

Rev. 5/05 Search Warrant *

United States District Court

EASTERN DISTRICT OF VIRGINIA

In the Matter of the Search of

(Name, address or brief description of person or property to be searched)

4502 Whistler Court, Annandale, VIRGINIA

SEARCH WARRANT

CASE NUMBER: 1:04mg 285

COPY

TO: FBI and any Authorized Officer of the United States

Affidavit(s) having been made before me by Shawn S. Devroude (FBI) who has reason to believe that on the person of or on the premises known as (name, description and/or location)

See Attachment A.

in the Eastern District of Virginia there is now concealed a certain person or property, namely (describe the person or property)

See Attached Affidavit.

(which is fruits, evidence, instrumentalities of crimes against the United States).

I am satisfied that the affidavit(s) and any recorded testimony establish probable cause to believe that the person or property so described is now concealed on the person or premises above-described and establish grounds for the issuance of this warrant.

YOU ARE HEREBY COMMANDED to search on or before August 31, 2004

(not to exceed 10 days) the person or place named above for the person or property specified, -serving this warrant and making the search (in the daytime -- 6:00 A.M. to 10:00 P.M.) (at any time in the day or night as I find reasonable cause has been established) and if the person or property be found there to seize same, leaving a copy of this warrant and receipt for the person or property taken, and prepare a written inventory of the person or property seized and promptly return this warrant to undesignated as required by law.

U.S. Judge or Magistrate

August 20, 2004 1:00 am at Alexandria, Virginia

Date and Time Issued

City and State

Honorable Theresa Carroll Buchanan, United States Magistrate Judge

Signature of Judicial Officer

Name and Title of Judicial Officer

2150-WF-191809-CUR (SEARCH WARRANTS) - 4

5/85) Search Warrant

RETURN

DATE WARRANT RECEIVED <i>8/21/2004</i>	DATE AND TIME WARRANT EXECUTED <i>8/21/2004 7:10 am</i>	COPY OF WARRANT AND RECEIPT FOR ITEMS LEFT WITH <i>Hassan Jammal El-Banasse - RECEIPT LEFT IN UNOCCUPIED RESIDENCE w/ PHOTO</i>
INVENTORY MADE IN THE PRESENCE OF <i>SA SHAWN S DEURADO</i>		

INVENTORY OF PERSON OR PROPERTY TAKEN PURSUANT TO THE WARRANT

See ATTACHED inventory

CERTIFICATION

I swear that this inventory is a true and detailed account of the person or property taken by me on the warrant.

[Signature]

Subscribed, sworn to, and returned before me this date.

[Signature]
U.S. Judge or Magistrate

8/23/04
Date

**U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized**

On (date) _____

At (time) _____

(Name) _____

(Location) 4502 Whistler Court
Annandale, Virginia

Item(s) listed below were:

- Received From
- Returned To
- Released To
- Seized

ITEM#	DESCRIPTION
1	Package of photos
2	Address book
3	Arabic videotapes
4	Arabic videotapes
5	WAMY CD
6	Account paperwork, Imam letter
7	Emails (printout)
8	Envelope, phone bills, email address
9	Computer disks
10	Computer disks
11	Computer disks
12	File docs with computer disks
13	Computer disks
14	Computer disks
15	CDs in Arabic
16	Miscellaneous phone numbers
17	Phone bill statement
18	Wachovia Bank records, Bank of America records, American Express Bill
19	Bills, credit accounts, Home Depot, Fairfax Water, Dominion (license plate number on envelope???)
20	Letter of DMV to Mohamed Nouh

ITEM#	DESCRIPTION
21	Correspondence with Islamic organizations
22	"For Your Eyes Only - How to Propagate Islam", Radical newsletter, floor plan of hospital
23	Letter from R. Pagan, U.S. Penitentiary, Lewisburg, PA
24	2 Letters - Arabic - From Inoussa Mouhamed Awali, Republic of Benin, From M. Abbas, Southport Correctional Facility, NY
25	Arabic List of names
26	Currency - 6000 Livres (Lebanese), 300 Pounds (Syrian), 200 (Algerian)
27	Videotapes, labelled in Arabic and English
28	Videotapes, labelled in Arabic and English
29	Newspaper article re: Hamas, Email to Muslim Association of U.S. and Canada
30	Box as found - contains various business cards, business records, miscellaneous personal documents
31	Video tapes
32	Box taken as found - contains several photos and various business and personal documents
33	Random documents and correspondence regarding VASR and other organizations, Rolodex(es), photos, financial documents
34	One Sony Power Spec PC, serial number 7350-0300-01824
35	One Compaq Deskpro computer, serial number 6739BK82P780
36	One Sony VAIO computer, Model PCV1102, serial number 5757319000001
37	One Gateway CPU, model ATXSTP, serial number 0024043836
38	One Gateway CPU, Model Micro ATX, serial number 0019078058
39	Folder with letters and envelopes from U.S. Penitentiary, Leesburg, PA, folder with wire transfers and check copies
40	2 VHS video tapes
41	Four computer disks in red case, labeled in Arabic
42	VHS tapes, 8mm tapes
43	Four video, two audio, and sixteen micro-cassette tapes with Arabic writing
44	One HP Vectra VL48 CPU, serial number U802209977
45	One IBM PC CPU, serial number 23HAMTO
46	Documents in Arabic

