. NSA Did Not Pursue Potential Collection Opportunities That Could Have Provided Information on Abdulmutallab.
12. Analysts Did Not Connect Key Reports Partly Identifying Abdulmutallab and Failed to Ensure Dissemination of All Relevant Reporting.
13. NSA Did Not Nominate Abdulmutallab for Watchlisting or the Terrorist Identities Datamart Environment (TIDE) Based on Information Partly Identifying Him.
14. Intelligence Analysts Were Primarily Focused on Al-Qaeda in the Arabian Peninsula (AQAP) Threats to U.S. Interests in Yemen, Rather than on Potential AQAP Threats to the U.S. Homeland.

² 50 U.S.C. 404o(d).

Based on the information provided, the Committee concludes that the Intelligence Community failed to connect and appropriately analyze the information in its possession prior to December 25, 2009 that would have identified Abdulmutallab as a possible terrorist threat to the United States. The Committee believes the IC, and other parts of the U.S. Government, should have taken steps to prevent Abdulmutallab from boarding Northwest Flight 253 to Detroit, Michigan, on Christmas Day.

Points of failure #1 and #2 relate to failures of the systems and procedures in place to prevent suspected terrorists from entering the United States. Points of failure #3 through #14 discuss why the relevant intelligence was not connected. Doing so may have led analysts to link sufficient threat and biographical information on Abdulmutallab to place him on the watchlists.

Committee Action: On March 16, 2010, the Committee unanimously approved a 55-page report and provided it to the Intelligence Community for a classification review. This unclassified Executive Summary was prepared based on that Intelligence Community review.

In the Committee's March 16th report, each point of failure includes a description, a Committee conclusion, Committee recommendations, and a discussion of the corrective actions being taken by the Intelligence Community. Because the other parts of the report remain classified, this Executive Summary only contains unclassified portions of the Committee's conclusions and recommendations about each failure.

The SSCI report also includes classified appendices which describe: (1) the intelligence collected on Abdulmutallab prior to the terrorist plot and what was or was not done with that intelligence; (2) the terrorist watchlisting process and standards as they existed at the time; and (3) additional biographical information on Abdulmutallab.

In addition to the review conducted by the Committee, the Director of National Intelligence created an Intelligence Community Review Panel that was chaired by John McLaughlin, former Deputy Director of the CIA. That panel's report endorsed three of the specific classified recommendations made by the SSCI report. The panel also disagreed with one of the Committee's recommendations to expand access to certain counterterrorism information. The Committee stands by its recommendation.

Note on Historical Hindsight: As is the case with many reports analyzing the past performance of the IC, the SSCI report presents information that was relevant to the Flight 253 plot in hindsight. Briefers and intelligence officials stated frequently that the intelligence described in the classified SSCI report was among thousands of other intelligence reports and that other terrorist threats were assessed to be more pressing at

the time. Thus, while the SSCI report presents the information as it was known, and as it could have been known, the Committee recognizes the benefit of “20-20 hindsight” in our evaluation of the IC’s performance.

1. The State Department Did Not Revoke Abdulmutallab’s U.S. Visa.

Conclusion:

The State Department could have revoked Abdulmutallab’s U.S. visa based on the information available to the Department. The State Department consular officer in Abuja, Nigeria should have used all of the tools available, including using “fuzzy logic” or a passport number, to search for a visa for Abdulmutallab. Had this occurred, it is likely that Abdulmutallab’s active U.S. visa would have been located in the Department’s database.

The State Department has an independent obligation to evaluate a non-U.S. person’s suitability for entry into the U.S., but instead relies on the IC’s assessment of whether an individual meets the standard for placement on the terrorist watchlists. The Committee believes Abdulmutallab’s visa should have been identified and revoked independently by the State Department based on the information provided to the consulate by other embassy officers, which included an assessment that Abdulmutallab should be watchlisted because of suspected “involvement with Yemeni-based extremists.”

Recommendations:

- The State Department must use its independent judgment and authority to revoke visas for anyone suspected of being involved with terrorism or a terrorist group, and must be able to do so in real-time in coordination with the Intelligence Community.
- The Director of NCTC should make recommendations to deny or revoke a U.S. visa based on terrorism-related intelligence. In addition to exercising its own independent authority to revoke visas, the State Department should accept the Director of NCTC’s recommendations.
- The State Department should develop a system for electronically notifying all airlines of individuals whose visas have been revoked.

