

Case 50: Capitol Bomber

John Mueller

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Since 9/11, no suicide bombings have been successfully carried out by Muslim extremists in the United States. Some plotters seriously considered the prospect while doing their planning (for example, Cases 49 and 52), and quite a few were aware that they might be, or were likely to be, killed in their terrorist effort (for example, Cases 17, 44, and 45). But in only six cases have plotters explicitly sought to carry out what al-Qaeda characterizes as “martyrdom operations.” Three of these, the failed shoe and underwear bombing attempts at airliners and the disrupted London plot to set off liquid explosives on transatlantic planes (Cases 1, 20, and 33) were actually plotted abroad, and none of the participants were Americans. The fourth is the disrupted plot, mainly concocted abroad, by three Americans to fabricate bombs and to die when they set them off on New York subway trains (Case 28). And the fifth is a planned suicide bombing at the Wichita airport (Case 55).

The sixth is the Capitol bomber, a 29-year-old Moroccan who had overstayed his visitor’s visa by 12 years, worked at various jobs, mostly rather menial, had been evicted from his apartment in Virginia, and seemed to see terrorism, as Zachary Karabatak suggests, as something of a method for “wiping away his past sins.” It was, however, his repeated exclamations on Facebook and in public that the war on terror was actually a war on Muslims that roused the attention of the FBI.

Two FBI operatives worked their way into his confidence, and provided him with money to live on and to pay off his overdue rent. Although his early schemes to commit terrorism (setting off bombs at military installations and at restaurants frequented by military personnel) did not include suicide, in January 2012 he proclaimed that he now wanted to take down the whole dome of the Capitol Building in Washington, DC, with a bomb that he would wear on his person. He was unwilling to carry out this deed, however, unless his supposed co-conspirators agreed to send “martyrdom payments” of \$1000 a month after he was dead to his destitute parents who had gone back to Morocco, leaving him behind in the US when he was 16. The operatives agreed. It seems unlikely, as Karabatak concludes, that the preposterous suicidal effort to take down a large building with a small bomb would ever have been undertaken without the promise of the payments to the parents.

Karabatak also suggests, however, that, if the Moroccan had never been contacted and recruited by the FBI operatives, “he would have joined whatever armed extremist group that he might have found.” This seems plausible. The problem is that running into such collaborators in the United States seems to be exceedingly difficult. As Trevor Aaronson notes, the idea probably makes sense for many drug stings—eventually those conned would likely have been able buy or sell drugs on their own. However, his investigations and the cases in this book suggest that this pattern does not hold for terrorism: “there has not been a single would-be terrorist in the United States who has become operational through a

chance meeting with someone able to provide the means for a terrorist attack.”¹ Only the police have been able to provide that service.

Because the suicide was never consummated, the FBI presumably does not feel obligated to send the agreed-upon payments to the parents. However, one of the operatives is reported to have wept when he drove to the Capitol with his Moroccan friend who was so determined to end his life in a symbolic terrorist explosion.²

Scheduled to be released in 2042, when he will be 59, the would-be suicide will then be forced, at long length, to go back to Morocco.

¹ Trevor Aaronson, *The Terror Factory*. Brooklyn, NY: Ig Publishing, 2013, 206-07; also 29-30, 55.

² Del Quentin Wilber, “Inside an FBI anti-terrorist sting operation,” *Washington Post*, November 25, 2012.

Case 50: Capitol Bomber

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1. Overview

On June 27, 1999, Sidi Mohamed Amine El Khalifi, aged 16, came to the United States from Morocco with his parents on a trip to Orlando, Florida. He never left.¹ Khalifi overstayed his tourist visa and remained in the country illegally for over 12 years, moving from Florida to the greater Washington, D.C., area.

Although Khalifi had some minor legal infractions along the way, including a marijuana charge, traffic infractions, and a misdemeanor assault charge, he originally really came to U.S. authorities' attention in 2010, when he answered a Facebook post seeking to recruit Muslim holy warriors to fight in Afghanistan, asking the writer of the post to contact him.² A confidential informant tipped off the FBI about the post.³ The next significant event to catch the FBI's attention occurred on the night of January 11, 2011, at an apartment in Arlington, Virginia, when an alleged acquaintance⁴ of Khalifi quietly informed the FBI's Counter Terrorism Division that he witnessed Khalifi, 28 years old at this point, listen and agree with a man who said, "The war on terror is a war on Muslims."⁵ Khalifi replied, "the group needed to be ready for war."⁶

There were two key informants involved in this case. Khalifi met a man he knew as "Hussein" during the summer of 2011.⁷ While Khalifi believed that Hussein was part of an Islamic extremist organization, Hussein was actually an undercover law enforcement officer.⁸ Around December 1, 2011, Khalifi went with Hussein to Baltimore and met a man introduced as "Yusuf."⁹ As was the case with Hussein, Khalifi was under the impression that Yusuf was part of an Islamic extremist organization, while he was actually an undercover law enforcement officer.¹⁰ At this meeting, Khalifi discussed his desire to commit terrorism.¹¹

Khalifi's terrorist plans changed several times over the next two months, but on January 15, 2012, he finally settled on the Capitol building as his target.¹²

¹ John Miller, "Inside the plans of Capitol bomb suspect," cbsnews.com, February 18, 2012.

² "Amine El-Khalifi sentenced to 30 years in Capitol bomb plot," nydailynews.com, September 14, 2012.

³ FBI, "Virginia Man Sentenced to 30 Years in Prison for Plot to Carry Out Suicide Bomb Attack on U.S. Capitol," Press Release, September 14, 2012.

⁴ See Matthew Aid, "Another Terrorist Wannabe Bites the Dust," matthewaid.com, February 18, 2012. I was unable to find corroborating reports for the identity of the informant, but it seems likely that this person is someone El Khalifi knew well and trusted.

