

Inspector No.
Primary inspector for ATTA
Newark International Airport on June 3, 2000

Use of name in report: The Commission would agree, if you want, that the Commission will not use your name or your personal information without prior consultation with DHS/CBP about the information we seek to use. Unless we really feel the need, we won't use your name. However, we will not make the flat promise that we will not under any circumstances use your name. (Circumstances when would use name: probably only in making policy recommendations or factual information that requires a quote.)

Telephone interview date: 05/17/04

Background.

Who else has interviewed you: DOJ OIG, FBI, DHS, CBP. DOJ – yes by phone.

Do you recollect the inspection of Atta on May 29, 2000? No.

Were you assigned no on that date? Yes. INS inspector since March 1998.

FLETC.

- When did you train? How long? April – July 1998
- Training in CT? No.
- Document fraud? Yes and at Newark (FDL). 1 day passports, green cards, travel stamps/caches. No at FLETC. Yes FDL post 9/11.
- Databases? Yes, 1 day
- Mock primary/secondary inspections? Not really – concentrated ½ day.
- Cultural training? No. At Newark post 9/11. Training on different terrorist country groups of interest in ME and So. America. ALQ operating in Phillipines, Aby Sagyb.
- Behavioral training? At FLETC a little bit; didn't concentrate on terrorist. Focus was on detecting fraud and intending immigrants.
- Language training? Spanish
- Firearms training? Shoot every day. No gun in line; only in secondary. Did work secondary pre 9/11, but not often.

Normal primary.

- Please describe the standard operating procedures you employ in primary screening, including questions asked, documents reviewed, and databases checked. Greet them; check them out. Ask for passport/I-94/customs declaration. Check for completeness. Check passports and visa for fraud; [redacted] for visa, number sequences, review for stamps in and out and get idea of past overstay or returning immigrant. Asked questions – why here, how long, where and why going, query in TECS for lookouts. Port policy – everyone through TECS.
- *Length of stay for B1s:* was there a standard length of stay given pre 9/11? Was that a port decision, or national operating policy? If you gave less than the standard time, were there professional repercussions? Tailored to stated needs; 90 days standard at Newark; I though national policy.
- *Length of stay for B2s:* was there any discretion in length of stay granted B2s pre 9/11? No discretion. Port policy. Stamp 6 months minimum and maximum 1 year; but we weren't allowed to do 1 year without supervisor and secondary.
- *Length of stay for vocational students:* what was your understanding of the rule? Did the one year limitation include the 30 days to leave, or was the 30 days tacked on at the end of the stay so that the stay in reality was 13 months? Duration of course, up to 12 months plus 30 days to leave.
- *Processing time at Newark:* was there a standard processing time? [redacted] from disembarking the plane to exiting primary inspection; [redacted] screening; [redacted] to screen? Any professional repercussions if did not meet that processing time? Don't know; rumor was [redacted] for flight processing; still have pressure but no more [redacted] do the best possible as quickly as possible.
- Was there a port policy about referrals to secondary; a certain criteria that had to be met to refer to secondary? No. If we felt need to refer, allowed to.
- Return ticket/ flight itinerary. Did you always ask for flight itinerary for unusual travel? For a return ticket? [redacted] no. Only in re to intending immigrant. 7(a); working without proper documents.

Review of passport and visa.

- What do you look for on the document to determine whether fraud or not? Yes.
- Can you read Arabic stamps/cachets? No. Since 9/11, yes, but just have to ID which stamp from which country. Reference book now.

- Have you received any training in reading documents other than FLETC prior to 9/11?
- Does the port always make sure there are inspectors on duty in secondary with expertise in documents and stamps? Yes.
- Arab speaking? Have 2 inspectors now who can read Arabic.

Treatment of Emirates and Saudis.

- How did inspectors view Saudis pre 9/11? Ever considered a threat to national security? Inspect like anyone else and just another Mideast passenger. NSEERS not failed out yet.
 - At Newark, did you ever notice that any particular nationalities were treated any differently than others? No.
 - What about Saudis in particular?
 - How did the treatment affect adjudication of Saudis?
 - If you could not communicate with a Saudi, what would you do? Referred to secondary and not – depend on person: [redacted]
 - Were there any Arabic speakers in INS inspections at Newark? Did you always have to rely on the airlines? One pre 9/11.
 - Would the airline help you out?

Profiling.

