

Background

No. 2556
May 20, 2011



Published by The Heritage Foundation

39 Terror Plots Foiled Since 9/11: Examining Counterterrorism's Success Stories

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Abstract: *The Heritage Foundation began tracking foiled terror plots against the U.S. in 2007—counting at least 19 foiled plots since 9/11. Today, that count stands at 39 plots against the U.S. foiled—thanks overwhelmingly to the Bush-era policies of enhanced information sharing and intelligence gathering. Three Heritage national security experts summarize the data, explain the lessons that Americans should learn from the anti-terror successes, and delineate essential principles that American policymakers should follow to continue to protect this country and its citizens.*

Since the terrorist attacks of September 11, 2001, at least 39 terror plots against the United States have been foiled thanks to domestic and international cooperation, as well as efforts to track down terror leads in local communities. Such a successful track record of preventing terror attacks should garner the attention of policymakers around the country as both Congress and the Administration wrestle with the difficult decision of where to best spend precious security dollars. The death of Osama bin Laden serves as a reminder that the war on terrorism is not over, and as a call to focus on strategies that have made the nation a harder target for terrorism, while examining which reforms are still necessary.

This Heritage Foundation *Background* summarizes public information on the 39 foiled terror plots since 9/11. From this information, the authors delineate six key principles for policymakers:

Talking Points

- Since the terrorist attacks of September 11, 2001, at least 39 terror plots against the United States have been foiled.
- These successes, coupled with the death of Osama bin Laden, serve as a reminder that the war on terrorism is not over, and as a call to focus on strategies that have made the nation a harder target for terrorism, while examining which reforms are still necessary.
- Several lessons on how to stop terror plots in their earliest stages can be extrapolated from the data.
- Continuing America's success in fighting terrorism while preserving national prosperity and individual freedoms requires a dedication by Congress and the executive branch to risk-based security focused on information sharing and intelligence gathering.

This paper, in its entirety, can be found at:
<http://report.heritage.org/bg2556>

Produced by the Douglas and Sarah Allison
Center for Foreign Policy Studies
of the
Kathryn and Shelby Cullom Davis
Institute for International Studies

Published by The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002-4999
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1. Support for important investigative tools like the PATRIOT Act to ensure that law enforcement can track down leads in local communities.
2. Creating a lawful, durable detainment framework, written into law, which deals not only with detainees in Guantanamo, but also future captures in Afghanistan.
3. Reorganization of congressional oversight of homeland security, accompanied by a department-wide authorization bill, to improve the oversight and guidance by Congress on security matters.
4. Elimination of the current security-grant formula in favor of cooperative agreements to ensure that counterterrorism dollars are allocated on the basis of risk—not pork-barrel politics.
5. Increased information sharing between the U.S. and its allies while improving interagency communications among the State Department, the Department of Justice, the Department of Homeland Security, and intelligence agencies.
6. Support for NATO and U.S. forces' counterinsurgency strategies in Afghanistan, as well as for missions around the globe to eliminate terrorist safe havens.

39 Terror Plots—Foiled

The Heritage Foundation began tracking foiled terror plots in 2007. At that point, there had been at least 19 foiled plots since 9/11.¹ Since this ini-

tial publication, Heritage has periodically published updates and refined the data to ensure that all qualifying plots were represented.² All data contained in the terror plots research is obtained from public information and contains no sensitive or classified information. (This paper does not include the three terror plots that were *not* foiled—(1) the Little Rock military recruiting center shooting in 2009, (2) the Los Angeles airport ticket counter shooting in 2002, and (3) the Fort Hood shooting in 2009, where 16 people were killed.)

1. Richard Reid—December 2001. A British citizen and self-professed follower of Osama bin Laden who trained in Afghanistan, Richard Reid hid explosives inside his shoes before boarding a flight from Paris to Miami on which he attempted to light the fuse with a match. Reid was caught in the act and apprehended aboard the plane by passengers and flight attendants. FBI officials took Reid into custody after the plane made an emergency landing at Boston's Logan International Airport.³

In 2003, Reid was found guilty on charges of terrorism, and a U.S. federal court sentenced him to life in prison.⁴ He is currently incarcerated at a federal maximum-security prison in Colorado.

2. Jose Padilla—May 2002. U.S. officials arrested Jose Padilla in May 2002 at Chicago's O'Hare airport as he returned to the United States from Pakistan, where he met with 9/11 mastermind Khalid Sheikh Mohammed and received al-Qaeda training and instructions.⁵ Upon his arrest, he was initially

1. James Jay Carafano, "U.S. Thwarts 19 Terrorist Attacks Against America Since 9/11," Heritage Foundation *Backgrounder* No. 2805, November 13, 2007, at <http://www.heritage.org/Research/Reports/2007/11/US-Thwarts-19-Terrorist-Attacks-Against-America-Since-9-11>.
2. *Ibid.*; Jena Baker McNeill and James Jay Carafano, "Terrorist Watch: 23 Plots Foiled Since 9/11," Heritage Foundation *Backgrounder* No. 2294, July 2, 2009, at <http://www.heritage.org/Research/Reports/2009/07/Terrorist-Watch-23-Plots-Foiled-Since-9-11>; and Jena Baker McNeill, James Jay Carafano, and Jessica Zuckerman, "30 Terrorist Plots Foiled: How the System Worked," Heritage Foundation *Backgrounder* No. 2405, April 29, 2010, at <http://www.heritage.org/Research/Reports/2010/04/30-Terrorist-Plots-Foiled-How-the-System-Worked>.
3. Pam Belluck, "Crew Grabs Man; Explosive Feared," *The New York Times*, December 23, 2001, at <http://www.nytimes.com/2001/12/23/us/crew-grabs-man-explosive-feared.html> (May 5, 2011).
4. Fergal Parkinson, "'Shoe Bomber' Defiant After Life Sentence," BBC, January 31, 2003, at <http://news.bbc.co.uk/2/hi/americas/2712445.stm> (May 10, 2011), and Maria Ressa, "Sources: Reid Is Al Qaeda Operative," CNN, December 6, 2003, at <http://www.cnn.com/2003/WORLD/asiapcf/southeast/01/30/reid.alqaeda> (May 5, 2011).
5. *Jose Padilla v. C. T. Hanft, U.S.N. Commander, Consolidated Naval Brig.*, United States Court of Appeals for the Fourth Circuit, No. 05-6396, September 9, 2005, at <http://fl1.findlaw.com/news.findlaw.com/hdocs/docs/padilla/padhft90905opn4th.pdf> (May 5, 2011).

charged as an enemy combatant, and for planning to use a dirty bomb (an explosive laced with radioactive material) in an attack in the U.S.⁶

Before his conviction, Padilla had brought a case against the federal government claiming that he had been denied the right of *habeas corpus* (the right of an individual to petition his unlawful imprisonment). In a five-to-four decision, the U.S. Supreme Court found that the case against him had been filed improperly.⁷ In 2005, the government indicted Padilla for conspiring against the U.S. with Islamic terrorist groups.

In August 2007, Padilla was found guilty by a civilian jury after a three-month trial. He was later sentenced by the U.S. District Court for the Southern District of Florida to 17 years and four months in prison.⁸ He is being held at the same penitentiary as Richard Reid.

3. Lackawanna Six—September 2002. When the FBI arrested Sahim Alwan, Yahya Goba, Yasein Taher, Faysal Galab, Shafal Mosed, and Mukhtar al-Bakri in Upstate New York, the press dubbed them the “Lackawanna Six,” the “Buffalo Six,” and the “Buffalo Cell.” Five of the six had been born and raised in Lackawanna, New York.⁹ All six are American citizens of Yemeni descent, and stated that they were going to Pakistan to attend a religious camp, but attended an al-Qaeda training camp instead. The six men pled guilty in 2003 to providing support to al-Qaeda. Goba and al-Bakri were sentenced to 10 years in prison, Taher and Mosed to eight

years, Alwan to nine and a half years, and Galab to seven years.¹⁰

Recent reports indicate that Jaber Elbaneh, one of the FBI’s most wanted and often considered to be a seventh member of the Lackawanna cell, has been captured in Yemen. It remains to be seen whether he will be tried in the U.S., since the U.S. does not have an extradition treaty with Yemen.¹¹

4. Iyman Faris—May 2003. Iyman Faris is a naturalized U.S. citizen, originally from Kashmir, who was living in Columbus, Ohio. He was arrested for conspiring to use blowtorches to collapse the Brooklyn Bridge, a plot devised after meetings with al-Qaeda leadership, including Khalid Sheikh Mohammed.¹² The New York City Police Department learned of the plot and increased police surveillance around the bridge. Faced with the additional security, Faris and his superiors called off the attack.¹³

Faris pled guilty to conspiracy and providing material support to al-Qaeda and was later sentenced in federal district court to 20 years in prison, the maximum allowed under his plea agreement.¹⁴

5. Virginia Jihad Network—June 2003. Eleven men were arrested in Alexandria, Virginia, for weapons counts and for violating the Neutrality Acts, which prohibit U.S. citizens and residents from attacking countries with which the United States is at peace. Four of the 11 men pled guilty. Upon further investigation, the remaining seven were indicted on additional charges of conspiring

6. “Profile: Jose Padilla,” BBC, August 16, 2007, at <http://news.bbc.co.uk/2/hi/americas/2037444.stm> (May 5, 2011).

7. *Rumsfeld v. Padilla*, 542 U.S. 426 (2004).

8. Kirk Semple, “Padilla Gets 17 Years in Conspiracy Case,” *The New York Times*, January 23, 2008, at <http://www.nytimes.com/2008/01/23/us/23padilla.html> (May 5, 2011).

9. Michael Powell, “No Choice But Guilty,” *The Washington Post*, July 23, 2008.

10. Roya Aziz and Monica Lam, “Profiles: The Lackawanna Cell,” PBS *Frontline*, October 16, 2003, at <http://www.pbs.org/wgbh/pages/frontline/shows/sleeper/inside/profiles.html> (May 5, 2011).

11. United Press International, Inc., “Feds: Yemen Holds Lackawanna Six Suspect,” January 21, 2010, at http://www.upi.com/Top_News/US/2010/01/21/Feds-Yemen-holds-Lackawanna-Six-suspect/UPI-30701264128869/ (May 5, 2011).

12. Eric Lichtblau and Monica Davey, “Threats and Responses: Terror; Suspect in Plot on Bridge Drew Interest Earlier,” *The New York Times*, June 21, 2003, at <http://www.nytimes.com/2003/06/21/us/threats-and-responses-terror-suspect-in-plot-on-bridge-drew-interest-earlier.html> (May 5, 2011).

13. Eric Lichtblau, “Trucker Sentenced to 20 Years in Plot Against Brooklyn Bridge,” *The New York Times*, October 29, 2003, at <http://www.nytimes.com/2003/10/29/us/trucker-sentenced-to-20-years-in-plot-against-brooklyn-bridge.html> (May 5, 2011).

14. *Ibid.*

to support terrorist organizations. They were found to have connections with al-Qaeda, the Taliban, and Lashkar-i-Taiba, a terrorist organization that targets the Indian government. The authorities stated that the Virginia men had used paintball games to train and prepare for battle. The group had also acquired surveillance and night vision equipment and wireless video cameras.¹⁵ Two more men were later indicted in the plot: Ali al-Timimi, the group's spiritual leader, and Ali Asad Chandia.

