

COUNT ONE

(Conspiracy to Commit Acts of Terrorism Transcending National Boundaries)

Background: al Qaeda

1. At all relevant times from in or about 1989 until the date of the filing of this Indictment, an international terrorist group existed which was dedicated to opposing non-Islamic governments with force and violence. This organization grew out of the "mekhtab al khidemat" (the "Services Office") organization which had maintained offices in various parts of the world, including Afghanistan, Pakistan (particularly in Peshawar), and the United States. The group was founded by Usama Bin Laden and Muhammad Atef, a/k/a "Abu Hafs al Masry," together with "Abu Ubaidah al Banshiri," and others. From in or about 1989 until the present, the group called itself "al Qaeda" ("the Base"). From 1989 until in or about 1991, the group (hereafter referred to as "al Qaeda") was headquartered in Afghanistan and Peshawar, Pakistan. In or about 1991, the leadership of al Qaeda, including its "emir" (or prince) Usama Bin Laden, relocated to the Sudan. Al Qaeda was headquartered in the Sudan from approximately 1991 until approximately 1996 but still maintained offices in various parts of the world. In 1996, Usama Bin Laden and other members of al Qaeda relocated to Afghanistan. At all relevant times, al Qaeda was led by its emir, Usama Bin Laden. Members of al Qaeda pledged an oath of allegiance (called a "bayat") to Usama Bin Laden and al Qaeda. Those who were suspected of collaborating against al Qaeda were to be identified and killed.

2. Bin Laden and al Qaeda violently opposed the United States for several reasons. First, the United States was regarded as an "infidel" because it was not governed in a manner consistent with the group's extremist interpretation of Islam. Second, the United States was

viewed as providing essential support for other "infidel" governments and institutions, particularly the governments of Saudi Arabia and Egypt, the nation of Israel, and the United Nations organization, which were regarded as enemies of the group. Third, al Qaeda opposed the involvement of the United States armed forces in the Gulf War in 1991 and in Operation Restore Hope in Somalia in 1992 and 1993. In particular, al Qaeda opposed the continued presence of American military forces in Saudi Arabia (and elsewhere on the Saudi Arabian peninsula) following the Gulf War. Fourth, al Qaeda opposed the United States Government because of the arrest, conviction and imprisonment of persons belonging to al Qaeda or its affiliated terrorist groups or those with whom it worked. For these and other reasons, Bin Laden declared a jihad, or holy war, against the United States, which he has carried out through al Qaeda and its affiliated organizations.

3. One of the principal goals of al Qaeda was to drive the United States armed forces out of Saudi Arabia (and elsewhere on the Saudi Arabian peninsula) and Somalia by violence. Members of al Qaeda issued fatwahs (rulings on Islamic law) indicating that such attacks were both proper and necessary.

4. Al Qaeda functioned both on its own and through some of the terrorist organizations that operated under its umbrella, including: Egyptian Islamic Jihad, which was led by Ayman al-Zawahiri, and at times, the Islamic Group (also known as "el Gamaa Islamia" or simply "Gamaa't"), and a number of jihad groups in other countries, including the Sudan, Egypt, Saudi Arabia, Yemen, Somalia, Eritrea, Djibouti, Afghanistan, Pakistan, Bosnia, Croatia, Albania, Algeria, Tunisia, Lebanon, the Philippines, Tajikistan, Azerbaijan, and the Kashmiri region of India and the Chechnyan region of Russia. Al Qaeda also maintained cells and

personnel in a number of countries to facilitate its activities, including in Kenya, Tanzania, the United Kingdom, Germany, Canada, Malaysia, and the United States.

5. Al Qaeda had a command and control structure which included a majlis al shura (or consultation council) which discussed and approved major undertakings, including terrorist operations. Al Qaeda also had a "military committee" which considered and approved "military" matters.

6. Usama Bin Laden and al Qaeda also forged alliances with the National Islamic Front in the Sudan and with representatives of the government of Iran, and its associated terrorist group Hizballah, for the purpose of working together against their perceived common enemies in the West, particularly the United States.

7. Since at least 1989, until the filing of this Indictment, Usama Bin Laden and the terrorist group al Qaeda sponsored, managed, and/or financially supported training camps in Afghanistan, which camps were used to instruct members and associates of al Qaeda and its affiliated terrorist groups in the use of firearms, explosives, chemical weapons, and other weapons of mass destruction. In addition to providing training in the use of various weapons, these camps were used to conduct operational planning against United States targets around the world and experiments in the use of chemical and biological weapons. These camps were also used to train others in security and counterintelligence methods, such as the use of codes and passwords, and to teach members and associates of al Qaeda about traveling to perform operations. For example, al Qaeda instructed its members and associates to dress in "Western" attire and to use other methods to avoid detection by security officials. The group also taught its

members and associates to monitor media reporting of its operations to determine the effectiveness of their terrorist activities.

8. Since in or about 1996, Usama Bin Laden and others operated al Qaeda from their headquarters in Afghanistan. During this time, Bin Laden and others forged close relations with the Taliban in Afghanistan. To that end, Bin Laden informed other al Qaeda members and associates outside Afghanistan of their support of, and alliance with, the Taliban. Bin Laden also endorsed a declaration of jihad (holy war) issued by the "Ulema Union of Afghanistan."