- What unusual characteristics about an alien applying for admission would cause you concern and result in a referral to secondary? [redacted]
- [redacted] ? No.
- Funding? [redacted] concern. Just look to see if complete because knew going to Customs anyway.
- [redacted]
- [redacted]

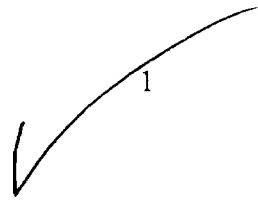
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

- What would be the nature of your concern; what would you think was wrong?
- **Atta's primary inspection.** (show documents). Berlin visa, Egypt passport – not that unusual. Czech Air: not unusual.
- Where do you normally work?
- Where were you working on June 3, 2000?
- Do you recollect Atta (did not DOJ OIG interview)? No.
- Please describe how you conducted the inspection and what transpired, to the best of your recollection. I was so shocked when I found out I admitted him.

Changes at DHS.

- What changes do you see on the front line with the new CBP? We still seem to be short of staff; busy as ever; Customs only doing [Redacted] – sense resistance.
- Are you familiar with National Targeting Center? Yes. They put in [Redacted] [Redacted] if need more information and always available. We have used in secondary.
- What effect has US VISIT had on entry and the inspection process? We've [Redacted]
- Use and value of SEVIS. Yes – slow.
- Adequate access to DOS visa via the Consular Consolidated Database. Yes.

- If you had a message for Commissioner Bonner what would it be? We need more personnel and training. More fraud training (1 year); lose skill after awhile.
- Cross training – Not yet, not hear anything – training on what to look for on declaration – in favor of it.



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Background.

Who else has interviewed you: DOJ OIG, FBI, DHS, CBP.

Do you recollect the inspection of ^{Atta} Al Sheikh on May 29, 2000? *no*

Were you assigned no on that date? *yes*

FLETC.

- When did you train? How long? *yes by phone*
no no no
INS inspectors 3/98
4-7/98
- Training in CT? *no*
- Document fraud? *yes + @ Newark (FDL)*
1 day: passports, green cards
travel stamps/caches: no @ FLETC *yes FDL post 9/11*
- Databases? *yes 1 day*
- Mock ^{primary +} secondary inspections? *not really*
concentrated here 1/2 day
- Cultural training? *no + @ Newark post 9/11.*
Focus on diff't terrorist groups
Countries of interest ME + SA
S.Am. Al Q operating
Phillipines, Arab Satyb.
- Behavioral training? *@ FLETC a little bit*
didn't concentrate on terrorist.
Focus was on detecting fraud + identifying immigrants.
- Language training? *Spanish*
- Firearms training? *shoot every day. No gun in line; only in 2ndary. Did work 2ndary pre 9/11, but not often.*

Normal primary.

review for stamps in + out + get idea of post overstays on returning immigrant.

PORT policy thru everyone thru

- Please describe the standard operating procedures you employ in primary screening, including questions asked, documents reviewed, and databases checked. *hello. Check them out. Ask for passport / I-94 / Customs decl. Check for completeness, check passport + visa for fraud: - important, [redacted], # sequences, [redacted] Qs: why here, how long, where & why going, query in TECs for lookouts.*

- Length of stay for B1s: was there a standard length of stay given pre 9/11? Was that a port decision, or national operating policy? If you gave less than the standard time, were there professional repercussions? *- tailored to stated needs - 90 day std @ Newark - I thought nat'l policy.*

- Length of stay for B2s: was there any discretion in length of stay granted B2s pre 9/11? *No discretion. Port policy. Stamp 6 mos min + max 1 yr, but we weren't allowed to do 1 yr. w/o supervisor + 2nd officer.*

- Length of stay for vocational students: what was your understanding of the rule? Did the one year limitation include the 30 days to leave, or was the 30 days tacked on at the end of the stay so that the stay in reality was 13 months? *duration of course, up to not less than 1 yr (12 mos.) + 30 days to leave.*

Come to US w/o proper visa - refer to 2ndary. + then inadmissible. I wouldn't admit on primary or 2ndary if attending flight school FT.

- Processing time at *Newark* Miami: was there a standard processing time? *yes, not less than 1 yr* from disembarking the plane to exiting primary inspection; *don't know* screening; *Any professional repercussions if did not meet that processing time? - run was [redacted] for flight process: -*

- Was there a port policy about referrals to secondary; a certain criteria that had to be met to refer to secondary? *No. If we felt need to refer, allowed to.*

- Return ticket/ flight itinerary. Did you always ask for flight itinerary for unusual travel? For a return ticket? *[redacted] intending immigrant. 7(a): would w/o proper doc.*

Review of passport and visa.

