

## **Acting Manhattan U.S. Attorney Announces The Court's Unsealing Of Charges Against Three Men Arrested For Participating In International Plot To Carry Out Terrorist Attacks In New York City For Isis In The Summer Of 2016**

*The Planned Attacks, Thwarted by Law Enforcement, Included the Detonation of Explosive Devices in Times Square and the New York City Subway System*

U.S. Attorney's Office, Southern District of New York, Friday, October 6, 2017

<https://www.justice.gov/usao-sdny/pr/acting-manhattan-us-attorney-announces-court-s-unsealing-charges-against-three-men>

Joon H. Kim, the Acting United States Attorney for the Southern District of New York, Dana J. Boente, the Acting Assistant Attorney General for National Security, William F. Sweeney Jr., the Assistant Director-in-Charge of the New York Field Office of the Federal Bureau of Investigation ("FBI"), Danny Kennedy, the Acting Assistant Director-in-Charge of the Los Angeles Field Office of the FBI, Calvin A. Shivers, Special Agent-in-Charge of the Denver Field Office of the FBI, and James P. O'Neill, the Commissioner of the Police Department for the City of New York ("NYPD"), announced the Court's unsealing of federal terrorism charges against three men alleged to have plotted attacks on New York City during the summer of 2016 in support of the Islamic State of Iraq and al-Sham ("ISIS"), which were thwarted by law enforcement. All three men have been arrested, and one has pled guilty.

The defendants are: ABDULRAHMAN EL BAHNASAWY, a 19-year-old Canadian citizen; TALHA HAROON, a 19-year-old U.S. citizen residing in Pakistan; and RUSSELL SALIC, a 37-year-old Philippine citizen. Communicating through Internet messaging applications, these three men allegedly plotted to conduct bombings and shootings in heavily populated areas of New York City during the Islamic holy month of Ramadhan in 2016, all in the name of ISIS (the "NYC Attacks"). EL BAHNASAWY purchased bomb-making materials and helped secure a cabin within driving distance of New York City to use for building the explosive devices and staging the NYC Attacks. HAROON allegedly made plans to travel from Pakistan to New York City to join EL BAHNASAWY in carrying out the attacks, and traveled within Pakistan to meet with explosives experts in furtherance of the plot. And as EL BAHNASAWY and HAROON prepared to execute the NYC Attacks, SALIC allegedly wired money from the Philippines to the United States to help fund the terrorist operation.

The planned attacks included detonating bombs in Times Square and the New York City subway system, and shooting civilians at specific concert venues.

Law enforcement – the FBI and the NYPD – successfully thwarted this terrorist plot. An undercover FBI agent (the "UC") convinced the defendants that the UC was an ISIS supporter prepared to carry out the attacks with them.

EL BAHNASAWY, who has been in custody since he was arrested by the FBI in May 2016, pled guilty to terrorism offenses and is awaiting sentencing.

HAROON and SALIC have been arrested in foreign countries by foreign authorities in connection with these charges and it is the hope and expectation of this Office and U.S. law enforcement that they will be extradited to the United States to face justice in a United States court.

On May 21, 2016, EL BAHNASAWY was arrested in New Jersey, after traveling to the United States from Canada in preparation for carrying out the NYC Attacks. HAROON was arrested in Pakistan in or about September 2016, and SALIC was arrested in the Philippines in or about April 2017. EL BAHNASAWY pled guilty on October 13, 2016, to a seven-count Superseding Information before U.S. District Judge Richard M. Berman. Today, the Court unsealed the Superseding Information and EL BAHNASAWY's guilty plea, as well as the Complaint and Indictment previously filed against EL BAHNASAWY.[1] The Court also unsealed today the five-count Complaint charging TALHA HAROON (the "Haroon Complaint"),

and the seven-count Complaint charging RUSSELL SALIC (the “Salic Complaint”), based on their alleged participation with EL BAHNASAWY in the plot to carry out the NYC Attacks.

According to the allegations in the Haroon Complaint and the Salic Complaint[2]; the Complaint, Indictment, and Superseding Information filed against EL BAHNASAWY; and the transcript of EL BAHNASAWY’s guilty plea[3]:

In the spring of 2016, EL BAHNASAWY and HAROON were plotting to carry out terrorist attacks in New York City in support of ISIS during the Islamic holy month of Ramadhan (which ran from approximately June 5 to July 5 in 2016). In the course of their preparations, EL BAHNASAWY and HAROON communicated, via electronic messaging applications accessible on cellphones, with a certain individual posing as an ISIS supporter who was, unbeknownst to them, the UC.

