

MEMORANDUM FOR THE RECORD

Event: Jack Salata, former FAA liaison to the Federal Bureau of Investigation

Type of event: Interview

Date: November 3, 2003

Special Access Issues: ~~None~~

Prepared by: John Raidt

Team Number: 7

Location: K Street

Participants - Non-Commission:—Jack Salata, former FAA liaison to the FBI; Bob Sinton, FBI counsel's office

Commission Participants—Sam Brinkley, John Raidt

DECLASSIFIED UNDER AUTHORITY OF THE INTERAGENCY SECURITY CLASSIFICATION APPEALS PANEL, E.O. 13526, SECTION 5.3(b)(3)
ISCAP APPEAL NO. 2012-048, document no. 25
DECLASSIFICATION DATE: July 8, 2015

Background

Currently works for the FBI as an Intelligence officer. In 1988-1989 he served as a special agent with the USAF Office of Special Investigations as a special agent. In 1989 he joined FAA's Intelligence Office, and worked as an intelligence analyst. In this capacity he served as both a liaison and analyst with the CIA and Department of State counter-terrorism units. In 1992 he took a job as the FAA's newly created position of liaison officer to the Department of State's Bureau of Diplomatic Security. He remained in this position until 1998. In May of 1998 he was assigned by the FAA to serve as its liaison officer to the Federal Bureau of Investigation, stationed in the Strategic Information and Operations Center. In May of 1998 thru October of 1998 he split time between FBI and State Department. In October he was assigned to the FBI full time and was originally assigned to counter-terrorism assessment and warning unit. In December of 1998 he was asked to join the team investigating the Africa bombings in the Usama Bin Laden unit, specifically the East African Intelligence unit. He remained in the Usama Bin Laden unit and the Radical Fundamentalist Unit. During this time when he wasn't doing FAA work he was conducting threat analysis for the UBL unit. He was responsible for every significant issue affecting civil aviation.

Work load

Salata acknowledged that trying to do both FAA liaison work and the other work that the FBI assigned was "a lot." Salata said that the FBI regarded him as a detailee which created a "bureaucratic problem" of his roles and mission. He saw the problem as a cultural issue. The FBI expected Jack to lend his expertise to them. He was required to blend the FAA and FBI roles. Salata raised concern to FAA and FBI that he was under a

Handwritten notes:
(U) Salata
How could he do this as an investigator? he was
Team

great deal of pressure to comply with FBI requests. Salata said he recognized his primary role was to the FAA. The FAA saw him as a liaison, the FBI saw him as a detailee and he tried to do both i.e. "serve two masters."

(U) Greg Ahern was the first FAA liaison to the FBI and Salata relieved him. The FBI asked Jack Salata to move from the terrorist assessment and warning unit to the UBL unit. Salata cleared it with the FAA authorities and made the move. He saw this move as helpful to the FAA because he could learn more in an operational unit than he could assigned to an assessment unit.

(U) Salata said he spent about 60% of his time on FAA liaison and 40% to FBI tasks.

(U) Salata said he was connected to the FAA by e-mail and received no less than 10 calls a day from the ACI watch. At the FBI he was a member of a five-man intelligence team and while he referred to himself as an "Official FBI employee" but he said he didn't lose sight of his FAA obligations.

MISSION

(U) Salata was responsible for any threat to civil aviation/airports whether in the context of criminal investigations or national security intelligence. He was also available to work with FBI legal attaches on issues affecting civil aviation overseas.

FBI CAS FUNCTION

(U) Jack said civil aviation was a high priority for the FBI, citing Beverly Wright who he said was assigned full-time to civil aviation. She was focused on the Joint Vulnerability Assessment program and working with the agents conducting that work.

(U) He lauded the FBI's efforts in regard to civil aviation security, saying that the FBI appreciated the possibilities of attack after the WTC bombing and the Bojinka plot.