- What do you look for on the document to determine whether fraud or not? *yes.*
- Can you read Arabic stamps/cachets? *No. Since 9/11 yea, but Refersena book NOW. just how to ID which stamp from which countries.*
- Have you received any training in reading documents other than FLETC prior to 9/11?

- Does the port always make sure there are inspectors on duty in secondary with expertise in documents and stamps?

*Yes.
Inspectors who can read Arabic, 2 row.*

Treatment of Emirates and Saudis.

NSEERS not failed out yet.

- How did inspectors view Saudis pre 9/11? Ever considered a threat to national security? *→ Inspect like anyone else + just another Mideast passenger.*

- At Newark, did you ever notice that any particular nationalities were treated any differently than others? *No.*

- What about Saudis in particular?

- How did the treatment affect adjudication of Saudis?

- If you could not communicate with a Saudi, what would you do? *referred to 2nd day + not depend on person.*

- Were there any Arabic speakers in INS inspections at Newark? Did you always have to rely on the airlines?

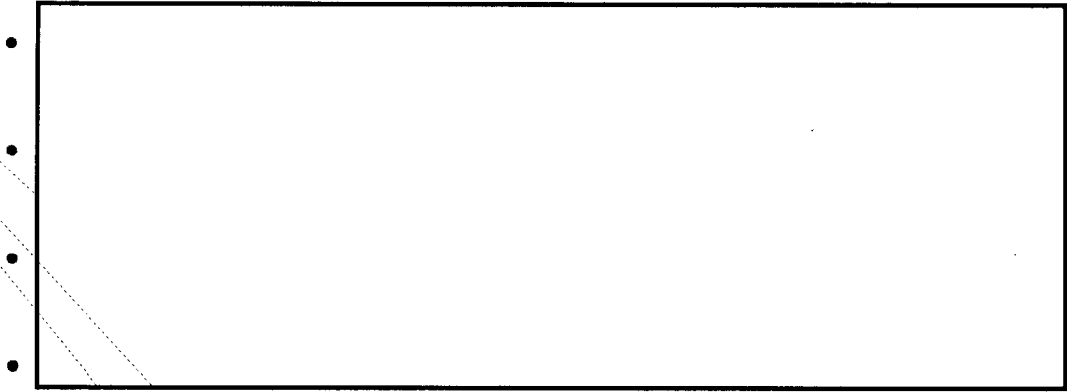
1 pre 9/11. Not many airline personnel who speak the language - + don't NSEERS. + translator in 2nd day

- Would the airline help you out?

Profiling.

- What unusual characteristics about an alien applying for admission would cause you concern and result in a referral to secondary?

- [Redacted]
- [Redacted]
- [Redacted] *Just look to see if complete. b/c knew how to answer anyway.*
- [Redacted]
- [Redacted]



- What would be the nature of your concern; what would you think was wrong?

- **Atta's primary inspection.** (show documents).

*Berlin Visa } not that
Egypt passport } unusual.
Czech Air : not unusual*

- Where do you normally work?

- Where were you working on June 3, 2000?

- Do you recollect Atta (did not DOJ OIG interview)?

NO.

- Please describe how you conducted the inspection and what transpired, to the best of your recollection.

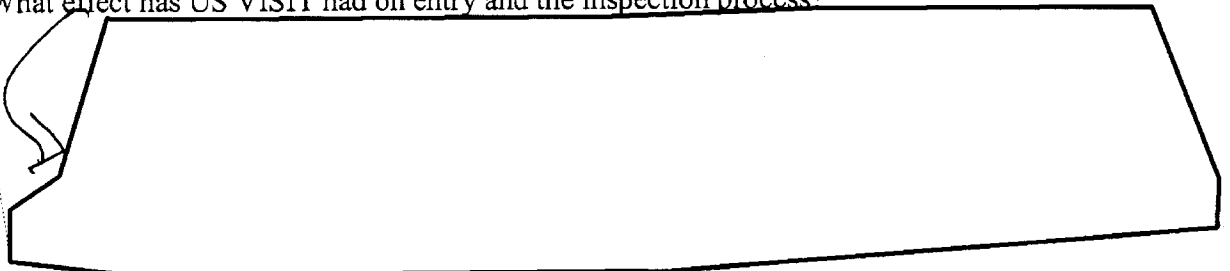
I was so shocked when I found out I admitted him.