The September 11 Hijackers

9. On September 11, 2001, co-conspirators Mohammed Atta, Abdul Alomari, Wail al-Shehri, Waleed al-Shehri, and Satam al-Suqami hijacked American Airlines Flight 11, bound from Boston to Los Angeles, and crashed it into the North Tower of the World Trade Center in New York. (In this Indictment, each hijacker will be identified with the flight number of the plane he hijacked.)

10. On September 11, 2001, co-conspirators Marwan al-Shehhi, Fayez Ahmed, a/k/a "Banihammad Fayez," Ahmed al-Ghamdi, Hamza al-Ghamdi, and Mohald al-Shehri hijacked United Airlines Flight 175, bound from Boston to Los Angeles, and crashed it into the South Tower of the World Trade Center in New York.

11. On September 11, 2001, co-conspirators Khalid al-Midhar, Nawaf al-Hazmi, Hani Hanjour, Salem al-Hamzi, and Majed Moqed hijacked American Airlines Flight 77, bound from Virginia to Los Angeles, and crashed it into the Pentagon.

12. On September 11, 2001, co-conspirators Ziad Jarrah, Ahmed al-Haznawi, Saaed al-Ghamdi, and Ahmed al-Nami hijacked United Airlines Flight 93, bound from Newark to San Francisco, and crashed it in Pennsylvania.

The Defendant

13. ZACARIAS MOUSSAOUI, a/k/a “Shaqil,” a/k/a “Abu Khalid al Sahrawi,” was born in France of Moroccan descent on May 30, 1968. Before 2001 he was a resident of the United Kingdom. MOUSSAOUI held a masters degree from Southbank University in the United Kingdom and traveled widely.

MOUSSAOUI’s Supporting Conspirators

14. Ramzi Bin al-Shibh, a/k/a “Ahad Sabet,” a/k/a “Ramzi Mohamed Abdellah Omar,” was born in Yemen on May 1, 1972. He entered Germany in or about 1995 and afterwards lived in Hamburg, where he shared an apartment with hijacker Mohammed Atta (#11) in 1998 and 1999. Bin al-Shibh also was employed with Atta as a warehouse worker at a computer company in Hamburg.

15. Mustafa Ahmed al-Hawsawi, a/k/a “Mustafa Ahmed,” was born in Jeddah, Saudi Arabia on August 5, 1968.

The Charge

16. From in or about 1989 until the date of the filing of this Indictment, in the Eastern District of Virginia, the Southern District of New York, and elsewhere, the defendant, ZACARIAS MOUSSAOUI, a/k/a “Shaqil,” a/k/a “Abu Khalid al Sahrawi,” with other members and associates of al Qaeda and others known and unknown to the Grand Jury, unlawfully, wilfully and knowingly combined, conspired, confederated and agreed to kill and maim persons

within the United States, and to create a substantial risk of serious bodily injury to other persons by destroying and damaging structures, conveyances, and other real and personal property within the United States, in violation of the laws of States and the United States, in circumstances involving conduct transcending national boundaries, and in which facilities of interstate and foreign commerce were used in furtherance of the offense, the offense obstructed, delayed, and affected interstate and foreign commerce, the victim was the United States Government, members of the uniformed services, and officials, officers, employees, and agents of the governmental branches, departments, and agencies of the United States, and the structures, conveyances, and other real and personal property were, in whole or in part, owned, possessed, and leased to the United States and its departments and agencies, resulting in the deaths of thousands of persons on September 11, 2001.

Overt Acts

In furtherance of the conspiracy, and to effect its objects, the defendant, and others known and unknown to the Grand Jury, committed the following overt acts:

The Provision of Guesthouses and Training Camps

1. At various times from at least as early as 1989, Usama Bin Laden, and others known and unknown, provided training camps and guesthouses in Afghanistan, including camps known as Khalden, Derunta, Khost, Siddiq, and Jihad Wal, for the use of al Qaeda and its affiliated groups.

The Training

2. At various times from at least as early as 1990, unindicted co-conspirators, known and unknown, provided military and intelligence training in various areas, including

Afghanistan, Pakistan, and the Sudan, for the use of al Qaeda and its affiliated groups, including the Egyptian Islamic Jihad.

Financial and Business Dealings

3. At various times from at least as early as 1989 until the date of the filing of this Indictment, Usama Bin Laden, and others known and unknown, engaged in financial and business transactions on behalf of al Qaeda, including, but not limited to: purchasing land for training camps; purchasing warehouses for storage of items, including explosives; purchasing communications and electronics equipment; transferring funds between corporate accounts; and transporting currency and weapons to members of al Qaeda and its associated terrorist organizations in various countries throughout the world.

The Efforts to Obtain Nuclear Weapons and Their Components

4. At various times from at least as early as 1992, Usama Bin Laden, and others known and unknown, made efforts to obtain the components of nuclear weapons.

