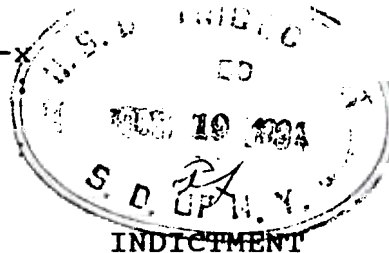




UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

4561



UNITED STATES OF AMERICA

- v. -

Sd 93 Cr. 181 (MBM)

- OMAR AHMAD ALI ABDEL RAHMAN,
a/k/a "Omar Ahmed Ali,"
a/k/a "Omar Abdel Al-Rahman,"
a/k/a "The Sheik,"
a/k/a "Sheik Omar,"
- EL SAYYID NOSAIR,
a/k/a "Abu Abdallah,"
a/k/a "El Sayyid Abdul Azziz,"
a/k/a "Victor Noel Jafry,"
- + IBRAHIM A. EL-GABROWNY,
- * SIDDIG IBRAHIM SIDDIG ALI,
a/k/a "Khalid,"
a/k/a "John Medley,"
- CLEMENT HAMPTON-EL,
a/k/a "Abdul Rashid Abdullah,"
a/k/a "Abdel Rashid,"
a/k/a "Doctor Rashid,"
- + AMIR ABDELGANI,
a/k/a "Abu Zaid,"
a/k/a "Abdou Zaid,"
- FARES KHALLAFALLA,
a/k/a "Abu Fares,"
a/k/a "Abdou Fares,"
- TARIG ELHASSAN,
a/k/a "Abu Aisha,"
- FADIL ABDELGANI,
- * MOHAMMED SALEH,
a/k/a "Mohammed Ali,"
- + VICTOR ALVAREZ,
a/k/a "Mohammed," and
- MATARAWY MOHAMMED SAID SALEH,
a/k/a "Wahid,"

Defendants.

-9:00 AM

OCT 20 1994

The Grand Jury charges:

Introduction

The Jihad Group

1. At all relevant times described herein, there existed an international group opposed to nations, governments, institutions and individuals that did not share the group's particular radical interpretation of Islamic law. This group considered such nations, governments, institutions and individuals as "infidels," and interpreted the concept of "jihad" (struggle) as the opposition against infidels by whatever means necessary, including force and violence

2. This jihad group opposed the United States for two primary reasons. First, the United States was regarded as an "infidel" because it was not governed in a manner consistent with the group's radical interpretation of Islam. Second, the United States was viewed as providing essential support for other "infidel" governments and institutions, particularly the nation of Israel and the government of Egypt, which were regarded as enemies of the group.

The Jihad Organization in the United States

3. From at least as early as 1989 and up until the date of the filing of this Indictment, a jihad organization hereafter the "Jihad Organization") arose in the United States, particularly in the New York City metropolitan area. As this Jihad Organization developed, it pursued various objectives in the United States including the following: the establishment of the United States as a staging ground for violent actions against targets (both persons

and structures) located in the United States and elsewhere; the recruitment and training, including paramilitary training, of new members; and fundraising for jihad actions in the United States and abroad. A principal objective of this Jihad Organization was to carry out, and conspire to carry out, acts of terrorism including bombings, murders and the taking of hostages -- against various governments and government officials, including the United States government and its officials.

Membership in the Jihad Organization

4. Since at least the early 1980's, the defendant OMAR AHMAD ALI ABDEL RAHMAN, a/k/a "Omar Ahmed Ali," a/k/a "Omar Abdel Al-Rahman," a/k/a "The Sheik," a/k/a "Sheik Omar," has been one of the principal leaders of the international jihad group described above, and a high ranking member of jihad organizations based in Egypt and elsewhere. As a result of that background, ABDEL RAHMAN became the "emir," or leader, of the Jihad Organization in the United States. While ABDEL RAHMAN exercised leadership, subordinates in the Jihad Organization carried out the details of specific jihad operations and sought to shield ABDEL RAHMAN from prosecution. ABDEL RAHMAN played a key role in both defining and articulating the principles and goals of the Jihad Organization. ABDEL RAHMAN provided necessary counsel regarding whether particular jihad actions, including acts of terrorism, were permissible or forbidden under his radical interpretation of Islamic law, and at times provided strategic advice whether such actions would be effective means of achieving the Jihad Organization's goals. ABDEL RAHMAN also recruited persons to the

Jihad Organization and solicited them to commit violent jihad actions. Additionally, ABDEL RAHMAN served as a mediator of disputes among members of this Jihad Organization and undertook to protect the organization from infiltration by law enforcement

5. Defendant EL SAYYID NOSAIR, a/k/a "Abu Abdallah," a/k/a "El Sayyid Abdul Azziz," a/k/a "Victor Joel Nafry," played a key role in establishing the Jihad Organization in the United States. NOSAIR organized paramilitary training for the conduct of jihad acts both in the United States and overseas. NOSAIR also planned acts of terrorism, including, among other things, bombings, murders, and the taking of hostages. Following NOSAIR's arrest and incarceration in November 1990, he continued to consult with other members of the Jihad Organization regarding such acts of terrorism. During NOSAIR's incarceration, the defendant IBRAHIM A. EL-GABROWNY, a member of the Jihad Organization who was NOSAIR's relative served as NOSAIR's trusted lieutenant, relaying instructions from NOSAIR, participating in the organization's terrorist activities and planning NOSAIR's escape from the Attica Correctional Facility in Attica, New York.

6. Co-conspirators Mahmud Abouhalima, Mohammad Salameh, Nidal Ayyad, Ramzi Yousef and Ahmad Ajaj, among others, planned and carried out acts of terrorism, including, among other things, bombings and murder.

7. Defendant SIDDIG IBRAHIM SIDDIG ALI planned and undertook to carry out acts of terrorism, including, among other things, bombings, murders and the taking of hostages. SIDDIG ALI also had Sudanese contacts, both in the United States and overseas,

which he used to recruit members of the Jihad Organization, and to facilitate the organization's activities

8. Defendant CLEMENT HAMPTON-EL, a/k/a "Abdul Rashid Abdullah," a/k/a "Abdel Rashid," a/k/a "Doctor Rashid," among others, facilitated the Jihad Organization's acts of terrorism by among other things, supplying and attempting to supply technical expertise, paramilitary training, firearms, munitions, explosives and other materials to fellow conspirators

9. The defendants AMIR ABDELGANI, a/k/a "Abu a/k/a "Abdou Zaid," FARES KHALLAFALLA, a/k/a "Abu Fares," a/k/a "Abdou Fares," TARIG ELHASSAN, a/k/a "Abu Aisha," and FADIL ABDELGANI, among others, were recruited by defendant SIDDIG IBRAHIM SIDDIG ALI. Under the supervision of SIDDIG ALI, they undertook to carry out the Jihad Organization's acts of terrorism including, among other things, the construction and deployment of bombs.

10. The defendant MOHAMMED SALEH, a/k/a "Mohammed Ali who was an associate of an overseas jihad organization, facilitated the Jihad Organization's acts of terrorism by, among other things, agreeing in the Spring of 1993 to provide money, and providing fuel oil, to be used in connection with the construction and detonation of bombs.

11. The defendant VICTOR ALVAREZ, a/k/a "Mohammed," facilitated the organization's acts of terrorism by, among other things, participating in Spring 1993 in the construction of bombs, providing a firearm, and agreeing to provide cars to be used in connection with the detonation of bombs

12. The defendant MATARAWY MOHAMMED SAID SALEH, a/k/a

"Wahid," facilitated the organization's acts of terrorism by, among other things, agreeing in June 1993 to provide cars to be used in connection with the detonation of bombs

13. Paragraphs One through Twelve of this Indictment are hereby incorporated and realleged in each of the Counts below

COUNT ONE

Conspiracy to Wage A War of Urban Terrorism

The Grand Jury further charges:

14. From at least 1989 up to and including the date of the filing of this Indictment, in the Southern District of New York and elsewhere, OMAR AHMAD ALI ABDEL RAHMAN, a/k/a "Omar Ahmed Ali " a/k/a "Omar Abdel Al-Rahman," a/k/a "The Sheik," a/k/a "Sheik Omar," EL SAYYID NOSAIR, a/k/a "Abu Abdallah," a/k/a "El Sayyid Abdul Azziz," a/k/a "Victor Noel Jafry," IBRAHIM A. EL-GABROWNY, SIDDIG IBRAHIM SIDDIG ALI, a/k/a "Khalid," a/k/a "John Medley," CLEMENT HAMPTON-EL, a/k/a "Abdul Rashid Abdullah," a/k/a "Abdel Rashid," a/k/a "Doctor Rashid," AMIR ABDELGANI, a/k/a "Abu Zaid," FARES KHALLAFALLA, a/k/a "Abu Fares," TARIG ELHASSAN, a/k/a "Abu Aisha," FADIL ABDELGANI, MOHAMMED SALEH, a/k/a "Mohammed Ali," VICTOR ALVAREZ, a/k/a "Mohammed," and MATARAWY MOHAMMED SAID SALEH, a/k/a "Wahid," the defendants, and co-conspirators Mahmud Abouhalima, Mohammad Salameh, Nidal Ayyad and Ramzi Yousef, others known and unknown to the Grand Jury, unlawfully, willfully and knowingly combined, conspired, confederated and agreed together and with each other to levy a war of urban terrorism against the United States, to oppose by force the authority of the United States, and by force to prevent, hinder and delay the execution of

laws of the United States.

The Means Used by the Defendants
and their Co-conspirators to
Further the Objects of the Conspiracy

15. The conspirators would and did conspire to bomb and did bomb the World Trade Center in Manhattan.

16. The conspirators would and did agree to engage in other bombings, and planned to carry out the bombings of several targets, including, among others, the United States Government Office Building located at 26 Federal Plaza in Manhattan (the "Federal Building"), which served as the New York headquarters for the Federal Bureau of Investigation (the "FBI"); the United Nations headquarters in Manhattan; the Lincoln Tunnel, the Holland Tunnel, and the George Washington Bridge, all three of which connect the City of New York with the State of New Jersey; and American military installations

17. The conspirators would and did target for kidnapping and assassination government officials, law enforcement officials and judicial officers.

18. The conspirators would and did conspire to obstruct justice by, among other things, planning to take hostages to attempt to secure the release of members of the Jihad Organization. The conspirators also planned to break a member of the organization out of jail by force and violence.

19. The conspirators would and did seek to conceal the activities of the Jihad Organization from law enforcement authorities by, among other things, attempting to determine the identities of law enforcement informants, attempting to detect,

avoid and eliminate electronic and physical surveillance, and discouraging those with knowledge about the organization from providing information to law enforcement authorities.

20. The conspirators would and did oppose by force the government of the United States by planning and committing acts of terrorism designed to undermine the foreign relations of the United States.

Overt Acts

In furtherance of the said conspiracy, and to effect the objects thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

Training and Disputes Reported to Abdel Rahman

a. On or about January 3, 1989, EL SAYYID NOSAIR, CLEMENT HAMPTON-EL and co-conspirators Mahmud Abouhalima and Abd Al-Aziz Uda, among others, met at John F. Kennedy International Airport in Queens, New York, and a dispute arose

b. In or about July 1989, EL SAYYID NOSAIR, CLEMENT HAMPTON-EL, Mahmud Abouhalima, Mohammad Salameh and Nidal Ayyad, among others, participated in firearms training sessions at a location in Calverton, New York.

c. Between approximately early 1990 and November 1990, EL SAYYID NOSAIR and Mahmud Abouhalima, in the United States, reported by telephone to OMAR AHMAD ALI ABDEL RAHMAN concerning, among other things, disputes that had arisen within the Jihad Organization the construction of camps for paramilitary training and the progress of the training at such camps.

Nosair Possesses Bomb Formulas and Other Materials

d. On or about November 5, 1990, EL SAYYID NOSAIR possessed, among other things, formulas and manuals for the construction and detonation of bombs including formulas for the production of lead azide, a detonating material), and video and audio tapes and documents about jihad, including documents about the destruction of symbolic statues, tall buildings, and buildings of political significance.

The Jihad Organization Members Maintain Contact with Nosair

e. Between on or about November 18, 1990, and December 27, 1991, IBRAHIM A. EL-GABROWNY visited EL SAYYID NOSAIR at the correctional facility located at Rikers Island, New York, on approximately thirty (30) different occasions.

f. On or about December 17, 1990, February 4, 1991, September 16, 1991, September 23, 1991, and December 29, 1991, Mahmud Abouhalima visited EL SAYYID NOSAIR at the correctional facility located at Rikers Island, New York

g. Between on or about December 24, 1990, and June 10, 1991, Mohammad Salameh visited EL SAYYID NOSAIR at the correctional facility located at Rikers Island, New York, on approximately sixteen (16) occasions.

h. On or about December 24 1990, March 19, 1991, and April 7, 1991, Nidal Ayyad visited EL SAYYID NOSAIR at the correctional facility located at Rikers Island, New York.

The Jihad Organization Seeks to Recruit Salem

i. In or about November 1991, IBRAHIM A. EL-GABROWNY, among others, sought to recruit Emad Salem into the Jihad

Organization. Salem, in fact, was working as an informant or th
Federal Bureau of Investigation

j. In or about late November and early December 1991, OMAR AHMAD ALI ABDEL RAHMAN travelled with Emad Salem others to Detroit, Michigan.

k. On or about December 26, 1991, SIDDIG IBRAHIM SIDDIG ALI visited EL SAYYID NOSAIR at the correctional facility located at Rikers Island, New York.

l. Beginning in or about late 1991, EL SAYYID NOSAIR, IBRAHIM A EL-GABROWNY and co-conspirator Mahmud Abouhalima, among others, solicited the help of Emad Salem among other things, the construction of bombs and the escape of NOSAIR from the Attica Correctional Facility in Attica, New York.

Rahman Encourages the Resumption of Training

m. In or about late 1991 and early 1992, OMAR AHMAD ALI ABDEL RAHMAN, IBRAHIM A. EL-GABROWNY, and other members of the Jihad Organization made efforts to renew the organization's firearms and paramilitary training

n. In late December 1991, IBRAHIM A. EL-GABROWNY, SIDDIG IBRAHIM SIDDIG ALI, Mahmud Abouhalima and Nidal Ayyad, among others, attended a meeting at the Abu Bakr Mosque in Brooklyn, New York

o. On or about January 17, 1992, in Brooklyn, New York, OMAR AHMAD ALI ABDEL RAHMAN told Emad Salem that he was pleased to see Salem getting involved in training activities and that ABDEL RAHMAN would send more of his followers to the training sessions. ABDEL RAHMAN stated in sum and substance that the time

was coming that "we must all be trained and ready."

Nosair Organizes Bombings, Assassinations and His Escape

p. On or about February 24, 1992, IBRAHIM A. EL-GABROWNY visited EL SAYYID NOSAIR at the Attica Correctional Facility in Attica, New York

q. On or about April 5 and April 6, 1992, Mohammad Salameh visited EL SAYYID NOSAIR at the Attica Correctional Facility in Attica, New York.

r. On or about April 11, 1992, IBRAHIM A. EL-GABROWNY visited EL SAYYID NOSAIR at the Attica Correctional Facility in Attica, New York

s. On or about May 5, 1992, EL SAYYID NOSAIR and Emad Salem met at the Attica Correctional Facility in Attica, New York, and discussed, among other things, the construction and detonation of bombs, the securing of a safehouse for the construction of bombs, a plan for NOSAIR's escape from the Attica Correctional Facility, and the targeting of prominent individuals for assassination, including a New York State Assemblyman and the judge who had sentenced NOSAIR to prison. NOSAIR advised that "stun guns" could be used in future violent actions and informed Salem that IBRAHIM A. EL-GABROWNY had recently purchased a "stun gun."

t. On or about June 6, 1992, IBRAHIM A. EL-GABROWNY visited EL SAYYID NOSAIR at Attica Correctional Facility in Attica, New York

u. On or about June 14, 1992, EL SAYYID NOSAIR, Emad Salem and a co-conspirator met at Attica Correctional Facility

in Attica, New York, and discussed, among other things, bombings the securing of a safehouse for the construction of bombs, a plan for NOSAIR's escape from Attica Correctional Facility, and the targeting of prominent individuals for assassination, including a New York State Assemblyman and the judge who had sentenced NOSAIR to prison. NOSAIR also directed that OMAR AHMAD ALI ABDEL RAHMAN be consulted for approval of the bombing and assassination plots and that the details of the plan be reviewed with IBRAHIM A. EL-GABROWNY

v. On or about June 16, 1992, IBRAHIM A. EL-GABROWNY, Emad Salem and a co-conspirator met at EL-GABROWNY's residence at 57 Prospect Park Southwest, Brooklyn, New York, to discuss the obtaining of detonators and remote control devices and the construction of bombs

w. On or about June 19, 1992, CLEMENT HAMPTON-EL, a co-conspirator, and Emad Salem met at the Abu Bakr Mosque in Brooklyn, New York, and discussed the purchase of automatic weapons from HAMPTON-EL and the possible purchase of bombs from HAMPTON-EL. Thereafter, on June 28, 1992, in the Abu Bakr Mosque, Salem was provided with a Davis .380 semi-automatic pistol.

x. On or about June 21, 1992, Mahmud Abouhalima visited EL SAYYID NOSAIR at Attica Correctional Facility in Attica, New York.

y. On or about June 27, 1992 and July 18, 1992, IBRAHIM A. EL-GABROWNY visited EL SAYYID NOSAIR at Attica Correctional Facility in Attica, New York.

z. On or about August 2, 1992, Mohammad Salameh

visited EL SAYYID NOSAIR at Attica Correctional Facility in Attica, New York

aa. On or about September 6, 1992, and October 26, 1992, IBRAHIM A. EL-GABROWNY visited EL SAYYID NOSAIR at Attica Correctional Facility in Attica, New York.

Paramilitary Training Resumes in Pennsylvania

Between in or about December 1992 and in or about early February 1993, SIDDIG IBRAHIM SIDDIG ALI, AMIR ABDELGANI, FARES KHALLAFALLA, TARIG ELHASSAN, FADIL ABDELGANI, and co-conspirator Mohammed Abouhalima, among others, trained at a location in New Bloomfield, Pennsylvania

The World Trade Center Bombing

On or about December 6, 1992, IBRAHIM A. EL-GABROWNY visited EL SAYYID NOSAIR at Attica Correctional Facility in Attica, New York.

dd. In December 1992, Mahmud Abouhalima purchased approximately one pound of smokeless powder, material which aids in the detonation of explosives

ee. On or about January 2, 1993, Mahmud Abouhalima and Mohammed Abouhalima visited EL SAYYID NOSAIR at Attica Correctional Facility in Attica, New York

ff. On or about January 14, 1993, IBRAHIM A. EL-GABROWNY visited EL SAYYID NOSAIR at Attica Correctional Facility in Attica, New York.

gg. On February 2, 1993, Nidal Ayyad ordered lead nitrate (a component of the detonating material lead azide) and other chemicals from City Chemical Company located in Jersey City,

Jersey

hh. On or about February 7, 1993, Mahmud Abouhalima visited EL SAYYID NOSAIR at Attica Correctional Facility in Attica, New York.

ii. On or about February 13, 1993, Mohammad Salameh visited EL SAYYID NOSAIR at Attica Correctional Facility in Attica, York, listing the residence of IBRAHIM A. EL-GABROWNY as his address.

jj. Prior to February 26, 1993, SIDDIG IBRAHIM SIDDIG ALI and Mahmud Abouhalima had a conversation in a car in New Jersey concerning the testing of explosives

kk. On February 23, 1993, in Jersey City, New Jersey, Mohammad Salameh rented a Ford Econoline E-350 van registered to the Ryder Truck Rental Co. in Alabama. Salameh used a New York State driver's license which listed his address as the residence of IBRAHIM A. EL-GABROWNY.

ll. On or about February 26, 1993, Mahmud Abouhalima, Mohammad Salameh, Nidal Ayyad, Ramzi Yousef and other members of the conspiracy carried out the planned bombing of the World Trade Center, resulting, among other things, in the deaths of six persons.

mm. After the February 26, 1993 bombing of the World Trade Center, SIDDIG IBRAHIM SIDDIG ALI and Mohammed Abouhalima, among others, assisted co-conspirator Mahmud Abouhalima in fleeing the United States. SIDDIG ALI provided Mahmud Abouhalima with letters of introduction to various persons in the Sudan

nn. On or about February 27, 1993, Nidal Ayyad sent a letter to the New York Times indicating that the World Trade Center was bombed because of American support for Israel and that if American diplomatic relations with Israel did not stop, America would be faced with further terrorism.

El-Gabrowny Assaults Law Enforcement Officers

oo. On or about the morning of March 4, 1993 Mohammad Salameh possessed, among other things, passport-size photographs of EL SAYYID NOSAIR.

pp. On or about the afternoon of March 4, 1993, following media reports concerning the arrest that morning of Mohammed Salameh, IBRAHIM A. EL-GABROWNY left his residence at 57 Prospect Park Southwest, Brooklyn, New York, concealing five fraudulent Nicaraguan passports, all of which depicted EL SAYYID NOSAIR or members of NOSAIR's family but under false names. The picture of NOSAIR was identical to the picture seized from Mohammed Salameh that morning. After being approached and stopped by two law enforcement officers who were part of a team of officers authorized to execute a search warrant at EL-GABROWNY's residence EL-GABROWNY assaulted both officers

qq. On or about March 4, 1993, IBRAHIM A EL-GABROWNY possessed in his residence, among other things, five fraudulent Nicaraguan birth certificates, and two fraudulent Nicaraguan driver's licenses, all of which depicted EL SAYYID NOSAIR or members of NOSAIR's family. EL-GABROWNY also possessed, among other things, additional copies of the photographs appearing on the various fraudulent documents; the negative of the photograph

of NOSAIR; a .9 millimeter pistol; two "stun guns"; and recordings of jihad instructions by NOSAIR, EL-GABROWNY and others.

rr. On or about March 5, 1993, EL SAYYID NOSAIR, while denying involvement in the bombing of the World Trade Center, stated to prison guards at the Attica Correctional Facility in Attica, New York, in sum and substance that the bombing of World Trade Center was "only the beginning," and that the "devil leaders" of New York State were responsible for "keeping the battle on" and would "continue to suffer and pay" as long as NOSAIR remained imprisoned

ss. On or about March 19, 1993, Mahmud Abouhalima possessed, among other things, a "stun gun" and a book on the rapid demolition and destruction of buildings in his residence.

tt. Following the bombing of the World Trade Center, OMAR AHMAD ALI ABDEL RAHMAN made public statements that he did not know EL SAYYID NOSAIR, IBRAHIM A. EL-GABROWNY, Mahmud Abouhalima, Mohammad Salameh and Nidal Ayyad and that the people who bombed the World Trade Center were not his followers.

The Jihad Organization Plans New Acts of Terrorism

uu. In early 1993, SIDDIG IBRAHIM SIDDIG conducted surveillance of the Waldorf Astoria hotel in preparation for a plot to assassinate Hosni Mubarak, then the President Egypt.

vv. In or about late March 1993, SIDDIG IBRAHIM SIDDIG ALI and CLEMENT HAMPTON-EL met together with Abdo Mohammed Haggag in Brooklyn, New York, and HAMPTON-EL agreed to provide weapons to SIDDIG ALI.

In or about early 1993, SIDDIG IBRAHIM SIDDIG ALI surveilled a United States military installation in anticipation of future bombings.

xx. On or about April 24, 1993, AMIR ABDELGANI using the name "Abu Muhammad," telephoned CLEMENT HAMPTON-EL several times to seek reimbursement for expenses dating back to February 1993.

Beginning in or about early May 1993, SIDDIG IBRAHIM SIDDIG ALI proposed to Emad Salem that the conspirators bomb a building at the United Nations complex in Manhattan, and that the proposed bombing be made to coincide with a visit to the United Nations by Hosni Mubarak, the President of Egypt.

zz. In or about mid-May 1993, SIDDIG IBRAHIM SIDDIG ALI met with Emad Salem. They discussed a plan to assassinate a New York State Assemblyman and to attack a camp in upstate New York used by the Jewish Defense League.

Abdel Rahman Kept Informed about Efforts to Detect Informant

aaa. On or about May 10, 1993, at 3:21 p.m., OMAR AHMAD ALI ABDEL RAHMAN received a telephone call from a co-conspirator indicating that an attorney for Mohammed Salameh was trying to learn the identity of the Government informant and ABDEL RAHMAN indicated that "the advantage is knowing it early enough."

bbb. On or about May 16, 1993, SIDDIG IBRAHIM SIDDIG ALI proposed to Emad Salem the bombing of the Federal Building located at 26 Federal Plaza, New York, New York. SIDDIG ALI further proposed, among other things, the killing of FBI agents and the kidnapping of hostages to trade for the conspirators arrested

in connection with the February 26, 1993 bombing of the World Trade Center.

ccc. On or about May 19, 1993, SIDDIG IBRAHIM SIDDIG ALI gave Emad Salem \$300 to rent a safehouse in Queens, New York (the "safehouse"), for the construction and storage of bombs and explosive materials

Siddiq Ali Consults Nosair

ddd. On or about May 20, 1993, SIDDIG IBRAHIM SIDDIG ALI and Emad Salem, among others, met with EL SAYYID NOSAIR at the Attica Correctional Facility in Attica, New York, to discuss the bombing plans and other methods, such as taking hostages, for freeing NOSAIR, Mahmud Abouhalima and Mohammad Salameh, among others, from prison and for lifting the arms embargo on Bosnia.

eee. On or about May 21, 1993, at 11:06 a.m., SIDDIG IBRAHIM SIDDIG ALI telephoned OMAR AHMAD ALI ABDEL RAHMAN and advised him that he went to visit "the brother in jail" who sent his "best regards" and "special greetings" to ABDEL RAHMAN

fff. On or about May 23, 1993, SIDDIG IBRAHIM SIDDIG ALI made a series of telephone calls seeking to arrange a meeting where SIDDIG ALI, MOHAMMED SALEH, AMIR ABDELGANI, FARES KHALLAFALLA and others could get together.

Abdel Rahman Seeks to Shield the Jihad Organization from Informants

ggg. On or about May 23, 1993, OMAR AHMAD ALI ABDEL RAHMAN and Emad Salem discussed the suspicions held by ABDEL RAHMAN, Mahmud Abouhalima and others within the Jihad Organization that SIDDIG IBRAHIM SIDDIG ALI might be an informant for the United States Government. ABDEL RAHMAN instructed Salem to speak with

1
Mahmud Abouhalima and Mohammed Abouhalima about this subject that Salem could be "aware of matters" in future dealings with SIDDIG ALI

Abdel Rahman Provides Permission and Advice on Bombing Plans

hhh. In the same meeting on or about May 23, 1993 OMAR AHMAD ALI ABDEL RAHMAN told Emad Salem that the bombing of United Nations would be permissible under ABDEL RAHMAN's radical interpretation of Islamic law. However, ABDEL RAHMAN advised that for strategic reasons, it would be better not to do it at that time. ABDEL RAHMAN asked Emad Salem to look for a plan to harm the United States military. ABDEL RAHMAN instructed Emad Salem to proceed cautiously with the plan to bomb the Federal Building located at 26 Federal Plaza, noting that the man who assassinated "Kennedy" had trained for three years.

The Bombing Plans Move Forward

iii. Between on or about May 27, 1993, and June 23, 1993, SIDDIG IBRAHIM SIDDIG ALI, AMIR ABDELGANI, FARES KHALLAFALLA, TARIG ELHASSAN, FADIL ABDELGANI, VICTOR ALVAREZ, and MATARAWY MOHAMMED SAID SALEH, among others, met in the safehouse to plan bombings and to construct bombs.

Amir Abdelgani and Fares Khallafalla Assist in the Bombing Plans

jjj. From on or about May 27 through on or about 28, 1993, SIDDIG IBRAHIM SIDDIG ALI, AMIR ABDELGANI, FARES KHALLAFALLA and Emad Salem met at the safehouse. They discussed, among other things, bombing plans and the need to consult OMAR AHMAD ALI ABDEL RAHMAN about their planned actions. They also conducted a test of a timing device for detonating a bomb.

Siddig Ali and Amir Abdelgani Surveil the Bombing Targets

On or about May 29, 1993, SIDDIG IBRAHIM SIDDIG ALI, AMIR ABDELGANI and Emad Salem conducted surveillance of bombing targets by driving, among other places, to the United Nations complex on the East Side of Manhattan. SIDDIG ALI asked Emad Salem to obtain a video camera to surveil and record potential bombing targets.

On or about May 29, 1993, SIDDIG IBRAHIM SIDDIG ALI AMIR ABDELGANI and Emad Salem were driving near New York City's "Diamond District," at West 47th Street and Sixth Avenue, at which time SIDDIG ALI and AMIR ABDELGANI discussed bombing that location.

On or about May 29, 1993, SIDDIG IBRAHIM SIDDIG ALI, AMIR ABDELGANI and Emad Salem conducted surveillance by driving through the Holland Tunnel from New York to New Jersey while discussing how the tunnel would be flooded once the bomb was exploded

nnn. On or about May 30, 1993, OMAR AHMAD ALI ABDEL RAHMAN telephoned SIDDIG IBRAHIM SIDDIG ALI and asked SIDDIG ALI why he had not attended a meeting on May 29, 1993. SIDDIG ALI explained that he had been on a "very important errand." ABDEL RAHMAN directed SIDDIG ALI to see ABDEL RAHMAN at the Abu Bakr Mosque in Brooklyn, New York.

Siddig Ali Meets with Hampton-El

ooo. On or about May 30, 1993, in the early evening, CLEMENT HAMPTON-EL, SIDDIG IBRAHIM SIDDIG ALI and Emad Salem met at 251 Rogers Avenue, Brooklyn, New York, and discussed the

acquisition of explosives from HAMPTON-EL and plans to bomb targets. HAMPTON-EL suggested that the bombings be made to look like the work of Jewish people.

ppp. On or about May 30, 1993, at 10:59 p.m., after returning from his meeting with SIDDIG IBRAHIM SIDDIG ALI and Emad Salem, CLEMENT HAMPTON-EL dialed the beeper of a co-conspirator known to the grand jury, identified herein only as "Mustafa." Two minutes later, at 11:01 p.m., "Mustafa" telephoned HAMPTON-EL who arranged to meet "Mustafa" the following morning.

The Conspirators Seek to Protect Abdel Rahman from Investigation

qqq. On or about May 30, 1993, SIDDIG IBRAHIM SIDDIG ALI told Emad Salem that OMAR AHMAD ALI ABDEL RAHMAN advised that talk should be "rounded" then and that Salem should not discuss tactical considerations with ABDEL RAHMAN at that time because of law enforcement scrutiny of ABDEL RAHMAN

rrr. On or about May 30, 1993, AMIR ABDELGANI told SIDDIG IBRAHIM SIDDIG ALI and Emad Salem that they "must be cautious" in their dealings with OMAR AHMAD ALI ABDEL RAHMAN and should stay away from him because the American Government wanted to "get something on the Sheik ... because he got away with all these things."

Mohammed Saleh Advised of Targets

sss. On or about June 4, 1993, SIDDIG IBRAHIM SIDDIG ALI, MOHAMMED SALEH and Emad Salem met in Yonkers, New York, at which time they discussed, among other things, the plan to bomb the Lincoln and Holland Tunnels and the George Washington Bridge. SIDDIG ALI showed MOHAMMED SALEH a list of the intended targets and

gave the list to Emad Salem to eat. Thereafter, MOHAMMED SALEH agreed to help by "squeez[ing] [his] capabilities" to provide money for the operation.

Khallafalla Buys Timers for Bombs

On or about June 13, 1993, FARES KHALLAFALLA and Emad Salem purchased timers for bombs on Canal Street in New York City and discussed, among other things, how far a person should be from a bomb when detonating it.

Siddig Ali Organizes Various Tasks

On or about June 13, 1993, at 7:44 p.m., SIDDIG IBRAHIM SIDDIG ALI made a telephone call to arrange a visa which would allow Emad Salem to travel to the Sudan

On or about June 13, 1993, at 7:57 p.m., SIDDIG IBRAHIM SIDDIG ALI telephoned an individual overseas to obtain a telecopier number to send him a request for money for "charitable work."

www On or about June 14, 1993, SIDDIG IBRAHIM SIDDIG ALI, CLEMENT HAMPTON-EL and Emad Salem met in Brooklyn, New York, and discussed different types of explosives that HAMPTON-EL might provide.

xxx. On or about June 16, 1993, SIDDIG IBRAHIM SIDDIG ALI telephoned a business in Union City, New Jersey, seeking to obtain 5-gallon plastic containers which he told the company he needed to store pickles.

Hampton-El Looks to Purchase Weapons and Explosives

On or about June 17, 1993, CLEMENT HAMPTON-EL advised SIDDIG IBRAHIM SIDDIG ALI by telephone that he thought

everything was going to be good and that he would call SIDDIG ALI later that day.

zzz. On or about June 17, 1993, SIDDIG IBRAHIM SIDDIG ALI told Emad Salem that CLEMENT HAMPTON-EL had given a positive answer and would call SIDDIG ALI later that night.

Abdel Rahman Consults Again on the Mubarak Plot

aaaa. Shortly before June 17, 1993, OMAR AHMAD ALI ABDEL RAHMAN discussed with others whether he should publicly state that Hosni Mubarak, the President of Egypt, would be killed.

bbbb. On or about June 17, 1993, OMAR AHMAD ALI ABDEL RAHMAN spoke with SIDDIG IBRAHIM SIDDIG ALI and others concerning what ABDEL RAHMAN should say to the media that day. ABDEL RAHMAN thereafter drafted a statement to be delivered at a press conference indicating that Hosni Mubarak would be drowned in a bath of blood. ABDEL RAHMAN also indicated that the statement would include a warning that the United States (as well as Europe) would be held responsible for what Mubarak was doing in Egypt because the United States and Europe support Mubarak financially and morally.

cccc. Immediately after the press conference on or about June 17, 1993, OMAR AHMAD ALI ABDEL RAHMAN directed Abdo Mohammed Haggag to come to ABDEL RAHMAN's residence in Jersey City, New Jersey. Shortly thereafter, ABDEL RAHMAN, SIDDIG IBRAHIM SIDDIG ALI, Haggag and Emad Salem met at ABDEL RAHMAN's residence, at which time they discussed, among other things, the allegation that SIDDIG ALI had provided information to the United States Government in connection with the plan to assassinate President

Mubarak of Egypt.

The Bombing Plans Continue

dddd. On or about the morning of June 18, 1993, CLEMENT HAMPTON-EL telephoned co-conspirator "Mustafa" and left two messages for "Mustafa" to contact him. At approximately 12:01 p.m., HAMPTON-EL spoke with "Mustafa" who advised that he could not "speed it up [I]t's possible but you have to go through channels ... tell him at least two days." HAMPTON-EL advised that he would see "Mustafa" "over there."

eeee. On or about June 18, 1993, at 9:20 p.m., CLEMENT HAMPTON-EL telephoned the home of SIDDIG IBRAHIM SIDDIG ALI and left a message with SIDDIG ALI's wife that HAMPTON-EL could give SIDDIG ALI "something definite" the following day.

ffff. On or about June 18, 1993, AMIR ABDELGANI surveilled one of the tunnels between New York and New Jersey in preparation for blowing it up.

gggg. On or about June 19, 1993, at 3:59 a.m., CLEMENT HAMPTON-EL telephoned SIDDIG IBRAHIM SIDDIG ALI and advised SIDDIG ALI that he would see him later that day.

hhhh. On or about June 19, 1993, SIDDIG IBRAHIM SIDDIG ALI, AMIR ABDELGANI, FARES KHALLAFALLA, TARIG ELHASSAN and VICTOR ALVAREZ and Emad Salem met at the residence of SIDDIG ALI in New Jersey. ALVAREZ agreed to locate stolen cars for the planned bombings.

Hampton-el's Source for Explosives Fails to Deliver

iiii. On or about June 19, 1993, at 11:04 p.m SIDDIG ALI and CLEMENT HAMPTON-EL spoke by telephone concerning

HAMPTON-EL's efforts to obtain explosives and HAMPTON-EL stated he would call SIDDIG ALI back in about five minutes.

jjjj. On or about June 19, 1993, at 11:10 p.m., CLEMENT HAMPTON-EL telephoned co-conspirator "Mustafa" and left a message for "Mustafa" to get back to him.

kkkk. On or about June 19, 1993, at 11:14 p.m., co-conspirator "Mustafa" telephoned CLEMENT HAMPTON-EL and stated in sum and substance "no can do."

llll. On or about June 19, 1993, at 11:14 p.m. after ending his conversation with co-conspirator "Mustafa," CLEMENT HAMPTON-EL telephoned SIDDIG IBRAHIM SIDDIG ALI and stated "these people were supposed to be reliable ... I'm going to keep an open ear."

The Bombing Materials Are Obtained

mmmm. On or about June 20, 1993, SIDDIG IBRAHIM SIDDIG ALI, AMIR ABDELGANI, TARIG ELHASSAN, FADIL ABDELGANI, VICTOR ALVAREZ and Emad Salem met to discuss the details of the bombing operation

nnnn. On or about June 20, 1993, SIDDIG IBRAHIM SIDDIG ALI and Emad Salem traveled to Connecticut to test explosive materials mixed at the safehouse

oooo. On or about June 21, 1993, at approximately 11:24 a.m., SIDDIG IBRAHIM SIDDIG ALI, identifying himself as "John Medley," telephoned a business located in Newark, New Jersey, to arrange the purchase of five 55-gallon plastic containers. Thereafter, at approximately 11:34 a.m., SIDDIG ALI telephoned AMIR ABDELGANI to tell him that he had found the "things" and asked AMIR

ABDELGANI to borrow a truck from someone to transport them.

pppp. On or about June 21, 1993, SIDDIG IBRAHIM SIDDIG ALI, AMIR ABDELGANI, TARIG ELHASSAN and Emad Salem met to discuss the planned bombings of the Holland and Lincoln tunnels the United Nations, the George Washington Bridge, and a future attack on a military installation on Staten Island.

qqqq. On or about June 22, 1993, SIDDIG IBRAHIM SIDDIG ALI telephoned a person to ask for money for a "very good deed" and suggested that if the person wished to contribute, he could provide the money to FARES KHALLAFALLA

rrrr. In and about mid- to late June 1993, SIDDIG IBRAHIM SIDDIG ALI told Emad Salem that he was planning to flee the United States after the planned bombings, and that, in anticipation of that flight, SIDDIG ALI had delivered documents and other items to the residence of OMAR AHMAD ALI ABDEL RAHMAN

ssss. On or about June 22, 1993, at 12:11 p.m., SIDDIG IBRAHIM SIDDIG ALI telephoned MOHAMMED SALEH to ask SALEH if the oil could be picked up the following day.

tttt. On or about June 23, 1993, five 55-gallon plastic containers were purchased from a business located in Newark, New Jersey, under the name "John Medley."

uuuu. On or about June 23, 1993, at 5:45 p.m., AMIR ABDELGANI, using the name "Khalil," telephoned SIDDIG IBRAHIM SIDDIG ALI to advise SIDDIG ALI that AMIR ABDELGANI was on Route 440 in New Jersey and that he had the "means for the things." SIDDIG ALI then provided AMIR ABDELGANI with directions to a gas station operated by MOHAMMED SALEH as well as the home and work

telephone numbers for MOHAMMED SALEH.

Mohammed Saleh Provides Fuel Oil for Bombs

vvvv. On or about June 23, 1993, MOHAMMED SALEH provided fuel oil to SIDDIG IBRAHIM SIDDIG ALI, AMIR ABDELGANI, and FADIL ABDELGANI, who transported the oil to the safehouse where the bombs were being constructed.

Alvarez Provides Uzi Semi-Automatic Rifle

www. On or about June 23, 1993, in New Jersey, VICTOR ALVAREZ gave Emad Salem an Uzi semi-automatic rifle.

xxxx. On or about June 23, 1993, SIDDIG IBRAHIM SIDDIG ALI drove through the Holland and Lincoln tunnels with Emad Salem, videotaping the tunnels as they discussed where the bombs were going to be placed

The Bombs Are Being Constructed

yyyy. On or about June 23, 1993, at the safehouse, SIDDIG IBRAHIM SIDDIG ALI, AMIR ABDELGANI, TARIG ELHASSAN, FADIL ABDELGANI, VICTOR ALVAREZ and Emad Salem were engaged in the construction of bombs

Matarawy Saleh Agrees to Provide Cars to Transport Bombs

zzzz. Later in the evening on June 23, 1993, MATARAWY MOHAMMED SAID SALEH visited the safehouse where the bombs were being prepared and agreed to provide cars for the transportation of the bombs. SALEH also counseled his co-conspirators to remove from the safehouse all traces of their activities

Hampton-el Continues To Search for Detonators

aaaaa. On or about June 23, 1993, CLEMENT HAMPTON-EL

stated to SIDDIG IBRAHIM SIDDIG ALI that he would find out "what's happening," and arranged to meet SIDDIG ALI the following morning. Later in the conversation, HAMPTON-EL told Emad Salem that he had not yet "come through" in obtaining explosives but that he would continue trying because it was his "duty."

The Rogers Avenue Search

bbbbbb. On or about June 24, 1993, at 251 Rogers Avenue, Brooklyn, New York, CLEMENT HAMPTON-EL possessed, among other things, a cannon fuse, electric matches, ammunition, a magazine for an assault weapon, a flash suppressor for a rifle, miscellaneous gun parts, numerous military training videotapes and a highlighted magazine article concerning, in part, the demolition of bridges. HAMPTON-EL also possessed a written budget of \$176,930 for military training of personnel at camps, with an attached list of weapons to be used in such training, including assault weapons, assault machine guns, shotguns, sniper rifles and pistols, as well as road directions to New Bloomfield, Pennsylvania

Title 18, United States Code, Section 2384.)

COUNT TWO

Solicitation To Murder Egyptian President Hosni Mubarak

The Grand Jury further charges:

22. Between in or about 1991 up to and including the date of the filing of this Indictment, in the District of New Jersey and elsewhere, OMAR AHMAD ALI ABDEL RAHMAN, the defendant, with the intent that other persons engage in conduct constituting a felony that has as an element the use, attempted use, or threatened use of physical force against property or against the person of another in violation of the laws of the United States, and under circumstances strongly corroborative of that intent, solicited, commanded, induced and otherwise endeavored to persuade such other persons to engage in such conduct, to wit, OMAR AHMAD ALI ABDEL RAHMAN solicited, commanded, induced and otherwise endeavored to persuade other persons, and, in particular, defendant Siddig Ibrahim Siddig Ali, and Abdo Mohammed Haggag and Emad Salem to murder Hosni Mubarak, then the President of Egypt, in violation of Sections 1111 and 1116 of Title 18, United States Code.

(Title 18, United States Code, Section 373.)

COUNT THREE

Conspiracy To Murder Egyptian President Hosni Mubarak

Grand Jury further charges:

Between in or about 1991 up to and including the date of the filing of this Indictment, in the Southern District of New York and elsewhere, OMAR AHMAD ALI ABDEL RAHMAN and SIDDIG IBRAHIM SIDDIG ALI, the defendants, and others known and unknown to the grand jury, combined, conspired, confederated and agreed together and with each other to violate Sections 1111 and 1116 of Title 18, United States Code.

24. It was the object of the conspiracy that the defendants and their co-conspirators known and unknown to the Grand Jury would unlawfully, willfully and knowingly murder Hosni Mubarak, who was then the President of Egypt, in violation of Sections 1111 and 1116 of Title 18, United States Code.

Overt Acts

In furtherance of the said conspiracy, and to effect the object thereof, in the Southern District of New York and elsewhere, the defendants and their co-conspirators committed, among other overt acts, the overt acts listed in paragraphs 21 (j), (bb), (uu), (vv), (yy), (ggg), (aaaa), (bbbb), (cccc) and (bbbbb), as set forth in Count One of this Indictment, which are incorporated by reference herein

(Title 18, United States Code, Section 1117.)

COUNT FOUR

Solicitation To Attack a Military Installation

The Grand Jury further charges:

26. On or about May 23, 1993, in the District of New Jersey, OMAR AHMAD ALI ABDEL RAHMAN, the defendant, with the intent that another person engage in conduct constituting a felony that has as an element the use, attempted use, or threatened use of physical force against property or against the person of another in violation of the laws of the United States, and under circumstances strongly corroborative of that intent, solicited, commanded, induced and otherwise endeavored to persuade such other person to engage in such conduct, to wit, OMAR AHMAD ALI ABDEL RAHMAN solicited, commanded, induced and otherwise endeavored to persuade Emad Salem to attempt to damage or destroy by fire or explosives American military installations in violation of Title 18, United States Code, Section 844(f).

(Title 18, United States Code, Section. 373.)

COUNT FIVE

Bombing Conspiracy

The Grand Jury further charges:

From in or about 1989 up to and including the date of the filing of this Indictment, in the Southern District of New York and elsewhere, OMAR AHMAD ALI ABDEL RAHMAN, EL SAYYID NOSAIR, IBRAHIM A. EL-GABROWNY, SIDDIG IBRAHIM SIDDIG ALI, CLEMENT HAMPTON-EL, AMIR ABDELGANI, FARES KHALLAFALLA, TARIG ELHASSAN, FADIL ABDELGANI, MOHAMMED SALEH, VICTOR ALVAREZ, and MATARAWY MOHAMMED SAID SALEH, the defendants, and others known and unknown, combined conspired, confederated and agreed together and with each other to violate Sections 844(i) and 842(a)(3)(A) of Title 18, United States Code.

It was an object of the conspiracy that the defendants and their co-conspirators known and unknown, unlawfully, willfully, knowingly and with malice would damage and destroy by means of fire and explosives, buildings, vehicles and real estate used in interstate and foreign commerce and in activities affecting interstate and foreign commerce

29. It was a further object of this conspiracy that the defendants and their co-conspirators, who were not licensees or permittees, would unlawfully, willfully and knowingly transport ship and cause to be transported and received in interstate and foreign commerce explosive materials, as that term is defined in Title 18, United States Code, Section 841(c)

Overt Acts

30. In furtherance of the said conspiracy, and to effect

objects thereof, in the Southern District of New York and elsewhere the defendants and their co-conspirators committed, among other overt acts the overt acts listed in paragraphs 21 d) through i (k), (l (p) through aa), (cc through (tt ww aaa) through zzz), (dddd) through bbbbbb), as set forth in Count One of this Indictment, which are incorporated by reference herein

(Title 18, United States Code, Section 371

COUNT SIX

The Spring 1993 Attempted Bombing

The Grand Jury further charges:

31. From at least on or about April 1, 1993, through the date of the filing of this Indictment in the Southern District of New York and elsewhere, SIDDIG IBRAHIM SIDDIG ALI, CLEMENT HAMPTON-EL, AMIR ABDELGANI, FARES KHALLAFALLA TARIG ELHASSAN, FADIL ABDELGANI, MOHAMMED SALEH, VICTOR ALVAREZ, and MATARAWY MOHAMMED SALEH, the defendants, and others known and unknown, unlawfully, willfully, knowingly and maliciously did attempt to damage and destroy by means of fire and explosives, buildings, vehicles and other real and personal property used in interstate and foreign commerce and in activities affecting interstate and foreign commerce, to wit, the defendants, did attempt to damage buildings, vehicles and real property located in New York, New York, by use of fire and explosives

(Title 18, United States Code, Sections 844 i) and 2.

COUNTS SEVEN THROUGH NINE

Murder and Attempted Murders in Aid of Racketeering

The Grand Jury further charges:

32. At all times material to this Indictment, the Jihad Organization described in Paragraphs One through Twelve of this Indictment, which paragraphs are incorporated and realleged herein, constituted an enterprise as that term is defined in Title 18, United States Code, Section 1959(b)(2), that is, a group of individuals associated in fact, which enterprise was engaged in and the activities of which affected, interstate and foreign commerce

33. From at least as early as 1989 and up until the date of the filing of this Indictment, the above-described enterprise

its members and associates engaged in the following acts of racketeering as defined in Title 18, United States Code, Section 1961(1): the enterprise and its members engaged in murders, arsons, kidnappings, extortions, obstructions of justice and criminal investigations, and interferences with commerce, and conspiracies

attempts to do the same, including the activities set forth in Paragraphs One through Twelve and Count One of this Indictment

COUNT SEVEN

Murder of Meir Kahane

The Grand Jury further charges:

34. From in or about mid-1990 through November 5, 1990, in the Southern District of New York and elsewhere, the defendant EL SAYYID NOSAIR, and others known and unknown to the Grand Jury, for the purpose of maintaining and increasing their positions in

the enterprise described in paragraphs Thirty-Two and Thirty-Three (which paragraphs are incorporated and realleged herein) unlawfully, willfully and knowingly conspired to murder, attempted to murder, and murdered Meir Kahane, in violation of the laws of the State of New York

COUNT EIGHT

Attempted Murder of Irving Franklin

The Grand Jury further charges:

35. On or about November 5, 1990, in the Southern District of New York, the defendant EL SAYYID NOSAIR, for the purpose of maintaining and increasing his position in the enterprise described in paragraphs Thirty-Two and Thirty-Three (which paragraphs are incorporated and realleged herein), unlawfully, willfully and knowingly assaulted with a dangerous weapon and committed assault resulting in serious bodily injury upon, and attempted to murder, Irving Franklin in violation of the laws of the State of New York.

COUNT NINE

Attempted Murder of Postal Police Officer Carlos Acosta

The Grand Jury further charges:

36. On or about November 5, 1990, in the Southern District of New York, the defendant EL SAYYID NOSAIR, for the purpose of maintaining and increasing his position in the enterprise described in paragraphs Thirty-Two and Thirty-Three (which paragraphs are incorporated and realleged herein),

unlawfully, willfully and knowingly assaulted with a dangerous weapon and committed assault resulting in serious bodily injury upon, and attempted to murder, United States Postal Police Officer Carlos Acosta, in violation of the laws of the State of New York.

(Title 18, United States Code, Section 1959.

COUNT TEN

Attempted Murder Of Postal Police Officer Carlos Acosta

The Grand Jury further charges:

37. On or about November 5, 1990, in the Southern District of New York, EL SAYYID NOSAIR, the defendant, unlawfully, willfully, and knowingly attempted to kill a United States Postal Officer engaged in and on account of the performance of his official duties, to wit, EL SAYYID NOSAIR shot and wounded United States Postal Police Officer Carlos Acosta

(Title 18, United States Code, Section 1114.

COUNTS ELEVEN THROUGH EIGHTEEN
Offenses Involving Firearms and Destructive Devices

COUNT ELEVEN

Use of Firearm Against Meir Kahane

The Grand Jury further charges:

38. On or about November 5, 1990, in the Southern District of New York, EL SAYYID NOSAIR, the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, to wit, the offense charged in Count Seven of this Indictment, unlawfully, willfully and knowingly used and carried a firearm, to wit, a .357 Magnum Ruger Revolver, in connection with the murder of Meir Kahane

(Title 18, United States Code, Section 924(c).

COUNT TWELVE

Use of Firearm Against Irving Franklin

The Grand Jury further charges:

39. On or about November 5, 1990, in the Southern District of New York, EL SAYYID NOSAIR, the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, to wit, the offense charged in Count Eight of this Indictment, unlawfully, willfully and knowingly used and carried a firearm, to wit, a .357 Magnum Ruger Revolver, in connection with the shooting of Irving Franklin.

(Title 18, United States Code, Section 924(c).)

COUNT THIRTEEN

Use of Firearm Against Postal Police Officer Carlos Acosta

Grand Jury further charges:

On or about November 5, 1990, in the Southern District of New York, EL SAYYID NOSAIR, the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, to wit, the offense charged in Count Ten of this Indictment, unlawfully, willfully and knowingly used and carried a firearm, to wit, a .357 Magnum Ruger Revolver, in connection with the shooting of Postal Police Officer Carlos Acosta.

(Title 18, United States Code, Section 924(c)).

COUNT FOURTEEN

Nosair's Possession of Firearm

The Grand Jury further charges:

On or about November 5, 1990, in the Southern District of New York, EL SAYYID NOSAIR, the defendant, unlawfully, willfully and knowingly possessed a firearm, to wit, a .357 Magnum Ruger revolver, which had the importer's and manufacturer's serial number removed, obliterated and altered, and which firearm had previously been shipped and transported in interstate commerce

(Title 18, United States Code, Section 922(k)).

COUNT FIFTEEN

Shipping Firearm for the Spring 1993 Bombing Plot

The Grand Jury further charges:

42. On or about June 23, 1993, in the Southern District of New York and elsewhere, SIDDIG IBRAHIM SIDDIG ALI and VICTOR ALVAREZ, the defendants, with intent to commit therewith an offense punishable by imprisonment for a term exceeding one year, and with knowledge and reasonable cause to believe that an offense punishable by imprisonment for a term exceeding one year was to be committed therewith, namely, the bombing conspiracy offense charged in Count Five of this Indictment, unlawfully, willfully and knowingly shipped, transported and received a firearm in interstate and foreign commerce, to wit, the defendants transported an Uzi semi-automatic rifle from New Jersey to a safehouse in Queens, New York, in connection with the plot to blow up various buildings and structures in the New York City area

(Title 18, United States Code, Section 924(b) and 2.)

COUNT SIXTEEN

Using and Carrying A Firearm in Spring 1993 Bombing Plot

The Grand Jury further charges:

In or about June 1993, in the Eastern District of New York, SIDDIG IBRAHIM SIDDIG ALI and VICTOR ALVAREZ, the defendants, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, to wit, the bombing conspiracy offense charged in Count Five of this Indictment, unlawfully, willfully and knowingly used and carried a firearm, to wit, an Uzi semi-automatic rifle, in connection with the plot to blow up various buildings and structures in the New York City area

(Title 18, United States Code, Section 924(c) and 2.)

COUNT SEVENTEEN

Carrying Destructive Devices in Spring 1993 Bombing Plot

Grand Jury further charges

In or about June 1993, in the Southern District of New York and elsewhere, SIDDIG IBRAHIM SIDDIG ALI, AMIR ABDELGANI FARES KHALLAFALLA, TARIG ELHASSAN, FADIL ABDELGANI, MOHAMMED SALEH and VICTOR ALVAREZ, the defendants, and others known and unknown, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the offense charged in Count Five of this Indictment, unlawfully, willfully and knowingly did use and carry destructive devices, as that term is defined in Title 18, United States Code, Section 921(a)(4)(A).

(Title 18, United States Code, Sections 924(c) and 2.

COUNT EIGHTEEN

Carrying Explosive During a Felony

The Grand Jury further charges:

In or about the spring of 1993, in the Eastern District of New York, CLEMENT HAMPTON-EL, the defendant, and others known and unknown, during the commission of a felony for which he may be prosecuted in a court of the United States, namely, the conspiracy charged in Count One of this Indictment, unlawfully willfully and knowingly did carry an explosive, as that term is defined in Title 18, United States Code, Section 844(j), to wit, a cannon fuse

(Title 18, United States Code, Sections 844(h) and 2.

COUNT NINETEEN

Obstruction of Justice by El-Gabrownny

The Grand Jury further charges:

On or about March 4, 1993, in the Southern District of New York and elsewhere, IBRAHIM A. EL-GABROWNY, the defendant, unlawfully, willfully, knowingly and corruptly, and by threats and force, did influence, obstruct, impede, and endeavor to influence, obstruct, and impede, the due administration of justice, to wit, IBRAHIM A. EL-GABROWNY struck law enforcement personnel assisting in the execution of a search warrant issued in conjunction with an investigation into the bombing of the World Trade Center complex then being conducted by a Grand Jury sitting in the Southern District of New York

(Title 18, United States Code, Section 1503.)

COUNT TWENTY

Assault On ATF Agent by El-Gabrownny

The Grand Jury further charges:

47. On or about March 4, 1993, in the Eastern District of New York, IBRAHIM A. EL-GABROWNY, the defendant, unlawfully, willfully, knowingly and forcibly did assault, resist, oppose, impede, intimidate, and interfere with a person designated in section 1114 of Title 18 of the United States Code, while that person was engaged in and on account of the performance of his official duties, to wit, IBRAHIM A. EL-GABROWNY, the defendant struck a Special Agent with the United States Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, assisting in the execution of a search warrant issued in conjunction with an investigation into the bombing of the World Trade Center complex.

(Title 18, United States Code, Section 111(a)(1).)

COUNT TWENTY-ONE

Assault On Detective by El-Gabrowny

The Grand Jury further charges:

48. On or about March 4, 1993, in the Eastern District of New York, IBRAHIM A. EL-GABROWNY, the defendant, unlawfully willfully, knowingly and forcibly did assault, resist, oppose impede, intimidate, and interfere with a person designated in section 1114 of Title 18 of the United States Code, while that person was engaged in and on account of the performance of his official duties, to wit, IBRAHIM A. EL-GABROWNY, the defendant, struck a Detective with the New York City Police Department, then designated as a Special Deputy United States Marshal and assigned to the Joint Terrorism Task Force, while the Detective was assisting in the execution of a search warrant issued in conjunction with an investigation into the bombing of the World Trade Center complex

(Title 18, United States Code, Section 111(a)(1)).

COUNT TWENTY-TWO

Assault and Resistance During
the Execution of a Search Warrant

The Grand Jury further charges:

49. On or about March 4, 1993, in the Eastern District of New York, IBRAHIM A. EL-GABROWNY, the defendant, unlawfully, willfully, knowingly and forcibly, did assault, resist, oppose, prevent, impede, intimidate, and interfere with persons authorized to serve and execute search warrants and to make searches and seizures while engaged in the performance of their duties with regard thereto and on account of the performance of such duties, to wit, IBRAHIM A. EL-GABROWNY struck law enforcement personnel assisting in the execution of a search warrant issued in conjunction with an investigation into the bombing at the World Trade Center complex.

(Title 18, United States Code, Section 2231(a).)

COUNTS TWENTY-THREE THROUGH TWENTY-EIGHT

El-Gabrownny's Possession Of False Identification Documents

COUNT TWENTY-THREE

The Grand Jury further charges:

50. On or about March 4, 1993, in the Eastern District of New York, IBRAHIM A. EL-GABROWNY, the defendant, unlawfully willfully, and knowingly did possess, in and affecting interstate and foreign commerce, with intent to transfer unlawfully, five or more identification documents and false identification documents which documents had been transported in the mail in the course of possession, to wit, IBRAHIM A. EL-GABROWNY possessed five fraudulent Nicaraguan passports, five fraudulent Nicaraguan birth certificates, and two fraudulent Nicaraguan driver's licenses with intent to transfer such false identification documents in violation of Title 18, United States Code, Section 1028(a)(2)

(Title 18, United States Code, Sections 1028(a)(3),
(b)(2)(B), and (c)(3) and 2.)

COUNTS TWENTY-FOUR THROUGH TWENTY-EIGHT

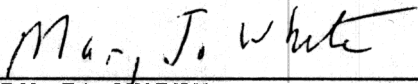
The Grand Jury further charges:

51. On or about March 4, 1993, in the Eastern District of New York, IBRAHIM A. EL-GABROWNY, the defendant, unlawfully, willfully and knowingly did possess, obtain, accept, and receive documents prescribed by statute and regulation for entry into the United States, knowing them to be falsely made and to have been procured by means of a false claim or statement, and to have been otherwise procured by fraud and unlawfully obtained, to wit, IBRAHIM A. EL-GABROWNY possessed five fraudulent Nicaraguan passports as more particularly set forth below:

<u>COUNT</u>	<u>NAME AND PLACE OF BIRTH FALSELY LISTED ON PASSPORT</u>
24	Victor Noel Jafry Managua, Nicaragua
25	Ninfa Safary Calderon Managua, Nicaragua
26	Maria Marcos Safary Managua, Nicaragua
27	Jaime Marcos Safary Managua, Nicaragua
28	Jorge Marcos Safary Managua, Nicaragua

(Title 18, United States Code, Sections 1546 and 2.


FOREPERSON


MARY JO WHITE
United States Attorney