EL BAHNASAWY and HAROON declared their allegiance to ISIS in electronic communications with the UC, and expressed their intention of carrying out Paris- and Brussels-like terrorist attacks on behalf of ISIS in New York City. EL BAHNASAWY explained to the UC that he was in contact with an ISIS affiliate about obtaining official sanction of the planned attacks by the Khorasan Province, a branch of ISIS active in Pakistan. HAROON, who was based in Pakistan and was introduced to the UC by EL BAHNASAWY, informed the UC that he was in contact with ISIS associates within the Khorasan Province, and that “khurasan dawla [ISIS] has o[u]r back.” EL BAHNASAWY stated to the UC that “[t]hese Americans need an attack,” that he aspired to “create the next 9/11,” and that he planned to “com[e] to new York at around may 22” from Canada. HAROON stated that he intended to fly from Pakistan to New York City to carry out the NYC Attacks with EL BAHNASAWY, and hoped to “cause great destruction to the filthy kuffars[4] by our hands.”[5]

EL BAHNASAWY and HAROON identified multiple locations and events in and around New York City as targets of the planned attacks, including the New York City subway system, Times Square, and certain concert venues. For example, on May 1, 2016, EL BAHNASAWY sent the UC multiple images of maps of the New York City subway system containing markings that depicted plans for attacking the subway system, including by identifying the subway lines in which explosives would be detonated as part of the NYC Attacks. On May 12, 2016, EL BAHNASAWY sent the UC an image of Times Square and stated: “[W]e seriously need a car bomb at times square. . . Look at these crowds of people!” That same day, EL BAHNASAWY also expressed his desire to “shoot up concerts cuz they kill a lot of people.” EL BAHNASAWY described the plan to attack concerts as follows: “[W]e just walk in with guns in our hands. That’s how the Paris guys did it.”

On May 5, 2016, HAROON expressed to the UC that the subway was a “perfect” target, that they should shoot as many passengers on the train as possible, including “women or kids,” and that “when we run out of bullets we let the vests go off.” That same day, HAROON discussed with the UC the necessary supplies for making explosive devices for use in the NYC Attacks. On May 9, 2016, HAROON stated to the UC: “NY Needs to fall. It’s a must.”

During May 2016, EL BAHNASAWY, while in Canada, purchased an array of bomb-making materials for use in the NYC Attacks, including approximately 40 pounds of hydrogen peroxide (the “Hydrogen Peroxide”) – which is a primary ingredient in TATP (triacetone triperoxide), a powerful explosive commonly used in improvised explosive devices. EL BAHNASAWY also purchased, among other things, batteries, Christmas lights, thermometers, and aluminum foil for use in constructing explosive devices to carry out the NYC Attacks.

Meanwhile, in Pakistan, based on HAROON’s communications with the UC, HAROON traveled to a certain city to meet with an explosives expert for the purpose of obtaining additional information to be used in building bombs for the planned NYC Attacks. HAROON advised that they would need “perming cords” (i.e., detonator cords) for constructing the improvised explosive devices, and conveyed his expectation that EL BAHNASAWY was acquiring “all that’s needed.” HAROON repeatedly expressed his commitment to travel to New York City as soon as feasible to carry out the planned attacks in support of

ISIS, and described the steps that he had taken to renew the necessary travel documents to enable him to exit Pakistan and travel to the United States for the purpose of carrying out the NYC Attacks.

In early May 2016, EL BAHNASAWY informed the UC that EL BAHNASAWY had been communicating with SALIC – who was known to EL BAHNASAWY as “Abu Khalid” and “the doctor” – about providing additional funding for the NYC Attacks. EL BAHNASAWY further informed the UC that SALIC was a trusted ISIS supporter who had provided funding in support of ISIS on prior occasions. EL BAHNASAWY advised that SALIC would send approximately \$500 to help fund the NYC Attacks, and that the money sent by SALIC would be used to acquire additional ammunition and bomb-making materials for carrying out the attacks. EL BAHNASAWY informed the UC that he had sent the UC’s account information to SALIC so that SALIC could transfer money to the United States in support of the NYC Attacks, and EL BAHNASAWY provided the UC with SALIC’s contact information on an electronic messaging application, to enable SALIC to execute the planned money transfer.

