

FBI ENTRAPMENT LEADS TO TSA PAT-DOWNS

A couple of weeks back, I pointed to John Pistole's testimony that directly justified the expansion of VIPR checkpoints to mass transport locations by pointing to a recent FBI-entrapment facilitated arrest.

Another recent case highlights the importance of mass transit security. On October 27, the Federal Bureau of Investigation (FBI) arrested a Pakistan-born naturalized U.S. citizen for attempting to assist others whom he believed to be members of al Qaida in planning multiple bombings at Metrorail stations in the Washington, D.C., area. During a sting operation, Farooque Ahmed allegedly conducted surveillance of the Arlington National Cemetery, Courthouse, and Pentagon City Metro stations, indicated that he would travel overseas for jihad, and agreed to donate \$10,000 to terrorist causes. A federal grand jury in Alexandria, Virginia, returned a three-count indictment against Ahmed, charging him with attempting to provide material support to a designated terrorist organization, collecting information to assist in planning a terrorist attack on a transit facility, and attempting to provide material support to help carry out multiple bombings to cause mass casualties at D.C.-area Metrorail stations.

While the public was never in danger, **Ahmed's intentions provide a reminder of the terrorist attacks on other mass transit systems: Madrid in March 2004, London in July 2005, and Moscow earlier this year. Our ability to protect mass transit and other surface transportation venues from evolving threats of**

terrorism requires us to explore ways to improve the partnerships between TSA and state, local, tribal, and territorial law enforcement, and other mass transit stakeholders. These partnerships include measures such as **Visible Intermodal Prevention and Response (VIPR)** teams we have put in place with the support of the Congress. [my emphasis]

Now to be clear, as with Mohamed Mohamud's alleged plot, Ahmed's plot *never existed* except as it was performed by FBI undercover employees. In fact, at the time the FBI invented this plot, now TSA-head Pistole was the Deputy Director of FBI, so in some ways, Ahmed's plot is Pistole's plot. Nevertheless, Pistole had no problem pointing to a plot invented by his then-subordinates at the FBI to justify increased VIPR surveillance on "mass transit and other surface transportation venues." As if the fake FBI plot represented a real threat.

And according to Gary Milano (who appears to be TSA's Federal Security Director for Tampa), that's what they're now doing—telling the bad guys (among whom they include "immigration law violators" and "bulk cash" smugglers) they're going to be searching Greyhound for them. (Randy Balko posted the YouTube here.)

Now, to be sure, these no-warning searches are more effective than the security theater Pistole has ramped up at airports.

But that doesn't excuse the logic: John Pistole points to a plot the FBI—under his management—cooked up, as if it represents a "real" threat. He uses it to justify expanding VIPR to mass and surface transit venues. And then when TSA does set up one of those VIPR checkpoints, we learn they're not looking for TATP (which is what Pistole implied in his testimony to Congress), but instead illegal aliens and cash smugglers.

I guess that all makes it okay, right? The plot

justifying this checkpoint never existed, but then, they're not really looking for the things they suggested they were looking for as defined by that plot. So it doesn't matter that it was a fake terrorist plot, since the whole point of it seems to be to justify immigration and smuggling raids.