

MEMORANDUM FOR THE RECORD

MFR 04020418  
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(R)

EVENT: Interview

DATE: March 17, 2004

Special Access Issues: None

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Team Number: 5

Location: U.S. Customs and Border Protection, Ronald Reagan Building,  
14<sup>th</sup> & Pennsylvania Ave. NW, Washington, DC

Participants: Non-Commission: [redacted] Customs Inspector, Orlando  
Alex Damen, Counsel CBP

Participants: Commission – Janice Kephart-Roberts, counsel  
Joanne M. Accolla, Staff Assistant

JKR asked if [redacted] has been interviewed by anyone else, FBI, DOJ IG, DHS, CBP – [redacted] replied no.

JKR then showed [redacted] Saeed's travel documents, pages from the passport that survived the crash in Pennsylvania; non-immigrant information system review of his entry record, the I-94 arrival record, the INS inspection results that have [redacted] comments and reasons for referral, Saeed's customs declaration; and an analysis from the Forensic Document Lab.

Background:

[redacted] has been working with Customs and Border Protection since 12/21/98; started in Orlando and it is the only port worked he has worked at. He graduated from the University of Florida with B.A. in English in 1996. He spent some time in graduate school working towards an M.A. in English and elementary education, and working on degree teaching English as a second language. He decided he didn't want to complete grad school and left; worked in a hotel for awhile in Jacksonville (Marriott Hotel); waiting for INS job to come through and that's where he's been.

Attended training at FLETC in January 1999 until mid May 1999.

JKR asked about the core aspects of the training.

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[ ] said the main focus was on immigration law with emphasis on non-immigrant visa classifications, immigration visa classifications. Some training on document fraud; thought there should have been more. Actual instructor was an immigration inspector because she was wearing the inspector's uniform.

JKR asked if he received training in cultural behavior. [ ] replied to an extent - we did some roll playing; mock interviews and mock inspections.

JKR asked if they did mock interviews of nationals from Saudi Arabia or Yemen, and [ ] didn't think so.

JKR asked if he received any language training. He said he did receive about 5 weeks of training in Spanish. They didn't offer any other languages while he was there.

JKR asked if he received any educational experience in counterterrorism.

[ ] said he did and it was probably the best class because the person who taught it was affiliated with ATF. They watched some videos on UBL and it was interesting. [ ] said looking back in hindsight, the instructor thought UBL was the biggest threat to the US in the spring of 1999.

JKR asked if this training was for inspection purposes and [ ] said not too much; it was more in the way of getting us to be aware that this was out there but we didn't do any mock inspections.

JKR asked if they were made aware during FLETC training about security threats - of the national security units of INS - how to respond to those threats as an inspector?

[ ] responded he didn't specifically remember getting that training; he said they were trained on how to detect fraudulent documents; but it was not focused in a security kind of way; but more to the admissibility of the individual.

JKR asked if he got training on the variety of data bases and technology available to you at primary and secondary and what types of data bases are checked at each point.

[ ] said they did get training in that but again not a lot - because we were beginning inspectors and the bulk of the secondary training would occur at the port.

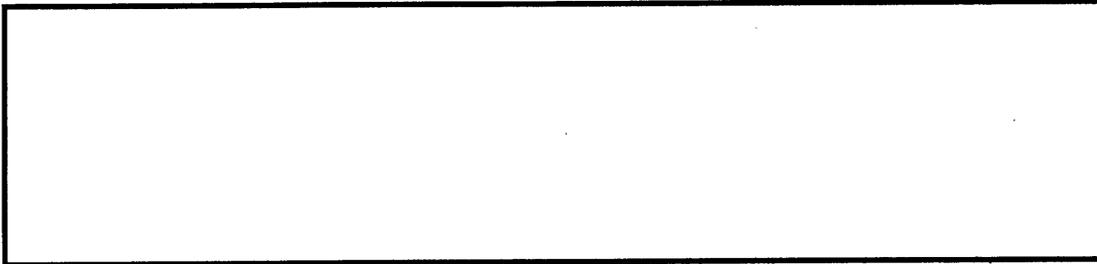
JKR asked if IDENT data base was used for folks referred to secondary. [ ] said he doesn't remember.

