

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

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)
UNITED STATES OF AMERICA) CRIMINAL NO: 01-228-A
)
)
) Conspiracy to
Kill United States Nationals
-v-) (18 U.S.C. § 2332(b))
) (Count One)
)
AHMED AL-MUGHASSIL,) Conspiracy to Murder United States Employees
aka "Abu Omran,") (18 U.S.C. §§ 1114, 1117)
(Counts 1-46)) (Count Two)
ALI AL-HOURI,)
(Counts 1-46)) Conspiracy to Use Weapons of Mass Destruction
HANI AL-SAYEGH,) Against United States Nationals
(Counts 1-46)) (18 U.S.C. §§ 2332a(a)(1), (a)(3))
IBRAHIM AL-YACoub,) (Count Three)
(Counts 1-46))
ABDEL KARIM AL-NASSER,) Conspiracy to Destroy Property of United States
(Counts 1-46)) (18 U.S.C. § 844(n))
MUSTAFA AL-QASSAB,) (Count Four)
(Counts 1-46))
SA'ED AL-BAHAR,) Conspiracy to Attack National Defense Premises
(Counts 1-5)) (18 U.S.C. § 2155(b))
) (Count Five)
ABDALLAH AL-JARASH,)
(Counts 1-46))
HUSSEIN AL-MUGHIS,) Bombing Resulting in Death
(Counts 1-46)) (18 U.S.C. §§ 844(f)(1), (f)(3))
ALI AL-MARHOUN,) (Count Six)
(Counts 1-5))
SALEH RAMADAN,) Use of Weapons of Mass Destruction Against United
(Counts 1-5)) States Nationals
MUSTAFA AL-MU' ALEM,) (18 U.S.C. §§ 2332a(a)(1), (a)(3))
(Counts 1-5)) (Count Seven)
FADEL AL-ALAWWE, and)
(Counts 1-5)) Murder While Using Destructive Device During
JOHN DOE, further described as a Lebanese) Crime of Violence
male, approximately 175 cm tall, with fair skin,) (18 U.S.C. § 924(j))
fair hair, and green eyes,) (Counts Eight through Twenty-Six)
(Counts 1-46))
Defendants.)
) Murder of Federal Employees

) (18 U.S.C. §§ 1111, 1114)
) (Counts Twenty-Seven through Forty-Five)
)
) Attempted Murder of Federal Employees
) (18 U.S.C. §§ 1113, 1114)
) (Count Forty-Six)

INDICTMENT

June 2001 TERM – AT ALEXANDRIA

THE GRAND JURY CHARGES THAT:

COUNT ONE

Conspiracy to Kill United States Nationals

Introduction

Saudi Hizballah

1. From some time in the 1980s until the date of the filing of this Indictment, Hizballah, or “Party of God,” was the name used by a number of related terrorist organizations operating in Saudi Arabia, Lebanon, Kuwait, and Bahrain, among other places. These Hizballah organizations were inspired, supported, and directed by elements of the Iranian government. Saudi Hizballah, also known as Hizballah Al-Hijaz, was a terrorist organization that operated primarily in the Kingdom of Saudi Arabia and that promoted, among other things, the use of violence against nationals and property of the United States located in Saudi Arabia. Because Saudi Hizballah was an outlaw organization in the Kingdom of Saudi Arabia, its members frequently met and trained in Lebanon, Syria, or Iran.

2. A regular gathering place for members of Saudi Hizballah was the Sayyeda Zeinab shrine in Damascus, Syria, which was an important religious site for adherents of the Shi’ite branch of Islam. Saudi Hizballah drew its members primarily from among young men of the Shi’ite faith who resided in the Eastern Province of Saudi Arabia, near the Persian Gulf. Those young men would frequently have their first contact with Saudi Hizballah during religious

pilgrimages to the Sayyeda Zeinab shrine. There, they would be approached by Saudi Hizballah members to gauge their loyalty to Iran and dislike for the government of Saudi Arabia. Young men who wished to join Saudi Hizballah then would be transported to Hizballah-controlled areas in Lebanon for military training and indoctrination.

The Defendants

3. Saudi Hizballah organized itself into departments, or “wings,” each headed by a Hizballah member and each reporting to the leader of Saudi Hizballah, ABDEL KARIM AL-NASSER.

4. The “military wing” of Saudi Hizballah was headed at all relevant times by AHMED AL-MUGHASSIL, aka “Abu Omran,” a native of Qatif, in the Eastern Province of Saudi Arabia. In his role as military commander, AL-MUGHASSIL was in charge of directing terrorist attacks against American interests in Saudi Arabia. AL-MUGHASSIL was actively involved in recruiting young Saudi Shi’ite men to join the ranks of Hizballah; arranging for those men to undergo military training at Hizballah camps in Lebanon and Iran; directing those men in surveillance of potential targets for attack by Hizballah; and planning and supervising terrorist attacks.

5. ALI AL-HOURI was a member of Saudi Hizballah who served as a major recruiter for the Hizballah party; scheduled party functions; and transported explosives for the party. He also acted as a liaison for the party with the Iranian embassy in Damascus, Syria, which was an important source of logistics and support for Saudi Hizballah members traveling to and from Lebanon. AL-HOURI was a close associate of AL-MUGHASSIL and participated directly in surveillance, planning, and execution of terrorist attacks.

6. HANI AL-SAYEGH was a prominent member of Saudi Hizballah. He was actively involved in recruiting young Saudi Shi’ite men to join the ranks of Hizballah; arranging for those men to undergo military training at Hizballah camps in Lebanon and Iran; assisting in the surveillance of potential targets for attack by Hizballah; and carrying out terrorist attacks.

AL- SAYEGH also spoke fluent Farsi and enjoyed an unusually close association with certain military elements of the Iranian government.

