

ORIGINAL

Approved: Negar K. 1 Geo D L
NEGAR TEKEEI/GEORGE D. TURNER
Assistant United States Attorneys

Before: HONORABLE GABRIEL W. GORENSTEIN
United States Magistrate Judge
Southern District of New York

16 MAG 7450

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UNITED STATES OF AMERICA :
 :
 - v. - :
 :
RUSSELL LANGI SALIC, :
 a/k/a "Abu Khalid," :
 a/k/a "James Klein," :
 a/k/a "the Doctor," :
 :
 Defendant. :
 :
-----X

SEALED COMPLAINT
Violations of
18 U.S.C. §§ 2332a,
2332b, 2332f, 2339A,
2339B, 3238, & 2

SOUTHERN DISTRICT OF NEW YORK, ss.:

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

COUNT ONE
(Conspiracy to Use Weapons of Mass Destruction)

1. From at least in or about May 2016, up to and including in or about June 2016, in the Southern District of New York and elsewhere, and in an offense begun and committed out of the jurisdiction of any particular State or district, RUSSELL LANGI SALIC, a/k/a "Abu Khalid," a/k/a "James Klein," a/k/a "the Doctor," the defendant, who is expected to be first brought to and arrested in the Southern District of New York, together with others known and unknown, acting without lawful authority, did knowingly conspire to use a weapon of mass destruction, namely, an explosive bomb and similar device, against persons and property within the United States, and (i) the mail and facilities of interstate and foreign commerce, including mobile telephones, were used in furtherance of the offense, (ii) such property is used in an activity that affects interstate and foreign commerce, (iii) a perpetrator traveled in and caused

another to travel in interstate and foreign commerce in furtherance of the offense, and (iv) the offense and the results of the offense would have affected interstate and foreign commerce, to wit, SALIC participated in a plot to carry out a terrorist attack in New York City involving the detonation of explosive devices, and provided funding for the planned attack.

(Title 18, United States Code, Sections 2332a(a)(2)(A)-(D) and 3238.)

COUNT TWO

(Conspiracy to Commit Acts of Terrorism Transcending National Boundaries)

2. From at least in or about May 2016, up to and including in or about June 2016, in the Southern District of New York and elsewhere, and in an offense begun and committed out of the jurisdiction of any particular State or district, RUSSELL LANGI SALIC, a/k/a "Abu Khalid," a/k/a "James Klein," a/k/a "the Doctor," the defendant, who is expected to be first brought to and arrested in the Southern District of New York, together with others known and unknown, did knowingly conspire, in an offense involving conduct transcending national boundaries, to kill, maim, commit an assault resulting in serious bodily injury, and assault with a dangerous weapon persons within the United States, and to create a substantial risk of serious bodily injury to another person by destroying and damaging a structure, conveyance, and other real or personal property within the United States, in violation of the laws of the United States, namely, Title 18, United States Code, Section 2332a (use of weapons of mass destruction), and (i) the mail and facilities of interstate and foreign commerce, including mobile telephones, were used in furtherance of the offense, and (ii) the offense and the results of the offense would have affected interstate and foreign commerce, to wit, SALIC, while in the Philippines, conspired with an individual located in a country other than the Philippines to carry out a terrorist attack in New York City involving the detonation of explosive devices, and provided funding for the planned attack.

(Title 18, United States Code, Sections 2332b(a)(1)(A), (a)(1)(B), (a)(2), (b)(1)(A), (b)(1)(B), and (b)(2), and 3238.)

COUNT THREE

(Conspiracy to Bomb a Place of Public Use and Public
Transportation System)

3. From at least in or about May 2016, up to and including in or about June 2016, in the Southern District of New York and elsewhere, and in an offense begun and committed out of the jurisdiction of any particular State or district, RUSSELL LANGI SALIC, a/k/a "Abu Khalid," a/k/a "James Klein," a/k/a "the Doctor," the defendant, who is expected to be first brought to and arrested in the Southern District of New York, together with others known and unknown, did knowingly and unlawfully conspire to deliver, place, discharge, and detonate an explosive and other lethal device in, into, and against a place of public use and a public transportation system, with the intent to cause death and serious bodily injury, and with the intent to cause extensive destruction of such a place and system, and where such destruction was likely to result in major economic loss, and the offense took place in the United States and a perpetrator is a national of another state, and the offense took place outside the United States and a perpetrator is a national of the United States, to wit, SALIC, a citizen of the Philippines, participated in a plot to carry out a terrorist attack involving the detonation of explosive devices in public places in New York City, and provided funding for the planned attack.