ITEM#	DESCRIPTION
47	2 compact video cassettes
48	One floppy disk
49	One cassette tape, new in wrapper, speaker on tape associated with FTO
50	American currency - \$10,200
51	Documents pertaining to contact with designated FTO's
52	Cancelled check and financial documents
53	Shredded paper
54	three Zip drive diskettes
55	Arabic Letter - discussing S.A. Cordero and related case *forwarded to her attention*
56	Photo album with Arabic writing on each photo, photos are of people
57	Business card for Mohammed Rashid and Stanley Cohen
58	2 Photo ID's for El Barasse and 3 business cards for El Barasse
59	Travel Documents such as border passes for El Barasse family for Middle Eastern Travel
60	Copy of letter stating Mohammed Ghamdi is still employed at Saudi Academy
61	Application for American University
62	Bank statements for Marzook
63	Documents mentioning Hamas in U.S. from tan rolling file holder
64	Floppy disks
65	List of prisons with addresses, receipts of money orders, with names, copies of checks from Dar Al Hijrah, copies of travel records, AD for Sheep Hill Farm
66	Photo album of people with Arabic writing
67	Tax returns: 2003 for El Barasse and El Mosre - 2002 for Ismail El Barasse
68	Four floppy disks labelled: Letters for inmates, Dallas June Email Al Hassan, Brother1.exe, Brother2.exe
69	El Barasse Passports for: United States, Egypt, India, Palestine
70	Historical data on ISA in Arabic and English
71	Letters to Ahmed Yousef
72	Personal check (canceled) \$13,588.75 (#369), copy of personal check \$1000.00 (#2926), copy of personal check \$1000.00 (#2862), batch of bank statements.

ITEM#	DESCRIPTION
73	Spreadsheet of trained pilots "Law Enforcement Only"
74	Five address books with miscellaneous contents, three pictures
75	Two computer disks
76	Business card from H.A. Arash Babakarhil, Afhan Freedom Fighter - cards from public storage with location and access codes
77	CD - Arabic regarding evaluation of Jibad movement
78	Address books with Arabic writing and numerous business cards
79	Audio cassette tapes with Arabic labels
80	3.5 inch diskettes and CDROMs
81	Phone book and negatives
82	Files with names of employees of USAR
83	One Toshiba laptop - SRS Satellite A40/A45 Series, serial number 24119962H
84	Handwritten name and address
85	Immigration documents, checking account Marzook and AH Barasa, tax documents
86	PO receipts for money orders, post office registered mail, and PO box
87	Deposit slip from bank accounts: Ameribanc, Apple Credit Union, Central Fidelity, Chevy Chase, Ist American Bank, First Union National bank, First Virginia Bank
88	Computer passwords
89	Photo album of individuals with Arabic writing
90	Miscellaneous business cards, addresses and hand written notes
91	Two receipts
92	Two cancelled checks from First American Bank
93	Check registers for banks
94	Deposit slip and back of checkbook in Arabic (phone number ?), Paper with address of Norfolk Naval Station
95	Wire transfer statements including Ahmed Salim Al Bar'si (\$34,000, \$30,000, \$20,000, \$21,000), and Khalid Al Bar'si (\$22,535)
96	Items with addresses of Al Bawaldi Enterprises, Islamic Saudi Academy
97	Parking receipt dated 10/09/99
98	Two first Union bank statements to Amre Mohamed, one First Union Deposit receipt

ITEM#	DESCRIPTION
99	One computer disk
100	Two Audio tapes
101	Checkbook cover, cancelled check
102	51 floppy disks, 10 CDs
103	Paper on IIASA and VASR
104	Computer disk with paperwork
105	New World Order - 911 Event Note (fake play money bill)
106	Israeli Travel documents
107	twenty six CDs
108	Floppy disks, supporting paperwork
109	Arabic Documents, with financial data
110	Postal money orders totalling \$721
111	Chart with Arabic names and addresses/phone/car info
112	Manila folder labeled "Hassan Sidky - 5A", containing addresses/phone numbers in Arabic
113	Portales National Bank pouch containing numerous travel documents and airline ticket stubs
114	Information on Conferences and attendees for VASR
115	Paperwork with handwritten phone numbers and names, bank account register book and receipts
116	Audio tapes and VCR tapes
117	Money order to prisoner in amount of \$100
118	VA police Association mail, DMV mail and mail from "Faith"
119	Contact correspondence from Canada, Rhode Island, Chicago
120	Copies of Money Orders sent by El Barasse
121	Numerous business cards
122	Receipts received from Aladel Rahman El 'Amdi by Ismail El Barassa in the amount of \$20,000, dated 5/26/99
123	Arabic documents
124	Arabic documents containing names, receipts of payments, individuals in organization and letters

ITEM#	DESCRIPTION
125	Videos in English and Arabic
126	Correspondence from inside U.S.
127	Correspondence from outside U.S. Including Algeria, Egypt, Australia
128	Court documents from 2002 in name of Marzook, El Ashi
129	Audio cassettes
130	Photographs
131	Video tapes with Arabic writing
132	Videotapes with Arabic writing
133	Videotapes
134	Videotapes
135	Business cards
136	Used checks and anti-Israel materials
137	Arabic posters with Hamas symbol
138	Bank records
139	Telephone bills
140	Ismail S. El Barasse ID Cards for Libya, Egypt, UAE, Eastern New Mexico University, ISA, and address book
141	File organizers with documents concerning the Muslim Brotherhood
142	File folders containing documents related to the Muslim Brotherhood
143	Correspondence/photos between El Barasse and someone named Siddiri from Nigeria; Correspondence/photos from someone named Ojabogun living in Brooklyn, NY
144	Two emails for Ismail Elbarasse believed to be "esmailco@aol.com" and "mashgh001@aol.com"
145	Invoice to Elbarasse to PO Box 737, Fairfax, VA, invoice to Elbarasse, Ebay account "Gazawi"
146	Correspondence from inmate and Elbarasse
147	Copy of check to Youseh, Saleh and letter of support, Mosque fund of Chicago
148	VHS cassettes, Mapquest driving directions
149	Telephonic records
150	Cancelled checks