⁵ Miller, "Inside the plans of Capitol bomb suspect."

⁶ "Authorities Thwart Attempted Suicide Bombing at the Capitol," adl.org, February 22, 2012.

⁷ U.S. v. El-Khalifi, (E.D. Virginia), No. 1:12-CR-37, Statement of Facts, Filed June 22, 2012.

⁸ U.S. v. El-Khalifi, Statement of Facts.

⁹ U.S. v. El-Khalifi, Statement of Facts.

¹⁰ U.S. v. El-Khalifi, Statement of Facts.

¹¹ U.S. v. El-Khalifi, Statement of Facts.

¹² Miller, "Inside the plans of Capitol bomb suspect."

Unlike his first few plans, however, he planned to attack this target not by remote detonation, but by becoming the first suicide bomber on U.S. soil.¹³ On February 17, 2012, he was dropped off in a parking garage near the Capitol building and began to walk away from the vehicle towards the Capitol wearing what he thought was an explosive vest.¹⁴ He was arrested before he could leave the parking garage.¹⁵ The explosives and firearm provided to Khalifi for the operation were also inoperable, and “posed no threat to the public.”¹⁶

The hundreds of hours of FBI audio and video surveillance tapes made it very difficult to mount a defense and, four months after being arrested, Khalifi pled guilty to attempted use of a weapon of mass destruction.¹⁷ In September 2012, he was sentenced to 30 years in prison, the maximum sentence allowed under the plea deal he struck.¹⁸ After his sentence is served, he will be deported to Morocco.¹⁹

2. Nature of the adversary

Amine El Khalifi was born in Morocco, coming to the Orlando, Florida on a B2 Visa (authorizing tourism travel) in 1999, when he was only sixteen.²⁰ This trip to the United States was allegedly for vacation, and included his parents.²¹ While it is unclear why his parents left and he remained, Khalifi subsequently overstayed his visitor visa, which expired in 1999, living in the country illegally for over a decade.²²

Over the subsequent years he moved from Kissimmee, Florida to Northern Virginia, working at odd jobs.²³ These jobs included being a cook, busboy, and salesman.²⁴ He also worked in retail for several years in the Georgetown neighborhood in D.C. and produced club music.²⁵ According to FBI agents involved in the investigation, “he was a fixture on the D.C. club scene” for his music mixing and production.²⁶

¹³ Fred Kaplan, “Why Suicide Bombers Haven’t Struck American Subways,” *Slate.com*, March 30, 2010. However, some consider the 9/11 attacks to be instances of suicide bombings (with the airplanes being the “bombs”).

¹⁴ Matthew Barakat, “Capitol Bomb Plot Suspect Amine El-Khalifi Promised ‘Martyrdom Payments,’ Court Papers Say,” *huffingtonpost.com*, September 10, 2012.

¹⁵ Department of Justice, “Virginia Man Accused of Attempting to Bomb U.S. Capitol in Suicide Attack,” Press Release, February 17, 2012.

¹⁶ Department of Justice, “Virginia Man Accused of Attempting to Bomb U.S. Capitol.”

¹⁷ The Federal Bureau of Investigation, “Stopping a Suicide Bomber,” Press Release, January 4, 2013.

¹⁸ FBI, “Stopping a Suicide Bomber.”

¹⁹ “Amine El-Khalifi sentenced to 30 years in Capitol bomb plot.”

²⁰ “The Man Behind The Capitol Bomb Plot,” *wbur.org*, February 18, 2012.

²¹ Miller, “Inside the plans of Capitol bomb suspect.”

²² “The Man Behind The Capitol Bomb Plot,” February 18, 2012.

²³ Miller, “Inside the plans of Capitol bomb suspect.”

²⁴ Del Quentin Wilber, “Inside an FBI anti-terrorist sting operation,” *Washington Post*, November 25, 2012.

²⁵ Barakat, “Capitol Bomb Plot Suspect.”

²⁶ Wilber, “Inside an FBI anti-terrorist sting operation.”

At some point during his time as a young adult on the D.C. club scene, Khalifi began taking illegal drugs, leading to a marijuana charge in 2007.²⁷ That same year, he was convicted of misdemeanor assault after an argument in a club and received a five-day sentence.²⁸ The conviction deeply affected Khalifi and caused him to reexamine his life and priorities, eventually heeding his mother's advice to "embrace the Quran."²⁹ He subsequently embarked on a "largely self-taught indoctrination" into extreme interpretations of Islam.³⁰ On the internet he found videos and religious propaganda—particularly material produced by American-born cleric Anwar al-Awlaki—that solidified his extreme views.³¹

According to his former landlord in Arlington, Virginia, Khalifi was a very suspicious character.³² When he moved to Arlington, he originally rented an apartment with a Bulgarian woman who claimed to be married to him.³³ After the Bulgarian woman mysteriously disappeared, Khalifi had at least one other man move in with him and claimed that he and his roommate/s ran a luggage business from his apartment.³⁴ The landlord, however, never saw any luggage and apparently thought that Khalifi was making bombs.³⁵ When the landlord came to tell him to leave, Khalifi threatened to "beat him up."³⁶ In early 2010, after he failed to pay rent again, the landlord took Khalifi to court in order to enforce his eviction.³⁷

From his actions, it is apparent that Khalifi did not believe the FBI would find or target him in any sort of capacity. Both on social media and among other people, he made his extremist views well known. First, he responded to a Facebook post in 2010, which sought to recruit Muslim holy warriors to fight in Afghanistan.³⁸ A confidential informant brought this very public indication of Khalifi's interest to the FBI's attention.³⁹ Second, Khalifi's extremist views were also no secret to his acquaintances, and he frequently discussed his desire to carry out a martyrdom attack to wipe away past sins.⁴⁰ In fact, it appears that it was actually one of his friends who informed the FBI about what Khalifi said in a group meeting during January 2011.⁴¹

He seems to have placed a very high priority on fulfilling his perceived religious obligations. One of these obligations was repaying financial debt, which Khalifi

²⁷ Barakat, "Capitol Bomb Plot Suspect."