(Title 18, United States Code, Sections 2332f(a)(1)(A),
(a)(1)(B), (a)(2), (b)(1), and (b)(2), and 3238.)

COUNT FOUR

(Conspiracy to Provide Material Support to Terrorists)

4. From at least in or about May 2016, up to and including in or about June 2016, in the Southern District of New York and elsewhere, and in an offense begun and committed out of the jurisdiction of any particular State or district, RUSSELL LANGI SALIC, a/k/a "Abu Khalid," a/k/a "James Klein," a/k/a "the Doctor," the defendant, who is expected to be first brought to and arrested in the Southern District of New York, together with others known and unknown, did knowingly and intentionally conspire to provide "material support or resources," as that term is defined in Title 18, United States Code, Section 2339A(b), including currency, and to conceal and disguise the nature, location, source, and ownership of material support and resources, knowing and intending that they were to be used in preparation for, and in carrying out, a violation of Sections

2332a (use of weapons of mass destruction) and 2332b (acts of terrorism transcending national boundaries) of Title 18, to wit, SALIC, while in the Philippines, participated in a plot to carry out a terrorist attack in New York City involving the detonation of explosive devices, and provided funding for the planned attack.

(Title 18, United States Code, Sections 2339A and 3238.)

COUNT FIVE

(Provision of Material Support to Terrorists)

5. From at least in or about May 2016, up to and including in or about June 2016, in the Southern District of New York and elsewhere, and in an offense begun and committed out of the jurisdiction of any particular State or district, RUSSELL LANGI SALIC, a/k/a "Abu Khalid," a/k/a "James Klein," a/k/a "the Doctor," the defendant, who is expected to be first brought to and arrested in the Southern District of New York, and others known and unknown, did knowingly and intentionally provide, and attempt to provide, "material support or resources," as that term is defined in Title 18, United States Code, Section 2339A(b), including currency, and to conceal and disguise the nature, location, source, and ownership of material support and resources, knowing and intending that they were to be used in preparation for, and in carrying out, a violation of Sections 2332a (use of weapons of mass destruction) and 2332b (acts of terrorism transcending national boundaries) of Title 18, to wit, SALIC, while in the Philippines, provided funding in support of a plot to carry out a terrorist attack in New York City involving the detonation of explosive devices.

(Title 18, United States Code, Sections 2339A, 3238, and 2.)

COUNT SIX

(Conspiracy to Provide Material Support and Resources to a Designated Foreign Terrorist Organization)

6. From at least in or about April 2016, up to and including in or about June 2016, in the Southern District of New York and elsewhere, and in an offense begun and committed out of the jurisdiction of any particular State or district, RUSSELL LANGI SALIC, a/k/a "Abu Khalid," a/k/a "James Klein," a/k/a "the Doctor," the defendant, who is expected to be first brought to and arrested in the Southern District of New York, together with others known and unknown, did knowingly and intentionally

conspire to provide "material support or resources," as that term is defined in Title 18, United States Code, Section 2339A(b), including services and personnel, to a foreign terrorist organization, namely, the Islamic State of Iraq and the Levant ("ISIL"), which has been designated by the Secretary of State as a foreign terrorist organization since 2004, pursuant to Section 219 of the Immigration and Nationality Act ("INA"), and is currently designated as such as of the date of this Complaint, knowing that ISIL was a designated foreign terrorist organization (as defined in Title 18, United States Code, Section 2339B(g)(6)), that ISIL engages and has engaged in terrorist activity (as defined in Section 212(a)(3)(B) of the INA), and that ISIL engages and has engaged in terrorism (as defined in section 140(d)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989), and (i) after the conduct required for the offense occurred an offender was found in the United States, (ii) the offense occurred in whole or in part within the United States, (iii) the offense occurred in and affected interstate and foreign commerce, and (iv) an offender conspired with a person over whom jurisdiction exists to commit the offense, to wit, SALIC provided funding in support of ISIL on multiple occasions through money transfers, including a money transfer in support of a plot to carry out a terrorist attack in New York City involving the detonation of explosive devices for and in the name of ISIL.

(Title 18, United States Code, Sections 2339B, 2339B(d)(1)(C)-(F), and 3238.)