ITEM#	DESCRIPTION
151	Numerous letters in Arabic inside shoebox
152	Receipt of travel records Feb 2000
153	Documents and pamphlets related to Hamas, copies of checks, Anarchist Cookbook, appointment book with phone numbers.
154	List of Arabic names and phones known to FTOs/cases and info on Muslim Brotherhood
155	ISA and other Islamic related documents
156	List of web sites
157	IAP Letters - Chicago, IL
158	Foreign language documents relating to Muslim Brotherhood and Hamas
159	Recent banks and personal correspondence, business cards, WDC maps, MD maps
160	Hamas related documents
161	Floppy disks
162	Yusef Saleh phone records/overseas calls
163	Financial records for Yousef Saleh, et. AL
164	Hamas literature and correspondence
165	Hamas/MB literature/documents
166	Roll-a-deck and American University ledger
167	Paperwork related to Hamas
168	Relevant unopened correspondence, bank records, foreign correspondence
169	Arabic financial document
170	Algerian documents
171	Arabic document co-located with other Algerian documents
172	Fuji Finepix Digital camera (model S5000), with 512 Meg xD memory chip in camera, and 16 Meg xD memory chip in camera bag, serial number 4EA53783
173	Records of attendance at Al-Imam Muhammad IBN Saud Islamic University
174	Attendance records of Dar Al Hijrah, Muslim American Society
175	Photos of local and international muslim leaders
176	Business cards with phone numbers, email

ITEM#	DESCRIPTION
177	Bank information for Bank of America, First Union, credit card receipt
178	Folder containing travel records
179	Arabic document discussing security
1000	Various personal and business documents
1001	Various personal and business documents
1002	Various personal and business documents
1003	Various personal and business documents
1004	Various personal and business documents
1005	Various personal and business documents
1006	Various personal and business documents
1007	Various personal and business documents
1008	Various personal and business documents
1009	Various personal and business documents
1010	Various personal and business documents
1011	Various personal and business documents
1012	Various personal and business documents
1013	Various personal and business documents
1014	Various personal and business documents
1015	Various personal and business documents
1016	Various personal and business documents
1017	Various personal and business documents
1018	Various personal and business documents
1019	Various personal and business documents
1020	Various personal and business documents
1021	Various personal and business documents
1022	Various personal and business documents

ITEM#	DESCRIPTION
1023	Various personal and business documents
1024	Various personal and business documents
1025	Various personal and business documents
1026	Various personal and business documents
1027	Various personal and business documents
1028	Various personal and business documents
1029	Various personal and business documents
1030	Various personal and business documents
1031	Various personal and business documents
1032	Various personal and business documents
1033	Various personal and business documents
1034	Various personal and business documents
1035	Various personal and business documents
1036	Various personal and business documents
1037	Various personal and business documents
1038	Various personal and business documents

(END OF LIST)

Total of 218 Item(s) Listed

Received by: _____
(Signature)

Received from: _____
(Signature)

ATTACHMENT A
Premises to be searched

Number 4502 Whistler Court, Annandale, VA: is a two story, single family home with brick front and black shutters, with a tan or beige siding and a single car garage. It is identified by the numbers 4502 on the mailbox at the head of the driveway, and also by numbers to the left of the front door.

AO 22 (Rev. 5/85) Search Warrant

United States District Court

EASTERN DISTRICT OF VIRGINIA

In the Matter of the Search of

(Name, address or brief description of person or property to be searched)

1999 Infiniti QX4, Silver or Grey in color,
VIN JNRAR07Y6XW060359

SEARCH WARRANT

CASE NUMBER: 1:04 mg 2 86

COPY

TO: FBI and any Authorized Officer of the United States

Affidavit(s) having been made before me by Shawn S. Devroude (FBI) who has reason to
believe that on the person of or on the premises known as (name, description and/or location)

See Attachment A.

in the Eastern District of Virginia there is now
concealed a certain person or property, namely (describe the person or property)

See Attached Affidavit.

(which is fruits, evidence, instrumentalities of crimes against the United States).
I am satisfied that the affidavit(s) and any recorded testimony establish probable cause to believe that the person or
property so described is now concealed on the person or premises above-described and establish grounds for the
issuance of this warrant.

YOU ARE HEREBY COMMANDED to search on or before August 31, 2004
Date

(not to exceed 10 days) the person or place named above for the person or property specified, serving this warrant
and making the search (in the daytime - 6:00 A.M. to 10:00 P.M.) (at any time in the day or night as I find
reasonable cause has been established) and if the person or property be found there to seize same, leaving a copy
of this warrant and receipt for the person or property taken, and prepare a written inventory of the person or property
seized and promptly return this warrant to [Signature]
as required by law. U.S. Judge or Magistrate

August 20, 2004 1:00 am at Alexandria, Virginia

Date and Time Issued City and State

Honorable Theresa Campil Buchanan, United States Magistrate Judge at [Signature]

Signature of Judicial Officer

Rev. 8/85 Search Warrant

RETURN

DATE WARRANT RECEIVED <i>8/21/2004</i>	DATE AND TIME WARRANT EXECUTED <i>8/21/2004 7:35 AM</i>	COPY OF WARRANT AND RECEIPT FOR ITEMS LEFT WITH <i>HOLMAN JAMES L ET - BARASSE - NO ITEMS SEIZED</i>
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INVENTORY MADE IN THE PRESENCE OF
SA STEVEN S DEBOULDE

INVENTORY OF PERSON OR PROPERTY TAKEN PURSUANT TO THE WARRANT

NO ITEMS WERE SEIZED.