Ali al-Timimi was found guilty of soliciting individuals to assault the United States and was sentenced to life in prison. Ali Asad Chandia received 15 years for supporting Lashkar-i-Taiba.¹⁶ Randall Todd Royer, Ibrahim al-Hamdi, Yong Ki Kwon, Khwaja Mahmood Hasan, Muhammed Aatique, and Donald T. Surratt pled guilty and were sentenced to prison terms ranging from three years and 10 months to 20 years. Masoud Khan, Seifullah Chapman, and Hammad Adur-Raheem were found guilty and later sentenced to prison terms ranging from 52 months to life.¹⁷ Both Caliph Basha Ibn Abdur-Raheem and Sabri Benkhala were acquitted at trial.¹⁸

6. Nuradin M. Abdi—November 2003. Nuradin M. Abdi, a Somali citizen living in Columbus, Ohio, was arrested and charged in a plot to bomb a local shopping mall. Abdi was an associate of convicted terrorists Christopher Paul and Lyman

Faris and admitted to conspiring with the two to provide material support to terrorists. Following his arrest, Abdi admitted to traveling overseas to seek admittance to terrorist training camps, as well as to having met with a Somali warlord associated with Islamists.

Abdi has since pled guilty to conspiracy to provide material support to terrorists, one of the four counts for which he was indicted. He was subsequently sentenced to 10 years in jail per the terms of a plea agreement.¹⁹

7. Dhiren Barot—August 2004. Seven members of a terrorist cell led by Dhiren Barot were arrested for plotting to attack the New York Stock Exchange and other financial institutions in New York, Washington, D.C., and Newark, New Jersey. They were later accused of planning attacks in England. The plots included a “memorable black day of terror” that would have included detonating a dirty bomb. A July 2004 police raid on Barot's house in Pakistan yielded a number of incriminating files on a laptop computer, including instructions for building car bombs.²⁰

Barot pled guilty and was convicted in the United Kingdom for conspiracy to commit mass murder and sentenced to 40 years.²¹ However, in May 2007, his sentence was reduced to 30 years.²² His seven co-conspirators were sentenced to terms ranging from 15 to 26 years on related charges of con-

15. Jerry Markon and Mary Beth Sheridan, “Indictment Expands ‘Va. Jihad’ Charges,” *The Washington Post*, September 26, 2003, at <http://www.washingtonpost.com/wp-dyn/articles/A2730-2003Sep25.html> (May 5, 2011).

16. Jerry Markon, “Teacher Sentenced for Aiding Terrorists,” *The Washington Post*, August 26, 2006, at <http://www.washingtonpost.com/wp-dyn/content/article/2006/08/25/AR2006082500460.html> (May 5, 2011).

17. Markon and Sheridan, “Indictment Expands ‘Va. Jihad’ Charges,” and Press release, “‘Virginia Jihad’ Member Sentenced to 121 Months in Prison,” U.S. Attorney's Office, Eastern District of Virginia, July 24, 2007, at <http://www.justice.gov/usao/vae/Pressreleases/07-JulyPDFArchive/07/20070724benkahlanr.html> (May 5, 2011). Royer was sentenced to 20 years in prison, al-Hamdi to 15 years, Kwon to 11.5 years, Hasan to 11.5 years, Aatique to 10 years and two months, and Surratt to three years and 10 months. Khan was sentenced to life in prison, Chapman to 65 years, and Abdur-Raheem to 52 months.

18. Press release, “Randall Todd Royer and Ibrahim Ahmed al-Hamdi Sentenced for Participation in Virginia Jihad Network,” U.S. Department of Justice, April 9, 2004, at http://www.justice.gov/opa/pr/2004/April/04_crm_225.htm (May 5, 2011).

19. Press release, “Ohio Man Pleads Guilty to Conspiracy to Provide Material Support to Terrorists,” U.S. Department of Justice, July 31, 2007, at http://www.justice.gov/opa/pr/2007/July/07_nsd_568.html (May 5, 2011).

20. “Bomb Scare Has Echoes of Earlier Plots,” CNN, June 30, 2007, at <http://edition2.cnn.com/2007/WORLD/europe/06/29/uk.plots/index.html> (May 5, 2011).

21. “Al-Qaeda Plotter Jailed for Life,” BBC, November 7, 2006, at http://news.bbc.co.uk/2/hi/uk_news/6123236.stm (May 5, 2011).

22. “‘Dirty Bomb’ Man's Sentence Cut,” BBC, April 16, 2007, at http://news.bbc.co.uk/2/hi/uk_news/6661371.stm (April 19, 2010).

spiracy to commit murder and conspiracy to cause explosions.²³

8. James Elshafay and Shahawar Matin Siraj—August 2004. James Elshafay and Shahawar Matin Siraj, both reportedly self-radicalized, were arrested for plotting to bomb a subway station near Madison Square Garden in New York City before the Republican National Convention.²⁴ An undercover detective from the New York City Police Department's Intelligence Division infiltrated the group, providing information to authorities, and later testified against Elshafay and Siraj.²⁵

Siraj was convicted and sentenced to 30 years in prison. Elshafay, a U.S. citizen, pled guilty and received a lighter, five-year sentence for testifying against his co-conspirator.²⁶

9. Yassin Aref and Mohammad Hossain—August 2004. Two leaders of a mosque in Albany, New York, were charged with plotting to purchase a shoulder-fired grenade launcher to assassinate a Pakistani diplomat.²⁷ An investigation by the FBI, the Bureau of Alcohol, Tobacco and Firearms, and local police contributed to the arrest. With the help of an informant, the FBI set up a sting that lured Mohammad Hossain into a fake terrorist conspiracy.

Hossain brought Yassin Aref, a Kurdish refugee, as a witness. The informant offered details of a fake terrorist plot, claiming that he needed the missiles to murder a Pakistani diplomat in New York City. Both Aref and Hossain agreed to help.²⁸

Aref and Hossain were found guilty of money-laundering and conspiracy to conceal material support for terrorism and were sentenced to 15 years in prison.²⁹

10. Umer Hayat and Hamid Hayat—June 2005. Umer Hayat, a Pakistani immigrant, and Hamid Hayat, his American son, were arrested in Lodi, California, after allegedly lying to the FBI about Hamid's attendance at an Islamic terrorist training camp in Pakistan.

Hamid was found guilty of providing material support to terrorists and providing false statements to the FBI.³⁰ He was sentenced to 24 years in prison.³¹ Umer's trial ended in a mistrial. He later pled guilty to lying to customs agents in his attempt to carry \$28,000 into Pakistan and was sentenced to time served.³²

11. Levar Haley Washington, Gregory Vernon Patterson, Hammad Riaz Samana, and Kevin James—August 2005. The members of the group

23. "Al-Qaeda Bomb Plot Commander's Team Follow Him to Prison," *The Sunday Times*, June 16, 2007, at <http://www.timesonline.co.uk/tol/news/uk/crime/article1940271.ece> (May 5, 2011).

24. Press release, "Shahawar Matin Siraj Convicted of Conspiring to Place Explosives at the 34th Street Subway Station," U.S. Attorney's Office, Eastern District of New York, May 24, 2006, at <http://www.usdoj.gov/usao/nye/pr/2006/2006may24.html> (May 5, 2011).

25. *Ibid.*

26. "Potential 'Lone Wolf' Attackers Concern Police," Associated Press, August 9, 2005, at http://www.msnbc.msn.com/id/8888865/ns/us_news-security/t/potential-lone-wolf-attackers-concern-police/ (May 10, 2011).

27. Jarrett Murphy, "2 Men Snared in Missile Sting: Mosque Leaders Charged with Trying to Buy Missile from Government Informer," CBS News, August 5, 2004, at <http://www.cbsnews.com/stories/2004/08/05/terror/main634339.shtml> (May 5, 2011).

28. *United States of America v. Yassin Muhiddin Aref and Muhammed Mosharref Hossain*, United States District Court for the Northern District of New York, August 5, 2004, at <http://fl1.findlaw.com/news.findlaw.com/cnn/docs/albany/usaref80504cmp.pdf> (May 10, 2011).

29. Adam Liptak, "Spying Program May Be Tested by Terror Case," *The New York Times*, August 26, 2007, at <http://www.nytimes.com/2007/08/26/us/26wiretap.html> (May 5, 2011).

30. Press release, "Hamid Hayat Sentenced to 24 Years in Connection with Terrorism Charges," U.S. Department of Justice, September 10, 2007, at http://justice.gov/opa/pr/2007/September/07_nsd_700.html (May 5, 2011).

31. Carolyn Marshall, "24-Year Term for Californian in Terrorism Training Case," *The New York Times*, September 11, 2007, at <http://www.nytimes.com/2007/09/11/us/11lodi.html> (May 5, 2011).

32. Press release, "Hamid Hayat Sentenced to 24 Years in Connection with Terrorism Charges," U.S. Department of Justice, September 10, 2007, at http://www.justice.gov/opa/pr/2007/September/07_nsd_700.html (May 10, 2011).

were arrested in Los Angeles and charged with conspiring to attack National Guard facilities, synagogues, and other targets in the Los Angeles area. Kevin James allegedly founded Jamiyyat ul-Islam Is-Saheeh (JIS), a radical Islamic prison group, and converted Levar Washington and others to the group's mission. The JIS allegedly planned to finance its operations by robbing gas stations. After Washington and Patterson were arrested for robbery, police and federal agents began a terrorist investigation, and a search of Washington's apartment revealed a target list.³³

James and Washington pled guilty in December 2007. James was sentenced to 16 years in prison and Washington to 22 years. Patterson received 151 months, while Samana was found unfit to stand trial and was initially detained in a federal prison mental facility. He was later sentenced to 70 months in jail.³⁴

12. Michael C. Reynolds—December 2005. Michael C. Reynolds was arrested by the FBI and charged with involvement in a plot to blow up a Wyoming natural gas refinery; the Transcontinental Pipeline, a natural-gas pipeline from the Gulf Coast to New York and New Jersey; and a Standard Oil refinery in New Jersey.³⁵ He was arrested while trying to pick up a \$40,000 payment for planning the attack.³⁶ Shannen Rossmiller, his purported contact, was a Montana judge working with the FBI. The FBI later found explosives in a storage locker in Reynolds's hometown of Wilkes-Barre, Pennsylvania.³⁷

Reynolds claimed that he was working as a private citizen to find terrorists.³⁸

Reynolds was convicted of providing material support to terrorists, soliciting a crime of violence, unlawful distribution of explosives, and unlawful possession of a hand grenade. He was sentenced to 30 years in prison.³⁹

13. Mohammad Zaki Amawi, Marwan Othman El-Hindi, and Zand Wassim Mazloum—February 2006. Amawi, El-Hindi, and Mazloum were arrested in Toledo, Ohio, for "conspiring to kill or injure people in the Middle East" and providing material support to terrorist organizations. The three men allegedly intended to build bombs for use in Iraq and verbally threatened attacks on President George W. Bush.⁴⁰ The investigation was begun with the help of an informant who was approached to help train the group.⁴¹

In June 2008, the three men were convicted of conspiring to commit acts of terrorism against Americans overseas, including U.S. military personnel in Iraq, and other terrorism-related violations. Amawi was sentenced to 20 years, El-Hindi to 13 years, and Mazloum to approximately eight years.⁴²

14. Syed Haris Ahmed and Ehsanul Islam Sadequee—April 2006. Ahmed and Sadequee, from Atlanta, Georgia, were accused of conspiracy, having discussed terrorist targets with alleged terrorist organizations. They allegedly met with Islamic extremists in the U.S. and gathered video-

33. "Four Charged with Hatching Prison Terror Plot: California Inmates Allegedly Created Extremist Muslim Gang Behind Bars," MSNBC, August 31, 2005, at <http://www.msnbc.msn.com/id/9148467> (May 5, 2011).

34. Rachanee Srisavasdi, "Man Sentenced for Role in Plot to Kill Jews, Attack Military Bases," *The Orange County Register*, August 17, 2009, at <http://www.ocregister.com/news/samana-168436-months-carney.html> (May 5, 2011).

35. "U.S. Man Sentenced to 30 Years in Plot to Blow Up Pipelines," *International Herald Tribune*, November 6, 2007.

36. Jeremy Grad, "Reynolds Gets 30 Years in Terror Plot," *Times Leader* (Wilkes-Barre, Pa.), November 7, 2007.

37. "U.S. Man Sentenced to 30 Years," *International Herald Tribune*.