COUNT SEVEN

(Provision of Material Support and Resources to a Designated Foreign Terrorist Organization)

7. From at least in or about April 2016, up to and including in or about June 2016, in the Southern District of New York and elsewhere, and in an offense begun and committed out of the jurisdiction of any particular State or district, RUSSELL LANGI SALIC, a/k/a "Abu Khalid," a/k/a "James Klein," a/k/a "the Doctor," the defendant, who is expected to be first brought to and arrested in the Southern District of New York, and others known and unknown, did knowingly and intentionally provide, and attempt to provide, "material support or resources," as that term is defined in Title 18, United States Code, Section 2339A(b), including services and personnel, to a foreign terrorist organization, namely, ISIL, which has been designated by the Secretary of State as a foreign terrorist organization

since 2004, pursuant to Section 219 of the INA, and is currently designated as such as of the date of this Complaint, knowing that ISIL was a designated foreign terrorist organization (as defined in Title 18, United States Code, Section 2339B(g)(6)), that ISIL engages and has engaged in terrorist activity (as defined in Section 212(a)(3)(B) of the INA), and that ISIL engages and has engaged in terrorism (as defined in section 140(d)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989), and (i) after the conduct required for the offense occurred an offender was found in the United States, (ii) the offense occurred in whole or in part within the United States, (iii) the offense occurred in and affected interstate and foreign commerce, and (iv) an offender conspired with a person over whom jurisdiction exists to commit the offense, to wit, SALIC provided funding in support of ISIL on multiple occasions through money transfers, including a money transfer in support of a plot to carry out a terrorist attack in New York City involving the detonation of explosive devices for and in the name of ISIL.

(Title 18, United States Code, Sections 2339B, 2339B(d)(1)(C)-(F), 3238, and 2.)

The bases for my knowledge and the foregoing charges are, in part, as follows:

8. I am a Special Agent with the FBI, and I am assigned to a counterterrorism squad. I have been personally involved in the investigation of this matter. This affidavit is based in part upon my conversations with law enforcement agents and other people and my examination of reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all of the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

Overview

9. As set forth in greater detail below, there is probable cause to believe that RUSSELL LANGI SALIC, a/k/a "Abu Khalid," a/k/a "James Klein," a/k/a "the Doctor," the defendant, is a Philippines-based doctor who supports, promotes, and provides funding for ISIL and its jihadist activities. In the

spring of 2016, SALIC – together with, among others, two co-conspirators not named as defendants herein (“CC-1” and “CC-2”) – participated in a plot to carry out potentially devastating terrorist attacks in New York City, for and in the name of ISIL, involving the detonation of improvised explosive devices in heavily populated areas (the “NYC Plot”). See *infra* ¶¶ 16-18.

10. While CC-1 and CC-2 prepared to carry out the suicide attacks, RUSSELL LANGI SALIC, a/k/a “Abu Khalid,” a/k/a “James Klein,” a/k/a “the Doctor,” the defendant, helped finance the operation. SALIC, using the alias “Abu Khalid,” communicated with CC-1 and with an undercover law enforcement agent (the “UC”) in furtherance of the NYC Plot via a certain messaging application accessible through cellphones (“Application-1”). See *infra* ¶ 18. On or about May 11, 2016, SALIC sent approximately \$423.80 from the Philippines to the UC in the United States, through Western Union, to help fund the planned attacks. See *infra* ¶¶ 18(e)-(f), 18-19. SALIC also maintains a pro-ISIL presence on Facebook, using the alias “James Klein.” See *infra* ¶¶ 30-34. The accessible content and subscriber information associated with those “James Klein” Facebook accounts demonstrate that “James Klein” is, in fact, “Abu Khalid” – and, therefore, SALIC – and further evidence SALIC’s allegiance to and support for ISIL.

The Islamic State of Iraq and the Levant

11. In or about May 2014, the United States Secretary of State formally amended the existing designation of al Qaeda in Iraq (“AQI”) as a Foreign Terrorist Organization (“FTO”) to add the alias Islamic State of Iraq and the Levant (“ISIL”) as its primary name.¹ The State Department has reported that, among

¹ On October 15, 2004, the United States Secretary of State designated AQI, then known as Jam’at al Tawhid wa’al-Jihad, as an FTO under Section 219 of the INA and as a Specially Designated Global Terrorist under section 1(b) of Executive Order 13224.

other things, ISIL has committed systematic abuses of human rights and violations of international law, including indiscriminate killing and deliberate targeting of civilians, mass executions and extrajudicial killings, persecution of individuals and communities on the basis of their identity, kidnapping of civilians, forced displacement of Shia communities and minority groups, killing and maiming of children, rape, and other forms of sexual violence. According to the State Department, ISIL has recruited thousands of foreign fighters to Iraq and Syria from across the globe and leveraged technology to spread its violent extremist ideology and for incitement to commit terrorist acts.