CERTIFICATION

I swear that this inventory is a true and detailed account of the person or property taken by me on the warrant.

Steven S DeBoude

Subscribed, sworn to, and returned before me this date.

T. J. [Signature]
U.S. Judge or Magistrate

8/23/04
Date

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

In re Search Warrant of)
4502 Whistler Court, Annandale, VA)
and Infiniti QX4, VIN)
JNRAR07Y6XW060359)

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, SHAWN S. DEVROUDE, being duly sworn, depose and state:

1. I am a special agent with the Federal Bureau of Investigation ("FBI"), United States Department of Justice, assigned to the Washington Metropolitan Field Office. I have been employed by the FBI as a special agent for approximately two (2) years. Prior to becoming a special agent I was a Deputy Attorney General for the State of Delaware. I am also an active member of the Federal bar. I am authorized to investigate crimes involving violations of Title 18, United States Code: Section 2339B (material support to designated foreign terrorist organizations); as well as other federal crimes.

2. This affidavit contains information necessary to support my application for a search warrant for the home and automobile of ISMAIL SELIM ELBARASSE, described in Attachment A. It is not intended to include each and every fact and matter known by the government. The information provided below is based on information collected by the FBI, information conveyed to me by other law enforcement officials, and information compiled from other sources.

3. As set forth below, ISMAIL SELIM ELBARASSE appears to know information relating to the terrorist organization commonly referred to as Hamas. In addition, ISMAIL SELIM ELBARASSE is a known associate of various individuals possibly linked to terrorism, including three individuals indicted on August 19, 2004, in a racketeering conspiracy to support Hamas.

4. From at least as early as 1988, there existed an international organization known as *Harakat al Muqawama al Islamiyya*, which translates as the Islamic Resistance Movement and is commonly referred to as "Hamas." Hamas has, among its publicly stated purposes, the establishment of a Palestinian/Islamic state in the lands that comprise the State of Israel ("Israel") and the West Bank and Gaza Strip, including Jerusalem.

5. Hamas has pursued the objective of a Palestinian/Islamic state by fostering support among Palestinians through community building activities in the West Bank and Gaza Strip. The West Bank and Gaza Strip are disputed territories often referred to as the Occupied Territories. While Hamas has undertaken social welfare activities, in order to obtain its objective it has also engaged in numerous terrorist attacks aimed at Israeli military personnel, police officers and civilians. These terrorist activities, for which Hamas has repeatedly and publicly claimed credit, have as their broadly represented purpose the undermining of the Israeli-Palestinian peace process, and, more generally, forcing the State and citizens of Israel to cede physical and political control over the lands comprising Israel, the West Bank, and the Gaza Strip, and replacing the Israeli political authority over these lands with an Islamic government. In or about 1988, Hamas published a charter calling for such violent terrorist attacks. According to the Hamas Charter, the means of confronting the "usurpation of Palestine by the Jews" is proclaimed to be *jihad* (holy war). Hamas defines *jihad* as violent activities with such violent activities being carried out by Hamas's so-called military wing, commonly known as the Izz Al-Din Al-Qassam Brigades ("Al-Qassam Brigades").

6. Hamas has maintained offices throughout the world, including headquarters in Damascus, Syria. In addition, Hamas has maintained a world-wide network of members who donate money to

support the goals of Hamas. Much of the fundraising was done by and through individuals as well as various non-profit organizations that collect money.

7. Hamas has included members and affiliated organizations situated throughout the United States. Hamas's members and affiliated organizations in the United States have served two primary purposes: (1) recruitment of members and donors to Hamas; and (2) financing directly and indirectly the activities of Hamas including the terrorist activities carried out by the Al-Qassam Brigades.

8. Mousa Mohammed Abu Marzook, a/k/a "Abu Omar," "Tareq," and "Abu Rizq," is a member of Hamas. Abu Marzook formerly held the position of Chief of the Hamas Political Bureau. He presently lives in Damascus, Syria, and is the Deputy Chief of the Hamas Political Bureau. The Political Bureau functioned as the highest ranking leadership body in the Hamas organization, setting policies and guidelines regarding Hamas's activities, including directing and coordinating terrorist acts by Hamas and the Al-Qassam Brigades. From in or about 1988 until in or about February 1993, while living in the United States, Abu Marzook coordinated and financed the activities of Hamas within the United States and elsewhere, first from Louisiana and then from Northern Virginia. During that period, Abu Marzook traveled throughout the United States to meet with other American-based Hamas members, as well as foreign-based Hamas members traveling to the United States for organizational purposes. Abu Marzook additionally maintained constant phone contact with Hamas membership and leadership in the United States and abroad. During this time period, Abu Marzook also maintained and shared numerous bank accounts through which substantial sums of money were transferred from bank accounts located outside the United States to other accounts within the United States, including bank accounts controlled by or associated with Muhamamad Hamid Khalil Salah, for ultimate disbursal to accounts and individuals outside the United States for

use in furtherance of Hamas.

9. Muhammad Hamid Khalil Salah, a/k/a "Muhammad Abd Al-Hamid Salah," and "Abu Ahmad," was a member of Hamas who lived in or around Chicago. Between in or about 1989 and in or about January 1993, Salah traveled throughout the United States and to London, England, Israel and the West Bank and Gaza Strip on behalf of Hamas, meeting with Hamas representatives as well as leaders and members of the Al-Qassam Brigades, recruiting and training new members of Hamas in the United States, and disbursing money from the United States to directly support Hamas members and activities of Hamas and the Al-Qassam Brigades. In approximately January 1993, Salah, while in Israel to assist Hamas, was arrested and, thereafter, incarcerated until approximately November 1997. Nonetheless, Salah carried on his membership in Hamas and, subsequent to his return to the United States, continued his activities in support of Hamas, including directing and financing travel to Israel and the West Bank in or about October 1999 of a Chicago-based associate.