2. Abdulmutallab Was Not Placed in the “Terrorist Screening Database” (TSDB), on the Selectee List, or on the No Fly List.

Conclusion:

The standards to place an individual on the Terrorist Watchlists were interpreted too rigidly and may be too complicated to address terrorist threats. Although U.S. Embassy officials in Abuja recommended that Abdulmutallab be placed on the No Fly List, the determination was made at CIA Headquarters and at the NCTC Watchlisting Office that there was only sufficient derogatory information to enter Abdulmutallab’s information in the general “Terrorist Identities Datamart Environment” (TIDE) database, but not sufficient derogatory information to place him on any of the watchlists. Because of the language of the watchlisting standard, the manner in which it was being interpreted at the time, or both, analysts responsible for making the watchlisting determination did not believe they had the ability to give additional weight to significant pieces of information from the field, such as the report that resulted from the meeting with Abdulmutallab’s father.

Recommendations:

- The Administration, in consultation with Congress, should simplify, strengthen, and add flexibility to watchlisting practices to better protect the U.S. homeland.
- Intelligence officers responsible for watchlisting terrorist suspects should have the flexibility to give added weight to significant information, such as recommendations from Chiefs of Station or other experienced intelligence professionals, in determining whether to place an individual on a watchlist.

3. Reporting was Not Distributed to All Appropriate CIA Elements.

Conclusion:

The inconsistencies in distributing key intelligence reports may have contributed to the failure of the Intelligence Community to identify Abdulmutallab as a potential threat. While there was no intent to limit access to the reports, processes failed to disseminate relevant intelligence to all offices and individuals with a need to know.

Recommendations:

- Classified recommendation excluded

4. A CIA Regional Division (at CIA Headquarters) Did Not Search Databases Containing Reports Related to Abdulmutallab.

Conclusion:

CIA had reports related to Abdulmutallab, but a regional division failed to search other databases that would have identified relevant information. CIA tasked this division with the responsibility, but not the tools to adequately identify terrorism-related reporting. Inadequate technological search tools and the fragmented nature of the Intelligence Community's databases made it difficult to find additional intelligence related to Abdulmutallab.

Recommendations:

- The Director of the CIA should report to the congressional intelligence committees within 30 days on the increased access to its all-source counterterrorism database. The report should include the total number of personnel with increased access and the positions these individuals occupy.
- Classified recommendation excluded

5. CIA Did Not Disseminate Key Reporting Until After the 12/25 Attempted Attack.

Conclusion:

Had the CIA intelligence report been disseminated, other intelligence officers outside of the CIA and NCTC who tracked intelligence on Yemen and AQAP may have made the connection between the information provided.

Recommendations:

- The CIA should set standards to ensure that all intelligence reports are disseminated promptly—within two days for counterterrorism and all other high priority issues.

- The CIA and other intelligence agencies must ensure that critical intelligence functions are not delayed when personnel are temporarily deployed to other assignments.
- The CIA should provide broader access to operational traffic for all analysts with a need to know, whether those analysts are employed by the CIA or by another agency in the Intelligence Community.

6. A CIA CTC Office's Limited Name Search Failed to Uncover the Key Reports on Abdulmutallab.

Conclusion:

CTC conducted a limited name search of CIA's all-source database, which included key reports on Abdulmutallab, to determine if there was other available information. Because of the limited nature of the search, it failed to uncover key reports on Abdulmutallab. Thus, CTC failed to draw the link between Abdulmutallab's father's information and the key reports.

7. CIA CTC Analysts Failed To Connect Reporting on Abdulmutallab.

Conclusion:

The failure of CIA CTC analysts to connect the reporting contributed to the failure of the Intelligence Community to identify Abdulmutallab as a potential threat. Like other Intelligence Community analysts, according to CIA, CTC analysts were focused on Yemen-based AQAP-related threats and supporting operations to counter these threats.

Recommendations for 6 and 7:

- The Director of the CIA should ensure that CIA personnel understand their responsibility to connect related all-source information and disseminate all possible threat reporting, particularly reports that might help identify homeland threats.
- The DNI should develop a comprehensive plan to implement advanced information technology systems that can draw connections among related intelligence reports and assist in the prioritization of terrorism threat streams. The

DNI should notify congressional intelligence committees of the progress made in implementing the plan on a biannual basis.