38. Grad, "Reynolds Gets 30 Years in Terror Plot."

39. "U.S. Man Sentenced to 30 Years," *International Herald Tribune*.

40. Grand jury indictment for *United States v. Mohammed Zaki Amawi et al.*, February 2006, at http://www.justice.gov/opa/documents/indictment_22006.pdf (May 10, 2011).

41. Mike Wilkinson and Christina Hall, "3 Charged in Terror Plot; Local Suspects Planned Attacks in Iraq, U.S. Says," *Toledo Blade*, February 22, 2006.

42. Press release, "Three Sentenced for Conspiring to Commit Terrorist Acts Against Americans Overseas," U.S. Department of Justice, October 22, 2009, at http://www.nefafoundation.org/miscellaneous/US_v_Amawi_dojprsent.pdf (May 5, 2011).

tape surveillance of potential targets in the Washington, D.C., area, including the U.S. Capitol and the World Bank headquarters, and sent the videos to a London Islamist group. Ahmed is said also to have traveled to Pakistan with the goal of joining Lashkar-i-Taiba.⁴³

Both men were indicted for providing material support to terrorist organizations and pled not guilty.⁴⁴ In June 2009, a federal district judge found Ahmed “guilty of conspiring to provide material support to terrorists here and overseas.”⁴⁵ Ahmed was subsequently sentenced to 13 years in jail. Sadeque was also found guilty and sentenced to 17 years.⁴⁶

15. Narseal Batiste, Patrick Abraham, Stanley Grant Phanor, Naudimar Herrera, Burson Augustin, Lyglenson Lemorin, and Rotschild Augustine—June 2006. Seven men were arrested in Miami and Atlanta for plotting to blow up the Sears Tower in Chicago, FBI offices, and other government buildings around the country. The arrests resulted from an investigation involving an FBI informant. Allegedly, Batiste was the leader of the group and first suggested attacking the Sears Tower in December 2005.⁴⁷

All of the suspects pled not guilty. On December 13, 2007, Lemorin was acquitted of all charges, but the jury failed to reach a verdict on the other six.⁴⁸ The second trial ended in a mistrial in April 2008.⁴⁹ In the third trial, the jury convicted five of the men on multiple conspiracy charges and acquitted Herrera on all counts. On November 20, 2009, the five were sentenced to prison terms ranging from six to 13.5 years, with Batiste receiving the longest sentence.⁵⁰

16. Assem Hammoud—July 2006. Conducting online surveillance of chat rooms, the FBI discovered a plot to attack underground transit links between New York City and New Jersey. Eight suspects, including Assem Hammoud, an al-Qaeda loyalist living in Lebanon, were arrested for plotting to bomb New York City train tunnels. Hammoud, a self-proclaimed operative for al-Qaeda, admitted to the plot.⁵¹ He was held by Lebanese authorities but was not extradited because the U.S. does not have an extradition treaty with Lebanon. In June 2008, Lebanese authorities released him on bail.⁵² He is awaiting trial before a Lebanese military court.

43. “Trial Looms for U.S. Suspect in Alleged Jihad Plot,” Associated Press, May 31, 2009, at <http://www.foxnews.com/story/0,2933,523578,00.html> (May 5, 2011).

44. Bill Rankin, “Atlanta Terrorism Suspect Seeks to Represent Himself,” *The Atlanta Journal–Constitution*, March 3, 2009, at http://www.ajc.com/services/content/metro/atlanta/stories/2009/03/03/terrorism_suspect.html (May 5, 2011).

45. Bill Rankin, “Ex-Tech Student Found Guilty on Terrorism Charge,” *The Atlanta Journal–Constitution*, June 10, 2009, at http://www.ajc.com/metro/content/metro/stories/2009/06/10/terrorism_trial_tech.html (May 5, 2011).

46. Press release, “Ehsanul Islam Sadequee Receives 17 Years in Prison; Co-Defendant Syed Haris Ahmed Receives 13 Years,” U.S. Department of Justice, December 14, 2009, at http://www.nefafoundation.org/miscellaneous/US_v_HarisAhmed_dojprsentencing.pdf (May 5, 2011).

47. “Indictment: Suspects Wanted to ‘Kill All the Devils We Can,’” CNN, June 24, 2006, at <http://www.cnn.com/2006/US/06/23/miami.raids/index.html> (May 5, 2011).

48. Peter Whoriskey, “Man Acquitted in Terror Case Faces Deportation,” *The Washington Post*, March 2, 2008, at <http://www.washingtonpost.com/wp-dyn/content/article/2008/03/01/AR2008030101566.html> (May 10, 2011).

49. Julianne Gage, “2nd Mistrial in ‘Liberty City 7’ Case,” *The Washington Post*, April 17, 2008, at <http://www.washingtonpost.com/wp-dyn/content/article/2008/04/16/AR2008041603607.html> (May 5, 2011).

50. “Sears Tower Bomb Plot Leader Narseal Batiste Jailed,” BBC, November 20, 2009, at <http://news.bbc.co.uk/2/hi/8371671.stm> (May 5, 2011).

51. “FBI Busts ‘Real Deal’ Terror Plot Aimed at NYC–NJ Underground Transit Link,” Fox News, July 7, 2006, at <http://www.foxnews.com/story/0,2933,202518,00.html> (May 5, 2011).

52. Alison Gendar and Bill Hutchinson, “Assem Hammoud, Suspect in Alleged New York Tunnels Plot, Released on Bail in Lebanon,” *New York Daily News*, March 17, 2009, at http://www.nydailynews.com/news/us_world/2009/03/17/2009-03-17_assem_hammoud_suspect_in_alleged_new_yor.html (May 5, 2011).

17. Liquid Explosives Plot—August 2006.

British law enforcement stopped a terrorist plot to blow up 10 U.S.-bound commercial airliners with liquid explosives.⁵³ Twenty-four suspects were arrested in the London area. The style of the plot raised speculation that al-Qaeda was behind it, but no concrete evidence has established a link.

The United Kingdom initially indicted 15 of the 24 arrested individuals on charges ranging from conspiring to commit murder to planning to commit terrorist acts.⁵⁴ Eventually, in April 2008, only eight men were brought to trial. In September, the jury found none of the defendants guilty of conspiring to target aircraft, but three guilty of conspiracy to commit murder.⁵⁵ The jury was unable to reach verdicts on four of the men. One man was found not guilty on all counts.⁵⁶

18. Derrick Shareef—December 2006.

Derrick Shareef was arrested on charges of planning to set off hand grenades in a shopping mall outside Chicago. Shareef reportedly acted alone and was arrested after meeting with an undercover Joint Terrorism Task Force agent. FBI reports indicated that the mall was one of several potential targets, including courthouses, city halls, and government facilities. Shareef, however, settled on attacking a mall in the days immediately preceding Christmas because he believed it would cause the greatest amount of chaos and damage.⁵⁷ Shareef was also found to have connections to convicted terrorist Hassan Agujihad, who was charged with attempted use of a weapon of mass destruction and later sentenced to 35 years in prison.⁵⁸

19. Khalid Sheikh Mohammed—March 2007.

Khalid Sheikh Mohammed, captured in Pakistan in 2003, was involved in a number of terrorist plots and is one of the most senior bin Laden operatives ever captured.⁵⁹ He is being held at the U.S. military detention facility in Guantanamo Bay. In March 2007, Mohammed admitted to helping plan, organize, and run the 9/11 attacks. He also claimed responsibility for planning the 1993 bombing of the World Trade Center and the 2002 bombings of nightclubs in Bali and a Kenyan hotel. He has stated that he was involved in the decapitation of *Wall Street Journal* reporter Daniel Pearl and took responsibility for helping to plan the failed shoe-bomb attack by Richard Reid, along with plots to attack Heathrow Airport, Canary Wharf, Big Ben, various targets in Israel, the Panama Canal, Los Angeles, Chicago, the Empire State Building, and U.S. nuclear power stations. He had also plotted to assassinate Pope John Paul II and former President Bill Clinton.

In December 2008, Mohammed and his four co-defendants (Ramzi Binalshibh, Mustafa Ahmad al-Hawsawi, Ali Abd al-Aziz Ali, and Walid Bin Attash) told the military tribunal judge that they wanted to confess and plead guilty to all charges.⁶⁰ The judge has approved the guilty plea of Mohammed and two co-defendants but has required mental competency hearings before allowing the other two conspirators to plead guilty. In November 2009, U.S. Attorney General Eric Holder announced that Mohammed would be relocated to the United States to face civilian trial in the U.S. District Court for the Southern

53. Rachel Martin, "U.S. Uncovers 'Advanced' Bomb Plot; U.S. Targeted," NPR, August 10, 2006, at <http://www.npr.org/templates/story/story.php?storyId=5632570> (May 5, 2011).

54. "U.S. Bomb Suspects 'Radicalised Quickly,'" *The Age* (Melbourne, Australia), January 25, 2007, at <http://www.theage.com.au/news/World/UK-bomb-suspects-radicalised-quickly/2007/01/25/1169594404433.html> (May 5, 2011).

55. "3 Accused U.K. Airline 'Liquid Bomb' Plotters Found Guilty," Associated Press, September 8, 2008, at <http://www.foxnews.com/story/0,2933,418643,00.html> (May 5, 2011).

56. *Ibid.*

57. Liza Porteus, "Feds Arrest Man They Say Planned to Detonate Grenades in Illinois Shopping Mall," Fox News, December 9, 2006, at <http://www.foxnews.com/story/0,2933,235518,00.html> (May 5, 2011).

58. "35-Year Sentence for Mall Grenade Plotter," CBS News, September 30, 2008, at <http://www.cbsnews.com/stories/2008/09/30/national/main4490504.shtml> (May 5, 2011).

59. *Ibid.*

60. "Top 9/11 Suspects to Plead Guilty," BBC, December 8, 2008, at <http://news.bbc.co.uk/2/hi/7770856.stm> (May 5, 2011).

District of New York.⁶¹ That decision has now been reversed and the Administration announced that Khalid Sheikh Mohammed and the other Guantanamo Bay detainees would be prosecuted in military tribunals at Guantanamo.⁶²

20. Fort Dix Plot—May 2007. Six men were arrested in a plot to attack Fort Dix, a U.S. Army post in New Jersey. The plan involved using assault rifles and grenades to attack and kill U.S. soldiers. Five of the alleged conspirators had conducted training missions in the nearby Pocono Mountains. The sixth helped to obtain weapons. The arrests were made after a 16-month FBI operation that included infiltrating the group. The investigation began after a store clerk alerted authorities upon discovering a video file of the group firing weapons and calling for jihad. The group has no known direct connections to any international terrorist organization.⁶³

In December 2008, five of the men were found guilty on the conspiracy charges but were acquitted of charges of attempted murder.⁶⁴ Four were also convicted on weapons charges. The five men received sentences ranging from 33 years to life plus 30 years. The sixth co-defendant pled guilty to aiding and abetting the others in illegal possession of weapons and was sentenced to 20 months in jail.⁶⁵

21. JFK Airport Plot—June 2007. Four men plotted to blow up “aviation fuel tanks and pipelines at the John F. Kennedy International Airport” in New York City. They believed that such an attack would cause “greater destruction than in the Sept. 11 attacks.” Authorities stated that the attack “could have caused significant financial and psychological damage, but not major loss of life.”⁶⁶

Russell Defreitas, the leader of the group, was arrested in Brooklyn. The other three members of the group—Abdul Kadir, Kareem Ibrahim, and Abdel Nur—were detained in Trinidad and extradited in June 2008. Kadir and Nur have links to Islamic extremists in South America and the Caribbean. Kadir was an imam in Guyana, a former member of the Guyanese Parliament, and mayor of Linden, Guyana. Ibrahim is a Trinidadian citizen, and Nur is a Guyanese citizen.⁶⁷

In 2010, Kadir was found guilty on five counts and sentenced to life in prison. In February, both Defreitas and Nur were also found guilty. Defreitas was sentenced to life in prison, while Nur was sentenced to 15 years.⁶⁸ The final conspirator, Kareem Ibrahim, faces the same six counts as Defreitas and Kadir, but he has not yet been brought to trial.⁶⁹

61. “Look in the Mirror,” *The Washington Post*, December 13, 2010, at <http://www.washingtonpost.com/wp-dyn/content/article/2010/12/12/AR2010121203421.html> (May 5, 2011).