(U) Salata said his section chief Mike Rollince had an open door policy and actively solicited Salata's advice. He often gave him information he received from foreign security services telling him to get it to the FAA. Salata lauded all the section chiefs with whom he worked.

(U) Salata cited the FBI's Civil Aviation Security Program Manager Bev Wright who retired after 9-11 and Alexis Smolleck.

INTELLIGENCE TASKING

Salata was asked how FAA transmitted its CAS intelligence needs to the FBI. He said that the tasking on collection for international intelligence was already in place when he got there.

what was the mechanism for this information?

(In what form, what about Domestic Current Staff?)

(U) On the domestic front, he said that Bev Wright's primary contact at FAA was Peter Falcone who was security operations for airports.

(U) Salata said that his job was very specific to international terrorism analysis, terrorism analysis, and intelligence analysis. It's what he was trained to do and what he did.

(U) Salata said the only way an individual would have been able to access the FBI's case file information was to access the FBI's automated case system (ACS). While Salata's predecessor Greg Ahern did not have access, Salata was given limited access by Mike Rollince. But he also had access through his counter-part FBI officials who would give him information. Salata was asked if he could word search case files to identify issues related to civil aviation. Salata reiterated that his access to the automated case system was limited but stressed that he had a great relationship with Beverly Wright and that if she came across something he needed to know, she would share it.

(SST) Salata was told of concerns expressed by FAA ACI authorities to the commission about the "blind spot" they felt they had with respect to domestic intelligence. Salata disagreed with the idea that FAA had a blind spot with respect to domestic threats and said that any deficiency was the result of the need for operational security and the need to protect information until you could take it to prosecution.

(U) Salata said that understanding domestic threats was as important to him as understanding the international threat. Throughout his career at the FAA there was a "culture of distrust and dislike" for the FBI.

(U) Salata said that the FAA didn't understand the needs of the FBI. Mike Rollince never denied FAA management to come over to the FAA to talk. He referred to the fact that the first thing he did when Gen. Mike Canavan became ACS 1 was to have him meet Dale Watson, Assistant Director for Counter-Terrorism. He said that he was not aware of whether Irish Flynn ever met with FBI counter-terrorism authorities, but that Flynn did meet with State Department authorities. He reiterated that FBI never denied FAA the opportunity to meet on issues of concern.

Recommended
TS&A point
of
JTTF's
(U) Salata said the he saw a strong relationship between the FAA's regional aviation security managers and the JTTF's in their community, particularly in New York and Los Angeles. He recounted that after the millennium plot the JTTF in Seattle asked for an FAA official to be part of the JTTF but that the FAA vetoed the idea. Salata said he asked Claudio Manno why they wouldn't want a spot on the Seattle JTTF but he never got a response.

(U) Salata said that in 80% of the cases he was able to get a full brief on what was going on and could pass most of it on as long as it didn't interfere with operational security or the prosecution.

(U) While the FBI's UBL unit was focused on Sunni extremism, and the Hezbollah unit was focused on Shiite extremism, Salata was kept informed about all aspects of the counter-terrorism unit, primarily because of his personal skills and relationships.

~~(\$5)~~ Salata said that Bev Wright wouldn't get "everything" that the FBI was working on in civil aviation because she was in "operations." Salata agreed that the field office wouldn't necessarily put all the issues they were working on in their Joint Vulnerability Assessments of local airports.

~~(\$5)~~ ACI decided if and when to close a case that they opened, even if the FBI were performing tasks. Salata said that he remembers several occasions where ACI would task the FBI to work a civil aviation issue.

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Salata cited the Newark FBI Field Office walk-in who claimed there was a plot to hijack planes out of JFK. Salata was not aware of any Hong Kong walk-in who claimed a hijack plot was in the offing prior to 9-11. He did remember a Singapore issue post 9-11, and after 9-11. Salata said that he was permitted to review the entire case files and talk real time with agents to assure himself that the work was done thoroughly and the conclusions were reasonable. Salata said he couldn't think of an instance where the FBI didn't do a thorough investigative job.