The Fatwahs Against American Troops in Saudi Arabia and Yemen

5. At various times from in or about 1992 until the date of the filing of this Indictment, Usama Bin Laden, working together with members of the fatwah committee of al Qaeda, disseminated fatwahs to other members and associates of al Qaeda that the United States forces stationed on the Saudi Arabian peninsula, including both Saudi Arabia and Yemen, should be attacked.

The Fatwah Against American Troops in Somalia

6. At various times from in or about 1992 until in or about 1993, Usama Bin Laden, working together with members of the fatwah committee of al Qaeda, disseminated fatwahs to

other members and associates of al Qaeda that the United States forces stationed in the Horn of Africa, including Somalia, should be attacked.

The Fatwah Regarding Deaths of Nonbelievers

7. On various occasions, an unindicted co-conspirator advised other members of al Qaeda that it was Islamically proper to engage in violent actions against “infidels” (nonbelievers), even if others might be killed by such actions, because if the others were “innocent,” they would go to paradise, and if they were not “innocent,” they deserved to die.

The August 1996 Declaration of War

8. On or about August 23, 1996, a Declaration of Jihad indicating that it was from the Hindu Kush mountains in Afghanistan entitled, “Message from Usamah Bin-Muhammad Bin-Laden to His Muslim Brothers in the Whole World and Especially in the Arabian Peninsula: Declaration of Jihad Against the Americans Occupying the Land of the Two Holy Mosques; Expel the Heretics from the Arabian Peninsula” was disseminated.

The February 1998 Fatwah Against American Civilians

9. In February 1998, Usama Bin Laden endorsed a fatwah under the banner of the “International Islamic Front for Jihad on the Jews and Crusaders.” This fatwah, published in the publication Al-Quds al-`Arabi on February 23, 1998, stated that Muslims should kill Americans - including civilians - anywhere in the world where they can be found.

10. In an address in or about 1998, Usama Bin Laden cited American aggression against Islam and encouraged a jihad that would eliminate the Americans from the Arabian Peninsula.

Bin Laden Endorses the Nuclear Bomb of Islam

11. On or about May 29, 1998, Usama Bin Laden issued a statement entitled "The Nuclear Bomb of Islam," under the banner of the "International Islamic Front for Fighting the Jews and the Crusaders," in which he stated that "it is the duty of the Muslims to prepare as much force as possible to terrorize the enemies of God."

Usama Bin Laden Issues Further Threats in June 1999

12. In or about June 1999, in an interview with an Arabic-language television station, Usama Bin Laden issued a further threat indicating that all American males should be killed.

Usama Bin Laden Calls for "Jihad" to Free Imprisoned Terrorists

13. In or about September 2000, in an interview with an Arabic-language television station, Usama Bin Laden called for a "jihad" to release the "brothers" in jail "everywhere."

MOUSSAOUI Trains at Al Qaeda Training Camp

14. In or about April 1998, ZACARIAS MOUSSAOUI was present at the al Qaeda-affiliated Khalden Camp in Afghanistan.

The German Cell

15. Beginning in and about 1998, Ramzi Bin al-Shibh, Mohammed Atta (#11), Marwan al-Shehhi (#175), and Ziad Jarrah (#93), and others, formed and maintained an al Qaeda terrorist cell in Germany.

Hijackers Travel to the United States

16. On or about January 15, 2000, Khalid al-Midhar (#77) and Nawaf al-Hazmi (#77) traveled from Bangkok, Thailand, to Los Angeles, California.

Atta (#11) Inquires About Aerial Application of Pesticides

17. At various times in 2000 and 2001, in Florida, Mohammed Atta (#11) made inquiries regarding starting a crop dusting company.

Hijackers Receive Flight Training

18. On or about June 3, 2000, Mohammed Atta (#11) traveled to the United States from Prague, Czech Republic.

19. In or about early July 2000, Mohammed Atta (#11) and Marwan al-Shehhi (#175) visited the Airman Flight School in Norman, Oklahoma.

20. Between in or about July 2000 and in or about December 2000, Mohamed Atta (#11) and Marwan al-Shehhi (#175) attended flight training classes at Huffman Aviation in Venice, Florida.

Money is Moved to the Hijackers

21. On or about June 29, 2000, \$4,790 was wired from the United Arab Emirates (“UAE”) to Marwan al-Shehhi (#175) in Manhattan.

22. On or about July 19, 2000, \$9,985 was wired from UAE into a Florida SunTrust bank account in the names of Mohammed Atta (#11) and Marwan al-Shehhi (#175).

23. On or about July 26, 2000, in Germany, Ramzi Bin al-Shibh wired money to Marwan al-Shehhi (#175) in Florida.

24. On or about August 7, 2000, \$9,485 was wired from UAE into a Florida SunTrust bank account in the names of Mohammed Atta (#11) and Marwan al-Shehhi (#175).

25. On or about August 30, 2000, \$19,985 was wired from UAE into a Florida SunTrust bank account in the names of Mohammed Atta (#11) and Marwan al-Shehhi (#175).