7. IBRAHIM AL-YACOUB was a prominent member of Saudi Hizballah, actively involved in recruiting young Saudi Shi'ite men to join Hizballah, and in planning and carrying out terrorist attacks. He also served as a liaison between Saudi Hizballah and the Lebanese and Iranian Hizballah organizations.

8. MUSTAFA AL-QASSAB was a Shi'ite Muslim from Qatif, Saudi Arabia. He joined Saudi Hizballah in the late 1980s after traveling from Saudi Arabia to Iran and meeting AL-MUGHASSIL and others. Over time, AL-QASSAB came to play an important role in the military affairs of Saudi Hizballah.

9. SA'ED AL-BAHAR was a Qatif native who first became associated with Hizballah in 1988, when AL-YACOUB arranged for him to travel to Iran for religious study. He also spent time with AL-YACOUB in Damascus. In Damascus, he met and became close friends with AL-SAYEGH, who introduced him both to Hizballah and to elements of the Iranian government. In Qom, Iran during 1989 or 1990, he also met AL-HOURI, who accompanied him to military training sponsored by the Iranian government in southern Iran.

10. ABDALLAH AL-JARASH was recruited into Hizballah at the Sayyeda Zeinab shrine in Damascus. At the time of his recruitment, AL-JARASH met AL-MUGHASSIL, AL-HOURI, AL-YACOUB, and AL-SAYEGH, all of whom were important party members. AL- JARASH learned that, as a member of Hizballah, he would need to be loyal to the party and to Iran; he also learned that the goal of the party was to target foreign interests, American in particular, in Saudi Arabia and elsewhere. In about 1989, AL-JARASH was sent to Lebanon in a Mercedes supplied by the Iranian embassy in Damascus for military training provided by Lebanese Hizballah members. After being trained, he was assigned to recruit others who felt a strong connection to Iran.

11. HUSSEIN AL-MUGHIS was a native of Qatif, Saudi Arabia who came into contact with Hizballah in about 1990, when he traveled to the Sayyeda Zeinab shrine in

Damascus and met AL-MUGHASSIL, AL-HOURI, and AL-SAYEGH, among others. With AL-MUGHASSIL's support, AL-MUGHIS underwent religious training in Qom, Iran, where he met AL-YACOUB. Then, in about 1992, AL-MUGHASSIL arranged for AL-MUGHIS to spend two weeks in Lebanon receiving weapons and explosives training. At that time, he filled out a Hizballah membership form provided by AL-MUGHASSIL and learned that Hizballah Hijaz and Lebanese Hizballah were both part of Iranian Hizballah. After this training, AL-MUGHASSIL directed AL-MUGHIS to secretly recruit others for Hizballah.

_____12. ALI AL-MARHOUN was another Shi'ite Muslim from the town of Qatif in Eastern Saudi Arabia. His first contact with the organization came in about 1991, when he met AL-YACOUB at the Sayyeda Zeinab shrine in Damascus. After AL-MARHOUN discovered that both he and AL-YACOUB wished to be martyrs for Islam, AL-YACOUB introduced AL-MARHOUN to AL-MUGHASSIL, who arranged for AL-MARHOUN to travel to Lebanon for Hizballah training and indoctrination.

13. SALEH RAMADAN and MUSTAFA MU' ALEM were recruited into Saudi Hizballah in approximately 1992 by AL-MARHOUN, whom they knew from their common hometown of Qatif, Saudi Arabia. RAMADAN was chosen because he was very religious and a great admirer of Ayatollah Khomeini, the former Supreme Leader of Iran. Both RAMADAN and AL-MU' ALEM agreed to join Hizballah and form a "cell" under AL-MARHOUN. After being recruited by AL-MARHOUN, RAMADAN and AL-MU' ALEM traveled to Lebanon for military training, where they met AL-MUGHASSIL, who had them fill out written applications for Hizballah membership.

_____14. FADEL AL-ALAWI was a Qatif native who joined Hizballah in about 1992 at the Sayyeda Zeinab shrine in Damascus. He was recruited by AL-QASSAB, who introduced him to AL-MUGHASSIL. Shortly thereafter, AL-MUGHASSIL arranged for AL-ALAWI to undergo military training in Lebanon.

15. JOHN DOE was a member of Lebanese Hizballah who assisted Saudi Hizballah with the construction of the tanker truck bomb used to attack the American military

residences at Khobar Towers. He is described as a Lebanese male, approximately 175 cm tall, with fair skin, fair hair, and green eyes.

Hizballah Seeks a Target

16. In about 1993, AL-MUGHASSIL instructed AL-QASSAB, AL-YACOUB, and AL-HOURI to begin surveillance of Americans in Saudi Arabia. As a result, AL-QASSAB and AL-YACOUB spent three months in Riyadh conducting surveillance of American targets. AL-SAYEGH joined them during this operation. They produced reports, which were passed to AL-MUGHASSIL, then on to Saudi Hizballah chief AL-NASSER, and to officials in Iran. At the end of their mission, AL-MUGHASSIL came in person to meet with them and review their work.

17. Also in about 1993, AL-YACOUB assigned AL-JARASH to conduct surveillance of the United States Embassy in Riyadh, Saudi Arabia and to determine where Americans went and where they lived. Also at AL-YACOUB's direction, AL-JARASH and AL-MARHOUN conducted surveillance of a fish market frequented by Americans, located near the U.S. Embassy in Riyadh. They reported the results of their surveillance to AL-YACOUB.

18. In early 1994, AL-QASSAB began conducting surveillance, focusing on American and other foreign sites in the Eastern Province of Saudi Arabia, an area that includes Khobar. He prepared written reports, which were passed to AL-NASSER and Iranian officials.