²⁸ Barakat, "Capitol Bomb Plot Suspect."

²⁹ Barakat, "Capitol Bomb Plot Suspect."

³⁰ Barakat, "Capitol Bomb Plot Suspect."

³¹ "Amine El-Khalifi sentenced to 30 years in Capitol bomb plot."

³² "Feds arrest man heading to US Capitol for suicide mission," nypost.com, February 17, 2012.

³³ "Feds arrest man heading to US Capitol for suicide mission."

³⁴ Nedra Pickler and Eric Tucker, "Amine El Khalifi Arrested: Capitol Suicide Bombing Attempt Halted," huffingtonpost.com, February 17, 2012.

³⁵ Pickler and Tucker, "Amine El Khalifi Arrested: Capitol Suicide Bombing Attempt Halted."

³⁶ Pickler and Tucker, "Amine El Khalifi Arrested: Capitol Suicide Bombing Attempt Halted."

³⁷ "Amine El-Khalifi sentenced to 30 years in Capitol bomb plot."

³⁸ "Amine El-Khalifi sentenced to 30 years in Capitol bomb plot."

³⁹ FBI, "Virginia Man Sentenced to 30 Years."

⁴⁰ "Amine El-Khalifi sentenced to 30 years in Capitol bomb plot."

⁴¹ Aid, "Another Terrorist Wannabe Bites the Dust."

insisted he had to pay back before he died.⁴² Hussein and Yusuf, the undercover agents who were involved in the FBI's sting operations against Khalifi, agreed to give him \$4,300 to satisfy his overdue rent. Another obligation, and perhaps a motivating factor behind Khalifi's planned martyrdom, was his mother and father's economic situation. Khalifi believed that one of his most important religious obligations was to take care of his parents, or he would meet God's disapproval.⁴³ He took this obligation so seriously that he was reportedly unwilling to go through with the attack unless Hussein and Yusuf agreed to provide financially for his parents after his death.⁴⁴ During its sting operation against Khalifi, the FBI promised him that, after his suicide bombing, each of his parents would receive "martyrdom payments" of \$500 a month for an indefinite period of time.⁴⁵ The payments would have been sent to Khalifi's parents in Morocco who were in fairly dire financial straits after closing their store in a bazaar in Casablanca, which was their primary source of income.⁴⁶

After studying Khalifi for many months, the Joint Terrorism Task Force determined that he was acting alone.⁴⁷ He was not connected to any wider terrorist network or any overseas group. While he actively sought to be associated with an Islamist extremist group, he was ultimately only recruited by a man he knew as "Hussein," an undercover law enforcement officer.⁴⁸ Khalifi was under the impression that both Hussein and the man he later met, Yusuf, were members of al-Qaeda. The general consensus is that if he had not been contacted and recruited by Hussein, he would have joined whatever armed extremist group that he might have found.⁴⁹

In terms of group dynamics, all open-source information appears to support the theory that Khalifi was the driving force behind any move that the group made. Khalifi chose the targets, starting off with a plan to bomb an office building, only later choosing to target a synagogue, then a restaurant, and finally the U.S. Capitol.⁵⁰ He also chose the medium of attack, beginning with a remote detonation of a caster booster for the first few targets and finally settling on a suicide attack for his final target.

3. Motivation

Most of Khalifi's motivation seems to be deeply religious and personal. When Khalifi talked to his acquaintances about his desire to carry out a martyrdom attack, which he did quite often, he frequently cited his belief that such an attack would wipe away his past sins.⁵¹ It appears that Khalifi also believed that any other sort of jihad against the west, which he held responsible

⁴² "Amine El-Khalifi sentenced to 30 years in Capitol bomb plot."

⁴³ Barakat, "Capitol Bomb Plot Suspect."

⁴⁴ Barakat, "Capitol Bomb Plot Suspect."

⁴⁵ Barakat, "Capitol Bomb Plot Suspect."

⁴⁶ Barakat, "Capitol Bomb Plot Suspect."

⁴⁷ Miller, "Inside the plans of Capitol bomb suspect."

⁴⁸ Department of Justice, "Virginia Man Accused of Attempting to Bomb U.S. Capitol."

⁴⁹ U.S. v. El-Khalifi, Statement of Facts.

⁵⁰ U.S. v. El-Khalifi, Statement of Facts.

⁵¹ "Amine El-Khalifi sentenced to 30 years in Capitol bomb plot."

for the war on terror (which he considered to be a “war on Muslims”), including joining the fight against the Americans in Afghanistan, would also serve to wipe away sins.⁵² He seemed obsessed with the amount of sin that he believed he committed, including his years doing drugs, living a club-lifestyle, and his assault charge in 2007.⁵³

As part of his religious motivation for the attack, Khalifi also believed that one of his core obligations was to care for his mother and father. His parents were having financial troubles during the FBI’s sting operation, after having to close down a bazaar in Casablanca that had been their primary source of income. The undercover agents motivated Khalifi by promising “martyrdom payments” to his parents of up to \$1,000 a month if he completed the suicide attack. It appears that he would not have gone through with the suicide attack without these promised payments.⁵⁴

4. Goals

The goal of Khalifi’s plot, other than a cleansing of his sins, is rather unclear. His only other expressed goal was a certain body count. On numerous occasions during his discussions with Hussein and Yusuf, Khalifi indicated, “he would be happy if the attacked killed 30 people.” In fact, he was very disappointed after he witnessed a test bomb detonation at a West Virginia quarry simply because he did not think the explosion would be big enough to kill 30 people.⁵⁵