12. On or about September 21, 2014, now-deceased ISIL spokesperson Abu Muhammad al-Adnani called for attacks against citizens – civilian or military – of the countries participating in the United States-led coalition against ISIL.

13. Based on my review of open source materials, I know that (a) on or about November 13 and 14, 2015, a coordinated group of attackers carried out multiple terrorist attacks in Paris, France, which killed approximately 130 people, and (b) on or about March 22, 2016, a coordinated group of attackers carried out multiple bombings in Brussels, Belgium, which killed at least 32 civilians. ISIL has claimed responsibility for those terrorist attacks.

14. To gain supporters, ISIL, like many other terrorist organizations, spreads its message using social media and Internet platforms. Using these platforms, ISIL posts and

On May 15, 2014, the Secretary of State amended the designation of AQI as an FTO under Section 219 of the INA and as a Specially Designated Global Terrorist entity under section 1(b) of Executive Order 13224 to add the alias Islamic State of Iraq and the Levant ("ISIL") as its primary name. The Secretary also added the following aliases to the ISIL listing: the Islamic State of Iraq and al-Sham, the Islamic State of Iraq and Syria, ad-Dawla al-Islamiyya fi al-'Iraq wa-sh-Sham, Daesh, Dawla al Islamiya, and Al-Furqan Establishment for Media Production. In an audio recording publicly released on June 29, 2014, ISIL announced a formal change of its name to the Islamic State. On September 21, 2015, the Secretary added the following aliases to the ISIL listing: Islamic State, ISIL, and ISIS. To date, ISIL remains a designated FTO.

circulates videos and updates of events in Syria, Iraq, and other ISIL-occupied areas, in English and Arabic, as well as other languages, to draw support to its cause.

The Defendant, CC-1, and CC-2

15. RUSSELL LANGI SALIC, a/k/a "Abu Khalid," a/k/a "James Klein," a/k/a "the Doctor," the defendant, is a 36-year-old citizen and resident of the Philippines. CC-1 is a citizen of a particular foreign country ("Country-1") and was a resident of Country-1 at all times relevant to this Complaint.² CC-2 is a U.S. citizen and was a resident of a particular foreign country ("Country-2") at all times relevant to this Complaint.³

The NYC Plot

CC-1 and CC-2 Prepare to Carry Out Suicide Bombing Attacks in New York City During Ramadhan

16. Based on my review of the electronic communications on Application-2 between CC-1 and the UC, and between CC-2 and the UC, as well as my communications with other FBI personnel, including the UC, I have learned the following, in substance and in part:

a. By in or about the spring of 2016, CC-1 and CC-2 were plotting to carry out coordinated terrorist attacks in New York City, *i.e.*, the NYC Plot, in support of ISIL during the Islamic holy month of Ramadhan, which ran this year from approximately June 5 to July 5.

b. In the course of their communications with the UC regarding the NYC Plot, CC-1 and CC-2 each demonstrated

² The FBI identified CC-1 through CC-1's electronic communications with the UC via a certain messaging application accessible through cellphones ("Application-2"). In the course of those communications, CC-1 sent a photograph of himself to the UC, indicated that he was a resident of Country-1, and referred to himself by name.

³ The FBI identified CC-2 through CC-2's electronic communications with the UC on Application-2. In the course of those communications, CC-2 provided specific and unique biographical information regarding, among other things, his age, family members, and citizenship.

their allegiance to ISIL and their connections to members of ISIL during their communications with the UC. For example:

i. On or about April 30, 2016, CC-1 introduced himself to the UC and referred to himself as "one of the guys from the US project." CC-1 made clear his desire to carry out a terrorist attack in New York City, stating that "[w]e will shake them Insha'Allah akhi [brother]"; that "[w]e will show them what they hadn't seen in 2001"; that he planned to "com[e] to new York at around may 22"; and that he was "in [Country-1] now."