10. Abdelhaleem Hasan Abdelraziq Ashqar, a/k/a "Abu Hasan," "Abu Ali Hasan," and "Samir," initially entered the United States as a graduate student at the University of Mississippi in Oxford, Mississippi, and currently resides in the Washington, D.C. area. From at least as early as 1989, Ashqar functioned as a conduit of money for Hamas members both in the United States and abroad. In this role, Ashqar opened various bank accounts in and around Oxford, Mississippi which he utilized as a clearinghouse for Hamas funds from defendant Abu Marzook as well as other Hamas members and organizations in the United States and abroad. Ashqar furthered these financial activities both through the use of his personal bank accounts as well as through his establishment of the Al-Aqsa Educational Fund, Inc. Ashqar also served as a communications conduit for Hamas both through his participation in and linking of telephone calls between various Hamas members in

the United States and abroad, as well as his storing and disseminating numerous Hamas-related documents that concerned both the public activities of Hamas as well as the internal operation of Hamas. In this role, Ashqar had contact with numerous co-conspirators.

11. ISMAIL SELIM ELBARASSE, from at least as early as 1990, worked as an assistant to Abu Marzook. Elbarasse maintained a joint bank account with defendant Abu Marzook that was used to transfer substantial sums of money to Hamas members, including Salah.

12. From at least as early as 1989 through January 1993, Abu Marzook, Ashqar, ISMAIL SELIM ELBARASSE, and others utilized various accounts at financial institutions throughout the United States to transfer large sums of money from various sources abroad through the United States to Israel and elsewhere to assist Hamas:

In approximately May 1991, Abu Marzook and transferred approximately \$40,000 from a Virginia-based bank account to a Cleveland-based account held by Individual H who, in turn, signed five checks each in the amount of \$8,500, several of which were written to Individual F, which checks were negotiated in Israel.

In approximately December 1991, defendant and ISMAIL SELIM ELBARASSE received a wire transfer of approximately \$100,000 into their Virginia-based account from an account in Geneva, Switzerland. In turn, Abu Marzook and ISMAIL SELIM ELBARASSE thereafter transferred \$50,000 from their Virginia-based account to the Cleveland-based account of Individual H who, in turn, wrote five \$10,000 checks to Individual F or to cash, all five of which were negotiated in Israel in January 1992.

In approximately June 1992, Abu Marzook and ISMAIL SELIM ELBARASSE received approximately \$900,000 in multiple wire-transfers into their Virginia-based bank account. Soon thereafter, Abu Marzook and ISMAIL SELIM ELBARASSE wire transferred approximately \$350,000 to four accounts domestically and overseas, including \$100,000 into the Milwaukee-based account of Individual J.

On approximately December 21, 1992, Abu Marzook and ISMAIL SELIM ELBARASSE received a wire transfer of approximately \$100,000 into their Virginia-based account from an account in New York in the name of "Gazi Abu Samah." "Samah" is Hamas spelled backwards.

On approximately January 4, 1993, Abu Marzook and ISMAIL SELIM ELBARASSE received a wire transfer of approximately \$100,000 into their Virginia-based account from an account in New York in the name of "Gazi Abu Samah." "Samah" is Hamas spelled backwards.

13. In approximately late December 1992, at the request of Hamas leadership, and Abu Marzook specifically, Salah agreed to travel from Chicago to the West Bank and Gaza Strip to assess the ability of Hamas to function after the deportations and to deliver money to Hamas members in the individual regional cells within the West Bank and Gaza Strip. In particular, Salah was directed to assess Hamas's abilities to continue to carry out terrorist attacks.

14. Beginning on or about December 29, 1992, and continuing until on or about January 25, 1993, Salah received into his Chicago based bank accounts a series of wire transfers, totaling approximately \$985,000, from accounts associated with Abu Mazook, ISMAIL SELIM ELBARASSE, and others, to be distributed to Hamas members in the West Bank and Gaza Strip.

Those transfers included:

On or about December 29, 1992 the wire transfer of approximately \$300,000 from a Virginia-based bank account held in the name of Abu Marzook and ISMAIL SELIM ELBARASSE, which money had previously entered the Virginia-based account in two wire transfers, one originating from Geneva, Switzerland, and a second received from an account in New York held in the name of "Gazi Abu Samah."

On or about January 20, 1993, the wire transfer of approximately \$135,000 from a Virginia-based bank account held in the name of Abu Marzook and ISMAIL SELIM ELBARASSE, a portion of which money had previously entered the Virginia-based account in a wire transfer received from an account in New York held in the name of "Gazi Abu Samah."

On or about January 21, 1993, the wire transfer of approximately \$50,000 from a Virginia-based bank account held in the name of Abu Marzook and ISMAIL SELIM ELBARASSE.

On or about January 22, 1993, the wire transfer of approximately \$170,000 from a

Virginia-based bank account held in the name of Individual E, which money had previously entered the Virginia-based account on approximately January 21, 1993, from the Virginia-based account of Abu Marzook and ISMAIL SELIM ELBARASSE.

On or about January 25, 1993 the wire transfer of approximately \$300,000 from a Virginia-based bank account held in the name of Abu Marzook and ISMAIL SELIM ELBARASSE.

15. In or about October 1993, Ashqar met with various Hamas members in Philadelphia, including ISMAIL SELIM ELBARASSE, to discuss Hamas issues including, but not limited to, Hamas activities inside the United States and abroad and lessons learned from the capture of Salah in Israel in January 1993.