JKR asked if that was that something the port practiced. [ ] said we practiced it, especially on the flight from Trans Brazil. Now we do it all the time. Pre 9/11 that wasn't really happening unless you know you had a case.

JKR asked [redacted] if IDENTs were not a guarantee if you were referred to secondary and [redacted] said yes.

Primary Inspection

JKR asked what are you looking for in a document re fraud.



JKR – if you look through Saeed’s document, you will see a number of caches and they look Arabic to me. What training do you get on stamps and caches?

[redacted] said we get training (up until recently you learn from other inspectors) basically what we look for [redacted]

JKR asked if there is any training on fraudulent stamps and how can you tell the difference? FDL puts out alerts all the time – is there a binder to review – something to teach any basics?

[redacted] said there was no formal training even today at his port – they do keep FDL alerts that are updated – nothing on stamps specifically.

JKR – can you describe procedure you were using pre 9/11 – what questions you asked, how you reviewed documents; data bases checked?

[redacted] said he would ask why are they coming to US; when is the last time you were in the US, if so, when and how long did you stay. How long are staying this time; all the while running passports through checks and if everything checks out and person seems admissible, I admit that person.

JKR – was there a standard processing time in which you were to process a person.

[redacted] said yes, pre 9/11 especially in Orlando, facilitation emphasized – get inspection done in 45 seconds to 1 minute.

JKR – port specific requirement or national policy?

[redacted] I thought that was national policy

JKR – standard processing time that you were made aware of from disembarking from plane to primary inspection?

- entire flight was to take no longer than 45 minutes.

JKR – was there any professional repercussions for persons who would take longer

- actually, yes. When I first got to the port, we would get PWP evaluation – I didn't get a good evaluation because I wasn't processing fast enough; emphasis was on getting those people through.

JKR – were folks given worst shifts or reprimanded?

- no

JKR – was there a port policy about referrals to secondary and what criteria had to be made.

- no port policy that I was aware of – “If in doubt, send it out” to secondary – unwritten policy – if you had a bad feeling about someone

JKR – what was your view – did you ever work secondary?

yes

JKR before 9/11

- have to think about that- had been a GS9 for half a year – probably not a lot of secondary – probably soft secondary – immigrant visas.

JKR – what was the general tone at the port about support for recommendations for removal - cultural sense?

said it depended on which supervisor you had on that day; some were more law enforcement minded and others weren't.

JKR – length of stay for B1 and B2s – was there a standard length of stay given pre 9/11 for B1s?

- I don't remember being told anything specific; think if it was a business person, give them as much time as they need. I think I remember if they don't need more than a month give them a ;month; within my discretion; keep it tight.

JKR – B2s – standard length of stay

- 6 months;

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JKR – did you have discretion to shorten that time?

only with supervisory concurrence; if they told me to limit person's stay if there was strong evidence that they may have overstayed and might overstay again.

JKR – would you have to refer that person to secondary??

it would happen in secondary;

JKR – and you would make a notation of that on your INS page

that's correct

JKR – were Saudi's common; see them often

not as often now; because we used to get Saudia Air; but it went away after 9/11. Pre 9/11 it was common flights, seasonal – summer.

JKR – how did the inspectors view Saudis? The port? Were they treated any differently from other nationalities?

the port I think might have catered to them; the individual inspectors didn't – I know for a fact the airline people catered to them – they were coming to Disney World and would be spending a lot of money and they were seen in that light.

JKR asked if other nationalities were catered to as well

said the Saudis stood out to him; it wouldn't be right for me to say the port or my superiors catered; I think it was more the airlines who would escort the more well to do Saudis up to the line.

JKR – how did that catering effect the adjudication of Saudis? Did it effect how inspectors did their job?

said it might have – but can only speak for myself, it did not for me.

JKR – if you couldn't communicate with a Saudi, what would you do?

said if he couldn't conduct an inspection to get answers to my questions, I can't admit and must refer to secondary – if I can't get information, can't admit.

JKR – if all the answers are filled out on the paperwork?

I would say I would refer them – possible exception – I have had very old people in wheel chairs from Germany, coming to see relative – maybe I can't get enough but

enough to know they are only staying a week or two, I would admit. But if they were younger, no.

JKR asked about the culture of the airlines – what is it that the airlines would do to make it clear that the Saudis were being catered to.

