

Department of Justice Press Release

**For Immediate Release**

January 19, 2011

**United States Attorney's Office**

**Eastern District of New York**

**Contact: (718) 254-7000**

*Alleged Terrorist Charged with Conspiracy to Kill Americans in Iraq  
Defendant Charged with Being Member of Network Responsible for the Deaths of Five  
American Soldiers*

Faruq Khalil Muhammad 'Isa, also known as "Faruk Khalil Muhammad 'Isa," "Sayfildin Tahir Sharif," and "Tahir Sharif Sayfildin," was arrested in Canada today pursuant to a U.S. provisional arrest warrant, based on a complaint in the United States charging him with conspiring to kill Americans abroad and with providing material support to that terrorist conspiracy to kill Americans abroad. The United States government will seek the defendant's extradition to face the charges.

The charges were announced by Loretta E. Lynch, United States Attorney for the Eastern District of New York; David Kris, Assistant Attorney General for National Security; and Janice K. Fedarcyk, Assistant Director-in-Charge of the New York Field Office of the Federal Bureau of Investigation. The government's investigation is being conducted by the FBI New York Joint Terrorism Task Force, with assistance provided by the Department of Defense, the Royal Canadian Mounted Police, and the government of Tunisia.

The defendant is charged in connection with his support for a multinational terrorist network that conducted multiple suicide bombings in Iraq and that is responsible for the deaths of five American soldiers. According to the complaint, filed on January 14, 2011, in the Eastern District of New York, the five American soldiers were killed on April 10, 2009, when a Tunisian jihadist, whose travel to and activities in Iraq were facilitated by the terrorist network, drove a truck laden with explosives to the gate of the United States Military's Forward Operating Base Marez in Mosul, Iraq.\* The jihadist exchanged fire with Iraqi police officers and then the American convoy that was exiting the base. The truck detonated approximately 50 yards from the gate, alongside the last vehicle in the U.S. convoy, leaving a 60-foot crater in the ground. Five American soldiers were killed in the blast. They are Staff Sergeant Gary L. Woods, 24, of Lebanon Junction, Kentucky; Sergeant First Class Bryan E. Hall, 32, of Elk Grove, California; Sergeant Edward W. Forrest Jr., 25, of St. Louis, Missouri; Corporal Jason G. Pautsch, 20, of Davenport, Iowa; and Army Private First Class Bryce E. Gaultier, 22, from Cyprus, California.

As alleged in the complaint, the day after the attack, the defendant had a conversation with one of the Iraq based members of the terrorist network during which the defendant asked, "Did you hear about the huge incident yesterday? Is it known?" When the network member replied that he had, the defendant said, "He was one of the Tunisian brothers." The network member responded, "Praise God, may God acknowledge him" and the defendant said, "Amen." This conversation, along with the others referenced in the complaint, was recovered pursuant to Canadian court-authorized wiretaps and search warrants.

The defendant's network is allegedly also responsible for a suicide bombing attack on an Iraqi police station on March 31, 2009, in which at least seven Iraqis were killed. That attack was committed by two other Tunisian jihadists who were recruited by the defendant's network and who traveled to Iraq with the bomber responsible for the April 10 attack. A day or two after the bombing, the brother of one of the bombers received an anonymous phone call in which the caller repeated three times that the bomber had "been martyred two days ago in combat with the Americans in Mosul." The caller went on to say, "May God witness what I say. God is great."

According to the complaint, the network unsuccessfully tried to send a second group of Tunisian jihadists to Iraq in March 2009. In online conversations with one of those jihadists as the jihadist was preparing to leave Tunisia, the defendant advised him not to leave a will, and to "try to delete everything. . . . off your computer. Don't leave one character of information or anything behind. . . . Don't leave any trace. . . . Do not forget to keep reading Qur'an and repeat the famous prayers on the way until you meet with God." That jihadist was arrested by Tunisian authorities as he attempted to leave the country in April 2009.

According to the complaint, the defendant has continued, since the March and April 2009 attacks, to seek to further the network's attacks against Americans in Iraq, and to state his motive for doing so. In January 2010, he told another person, "There is no more pressing duty after the declaration of faith than fighting the enemy. Fighting comes before the other four pillars of faith." In July 2010, he stated, "Islam came for the good of humanity. So if someone doesn't like good, we fight them, like those dog Americans." The defendant also instructed a family member in Iraq to "Go learn about weapons and go attack the police and Americans. Let it be that you die." According to the complaint, the defendant used the code "farming" to refer to jihadist attacks because, as he put it, jihadists "plant metal and harvest metal and flesh."

The defendant allegedly also sought to conduct attacks himself and become a suicide bomber for the terrorist network. He informed his mother in November 2009, that his greatest wish was to die a martyr and be greeted by 70 virgins in paradise. In a conversation with an Iraq-based leader of the terrorist network in January 2010, the defendant volunteered to travel to Iraq, take up arms against the Americans, and subsequently conduct a suicide mission. The defendant asked that his dedication to the network be explained to those in charge as follows: "He [i.e., the defendant] is not just 100% but 1,000,000% with you. He is with you on the doctrine, the loyalty and the enmity and everything one million percent." He added, "Even if I can't work over there, I can work here."

"There is no safe harbor for terrorists, including those who endeavor to spread violence from halfway across the world," stated United States Attorney Lynch. "The five American servicemen who lost their lives in Iraq as a result of the actions of this terrorist network made the ultimate sacrifice for our nation. Today's arrest demonstrates that we have not forgotten that sacrifice and will continue to use every available means to bring to justice all those who are responsible." Ms. Lynch also expressed her grateful appreciation to the New York City Police Department, the Canadian government, the Royal Canadian Mounted Police, and the government of Tunisia for their assistance and cooperation in the investigation.

"These changes underscore the global nature of the terrorist threat we face and the importance

of international cooperation in addressing this threat. I applaud the many agents, analysts, and prosecutors who worked to bring about this case and thank our foreign counterparts for their substantial assistance,” said Assistant Attorney General Kris.

“The terrorist threat may be decentralized, but it is undeniably international,” said FBI Assistant Director in Charge Fedarcyk. “In a real sense, the safety and security of people anywhere depends on the ability and commitment of counterterrorism entities everywhere to work together. If national borders don’t deter terrorists, we can’t allow boundaries to impede the global effort to prevent a global threat.”

If convicted, the defendant faces a maximum sentence of life imprisonment.

The government’s case is being prosecuted by Assistant United States Attorneys Zainab Ahmad, Berit W. Berger, and Carter H. Burwell, with assistance provided by Mary Futcher of the Counterterrorism Section in the Department of Justice’s National Security Division. The Criminal Division’s Office of International Affairs also provided assistance in this matter.

The Defendant:

FARUQ KHALIL MUHAMMAD ‘ISA

Age: 38

\*The charges in the complaint are merely allegations, and the defendant is presumed innocent unless and until proven guilty.