16. In addition, ISMAIL SELIM ELBARASSE was cited for civil contempt for refusing to testify, despite a grant of immunity, before a federal Grand Jury sitting in New York, New York, and continued to refuse to testify into September 1998.

17. Further, pursuant to an indictment unsealed today charging Abu Marzook, Salah, and Ashqar with, among other federal crimes, racketeering conspiracy to support Hamas, ISMAIL SELIM ELBARASSE was specifically named as a unindicted co-conspirator. A copy of the Indictment is attached to this affidavit at C.

18. On August 20, 2004, ISMAIL SELIM ELBARASSE was stopped by law enforcement in Maryland while videotaping the structural elements of the Chesapeake Bay Bridge. I have reviewed a report of the investigation prepared today and spoke with Special Agent David Rodski, of the Baltimore Field Office of the FBI, who was present where ELBARASSE was detained.

19. I have learned that at approximately 1:30 p.m. today Baltimore County, MD Police Department Marine Unit officers were traveling west on Route 50 in Annapolis, MD crossing the

Chesapeake Bay Bridge when they observed ELBARASSE's wife videotaping the bridge structure from a 1999 Infiniti QX4 Sport Utility Vehicle, Silver or Grey in color, VIN JNRAR07Y6XW060359, registered in the name of ISMAEL ELBARASSE, which ELBARASSE was driving. These officers observed the ELBARASSE's wife lower the video camera when she noticed the officers' marked cruiser. In addition they observed ELBARASSE slow the vehicle abruptly so that the Marine Unit officers' vehicle passed the SUV.

20. The Marine Unit officers continued to observe the vehicle and saw ELBARASSE's wife resume videotaping after the Marine Unit officers passed by. The Marine Unit officers notified Maryland Transit Authority Police identifying the vehicle and its activity. The vehicle continued in a Westbound direction on the bridge, and Maryland Transit Authority also observed ELBARASSE's wife lower the video camera as the SUV approached the Maryland Transit Authority vehicle, which was also a marked cruiser.

21. Maryland Transit Authority officers detained the vehicle and all its occupants. These officers asked ELBARASSE's wife for the video camera in order to determine its contents, and she provided it to them. The tape was subsequently reviewed by three different law enforcement officers.

22. I have spoken with SA Rodski and with Corporal James Dortar of the Maryland Transportation Authority and member of the Joint Terrorism Task Force of the Baltimore Field Office, both of whom viewed the tape. The tape contains some video of the ELBARASSE family packing to depart on vacation, some footage while they were on vacation, and brief footage of a view of the bay from the Kent Narrows Bridge. After these portions, the footage resumes roughly a half mile east of the beginning of the Bay Bridge, and includes the cables and upper supports of the main

span of the bridge, and also pans the east bound span of the bridge filming the support cables and footings of the main span of the bridge. Portions of the footage zoomed in on the bridge joints of the main support span. The attached photos (which are not from the videotape) illustrates that the bridge consists of east and westbound lanes which, at the main support spans, are dominated by towers at either end with attached cables which support the main support span. See Attachment B. Although they are not experts in structural engineering, I have learned from representatives of the Maryland Transportation Authority these portions of the bridge are integral to the structural integrity of the bridge.

23. SA Rodski told me that he questioned the occupants of the SUV asking them what they were videotaping. Over her husband's objection, ELBARASSE's wife responded that "they were merely taping scenery," or words to that effect. She then asked, "Is it a crime to videotape a bridge?"

24. I know from my experience that HAMAS has typically not engaged in violent acts against United States targets. However, I also know that in 1993, a plot to bomb the landmarks, tunnels and the FBI building was carried out by a group of conspirators from different jihadist groups including the Egyptian Islamic Jihad, the Sudanese National Islamic Front, Al-Fuqra and Hamas. The collaboration of these conspirators from seemingly independent radical Islamic groups represented a hitherto unknown collaboration between jihadist groups, a pattern of collaboration that has been observed since then by Al Qaeda in using the personnel of other groups to collect intelligence in the field. Al Qaeda, with a disproportionate number of leaders from Palestinian backgrounds, has exhibited a propensity to use others to collect intelligence or conduct reconnaissance. In previous years, Al Qaeda commanders and officials stationed in western countries, including the United States, have recruited Hamas operatives and volunteers to carry out

reconnaissance or serve as couriers. With the increased law enforcement pressure on Al Qaeda since 9-11, there has been a renewed emphasis by Al Qaeda to find confirmed jihadist supporters in the United States by trying to enlist proven members of other groups such as Hamas to make up for the vacuum on the field level.

25. On the basis of the foregoing I have reason to believe that ELBARASSE and his wife have been engaged in violations of Title 18, United States Code, Section 2339B in that they were providing material support, to wit reconnaissance and surveillance, to a foreign terrorist organization.

26. A check of the Department of Motor Vehicles for the Commonwealth of Virginia indicates that ELBARASSE lives at 4502 Whistler Court, Annandale, VA. Further, a check of the Choicepoint database shows ELBARASSE is the owner of 4502 Whistler Court, Annandale, VA. The 1999 Infiniti QX4 SUV is registered in his name as well.

27. Based on my experience, I have reason to believe that evidence of these crimes would be contained within the premises to be searched. The SUV is the vehicle in which the camera and the tape were stored and the ELBARASSE family was headed home with the tape they had made. In my experience, people who make video tapes store them at their homes. Further, I am not aware of any other office which ELBARASSE maintains on a regular basis.

28. I anticipate that we will find documents in Arabic during the course of the search. We propose to seize all documents in Arabic for purposes of conducting a review of them with the aid of an Arabic speaker to determine if they fit within the warrant. Within a reasonable time after the execution of the warrant, we will return those documents which do not fit within the warrant, and any copies made, after the determination has been made that they do not fit within the warrant.