8. FBI Counterterrorism Analysts Could Not Access All Relevant Reports.

Conclusion:

The misconfiguration of an analyst's computer profile prevented her from accessing relevant intelligence reports, despite their existence in FBI systems. Had the FBI counterterrorism analyst's computer profile been configured appropriately, the analyst may have been able to identify the threat stream on Abdulmutallab.

Recommendations:

- The Director of the FBI should conduct a review of FBI's information technology systems to ensure all FBI analysts have access to the necessary intelligence databases and that the FBI information systems are appropriately configured to support intelligence analysis. The Director should provide a report to the congressional intelligence committees within 90 days on the changes made as a result of this review.

9. NCTC's Directorate of Intelligence Failed to Connect the Reporting on Abdulmutallab.

Conclusion:

NCTC personnel had the responsibility and the capability to connect the key reporting with the other relevant reporting. The NCTC was not adequately organized and did not have resources appropriately allocated to fulfill its missions.

NCTC has the primary role within the IC to bring together and assess all-source terrorism-related intelligence. One of the NCTC's missions, as outlined in the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA), is:

“to serve as the primary organization in the United States Government for analyzing and integrating all intelligence possessed or acquired by the United States Government pertaining to terrorism and counterterrorism...”³

³ 50 U.S.C. 404o(d).

NCTC has the primary role within the IC to bring together and assess all-source terrorism-related intelligence. Prior to 12/25, NCTC's Directorate of Intelligence was not staffed adequately and analysts were not tasked to track or identify all threat streams related to the AQAP threat to the U.S. homeland. Like other analysts in the Intelligence Community, NCTC's analysts were primarily focused on Yemen-based AQAP-related threats.

Recommendations:

- The Director of the NCTC should ensure that all NCTC analysts understand their responsibility to connect related all-source information and disseminate all possible threat reporting, particularly reports that might help identify homeland threats.
- The Director of the NCTC should ensure that NCTC is organized and resourced to fulfill its responsibility to track, analyze, and report on all terrorist threats to the United States emanating from terrorist groups overseas.
- Classified recommendation excluded

10. NCTC's Watchlisting Office Did Not Conduct Additional Research to Find Additional Derogatory Information to Place Abdulmutallab on a Watchlist.

Conclusion:

NCTC had the responsibility and the capability to connect the key intelligence reporting with the other relevant reporting. Doing so could have produced sufficient information to recommend that Abdulmutallab be placed on the terrorist watchlists. The NCTC was not adequately organized and did not have resources appropriately allocated to fulfill its missions.

Under IRTPA a primary role of the NCTC is:

“to serve as the central and shared knowledge bank on known and suspected terrorists and international terror groups.”⁴

Prior to 12/25, NCTC's standard practice was to process watchlisting information it received, but not to conduct additional analysis or enhance existing records with more derogatory information. Thus, even though NCTC created a basic terrorist record for

⁴ 50 U.S.C. 404o(d).

Abdulmutallab in TIDE, NCTC did not conduct additional research to identify other intelligence related to Abdulmutallab—intelligence that may have placed Abdulmutallab in the TSDB, and potentially on the Selectee List, or the No Fly List.

Recommendations:

- NCTC should keep the congressional intelligence committees fully informed of resources needed to perform the watchlisting function without compromising its other missions.

11. NSA Did Not Pursue Potential Collection Opportunities That Could Have Provided Information on Abdulmutallab.

Conclusion:

NSA did not take all available actions which contributed to the failure of the Intelligence Community to identify Abdulmutallab as a potential threat.

Recommendations:

- Classified recommendation excluded
- Classified recommendation excluded
- Classified recommendation excluded

12. Analysts Did Not Connect Key Reports Partly Identifying Abdulmutallab and Failed to Ensure Dissemination of All Relevant Reporting.

Conclusion:

The failure of analysts to connect and disseminate all relevant reports may have contributed to the failure of the Intelligence Community to identify Abdulmutallab as a potential threat.

Recommendations:

- Classified recommendation excluded
- Classified recommendation excluded

- Classified recommendation excluded

13. NSA Did Not Nominate Abdulmutallab for Watchlisting or the Terrorist Identities Datamart Environment (TIDE) based on Information Partly Identifying Him.

Conclusion:

The policy of not making nominations to TIDE based on information partly identifying Abdulmutallab may have contributed to the failure of the Intelligence Community to identify him as a potential threat.