5. Plans for violence

In 2010, Khalifi responded on Facebook to a post seeking to recruit Muslim holy warriors to fight in Afghanistan.⁵⁶ In his response, which was brought to the FBI’s attention by a confidential informant, Khalifi asked the author of the post to contact him.⁵⁷ On January 11, 2011, he met with a group of people at a residence in Arlington, Virginia.⁵⁸ At this meeting was a confidential informant for the FBI’s Counter Terrorism Division, who informed his handlers that he witnessed Khalifi, 28 years old at this point, listen and agree with a man who said, “The war on terror is a war on Muslims.”⁵⁹ Khalifi then said, “the group needed to be ready for war.”⁶⁰ The man he was talking to then pulled out an AK-47 and two fully loaded revolvers, subsequently discussing with Khalifi and the other members of the group what they needed to do to fight back.⁶¹ It is unclear

⁵² “Amine El-Khalifi sentenced to 30 years in Capitol bomb plot.”

⁵³ “Amine El-Khalifi sentenced to 30 years in Capitol bomb plot.”

⁵⁴ Barakat, “Capitol Bomb Plot Suspect.”

⁵⁵ See “Amine El-Khalifi sentenced to 30 years in Capitol bomb plot” and “Would-Be Capitol Suicide Bomber Amine El Khalifi Waives Right To Hearing,” cbslocal.com, February 22, 2012.

⁵⁶ “Amine El-Khalifi sentenced to 30 years in Capitol bomb plot.”

⁵⁷ “Amine El-Khalifi sentenced to 30 years in Capitol bomb plot.”

⁵⁸ Department of Justice, “Virginia Man Accused of Attempting to Bomb U.S. Capitol in Suicide Attack.”

⁵⁹ Miller, “Inside the plans of Capitol bomb suspect.”

⁶⁰ “Authorities Thwart Attempted Suicide Bombing at the Capitol.”

⁶¹ Miller, “Inside the plans of Capitol bomb suspect.”

who this man was or what happened to him, but the FBI was clear aware that the meeting took place.

After monitoring Khalifi's activities for some time, the FBI decided that he posed a significant enough threat to dispatch undercover agents. FBI agents discovered that Khalifi was brokering car sales online and looking to buy a Toyota Prius, and an FBI undercover agent, who Khalifi would know as "Hussein," posted an advertisement online that he was selling a Prius. Khalifi and Hussein met in person in September 2011 and hit off a relationship that began as a business partnership and turned into a more personal relationship. Khalifi felt comfortable talking to Hussein about his desire to commit an act of terrorism and Hussein quietly went along with whatever Khalifi had to say, and led him to believe that Hussein was part of an Islamic extremist organization.⁶²

Around December 1, 2011, Hussein took Khalifi to Baltimore to meet a man introduced as "Yusuf."⁶³ Although Khalifi was under the impression that Yusuf was part of an armed Islamic extremist organization, he actually was an undercover law enforcement officer.⁶⁴ During this meeting, Khalifi asked to be part of Yusuf's armed organization and told Yusuf of his plans to commit an act of terrorism.⁶⁵

Khalifi considered a number of targets before finally settling on the Capitol building.⁶⁶ He first planned to remotely detonate a bomb at an office building in Alexandria, believing that this building housed a number of U.S. military offices.⁶⁷ Within a week of informing Hussein and Yusuf of this plot, he changed his mind and indicated that he wanted to remotely detonate a bomb at Aria Pizzeria, a restaurant in the District of Columbia, believing that U.S. military officials frequented the restaurant.⁶⁸ Unlike his first target, he went to the step of surveilling the restaurant, planning to detonate the bomb at the restaurant's busiest time to ensure maximum casualties.⁶⁹ As late as January 7, 2012, he was still set on bombing a restaurant, followed by a second attack on a military installation.⁷⁰ On the same day, Hussein and Yusuf informed El-Khalifi that they were al-Qaeda operatives.⁷¹

On January 15, 2012, Khalifi informed Hussein and Yusuf that he wanted to change his target to the Capitol Building and his method of attack to a suicide bombing.⁷² This latter transition is significant, as all of his previous plans involved setting a bomb at a particular location and remotely detonating it. Khalifi also set February 17 to be the date of the attack. While it is unclear why he made

⁶² Wilber, "Inside an FBI anti-terrorist sting operation."

⁶³ U.S. v. El-Khalifi, Statement of Facts.

⁶⁴ U.S. v. El-Khalifi, Statement of Facts.

⁶⁵ U.S. v. El-Khalifi, Statement of Facts.

⁶⁶ "Amine El-Khalifi sentenced to 30 years in Capitol bomb plot."

⁶⁷ U.S. v. El-Khalifi, (E.D. Virginia), No. 1:12-CR-37, "Position of the United States with Respect to Sentencing", Filed September 7, 2012.

⁶⁸ U.S. v. El-Khalifi, "Position of the United States with Respect to Sentencing."

⁶⁹ U.S. v. El-Khalifi, "Position of the United States with Respect to Sentencing."

⁷⁰ FBI, "Virginia Man Sentenced to 30 Years."

⁷¹ FBI, "Virginia Man Sentenced to 30 Years."