ii. On or about April 30, 2016, when CC-1 began communicating with the UC, CC-1 discussed the deaths of two ISIL members, praising their actions and expressing his desire to "attain what they attained."⁴ On or about May 1, 2016, CC-1 explained to the UC that he was in contact with an ISIL affiliate about making their "mission" "officially from khurasan" – that is, sanctioned by ISIL.⁵ On or about May 3, 2016, CC-1 sent the UC a photograph of himself with his index finger extended in a gesture that I recognize, based on my training and experience, to be symbolic of support for ISIL. On or about May 6, 2016, CC-1 conveyed that ISIL might provide funding for the NYC Plot through an affiliate known as the "khurasan guy":

He ["khurasan guy"] wants to know what weapons we have , what our general targets are, how many people are trained , how long were gonna train for , exact number of people[.] Basically everything[.] Cuz he's gonna tell

⁴ Quotations of communications included in this Complaint are based on preliminary draft transcriptions subject to change.

⁵ Based on my training, experience, and participation in this investigation, I believe that CC-1's reference to "khurasan" was a reference to a branch of ISIL known as the Khorasan Province, which is active in certain regions of the Middle East.

dawlah[.]⁶ So they need to know everything before giving us finances or helping⁷

iii. On or about May 1, 2016, CC-1 introduced CC-2 to the UC on Application-2. When CC-2 contacted the UC later that day, he stated that "[t]he akhi [*i.e.*, CC-1] linked me to you." CC-2 further stated: "[M]ay Allah grant us success in this opp [*i.e.*, operation] I'm mad excited. And may Allah cause great destruction to the filthy kuffars by our hands."⁸

iv. On or about May 5, 2016, in response to a statement from the UC that CC-1 had said that the Khurasan group was supporting CC-2, CC-2 responded that "they are [supporting me] may Allah bless them and grant them victory." On or about May 7, 2016, CC-2 reiterated that ISIL supported the NYC Plot: "inshallah khurasan dawla has or [our] back." On or about May 8, 2016, CC-2 stated that he was "with dawla day one they came out." The UC subsequently asked CC-2 if he was in Dawlah (*i.e.*, ISIL), and CC-2 responded: "Yeah alhamdurillah [praise be to God] the higher ups know about me . . . And my plans to see them and be their."

c. CC-1 and CC-2 identified multiple locations in New York City as targets of the plot, including the city's subway system and Times Square. For example:

i. On or about May 1, 2016, CC-1 sent the UC several maps of New York City with markings illustrating operational plans to detonate explosives in the subway system.

ii. On or about May 6, 2016, in the course of electronic communications with the UC, CC-1 discussed plans to detonate "a car bomb in times square." CC-1 stated that "we need a really strong bomb," and that "[w]e can make it but we

⁶ Based on my training, experience, and participation in this investigation, I believe that "dawlah" was a reference to ISIL, which is also known as *ad-Dawla al-Islamiyya fi al-'Iraq* and *Dawla al Islamiya*. See *supra* ¶ 11 n.1.

⁷ Unless otherwise indicated, the communications quoted herein have not been altered to correct for grammatical, spelling, or other errors that exist in the native communications.

⁸ Based on my training, experience, and participation in this investigation, I understand that "kuffar" is an Arabic term generally meaning "disbelievers."

gotta buy the materials now." CC-1 subsequently purchased approximately 40 pounds of hydrogen peroxide, among other bomb-making supplies, for constructing explosive devices to attack New York City. See infra ¶ 16(h)(i).

iii. On or about May 12, 2016, CC-1 discussed the plan to detonate a car bomb in Times Square, telling the UC:

Akhi let's just shoot up concerts cuz they kill a lot of people. Times square is also good but sometimes there isn't a lot of people. Actually never mind there are a lot.. Car bomb there is good

d. Also on or about May 1, 2016, the UC asked CC-2 if he intended to participate in the attacks in New York City. CC-2 responded: "Inshallah akhi I just need a ticket once it's done I'll be on my way their." CC-2 subsequently stated: "[T]he path of jihad is somthing very rare in this century and it's a huge blessing for us to be apart of it."