19. In about Fall 1994, AL-MARHOUN, RAMADAN, and AL-MU'ALEM began watching American sites in Eastern Saudi Arabia at AL-MUGHASSIL's direction. They passed their reports to AL-MUGHASSIL, who was then spending most of his time in Beirut, Lebanon. At about the same time, AL-BAHAR began conducting surveillance in Saudi Arabia at the direction of an Iranian military officer.

Discovery of the Americans at Khobar Towers

20. Khobar Towers was a housing complex in Dhahran, Saudi Arabia, which the United States, among other countries, used to house military personnel assigned to Saudi Arabia.

Building # 131 was an eight-story structure within the Khobar Towers complex that United States Air Force personnel, among others, used as their place of residence while serving in Saudi Arabia.

21. In late 1994, after extensive surveillance in Eastern Saudi Arabia, AL-MARHOUN, RAMADAN, and AL-MU' ALEM recognized and confirmed Khobar Towers as an important American military location and communicated that fact to AL-MUGHASSIL. Shortly thereafter, AL-MUGHASSIL gave RAMADAN money to find a storage site in the Eastern Province for explosives. During the course of the cell's surveillance, AL-MUGHASSIL reported to AL-MARHOUN that he had received a phone call from a high Iranian government official inquiring about the progress of their surveillance activity.

The Surveillance Continues

22. In 1995, AL-BAHAR and AL-SAYEGH conducted surveillance at the direction of an Iranian military officer of the area of Jizan, Saudi Arabia, located on the Red Sea near Yemen; they also surveilled American sites in the Eastern Province. Their goal was to gather information to support future attacks against Americans. AL-SAYEGH took their surveillance reports and passed them to the Iranian officer.

23. In about April or May 1995, AL-MARHOUN attended four days of live-fire drills sponsored by Hizballah in Lebanon. While he was there, he met with AL-MUGHASSIL at his Beirut apartment. During that meeting, AL-MUGHASSIL explained to AL-MARHOUN that Hizballah's goal was to expel the Americans from Saudi Arabia. AL-MUGHASSIL also explained that he had close ties to Iranian officials, who supplied him with money and gave him directions for the party. AL-MUGHASSIL then gave AL-MARHOUN \$2000 in \$100 United States bills to support AL-MARHOUN's cell in their surveillance activity in Saudi Arabia. AL-MARHOUN used the money to finance a trip to Riyadh with RAMADAN to look for American sites.

Planning the Khobar Attack

_____ 24. In about June 1995, the Hizballah cell composed of AL-MARHOUN, RAMADAN, and AL-MU' ALEM began regular surveillance of Khobar Towers at AL-

MUGHASSIL's direction. Shortly thereafter, RAMADAN traveled to Beirut to brief AL-MUGHASSIL, who instructed the cell to continue surveillance.

25. At about the same time in 1995 that RAMADAN went to Beirut to update AL-MUGHASSIL on surveillance activities, AL-ALAWI was summoned to Beirut by AL-MUGHASSIL. Although AL-ALAWI did not see RAMADAN, he noticed surveillance reports from RAMADAN on AL-MUGHASSIL's desk. During their meeting, AL-MUGHASSIL explained to AL-ALAWI that explosives were going to be used against Americans in Saudi Arabia and he instructed AL-ALAWI to drive a vehicle he said contained explosives from Lebanon to Saudi Arabia. AL-ALAWI did so, only to discover that the car held no explosives; AL-MUGHASSIL explained that he had only been testing him.

26. In about October 1995, an unknown man visited AL-ALAWI at his home in Eastern Saudi Arabia and delivered a map of Khobar, saying AL-MUGHASSIL wanted AL-ALAWI to check its accuracy. A short time later, the same man retrieved the map and left a package weighing about one kilogram. AL-ALAWI kept the package until AL-MUGHASSIL called and told him to deliver it to another man unknown to him. AL-ALAWI did as instructed and did not look inside the package.

27. In the late fall of 1995, RAMADAN brought more surveillance reports to AL-MUGHASSIL in Beirut. It was then that RAMADAN, AL-MARHOUN, and AL-MU'ALEM learned from AL-MUGHASSIL that Hizballah would attack Khobar Towers, using a tanker truck loaded with a mixture of explosives and gasoline.

28. At the end of 1995 or the beginning of 1996, RAMADAN again returned to Beirut, where he and AL-MUGHASSIL again discussed the planned tanker truck attack on Khobar Towers and the fact that RAMADAN, AL-MARHOUN, and AL-MU'ALEM would each have a role in the attack. AL-MUGHASSIL said they would need enough explosives to destroy a row of buildings and that the attack was to serve Iran by driving the Americans out of the Gulf region.

_____29. In January or February 1996, AL-MUGHASSIL traveled to Qatif, in the Eastern Province, and instructed AL-MARHOUN to find places to hide explosives. In about February, at AL-MUGHASSIL's direction, RAMADAN met AL-MUGHASSIL in Beirut and drove back to Saudi Arabia with a car loaded with hidden explosives. He delivered the car to a man in Qatif who wore a veil over his face.

The Spring 1996 Arrests

30. In March 1996, AL-MUGHASSIL summoned AL-ALAWI to Beirut and again outfitted him with a car that was to contain explosives. AL-ALAWI drove the car from Lebanon, through Syria and Jordan, to the Al-Haditha border crossing in northern Saudi Arabia. There, on March 28, 1996, Saudi border guards discovered 38 kilograms of plastic explosives hidden in the car and arrested AL-ALAWI. Saudi investigators then arrested AL-MARHOUN, AL-MU'ALEM, and RAMADAN on April 6, 7, and 8, 1996, respectively.