[redacted] said he did remember on specific occasions some of the airline reps walking up to the inspector escorting a Saudi family – in effect cutting the line- was the impression I got.

JKR asked if there were Arabic speakers at the port. [redacted] said not the inspectors but some airline personnel.

JKR asked if the airline personnel were naturalized Americans. [redacted] he remembered one was a Lebanese, and one from Morocco - now US citizens or resident card.

JKR asked if some of the airline personnel were Saudi nationals and [redacted] said not that he knew of.

JKR asked if it was a common occurrence for airline personnel to help with communications. He said yes, if we needed it but we can't always find those airline personnel.

JKR – did you spend time on profiling (targeting) – training on different types of persons to look out for at FLETC – i.e. drug courier, multi-identity person – intending immigrant?

[redacted] said he thought they were taught to look for certain body language – sweating, nervous.

JKR asked if there were certain types of things you were aware of to look out for such as funding.

[redacted] said they were definitely concerned if we didn't know why they were here, if the person didn't have real money with them then that presents a problem, but when you combine those things – no money, don't know why there in the US – red flags going up – have to refer the person.

JKR asked if there was concern about intending immigrant. [redacted] said yes. JKR asked if there were specific things they would look out for i.e. drugs. He said they would look

[redacted] [redacted] said he didn't remember receiving training on behavioral characteristics of people seeking to engage in criminal activity in the US.

9/11 Law Enforcement Sensitive

Al Ghamdi Inspection

JKR asked [ ] if he has been interviewed before on this. He said one of the guys told him he was involved in this – sometime in January – prior to getting notice from the 9/11 Commission.

JKR asked if he had any recollection of this inspection. [ ] said (after reviewing copies of al Ghamdi's travel documents) that these pictures look familiar to me but he didn't remember the specifics of talking to him. But this doesn't look like what I saw on CNN – looks familiar. The other picture I saw he didn't have mustache.

JKR said she needed to ask these questions because she doesn't know the answers. Was your inspector number 7023? [ ] replied no.

JKR said so you did not fill in information (going over stamps). 7023 is on the customs declaration and [ ] said that was not his number. JKR indicated it could be [ ] number.

JKR said let's go through this for the record - please let me know. [ ] began to read the INS section result page

Orlando International Report VS 15 flight (Virgin Atlantic) – document type - visa – C573895 – Saudi Arabia – Al Ghamdi, Saeed – dob 11/21/79 – referred by [ ] [ ] INS inspector 06/27/01 18:49 (time); subject speaks every little English – no address listed – please question.

JKR asked if that was him and [ ] said it was. She asked him what was his inspection stamp during that time. [ ] said they were changed – he believed it was 7006 – his new stamp. The other records are not mine

JKR: "Subject speaks little English" – why is that important?

[ ] said it was important because you can't get into the depth you want to when you are inspecting a person; what you want them to do in secondary is get native speaker of language or get translator and conduct a full inspection.

JKR asked if he recalled whether he tried to get help in translation in this instance and he said he couldn't remember.

JKR said "no return ticket" how did you know that?

[ ] said he must have spoken enough English – because that is a question I ask – and he must have said . . . I have them show me the return ticket

JKR asked what is the concern if they don't have a return ticket

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[redacted] said the concern is that they are not going back – they are an intending immigrant.

JKR “no address listed” is that a concern?

[redacted] said basically that’s a concern because we want to know where the person is going – if they don’t know, its suspect. We want to know this person is here – part of the reason.

JKR – “please question” – why types of questions did you want secondary to ask?

[redacted] said basically it’s a way of saying we don’t feel totally right with this person who has more time in the back to go into these questions, why are you here, why don’t you have a return ticket, can call translator or airline people to translate to have more fleshed out inspection.

JKR – would the fact that he is alone raise issues?

[redacted] said [redacted]

JKR – was the concern ever on criminal enterprise?

[redacted] said for me, I lived on a Kibbutz in Israel and have been pro-Israel – I don’t like to use the word “targeting” – but pre 9/11 I looked at Arabs with suspicions. I have spent time in Egypt too but just because I lived in Israel and have pro-Israele stance, I look at those people.

JKR said let’s look at the customs declaration even though it’s not your stamp. When al Ghamdi came to you – travel document, customs declaration and I-94 – combination of documents – and conversation and you referred him to secondary.