e. On or about May 5, 2016, the UC asked if CC-2 could consult with an explosives expert in Country-2 regarding the instructions for making explosives that CC-1 had sent to the UC. In response, CC-2 informed the UC that "the thing is the khurasan akhi wants this opp to be 100% ours so he has asked me to not talk to anyone about it." CC-2 further explained that "Dawla in general takes all credit is what I mean and inshallah I think we should get as many akhis in this as possible but it's just they have to be trustworthy." Based on my training, experience, and participation in this investigation, I believe that CC-1 was advising the UC that an ISIL official ("the khurasan akhi") had informed CC-2 that because the attack on New York City would be "100%" an ISIL-endorsed attack – for which ISIL ("Dawla") would take credit – it was imperative to keep the group of participants small and trustworthy.

f. In the course of electronic communications with the UC during May 2016, CC-1 discussed the plan of renting a cabin within driving distance of New York City for assembling the explosive devices and staging the attacks. Ultimately, at CC-1's request, the UC reserved a cabin beginning in late May 2016, when CC-1 planned to travel from Country-1 to the United States to carry out the attacks.

g. In May 2016, CC-1 purchased an array of bomb-making materials on the Internet for use in the NYC Plot, and shipped those materials to the UC in the United States.

i. In particular, on or about May 7, 2016, CC-1 purchased approximately 40 pounds of hydrogen peroxide (the "Hydrogen Peroxide") and shipped the Hydrogen Peroxide to the UC in the United States. Based on my training, experience, and participation in this investigation, I have learned that hydrogen peroxide is the primary ingredient used to make TATP (triacetone triperoxide), a powerful type of explosive commonly used in improvised explosive devices, and which has been used in previous terrorist attacks.⁹

ii. In addition to the Hydrogen Peroxide, CC-1 purchased and shipped to the UC various other bomb-making components. In or about mid-May, the UC received approximately seven packages sent to the undercover address that the UC had provided to CC-1. The packages contained various items that CC-1 had told the UC he planned to purchase for purposes of making explosives, including, among other things, Christmas lights, batteries, battery holders, thermometers, and aluminum foil.¹⁰

ISIL Supporter "Abu Khalid" Provides Funding for the NYC Plot

17. Based on my review of the electronic communications between CC-1 and the UC on Application-2, as well as my communications with other FBI personnel, including the UC, I have learned the following:

a. As described in greater detail below, in or about early May 2016, CC-1 put the UC in contact with an ISIL supporter known to CC-1 as "Abu Khalid" or "the doctor," for the purpose of obtaining financial support for the NYC Plot.

b. On or about May 8, 2016, CC-1 discussed obtaining funding for the NYC Plot with the UC. CC-1 named three ISIL supporters as potential contributors, including the

⁹ In connection with his purchase of the Hydrogen Peroxide, CC-1 sent the UC the purchase confirmation details, which included information identifying CC-1 by name.

¹⁰ Several of the packages were accompanied by invoices listing a billing address in Country-1 under CC-1's name.

"British doctor."¹¹ The UC asked CC-1 if that person could be trusted. CC-1 responded that "British doctor is the best out of all 3"; that CC-1 "talked to him a lot"; and that he had "direct links" to a certain ISIL member with whom CC-1 had also been in contact. CC-1 further informed the UC that the "British doctor" had "sent before" in support of ISIL and "has a lot of money saved." CC-1 stated that the money sent by "the doctor" would be used "for ammo and bomb equipment and car renting and all that."

c. Also on or about May 8, 2016, CC-1 assured the UC that "[t]he British doctor is 100% tazkia."¹² On multiple occasions, CC-1 stated that "the doctor" would "send \$500" in support of the NYC Plot. CC-1 provided the UC with an account address for "the doctor" on Application-1, which contained the name "khalid" and was associated with the username "Abu Khalid."

d. On or about May 9, 2016, CC-1 reiterated that the UC should communicate with "Abu Khalid" on Application-1, as "he will send \$500."

e. On or about May 10, 2016, CC-1 informed the UC that he (CC-1) had sent the UC's Western Union account information to "the doctor" for purposes of the money transfer.

f. On or about May 11, 2016, CC-1 instructed the UC to "make sure u receive the money from the UK doctor . . . through the Western Union method I taught u." CC-1 further stated: "Try to get the money from the doctor ASAP bro so we can buy the belts and other stuff before I come." Based on my training, experience, and participation in this

¹¹ As described below, RUSSELL LANGI SALIC, a/k/a "Abu Khalid," a/k/a "James Klein," a/k/a "the Doctor," the defendant, uses a persona known as "James Klein" on Facebook. See *infra* ¶¶ 30-34. From my review of content from certain of those "James Klein" Facebook accounts, as well as my review of FBI reports and communications with other FBI personnel, I have learned that the "James Klein" Facebook persona purports to have connections to the United Kingdom. And, as reflected above, CC-1 sometimes referred to SALIC as "the British doctor."

