

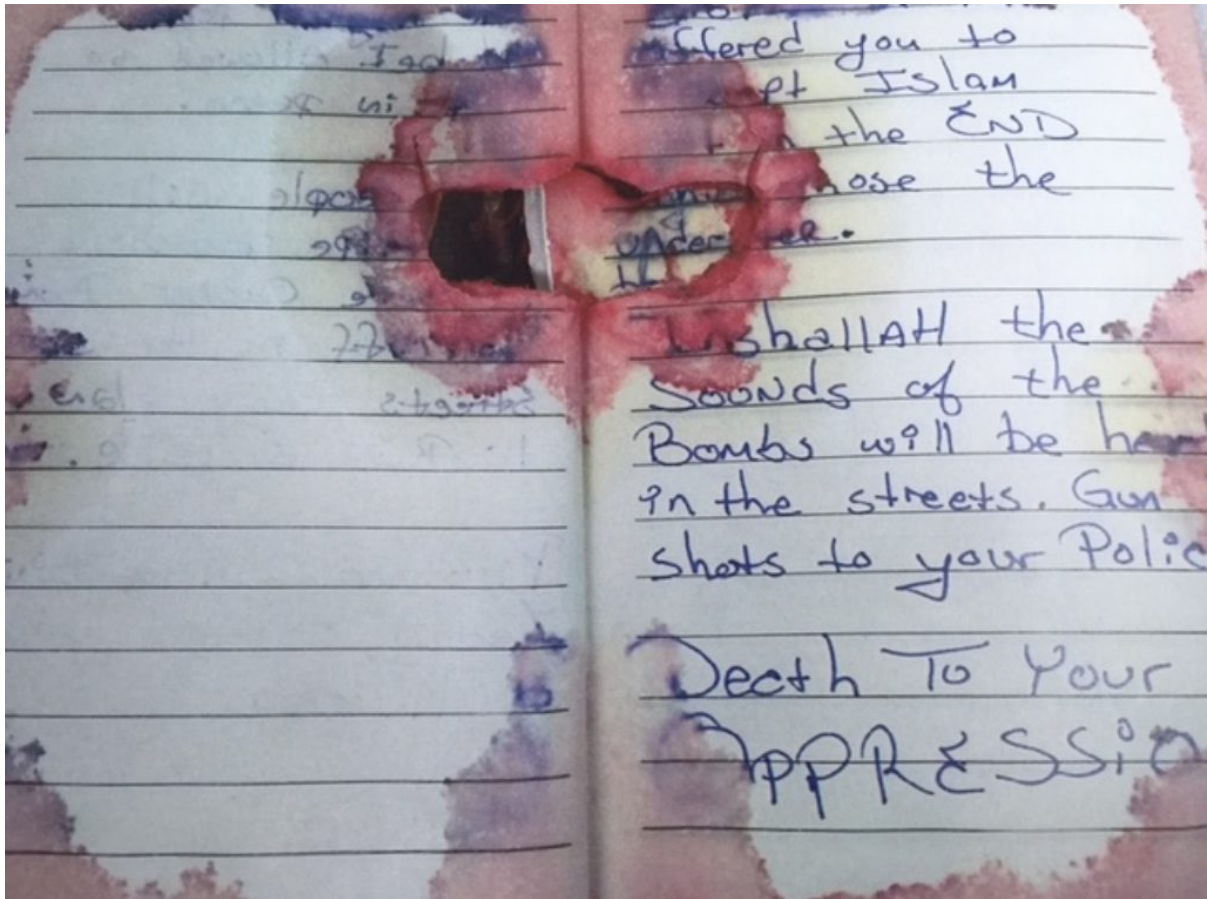
# Protecting our Borders from Terrorists?

by Jerry Gordon and Agent X (October 2016)



**New Jersey Terrorist Bomber and Manhattan Bombing Site**

**I**n the wake of the shootout and apprehension by Linden, New Jersey police on September 19, 2016 of New York/ New Jersey terrorist bomber, Afghan émigré Ahmad Khan Rahami, questions arose as to why DHS and the FBI hadn't connected the dots identifying him as a potential terrorist? After all he had traveled to Pakistan and Afghanistan four times between 2005 and 2014, where he sojourned for a year. There was prima facie evidence that Rahami had been using social media on You Tube and on ISIS websites. The other evidence was that he had ordered materials from EBay and other websites in accordance with a veritable manual published in the English language *Inspire* Magazine of AQAP, with the title, "[Make a Bomb in the Kitchen of Your Mom.](#)"



Page from terrorist bomber Rahami's bloody notebook

After he was apprehended they found in his hand a bloody notebook containing references to the preachings of the late American born cleric and Al Qaeda in the Arabian Peninsula leader (AQAP) Sheikh Anwar al-Awlaki killed in a 2011 US drone strike in Yemen. Those Al Awkai preachings were bolstered by declarations of the late ISIS strategist and spokesperson, Abu Muhammad al-Adnani, [killed in](#) an air strike near Aleppo, Syria in late August 2016. Al-Adnani had entreated jihadis in social media and the pages of their magazine *Dabiq* that if they couldn't join them in Syria to conduct jihad against the hated kuffar in their own country. Rahami's bloody note book also had praise for 2009 Fort Hood Massacre Jihadi Major Nidal Hassan and the refugee terrorists Tsarneav brothers who detonated pressure cooker bombs at the Boston Marathon finish line in 2013.