Changes at DHS.

- What changes do you see on the front line with the new CBP? *we still seem to be short of staff; busy as ever; Customs only doing [redacted] - some resistance.*

- Are you familiar with National Targeting Center? *yes. They put in [redacted] if need more info + always available. We have used [redacted] in 2 days.*

- What effect has US VISIT had on entry and the inspection process?



- Use and value of SEVIS: *yes - slow*
- Adequate access to DOS visa via the Consular Consolidated Database.

yes.

- If you had a message for Commissioner Bonner what would it be?

we need more personnel + training.

*MORE fraud training (1/yr.) lose skill
after awhile.*

- Cross-training: NOT YET, not heard anything - train
on what to look for on declaration. In favor of it.

MOHAMED ATTA

**June 3, 2000 Newark International Airport
Czech Air Flight #52
Primary Inspector**

9/11 Law Enforcement Privacy

- Telephonically interviewed by SA [redacted] and SA [redacted] on March 29, 2002, from the Miami Field Office
- Was given Kalkines warning and placed under oath
- Does not recall processing Atta through Primary Inspection on June 3, 2000
- B-1 visas are normally issued for a minimum of 3-months, max up to one year with Supervisory approval
- B-2 visas are normally issued for a minimum of six-months, max up to one year with Supervisory approval
- Primary – II talks to person to get an idea of the nature of visit, how long with they remain in the U.S., where he/she will be living, and previous visits to the U.S.
- Primary II swipes passport
- Primary II reviews APIS screen for any hits
- If there are any hits, APIS screen prompts II to another screen in order to write message for hard secondary officer
- Primary II also reviews documents for possible fraud. Any problems with the documents or persons story, referred to Hard Secondary for further review
- Once in Hard Secondary, II can run TECS, NCIC, NIIS, CIS, CLAIMS, STSC, etc.
- If person enters U.S with B-1/B-2, and intentions are to attend school, and no I-20, [redacted]
- Person is required to have M-1 visa in order to enter the U.S. for training or to attend school
- If I-20 has been filed, and not physically on the person, therefore a deficiency is present, the person is issued an I-515 and given 30 days to obtain the proper documents
- IIs do not have final decision with re: to I-193 waivers. II must advise SII who have final decision. Any adverse action is brought to the attention of the SII, who must also tell the AAPD / WC
- If enters on B-1/B-2, and states he/she will be logging in hours, person must still have M-1 visa (pre 9/11)
- Option: Issue 1-93 waiver for not having the proper visa upon entry (M-1)

9/11 Law Enforcement Sensitive

OIG004-0167

- I-193 waiver is processed and completed at the port of entry (fee \$170.00 pre 9/11). Any problems, person is sent to deferred inspections, nearest INS District Office and issued an I-546.
- I-539s are not handled by inspections. This would be an adjudications function
- Prior to 9/11, INS would find a way to keep the student in the U.S.
- Post 9/11, waivers require District Director approval

January 10, 2001 Miami International Airport
 American Airlines Flight #69
 Primary Inspector

9/11 Law Enforcement Privacy

- Interviewed by SA [redacted] and SA [redacted] on November 27, 2001
 - Was not given Kalkines Warnings nor placed under oath
 - Recalled Atta presenting an Egyptian passport and an I-20
 - After inspecting Atta's immigration documents, [redacted] determined Atta did not have the correct visa (M-1)
 - [redacted] had already stamped the I-94 and passport
 - [redacted]
 - Referred Atta to secondary because he did not have a M-1 visa
 - INS Inspections Result sent to hard secondary by [redacted] stated Atta turned in an I-20AB (field note: [redacted] had a response (field note: [redacted] meanwhile he's attending flight training school, already was in school for 5/6 months, please verify
- Interviewed by SA [redacted] Attorney Stephen Fallowfield, and SA [redacted] on March 20, 2002
 - Was given Kalkines Warnings and placed under oath
 - Did not recall the specifics of the inspection
 - Was shown a copy of the INS Inspection Results Report
 - Stated the scenario is not an uncommon for foreign students to enter country without proper documents (issue I-515 for 30 days)
 - Did not recall Atta possessing an I-20. Must have I-20 if attending school. Don't recall Atta giving school dates.
 - Reviewed INS Inspections Results Report from 01/10/01- [redacted] stated he meant to say in the report that Atta has not received a response from INS (as stated above) re:I-20