62. Jason Ryan and Huma Khan, “In Reversal, Obama Orders Guantanamo Military Trial for 9/11 Mastermind Khalid Sheikh Mohammed,” ABC News, April 4, 2011, at <http://abcnews.go.com/Politics/911-mastermind-khalid-sheikh-mohammed-military-commission/story?id=13291750> (May 10, 2011).

63. Dale Russakoff and Dan Eggen, “Six Charged in Plot to Attack Fort Dix,” *The Washington Post*, May 9, 2007, at <http://www.washingtonpost.com/wp-dyn/content/article/2007/05/08/AR2007050800465.html> (May 5, 2011).

64. *Ibid.*

65. Press release, “Three Brothers Sentenced to Life Prison Terms for Conspiring to Kill U.S. Soldiers,” April 28, 2009, at <http://www.justice.gov/opa/pr/2009/April/09-nsd-401.html> (May 5, 2011), and “Judge Sentences Two More in Ft. Dix Conspiracy,” *Los Angeles Times*, April 30, 2009, at <http://articles.latimes.com/2009/apr/30/nation/na-ftdix30> (May 5, 2011).

66. Anthony Faiola and Steven Mufson, “N.Y. Airport Target of Plot, Officials Say,” *The Washington Post*, June 3, 2007, at <http://www.washingtonpost.com/wp-dyn/content/article/2007/06/02/AR2007060200606.html> (May 5, 2011).

67. *Ibid.*; “JFK Terror Plot Foiled in Planning Stages,” WNBC (New York), April 12, 2009; and “U.S.: ‘Unthinkable’ Terror Devastation Prevented,” Associated Press, June 3, 2007, at <http://www.msnbc.msn.com/id/18999503> (May 5, 2011).

68. Press release, “Russell Defreitas Sentenced to Life in Prison for Conspiring to Commit Terrorist Attack at JFK Airport,” U.S. Attorney’s Office, Eastern District of New York, February 17, 2001, at <http://www.fbi.gov/newyork/press-releases/2011/russell-defreitas-sentenced-to-life-in-prison-for-conspiring-to-commit-terrorist-attack-at-jfk-airport> (May 5, 2011).

69. “JFK Bomb Plotter Sentenced to Life in Prison,” CNN, December 15, 2010, at <http://edition.cnn.com/2010/CRIME/12/15/new.york.bomb.sentence/?hpt=T2> (May 5, 2011), and “Man Sentenced in JFK Airport Fuel-Tank Plot,” Associated Press, December 15, 2010, at <http://www.foxnews.com/us/2010/12/15/man-sentenced-jfk-airport-fuel-tank-plot/> (May 5, 2011).

22. Hassan Abujihad—March 2008. Hassan Abujihad, a former U.S. Navy sailor from Phoenix, Arizona, was convicted of supporting terrorism and disclosing classified information, including the location of Navy ships and their vulnerabilities, to Barbar Ahmad and Syed Talha Ahsan, the alleged administrators of Azzam Publication Web sites (the London organization that provided material support and resources to terrorists). Abujihad was arrested in March 2007 and pled not guilty to charges of supporting terrorism in April 2007. In May 2008, he was convicted by a jury and sentenced to 10 years in prison.⁷⁰ Both Babar Ahmad and Syed Talha Ahsan are being held in Britain on anti-terrorism charges and are fighting extradition to the U.S.⁷¹

23. Christopher Paul—June 2008. Christopher Paul is a U.S. citizen from Columbus, Ohio. He joined al-Qaeda in the 1990s and was involved in conspiracies to target Americans in the United States and overseas. In 1999, he became connected to an Islamic terrorist cell in Germany, where he was involved in a plot to target Americans at foreign vacation resorts. He later returned to Ohio and was subsequently arrested for conspiracy to use a weapon of mass destruction—specifically, explosive devices—“against targets in Europe and the United States.” Paul pled guilty to the charges and was sentenced to 20 years in prison.⁷²

24. Synagogue Terror Plot—May 2009. On May 20, 2009, the New York Police Department announced the arrest of James Cromitie, David Williams, Onta Williams, and Laguerre Payen for plotting to blow up New York-area Jewish centers and shoot down planes at a nearby Air National Guard Base.⁷³ The four had attempted to gain access to Stinger missiles and were caught in the act of placing bombs in the buildings and in a car. (The bombs were duds, because undercover agents sold the four defendants fake explosives as part of an ongoing sting operation). All four men were found guilty. They have not yet been sentenced, but could face up to life in prison.⁷⁴

25. Najibullah Zazi—September 2009. Najibullah Zazi, a 24-year-old Afghan, was arrested after purchasing large quantities of chemicals used to make a TATP bomb, the same type of weapon used in the 2005 bombing of the London Underground and the 2001 shoe-bomb plot. Zazi had traveled to Pakistan, where he received instruction in bomb-making and attended an al-Qaeda training camp. Zazi allegedly planned to detonate TATP bombs on the New York City subway.⁷⁵

Najibullah Zazi’s father, Mohammed Wali Zazi, was also indicted for obstructing justice, witness tampering, and lying to the FBI in attempts to help his son cover up plans for his attack.⁷⁶ He has pled not guilty to all charges and has been freed on

70. Lloyd de Vries, “Ex-Sailor Accused of Supporting Terrorism,” CBS News, March 8, 2007, at <http://www.cbsnews.com/stories/2007/03/08/terror/main2546508.shtml> (May 5, 2011), and Mark Spencer, “Hassan Abu-Jihad, Former U.S. Sailor Who Leaked Navy Secrets Sentenced to Ten Years,” *Hartford Courant*, April 4, 2009.

71. Robert Wielaard, “Court: UK Must Delay Extraditing Britons to US,” Bloomberg Businessweek, July 8, 2010, at <http://www.businessweek.com/ap/financialnews/D9GQSMO00.htm> (May 5, 2011).

72. Press release, “Ohio Man Sentenced to 20 Years for Terrorism Conspiracy to Bomb Targets in Europe and the United States,” Federal Bureau of Investigation, February 26, 2009, at <http://www.fbi.gov/cincinnati/press-releases/2009/ci022609.htm/> (May 5, 2011).

73. Jonathan Dienst, “FBI, NYPD Arrest 4 in Alleged Plot to Bomb NY Synagogues,” NBC, May 21, 2009, at <http://www.nbcnewyork.com/news/local/FBI-Bust-Plot-Foiled.html> (May 5, 2011).

74. Tom Hays, “Jury Rejects Entrapment Defense in NYC Bomb Plot,” ABC News, October 18, 2010, at <http://abcnews.go.com/US/Blotter/wireStory?id=11909707&page=1> (May 5, 2011).

75. *United States of America Against Najibullah Zazi*, “Memorandum of Law in Support of the Government’s Motion for a Permanent Order of Detention,” United States District Court, Eastern District of New York, September 24, 2009, at http://www.nefafoundation.org/miscellaneous/FeaturedDocs/US_v_NajibullahZazi_detentionmemo.pdf (May 5, 2011).

76. “Additional Charges for Father in NYC Subway Plot,” CBS News, November 30, 2010, at <http://www.cbsnews.com/stories/2010/11/30/national/main7103523.shtml> (May 5, 2011).

bail.⁷⁷ Najibullah Zazi pled guilty, as the result of a plea bargain, and remains in jail. He is currently awaiting sentencing.⁷⁸

At least three other individuals have since been arrested on allegations of conspiring to carry out the attack with Zazi. One of them, New York religious leader Ahmad Afzali, has pled guilty to charges of lying to federal agents about informing Zazi that he was being investigated by authorities.⁷⁹ As part of a plea deal, Afzali was sentenced to time served and ordered to leave the country within 90 days.⁸⁰ A second man, Zarein Ahmedzay has also pled guilty to conspiring to use weapons of mass destruction in the foiled plot and lying to investigators. Adis Medunjanin has pled not guilty to conspiracy to commit murder in a foreign country and to receiving terrorist training.⁸¹ Ahmedzay and Medunjanin are thought to have traveled to Pakistan with Zazi, and to have met with wanted al-Qaeda operative Adnan Shukri-jumah.⁸² A fourth individual, Abid Nasser, has also been indicated in the plot led by Zazi, as well as other plots in England and Norway. He is cur-

rently in the United Kingdom facing extradition to the United States.⁸³

26. Hosam Maher Husein Smadi—September 2009. Smadi, a 19-year-old Jordanian, was apprehended in an attempt to plant a bomb in a Dallas skyscraper. Originally identified through FBI monitoring of extremist chat rooms, Smadi was arrested and charged after agents posing as terrorist cell members gave Smadi a fake bomb, which he later attempted to detonate.⁸⁴ Smadi was found guilty and sentenced to 24 years in prison.⁸⁵

27. Michael Finton—September 2009. Michael Finton, an American citizen, was arrested on September 23 by undercover FBI agents after attempting to detonate a car bomb filled with what he believed to be close to one ton of explosives outside the Paul Findley Federal Building and Courthouse in downtown Springfield, Illinois. Evidence presented against Finton has shown that he expressed a desire to become a jihadist fighter and was aware that his planned attack would cause civilian injuries. He has been arrested on charges of attempted murder of federal employees and attempted use of a

77. Adam Goldman and Tom Hays, "Police: NYC Terror Plotter Zazi Planned with at Least 2 Bombers to Kill Rush-Hour Commuters," *The Chicago Tribune*, February 23, 2010, and Thom Weidlich, "New York Bomb-Plotter's Father Pleads Not Guilty," *Bloomberg Businessweek*, December 9, 2010, at <http://www.businessweek.com/news/2010-12-09/new-york-bomb-plotter-s-father-pleads-not-guilty.html> (May 5, 2011).

78. Goldman and Hays, "Police: NYC Terror Plotter Zazi Planned with at Least 2 Bombers to Kill Rush-Hour Commuters."

79. William K. Rashbaum, "Uncle Who Vouched for Terror Suspect Arrested," *The New York Times*, January 27, 2010, at <http://www.nytimes.com/2010/01/28/nyregion/28zazi.html> (May 6, 2011), and Amir Efrati, "Imam Pleads Guilty in New York Terror Case," *The Wall Street Journal*, March 4, 2010, at http://online.wsj.com/article/SB10001424052748704187204575101981933707478.html?mod=WSJ_hpp_MIDDLTopStories (May 6, 2011).

80. Colleen Long, "Imam Booted Out of U.S.: 'God Bless America,'" *MSNBC*, July 6, 2010, at http://www.msnbc.msn.com/id/38101445/ns/us_news-security/ (May 6, 2011).

81. "NYC Subway Terror Suspect Pleads Guilty," *Fox News*, April 23, 2010, at <http://www.foxnews.com/us/2010/04/23/nyc-terror-suspect-plead-guilty> (May 6, 2011), and William K. Rashbaum, "Queens Man Is Accused of Getting Qaeda Training," *The New York Times*, January 9, 2010, at <http://www.nytimes.com/2010/01/10/nyregion/10plot.html> (May 6, 2011).

82. Adam Goldman and Matt Apuzzo, "U.S. Officials: Al-Qaida Agent Tied to N.Y. Plot," *MSNBC*, June 30, 2010, at <http://www.msnbc.msn.com/id/38024998/> (May 6, 2011).

83. Andrew Lebovich, "The LWOT: Sweden Looks for Accomplices in Suicide Bombing; Abdulmutallab Hit with More Charges," *Foreign Policy*, December 17, 2010, at http://www.foreignpolicy.com/articles/2010/12/17/the_lwot_sweden_looks_for_accomplices_in_suicide_bombing_abdulmutallab_hit_with_ (May 6, 2011).