The other problem was evident in Rahami's history of family conflict about their Afghan Muslim heritage versus the generous US tolerant values after their arrival as refugees in the 1990's when Rahami and siblings were children. He was seven years old at the time. As he matured he readily adopted American culture and sexual freedom even siring a child out of wedlock with an Edison High School classmate. After failing to complete his education, ironically in law

enforcement studies, he returned to the family's fried chicken business in Elisabeth, New Jersey. The family dynamics were punctuated by violence. A brother left for the family's ancestral area of Kandahar, Afghanistan after a police report. In 2013, Rahami took off for a yearlong sojourn in Quetta, Pakistani, considered to be Taliban central, with a side trip to visit his brother in Kandahar. There was another alleged side trip in January 2014 to Turkey where presumably he might have investigated entry into Syria as a possible foreign fighter for ISIS. He married a Pakistani woman fathering another child. After returning in 2014 he arranged for a Visa for her and their child through a local New Jersey Congressman.

It was upon his return to JFK airport in 2014 that suspicions were aroused by Customs & Border Protection (CBP) officers about his one way return ticket. When asked he simply replied that "he was visiting family." Allegedly upon his return home he became demonstrably more religious attending a mosque that was affiliated with the Islamic Circle of North America. An altercation occurred in which a brother was knifed by Ahmad causing his father to call the FBI allegedly also telling them about his son becoming a terrorist. The FBI investigated and found no basis for further action.

Then alarm bells rang on Saturday, September 17, 2016 when late morning a bomb blast planted in a trash can occurred near the finish line of a charity Marine 5-k run in Seaside Park, New Jersey. Later that Saturday evening at approximately 8:30PM a bomb exploded near a dumpster located at the bustling junction of 23<sup>rd</sup> Street and Sixth Avenue in the Chelsea section of Manhattan injuring 31 persons. Four blocks further north a pressure cooker bomb with wires and a cell phone attached was found on the sidewalk between Sixth and Seventh Avenue on 27<sup>th</sup> Street. A manhunt was ordered by New York and New Jersey police and the FBI after surveillance photos were found of Rahami dragging a rolling wheeled duffle bag along 23<sup>rd</sup> street and forensics of the recovered New Jersey and New York bombs revealed common ingredients. The pace of the manhunt picked up when a knapsack containing several bombs was discovered in a trash bin by two persons at a Jersey Central AMTRAK Station in Elizabeth, New Jersey late Sunday night. One of the recovered bombs exploded when a police remote robot handled it. Monday the 19<sup>th</sup> culminated in the discovery of a sleeping Rahami in the vestibule of a bar in Linden, New Jersey by its owner, an Indian American. He

notified police and the resulting shoot out involved wounding two of the officers and Rahami himself, leading to his apprehension and arrest.



The Customs Border Protection area at JFK where Rahami re-entered in 2014

Source: *New York Times*

The question remained, could Rahami have been stopped in his Jihad quest when he was interviewed by the CBP officers at JFK Airport or by the FBI when summoned by his father in 2014?

*The New York Times* in an article asked the obvious question, "[Why Bomb Suspect's Travels Didn't Set Off More Scrutiny?](#)":

Still, customs officers who spoke with him thought information from the interview should be shared more broadly, so they forwarded a report to the National Targeting Center (NTC), an analysis hub run by U.S. Customs and Border Protection. Officers at the center, in turn, thought the report on Mr. Rahami was significant enough to distribute to other law enforcement agencies, including the [Federal Bureau of Investigation](#), in a summary that is sent out every few days.

Officials familiar with the report said it contained no hard information that might have caused alarm or prompted immediate action. Certainly, there

was nothing approaching the significance of a [statement](#) that Mr. Rahami's father gave to the F.B.I. five months later, in which he said [he thought that his son](#) might be involved in terrorism.

*The Times* noted the history of the NTC formed in the wake of 9/11 and its problems in a 2011 DHS investigation:

The center has had its problems. A 2011 [report](#) from the [Department of Homeland Security](#)'s inspector general found that it had a staff shortage and described a cumbersome data system that made complete checks on incoming passengers difficult and time-consuming.