Al-Mughassil Finds Replacements

_____31. After the arrests of AL-ALAWI and the AL-MARHOUN cell, AL-MUGHASSIL went back to Saudi Arabia in April or May 1996 to continue the planning for the Khobar attack. On or about May 1, 1996, AL-MUGHASSIL appeared unannounced at AL-JARASH's home in Qatif, explaining that he had come as part of a pilgrimage and was traveling on a false passport. AL-MUGHASSIL told AL-JARASH of the plot to bomb Khobar Towers, gave him a forged Iranian passport, and asked for his help. He told AL-JARASH that AL-ALAWI and AL-MARHOUN had been arrested. He also showed him a map of Khobar and described a plan in which AL-HOURI and AL-QASSAB would be involved; he told AL-JARASH to be ready for a call to action at any time.

32. Three days later, on about May 4, 1996, AL-MUGHASSIL showed up unannounced at AL-MUGHIS's home in Qatif to tell him of a plan to attack an American housing complex. AL-MUGHASSIL explained that AL-JARASH, AL-HOURI, AL-SAYEGH and a Lebanese Hizballah member would help. AL-MUGHASSIL then gave AL-MUGHIS a timing device to hide at his home.

33. Also during the first half of 1996, AL-HOURI arrived at AL-MUGHIS's home on at least two occasions and enlisted AL-MUGHIS's help in hiding large amounts of explosives. They buried 50-kilo bags and paint cans filled with explosives at various sites around Qatif, near Khobar.

Building the Bomb

34. In early June 1996, AL-MUGHASSIL and the Lebanese Hizballah member, JOHN DOE, started staying at AL-MUGHIS's home in Qatif. Also in early June, a conspirator purchased a tanker truck from a car dealership in Saudi Arabia, using stolen identification. The conspirator paid about 75,000 Saudi riyals for the truck. Over the next two weeks, the conspirators worked at a farm in the Qatif area to convert the tanker truck into a large truck bomb. Present at the farm were AL-MUGHASSIL, AL-HOURI, AL-SAYEGH, AL-QASSAB, and JOHN DOE. AL-MUGHIS assisted by returning the timing device and retrieving hidden explosives, while AL-JARASH supplied tools and wire to the group. During the bomb construction, AL-MUGHASSIL also discussed plans to bomb the United States Consulate in Dhahran, Saudi Arabia.

35. Between June 7 and June 17, 1996, key members of the conspiracy attended a meeting at the Sayyeda Zeinab shrine in Damascus. Present were AL-NASSER, AL-MUGHASSIL, AL-HOURI, AL-YACOUB, AL-SAYEGH, AL-QASSAB, and other high-ranking Saudi Hizballah leaders. At that meeting, AL-NASSER, the head of Saudi Hizballah, discussed the bombing with, among others, AL-MUGHASSIL, AL-HOURI, AL-YACOUB, AL-SAYEGH, and AL-QASSAB; AL-NASSER also confirmed that AL-MUGHASSIL was in charge of the Khobar attack.

The Khobar Attack

36. On the evening of June 25, 1996, AL-MUGHASSIL, AL-HOURI, AL-SAYEGH, AL-QASSAB, AL-JARASH, and AL-MUGHIS met at the farm in Qatif to review final preparations for the attack that evening. The group then executed the bombing plan.

37. Shortly before 10:00 p.m. on the evening of June 25, 1996, AL-SAYEGH drove a Datsun with AL-JARASH as his passenger. The Datsun entered the parking lot adjoining Khobar Towers building # 131 as a scout vehicle and parked in the far corner. Next to enter the parking lot was the getaway car, a white four-door Chevrolet Caprice that AL-MUGHIS had borrowed from an acquaintance. The Datsun containing AL-SAYEGH and AL-JARASH signaled that all was clear by blinking its lights. With that, the bomb truck, driven by AL-MUGHASSIL, with AL-HOURI as passenger, entered the lot and backed against a fence just in front of Khobar Towers building # 131. After parking the truck, AL-MUGHASSIL and AL-HOURI quickly exited and entered the back seat of the white Caprice, which drove away from the lot, followed by the Datsun from the corner. Within minutes, the truck bomb exploded, devastating the north side of building # 131, which was occupied by American military personnel. The explosion killed nineteen members of the United States Air Force and wounded 372 other Americans.

The Conspirators Flee and Al-Sayegh Obstructs

38. As planned, the attack leaders immediately left the Khobar area and Saudi Arabia using a variety of false passports. Only AL-JARASH and AL-MUGHIS remained behind in their hometown of Qatif. AL-SAYEGH reached Canada in August 1996, where he remained until his arrest by Canadian authorities in March 1997. In May 1997, AL-SAYEGH met with American investigators at his request. Among other things, AL-SAYEGH falsely denied knowledge of the Khobar Towers attack and falsely described a purported estrangement between Saudi Hizballah and elements of the Iranian government. After he was removed to the United States in June 1997 on his promise to assist American investigators, AL-SAYEGH reneged on that promise and unsuccessfully sought political asylum in the United States.

The Charge

39. From at least 1988 until the filing of this Indictment, in Saudi Arabia, Syria, Lebanon, Iran, Jordan, and elsewhere out of the jurisdiction of any particular state or district, AHMED AL-MUGHASSIL, aka "Abu Omran," ALI AL-HOURI, HANI AL-SAYEGH,

IBRAHIM AL-YACOUB, ABDEL KARIM AL-NASSER, MUSTAFA AL-QASSAB, SA'ED AL-BAHAR, ABDALLAH AL-JARASH, HUSSEIN AL-MUGHIS, ALI AL-MARHOUN, SALEH RAMADAN, MUSTAFA AL-MU' ALEM, FADEL AL-ALAWE, and JOHN DOE, defendants, at least one of whom was first brought to and arrested in the Eastern District of Virginia, together with other members and associates of Hizballah and others known and unknown to the Grand Jury, while outside the United States, wilfully and knowingly combined, conspired, confederated and agreed to murder nationals of the United States, unlawfully and with malice aforethought, as defined in Title 18, United States Code, Section 1111(a).