Recommendations:

- NSA should immediately clear the backlog of reports that require review for watchlisting.
- NCTC should change its practices to allow for nominations to TIDE of partially identifying or other incomplete information to assist in enhancing terrorist identities records and other agencies should change their policies accordingly.

14. Intelligence Analysts were Primarily Focused on AQAP Threats to U.S. Interests In Yemen, Rather than on Potential AQAP Threats to U.S. Homeland.

Conclusion:

Analysts' competing priorities contributed to the failure of the Intelligence Community to identify Abdulmutallab as a potential threat. Prior to the 12/25 plot, counterterrorism analysts at NCTC, CIA, and NSA were focused on the threat of terrorist attacks in Yemen, but were not focused on the possibility of AQAP attacks against the U.S. homeland. These other priorities contributed to the failure of analysts to recognize and collate the several pieces of intelligence reporting that mentioned Abdulmutallab.

Recommendations:

- The DNI should review the roles and responsibilities of counterterrorism analysts throughout the Intelligence Community to ensure that all agencies understand their counterterrorism role, their role in identifying and analyzing threats to the

U.S. homeland, and that counterterrorism analysts actively collaborate across the Intelligence Community to identify such threats. This review should also investigate how to expand access to counterterrorism intelligence throughout the Intelligence Community, including whether counterterrorism analysts within each IC component should be provided access to all counterterrorism intelligence. In conducting this review, the DNI should be mindful of the intent of Congress to give NCTC the primary role and responsibility within the IC to bring together and assess all-source terrorism-related intelligence in IRTPA. The DNI should report the results of this review to congressional intelligence committees within 60 days.

- The DNI should examine whether adequate intelligence resources are directed against the homeland threat.

ADDITIONAL VIEWS OF SENATORS CHAMBLISS AND BURR

I. Background

As is illustrated throughout this report, there were a number of technical or human errors by the CIA, NSA, the State Department, and the National Counterterrorism Center (NCTC) which led to the Intelligence Community's collective failure to identify Abdulmutallab as a terrorist threat to the U.S. In testimony before Congress, DNI Blair stated that "this was not—like in 2001—a failure to collect or share intelligence; rather it was a failure to connect, integrate, and understand the intelligence we had." However, as Members who participated in the Joint Inquiry of the Senate Select Committee on Intelligence and the House Permanent Select Committee on Intelligence into Intelligence Community Activities Before and After the Terrorist Attacks of September 11, 2001 (the Congressional "Joint Inquiry"), we respectfully disagree. Some of the systemic errors this review identified also were cited as failures prior to 9/11.

Following 9/11, several investigations, including the Congressional Joint Inquiry, examined the intelligence failures that led to that atrocious attack, and, overwhelmingly, found that the Intelligence Community was severely inhibited by information stove-pipes, lacked effective technological tools, and in many cases was not aggressive enough to identify terrorist plots. These failures resulted in an Intelligence Community that was not well positioned to identify and disrupt terrorist threats.

As a result of these findings, Congress passed the Intelligence Reform and Terrorism Prevention Act (IRTPA). One of the primary goals of this legislation was to create one place in the Intelligence Community—the NCTC—where all terrorism related information could be integrated and analyzed. The IRTPA defines NCTC's primary missions, including:

"to serve as the primary organization in the United States Government for analyzing and integrating all intelligence possessed or acquired by the United States Government pertaining to terrorism and counterterrorism..." and

"to serve as the central and shared knowledge bank on known and suspected terrorists and international terror groups."¹

¹ 50 U.S.C. 404o(d).

In addition, the IRTPA directs that the Director of NCTC shall have the role and responsibility to “disseminate terrorism information, including current threat information” and “have primary responsibility within the United States Government for conducting net assessments of terrorist threats.”²

II. NCTC Failed to Fulfill Its Mission

IRTPA was to have corrected the problems identified after 9/11 by making NCTC responsible and accountable for all terrorism related intelligence analysis. Instead, the Committee found in this review that no one agency believes its analysts are responsible for tracking and identifying all terrorist threats, essentially the same problem identified six years ago by the 9/11 Commission, which found “the intelligence community’s confederated structure left open the question of who really was in charge of the entire U.S. intelligence effort”³ to combat terrorism.

