

**U.S. Attorney's Office November
14, 2011**

**Southern District of Texas (713)
567-9000**

HOUSTON—Barry Walter Bujol Jr., a 30-year-old Hempstead, Texas, resident and former student at Prairie View A&M University, has been convicted for attempting to provide material support to al Qaeda in the Arabian Peninsula (AQAP), a designated foreign terrorist organization, Kenneth Magidson, U.S. Attorney for the Southern District of Texas, announced today, along with Lisa Monaco, Assistant Attorney General for National Security. The verdict was returned today in Houston federal court by U.S. District Judge David Hittner.

“The prosecution of this case and its result should serve as a deterrent and sends a clear message to anyone contemplating the illegal support of terrorist organizations,” said Magidson. “This office will continue to vigorously pursue all cases involving those who attempt to engage in similar illegal activities.”

Bujol requested a bench trial before Judge Hittner which lasted nearly four days, during which he acted as his own attorney. The United States presented a total of 325 trial exhibits and 12 witnesses. During the trial, Bujol did not testify on his own behalf nor did he present any witnesses. Closing arguments were completed on Thursday, Nov. 10, at which time the court requested the weekend to consider all the evidence. This afternoon, Judge Hittner presented his ruling, finding Bujol guilty on both counts with which he was charged—attempt to provide material support or resources to a designated foreign terrorist organization as well as aggravated identity theft.

The charges against Bujol resulted from a long-term investigation conducted by the FBI's Joint Terrorism Task Force. The investigation, which began in 2009, involved a confidential human source (CHS) who purported to be an AQAP recruiter interested in helping Bujol pursue his goal of conducting “violent jihad.” Bujol was arrested on May 30, 2010, after boarding a ship docked at the Port of Houston, which Bujol believed was bound for Algeria where he would stay at an al Qaeda safe house before continuing on to Yemen. Bujol intended to stow away to join AQAP and to deliver items the CHS gave him to AQAP. AQAP was designated a foreign terrorist organization as the term is used in Title 18, United States Code, Section 2339B(g)(6) and Section 219 of the Immigration and Nationality Act by the United States Secretary of State on Jan. 19, 2010.

Evidence at trial revealed that Bujol had been in contact with Anwar Al-Aulaqi, a now-deceased Yemeni-American AQAP associate and a proponent of violent jihad against the United States. Bujol had asked Al-Aulaqi for advice on raising money for the “mujahideen” without attracting police attention and on his duty as a Muslim to make “violent jihad.” Al-Aulaqi replied to Bujol's e-mails by sending Bujol a document entitled “42 Ways of Supporting Jihad,” which asserted that “jihad’ is the greatest deed in Islam...[and] obligatory on every Muslim.” Court records indicated that the “jihad” Al-

Aulaqi advocated involved violence and killing. The document implored Muslims, among other things, to conduct firearms training, improve their physical fitness for guerrilla warfare and to make “violent jihad.”

In 2009, Bujol made three attempts to depart the United States for the Middle East, but law enforcement, believing these were Bujol’s efforts to make “violent jihad,” thwarted him each time he tried to leave. Concerned about Bujol’s violent intentions and to further the investigation, agents arranged for a CHS to meet Bujol. Bujol eventually told the CHS he desired to fight with the “mujahideen.” The CHS, who testified at trial, told Bujol that he recruited people for AQAP and could help him. Each time the CHS told him he would be joining AQAP, Bujol replied by saying “God willing” in Arabic.

Records indicated that to prove his worth to the CHS and AQAP, Bujol performed numerous purported “training exercises” often involving surveillance detection and covert means of communication. Moreover, Bujol began to e-mail the CHS military manuals and articles on military unmanned aerial vehicles (UAV) that he had found on the Internet, explaining to the CHS how the information could be helpful to AQAP. In a running conversation about UAVs, Bujol repeatedly told the CHS, often using metaphorical language, that AQAP should attack the human beings essential to operate the UAVs instead of attacking the UAVs themselves. Bujol suggested multiple targets, including one in the Southern District of Texas.

On May 30, 2010, the CHS contacted Bujol with a code word they previously agreed would signal the beginning of Bujol’s travel to the Middle East to join AQAP. They drove together to the Port of Houston where the CHS told Bujol he would stow-away on a ship bound for Algeria. After a short stay in Algeria for training, the CHS told Bujol he would travel to Yemen to fight for AQAP. The CHS gave Bujol various items to carry to AQAP’s purported operative in Algeria, which included two public access restricted military manuals, global position system receivers, pre-paid international calling cards, SIM cards and approximately 2,000 in Euros, among other items. Bujol secured these items in his baggage and quickly boarded the ship. Minutes after stowing away in a room on board the ship, agents took him into custody without incident.

Simultaneously, agents executed a search warrant on his apartment and his laptop computer. On the computer, agents found a home-made video montage of still photographs, including images of Osama bin Laden, Najibullah Zazi and multiple armed “mujahideen” fighters, which Bujol narrated. On the video, which was offered into evidence at trial, he addressed his words to his wife, explaining that he had left her suddenly and without forewarning to pursue “jihad.” Bujol told her he would likely not see her until the afterlife.

The aggravated identity theft charge, of which he was also convicted, stemmed from a false transportation worker identity card (purporting to be a card issued by the Transportation Security Administration) that Bujol possessed to access the Port of Houston. Bujol supplied the CHS with a passport photo and a false name and the CHS

used these materials to acquire the false card for use in the sting operation. On the night of the operation, Bujol used the false card to gain access to the port.

Bujol has been in federal custody since his May 30, 2010, arrest and will remain in custody pending his sentencing, at which time he faces a maximum of 15 years in federal prison for the terrorism charge and an additional five years for the aggravated identity theft conviction as well as a \$250,000 fine.

This multi-agency investigation was conducted by the U.S. Attorney's Office; the Department of Justice's Counterterrorism Section; and the FBI's Joint Terrorism Task Force in Bryan, Texas—comprised of the Brazos County Sheriff's Office, the Texas A&M University Police Department, the Bryan Police Department, the U.S. States Secret Service, the Waller County Sheriff's Office, and the College Station Police Department. Other investigating agencies were the Houston FBI Joint Terrorism Task Force, the Prairie View A&M University Department of Public Safety, the New Jersey State Police, the Coast Guard Investigative Service, Immigration and Customs Enforcement - Homeland Security Investigations, Houston Police Department, and the Canada Border Services Agency.

The case was prosecuted by Assistant U.S. Attorneys Mark McIntyre and Craig Feazel, as well as Garrett Heenan, Trial Attorney from the Counterterrorism Section of the Justice Department's National Security Division, and former Assistant U.S. Attorney Mark W. White III.