26. On or about September 18, 2000, \$69,985 was wired from UAE into a Florida SunTrust bank account in the names of Mohamed Atta (#11) and Marwan al-Shehhi (#175).

Jarrah (#93) Attempts to Enroll Bin al-Shibh in Flight Training Courses

27. In or about August 2000, Ziad Jarrah (#93) attempted to enroll Ramzi Bin al-Shibh in a flight school in Florida.

28. On or about May 17, 2000, in Germany, Ramzi Bin al-Shibh applied for a visa to travel to the United States, listing a German telephone number ("German Telephone #1"). This visa application was denied.

29. On or about June 15, 2000, in Germany, Ramzi Bin al-Shibh applied for a visa to travel to the United States. This visa application was denied.

30. On or about August 14, 2000, in Yemen, Ramzi Bin al-Shibh arranged to wire money from his account in Germany to the account of a flight training school in Florida.

31. On or about September 15, 2000, in Yemen, Ramzi Bin al-Shibh applied for a visa to travel to the United States, listing a residence in Hamburg, Germany. This visa application was denied in September 2000.

32. On or about October 25, 2000, in Germany, Ramzi Bin al-Shibh applied for a visa to travel to the United States. This visa application was denied.

Bin al-Shibh Sends Money to al-Shehhi (#175)

33. On or about September 25, 2000, in Hamburg, Germany, Ramzi Bin al-Shibh sent money via wire transfer to Marwan al-Shehhi (#175) in Florida.

MOUSSAOUI Inquires About Flight Training

34. On or about September 29, 2000, ZACARIAS MOUSSAOUI contacted Airman Flight School in Norman, Oklahoma using an e-mail account he set up on September 6 with an internet service provider in Malaysia.

35. In or about October 2000, ZACARIAS MOUSSAOUI received letters from Infocus Tech, a Malaysian company, stating that MOUSSAOUI was appointed Infocus Tech's marketing consultant in the United States, the United Kingdom, and Europe, and that he would receive, among other things, an allowance of \$2500 per month.

Atta (#11) Purchases Flight Training Equipment

36. On or about November 5, 2000, Mohammed Atta (#11) purchased flight deck videos for the Boeing 747 Model 200, Boeing 757 Model 200, and other items from a pilot store in Ohio ("Ohio Pilot Store").

Bin al-Shibh Travels to London

37. Between on or about December 2 and December 9, 2000, Ramzi Bin al-Shibh traveled from Hamburg, Germany to London, England.

MOUSSAOUI Travels from London to Pakistan

38. On or about December 9, 2000, ZACARIAS MOUSSAOUI flew from London, England to Pakistan.

Atta (#11) Purchases More Flight Training Equipment

39. On or about December 11, 2000, Mohammed Atta (#11) purchased flight deck videos for the Boeing 767 Model 300ER and the Airbus A320 Model 200 from the Ohio Pilot Store.

Flight Training and Exercise

40. Between in or about January 2001 and March 2001, Hani Hanjour (#77) attended pilot training courses in Phoenix, Arizona, including at Pan Am International Flight Academy.

41. Between on or about February 1, 2001, and on or about February 15, 2001, Mohammed Atta (#11) and Marwan al-Shehhi (#175) took a flight check ride around Decatur, Georgia.

42. In or about February 2001, Mohammed Atta (#11) and Marwan al-Shehhi (#175) attended a health club in Decatur, Georgia.

MOUSSAOUI Comes to the United States

43. On or about February 7, 2001, ZACARIAS MOUSSAOUI flew from Pakistan to London, England.

44. On or about February 23, 2001, ZACARIAS MOUSSAOUI flew from London, England to Chicago, Illinois, declaring at least \$35,000 cash on his Customs declaration, and then from Chicago to Oklahoma City, Oklahoma.

45. On or about February 26, 2001, ZACARIAS MOUSSAOUI opened a bank account in Norman, Oklahoma, depositing approximately \$32,000 cash.

46. Between on or about February 26, 2001, and on or about May 29, 2001, ZACARIAS MOUSSAOUI attended the Airman Flight School in Norman, Oklahoma, ending his classes early.

Nawaf al-Hazmi (#77) Purchases Flight Training Equipment

47. On or about March 19, 2001, Nawaf al-Hazmi (#77) purchased flight deck videos for the Boeing 747 Model 400, the Boeing 747 Model 200 and the Boeing 777 Model 200, and another video from the Ohio Pilot Store.

MOUSSAOUI Joins a Gym

48. In or about March 2001, ZACARIAS MOUSSAOUI joined a gym in Norman, Oklahoma.

Hijackers Travel to and Within the United States

49. On or about April 1, 2001, Nawaf al-Hazmi (#77) was in Oklahoma.

50. Between on or about April 23, 2001, and on or about June 29, 2001, Satam al-Suqami (#11), Waleed al-Shehri (#11), Ahmed al-Ghamdi (#175), Majed Moqed (#77), Marwan al-Shehhi (#175), Mohammed Atta (#11), Ahmed al-Nami (#93), Hamza al-Ghamdi (#175), Mohald al-Shehri (#175), Wail al-Shehri (#11), Ahmed al-Haznawi (#93), Fayez Ahmed (#175), and Salem al-Hazmi (#77) traveled from various points in the world to the United States.