Despite its statutory mission, NCTC did not believe it was the sole agency in the IC for piecing together all terrorism threats. In fact, in a response to the Committee, NCTC stated, “no one entity within the IC has sole responsibility nor bears the entire burden of either connecting dots or accountability for failing to do so.”⁴ Further, NCTC stated to staff that it focused primarily on providing strategic, or high level, terrorism assessments, and providing support to senior policymakers. No one at NCTC was given responsibility for tracking all terrorist threats thoroughly or searching for additional intelligence related to a threat. NCTC’s daily threat reports, “Threats and Threads,” tracked only the most serious threats. All lower priority threats are not examined by any one office at NCTC. Yet, a lower priority threat that succeeds, as the 12/25 plot almost did, would most definitely be seen as a serious attack by al-Qa’ida.

NCTC was created to be the central knowledge bank for all terrorism related information. As such, it is the *only* Intelligence Community agency with access to all intelligence databases as well as law enforcement information. Its unique role and access to information make it best suited to be responsible for integrating all intelligence—and connecting the dots—on any one particular threat, as well as, to provide comprehensive strategic terrorism assessments. However, NCTC failed to

² 50 U.S.C. 404o(f)(1)(G).

³ National Commission on Terrorist Attacks Upon the United States, *The 9/11 Commission Report* (W.W. Norton & Co., 2004), p. 93.

⁴ NCTC Response to SSCI, March 11, 2010.

organize itself in a manner consistent with Congress' intent or in a manner that would clearly identify its roles and responsibilities necessary to complete its mission.

III. Team Efforts Do Not Negate Individual Responsibility

NCTC believes that tracking terrorist threats should be a team effort, and “without a clearly identified ‘lane of responsibility’.”⁵ We disagree. Terrorism analysts throughout the Intelligence Community often perform overlapping analysis, repetition designed to identify oversights by any one agency. This duplication serves as a valuable check and balance – and enhances security. In this case, both CIA and NCTC had access to all the relevant reporting on Abdulmutallab and either agency could have connected them, however, neither identified the intelligence as a threat stream. Overlapping efforts can help reduce the risk of one agency overlooking a threat, but these additional efforts cannot replace the need for one primary agency to have ultimate responsibility for this mission. As such, NCTC's failure to understand its fundamental and primary missions is a significant failure and remains so today.

IV. Technology Is Still a Problem for the Intelligence Community

The Congressional Joint Inquiry, that we participated in, found in 2002 that, “While technology remains one of this nation's greatest advantages, it has not been fully and most effectively applied in support of U.S. counterterrorism efforts. Persistent problems in this area included a lack of collaboration between Intelligence Community agencies, a reluctance to develop and implement new technical capabilities aggressively, the FBI's reliance on outdated and insufficient technical systems, and the absence of a central counterterrorism database.”⁶ This remains a problem today.

As this Committee review noted, technology across the Intelligence Community still is not adequate to provide search enhancing tools for analysts. Several of the intelligence analysts involved in the Abdulmutallab case said that they were unable to link together the various reports on Abdulmutallab due to the struggle to balance searching the large volume of terrorism-related intelligence available with their daily workloads. The large number of intelligence databases compounded this problem by forcing some analysts and collectors to search

⁵ NCTC Response to SSCI, March 11, 2010.

⁶ Joint Inquiry, p.54.

multiple databases. NCTC officials told Committee staff that NCTC does not have the technical ability to follow or process all leads. Rather, NCTC is dependent on its personnel to conduct complex searches in multiple intelligence databases and to rely on the memory and knowledge of those analysts to link intelligence. CIA has similar problems with its main all-source counterterrorism database. This remains a problem today.

V. Conclusion

Almost nine years after 9/11, we are concerned about whether or not the Intelligence Community is organized effectively to identify and disrupt terrorist attacks. While we commend the Intelligence Community's hard-working personnel for their dedicated and tireless service, we are concerned that the policies, procedures and technology that they must work within today are hampering their ability to detect in advance the next attack against the Homeland.

We have seen terrorist organizations adapt and be agile in concealing their operations. They are unwavering, however, in their intent to strike the Homeland. In fact, since 12/25, Anwar al-Aulaqi called upon individuals to act independently and conduct attacks against the U.S. and other Western countries.

We must ensure that NCTC understands its role and its responsibilities as the Mission Manager for counterterrorism, and that our analysts have the technological tools they require to search through large quantities of intelligence. Today, identifying terrorist operatives is the biggest challenge our Intelligence Community faces, and they should have all the support necessary to be successful in their mission.

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