



Approved: _____
 ERIC B. BRUCE
 Assistant United States Attorney
 GEORGE Z. TOSCAS
 Trial Attorney, Department of Justice

Before: HONORABLE FRANK MAAS
 United States Magistrate Judge
 Southern District of New York

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 UNITED STATES OF AMERICA, : SEALED
 : COMPLAINT
 - v - : Violation of
 : 18 U.S.C. § 371
 OUSSAMA KASSIR, :
 a/k/a "Abu Abdullah," : COUNTY OF OFFENSE:
 a/k/a "Abu Khadija," : NEW YORK
 Defendant. :
 -----x

SOUTHERN DISTRICT OF NEW YORK, ss.:

MICHAEL S. BUTSCH, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation ("FBI"), and charges as follows:

COUNT ONE

1. From at least in or about October 1999, up to and including in or about early 2000, in the Southern District of New York and elsewhere, OUSSAMA KASSIR, a/k/a "Abu Abdullah," a/k/a "Abu Khadija," the defendant, and others known and unknown, unlawfully and knowingly combined, conspired, confederated and agreed together and with each other to provide material support and resources, as those terms are defined in Title 18, United States Code, Section 2339A, knowing and intending that they were to be used in preparation for, and in carrying out, a violation of Title 18, United States Code, Section 956, to wit, the federal statute which prohibits conspiracies to kill, kidnap, and maim persons and to damage property in a foreign country, and in preparation for, and in carrying out, the concealment and an escape from the commission of such violation.

(Title 18, United States Code, Section 371.)



2. I am a Special Agent with the FBI, assigned to the FBI/NYPD Joint Terrorist Task Force (the "JTTF"). I have been personally involved in the investigation of this matter. This affidavit is based upon my conversations with other law enforcement officers and other individuals, and upon my examination of various reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause for the offense cited above, it does not include all the facts that I have learned during the course of the investigation. Where the contents of conversations with others and statements by others are reported herein, they are reported in substance and in part, except where otherwise indicated.

3. A cooperating witness ("CW-1") has provided information regarding a co-conspirator not named as a defendant herein ("CC-1") and the defendant, OUSSAMA KASSIR.¹ Specifically, CW-1 has stated, in substance and in part, the following information regarding CC-1 and KASSIR:

a. That CW-1 was a devout follower of CC-1 and his religious teachings;

b. That CC-1 taught CW-1 and his other followers what it meant to engage in "jihad." According to CC-1, the term "jihad" meant defending Islam against its enemies through violence and armed aggression, including killing the enemies of Islam, if necessary, in order to expel non-believers from holy Muslim lands;

c. That CC-1 taught CW-1 and his other followers that engaging in jihad training and jihad was an obligation of all Muslims;

d. That CW-1 proposed to CC-1 that a jihad training camp be established on a parcel of property located in Bly, Oregon;

¹ CW-1 has pled guilty to one count of conspiring to violate the International Emergency Economic Powers Act (IEEPA), in violation of Title 31, Code of Federal Regulations, Sections 545.204 and 545.206(b) and Title 50, United States Code, Section 1705(b). During his period of cooperation, CW-1 has assisted the Government in the investigation of others, including CC-1 and KASSIR. In many instances, information provided by CW-1 has been corroborated by documentary evidence and/or information provided by other witnesses.



e. That CW-1 and a number of his associates traveled to the property in Bly, Oregon and, during their visit, shot various types of weapons, including a replica of a Russian-made AK-47;

f. That CW-1 had numerous telephone conversations with CC-1 regarding the proposed Bly training camp, and faxed a written proposal to CC-1 regarding the Bly training camp. During these communications, CW-1 emphasized to CC-1 that the training camp would include military-style jihad training because he (CW-1) knew that would interest CC-1. During these communications in late 1999, CW-1 also requested that CC-1 send two individuals to the United States in order to assist him in establishing and funding the creation of the jihad training camp;

g. That, in response to CW-1's request, CC-1 sent two men to the United States in connection with the Bly training camp project, namely, the defendant, OUSSAMA KASSIR, and another co-conspirator not named as a defendant herein ("CC-2");²

h. That, to the best of CW-1's knowledge, KASSIR and CC-2 followed the travel advice that he (CW-1) had previously given to CC-1 and arrived in the United States in New York, New York, and then took a Greyhound bus to Seattle;³

i. That, while in Seattle and Bly, KASSIR and CW-1 had numerous discussions about establishing a jihad training camp in Bly, Oregon;

j. That KASSIR and CW-1 traveled together from Seattle to Bly and inspected the property designated for the jihad training camp;

² It is believed that CC-2 was killed during the armed conflict in Afghanistan.