40. It was a part and an object of the conspiracy that the defendants, and others known and unknown, would and did: (i) murder United States nationals in Saudi Arabia; and (ii) kill United States nationals employed by the United States military who were serving in their official capacity on the Saudi Arabian peninsula.

Overt Acts

41. In furtherance of the conspiracy, and to effect its illegal objects, the following overt acts, among others, were committed:

- a. In about the late 1980s, AL-QASSAB joined Saudi Hizballah.
- b. In about 1988 or 1989, AL-BAHAR joined Saudi Hizballah.
- c. In about 1988 or 1989, AL-JARASH joined Saudi Hizballah.
- d. In about 1990, AL-MUGHIS joined Saudi Hizballah.
- e. In about 1991, AL-MARHOUN joined Saudi Hizballah.
- f. In about 1992, RAMADAN joined Saudi Hizballah.
- g. In about 1992, AL-MU' ALEM joined Saudi Hizballah.
- _____ h. In about 1992, AL-ALAWE joined Saudi Hizballah.
- i. In about 1993, AL-MUGHASSIL instructed AL-QASSAB, AL-YACOUB, and AL-HOURI to start surveillance of Americans in Saudi Arabia.
- j. In about 1993, AL-QASSAB, AL-YACOUB, and AL-SAYEGH conducted surveillance of American targets in Riyadh, Saudi Arabia.

k. In about 1993, AL-YACOUB assigned AL-JARASH to conduct surveillance of the United States Embassy in Riyadh, Saudi Arabia and instructed him to determine where Americans went and where they lived.

l. In about 1993, at AL-YACOUB's direction, AL-JARASH and AL-MARHOUN conducted surveillance of a fish market frequented by Americans, located near the U.S. Embassy in Riyadh.

m. In early 1994, AL-QASSAB began conducting surveillance focusing on American and other foreign sites in the Eastern Province of Saudi Arabia.

n. In about the fall of 1994, AL-MARHOUN, RAMADAN, and AL-MU' ALEM, working as a group, began watching American sites in Eastern Saudi Arabia at AL-MUGHASSIL's direction.

o. In about the fall of 1994, AL-BAHAR began conducting surveillance in Saudi Arabia at the direction of an Iranian military officer.

p. In late 1994, following extensive surveillance in Eastern Saudi Arabia, AL-MARHOUN, RAMADAN, and AL-MU' ALEM recognized and confirmed Khobar Towers as an important American military location and communicated that fact to AL-MUGHASSIL.

q. In late 1994 or early 1995, AL-MUGHASSIL gave RAMADAN money to find a storage site in the Eastern Province for explosives.

r. In 1995, AL-BAHAR and HANI AL-SAYEGH conducted surveillance at the direction of an Iranian military officer of the area of Jizan, Saudi Arabia.

s. In 1995, AL-BAHAR and HANI AL-SAYEGH conducted surveillance of American sites in the Eastern Province.

t. In about April or May 1995, AL-MARHOUN met in Beirut with AL-MUGHASSIL, who gave AL-MARHOUN \$2000 in \$100 United States bills to support AL-MARHOUN's cell in their surveillance activity in Saudi Arabia.

_____ u. In about June 1995, the Hizballah cell composed of AL-MARHOUN, RAMADAN, and AL-MU' ALEM began intense surveillance of Khobar Towers at AL-MUGHASSIL's direction.

v. In about mid-1995, RAMADAN traveled to Beirut to brief AL-MUGHASSIL, who instructed the cell to continue surveillance.

w. In about October 1995, an unknown man visited AL-ALAWE at his home in Eastern Saudi Arabia and delivered a map of Khobar from AL-MUGHASSIL.

x. In about the second half of 1995, AL-ALAWE met with AL-MUGHASSIL in Beirut.

y. In about the second half of 1995, AL-ALAWE drove a car for AL-MUGHASSIL from Beirut to Saudi Arabia.

z. In about the late fall of 1995, RAMADAN brought more surveillance reports to AL-MUGHASSIL in Beirut.

aa. At about the end of 1995 or the beginning of 1996, RAMADAN returned to Beirut, where he and AL-MUGHASSIL met.

_____ bb. In about January or February 1996, AL-MUGHASSIL traveled to Qatif, in the Eastern Province, and instructed AL-MARHOUN to find places to hide explosives.

cc. In about February 1996, at AL-MUGHASSIL's direction, RAMADAN met AL-MUGHASSIL in Beirut and drove back to Saudi Arabia with a car loaded with hidden explosives.

dd. In March 1996, AL-ALAWE drove a car containing 38 kilograms of plastic explosives for AL-MUGHASSIL from Beirut to Saudi Arabia.

ee. On or about May 1, 1996, AL-MUGHASSIL appeared at AL-JARASH's home in Qatif to discuss a plan to attack Khobar Towers.

ff. On or about May 4, 1996, AL-MUGHASSIL appeared at AL-MUGHIS's home in Qatif to discuss a plan to attack Khobar Towers.

gg. In about the first half of 1996, AL-HOURI and AL-MUGHIS hid explosives around Qatif.

hh. In early June 1996, AL-MUGHASSIL and JOHN DOE started staying at AL-MUGHIS's home in Qatif.

ii. In early June 1996, a conspirator purchased a tanker truck from a Saudi car dealer for about 75,000 Saudi riyals.