~~(\$5)~~ Salata said that criminal matters were a "different kettle of fish" because division six of the FBI (the Criminal Division) was a separate division but that they would bring Salata in on key issues. He cited a threat that came out of the Caribbean where the criminal division contacted him.

*Personal
relationships
But no
process and
mechanism*

~~(\$5)~~ Salata was unable to describe standing orders to field offices about how to share civil aviation issues with either his office or Bev Wright's. It all depended upon the FBI case file number which determined who got information on the cases, and that case information would come back to different units at headquarters, and thanks to his personal relationships he would usually hear about it.

PHOENIX MEMO

Salata said the he learned about the Phoenix memo after September 11, 2001. He said he's asked himself many times why he didn't get that memo in the summer when it was drafted. He indicated that in an ideal world they would have notified him.

~~(\$5)~~ Salata did remember getting a call from Phoenix FBI field office asking if the FBI or FAA tracked foreign students in U.S. flight schools. Salata said his reaction was that if the individual was in the U.S. legally, going to school and not committing any crimes, the FAA would have never been tracking people going to flight school because we had the best flight training in the world, and people came from across the globe to attend such schools.

~~(\$5)~~

Salata was asked why we tasked the intelligence community to track individuals seeking aviation skills overseas but we would not undertake that task domestically. Salata replied that on a case-by-case basis if a person was a concern they would look into it, but there wasn't a "collection" requirement in general about flight schools.

When presented with information from the Joint Inquiry that the FBI had asked 24 field offices in 1998-1999 to monitor flight training schools, Salata said he was not aware of it, but the information should have passed through him.

Salata agreed that had he been aware of that tasking it would have cast the call from Phoenix in a different light, and he could have put more focus on the issue.

He said that at the time he was very concerned about getting into the ethnicity of people involved in aviation, because without a specific beef it would have been inappropriate.

AIRMEN CERTIFICATES

Salata stated that there was no effort to cross-reference airmen certificates with terrorist watch lists nor was there any discussion of such an effort that he was aware of.

Salata said that pre 9-11 there were very few watch lists. The one primary method by which the FAA was looking out for individuals was the issuance of Security Directives which the FAA issued about several conspirators in the WTC and Bojinka plot.

SECURITY DIRECTIVES/NO FLY LISTS

Although the FBI and FAA could call air carriers directly to apprise them of threat information, he's not aware of any efforts outside of security directives to stop an Al Qaeda member or other terrorist from flying. In the Pre 9-11 environment individuals who were wanted by the FBI were not maintained on any lists. Salata said the perpetrators of the TWA 847 hijacking were still at large. Their names did not appear on any "no fly" lists. They could have boarded any flight they wanted.

Salata said that the plot for Libyans to crash a plane into the WTC was dismissed because the Libyans didn't have large aircraft that could fly to the United States.

If an issue is "specific" "credible" and "counterable" it would be issued in a security directive. Who ever originated that information would be asked to follow-up and provide an assessment of whether there was a "threat to aviation." He said that while the FAA could have made those assessments on their own, "they would never do that." The FAA preferred that the originator to provide the determination, but often the FAA could have made the call on their own. He said the FAA environment was "very risk averse." Salata said it was fair to characterize "risk averse," as "we don't want to be responsible" for the decision.

AIRCRAFT AS WEAPONS

Salata said there were "so many" UBL threats about using aircraft. It had been a consistent theme over the years, but he doesn't remember a specific threat by UBL to smash a plane into a U.S. airport.

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Lubbe
Komenan
Manning
McDonnell*

SSJ

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SSJ

Is there now SSJ

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(U) Salata called the "theme of crashing airplanes into buildings" was something that was inevitable because of the high profile nature of civil aviation. Salata said he didn't want to criticize Secretary Mineta or Administrator Garvey but that he couldn't believe they would ever say that "we never conceived of the use of aircraft as weapons." Logic dictated that such a possibility was a concern. In fact, in the summer of 2001, FAA did a great presentation for the airline security directors highlighting the potential for suicide hijacking.