⁷² Sari Horwitz, William Wan, and Del Quentin Wilber, "Federal agents arrest Amine El Khalifi; he allegedly planned to bomb Capitol," *Washington Post*, February 17, 2012.

this dramatic shift in his plans, his suicide-bombing plan was clearly facilitated by Hussein and Yusuf who agreed to send “martyrdom payments” of \$1000 per month to Khalifi’s parents after his death.⁷³ On the same day, Khalifi traveled with Yusuf and Hussein to a quarry in West Virginia, where he carried out a test-bombing of caster boosters using a cellphone detonation device.⁷⁴ He also appeared to be rather naïve about the power of an explosive device that he could easily carry on his person. During the quarry testing, he expressed a desire to create a large enough explosion to bring down the whole dome of the Capitol building.⁷⁵

Over the month between the practice detonation and the proposed attack, Khalifi regularly traveled to the Capitol building to conduct surveillance, including choosing a spot where he would be dropped off, the exact time for the attack, and the methods he planned to use to avoid law enforcement.⁷⁶ After seeing a number of police officers during his surveillance, he asked for a gun so that he could shoot any law enforcement officers who might try to stop him from entering the Capitol building.⁷⁷ In fact, realizing that he might be captured or impeded before he could detonate his bomb, Khalifi explicitly asked Hussein to remotely detonate the bomb he would be wearing on the day of the attack if he had any problems with security officers.⁷⁸ It is unclear where Hussein would be to know if Khalifi’s attack had been successful or not.

On February 17, 2012, the proposed day of the attack, Hussein and Yusuf picked up Khalifi in a van, gave him an inoperative Mac-10 submachine gun, and helped him get into what Khalifi thought was an explosive coat.⁷⁹ They traveled to a parking garage close to the Capitol building, where Khalifi got out of the car and was swarmed by FBI agents before he could leave the garage.⁸⁰ One of his associates, who was present at the January 2011 meeting, was also arrested on the same day; he was not arrested as part of the terror conspiracy, but for living in the United States illegally.⁸¹

From meetings with undercover officers, it appears that Khalifi had every intention of killing people some way, somehow. During a number of these meetings, he handled an AK-47 and vocally indicated that he wanted to plan an operation “in which he would use a gun to kill people face-to-face.”⁸² According to agents involved in the investigation at the JTTF, he was also aware that his proposed attack would lead to his death.⁸³ One special agent said, “He totally

⁷³ Barakat, “Capitol Bomb Plot Suspect.” Barakat also suggests that Khalifi would not have gone through with a suicide bombing without the promise of these payments.

⁷⁴ Horwitz et al., “Federal agents arrest Amine El Khalifi.”

⁷⁵ Horwitz et al., “Federal agents arrest Amine El Khalifi.”

⁷⁶ FBI, “Virginia Man Sentenced to 30 Years.”

⁷⁷ U.S. v. El-Khalifi, “Position of the United States with Respect to Sentencing.”

⁷⁸ FBI, “Virginia Man Sentenced to 30 Years.”

⁷⁹ Wilber, “Inside an FBI anti-terrorist sting operation.”

⁸⁰ Department of Justice, “Virginia Man Accused of Attempting to Bomb U.S. Capitol.”

⁸¹ Pickler and Tucker, “Amine El Khalifi Arrested: Capitol Suicide Bombing Attempt Halted.”

⁸² FBI, “Virginia Man Sentenced to 30 Years.”

⁸³ FBI, “Stopping a Suicide Bomber.”

believed he was going to die in the attack, and he seemed very much at peace with it” and that “the day of the attack, he was happy.”⁸⁴

Khalifi exercised less discretion in target selection as the sting operation progressed. Initially, his targets were places primarily belonging to or frequented by military personnel (especially generals).⁸⁵ On December 8, 2011, after Hussein questioned his justification for targeting any civilians, Khalifi suggested that he should target an army general instead, indicating that he would research where Army generals live and frequent.⁸⁶ It is unclear why Khalifi appeared to stop caring about whether his targets were related to the military, but he apparently didn’t have any specific targets in mind during the proposed attack on the Capitol building; he just wanted to blow himself up in a crowded enough area to kill 30 people.⁸⁷

On June 22, 2012, as part of a plea agreement struck with the prosecution, El-Khalifi pled guilty to attempting to use a weapon of mass destruction.⁸⁸ The terms of this agreement were relatively steep. In addition to agreeing to a minimum sentence of 25 years, El Khalifi was forced to waive most of his rights, including any protection from removal or deportation after his sentence is served.⁸⁹ He was also forced to claim that he had “no present fear of torture in Morocco,” which removes any protection he might have had under Article 3 of the United Nations Convention Against Torture.⁹⁰ Given Morocco’s poor human rights record with regards to torturing suspected terrorists deported back to the country, this part of the agreement seems rather harsh.⁹¹ On September 14, 2012, Khalifi was sentenced to 30 years in prison.⁹²

6. Role of informants

Informants played key roles in the sting operation against Khalifi. Initially, a confidential informant reported to the FBI that Khalifi had responded to a Facebook post soliciting interest in joining mujahedeen to fight in Afghanistan, asking the person who wrote the post to contact him.⁹³ The two key informants involved in the plot went by the names of Hussein and Yusuf.⁹⁴ It is unclear what motivated the informants or what happened to the informants after Khalifi’s arrest was made.

⁸⁴ FBI, “Stopping a Suicide Bomber.”

⁸⁵ U.S. v. El-Khalifi, Statement of Facts.

⁸⁶ U.S. v. El-Khalifi, Statement of Facts.

⁸⁷ See “Amine El-Khalifi sentenced to 30 years in Capitol bomb plot.” Presumably most, if not all, the people killed would be innocent civilians and not military personnel

⁸⁸ FBI, “Virginia Man Sentenced to 30 Years.”

⁸⁹ U.S. v. El-Khalifi, (E.D. Virginia), No. 1:12-CR-37, Plea Agreement, Filed June 22, 2012.

⁹⁰ U.S. v. El-Khalifi, (E.D. Virginia), Plea Agreement.