jj. In early June 1996, the tanker truck was converted into a bomb at a farm near Qatif.

kk. At some time between June 7 and June 17, 1996, AL-NASSER presided over a meeting at the Sayyeda Zeinab shrine in Damascus, Syria concerning the Khobar Towers attack.

ll. On the evening of June 25, 1996, AL-MUGHASSIL, AL-HOURI, AL-SAYEGH, AL-QASSAB, AL-JARASH, and AL-MUGHIS met to review final preparations for the attack that evening.

mm. On the evening of June 25, 1996, AL-SAYEGH drove a Datsun into the parking lot adjoining Khobar Towers building # 131.

nn. On the evening of June 25, 1996, AL-MUGHASSIL, with AL-HOURI as passenger, parked a tanker truck bomb against a fence in front of Khobar Towers building # 131.

oo. At about 10:00 p.m. on June 25, 1996, a truck bomb exploded next to Khobar Towers building #131.

pp. In or about August 1996, AL-SAYEGH arrived in Canada.

qq. In or about May 1997, AL-SAYEGH met in Ottawa, Canada with American investigators.

rr. In or about June 1997, AL-SAYEGH arrived at Dulles Airport, in the Eastern District of Virginia.

(In violation of Title 18, United States Code, Section 2332(b).)

COUNT TWO

Conspiracy to Murder Employees of the United States

42. The allegations contained in paragraphs 1 through 38 are repeated.

43. From at least 1988 until the date of the filing of this Indictment, in Saudi Arabia, Syria, Lebanon, Iran, Jordan, and elsewhere out of the jurisdiction of any particular state or district, AHMED AL-MUGHASSIL, aka "Abu Omran," ALI AL-HOURI, HANI AL-SAYEGH, IBRAHIM AL-YACoub, ABDEL KARIM AL-NASSER, MUSTAFA AL-QASSAB, SA'ED AL-BAHAR, ABDALLAH AL-JARASH, HUSSEIN AL-MUGHIS, ALI AL-MARHOUN, SALEH RAMADAN, MUSTAFA AL-MU'ALEM, FADEL AL-ALAWI, and JOHN DOE, defendants, at least one of whom was first brought to and arrested in the Eastern District of Virginia, together with other members and associates of Hizballah and others known and unknown to the Grand Jury, unlawfully, wilfully and knowingly combined, conspired, confederated and agreed unlawfully to kill officers and employees of the United States and agencies and branches thereof, while such officers and employees were engaged in, and on account of, the performance of their official duties, and persons assisting such employees in the performance of their duties, in violation of Section 1114 of Title 18, United States Code, including members of the American military stationed in Saudi Arabia.

Overt Acts

44. In furtherance of the conspiracy, and to effect its objects, the defendants, and others known and unknown to the grand jury, committed the overt acts set forth in Count One of this Indictment, which are fully incorporated by reference.

(In violation of Title 18, United States Code, Sections 1114 and 1117.)

COUNT THREE

Conspiracy to Use Weapons of Mass

Destruction Against Nationals of the United States

45. The allegations contained in paragraphs 1 through 38 are repeated.

46. From at least 1988 until the date of the filing of this Indictment, in Saudi Arabia, Syria, Lebanon, Iran, Jordan, and elsewhere out of the jurisdiction of any particular state or district, AHMED AL-MUGHASSIL, aka "Abu Omran," ALI AL-HOURI, HANI AL-SAYEGH, IBRAHIM AL-YACOUB, ABDEL KARIM AL-NASSER, MUSTAFA AL-QASSAB, SA'ED AL-BAHAR, ABDALLAH AL-JARASH, HUSSEIN AL-MUGHIS, ALI AL-MARHOUN, SALEH RAMADAN, MUSTAFA AL-MU'ALEM, FADEL AL-ALAWI, and JOHN DOE, defendants, at least one of whom was first brought to and arrested in the Eastern District of Virginia, together with other members and associates of Hizballah and others known and unknown to the Grand Jury, unlawfully, wilfully and knowingly combined, conspired, confederated and agreed to use weapons of mass destruction, namely, bombs, without lawful authority against nationals of the United States while such nationals were outside the United States and against property that was owned, leased and used by the United States and by departments and agencies of the United States, with the result that at least nineteen persons died.

47. It was a part and an object of the conspiracy that the defendants, and others known and unknown, would and did: (i) bomb the Khobar Towers housing complex and (ii) attack American military facilities in the Gulf region, and members of the American military stationed in Saudi Arabia and elsewhere, with bombs.

Overt Acts

48. In furtherance of the conspiracy, and to effect its objects, the defendants, and others known and unknown to the grand jury, committed the overt acts set forth in Count One of this Indictment, which are fully incorporated by reference.

(In violation of Title 18, United States Code, Sections 2332a(a)(1) and (a)(3).)

COUNT FOUR

Conspiracy to Destroy Buildings and Property of the United States

49. The allegations contained in paragraphs 1 through 38 are repeated.

50. From at least 1988 until the date of the filing of this Indictment, in Saudi Arabia, Syria, Lebanon, Iran, Jordan, and elsewhere out of the jurisdiction of any particular state or district, AHMED AL-MUGHASSIL, aka “Abu Omran,” ALI AL-HOURI, HANI AL-SAYEGH, IBRAHIM AL-YACoub, ABDEL KARIM AL-NASSER, MUSTAFA AL-QASSAB, SA’ED AL-BAHAR, ABDALLAH AL-JARASH, HUSSEIN AL-MUGHIS, ALI AL-MARHOUN, SALEH RAMADAN, MUSTAFA AL-MU’ALEM, FADEL AL-ALAWI, and JOHN DOE, defendants, at least one of whom was first brought to and arrested in the Eastern District of Virginia, together with other members and associates of Hizballah and others known and unknown to the Grand Jury, unlawfully, wilfully and knowingly combined, conspired, confederated and agreed unlawfully to maliciously damage and destroy, and attempt to damage and destroy, by means of fire and explosives, buildings, vehicles and other personal and real property in whole or in part owned and possessed by, and leased to, the United States and departments and agencies thereof, and as a result of such conduct directly and proximately caused the deaths of at least nineteen persons, in violation of Title 18, United States Code, Sections 844(f)(1) and (f)(3).