¹² Based on my training, experience, and participation in this investigation, I understand that "tazkia" is an Arabic term generally meaning "purity of the self," which is commonly used by jihadists to mean that an individual has been "vouched for" or "cleared" – in other words, that the individual is trusted.

investigation, I believe that "belts" was a reference to explosives belts used to carry out suicide bombings.

g. Later that same day, the UC informed CC-1 that "Abu Khalid" had initiated a money transfer to the UC of \$423.80. CC-1 stated: "Ight good alhamdoulila . . . Go recieve it and begin to buy items" - that is, materials for constructing explosive devices.

18. As set forth above, on or about May 8, 2016, CC-1 provided the UC with contact information for "Abu Khalid" on Application-1. The next day, the UC began communicating with "Abu Khalid" on Application-1. As described below, in the course of the ensuing electronic communications between "Abu Khalid" and the UC, which I have reviewed, "Abu Khalid" demonstrated his allegiance to ISIL and arranged to transfer money to the UC, from the Philippines, in furtherance of the NYC Plot. Based on my review of the electronic communications on Application-1 between "Abu Khalid" and the UC, as well as my communications with other FBI personnel, including the UC, I have learned the following, in substance and in part:

a. On or about May 9, 2016, the UC conveyed to "Abu Khalid" that a brother [*i.e.*, CC-1] had told the UC to contact "Abu Khalid," and that CC-1 had informed the UC that "Abu Khalid" would be sending money. The UC asked "Abu Khalid" if CC-1 had provided the UC's account information to "Abu Khalid" for purposes of the money transfer, and "Abu Khalid" responded, "[y]eah." "Abu Khalid" stated that he would use Western Union to make the transfer. "Abu Khalid" asked the UC to protect the identity of the sender of the money transfer, stating "protect the sender." The UC asked "Abu Khalid" if he was being watched, and "Abu Khalid" stated: "No akhi. Im clean In Sha Allah." The UC updated "Abu Khalid" regarding the status of the NYC Plot, stating that they were close but needed support to buy more ammunition. "Abu Khalid" stated: "Bro I understand."

b. In the course of these communications on or about May 9, 2016, "Abu Khalid" also stated to the UC: "I wanna

make hijra¹³ actually[.] The more i stay in my place the more im gett[i]ng involved in kuffar deeds." Later that day, after "Abu Khalid" reiterated that he was "desperate to make H" (which I understand, based on my training, experience, and participation in this investigation, to have been a reference to "hijrah"), the UC asked if "Abu Khalid" aspired to travel to Syria or Libya, and "Abu Khalid" indicated Syria by responding "S."

c. The next day, on or about May 10, 2016, "Abu Khalid" contacted the UC and informed the UC that he was "on [his] way" to "Western union." "Abu Khalid" reminded the UC to "delete . . . the senders name" after the transaction was completed. "Abu Khalid" further informed the UC that he was sending the money from the Philippines: "Im currently in Philippines and il be in Aus [i.e., Australia] after 2 weeks." The UC asked "Abu Khalid" if he could send the money from the Philippines without any problems. In the course of the ensuing communications, "Abu Khalid" made the following statements, further demonstrating his allegiance to ISIL, as well as his belief that he was able to safely send money to support the NYC Plot from the Philippines without attracting law enforcement scrutiny:

Yes bro its not strict here. Unli[k]e in Aus or Uk even liking FB [i.e., Facebook] status will putbu in jail[.]

. . .

Terrorists from all over the world usually come here as a breeding ground for terrorists . . . hahahaha

. . .

¹³ Based on my training, experience, and participation in this investigation, I understand that "hijrah" (or "hijra") is an Arabic term normally used to refer to migration, but which is also used by ISIL supporters to refer to traveling to the Middle East to engage in jihad.