84. "Jordanian Accused in Dallas Bomb Plot Goes to Court," *CNN*, September 25, 2009, at <http://www.cnn.com/2009/CRIME/09/25/texas.terror.arrest/index.html> (May 6, 2011).

85. "Jordanian Man Sentenced to 24 Years in Undercover Bomb Plot," *CNN*, October 19, 2010, at http://articles.cnn.com/2010-10-19/justice/texas.bomb.plot.sentencing_1_truck-bomb-jordanian-man-attorney-general-david-kris?_s=PM:CRIME (May 6, 2011).

weapon of mass destruction. Finton has since pled not guilty and is awaiting trial.⁸⁶

28. Tarek Mehanna and Ahmad Abousamra—October 2009. Tarek Mehanna, previously indicted for lying to the FBI about the location of terrorist suspect Daniel Maldonado, was arrested on October 21, 2009, on allegations of conspiracy to kill two U.S. politicians, American troops in Iraq, and civilians in local shopping malls, as well as conspiracy to provide material support to a terrorist organization.⁸⁷ Ahmad Abousamra, his co-conspirator, remains at large in Syria. However, both were indicted on charges of providing and conspiring to provide material support to terrorists, conspiracy to kill Americans in a foreign country, and conspiracy to provide false information to law enforcement.⁸⁸

The two men are not believed to be associated with any known terrorist organization.⁸⁹ Mehanna has pled not guilty to charges held against him, while Abousamra remains at large in Syria.⁹⁰

29. The Christmas Day Bomber—2009. Umar Farouk Abdulmutallab, a 23-year-old Nigerian engineering student living in London, boarded a plane from Nigeria to Amsterdam and then flew from Amsterdam to the U.S. It was on this second flight that he attempted to detonate a bomb hidden in his underwear as the plane began to land. The device ignited but did not detonate, and passengers quickly stopped Abdulmutallab from trying again, leading to his arrest by U.S. authorities

upon landing in Detroit. The bomb, containing the explosives PETN and TATP, was similar to the failed device used by Richard Reid in his shoe in 2001.

Media accounts following the plot indicate that Abdulmutallab admits involvement with al-Qaeda in Yemen. He has since pled not guilty to charges including conspiracy to commit an act of terrorism and attempting to use a weapon of mass destruction.⁹¹ He remains in custody in the U.S. awaiting further trial.

30. Raja Lahrasib Khan—March 2010. Chicago taxi driver Raja Lahrasib Khan, a naturalized U.S. citizen from Pakistan, was arrested by the Chicago FBI's Joint Terrorism Task Force on two counts of providing material support to a foreign terrorist organization. According to the charges, Khan was affiliated with Ilyas Kashmiri, leader of the al-Qaeda-linked extremist group Harakat ul-Jihad-I-Islami in Kashmir, and has previously been indicted in the U.S. on terrorism charges.⁹²

Khan originally transferred \$950 to Pakistan, to be delivered to Kashmiri, and later attempted to send around \$1,000 provided to him by an undercover agent to Kashmiri by having his son carry the money to England, where Khan then planned to rendezvous with him and carry the money the rest of the way to Pakistan. His son was stopped by government agents at Chicago's O'Hare airport before leaving the country. The criminal complaint filed against Khan also alleges that he had discussed

86. "FACTBOX: Persons Accused in 2009 of Plots Against U.S. Targets," Reuters, December 27, 2009, at <http://www.reuters.com/article/idUSTRE5BQ1D520091227> (May 6, 2011), and "Trial Delayed for Man Accused of Plot to Bomb Springfield Building," *Peoria Journal Star*, October 1, 2010, at <http://www.pjstar.com/news/x161456801/Trial-delayed-for-man-accused-of-plot-to-bomb-Springfield-building> (May 6, 2011).

87. Abby Goodnough and Liz Robbins, "Mass. Man Arrested in Terrorism Case," *The New York Times*, October 21, 2009, at <http://www.nytimes.com/2009/10/22/us/22terror.html> (May 10, 2011).

88. *Ibid.*

89. Denise Lavoie, "Boston Terror Arrest: Tarek Mehanna Arrested for Planning Attacks on Shopping Malls," *The Huffington Post*, October 21, 2009, at http://www.huffingtonpost.com/2009/10/21/boston-terror-arrest-sudb_n_328428.html (May 6, 2011).

90. Denise Lavoie, "Accused Terror Suspect Pleads Not Guilty: Man is Accused of Conspiring to Help al-Qaeda," MSNBC, July 20, 2010, at http://www.msnbc.msn.com/id/38333130/ns/us_news-security/ (May 6, 2011).

91. "Christmas Day 'Bomber' Umar Farouk Abdulmutallab Charged," *The Sunday Times*, January 7, 2010, at http://www.timesonline.co.uk/tol/news/world/us_and_americas/article6978736.ece (May 10, 2011).

92. Press release, "Chicago Man Charged with Providing Material Support to al Qaeda by Attempting to Send Funds Overseas," U.S. Attorney, Northern District of Illinois, March 26, 2010, at http://www.justice.gov/usao/iln/pr/chicago/2010/pr0326_01.pdf (May 6, 2011).

plans to bomb an unnamed sports stadium in the United States.

Khan has since pled not guilty to two counts of providing material support to terrorism.⁹³ If convicted, Khan faces up to 15 years in prison for each count of providing material support.⁹⁴

31. Faisal Shahzad—May 2010. Faisal Shahzad, a naturalized citizen from Pakistan, attempted to detonate explosives in an SUV parked in Times Square. After explosives training in Pakistan, he is said to have received \$12,000 from entities affiliated with the terrorist organization Tehrik-e-Taliban to fund the attack. Following the failed bombing attempt, Shahzad attempted to flee the country to Dubai, but was arrested before the flight was able to leave New York's JFK airport.⁹⁵

Shahzad pled guilty to 10 counts, including conspiracy to commit an act of terrorism and to use a weapon of mass destruction.⁹⁶ He was sentenced to life in prison and is being held at the same Colorado maximum-security prison as Richard Reid and Jose Padilla.⁹⁷

32. Paul G. Rockwood, Jr. and Nadia Pirooska Maria Rockwood—July 2010. Paul G. Rockwood, Jr., an American citizen, became an adherent to Anwar al-Awlaki's ideology of violent jihad after converting to Islam. In studying al-Awlaki's teachings, Rockwood came to believe it was his religious responsibility to seek revenge against anyone who defiled Islam. He created a list of 15 individuals

to be targeted for assassination, including several members of the U.S. military. Rockwood is said to have researched explosive techniques and discussed the possibility of killing his targets with a gunshot to the head or through mail bombs. Nadia Pirooska Maria Rockwood, Paul's wife, knowingly transported the list to Anchorage, Alaska, to share with an unnamed individual who apparently shared Rockwood's ideology. The list then made it into the hands of the FBI's Joint Terrorism Task Force in Anchorage.

Paul was charged with making false statements to the FBI in a domestic terrorism charge, while Nadia was charged with making false statements to the FBI in connection to the case against her husband. Paul was sentenced to eight years in prison, while his wife was sentenced to five years probation.⁹⁸

33. Farooque Ahmed—October 2010. Pakistani-American Farooque Ahmed was arrested following an FBI investigation into plots to attack the Washington, D.C., subway. Ahmed is said to have conducted surveillance on the D.C. Metrorail system on multiple occasions, and was in contact with undercover FBI agents whom he believed to be individuals affiliated with al-Qaeda.⁹⁹ According to an unsealed affidavit, Ahmed wanted to receive terrorist training overseas and become a martyr. The affidavit also indicates that he sought to specifically target military personnel in his bombing attempt.¹⁰⁰

93. Press release, "Fact Sheet on Security Enhancements: Statement by John Brennan on Holiday Security," December 22, 2010, at <http://community.statesmanjournal.com/blogs/editorialblog/2010/12/22/increased-security-for-the-holidays/> (May 6, 2011).

94. Press release, "Chicago Man Charged with Providing Material Support to al Qaeda by Attempting to Send Funds Overseas."

95. Press release, "Faisal Shahzad Indicted for Attempted Car Bombing in Times Square," U.S. Department of Justice, June 17, 2010, at <http://www.justice.gov/opa/pr/2010/June/10-ag-713.html> (May 6, 2011).

96. *Ibid.*

97. Jerry Markon, "Long Term for Failed Times Square Bomber," *The Washington Post*, October 6, 2010, at <http://www.washingtonpost.com/wp-dyn/content/article/2010/10/05/AR2010100505683.html> (May 6, 2011).

98. "Alaska Man Pleads Guilty to Making False Statements in Domestic Terrorism Investigation," U.S. Department of Justice, July 21, 2010, at http://www.justice.gov/usao/ak/press/2010/July/Rockwood_Paul_Nadia_07-21-10.pdf (May 6, 2011), and Carolyn Kuckertz, "Alaskan Builds Terror Hit List; Pleads Guilty," KTVA, July 21, 2010.

99. Press release, "Virginia Man Arrested for Plotting Attacks on D.C.-area Metro Stations with People He Believed to Be Al-Qaeda Members," U.S. Department of Justice, October 27, 2010, at <http://www.justice.gov/opa/pr/2010/October/10-nsd-1213.html> (May 6, 2011).

100. U.S. District Court for the Eastern District of Virginia, Alexandria Division, "Affidavit in Support of Application for Search Warrant," October 26, 2010, at <http://www.scribd.com/doc/40331428/Farooque-Ahmed-Search-Warrant-Affidavit> (May 6, 2011).

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39 Terrorist Plots Against the U.S. Foiled Since 9/11

Sheer luck and civilian bravery played roles in thwarting some of these attacks. Additionally, U.S. efforts in the war on terrorism, including operations in Afghanistan, have helped to weed out terrorist sanctuaries before they can organize attacks. Finally, domestic counterterrorism tools put in place since 9/11 have helped stop terrorists from operating on U.S. soil.

 Individuals directly involved in plot

#6. Nuradin M. Abdi is arrested and charged for plotting to bomb a shopping mall in Columbus, Ohio (November 2003).

#8. James Elshafay and **Shahawar Martin Siraj** are arrested for plotting to bomb a subway station near Madison Square Garden before the Republican National Convention (August 2004).

#10. Umer Hayat and **Hamid Hayat** are arrested in California for allegedly lying to the FBI about Hamid's attendance at an Islamic terrorist training center in Pakistan (June 2005).

#12. Michael C. Reynolds is arrested for a plot to blow up an oil refinery, a gas refinery, and pipelines in Wyoming and New Jersey (December 2005).

#14. Syed Haris Ahmed and **Ehsanul Islam Sadequee** are accused of conspiring to target the Capitol and the World Bank in Washington, D.C. (April 2006).

#16. Eight men including **Assem Hammoud** are arrested for plotting to attack train tunnels between New York and New Jersey (July 2006).

#18. Derrick Shareef is arrested for planning to set off hand grenades inside a Chicago shopping mall (December 2006).