⁹¹ See “Just Sign Here: Unfair Trials Based on Confessions to the Policy in Morocco,” *Human Rights Watch*, June 21, 2013. This lengthy report includes a detailed description of the use of torture and ill treatment to obtain statements in trials of persons accused of plotting terrorism in Morocco and abroad.

⁹² FBI, “Virginia Man Sentenced to 30 Years.”

⁹³ FBI, “Virginia Man Sentenced to 30 Years.”

⁹⁴ Barakat, “Capitol Bomb Plot Suspect.”

There is a possibility that the role of the informants in this case constituted entrapment, but this classification appears unwarranted. During the sting operation, Hussein and Yusuf provided Khalifi with almost \$6,000 to cover his living expenses. Some argue that the incentives and support (financial and otherwise) provided constitute entrapment. In this sense, the undercover agents really acted as enablers, providing Khalifi material support, including promised material support (like martyrdom payments), to go through with ideas that he already had in mind. However, even Khalifi's defense lawyers conceded that they did not believe the FBI actions constituted entrapment. Nonetheless, during discussions with the judge, the defense attorneys argued that El-Khalifi might have acted differently if the undercover agents had not so completely isolated him. Every step of the way, Hussein and Yusuf urged Khalifi not to discuss the plot or his views with anyone else. It is quite possible that Khalifi would have acted differently if he were instead encouraged to "validate his beliefs with outsiders--for example, with an imam at his mosque or a family member."⁹⁵

It is important to remember, however, that Khalifi led every step of the way: he expressed interest, he chose the targets, and he chose the method of attack. Khalifi also went by himself to buy component pieces for the improvised explosive device that he later tested.⁹⁶ Additionally, at almost every meeting Khalifi had with them, Hussein and Yusuf would ask him whether there might be a more peaceful way to launch his jihad than the murder of innocent people.⁹⁷ In fact, at one point, El Khalifi became so annoyed by this line of questioning that he told both Hussein and Yusuf to "stop asking him if he wanted to do this."⁹⁸ If Khalifi had not met and trusted Hussein and Yusuf in 2011, it appears that he would have taken any opportunity to commit terrorism.

7. Connections

While Khalifi was under the impression that his handlers were members of al-Qaeda, they were both undercover law enforcement officers and not tied to al-Qaeda or any of its affiliates. After Khalifi's January 2011 meeting, in which he discussed with a group how to be "fight back" against the war on terror, FBI agents, detectives from the U.S. Capitol Police, and other investigators from the Joint Terrorism Task Force (JTTF) closely tracked him to find out if he was part of a wider network.⁹⁹ The JTTF ultimately determined that Khalifi was acting alone and that moving on him would not make the JTTF miss people in the shadows who might strike later.¹⁰⁰

⁹⁵ "Amine El-Khalifi, Man in Capitol Bomb Plot, Sentenced to 30 Years," huffingtonpost.com, September 14, 2012.

⁹⁶ Fantis, "Amine El Khalifi of Alexandria, Va., Planned Suicide Attack on Capitol, FBI Says."

⁹⁷ See Wilber, "Inside an FBI anti-terrorist sting operation." According to Wilber, in past sting operations against suspected terrorists, suspects have simply walked away from plots at this point and never been charged.

⁹⁸ Wilber, "Inside an FBI anti-terrorist sting operation."

⁹⁹ Miller, "Inside the plans of Capitol bomb suspect."

¹⁰⁰ Miller, "Inside the plans of Capitol bomb suspect."

8. Relation to the Muslim community

The case had little to no relation to the wider Muslim community. Khalifi's extremist views were allegedly self-taught and his undercover accomplices urged him not to discuss his plans or views with anyone. According to FBI reports, Khalifi was also not a regular attendee of any mosque.¹⁰¹ One of the few exceptions to this absenteeism is that he reportedly went to Dar al-Hijrah, a Northern Virginia mosque, to pray on the day of his planned attack.¹⁰² The fact that this attendance was the exception rather than the rule for him was lost on many media sources.¹⁰³ Dar al-Hijrah has gained some notoriety in the past for having had anti-American cleric Anwar Al-Awlaki serve as the mosque's imam in 2001 and having Nidal Hasan, responsible of the 2009 Fort Hood massacre, worship at the mosque for a short time during 2001.¹⁰⁴

These FBI reports are contradicted, however, by testimony of an unidentified acquaintance of Khalifi, who said that Khalifi was well known to worshippers at Dar al-Hijrah.¹⁰⁵ Khalifi allegedly stood out at the mosque because of his Mohawk haircut and tattoos, as well as a white towel that he regularly carried for "sweaty palms."¹⁰⁶ While it is unclear which narrative is true, mosque attendance and the wider Muslim community do not seem to have played a significant role in Khalifi's radicalization or the Capitol bomb plot.

9. Depiction by the authorities

After the plot came to light, there were two narratives that the authorities attempted to get across. First, they were interested in calming down the public about the immediate threat posed by Khalifi, portraying him as harmless, pointing out that both his weapon and explosive were inoperable, and saying that he "never posed a threat to the public."¹⁰⁷ Second, in a narrative that became dominant soon after the immediate aftermath of the arrest, authorities depicted Khalifi as the "real deal," a terrorist committed to killing Americans someday, somehow.¹⁰⁸ The authorities used this narrative to reinforce the notion that the U.S. remains under a "continuing threat" from so-called "homegrown terrorism."¹⁰⁹

This contention appeared extensively (understandably so) during Khalifi's subsequent trial and sentencing. Prosecutor sought to portray the "zeal" with which Khalifi went about planning to kill people and the uniqueness of Khalifi's

¹⁰¹ Horwitz et al., "Federal agents arrest Amine El Khalifi."

¹⁰² Horwitz et al., "Federal agents arrest Amine El Khalifi."

¹⁰³ See "Feds arrest man heading to US Capitol for suicide mission."