29. I anticipate that we will find a personal computer at 4502 Whistler Court. In my

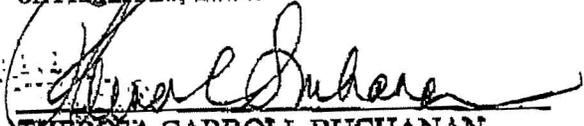
experience many homes now have a personal computer. I ask that we be authorized to seize any computer we find, and all of its components and operating manuals for the purpose of creating mirror images of the hard drives in a forensically sound environment. Within a reasonable time after the execution of the warrant, we will return the computers and operating manuals.

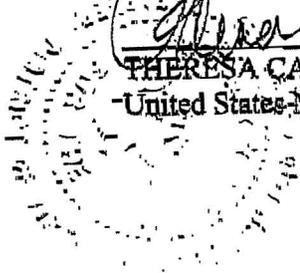
30. Wherefore I ask that search warrants to search for and seize items listed at Attachment D issue.

FURTHER AFFIANT SAYETH NOT.


Shawn S. Devroude, Special Agent
Federal Bureau of Investigation
U.S. Department of Justice

Sworn to and subscribed to before me
on August 20, 2004.


THERESA CARROLL BUCHANAN
-United States Magistrate Judge



ATTACHMENT A

The 1999 Infiniti QX4, Silver or Gray in color, VIN JNRAR07Y6XW060359, registered in the name of Ismael Elbarasse.

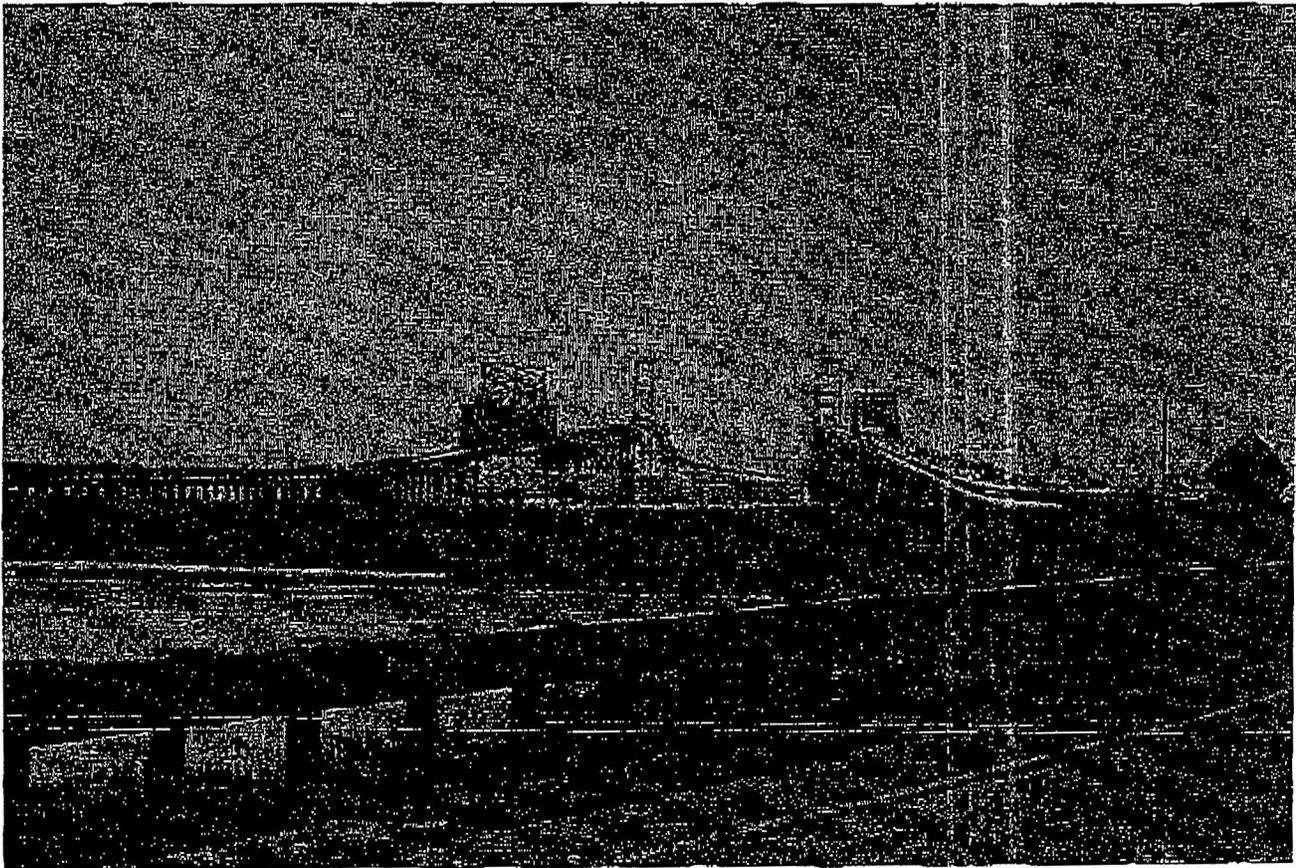
ATTACHMENT A
Premises to be searched

Number 4502 Whistler Court, Annandale, VA: is a two story, single family home with brick front and black shutters, with a tan or beige siding and a single car garage. It is identified by the numbers 4502 on the mailbox at the head of the driveway, and also by numbers to the left of the front door.