(U) Salata said he certainly was aware of an April 2001 Intelligence Community report that UBL was interested in using commercial pilots as terrorists. He cited the fact that one of Ramzi Yousef's confederates was a trained commercial pilot and that part of the Bojinka plot was to smash a plane into CIA headquarters.

CONNECTING DOTS

(U) Salata stated that it was always in his mind that a civil aviation attack could happen anywhere including in the United States. Salata said the problem was not that there weren't "too many dots to connect" but rather too few people to connect them. He said the UBL unit had about 27 people trying to track a lot of terrorist activity.

(U) Salata said that when Abu Zubaida "lit up" [redacted] wires in March 2001, he got "very, very concerned." Everyone was concerned.

FAA LIAISONS TO THE IC

(U) Salata said that the FAA liaisons (CIA, FBI, STATE) would talk among themselves frequently. They talked several times a week.

(U) Salata said he was never briefed on what FAA was ordering the air carriers to do to provide security, but he was sure that the air carriers were complaining about the cost of security.

(U) Salata said that both the CIA and State Department were light-years ahead of the FBI in accessing the information assets available to the CT community. Salata said he was one of only a few people in the building who knew how to operate CT Link. He pulled one of the 11 computer terminals they had for CT Link out of a closet, dusted it off and used it. FBI analysts at that time tended to focus on the computer terminal in front of them. He said that the FBI was and is too paper intensive.

(U) Salata did not participate in the formulation of FAA Security Directives (SD's) or Information Circulars (IC's)

(U) Salata agreed that it was imprudent to stop the physical search of "selectees" and their carry on in 1998 at a time when the threat was going up.

E.O. 13526, section 1.4(c)

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(U) Salata was this April 2001 report

(Get the DIS from April)

U)

Salata said he was an advocate for using the Israeli methods of aviation security but quickly added that it would never work in the United States. He clarified that we could employ some of the Israeli's approaches.

SUSPICIOUS ACTIVITIES

(SEE SECRET DRIVE)

(Did this multi page EC include the issue that it was a large plot)

MOUSSAOUI

SSI
✓
✗

In August of 2001 an electronic communication was sent from the Minneapolis Field Office to the RFU unit (an analyst named Mike Maltby) describing Moussaoui's flight training at the Pan Am facility and how an alert citizen had alerted the FBI field office about Moussaoui. It was a multi-page EC about what Moussaoui had intended to do, and they asked Salata to read it and evaluate whether there was anything unusual about it. Salata said it took him only a couple of pages to realize that it was "highly unusual" and that for someone who had very limited piloting skills to drop so much cash on a sophisticated pilot simulator training on a 747 was highly unusual. It very much concerned him. After he finished reading it, he gave the document to Mike Maltby and Dave Frasca, the unit chief, and "whatever Minneapolis is doing with this, it's right to run this thing out and run it completely to ground."

SSI

I was on the periphery of all that. I was only aware generically of the issue of the laptop and the probable cause of accessing it. That was a legal question not in his jurisdiction.

SSI
✗

Salata remembers that the original plan was to return Moussaoui to France and there were discussions with him by FBI authorities about how best to effect Moussaoui's return to France in a secure manner, such as on a commercial flight with a law enforcement escort, FAA flight or some other government aircraft.

SSI
✗

Salata believes that the plan to return Moussaoui to France was in effect until 9-11 happened. He was involved in this discussion only to the extent that the FBI might want to use air marshals to escort him back to France, or perhaps even use an FAA plane to do so. He said his dealing with Moussaoui was that in the morning of August 14th, Mike Maltby came up to Salata and said he had gotten a draft EC (Moussaoui EC) and before he give it to Dave Frasca he wanted Salata's take on it. Salata said it was clear this was unusual and important.