Overt Acts

51. In furtherance of the conspiracy, and to effect its objects, the defendants, and others known and unknown to the grand jury, committed the overt acts set forth in Count One of this Indictment, which are fully incorporated by reference.

(In violation of Title 18, United States Code, Sections 844(n), 844(f)(1) and 844(f)(3).)

COUNT FIVE

Conspiracy to Attack National Defense Premises

52. The allegations contained in paragraphs 1 through 38 are repeated.

53. From at least 1988 until the date of the filing of this Indictment, in Saudi Arabia, Syria, Lebanon, Iran, Jordan, and elsewhere out of the jurisdiction of any particular state or district, AHMED AL-MUGHASSIL, aka “Abu Omran,” ALI AL-HOURI, HANI AL-

SAYEGH, IBRAHIM AL-YACoub, ABDEL KARIM AL-NASSER, MUSTAFA AL-QASSAB, SA'ED AL-BAHAR, ABDALLAH AL-JARASH, HUSSEIN AL-MUGHIS, ALI AL-MARHOUN, SALEH RAMADAN, MUSTAFA AL-MU' ALEM, FADEL AL-ALAWI, and JOHN DOE, defendants, at least one of whom was first brought to and arrested in the Eastern District of Virginia, together with other members and associates of Hizballah and others known and unknown to the Grand Jury, unlawfully, wilfully and knowingly combined, conspired, confederated and agreed to injure and destroy, and to attempt to injure and destroy, national-defense premises, with intent to injure, interfere with, and obstruct the national defense of the United States.

Overt Acts

54. In furtherance of the conspiracy, and to effect its objects, the defendants, and others known and unknown to the grand jury, committed the overt acts set forth in Count One of this Indictment, which are fully incorporated by reference.

(In violation of Title 18, United States Code, Sections 2155(a) and (b).)

COUNT SIX

Bombing of Khobar Towers Resulting in Death

55. The allegations contained in paragraphs 1 through 38 are repeated.

56. On or about June 25, 1996, in Saudi Arabia, and out of the jurisdiction of any particular state or district, AHMED AL-MUGHASSIL, aka "Abu Omran," ALI AL-HOURI, HANI AL-SAYEGH, IBRAHIM AL-YACoub, ABDEL KARIM AL-NASSER, MUSTAFA AL-QASSAB, ABDALLAH AL-JARASH, HUSSEIN AL-MUGHIS, and JOHN DOE, defendants, at least one of whom was first brought to and arrested in the Eastern District of Virginia, aided and abetted by one another and by other members and associates of Hizballah and others known and unknown to the Grand Jury, unlawfully, wilfully, and knowingly did maliciously damage and destroy, by means of fire and explosives, buildings, vehicles and other

personal and real property in whole and in part owned and possessed by, and leased to, the United States and departments and agencies thereof, to wit, the defendants, together with other members and associates of Hizballah, detonated an explosive device that damaged and destroyed Khobar Towers building # 131, and as a result of such conduct directly and proximately caused the deaths of at least nineteen people.

(In violation of Title 18, United States Code, Sections 844(f)(1), 844(f)(3) and 2.)

COUNT SEVEN

Use of Weapons of Mass Destruction

Against Nationals of the United States in Saudi Arabia

57. The allegations contained in paragraphs 1 through 38 are repeated.

58. On or about June 25, 1996, in Saudi Arabia, and out of the jurisdiction of any particular state or district, AHMED AL-MUGHASSIL, aka “Abu Omran,” ALI AL-HOURI, HANI AL-SAYEGH, IBRAHIM AL-YACOUB, ABDEL KARIM AL-NASSER, MUSTAFA AL-QASSAB, ABDALLAH AL-JARASH, HUSSEIN AL-MUGHIS, and JOHN DOE, defendants, at least one of whom was first brought to and arrested in the Eastern District of Virginia, aided and abetted by one another and by other members and associates of Hizballah and others known and unknown to the Grand Jury, wilfully, knowingly, and without lawful authority, did use a weapon of mass destruction against nationals of the United States while such nationals were outside of the United States, and against property that was owned, leased and used by the United States, and by departments and agencies of the United States, to wit, the defendants attacked with a bomb the residence of American military personnel at Khobar Towers, and employees of the American Government stationed at this residence, which use of such weapon of mass destruction resulted in the deaths of at least nineteen persons.

(In violation of Title 18, United States Code, Sections 2332a(a)(1), 2332a(a)(3) and 2.)