Westbound - Photos of Bay Bridge

Page 1 of 2

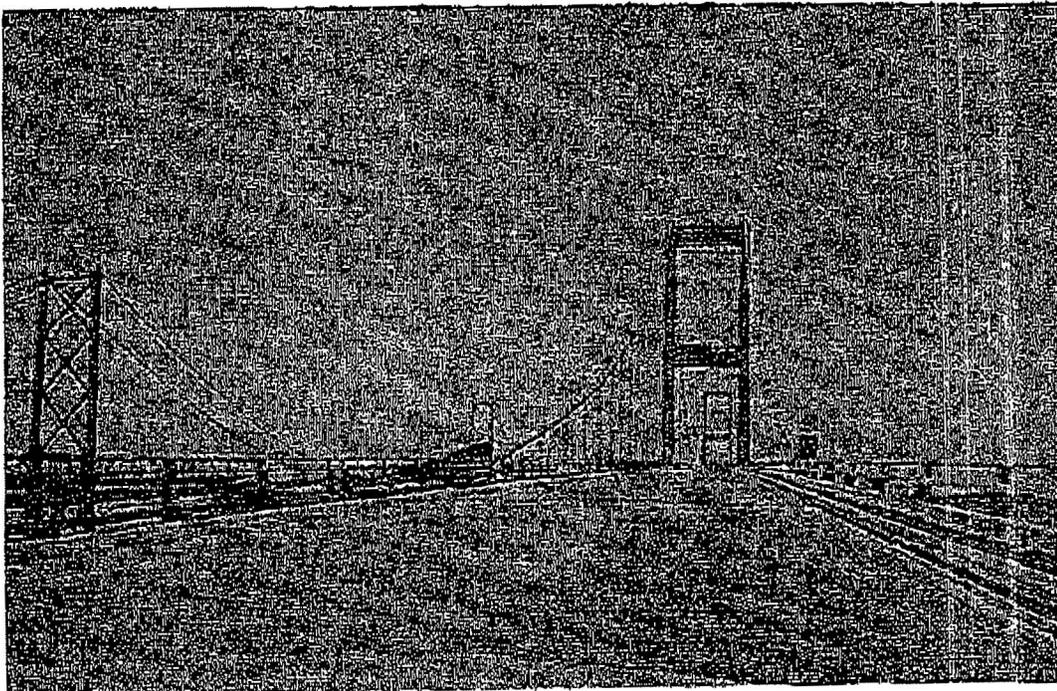
Westbound - Photos of Bay Bridge



Above, westbound, approaching the bridges, September 1976.

Westbound - Photos of Bay Bridg

Page 2 of 2



Above, westbound, approaching the main suspension span, 1974.

All photos © Copyright January 2001 by Scott Kozel. All rights reserved.

My lead page for Chesapeake Bay Bridge Photos.

My main article about the Chesapeake Bay Bridge.

Back to top

By Scott M. Kozel, Roads to the Future

Chesapeake Bay Bridge

Page 2 of 3

The existing Bay Bridge carries nearly 65,000 vehicles per day on five lanes (the eastbound span has 2 lanes, and the westbound span has 3 lanes). It is time to think about another bridge, either on the same location, or on another location.

Sources: MDOT MDTA website, and cited articles. An *Engineering News-Record* magazine article on December 7, 1972 provides a comprehensive discussion of the parallel bridge project. Both bridges were designed by J.E. Greiner Co., Inc., of Baltimore, Maryland. The first bridge had two lanes, was opened in 1952, and cost \$44 million. The second bridge had three lanes, was a "modernized look alike", and cost \$117 million, and opened in 1973.



Aerial photo of Bay Bridge, from a post card from the 1970s.

Maryland Transportation Authority link to Chesapeake Bay Bridge. Excerpt:
"Often called the Bay Bridge, this facility crosses the Chesapeake Bay as part of US 50/301. The bridge's dual spans provide a direct connection between Maryland's Eastern Shore recreational and ocean regions and the metropolitan areas of Baltimore, Annapolis and Washington, D.C. The bridge also forms part of an alternative route from the Delaware Memorial Bridge to the nation's capital and has been the location of our annual Bay Bridge Walk for 27 consecutive years. With a length of 4.3 miles, the bridges are among the world's longest and most-scenic over-water structures. The original span was built in 1952 and provides a two-lane roadway for eastbound traffic. The parallel structure opened in 1973 and has three lanes for westbound travelers". Also, "The toll for two-axle vehicles is \$2.50; each additional axle is \$2.50". See the MdTA William Preston Lane Jr. Memorial (Bay) Bridge Fact Sheet.

About the Maryland Transportation Authority: "Since 1971, the Maryland Transportation Authority has been responsible for managing, operating and improving the State's toll facilities, as well as for financing new revenue-producing transportation projects. The Authority's seven facilities - a tumpike, two tunnels and four bridges - help keep both private and commercial traffic moving in Maryland. All of our projects and services are funded through tolls paid by customers who use our facilities".

Chesapeake Bay Bridge - MDSOS Kids' Page by Office of the Secretary of State of Maryland. Photos and details about the Bay Bridge.

The Maryland Transportation Authority has an extensive rehabilitation program underway on the Chesapeake Bay Bridge. Details are here on my article

ATTACHMENT D

Items to Be Seized

1. **Any videotapes**
2. **Any photographs of monuments, buildings, bridges, tunnels, landmarks or any other structure the destruction of which could significant property damage or loss of life.**
3. **Any correspondence or any document evidencing communications between ELBARASSE and any Foreign Terrorist Organization, as designated by law, their affiliates or members.**
4. **Any maps, diagrams of, or related to monuments, buildings, bridges, tunnels, landmarks or any other structure the destruction of which could significant property damage or loss of life.**
5. **Any correspondence or document which tends to establish an affiliation or relationship of any kind with any foreign terrorist organization.**
6. **Any document related to any monuments, buildings, bridges, tunnels, landmarks or any other structure the destruction of which could significant property damage or loss of life.**