¹⁰⁴ "Falls Church Mosque Praises Would-Be Bomber's Arrest," nbcwashington.com, February 19, 2012.

¹⁰⁵ "Amine El-Khalifi sentenced to 30 years in Capitol bomb plot" and "Would-Be Capitol Suicide Bomber Amine El Khalifi Waives Right To Hearing."

¹⁰⁶ "Amine El-Khalifi sentenced to 30 years in Capitol bomb plot" and "Would-Be Capitol Suicide Bomber Amine El Khalifi Waives Right To Hearing."

¹⁰⁷ Horwitz et al., "Federal agents arrest Amine El Khalifi."

¹⁰⁸ Horwitz et al., "Federal agents arrest Amine El Khalifi."

¹⁰⁹ See Manny Fantis, "Amine El Khalifi Of Alexandria, Va., Planned Suicide Attack On Capitol, FBI Says," wusa9.com, February 18, 2012. These were the words specifically used by the Assistant Attorney General for National Security, Lisa Monaco.

target and mode of attack.¹¹⁰ Specifically, the national significance of the plot's target and Khalifi's intention to be the first suicide bomber on U.S. soil were used during Khalifi's trial in support of the harshest allowable sentencing.¹¹¹ During El Khalifi's trial, the authorities used El-Khalifi's criminal past, including his illegal drug use and his assault charge, to depict him as a troublemaker, and this depiction was used to support an effort to obtain the longest allowable sentence under Khalifi's plea agreement.¹¹²

10. Coverage by the media

While media coverage of any event, let alone a potential terrorist attack, is usually alarmist and exaggerated, the coverage of the Capitol bomb plot was rather responsible and controlled. The FBI informed media sources of the sting operation shortly after Khalifi's arrest. And on the day of the attack, it was almost immediately known that both the suicide vest and gun that Khalifi had were rendered inoperable by authorities.¹¹³

The only detail that was not entirely apparent in the early stories was how long the FBI had been following Khalifi. When the story initially broke, media sources indicated that he had only been on law enforcement's radar screen since early December 2011, which was over a year later than the reported date that law enforcement had been tipped off about his response to the terrorist-recruiting Facebook post.¹¹⁴

One of the rather irresponsible narratives in the media coverage was the unqualified revelation that Khalifi "had been praying at a mosque in the Washington area" shortly before his arrest."¹¹⁵ What this coverage failed to mention was that Khalifi's mosque attendance on the day of his proposed attack was the exception rather than the rule. According to FBI sources, Khalifi was not a regular attendee of any mosque.¹¹⁶ More importantly, Khalifi did not become radicalized from the mosque he attended that day, nor did anyone at the mosque have any idea what Khalifi had planned.¹¹⁷

¹¹⁰ Wilber, "Inside an FBI anti-terrorist sting operation."

¹¹¹ U.S. v. El-Khalifi, "Position of the United States with Respect to Sentencing." The view that Khalifi's attack would constitute the first suicide bombing on U.S. soil comes directly from this court document. See Kaplan, "Why Suicide Bombers Haven't Struck American Subways" for a more in-depth discussion of why previous attacks on U.S. soil likely do not constitute suicide bombings.

¹¹² U.S. v. El-Khalifi, "Position of the United States with Respect to Sentencing."

¹¹³ Horwitz et al., "Federal agents arrest Amine El Khalifi."

¹¹⁴ Mike Levine, "Feds arrest man allegedly heading to U.S. Capitol for suicide mission after sting investigation," foxnews.com, February 17, 2012.

¹¹⁵ See "Feds arrest man heading to US Capitol for suicide mission," "Amine El Khalifi, U.S. Capitol bomb sting, waives rights," wjla.com, February 22, 2012, Charlie Savage, "F.B.I. Arrests Man in a Suspected Terrorist Plot Near the U.S. Capitol," *The New York Times*, February 17, 2012, and Levine, "Feds arrest man allegedly heading to U.S. Capitol for suicide mission after sting investigation." None of these sources took the time to indicate that Khalifi was not a regular attendee of any mosque or that almost no one at the mosque had any clue about Khalifi's extremist leanings. Most other sources also indicate that El Khalifi had no connection to the particular mosque he visited that day beyond his one visit.

¹¹⁶ Horwitz et al., "Federal agents arrest Amine El Khalifi."

¹¹⁷ Horwitz et al., "Federal agents arrest Amine El Khalifi."

11. Policing costs

Policing costs seem to have been fairly high during the sting operation. Prosecutors indicated that the FBI had been tracking Khalifi since 2010, when he answered the Facebook post seeking to recruit Muslim holy warriors to fight in Afghanistan.¹¹⁸ Within a month of being informed of a January 2011 meeting, in which Khalifi agreed with his friends that they should be ready for battle, the FBI began to tap his phones, monitor his internet usage, and track his physical movements with teams of surveillance agents.¹¹⁹ The FBI allegedly had El-Khalifi under surveillance around the clock for several weeks.¹²⁰

In addition to the surveillance, authorities also had to pay Hussein and Yusuf. While it is not clear how much either of these undercover agents were paid, it is clear that everything provided or shown to Khalifi by the agents happened on the authorities' dime. These costs included the money provided to Khalifi to cover his living expenses, cars provided by Hussein during their initial business dealings, numerous firearms (such as an AK-47 and the inoperable Mac-10 provided for the plot), multiple cast boosters (stable explosives), and detonation sources.¹²¹

The case was in the courts for seven months even though a plea bargain was agreed to after only four months.¹²²

12. Relevance of the internet

The internet played a key role in tipping off authorities about Khalifi's religious leanings and intention to commit violence. In 2010, Khalifi answered the Facebook post seeking to recruit Muslims holy warriors to fight in Afghanistan, which the FBI later found out about.¹²³ After deciding that Khalifi might pose a real threat, the FBI monitored his internet usage, ultimately confirming that he wanted to participate in what he considered a holy war.¹²⁴

The internet also played a role in connecting the undercover agent known as Hussein to Khalifi. When FBI agents discovered that Khalifi had been looking for a car to buy on the internet, and that he was interested in buying a Toyota Prius, Hussein posted an online advertisement that he was selling one.¹²⁵ Khalifi subsequently contacted Hussein over the internet and set up a time to meet in person.¹²⁶

Like many of the terrorists arrested since 9/11 on U.S. soil, Khalifi was also radicalized online and used the internet to learn how build bombs.¹²⁷

¹¹⁸ "Amine El-Khalifi sentenced to 30 years in Capitol bomb plot."