MOUSSAOUI Contacts a Commercial Flight School

51. On or about May 23, 2001, ZACARIAS MOUSSAOUI contacted an office of the Pan Am International Flight Academy in Miami, Florida via e-mail.

Hijackers Open Bank Accounts

52. In Summer 2001, Fayez Ahmed (#175), Saeed al-Ghamdi (#93), Hamza al-Ghamdi (#175), Waleed al-Shehri (#11), Ziad Jarrah (#93), Satam al-Suqami (#11), Mohald al-Shehri (#175), Ahmed al-Nami (# 93), and Ahmed al-Haznawi (#93) each opened a Florida SunTrust bank account with a cash deposit.

MOUSSAOUI Inquires About Aerial Application of Pesticides

53. In or about June 2001, in Norman, Oklahoma, ZACARIAS MOUSSAOUI made inquiries about starting a crop dusting company.

Other Hijackers Attend Gym Training

54. Between May and July 2001, in Florida, Ziad Jarrah (#93) joined a gym and took martial arts lessons, which included instruction in kickboxing and knife fighting.

55. In or about June 2001, in Florida, Waleed al-Shehri (#11), Marwan al-Shehhi (#175) and Satam al-Suqami (#11) joined a gym.

MOUSSAOUI Purchases Flight Training Equipment

56. On or about June 20, 2001, ZACARIAS MOUSSAOUI purchased flight deck videos for the Boeing 747 Model 400 and the Boeing 747 Model 200 from the Ohio Pilot Store.

Al-Hawsawi and Fayez Ahmed (#175) Open UAE Bank Accounts

57. On June 25, 2001, Mustafa Ahmed al-Hawsawi used a cash deposit to open a checking account at a Standard Chartered Bank branch in Dubai, UAE.

58. On June 25, 2001, at the same Standard Chartered Bank branch in Dubai, UAE, Fayez Ahmed (#175) used a cash deposit to open a savings account and also opened a checking account.

Atta (#11) and al-Shehhi (#175) Purchase a Knife

59. On or about July 8, 2001, Mohammed Atta (#11) purchased a knife in Zurich, Switzerland.

MOUSSAOUI Pays for Flight Lessons

60. On or about July 10 and July 11, 2001, ZACARIAS MOUSSAOUI made credit card payments to the Pan Am International Flight Academy for a simulator course in commercial flight training.

Fayez Ahmed (#175) Gives Al-Hawsawi Control Over UAE Account

61. On July 18, 2001, Fayez Ahmed (#175) gave power of attorney to Mustafa Ahmed al-Hawsawi for Fayez Ahmed's Standard Chartered Bank accounts in UAE.

62. On July 18, 2001, using his power of attorney, Al-Hawsawi picked up Fayez Ahmed's VISA and ATM cards in UAE.

63. Between July 18 and August 1, 2001, Mustafa Ahmed al-Hawsawi caused Fayez Ahmed's VISA and ATM cards to be shipped from UAE to Fayez Ahmed in Florida. (The VISA card was then used for the first time on August 1, 2001, in Florida.)

Jarrah (#93) Travels to Germany

64. On or about July 25, 2001, Ziad Jarrah (#93) traveled from the United States to Germany.

Bin al-Shibh Moves Money to MOUSSAOUI from UAE

65. Between on or about July 29 and August 2, 2001, in Norman, Oklahoma, ZACARIAS MOUSSAOUI made several telephone calls from public telephones to a number in Duesseldorf, Germany ("German Telephone # 2").

66. On or about July 30 and 31, 2001, in Hamburg, Germany, Ramzi Bin al-Shibh, using the name "Ahad Sabet," received two wire transfers, totaling approximately \$15,000, from "Hashim Abdulrahman" in UAE.

67. On or about August 1 and 3, 2001, Ramzi Bin al-Shibh, using the name "Ahad Sabet," wired approximately \$14,000 in money orders to ZACARIAS MOUSSAOUI in Oklahoma from train stations in Dusseldorf and Hamburg, Germany.

MOUSSAOUI Purchases Knives

68. On or about August 3, 2001, ZACARIAS MOUSSAOUI purchased two knives in Oklahoma City, Oklahoma.

Jarrah (#93) Returns to the United States from Germany

69. On or about August 4, 2001, Ziad Jarrah (#93) traveled from Germany to the United States.

MOUSSAOUI Travels from Oklahoma to Minnesota

70. On or about August 9 and August 10, 2001, ZACARIAS MOUSSAOUI was driven from Oklahoma to Minnesota.

MOUSSAOUI Takes Commercial Flying Lessons in Minnesota

71. On or about August 10, 2001, in Minneapolis, Minnesota, ZACARIAS MOUSSAOUI paid approximately \$6,300 in cash to the Pan Am International Flight Academy.

72. Between August 13 and August 15, 2001, ZACARIAS MOUSSAOUI attended the Pan Am International Flight Academy in Minneapolis, Minnesota, for simulator training on the Boeing 747 Model 400.

