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[Unclassified]

MEMORANDUM FOR THE RECORD

Event: Interview with Dan Molario, former Senior Special Agent, INS

Type of event: Interview at GSA

Date: Nov. 17, 2003

Special Access Issues: None

Prepared by: Janice Kephart-Roberts

Team Number: 5

Location: GSA

Participants - Non-Commission: Dan Molario

Sarah Kendall, ICE General Counsel's office
Georgia Deplas, Fed Law Enforcement Assoc
Assoc Gen Counsel

Participants - Janice Kephart-Roberts

Joanne M. Accolla

Documents entered into the record by JKR: none

Unclassified

Background:

INS for 26 years. Served in # of different positions. At time of 9/11, had been assistant district director for investigations in NY field office since 1991. Previous to that: deputy assistant director for a few years; chief of general investigations; supervisory special agent; office of professional responsibility; immigration inspector in California.

Counterterrorism activities:

My first involvement was '93 bombing. I was assist district director for investigations and put together INS agents, that night, Feb. 26, 1993, to work with FBI NYPD JTTF. Able to get 4 agents in there. The FBI did not want us there. I put them there. It took awhile to convince them of the importance to assign people to unit. We had a suspicion that immigrant had committed the crimes, and I knew that FBI didn't understand the immigration process and what records may be involved. The agents I placed in the '93 JTTF were: [redacted] Mike Doherty, and [redacted] We weren't thinking of formality when assignments were made, so there were no MOUs on the assignment. I was proud of this work. Because of technical knowledge my agents had, they were able to bring the '93 WTC case to places it might not have otherwise gone, like travel, and fraud, and were able to uncover what another agent from another

agency would'nt have been able to get. Ultimately, were some immigration charges filed.

The cases were the larger cases covered by the Manila, Terroristop. We were worked thru the task forces, and that's way we decided to go.

CT Coordinator. By 96 or 97, for about a year and a half, I was detailed to D.C. as CT Coordinator. I ended up commuting for about a year and a half. I tried to fashion some sort of plan where we were going to put people in what JTTFs, and nail down all positions. I tried to come up with administrative JTTF SOP and work the DOJ component on ATRC. What we had done was the staffing of several positions to expand the JTTF INS throughout the country. And then **Dan Cadman** came in late 97 or 98.

No day to day ops with POEs. **James McLean** had come to me saying that a position was going to posted, and asked if wanted job FT, and a couple months later Cadman got the job. Offered to help and never heard from him again. No personal knowledge of why that position came about. I had no interest in that position.

Worked with Chief of Enforcement for Exec Assoc Commissioner for Operations, Jim McLean, now lives in Thailand. McLean reported to Scott Blackman.

We didn't have adequate resources at all. We didn't do anything proactive pre '93. The agents did all sorts of work, waxed and waned. Most of that time, I ran an office of 200 agents. So dealing with JTTF, we didn't have an infrastructure that dealt with them that satisfied me. No supervisor of JTTF agents until 2001. We were only brought in when issues arose.

Were 220 agents enough for all of NYC? No. When I started in Cal, more NY agents in NY in 1977 than there were in 2001. This was the result of a variety of different issues. For years, no consensus on immigration policy in America, and without a consensus on immigration enforcement, people either don't think it important or think it too controversial. There has been very little recognition of the importance of enforcement. Some time ago the border patrol separated themselves and were able to drive and define what immigration enforcement meant. And that meant more agents without recognition of what work needed to be done with people who got into country despite the border patrol. There was no widespread recognition of interior enforcement as an issue anywhere. So we suffered from benign neglect.

Intelligence. In my career, the intelligence function was really nothing more than a clipping service. Couldn't generate own actionable intelligence. Even if we did, what were we to do with the intelligence we received? We didn't have the resources to follow up. We'd get articles on immigration, an occasional intel report on overland border entries. Intel digests. Reports concerning fraudulent visas on incoming passengers. That was about it.

Work with other field offices. The one matter of working with another office was the arrest of Sheik Rahman, '93 bombing, interacted with Newark office closely, b/c residence in Brooklyn. July 2, 1993, he refused to take a helicopter and every bridge and tunnel was closed for security purposes while we brought him in for booking.

Meetings with Meissner. Yes, but no private meeting ever.

I had exchanged pleasantries a number of times in NY and DC. I participated in a briefing that gave an overview in WTC '93 and subordinates helped, with 30 people in the room. I was too nervous to see what her reaction was.

I had received a DOJ award in '95. In 96 or 97 I briefed Meissner on a case she was meeting with Guiliani on, the kidnapping of deaf mute Mexicans.