¹¹⁹ Wilber, "Inside an FBI anti-terrorist sting operation."

¹²⁰ Pickler et al, "Amine El Khalifi Arrested: Capitol Suicide Bombing Attempt Halted."

¹²¹ U.S. v. El-Khalifi, Statement of Facts.

¹²² FBI, "Virginia Man Sentenced to 30 Years."

¹²³ "Amine El-Khalifi sentenced to 30 years in Capitol bomb plot."

¹²⁴ Wilber, "Inside an FBI anti-terrorist sting operation."

¹²⁵ Wilber, "Inside an FBI anti-terrorist sting operation."

¹²⁶ Wilber, "Inside an FBI anti-terrorist sting operation."

¹²⁷ Levine, "Feds arrest man allegedly heading to U.S. Capitol for suicide mission after sting investigation."

Ironically, Khalifi did not use this newfound knowledge from the internet to build the “bomb” for the Capitol plot. If he had, the explosives that were in his vest on the day of the attack might not have been inert. The online aspect of Khalifi’s radicalization is not uncommon. Al-Qaeda has become quite adept at identifying a small group of clerics whose messages of radicalization resonate better than those of the actual al-Qaeda leaders.¹²⁸ The most prominent of these clerics is the American-born Anwar al-Awlaki, who was quite prolific in his posting of videos on YouTube. While some of his messages were rather harmless, discussing mundane topics like health, diet and exercise, most of his material focused on his view of Jihad and the obligation that all young men had to fight against the United States.¹²⁹

13. Are we safer?

While public safety has certainly been improved by the arrest of a man hell-bent on killing a substantial number of people on U.S. soil, it is also important to recognize that, according to some listings, Khalifi’s attempted attack marks the 45th known attempted terrorist attack on U.S. soil since 9/11 and the sixth attempted terrorist attack targeting the District of Columbia.¹³⁰ Though the FBI caught Khalifi early on—and was thus able to render him harmless—it is quite disconcerting to think about how many people like Amine Khalifi are out there that the FBI does not know about.

14. Conclusions

The Capitol Bomb plot stands out from other cases of so-called “homegrown terrorism” in that Khalifi chose such a high-profile target and because he planned on killing himself as part of the operation, which would have made him the first suicide bomber in the United States. Despite this, however, Khalifi wanted to die in relative obscurity. For example, he told Hussein and Yusuf that he had chosen not to make a martyrdom video because he did not want people to know who conducted the attack on the Capitol building. Also, when Hussein informed Khalifi that Ayman al-Zawahiri planned to release a statement about Khalifi’s attack after it was completed, Khalifi’s response was that he wished to “be referred to in the statement only as ‘al maghrabi’ (meaning the Moroccan).”¹³¹

Khalifi made two critical mistakes in handling the plot which led to his ultimate arrest. First, he was too open about his desire to commit an act of terrorism, openly bragging about the fact that he intended to retaliate against what he called America’s “war on Muslims.” Second, he never tried to verify the identities of his “al-Qaeda operative” assistants. At the very least, he could have tried to be put in contact with higher al-Qaeda authorities or to trace Hussein and Yusuf’s backgrounds. He told Hussein and Yusuf everything he planned and

¹²⁸ Miller, “Inside the plans of Capitol bomb suspect.”

¹²⁹ Miller, “Inside the plans of Capitol bomb suspect.”

¹³⁰ Jessica Zuckerman, “Forty-fifth Attempted Terrorist Plot: U.S. Must Resist Complacency,” heritage.org, February 17, 2012.

¹³¹ U.S. v. El-Khalifi, Statement of Facts.

allowed them to take control of crucial parts of his plot like making the bomb and supplying his gun. Perhaps he could at least have tested the gun supplied to him or tried to help with the crafting of the bomb.

The sting operation against Khalifi exemplified successful interagency cooperation. There appears to have been a very high level of communication between the FBI and the Capitol Police, with substantial interagency intelligence sharing long before Khalifi was arrested.¹³² When Khalifi finally arrived in the parking garage on February 17, 2012, swarms of FBI agents and Capitol police were there to meet him.

One of the most befuddling aspects of the case is how Khalifi's immigration status remained unknown for so long. He was able to hold several jobs, be guilty of assault and receive a jail sentence, and be taken to court for an eviction by his landlord without anyone checking the legality of his presence in the United States. While being in the United States illegally is obviously not Khalifi's most heinous crime, catching him sooner and deporting him back to Morocco would have saved the FBI and the Capitol Police a great deal of resources. It is possible that authorities did indeed check Khalifi's immigration status—particularly after first being tipped off about his Facebook post in 2010 and/or his January 2011 meeting—but decided to wait and see what, if any, connection he might have had to other potential terrorists in the United States and abroad. It is also possible that authorities deemed him too dangerous to remain free, even abroad, and sought to find a reason to incarcerate him out of an abundance of caution.

¹³² Zuckerman, "Forty-Fifth Attempted Terrorist Plot."