³ I have reviewed documents from the Bureau of Immigration and Customs Enforcement ("BICE") which prove that the defendant, OUSSAMA KASSIR, and CC-2 arrived in New York, New York at J.F.K. International Airport on November 26, 1999 on an Air India flight. In order to arrive at J.F.K. airport, it was necessary for KASSIR and CC-2 to travel over waters contiguous to the Southern District of New York.



k. That KASSIR complained to CW-1 and others that there were only a few men available to train in Seattle, and that he (KASSIR) was not going to waste his time with such a small number of men;

l. That KASSIR told CW-1, among other things, that he had trained and fought jihad in Afghanistan; and

m. That CW-1's idea for the Bly jihad training camp was that it would be a place that Muslims could attend to receive various types of training, including military-style jihad training, in preparation for a community of Muslims to move to Afghanistan. Once in Afghanistan, the men in the community would have gained enough familiarity with weapons at the Bly training camp to fight jihad in Afghanistan, if they chose to do so, or to continue with additional jihad training in Afghanistan, if they chose to do so.

4. A second witness ("Witness-2") has also provided information regarding the defendant, OUSSAMA KASSIR. Specifically, Witness-2 has stated, in substance and in part, the following information regarding KASSIR:

a. That Witness-2 saw CW-1 and KASSIR at the Bly property in approximately December 1999;

b. That Witness-2 heard KASSIR say that he was a hit man for CC-1 and for a sheikh in Afghanistan, and that he had undertaken jihad training in Afghanistan, Kashmir, and Lebanon;

c. That Witness-2 heard KASSIR complain to CW-1 that the fax CW-1 had sent to CC-1 promised a supply of weapons, barracks, housing for visitors, and other items that were lacking at the Bly property;

d. That KASSIR remained at the Bly property for approximately two months, and then traveled back to Seattle; and

e. That, years later, KASSIR called Witness-2 to inquire about the status of a criminal case against another co-conspirator. KASSIR told Witness-2 that he (KASSIR) was aware that the co-conspirator had been interviewed by counterterrorism agents, and that he (KASSIR) was considering visiting Seattle to find out more about the situation.



5. A third witness ("Witness-3") has also provided information regarding the defendant, OUSSAMA KASSIR. Specifically, Witness-3 has stated, in substance and in part, the following information regarding KASSIR:

a. That Witness-3 also saw CW-1 and KASSIR at the Bly property;

b. That KASSIR instituted perimeter patrols and passwords while he was present at the Bly property; and

c. That Witness-3 saw KASSIR in possession of at least one compact disc about improvising poisons.

6. I have also reviewed copies of two faxes sent by CW-1 to CC-1 in connection with the conspiracy to create a jihad training camp in Bly, Oregon. CW-1 has confirmed to me that the documents in my possession are true and accurate copies of the faxes he sent to CC-1. The first fax sent by CW-1 to CC-1 contains, in part, the following statements:

a. The top of the first fax contained an example of language that could be included in a brochure to advertise the jihad training camp and recruit attendees, and stated that the camp would offer "training" to include, among other things, "Archery, Combat and Martial Arts, [and] Rifle and Handgun Handling;"

b. The first fax also contained a direct appeal to CC-1 to come to the United States and become the leader of the jihad training camp, promising a secure environment from which "kafirs" (i.e., non-believers) would not be able to remove CC-1 "without a serious armed fight;"

c. The first fax also stated that the property in Bly was located in a "pro-militia and fire-arms state" that "looks just like Afghanistan," and that CW-1's group was "stock-piling weapons and ammunition;"

d. CW-1 further stated in the first fax that "[w]e can build a big following and practice our deen to the fullest even taking some of the external pressure off the backs of our brothers abroad;" and

e. In the first fax, CW-1 also stated that "[w]e are expecting the two brothers that we discussed to come in November" and further states that "We would hope that they can help us in raising money and preparing a program for Muslims that is consistent with our ultimate aim and objective or number one duty



today in Islam on these lands."

WHEREFORE, deponent prays that the defendant, OUSSAMA KASSIR, a/k/a "Abu Abdullah," a/k/a "Abu Khadija," be arrested and imprisoned or bailed as the case may be.

MICHAEL S. BUTSCH
Special Agent
Federal Bureau of Investigation

Sworn to before me this
5th day of May, 2004

HON. FRANK MAAS
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK