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

Before: HONORABLE HENRY B. PITMAN  
United States Magistrate Judge  
Southern District of New York

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UNITED STATES OF AMERICA,	:	SEALED
	:	<u>COMPLAINT</u>
- v -	:	Violation of
	:	18 U.S.C. §§ 2339A and 2
ASWAT HAROON RASHID,	:	COUNTY OF OFFENSE:
a/k/a "Haroon,"	:	NEW YORK
a/k/a "Haroon Aswat,"	:	
	:	
Defendant.	:	
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SOUTHERN DISTRICT OF NEW YORK, ss.:

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

COUNT ONE

1. From at least in or about October 1999, up to and including in or about early 2000, in the Southern District of New York and elsewhere, ASWAT HAROON RASHID, a/k/a "Haroon," a/k/a "Haroon Aswat," the defendant, and others known and unknown, within the United States, unlawfully and knowingly provided material support and resources, as those terms are defined in Title 18, United States Code, Section 2339A, and concealed and disguised the nature, location, source, and ownership of material support and resources, knowing and intending that they were to be used in preparation for, and in carrying out, a violation of Title 18, United States Code, Section 956, to wit, the federal statute which prohibits conspiracies to kill, kidnap, and maim persons and to damage property in a foreign country, and in preparation for, and in carrying out, the concealment and an escape from the commission of such violation.

(Title 18, United States Code, Sections 2339A and 2.)

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

3. A cooperating witness ("CW-1") has provided information regarding a co-conspirator not named as a defendant herein ("CC-1") and the defendant, ASWAT HAROON RASHID.<sup>1</sup> Specifically, CW-1 has provided, in substance and in part, the following information regarding CC-1 and RASHID:

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

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

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

d. CW-1 was also interested in the concept of "hijrah," which, loosely translated, means to make a pilgrimage or emigrate to Afghanistan;

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

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

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

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

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

i. To the best of CW-1's knowledge, RASHID and CC-2 followed the travel advice that he (CW-1) had previously given to CC-1 and arrived in the United States in New York, New York, and then took a Greyhound bus to Seattle;<sup>2</sup>

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<sup>2</sup> I have reviewed documents from Immigration and Customs Enforcement ("ICE") which establish that the defendant, ASWAT HAROON RASHID, using the name "Haroon Aswat," and CC-2 arrived in New York, New York, at J.F.K. International Airport on November 26, 1999, on an Air India flight. In order to arrive at J.F.K. International Airport, it was necessary for RASHID and CC-2 to travel over waters contiguous to the Southern District of New York. In addition, during the course of the investigation, I have spoken to a Greyhound Bus representative, who informed me, in substance and in part, that in 1999 these two men could not have boarded a Greyhound Bus in Brooklyn or Queens and traveled to Seattle, and that the closest bus station affording service to Seattle would have been the Port Authority bus terminal in Manhattan, New York. CW-1 has also informed me that he picked up RASHID and CC-2 at a Greyhound Bus terminal in Seattle.

j. While in Seattle and Bly, RASHID, CC-2, and CW-1 had discussions about establishing a jihad training camp in Bly, Oregon;

k. RASHID, CC-2, and CW-1 traveled together from Seattle to Bly and inspected the property designated for the jihad training camp;

l. CC-2 told CW-1, among other things, that he (CC-2) had trained and fought jihad in Afghanistan; and

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

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

a. Witness-2 saw CW-1, CC-2, and RASHID at the Bly property in approximately December 1999;

b. Witness-2 heard RASHID say that he (RASHID) was a trusted friend of CC-1 and that CC-1 had asked RASHID to come to the United States to assess the Bly property and assist with the training of others that was to take place on the property;

c. RASHID and CC-2 said that the plans for the Bly property included bringing people from London and from the United States to the property for jihad training;

d. RASHID had expertise in combat training and was very knowledgeable in the Koran and Islamic teachings;

e. RASHID said that he had previously been in a training camp in Afghanistan and that he once saw Usama Bin Laden, the leader of al Qaeda, in Afghanistan; and

f. RASHID remained at the Bly property for approximately one month, and then traveled back to Seattle.

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

a. Witness-3 saw CW-1, CC-2, and RASHID at the Bly property;

b. RASHID and CC-2 both said that they had been sent to the Bly property by CC-1 and that they were planning on providing others with jihad training on the property; and

c. RASHID and CC-2 both said that they had previously received jihad training in Afghanistan and that they had provided others with training in Afghanistan.

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

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

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

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

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

e. In the first fax, CW-1 also stated that "[w]e are expecting the two brothers that we discussed to come in

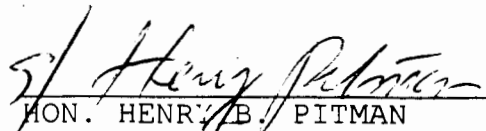
November" and further states that "[w]e would hope that they can help us in raising money and preparing a program for Muslims that is consistent with our ultimate aim and objective or number one duty today in Islam on these lands."

WHEREFORE, deponent prays that an arrest warrant be issued for the defendant, ASWAT HAROON RASHID, a/k/a "Haroon," a/k/a "Haroon Aswat," and that he be arrested and imprisoned or bailed as the case may be.



MICHAEL S. BUTSCH  
Special Agent  
Federal Bureau of Investigation

Sworn to before me this  
20<sup>th</sup> day of June, 2005



HON. HENRY B. PITMAN  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF NEW YORK