MOUSSAOUI Possesses Knives and Other Items

73. On or about August 16, 2001, ZACARIAS MOUSSAOUI possessed, among other things:

- two knives;
- a pair of binoculars;
- flight manuals for the Boeing 747 Model 400;
- a flight simulator computer program;
- fighting gloves and shin guards;
- a piece of paper referring to a handheld Global Positioning System receiver and a camcorder;
- software that could be used to review pilot procedures for the Boeing 747 Model 400;
- a notebook listing German Telephone #1, German Telephone #2, and the name "Ahad Sabet;"
- letters indicating that MOUSSAOUI is a marketing consultant in the United States for Infocus Tech;
- a computer disk containing information related to the aerial application of pesticides; and
- a hand-held aviation radio.

MOUSSAOUI Lies to Federal Agents

74. On or about August 17, 2001, ZACARIAS MOUSSAOUI, while being interviewed by federal agents in Minneapolis, attempted to explain his presence in the United States by falsely stating that he was simply interested in learning to fly.

Jarrah (#93) Undertakes "Check Ride" At Flight School

75. On or about August 17, 2001, Ziad Jarrah (#93) undertook a "check ride" at a flight school in Fort Lauderdale, Florida.

Final Preparations for the Coordinated Air Attack

76. On or about August 22, 2001, Fayez Ahmed (#175) used his VISA card in Florida to obtain approximately \$4,900 cash, which had been deposited into his Standard Chartered Bank account in UAE the day before.

77. On or about August 22, 2001, in Miami, Florida, Ziad Jarrah (#93) purchased an antenna for a Global Positioning System ("GPS"), other GPS related equipment, and schematics for 757 cockpit instrument diagrams. (GPS allows an individual to navigate to a position using coordinates pre-programmed into the GPS unit.)

78. On or about August 25, 2001, Khalid al-Midhar and Majed Moqed purchased with cash tickets for American Airlines Flight 77, from Virginia to Los Angeles, California, scheduled for September 11, 2001.

79. On or about August 26, 2001, Waleed al-Shehri and Wail al-Shehri made reservations on American Airlines Flight 11, from Boston, Massachusetts, to Los Angeles, California, scheduled for September 11, 2001, listing a telephone number in Florida ("Florida Telephone #1") as a contact number.

80. On or about August 27, 2001, reservations for electronic, one-way tickets were made for Fayez Ahmed and Mohald al-Shehri, for United Airlines Flight 175, from Boston, Massachusetts, to Los Angeles, California, scheduled for September 11, 2001, listing Florida Telephone Number #1 as a contact number.

81. On or about August 27, 2001, Nawaf al-Hazmi and Salem al-Hazmi booked flights on American Airlines Flight 77.

82. On or about August 28, 2001, Satam al-Suqami purchased a ticket with cash for American Airlines Flight 11.

83. On or about August 28, 2001, Mohammed Atta and Abdulaziz Alomari reserved two seats on American Airlines Flight 11, listing Florida Telephone #1 as a contact number.

84. On or about August 29, 2001, Ahmed al-Ghamdi and Hamza al-Ghamdi reserved electronic, one-way tickets for United Airlines Flight 175.

85. On or about August 29, 2001, Ahmed al-Haznawi purchased a ticket on United Airlines Flight 93 from Newark, New Jersey, to San Francisco, California, scheduled for September 11, 2001.

86. On or about August 30, 2001, Mohammed Atta (#11) purchased a utility tool that contained a knife.

87. On or about September 3, 2001, in Hamburg, Germany, Ramzi Bin al-Shibh, using the name "Ahad Sabet," received approximately \$1500 by wire transfer from "Hashim Ahmed" in UAE.

88. On or about September 4, 2001, Mohammed Atta (#11) sent a FedEx package from Florida to UAE.

89. On or about September 5, 2001, Ramzi Bin al-Shibh traveled from Dusseldorf, Germany, to Madrid, Spain, and did not return to Germany.

90. On or about September 6, 2001, Satam al-Suqami (#11) and Abdulaziz Alomari (#11) flew from Florida to Boston.

The Hijackers Return Excess Money to Al-Hawsawi in UAE

91. On or about September 6, 2001, approximately \$8,055 was wired from Fayez Ahmed's (#175) Florida SunTrust account to the Standard Chartered Bank account over which Al-Hawsawi had power of attorney.

92. On or about September 8, 2001, an Arab male retrieved the package from Mohammed Atta (#11) at FedEx in Dubai, UAE.

93. On September 8, 2001, Mohammed Atta (#11) wired \$2,860 to "Mustafa Ahmed" in UAE.

94. On September 8, 2001, Mohammed Atta (#11) wired \$5,000 to "Mustafa Ahmed" in UAE.

95. On September 9, 2001, Waleed M. al-Shehri (#11) wired \$5,000 to "Ahamad Mustafa" in UAE.

96. On September 10, 2001, Marwan al-Shehhi (#175) wired \$5,400 to "Mustafa Ahmad" in UAE.

97. On September 11, 2001, in UAE, approximately \$16,348 was deposited into Al-Hawsawi's Standard Chartered Bank account.