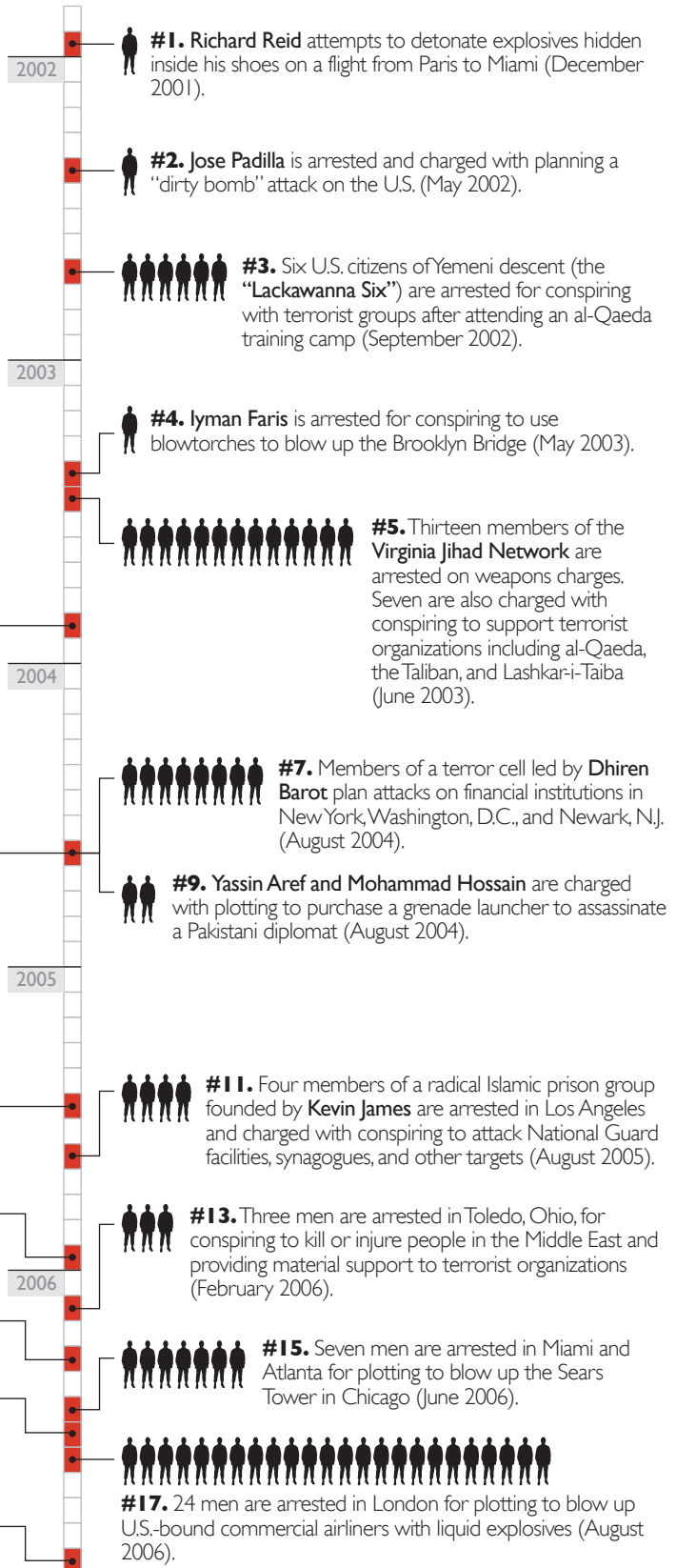


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#19. Khalid Sheikh Mohammed and 4 co-defendants admit responsibility for their role in the 9/11 attacks, the bombing of the World Trade Center in 1993, and numerous other plots (March 2007).



#21. Four men led by Russell Defreitas plot to blow up fuel tanks and pipelines at JFK International Airport in New York (June 2007).



#20. Six men are arrested in a plot to attack Fort Dix, N.J., with assault rifles and grenades (May 2007).

#22. Hassan Abujihad, a former U.S. Navy sailor, is convicted of supporting terrorism by giving classified information on Navy ships to a London organization that supports terrorists (March 2008).



#23. Christopher Paul, a U.S. citizen with ties to terrorist groups in Germany and al-Qaeda, is arrested for plotting to use a weapon of mass destruction on European and U.S. targets (June 2008).

#25. Najibullah Zazi and at least four others are arrested for a plot to use chemical explosive materials allegedly to bomb the New York subway system (September 2009).



#26. Hosam Maher Husein Smadi is arrested for attempting to place a bomb in a Dallas skyscraper (September 2009).



#24. Four men are arrested in New York City for plotting to blow up Jewish centers and shoot down airplanes at a nearby Air National Guard base (May 2009).

#27. Michael Finton is arrested after attempting to detonate a car bomb outside a federal building in Springfield, Ill. (September 2009).



#28. Two men are charged with conspiracy to kill two U.S. politicians, U.S. troops in Iraq, and civilians in local shopping malls (October 2009).

#29. Umar Farouk Abdulmutallab, a Nigerian student, allegedly attempts to detonate explosives on a Detroit-bound flight on Christmas Day (December 2009).



#30. Raja Lahrasib Khan, a naturalized U.S. citizen from Pakistan, is arrested for providing material support for a foreign terrorist organization (March 2010).

#33. Farooque Ahmed is arrested following an FBI investigation into plots to attack the Washington, D.C., Metro system (October 2010).



#31. Faisal Shahzad is arrested following an attempt to detonate explosives in an SUV parked in Times Square (May 2010).

#34. Air Cargo Bomb Plot. Two packages shipped aboard air cargo planes from Yemen to Chicago-area synagogues are discovered to contain explosive materials hidden inside printer cartridges (October 2010).



#32. Paul G. Rockwood, Jr. and Nadia Pirooska Maria Rockwood are charged in a plot to assassinate 15 people who they believed to have defiled Islam (July 2010).

#35. Mohamed Osman Mohamud, a 19-year-old Somali-American, was arrested after attempting to detonate a car bomb at a Christmas treelighting ceremony in Portland, Ore. (November 2010).



#36. Antonio Martinez, a U.S. citizen, is arrested in a plot to bomb a military recruiting center in Maryland (December 2010).

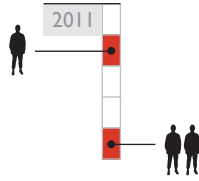


#37. Awais Younis is arrested after a complaint indicated that he had made several threats against the Washington D.C. metro area via the social networking site, Facebook (December 2010).

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#38. Khalid Ali-Aldawsari is arrested after buying toxic chemicals online to use in explosive attacks against various targets in the U.S. (February 2011).



#39. Ahmed Ferhani and Mohamed Mamdouh are arrested by the New York City police after attempting to purchase a hand grenade, guns, and ammunition to carry out an attack on an undetermined Manhattan synagogue (May 2011).

Sources: Heritage Foundation research by Jena Baker McNeill, James Jay Carafano, and Jessica Zuckerman.

Figure 1 • B 2556  heritage.org

Ahmed has pled not guilty to all charges. He remains in federal custody awaiting further trial.¹⁰¹

34. Air Cargo Bomb Plot—October 2010. Two packages shipped from Yemen to Chicago-area synagogues were discovered to contain explosive materials of the same type used by Richard Reid and Umar Farouk Abdulmutallab in previously thwarted bombing attempts.¹⁰² The packages contained printer cartridges filled with the explosive material and were identified with the help of intelligence tips from Saudi Arabian authorities while in transit on cargo planes in the United Kingdom and Dubai.¹⁰³ While no arrests have been made, the Yemen-based Al-Qaeda in the Arabian Peninsula (AQAP) has claimed responsibility for the failed attack.

35. Mohamed Osman Mohamud—November 2010. Mohamed Osman Mohamud, a 19-year old Somali-American, was arrested after

attempting to detonate a car bomb at a Christmas tree lighting ceremony in Portland, Oregon. The bomb was composed of inert explosives given to him by undercover FBI agents. Mohamud had previously sought to travel overseas to obtain training in violent jihad. Having failed in that attempt, he wanted to commit an attack that would cause mass casualties to individuals and their families.¹⁰⁴ Mohamud has pled not guilty to the charges.¹⁰⁵

36. Antonio Martinez—December 2010. Antonio Martinez, a 21-year-old American citizen also known as Muhammad Hussain, planned to bomb a military recruiting center in Maryland. The FBI learned of the plot from an unnamed informant. Martinez was arrested after attempting to detonate a fake explosive device supplied by FBI agents. He has been charged with the attempted murder of federal officers and employees, as well as the attempted use of a weapon of mass

101. Spencer S. Hsu, "Suspect in Metro Bomb Plot Pleads Not Guilty; Searches Find Weapons, Lectures by Radical Cleric Aulahi," *The Washington Post*, November 9, 2010, at <http://www.washingtonpost.com/wp-dyn/content/article/2010/11/09/AR2010110904805.html> (May 6, 2011).

102. "Cargo Bomb Plot: What is the Explosive PETN?" BBC, November 1, 2010, at <http://www.bbc.co.uk/news/uk-11664412> (May 6, 2011).

103. Jayshree Bajoria, "The Debate Over Airport Security," Council on Foreign Relations, December 28, 2010, at http://www.cfr.org/publication/23673/debate_over_airport_security.html (May 6, 2011), and Mark Mazetti, Robert F. Worth, and Eric Lipton, "Bomb Plot Shows Key Role Played in Intelligence," *The New York Times*, October 31, 2010, at <http://www.nytimes.com/2010/11/01/world/01terror.html> (May 6, 2011).

104. U.S. District Court for the District of Oregon, "Arrest Warrant: United States of America v. Mohamed Osman Mohamud," November 26, 2010, at http://www.justice.gov/usao/or/Indictments/11262010_Complaint.pdf (May 6, 2011).

105. Dan Cook, "Somali-Born Teen Pleads Not Guilty in U.S. Bomb Case," Reuters, November 30, 2010, at <http://www.reuters.com/article/idUSTRE6AS5PU20101130> (May 6, 2011).

destruction.¹⁰⁶ He has pled not guilty and awaits further trial.¹⁰⁷

37. Awais Younis—December 2010. Awais Younis, also known by the alias Sundullah “Sunny” Ghalzai, was arrested by the FBI after a law enforcement official discovered several threats he had made against the Washington, D.C., metropolitan area via the social networking site Facebook. Younis discussed placing pipe bombs on Metrorail cars and in the sewer system of Washington’s Georgetown neighborhood during rush hour. Younis was charged with communicating threats via interstate communications.¹⁰⁸

38. Khalid Ali-M Aldawsari—February 2011. Khalid Ali-M Aldawsari, a Saudi citizen studying in Lubbock, Texas, was arrested by the FBI after placing an order for the toxic chemical phenol. Both the chemical supplier and the freight shipping company became suspicious of the order, which could be used to make an improvised explosive device (IED), and alerted the FBI and local police.

Surveillance of Aldawsari’s e-mail turned up a list of potential “nice targets” including dams, nuclear power plants, military targets, a nightclub, and the Dallas residence of former President George W. Bush. The search also uncovered plans to acquire a forged U.S. birth certificate and multiple driver’s licenses. Aldawsari seems to have considered using these documents to obtain rental cars

for use in vehicle bombings. He has been charged with attempted use of a weapon of mass destruction and is awaiting further trial.

39. Ahmed Ferhani and Mohamed Mamdouh—May 2011. Ahmed Ferhani of Algeria, and Moroccan-born Mohamed Mamdouh, a U.S. citizen, were arrested by the New York Police Department after attempting to purchase a hand grenade, guns, and ammunition to attack an undetermined Manhattan synagogue. The men planned on disguising themselves as Orthodox Jews in order to sneak into the synagogue.¹⁰⁹ Reports have also cited the Empire State Building as a possible second target.¹¹⁰ Both men face charges of conspiracy to commit a crime of terrorism and conspiracy to commit a hate crime, as well as criminal possession of a weapon.¹¹¹

Deconstructing Terror Data: Lessons for the Future

Each of these 39 plots since 9/11 is a unique success for protecting Americans from terrorism. Taken as a larger body of data, one can also extrapolate lessons about what works in terms of stopping terrorism, including:

Lesson #1: Terror Training Camps Continue to Feed Anti-U.S. Terror. Of the 39 plots since 9/11, at least 23 have involved individuals that attended or attempted to attend terror training camps, including Richard Reid in 2001 and Faisal

106. Press release, “Maryland Man Indicted In Plot To Attack Armed Forces Recruiting Center,” U.S. Attorney’s Office for the District of Maryland, December 21, 2010, at http://www.justice.gov/usao/md/Public-Affairs/press_releases/press08/MarylandManIndictedinPlottoAttackArmedForcesRecruitingCenter.html (May 6, 2011), and Maria Glod, “Baltimore Man Accused of Bomb Plot Is Indicted by Jury,” *The Washington Post*, December 22, 2010, at <http://www.washingtonpost.com/wp-dyn/content/article/2010/12/21/AR2010122105946.html> (May 6, 2011).