Shortly thereafter, SALIC, using the alias “Abu Khalid,” began messaging with the UC. SALIC informed the UC that he had been in contact with EL BAHNASAWY, and that SALIC was prepared to transfer money to the United States to help fund the NYC Attacks. SALIC, who allegedly maintained an active pro-ISIS social media presence, also conveyed that he had previously sent money to multiple other countries in support of ISIS, and expressed his allegiance to ISIS. For example, on May 9, 2016, SALIC informed the UC that he was “desperate” to travel to Syria to join ISIS. SALIC also expressed his belief that he could safely send money to support the NYC Attacks from the Philippines, where he claimed to be at the time, without attracting law enforcement scrutiny, stating: “[I]t’s not strict here. Unlik[e] in Aus [Australia] or Uk [the United Kingdom] even liking FB [Facebook] status will put[] u in jail . . . Terrorists from all over the world usually come here as a breeding ground for terrorists . . . hahahaha . . . But no worry here in Philippines. They dont care bout IS [ISIS]..lol[.] Only in west.”

On May 11, 2016, SALIC sent approximately \$423 from the Philippines to the UC to help fund the planned NYC Attacks. SALIC also informed the UC that he intended to continue sending additional money in support of ISIS in the future, stating: “In Sha Allah once we have the blessings again we will distribute again.”

As described above, EL BAHNASAWY acquired an array of bomb-making materials for use in carrying out the NYC Attacks. In mid-May 2016, EL BAHNASAWY shipped those bomb-making materials, including the Hydrogen Peroxide, to the UC in the United States. EL BAHNASAWY planned to build the explosive devices and prepare for the NYC Attacks with HAROON and the UC at a rural cabin within driving distance of New York City. EL BAHNASAWY helped to secure such a cabin for a period beginning in late May 2016, when he planned to arrive in the New York City area. EL BAHNASAWY informed the UC that the cabin would need to contain a refrigerator for purposes of making the explosives, and that EL BAHNASAWY wanted to “practise shooting” at the cabin site if it was not “too close to people.”

On May 12, 2016, when the UC sent SALIC a photograph of the Hydrogen Peroxide that EL BAHNASAWY had purchased for use in the NYC Attacks, SALIC reiterated his support for the planned attacks, and SALIC also conveyed that if he was unable to travel to Syria to join ISIS, he might carry out an attack himself. During subsequent communications with the UC, SALIC described New York City as “the capital of Kufr [Kuffar],” and stated that “[i]t would be a great pleasure if we can slaughter” people in New York City. SALIC further conveyed to the UC that he would be praying to Allah for the success of the operation when the planned attacks were imminent.

On May 20, 2016, HAROON conveyed to the UC that Times Square was “a perfect spot to hit them,” and suggested that the plan could include “[d]rive by or we surround the whole street and trap them and kill as many as possible.” In the course of his communications with the UC, HAROON also stated: “I wanna kill . . . them in thousands”; and “we have to make a ocean out of their blood[.] Leave no one standing.” HAROON reiterated his intention of traveling to New York City, and discussed attempting to execute the attacks as soon as Memorial Day (i.e., May 30, 2016), stating that “that’s a day that will change history” and that the attacks “will scar them for life knowing the soldiers of Allah are everywhere and ready.”

On May 21, 2016, EL BAHNASAWY traveled from Canada to the New York City area, in preparation for staging and ultimately carrying out the NYC Attacks with HAROON. In coordination with Canadian law enforcement, U.S. law enforcement closely monitored EL BAHNASAWY's travel to the United States on May 21, 2016, and EL BAHNASAWY was arrested by the FBI that night in Cranford, New Jersey. HAROON was subsequently arrested in Pakistan based on the charges in the Haroon Complaint, and SALIC was subsequently arrested in the Philippines based on the charges in the Salic Complaint.

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The chart below reflects: (i) the charges in the Superseding Information to which EL BAHNASAWY, 19, of Mississauga, Canada, pled guilty; (ii) the charges in the Haroon Complaint filed against HAROON, 19, a U.S. citizen residing in Pakistan; and (iii) the charges in the Salic Complaint filed against SALIC, 37, of the Philippines.