98. On September 11, 2001, in UAE, at about 9:22 a.m. local time (the early morning hours of Eastern Daylight Time), Mustafa Ahmed al-Hawsawi moved approximately \$6,534

from the \$8,055 in Fayez Ahmed's (#175) Standard Chartered Bank account into his own account, using a check dated September 10, 2001 and signed by Fayez Ahmed; Al-Hawsawi then withdrew approximately \$1,361, nearly all the remaining balance in Ahmed's account, by ATM cash withdrawal.

99. On September 11, 2001, in UAE, approximately \$40,871 was prepaid to a VISA card connected to Al-Hawsawi's Standard Chartered Bank account.

The September 11, 2001 Terrorist Attacks

100. On or about September 11, 2001, the hijackers possessed a handwritten set of final instructions for a martyrdom operation on an airplane using knives.

101. On or about September 11, 2001, Mohammed Atta (#11) and Abdulaziz Alomari (#11) flew from Portland, Maine to Boston, Massachusetts.

102. On or about September 11, 2001, Mohammed Atta (#11) possessed operating manuals for the Boeing 757 and 767, pepper spray, knives, and German travel visas.

103. On or about September 11, 2001, Ziad Jarrah (#93) possessed flight manuals for Boeing 757 and 767 aircraft.

104. On or about September 11, 2001, Mohammed Atta, Abdul Aziz Alomari, Satam al-Suqami, Waleed M. al-Shehri, and Waleed al-Shehri hijacked American Airlines Flight 11, a Boeing 767, which had departed Boston at approximately 7:55 a.m. They flew Flight 11 into the North Tower of the World Trade Center in Manhattan at approximately 8:45 a.m., causing the collapse of the tower and the deaths of thousands of persons.

105. On or about September 11, 2001, Hamza al-Ghamdi, Fayez Ahmed, Mohald al-Shehri, Ahmed al-Ghamdi, and Marwan al-Shehhi hijacked United Airlines Flight 175, a Boeing

767, which had departed from Boston at approximately 8:15 a.m. They flew Flight 175 into the South Tower of the World Trade Center in Manhattan at approximately 9:05 a.m., causing the collapse of the tower and the deaths of thousands of persons.

106. On or about September 11, 2001, Khalid al-Midhar, Majed Moqed, Nawaf al-Hazmi, Salem al-Hazmi, and Hani Hanjour hijacked American Airlines Flight 77, a Boeing 757, which had departed from Virginia bound for Los Angeles, at approximately 8:10 a.m. They flew Flight 77 into the Pentagon in Virginia at approximately 9:40 a.m., causing the deaths of 189 persons.

107. On or about September 11, 2001, Saeed al-Ghamdi, Ahmed al-Nami, Ahmed al-Haznawi, and Ziad Jarrah hijacked United Airlines Flight 93, a Boeing 757, which had departed from Newark, New Jersey bound for San Francisco at approximately 8:00 a.m. After resistance by the passengers, Flight 93 crashed in Somerset County, Pennsylvania at approximately 10:10 a.m., killing all on board.

Al-Hawsawi Flees the U.A.E. for Pakistan

108. On September 11, 2001, Mustafa Ahmed al-Hawsawi left the U.A.E. for Pakistan.

109. On September 13, 2001, the VISA card connected to Al-Hawsawi's account was used to make six ATM withdrawals in Karachi, Pakistan.

A Co-Conspirator Calls On Muslims To Fight The United States

110. On or about October 7, 2001, in Afghanistan, Ayman al-Zawahiri called on Muslims to join the battle against the United States.

Bin Laden Praises The September 11 Attack And Threatens More Attacks

111. On or about October 7, 2001, in Afghanistan, Usama Bin Laden praised the September 11 attack, and vowed that the United States would not “enjoy security” before “infidel armies leave” the Saudi Gulf.

A Co-Conspirator Solicits Violence Against United States Nationals

112. On or about October 10, 2001, Sulieman Abu Ghaith announced, on behalf of al Qaeda, that all Muslims had a duty to attack United States targets around the world.
(In violation of Title 18, United States Code, Sections 2332b(a)(2) and 2332b(c).)

COUNT TWO
(Conspiracy to Commit Aircraft Piracy)

1. The allegations contained in Count One are repeated.
2. From in or about 1989 until the date of the filing of this Indictment, in the Eastern District of Virginia, the Southern District of New York, and elsewhere, the defendant, ZACARIAS MOUSSAOUI, a/k/a “Shaqil,” a/k/a “Abu Khalid al Sahrawi,” and other members and associates of al Qaeda and others known and unknown to the Grand Jury, unlawfully, wilfully and knowingly combined, conspired, confederated and agreed to commit aircraft piracy, by seizing and exercising control of aircraft in the special aircraft jurisdiction of the United States by force, violence, threat of force and violence, and intimidation, and with wrongful intent, with the result that thousands of people died on September 11, 2001.

Overt Acts

3. In furtherance of the conspiracy, and to effect its illegal objects, the defendant, 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 49, United States Code, Sections 46502(a)(1)(A) and (a)(2)(B).)