107. “U.S. Man Pleads Not Guilty in Maryland Car Bomb Plot,” Reuters, January 8, 2011, at <http://in.reuters.com/article/2011/01/07/idINIndia-54012820110107> (May 6, 2011).

108. United States District Court for the Eastern District of Virginia, “Affidavit in Support of a Criminal Complaint and Arrest Warrant, United States of America v. Awais Younis,” December 6, 2010, at <http://www.talkingpointsmemo.com/documents/2010/12/criminal-complaint-and-arrest-warrant-for-awais-younis.php?page=7> (May 6, 2011).

109. Rocco Parascandola, Alison Gendar, and Bill Hutchinson, “NYPD Arrests 2 Queens Terror Suspects, Charged with Plot to Hit NYC Synagogues with Grenades, Guns,” *New York Daily News*, May 13, 2011, at http://www.nydailynews.com/news/ny_crime/2011/05/12/2011-05-12_nypd_arrests_two_queens_terror_suspects_charged_with_plot_to_hit_nyc_synagogues_.html (May 16, 2011).

110. “2 Men Busted in New York City Terror Plot,” MYFOXNY, May 13, 2011, at <http://www.myfoxny.com/dpp/news/terror-plot-arrests-20110512> (May 16, 2011).

111. Parascandola *et al.*, “NYPD Arrests 2 Queens Terror Suspects, Charged with Plot to Hit NYC Synagogues with Grenades, Guns.”

Shahzad in 2010. The ability of terrorist groups like al-Qaeda and its affiliates to stage attacks is directly tied to the breadth of the organization's recruitment, fundraising, and training. These camps offer a means by which to stage such operations, often in countries that lack the willingness or ability to stop terrorist operations. In Pakistan, Kashmir-focused terror groups, which intermingle and cooperate with al-Qaeda, have ties to Pakistan's security establishment. Thus, Pakistan has often acted half-heartedly on terror threats against Western targets.

As safe havens have expanded, so have al-Qaeda operations in areas around the globe, such as Al-Qaeda in the Arabian Peninsula, which largely operates out of Yemen and nearby areas. The group has been directly responsible for sending would-be terrorists to the United States. AQAP claimed responsibility for sending Umar Farouk Abdulmutallab (foiled plot 29), commonly referred to as the Christmas Day (or underwear) bomber, the man who tried to detonate a bomb in his underpants as his plane began to land in Detroit. Anwar Al-Awlaki, an American-born senior leader of AQAP, currently resides in Yemen, where he publishes anti-American, pro-violence sermons and lectures.¹¹²

It is also the case that several would-be "home-grown" terrorists attended or attempted to attend training camps outside the U.S., including the Lackawanna Six in 2002 (foiled plot 3) and Najibullah Zazi (an Afghan legally in the United States) in 2009 (foiled plot 25). Almost across the board, the individuals involved in these 39 plots made contact with terrorist organization affiliates overseas, used al-Qaeda resources on the Internet, or were recruited by some other means—all activities that persist due to terrorist safe havens.

Lesson #2: Early Disruption of Terror Plots Requires Early Intelligence. In at least 35 of the 39 plots law enforcement was able to dismantle a plot early in the process before the public was in danger. Often, informants and undercover agents were inside the operation—an objective that could

not have been achieved without obtaining intelligence early on.

In the case of Iyman Faris in 2003 (foiled plot 4), an anonymous tipster informed the NYPD about a potential attack on the Brooklyn Bridge, allowing law enforcement to immediately begin patrolling the bridge and increasing physical security. Subsequently, Faris and his superiors cancelled the attack. In the case of Antonio Martinez in December 2010 (foiled plot 36), a 21-year-old American citizen planning to bomb a military recruiting center in Maryland, the FBI was able to make contact with him and supply him with a fake explosive, arresting Martinez before he was able to detonate it. Complex and carefully orchestrated sting operations like the Martinez case are not easily accomplished. Without the right intelligence, such opportunities are unlikely to happen—and without investigative tools, law enforcement may not find the right leads to track the suspects in time to intervene.

The PATRIOT Act, for instance, is a key source of such investigative and intelligence gathering tools, as well as other key counterterrorism reforms. Enacted shortly after 9/11, the PATRIOT Act breaks down the walls of information sharing that existed between criminal and national security investigations. For instance, the PATRIOT Act's information-sharing provisions were essential for investigating and prosecuting the Lackawanna Six (foiled plot 3). An anonymous letter sent to investigators which detailed a potential terrorist plot as well as criminal activity was able to be pursued as a single investigation, instead of two separate investigations (one criminal, one national security), which would have been required under pre-PATRIOT Act standards. This meant that authorities could share leads and intelligence.

PATRIOT also equipped law enforcement officials with more tools to track down leads, including investigative tools like roving surveillance authority and the business records provision, as well as changes in the Foreign Intelligence Surveillance Act laws which assist in investigations and prosecutions

112. Dr. Jarret Brachman, "Terrorist Threat to the U.S. Homeland: AQAP," testimony before the Committee on Homeland Security, U.S. House of Representatives, March 2, 2011, p. 2, at <http://homeland.house.gov/sites/homeland.house.gov/files/Testimony%20Brachman.pdf> (May 6, 2011).

of terrorist activity. In the Zazi case in 2009 (foiled plot 25), PATRIOT's intelligence-gathering provisions were essential yet again when law enforcement authorities used roving surveillance authority to track Najibullah Zazi's illegal activities across multiple communication devices.

The consequences of insufficient intelligence or late intelligence are severe. The 9/11 attacks which killed thousands of Americans are one example. The only reason that the Christmas Day plot was not successful was because other passengers noticed suspicious behavior and restrained the attacker. Had the fellow passengers been less conscientious, the plot could have been deadly.

Lesson #3: Terrorists Fixate on Many Targets—It's Not Possible to Secure them All. The 39 plots span a wide spectrum of potential targets from local shopping malls to the Empire State Building. Yet, there are also clear trends in terms of which localities are most at risk, such as major metropolitan areas like New York City and the Washington, D.C., metropolitan area.

Top 5 Post-9/11 Targets

1. New York City: targeted at least 11 times
2. Unclear/various targets: at least 9 times
3. Washington, D.C.: targeted at least 5 times
4. Airplane/airport attacks: targeted 5 times
5. New Jersey: targeted 4 times

Despite clear trends, policymakers have often tried to childproof every potential target against terrorism. For example, New York City bridges have been targeted by terrorists on multiple occasions—which has induced communities around the country to devote tremendous resources to securing their own bridges, merely because they are on an endless list of potential targets. However, these jurisdictions often fail to account for their own individual threats, vulnerability, and risk to terrorism—

and relative lack thereof. This does not make much sense. Resources for hardening and protection are limited, and it is not practical to think that either the government or the private sector can deploy physical security measures to all potential targets in every jurisdiction in the country.

In 2003, President George W. Bush issued Homeland Security Presidential Directive-7, which assigned responsibility for coordinating national measures to strengthen protection of critical infrastructure and key resources to the Secretary of Homeland Security. The directive also instructed the Department of Homeland Security to support these measures by developing a National Infrastructure Protection Plan (NIPP) to “identify and prioritize United States critical infrastructure and key resources and to protect them from terrorist attacks.”¹¹³

While this was a good first step in making the nation think more proactively about attacks on critical infrastructure, the amount of infrastructure deemed critical to the nation's survival in the aftermath of a disaster has grown exponentially. Criticality in essence has become a crutch as policymakers devote more and more resources to *all* infrastructure instead of tailoring dollars to those that are truly critical. There is a perverse incentive for infrastructure to be deemed critical because of the resources that come with such a designation. Addressing this challenge will require a shared effort between the federal government and the private sector to distinguish what is truly critical (essential for sustaining and supporting Americans' daily lives after a disaster) from what is important, but not necessarily critical.

Lesson #4: The Public Is Important in Preventing Terror Attacks, But Should Not Be the First Line of Defense. The Richard Reid plot in 2001 (foiled plot 1) and the Christmas Day plot in 2009 (foiled plot 29), as well as the Times Square plot in 2010 (foiled plot 31), are three examples of how everyday citizens have prevented terror attacks. In the Times Square plot, bystanders noticed suspicious behavior when a man tried to detonate a

113. Jena Baker McNeill and Richard Weitz, “How to Fix Critical Infrastructure Protection Plans: A Guide for Congress,” Heritage Foundation *Background* No. 2404, April 27, 2010, at http://thf_media.s3.amazonaws.com/2010/pdf/bg_2404.pdf.

bomb and immediately reported his actions to police. Luckily, Shahzad's bomb was faulty and authorities were able to apprehend him—but only after he hopped on a plane at JFK airport.

Shortly after the Times Square incident, the Obama Administration hailed the foiled plot as a counterterrorism success story. While it was technically successful in the sense that no one was harmed, relying on citizens to detect and thwart a terrorist act is far from an effective strategy.

This does not mean that there is no role for citizens in the overall counterterrorism effort. Citizens, much like state and local law enforcement, have an excellent understanding of their own communities. For example, the 2008 Fort Dix plot (foiled plot 20) was thwarted because a store clerk alerted authorities after discovering a video file of the group firing weapons and calling for jihad. This is why programs like “See Something, Say Something,” a DHS campaign that began in July 2010, are absolutely essential. Recently expanded, support for this program would help to ensure that law enforcement has even more intelligence and information at its disposal.

Lesson #5: Treating Terrorism as a Standard Law Enforcement Concern Underestimates the Threat. Immediately upon taking office, President Barack Obama insisted that his Administration was changing course away from the Bush Administration's counterterrorism policies. The Obama Administration began by halting the CIA interrogation program, publicly releasing the details of CIA interrogation methods, and ordering the closure of the Guantanamo Bay detention facility within one year. Thereafter, the Administration announced it would prosecute terrorists in civilian courts instead of through military tribunals.

These so-called reforms have proved increasingly problematic for the Obama White House. This is likely a large part of the reason why the Obama

team has kept more than a few Bush-era policies in place—including support for the PATRIOT Act and the use of national security letters to obtain intelligence necessary to track down terror leads.¹¹⁴ Guantanamo Bay is still in operation, despite more than two years since the Executive Order by the President. In November 2009, after Attorney General Eric Holder announced the Administration's intent to prosecute the 9/11 mastermind, Khalid Sheikh Mohammed, in federal court in New York City, the public and political backlash was fierce. In January of 2011, the Administration announced that it would prosecute Mohammed through a military tribunal.

This Administration's plans also proved problematic in the Christmas Day bombing case and after the Times Square plot. Both suspects, Abdulmutallab and Shahzad were arrested and read their Miranda rights after their arrest. While authorities did question both for a short period of time prior to doing so, the limits of Miranda's public safety exception hindered the investigators' ability to question the two men about their involvement in the plots. At first, the Administration claimed that the short pre-Miranda period of questioning was sufficient in terms of gathering adequate information. However, shortly thereafter, the Administration began looking for a means by which to expand the period of questioning under the public safety exception to meet the more complex needs of a terrorism investigation. A 2011 FBI memorandum instructed agents that they can question suspects for longer periods of time before reading a suspect their Miranda rights if “suspects are giving the agents valuable intelligence and public safety is at risk.”¹¹⁵

The challenges associated with the Administration's approach are instructive. Terrorism is much more than a matter of law enforcement, and there needs to be a legal framework by which to incapacitate and interrogate terrorists.