[redacted] said that was correct.

JKR asked why the customs declaration – why there are 2 different types -- one has intending length of stay and one does not – when you saw this and that he wrote \$500 and wants to stay a month – is that a problem for you

[redacted] said it’s pushing it a little bit – not a lot of money – the fact that he didn’t know where he was going

JKR – who would put the line through customs declaration? [redacted] didn’t know.

JKR – do you ever ask for verification of the amount of money they have on them? [redacted] said no.

JKR – on a normal primary inspection, would you stamp the customs declaration if you admitted the person?

– yes once we admitted them and the I-94 – would have stamped them all on a normal inspection.

JKR – hypothetical – if you personally in secondary had never been able to get translator, or not enough information, they couldn't produce return ticket, what would your recommendation have been?

– at that point, as secondary officer, I would have gone to supervisor officer – this is where we stand – what do you want me to do?

JKR – what do you think the supervisor would say

– depends on supervisor – one would have him [redacted] would have him wait for hours for verification – he was law enforcement minded.

JKR – the logs have not been made available to me yet – who the supervisor was on that day on that time – can you recall?

– no way, too many

JKR – was [redacted] the only one law enforcement minded?

– can't say the only one – [redacted] also strict; there were others who wouldn't be as concerned.

JKR – in the situation like this, would you have sought pre 9/11 IDENT, pocket litter, etc.?

– not sure – unless you actually have reason to believe he was a criminal – if you didn't have evidence to guide you in that direction, pre 9/11 no. Now yes.

JKR pre 9/11 pocket litter reviewed normally if you don't have criminal indication

– might be – we did that –

JKR – what about travel documents – what would happen to do those in secondary pre 9/11

– if primary inspector thought they were suspect, [redacted]

JKR – were folks in secondary who had an expertise in documents?

9/11 Law  
Enforcement  
Sensitive

we have some inspectors that are better than others detecting fraudulent documents

JKR - can you give us name of person you think is best at Orlando

probably say

JKR - question on I-94 - he only asked for one month - did you have discretion to give him one month?

no - he got 6 months.

JKR - going to show you out of curiosity, there was another hijacker who came in on the same flight - Banihammad - the inspector number on this was 7708 - all I have on that admission - customs declaration and I-94 - it looks - the only difference from Saeed's is he puts Hyatt not "hotel." Looking at these documents (don't have travel documents for him) would the one month and \$500 cause you concern. -

yes - its stretching it - if he could explain it

JKR - enough of an address

no - we want hotel, number and street - but if he said hotel and street pre 9/11 I could see someone might let him in.

JKR - someone from UAE treated that Saudi

no

JKR - he also traveled alone.

DHS

What changes have you seen on front line with new CBP

quite a few changes; I think the higher ups backed off the idea you have to inspect so quickly; also we have the NSEERS procedure where nationals from certain countries have to register, IDENT, - don't know if USVISIT is replacing NSEERS - news to me - we are using both right now.

JKR- have you noticed any difference with separation from interior enforcement, legacy ins, - caused any issue at the port?

not sure I know what you mean

9/11 Working-level Employee

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JKR – in counter-terrorism context, if there was someone watchlisted and pulled in secondary, and agents would show up – at some ports there is a bit of a rift between legacy INS and legacy agents.

– haven't see this – have seen some agents come and some FBI

JKR – 00 hits since 9/11?

– one where agent showed up – person suspected of being IRA – coming down from the NTC - I was in secondary and primary for that situation – the one who did the case.

JKR – familiar with National Targeting Center – value?

think it's great, fantastic – has great value – that's why we sent the guy back.

JKR – value of US VISIT

I think it is also great – I can tell you if Trans Brazil was still coming , they wouldn't have a prayer

JKR – SEVIS

think its good system – has more bugs than the other systems – have to scroll – call help desk.

JKR – do you have State Dept. information – the consular consolidated data base?

me personally, know

JKR – because its available in secondary?

I have pulled up system where you can verify picture – than I have used it

JKR – if you had a message for Commissioner Bonner one thing what would it be to make things better?

– lots more training – lot of in the field training – where you don't have to go to other inspectors – formal training on how to use the systems and how to do your job.

JKR – information from hdq – alerts are they actionable that you are on top if what you need

– I think so things have gotten better.