Targeting specialists at the time used "as many as four computer monitors with different databases open concurrently," the report said.

*The Times* assessment said the FBI was more interested in chasing down domestic ISIS supporters like Rahami who simply don't travel:

"It is an indicator, but you don't even need to travel anymore to conduct an attack," said Brenda Heck, a former senior F.B.I. counterterrorism agent who retired in 2012. "It is less now of an indicator than when I was working there."

The reality is that political correctness set in during the Bush era and reduced terrorist targeting in earnest during the Obama Administration.





**Customs Field Operations Citation given to Agent X**

Conversations with Agent X

We had the opportunity to interview a former senior official in the Bureau of Customs & Border Protection (CBP) of the U.S. Department of Homeland Security (DHS). He also served in various capacities at the predecessor US Customs Service Agency of the Department of the Treasury where he often worked with the Office of Foreign Asset Control (OFAC), DEA, and FBI on narcotics and currency interdiction and on security matters. What became the CBP was transferred over to the newly formed DHS in early 2003. For purposes of anonymity, we will refer to him as Agent X.

Agent X rose in his career at CBP to ultimately control a northeastern bi-state

area covering several international airports and passenger and commercial seaports. He retired from the CBP in the fall of 2014. Agent X commented that beginning in 2004, CBP began to receive information from American Muslim Imams complaining about TJ clerics muscling in and taking over mosques. In 2008 or 2009, Federal law enforcement agencies began to receive internal memoranda identifying terms deemed inappropriate to enter into intelligence reports concerning the religious or ethnic identity of subjects under investigation. That was the beginning of the era at the end of the Bush and more expansively in the Obama Administration subject to the civil rights/civil liberties dictates of the State Department and impacting the FBI, and DHS agencies.

The following are episodes over the last 15 years recounted by Agent X indicating what efforts at interdiction of Islamist terrorist threats were carried out by the CBP both under US Customs Service at Treasury and later under DHS.

#### 9/11 and Prequels

In October, 2001, Agent X was among several US Customs managers reassigned to Headquarters in Washington DC, tasked with changing the USCS prime mission towards antiterrorist interdiction. This resulted in developing the Office of Border Security (OBS). OBS morphed into the National Targeting Center. OBS developed a 24/7 unit, brought in experienced analysts and targeters from land, sea and air US Customs Ports of Entry, and they brainstormed. That developed into an effective terrorist targeting program.

We took the 19 9/11 hijackers and created electronic profiles on each. The profiles contained information such as:

- Country of origin;
- Entering visa information; i.e. visa type and dates;
- Schools attended;
- Addresses they recorded visiting and/or living at;
- US Sponsors;
- International and domestic travel itineraries, seat

assignments; and

- Department of motor vehicle information.

The OBS team identified more than 100,000 Middle Eastern individuals living in the same general areas as the 19 9/11 perpetrators. We had similar electronic profiles created for each of them. Then we measured the 100,000 records against the 9/11 perpetrators scoring them for same schools, address, sponsor and locales. Then we ranked them in order against the 9/11 terrorist hijackers.

We were not going to enter the more than 100,000 persons identified into the OBS enforcement system. Instead, we chose to enter a sample of 1,000 plus records that measured closest to the hijackers. We used the information to educate and change the culture of Customs officers at 300+ ports of entry. Moreover, we also needed to have the FBI buy into the terrorist targeting database (TTD).

Officers encountering an individual in the TTD were instructed to send the subject to secondary inspection and contact us before conducting the inspection and interview. We would provide information on the individual of interest to the officer conducting the inspection. For example that the person of interest was recorded living at the same address or across the street from a 9/11 subject, and flew on the following dates on the same flight as the hijacker.

FBI bought into the OBS terrorist targeting system. The agency ran the program for more than two years. The FBI said that the OBS TTD program was the best post 9/11 antiterrorist program of any law enforcement agency.

The second successful program was a review of the USCS secondary inspection encounters that had not necessarily resulted in an interdiction, arrest, or seizure, but where suspicion still remained. We went back nearly a year and reviewed inspection records where persons of interest had a Middle Eastern surname.

One stunning example we found was on September 3, 2001, a Saudi passenger on a flight out of Hamburg arrived at Boston's Logan Airport with only carry-on bags. His passport showed a number of inbound east coast international arrivals. While the Inspector making the interdiction was probably thinking drugs or currency; neither of which were the case. The subject's bags contained state of the art photographic equipment. The subject stated that his hobby was



taking pictures of airports and aircraft and that we can check it out. Post 9/11 this secondary inspection connected the dots:

- There were 15 Saudis among the 9/11 perpetrators;
- Hamburg was where the 9/11 operation was centered;
- Arriving at Logan where 9/11 hijackers seized two of our aircraft; and
- Occurred just 8 days before 9/11.