SSI
✗

When asked whether the part of the cable that stated Moussaoui "along with others" were plotting a crime alarmed him, particularly the author of the EC's concern that others may be involved. Salata said that the issue of other people being involved was an "agents conclusion." (STAFF NOTE: It seems like something Salata didn't buy this. We need to ask why) and that he was focused on the fact that someone with Moussaoui's skill set and that background would plunk down \$8,500 be wanting such training, apart from someone who was very wealthy. He said that when he saw the route on which Moussaoui was practicing it gave him a sick feeling. Salata said that he verbally informed FAA that there

✗
✗

(Name: Claude does not remember Asst. Pat. Durgen)

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was a matter being investigated out of Minneapolis of an individual who had limited pilot skills trying to get sophisticated simulator training. He said he gave this verbal briefing to Claude Manno with Pat Durgen standing next to him.

§51

He stated that as the next couple of weeks played out he was sure there was some kind of briefing. About the 18 or 19th of August was his last day in the office, before he went on a family vacation during which he was gone on the week of August 22nd. He returned to work on the Tuesday after Labor Day. When he got back he was in discussion with FAA about whether they could provide air marshals for Moussaoui's return to Europe.

(Did He include He claim of a larger plot?)

Salata felt that the September 4th teletype that went from FBI to FAA about Moussaoui had sufficient details (which he saw when he got back from vacation). Salata said he was actually surprised by the level of detail.

Salata was asked about the cable sent from the FBI field office to CIA stations mentioning the theory that Moussaoui might be part of a larger plot. Salata did not seem familiar with this cable. He said he was on vacation when that went out, and that in his absence either Mike Maltby or a Rita Flack would have handled the information at FBI HQ. (STAFF NOTE: Who was expected to get this to the FAA in Salata's absence). Salata said there was no one designated to come over to take his place while he was away. He would leave contact information for points of contact at FAA and if a "barn burner" came up they would contact either the points-of-contact, or the 24-hour watch.

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Salata said that when he got back from vacation he quickly caught up to speed and was aware of concerns that Moussaoui might be part of a larger plot. Salata said he never spoke with the agent who thought Moussaoui might be part of a larger plot to determine why he believed that to be the case. Salata said his personal assessment was that Moussaoui was "an individual" operating by himself, based on the facts as he saw them. He described himself as being and "interested observer" if someone else felt it was a larger plot.

Recommendations:

(A)

He believes we need greater operational security with our aviation security measures.

(U)

He said he was always concerned about cockpit security.

(V)

Intelligence sharing needs to be improved, but the FBI did a great job in trying to improve. He said that as a "lowly FBI detailee" he was permitted to intellectually argue issues. This was latitude he was not given at the FAA. He found this atmosphere at the FBI to be productive and healthy.

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Salata said he did the first study on MANPAD attacks against civil aviation. Salata said we need to improve our physical infrastructure against penetration. Salata thinks it has been way too easy to penetrate a major airport from access control.

a) Salata said the dual nature of the FAA to regulate and promote industry was a large issue. He supports the idea of taking ACS out of FAA and putting it into TSA. He believes that downsizing government also downsized intelligence which hurt the country and that we were "outgunned."

b) Salata said he and four others he lived inside the FBI in the summer of 2001 trying to connect the dots. He thinks we should increase our intelligence assets. He stressed the need to better train intelligence novices, and to remember that experience matters.

c) Salata was asked about the new threat level FAA articulated in the summer 2001 rulemaking including a "domestic bojinka." He said he was aware of the rulemaking to increase the baseline, but he believes the articulation of a domestic "bojinka" was really just a cost-benefit issue not a realistic scenario.

*d) Every airport we build from here on out we need to engineer security into the system. We need to build security from the ground up.

✓ (SSI) He says that ~~Al~~ Qaeda is still focused on aviation. He said he believes that they are focusing on IED's or gun cotton. He said he still doesn't understand why we haven't experienced the suicide bomber phenomenon the way they have in Israel.

\$st He said that KSM is Ramzi Yousef's uncle and that if Ramzi were interested in bojinka, KSM might still be.

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