<b>CHARGE</b>	<b>STATUTE</b>	<b>DEFENDANTS CHARGED (COUNT)</b>	<b>MAXIMUM PENALTY</b>
Conspiracy to use weapons of mass destruction	18 U.S.C. § 2332a	EL BAHNASAWY (1) HAROON (1) SALIC (1)	Life in prison
Conspiracy to commit acts of terrorism transcending national boundaries	18 U.S.C. § 2332b	EL BAHNASAWY (2) HAROON (2) SALIC (2)	Life in prison
Conspiracy to bomb a place of public use and public transportation system	18 U.S.C. § 2332f	EL BAHNASAWY (3) HAROON (3) SALIC (3)	Life in prison
Conspiracy to provide material support and resources to terrorists	18 U.S.C. § 2339A	EL BAHNASAWY (4) HAROON (4) SALIC (4)	15 years in prison
Attempted provision and provision of material support and resources to terrorists	18 U.S.C. § 2339A	EL BAHNASAWY (5) SALIC (5)	15 years in prison
Conspiracy to provide material support and resources to a designated foreign terrorist organization, i.e., ISIS	18 U.S.C. § 2339B	EL BAHNASAWY (6) HAROON (5) SALIC (6)	20 years in prison
Attempted provision and provision of material support and resources to a designated foreign terrorist organization, i.e., ISIS	18 U.S.C. § 2339B	EL BAHNASAWY (7) SALIC (7)	20 years in prison

The maximum potential sentences in this case are prescribed by Congress and are provided here for informational purposes only, as any sentencing of the defendants will be determined by a judge.

As noted above, EL BAHNASAWY was arrested in New Jersey on May 21, 2016, and has remained in custody since that date. On October 13, 2016, EL BAHNASAWY pled guilty to the seven-count Superseding Information. EL BAHNASAWY is scheduled to be sentenced on December 12, 2017. HAROON was arrested in September 2016 in Pakistan in connection with the charges in the Haroon Complaint, and proceedings for his extradition to the United States are currently pending in Pakistan. SALIC was arrested in April 2017 in the Philippines in connection with the charges in the Salic Complaint, and proceedings for his extradition to the United States are currently pending in the Philippines.

Mr. Kim praised the outstanding efforts of the FBI's New York Joint Terrorism Task Force, which principally consists of agents from the FBI and detectives from the NYPD, and the FBI's Los Angeles and Denver Field Offices. Mr. Kim also thanked the Royal Canadian Mounted Police, the FBI's Cleveland Field Office, the FBI's Legal Attaché Offices in Canada, Pakistan, and the Philippines, the New York State Police, the Department of Justice's Office of International Affairs, the Counterterrorism Section of the Department of Justice's National Security Division, and the U.S. Attorney's Office for the Central District of California for their assistance.

This prosecution is being handled by the Office's Terrorism and International Narcotics Unit. Assistant U.S. Attorneys George D. Turner and Negar Tekeei are in charge of the prosecution, with assistance from Trial Attorneys Joshua Champagne and Larry Schneider of the Counterterrorism Section.

The charges contained in the Haroon Complaint and the Salic Complaint are merely accusations, and HAROON and SALIC are presumed innocent unless and until proven guilty.

[1] Certain portions of the transcript of EL BAHNASAWY's guilty plea remain sealed pursuant to judicial order. Those portions have been redacted from the version of the transcript unsealed today.

[2] As the introductory phrase signifies, the entirety of the texts of the Haroon Complaint and the Salic Complaint, and the descriptions of the allegations against HAROON and SALIC in those charging documents set forth herein, constitute only allegations, and should be treated as allegations. EL BAHNASAWY has pled guilty, so as to him, the descriptions are not merely allegations.

[3] The Complaint, Indictment, and Superseding Information filed against EL BAHNASAWY refer to HAROON as "CC-1" and to SALIC as "CC-2." The Haroon Complaint refers to EL BAHNASAWY as "CC-1" and to SALIC as "CC-2." The Salic Complaint refers to EL BAHNASAWY as "CC-1" and to HAROON as "CC-2."

[4] "Kuffar" generally means "disbelievers."

[5] Unless otherwise indicated, the communications quoted herein have not been altered to correct for grammatical, spelling, or other errors that exist in the original communications.