114. Todd M. Hinnen, Acting Assistant Attorney General for National Security, U.S. Department of Justice, testimony before the Subcommittee on Crime, Terrorism, and Homeland Security, Committee on the Judiciary, U.S. House of Representatives, at the hearing “The Permanent Provisions of the Patriot Act,” March 30, 2011, at <http://judiciary.house.gov/hearings/pdf/Hinnen03302011.pdf> (May 6, 2011).

115. Carrie Johnson, “FBI Gives Agents More Leeway to Question Terrorism Suspects,” NPR, March 24, 2011, at <http://www.npr.org/blogs/thetwo-way/2011/03/24/134822751/fbi-gives-agents-more-leeway-to-question-terrorism-suspects> (May 6, 2011).

Lesson #6: The Key to Stopping International Terrorism is International Relationships. The terror-plot data contain multiple instances where relationships between the U.S. and its allies were a fundamental part of breaking down plots against the United States and apprehending those responsible. The liquid explosives plot (foiled plot 17), for instance, was dismantled because the unique relationship between the U.K. and the U.S. has fostered extensive information sharing on counterterrorism matters.

A similar example was the case of Dhiren Barot (foiled plot 7). Barot's intended targets transcended national borders, including U.S. locations like the World Bank and International Monetary Fund headquarters in Washington, D.C., and the New York Stock Exchange, as well as London hotels and transportation systems. Through cooperation with the U.S., British authorities arrested Barot before he was able to carry out an attack.

Contemporary terrorist threats are generally transnational. Virtually every plot against the United States has some sort of international dimension. Those who attend terror training camps do so in safe havens around the globe. Terrorists use Latin America for safe havens, recruiting, fundraising, and facilitation of international travel. Those who use visas to come to the United States for malicious purposes come through other countries. Europe has also served as a base for recruiting and planning attacks—including Richard Reid, a British citizen.

This means that America's homeland security measures cannot begin at the point where the threat has already arrived in the United States. Programs such as the Visa Waiver Program, which allows for greater information sharing and security cooperation between the U.S. and program member nations, enhance these counterterrorism relationships. However, growing divisions on a number of counterterrorism issues between the U.S. and Europe will impact these relationships. "Brussels has long opposed key U.S. counter-terrorism programs such as renditions, and under new powers

granted by the Lisbon Treaty, the European Parliament has challenged two data-transfer deals—the SWIFT data-sharing agreement and the EU–U.S. Passenger Name Records (PNR) agreement."¹¹⁶ Furthermore, the European Commission has "objected to member states negotiating directly with Washington to secure entry into the U.S. visa waiver program, favoring instead a supranational approach to visa policy."

It is essential that the U.S. work on both a bilateral and multilateral basis to flesh out the differences and preserve and expand relationships.

Lesson #7: The Relationship Between the Intelligence Community and Federal, State, and Local Law Enforcement is Too Washington-Centered. Unlike federal law enforcement agents who enter communities only as part of active investigations, state and local law enforcement personnel see it as a source of success to become active parts of their communities. Whether it is by walking an assigned beat or patrolling sections of a city by car, local police have come to know their communities inside and out.

Too often, the debate over counterterrorism has focused on intelligence reforms and deficiencies at the federal level. Policy debates over the role of state and local law enforcement in counterterrorism have largely focused on "information sharing," which really has meant the level at which these jurisdictions are sending information to the federal government. This has made state and local law enforcement mere sources of data as opposed to true partners in the counterterrorism effort. To encourage better relationships, the Administration should assign intelligence responsibilities between the federal government and states and localities more properly. State and local information sharing must not mean merely sending information to the federal government. State and local governments must be made equal partners in the intelligence community.

A related issue is one of improving the capabilities of these jurisdictions. Gaps in counterterrorism

116. Sally McNamara, "The EU–U.S. Counterterrorism Relationship: An Agenda for Cooperation," Heritage Foundation Backgrounder No. 2528, March 8, 2011, at <http://www.heritage.org/Research/Reports/2011/03/The-EU-US-Counterterrorism-Relationship-An-Agenda-for-Cooperation>.

capabilities for high-risk jurisdictions have been more often than not dealt with on a federal level through grant programs such as the Urban Area Security Initiative (UASI). These grants are meant to serve large urban areas where a terrorist attack would have catastrophic national consequences. In FY 2006, only 35 UASI grant jurisdictions were fully eligible to receive these monies. DHS, however, has continued to increase the number of urban areas that are eligible for UASI funds, now totaling 63. This has diluted the pool of resources for those cities that are truly in need of additional funds, and has under-sourced America's highest-risk urban areas.

Lesson #8: The Internet Is an al-Qaeda Tool—and the U.S. Must Be One Step Ahead. Al-Qaeda has progressively increased its ability to recruit terrorists inside the United States through its online outreach and social networking. The six men complicit in the plot to attack the Fort Dix military base in New Jersey, for example, were allegedly inspired by Islamist ideology and videos on the Web. Thwarted terrorist Hassan Abujihad aided terrorism efforts by disclosing classified information to Barbar Ahmad, the creator of one of the first English-language Islamist sites.

No longer is it necessary for would-be terrorists to attend a terror training camp in the flesh. Instead, anyone with a computer and Internet access can connect to the vast array of Islamist materials online. While the United States government should certainly be concerned with the growing number of those consuming Islamist and terror-oriented content online, it should be even more concerned with the ability of more and more people to *produce* it.¹¹⁷ The U.S. cyber approach to counterterrorism, however, has not yet adapted to this important shift. Federal agencies tasked with tracking Islamist activity online largely spend their time looking for direct warnings or indicators of immediate threats to the United States, addressing only the operational use of the Internet, ignoring its growing strategic use.¹¹⁸

Islamist Web sites existed long before 9/11, but it was only after the United States uprooted the Taliban in Afghanistan, dismantling terrorist training camps and weakening al-Qaeda's network, that terrorist leaders began to rely on the Internet.¹¹⁹ Today, al-Qaeda and other terrorist organizations make use not only of videos and chat rooms to radicalize and recruit individuals, they also use e-mail, LISTSERVE groups, mobile Internet services, online magazines, stand-alone Web browsers which direct users only to Islamist materials, online forums complete with training manuals and instructions for avoiding detection online, video games, and even Web-based libraries.¹²⁰ These new forms of online media are used as tools for recruitment, motivation, fundraising, education, and training—and pose a growing threat to the United States.

Hosam Maher Husein Smadi, the 19-year-old Jordanian (foiled plot 26), was originally identified as a potential terrorist by FBI monitoring of extremist chat rooms. In order to combat the terrorist threat online, the U.S. must gain a better understanding of how new media and technologies are being employed by the enemy. This means that those agencies involved in cyber intelligence must change the way analysts are trained, and empower these analysts to use more innovative approaches to countering terrorism in the cyber domain. America must always remain one step ahead of the terrorists—including in cyberspace.

Lesson #9: Current Aviation Security Is Expensive and Largely Inconsequential. Since 9/11, not a single one of the 39 foiled plots was stopped because of physical security measures at U.S. airports. In fact, one of the three successful terrorist plots was a shooting at a ticket counter at LAX airport in Los Angeles. Despite this fact, Congress has poured billions of taxpayer dollars into the Transportation Security Administration (TSA) screening line and toward physical hardening of airports. For much of the first decade after 9/11, this

117. Jarret M. Brachman, "High Tech Terror: Al-Qaeda's Use of New Technology," *The Fletcher Forum of World Affairs*, Vol. 30, No. 2 (Summer 2006).

118. *Ibid.*

119. *Ibid.*

120. *Ibid.*

was mostly tolerated by the American public as an inconvenience associated with flying. This included such measures as the often confusing “3-1-1” liquids rule after the liquid-explosives plot in 2006 (foiled plot 17), and forcing passengers to take off their shoes for screening after the Richard Reid plot in 2001 (foiled plot 1).

The growing nuisance of traveling, however, as well as a recent decision by the TSA to force passengers to undergo either a full-body scan or a physical pat down by a TSA agent, have propelled aviation security to the forefront of public debate. The Administration, for its part, has emphasized that this change was initiated because the Christmas Day would-be bomber was able to smuggle explosives, located in his underwear, through a foreign airport checkpoint and that the metal-detector technology deployed in primary screening would have been incapable of finding the explosive and type possessed by Abdulmutallab had he come through a U.S. airport.

Deploying new technologies to meet the threats the nation faces should be encouraged. However, a need to spend money on new technologies is the wrong lesson to draw from the Christmas Day plot. The real lesson can be found in all 39 plots that have been foiled since 9/11: that information sharing and intelligence are absolute cornerstones of effective counterterrorism—not wholesale screening of travelers. The Christmas Day plot in particular demonstrated failures by the Departments of State and Homeland Security to share information and sufficiently connect the intelligence dots. Despite a personal visit from Abdulmutallab’s father to a U.S. consulate office warning of his son’s potential plans for terrorism, the younger Abdulmutallab’s visa was not revoked nor was there additional follow-up with the National Counterterrorism Center—measures that might have placed him on a “no-fly” list and stopped him from boarding the plane in the first place.

Essential Principles for Congress and the Administration

These lessons can serve as a way to identify future reforms as well as maintain the tools that have worked repeatedly to stop acts of terrorism.

Congress and the Administration should continue to examine past successes and failures in order to glean lessons for future reforms. One place to start would be to hold hearings on the Fort Hood attack; Congress has not yet undertaken an adequate assessment of that plot, or of the intelligence failures that led to the massacre. Furthermore, the U.S. should:

- 1. Maintain Counterterrorism Tools.** Support for important investigative tools like the PATRIOT Act is essential to maintaining the security of the United States and combating terrorist threats. Key provisions within the act, such as the roving surveillance authority and business records provision, have proven essential in thwarting terror plots.
- 2. Create a lawful detainment framework for the incapacitation and lawful interrogation of terrorists.** Congress should place a prohibition on future attempts to close the Guantanamo Bay detention center and work with the Administration to ensure that a lawful detainment framework is created and implemented to deal with enemy combatants.
- 3. Reorganize congressional oversight of the Department of Homeland security, accompanied by a department-wide authorization bill, to improve the oversight and guidance by Congress on security matters.** More often than not, Congress has focused on providing “checkbook security”: heavy spending on new security paradigms that look good on paper but contribute very little to the security of Americans. Much of this is the result of the chaotic system of congressional oversight. With 108 committees, subcommittees, and commissions with oversight over DHS, politics, rather than smart security, often rules the process. Consolidating oversight would help ease this problem. Congressional leadership should make such consolidation a priority.
- 4. Rethink the current grant structure.** Currently, too many high-risk jurisdictions lack the level of counterterrorism capabilities they need to prevent attacks. Rather than perpetuating the flawed grant formula, efforts should be made to reduce the number of UASI cities and move toward a structure that favors cooperative agreements to

ensure that states and localities can negotiate outcomes on equal footing.

5. **Examine information-sharing gaps.** Efforts to increase information sharing between the U.S. and its allies while improving interagency communications between the Departments of State, Justice, and Homeland Security and intelligence agencies are vital to protecting the U.S. from the continued threat of terrorism. One of the central failures leading up to the attempted Christmas Day terrorist attack was the lack of sufficient information sharing between entities across the government. Information sharing must be strengthened both domestically and internationally to allow the early detection of terror plots long before the American public is ever put at risk.
6. **Stay committed to Afghanistan and hold countries accountable for their support of terrorists.** Terrorism is a global threat that requires a global response. In order to help combat this threat and stop terrorism at its source, the U.S. should foster continued support for NATO and U.S. counterinsurgency strategies in Afghanistan

to prevent the Taliban from regaining influence in the region. Continued pressure on the Pakistani government to shut down Pakistan-based terrorist groups is essential, as are efforts to work with other nations to halt terrorist financing and eliminate terrorist safe havens.

Continuing America's success in fighting terrorism while preserving national prosperity and individual freedoms requires a dedication by Congress and the executive branch to risk-based security focused on information sharing and intelligence gathering. Only in this way can terror plots be stopped before the public is in danger.

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