COUNTS EIGHT THROUGH TWENTY-SIX

Murder While Using Destructive Device During Crime of Violence

59. The allegations contained in paragraphs 1 through 38 are repeated.

60. On or about June 25, 1996, in Saudi Arabia, and out of the jurisdiction of any particular state or district, AHMED AL-MUGHASSIL, aka “Abu Omran,” ALI AL-HOURI, HANI AL-SAYEGH, IBRAHIM AL-YACOUB, ABDEL KARIM AL-NASSER, MUSTAFA AL-QASSAB, ABDALLAH AL-JARASH, HUSSEIN AL-MUGHIS, and JOHN DOE, defendants, at least one of whom was first brought to and arrested in the Eastern District of Virginia, aided and abetted by one another and by other members and associates of Hizballah and others known and unknown to the Grand Jury, during and in relation to a crime of violence for which the defendants may be prosecuted in a court of the United States, namely, Conspiracy to Kill United States Nationals as charged in Count One of this Indictment, did knowingly use a destructive device, and in the course of such use did commit murder as defined in Title 18, United States Code, Section 1111, that is, the defendants unlawfully killed the persons listed below through the use of a destructive device with malice aforethought, such murder being willful, deliberate, malicious, and premeditated:

<u>Count</u>	<u>Victim</u>
EIGHT	Captain Christopher J. Adams
NINE	Staff Sergeant Daniel B. Cafourek
TEN	Sergeant Millard D. Campbell
ELEVEN	Senior Airman Earl F. Cartrette, Jr.
TWELVE	Technical Sergeant Patrick P. Fennig
THIRTEEN	Captain Leland T. Haun
FOURTEEN	Master Sergeant Michael G. Heiser
FIFTEEN	Staff Sergeant Kevin J. Johnson
SIXTEEN	Staff Sergeant Ronald L. King
SEVENTEEN	Airman First Class Christopher B. Lester
EIGHTEEN	Master Sergeant Kendall K. Kitson, Jr.

NINETEEN	Airman First Class Brent W. Marthaler
TWENTY	Airman First Class Brian W. McVeigh
TWENTY-ONE	Airman First Class Peter J. Morgera
TWENTY-TWO	Technical Sergeant Thanh V. Nguyen
TWENTY-THREE	Airman First Class Joseph E. Rimkus
TWENTY-FOUR	Senior Airman Jeremy A. Taylor
TWENTY-FIVE	Airman First Class Justin R. Wood
TWENTY-SIX	Airman First Class Joshua E. Woody.

(In violation of Title 18, United States Code, Sections 924(j)
(formerly 924(i)), 924(c) and 2.)

COUNTS TWENTY-SEVEN THROUGH FORTY-FIVE
Murder of Employees of the United States

61. The allegations contained in paragraphs 1 through 38 are repeated.

62. On or about June 25, 1996, in Saudi Arabia, and out of the jurisdiction of any particular state or district, AHMED AL-MUGHASSIL, aka “Abu Omran,” ALI AL-HOURI, HANI AL-SAYEGH, IBRAHIM AL-YACOUB, ABDEL KARIM AL-NASSER, MUSTAFA AL-QASSAB, ABDALLAH AL-JARASH, HUSSEIN AL-MUGHIS, and JOHN DOE, defendants, at least one of whom was first brought to and arrested in the Eastern District of Virginia, aided and abetted by one another and by other members and associates of Hizballah and others known and unknown to the Grand Jury, unlawfully, wilfully, deliberately, and maliciously, and with malice aforethought and premeditation, did murder officers and employees of the United States Government in violation of Title 18, United States Code, Section 1111, while such officers and employees were engaged in and on account of the performance of their official duties, namely, the defendants caused the deaths of the following persons by bombing Khobar Towers in Saudi Arabia:

<u>Count</u>	<u>Victim</u>
TWENTY-SEVEN	Captain Christopher J. Adams
TWENTY-EIGHT	Staff Sergeant Daniel B. Cafourek
TWENTY-NINE	Sergeant Millard D. Campbell
THIRTY	Senior Airman Earl F. Cartrette, Jr.
THIRTY-ONE	Technical Sergeant Patrick P. Fennig
THIRTY-TWO	Captain Leland T. Haun
THIRTY-THREE	Master Sergeant Michael G. Heiser
THIRTY-FOUR	Staff Sergeant Kevin J. Johnson
THIRTY-FIVE	Staff Sergeant Ronald L. King
THIRTY-SIX	Airman First Class Christopher B. Lester
THIRTY-SEVEN	Master Sergeant Kendall K. Kitson, Jr.
THIRTY-EIGHT	Airman First Class Brent W. Marthaler
THIRTY-NINE	Airman First Class Brian W. McVeigh
FORTY	Airman First Class Peter J. Morgera
FORTY-ONE	Technical Sergeant Thanh V. Nguyen
FORTY-TWO	Airman First Class Joseph E. Rimkus
FORTY-THREE	Senior Airman Jeremy A. Taylor
FORTY-FOUR	Airman First Class Justin R. Wood
FORTY-FIVE	Airman First Class Joshua E. Woody.

(In violation of Title 18, United States Code, Sections 1111, 1114 and 2.)

COUNT FORTY-SIX
Attempted Murder of Employees of the United States

63. The allegations contained in paragraphs 1 through 38 are repeated.

64. On or about June 25, 1996, in Saudi Arabia, and out of the jurisdiction of any particular state or district, AHMED AL-MUGHASSIL, aka “Abu Omran,” ALI AL-HOURI, HANI AL-SAYEGH, IBRAHIM AL-YACOUB, ABDEL KARIM AL-NASSER, MUSTAFA AL-QASSAB, ABDALLAH AL-JARASH, HUSSEIN AL-MUGHIS, and JOHN DOE, defendants, at least one of whom was first brought to and arrested in the Eastern District of Virginia, aided and abetted by one another and by other members and associates of Hizballah and others known and unknown to the Grand Jury, unlawfully, deliberately, and maliciously, and with malice aforethought and premeditation, did attempt to murder officers and employees of the United States Government in violation of Title 18, United States Code, Section 1111, while such officers and employees were engaged in and on account of the performance of their official duties, and persons assisting such United States Government officers and employees in the performance of such duties, and on account of that assistance, by bombing Khobar Towers in Saudi Arabia.

(In violation of Title 18, United States Code, Sections 1113, 1114 and 2.)

FOREPERSON

KENNETH E. MELSON
UNITED STATES ATTORNEY