COUNT THREE
(Conspiracy to Destroy Aircraft)

1. The allegations contained in Count One are repeated.

2. From in or about 1989 until the date of the filing of this Indictment, in the Eastern District of Virginia, the Southern District of New York, and elsewhere, the defendant, ZACARIAS MOUSSAOUI, a/k/a “Shaqil,” a/k/a “Abu Khalid al Sahrawi,” and other members and associates of al Qaeda and others known and unknown to the Grand Jury, unlawfully, wilfully and knowingly combined, conspired, confederated and agreed to willfully destroy and wreck aircraft in the special aircraft jurisdiction of the United States, and to willfully perform acts of violence against and incapacitate individuals on such aircraft, so as likely to endanger the safety of such aircraft, resulting in the deaths of thousands of persons on September 11, 2001.

Overt Acts

3. In furtherance of the conspiracy, and to effect its illegal objects, the defendant, 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 32(a)(7) and 34.)

COUNT FOUR
(Conspiracy to Use Weapons of Mass Destruction)

1. The allegations contained in Count One are repeated.
2. From in or about 1989 until the date of the filing of this Indictment, in the Eastern District of Virginia, the Southern District of New York, and elsewhere, the defendant, ZACARIAS MOUSSAOUI, a/k/a "Shaqil," a/k/a "Abu Khalid al Sahrawi," and other members and associates of al Qaeda 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, airplanes intended for use as missiles, bombs, and similar devices, without lawful authority against persons within the United States, with the results of such use affecting interstate and foreign commerce, 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 thousands of people died on September 11, 2001.

Overt Acts

3. In furtherance of the conspiracy, and to effect its illegal objects, the defendant, 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, Section 2332a(a).)

COUNT FIVE
(Conspiracy to Murder United States Employees)

1. The allegations contained in Count One are repeated.
2. From in or about 1989 until the date of the filing of this Indictment, in the Eastern District of Virginia, the Southern District of New York, and elsewhere, the defendant, ZACARIAS MOUSSAOUI, a/k/a "Shaqil," a/k/a "Abu Khalid al Sahrawi," and other members and associates of al Qaeda and others known and unknown to the Grand Jury, unlawfully, wilfully and knowingly combined, conspired, confederated and agreed 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 Department of Defense stationed at the Pentagon.

Overt Acts

3. In furtherance of the conspiracy, and to effect its illegal objects, the defendant, 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 SIX

(Conspiracy to Destroy Property of the United States)

1. The allegations contained in Count One are repeated.

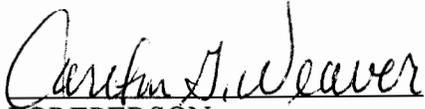
2. From in or about 1989 until the date of the filing of this Indictment, in the Eastern District of Virginia, the Southern District of New York, and elsewhere, the defendant, ZACARIAS MOUSSAOUI, a/k/a "Shaqil," a/k/a "Abu Khalid al Sahrawi," and other members and associates of al Qaeda and others known and unknown to the Grand Jury, unlawfully, wilfully and knowingly combined, conspired, confederated and agreed to maliciously 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, and buildings, vehicles, and other personal and real property in whole and in part owned and possessed by, and leased to, the United States and its departments and agencies, and as a result of such conduct directly and proximately caused the deaths of thousands of persons on September 11, 2001, including hundreds of public safety officers performing duties as a direct and proximate result of the said damage and destruction.

Overt Acts

3. In furtherance of the conspiracy, and to effect its illegal objects, the defendant, 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(f), (i), and (n).)


FOREPERSON


MICHAEL CHERTOFF
ASSISTANT ATTORNEY GENERAL


PAUL J. McNULTY
UNITED STATES ATTORNEY
EASTERN DISTRICT OF VIRGINIA


MARY JO WHITE
UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF NEW YORK

No.

UNITED STATES DISTRICT COURT

Eastern District of Virginia

Alexandria Division

THE UNITED STATES OF AMERICA

vs.

ZACARIAS MOUSSAOUI,

a/k/a ❖Shaqil,❖ a/k/a Abu Khalid al Sahrawi❖

INDICTMENT

- Count 1: Conspiracy to Commit Acts of Terrorism Transcending National Boundaries; in violation of 18 U.S.C. §2332b(a)(2) & (c)
- Count 2: Conspiracy to Commit Aircraft Piracy; in violation of 49 U.S.C. §46502(a)(1)(A) and (a)(2)(B)
- Count 3: Conspiracy to Destroy Aircraft; in violation of 18 U.S.C. §§32(a)(7) & 34
- Count 4: Conspiracy to Use Weapons of Mass Destruction; in violation of 18 U.S.C. §2332a(a)
- Count 5: Conspiracy to Murder United States Employees; in violation of 18 U.S.C. §§1114 & 1117
- Count 6: Conspiracy to Destroy Property; in violation of 18 U.S.C. §§844(f), (i), (n)

A true bill.



Foreman

Filed in open court this day,

of A.D. 19.....

Clerk

Bail, \$.....