We also reached out to US industry and the public concerning suspected Muslims giving them USCS OBS contact information. We received very helpful information. For instance, we had a call from an employee of a US architectural trade magazine. The caller said that he received a request for four back issues of their publication. The requested issues contained plans for three historic United States Court Houses, and the underground plans for a segment of Disney's Epcot Center. The individual requesting the magazines had a Muslim surname and a Baltimore, Maryland address. He requested the magazines be sent to an address in Dubai UAE. When we checked out the Maryland subject we found that US Customs at JFK in New York had interdicted and inspected one of his exports in July, 2001, two months prior to 9/11. The reason the export was inspected was that OFAC at Treasury often suspected that shipments destined for the UAE would ultimately end up in Iran, a proscribed country. The July 2001 inspection uncovered architectural plans for the subway systems under the United Nations Headquarters and the Empire State Building in Manhattan, instructions for assembling crop dusting equipment on an aircraft, and radar info for a US military Jet. OFAC declined the seizure. They said the architectural plans were in the public domain. The Department of Defense said the radar booklet was not confidential and thus not subject to seizure. This was two months prior to 9/11, no one was thinking terrorism! Notwithstanding, US Customs at JFK held information on the plans and the military radar booklet, and photo-copied all the export documents. So when we reviewed everything after the post 9/11 trade publication call we had a lot of info to work with.

This was what we did in the US Customs Office of Border Security in the months after 9/11. All of the information on suspect subjects from the terrorist targeting and secondary inspection reports was entered into our automated

enforcement system (this was before Homeland Security) with instructions to interdict, inspect and interview, and refer appropriated subjects to JTTF. Looking back, we must have been doing something right, because from October 2001 for the next eight years there were no incidents until 2009.

Comments on the CBP problems uncovered in the wake of recent terrorist attacks

In the wake of terror attacks involving Muslim émigré perpetrators of the recent San Bernardino, Orlando, New Jersey and Manhattan terror bombings, we asked Agent X what he viewed should be done to connect the dots with overseas travel of both US nationals and those of countries of interest entering the US.

The following are his views:

- If I had anything to do with CBP today I'd carefully profile the individuals involved in terrorist incidents these days ... San Bernardino, Orlando, Paris, etc ... and interdict, inspect and interview every individual meeting this profile. This is the way to run the business effectively.

- As far as my area of operation at CPB before retirement, the FBI was looking to develop cases against US citizens and resident Muslims between the ages of 17 to 35 and older who have been in countries of interest for three months or more. These instructions were passed to CBP field operations through CBP officers assigned to the local JTTFs. These subjects are of high priority. According to the *Times* article, CBP did interdict and at least interviewed. The FBI was contacted but apparently showed little interest. The article stated, "the report said it contained no hard information." However, the important components are that the subject is a male of the right age, and spent X months on Y occasions, in countries of interest. Hard information would come from the subsequent investigative agency's domestic investigation. This is the way it's supposed to work. CBP supplies evidence that initiates or supplements JTTF investigations.

- Subject Muslims often have a country of interest passport in addition to their US version. They travel to Europe on the US passport and to Muslim countries on the second one. So upon returning to the US they only show the US passport with just European check marks. The CBP is very aware and when we encountered such an individual, a thorough secondary

inspection is expected. Use of two passports adds to the circumstantial suspicion, and a JTTF referral should be mandatory.

## Conclusion

Just as we were finishing this article, another example of DHS ineptitude surfaced in a report by Inspector General John Roth. His report drew attention to more than 858 illegal aliens scheduled for deportation who mistakenly became naturalized US citizens because paper finger print records couldn't be found. Credit this discovery to a sharp-eyed questioning CBP officer who made this discovery in 2008. ABC news [reported](#) on September 19, 2016:

Roth's report said fingerprints are missing from federal databases for as many as 315,000 immigrants with final deportation orders or who are fugitive criminals. Immigration and Customs Enforcement has not reviewed about 148,000 of those immigrants' files to add fingerprints to the digital record.

The gap was created because older, paper records were never added to fingerprint databases created by both the now-defunct Immigration and Naturalization Service and the FBI in the 1990s. ICE, the DHS agency responsible for finding and deporting immigrants living in the country illegally, didn't consistently add digital fingerprint records of immigrants whom agents encountered until 2010.

The government has known about the information gap and its impact on naturalization decisions since at least 2008 when a Customs and Border Protection official identified 206 immigrants who used a different name or other biographical information to gain citizenship or other immigration benefits, though few cases have been investigated

Agent X's experience at CBP and its predecessor, the US Customs Service, illustrate both what was done after 9/11 and the contrasting missteps under the obsessive civil rights/civil liberties diktats imposed during the Bush and Obama Administration on this front line law enforcement agency under the Department of Homeland Security.

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