Your dua¹⁴ is much needed for Musa Cerantonio as he's been arrested in Australia.¹⁵

But no worry here in Philippines.. They dont care bout IS..lolll[.] Only in west.¹⁶

d. Also on or about May 10, 2016, the UC provided "Abu Khalid" with a name (the "UC Name") and an address in the United States (the "UC Address") to which "Abu Khalid" could send the money in support of the NYC Plot. From my participation in this investigation, including my communications with the UC, I am aware that the UC received only one money transfer at the UC Address: the transfer from "Abu Khalid" discussed below. In the course of his communications with the UC, "Abu Khalid" stated: "Im the one at risk here not you.. Its always the sender but I fear only Allah."

e. Shortly thereafter, on or about May 11, 2016, "Abu Khalid" informed the UC that the money had been sent. "Abu Khalid" also conveyed that he intended to send additional money in support of ISIL in the future: "In Sha Allah once we have the blessings again we will distribute again."

f. On or about May 12, 2016, the UC received a Western Union transfer of approximately \$423.80 at the UC Address. That day, in the course of continued electronic communications with "Abu Khalid," the UC confirmed receipt of the money transfer, and informed "Abu Khalid" that the money would be used to purchase additional supplies – and that the purchases would be spread out so as not to draw attention.

g. Later that day, the UC sent "Abu Khalid" the image below, which I have learned, through my participation in this investigation, including communications with the UC, is a photograph of the cardboard box that contained the Hydrogen

¹⁴ Based on my training, experience, and participation in this investigation, I understand that "dua" is an Arabic term generally meaning "supplication" or "prayers."

¹⁵ Based on my review of open sources, I have learned that Musa Cerantonio appears to be an alleged ISIL promoter who was arrested in Australia in or about May 2016.

¹⁶ Based on my training, experience, and participation in this investigation, I believe that "IS" was a reference to ISIL. See supra ¶ 11 n.1 (noting that in June 2014, ISIL announced a formal change of its name to the Islamic State or "IS").

Peroxide purchased and shipped by CC-1 to the UC for use in the NYC Plot. See supra ¶ 16(i)(i). As reflected below, the exterior of the cardboard box included the warning labels "OXIDIZER" and "CORROSIVE."



h. After receiving the photograph of the Hydrogen Peroxide, "Abu Khalid" stated: "Allahuakhbar! Allahuakhbar! May Allah . . . protect you akhi[.] Keep safe my brother. May Allah . . . make it easy for you[.] If I cant make it Hijra then I Might do this too In Sha Allah." Based on my training, experience, and participation in this investigation, I believe that "Abu Khalid" was expressing enthusiasm for the planned bombings in New York City – which he had just attempted to help finance – and was also conveying that if he was unable to travel to Syria to make hijrah, then he too might seek to carry out such an attack as well ("If I cant make it Hijra then I Might do this too").

i. On or about May 17, 2016, the UC told "Abu Khalid" that the UC would send additional photographs of the supplies being purchased. Shortly thereafter, the UC sent "Abu Khalid" a photograph showing, among other things, batteries and a large number of bottles – which I have learned, based on my training, experience, and participation in this investigation, are items that can be used in the construction of improvised explosive devices. After receiving the photograph, "Abu Khalid" again expressed his enthusiasm for the planned attack in New York City, and his hope that the operation would be successful: "Allahuakhbar allahuakhbar[.] May Allah preserve and protect you

akhi[.] May Allah give baraqah [i.e., blessing] to this plan and will succeed In Sha Allah. No one can stop Him."

j. On or about May 20, 2016, the UC conveyed to "Abu Khalid" that the UC had arrived in New York City in preparation for the planned attacks. "Abu Khalid" responded, "Allahuakbar!" and stated that New York City is "the capital of Kufr And shirk."¹⁷ Abu Khalid further stated, "[t]he fitna is oozing there in big apple."¹⁸

k. Also on or about May 20, 2016, the UC sent "Abu Khalid" a photograph – which, I have been informed by the UC, had been taken that day – showing an individual (whose face is turned away and not visible) standing in Times Square, making a hand gesture that I recognize, based on my training and experience, to be symbolic of support for ISIL (the "Times Square Photograph"). "Abu Khalid" stated "[n]ice photo bro!" and "bro we need to rise up [b]ut wer outnumbered by coconut muslims."¹⁹ In the course of these communications, the UC referenced seeing Jewish people in New York City, and "Abu Khalid" stated: "It would be a great pleasure if we can slaughter them." Towards the end of their communications on May 20, 2016, "Abu Khalid" stated to the UC: "Allahuakhbar[.] In Sha Allah bro we will succeed[.]"

l. On or about May 22, 2016, "Abu Khalid" stated to the UC: "Just give me a go signal so I can spend my whole night asking for Allah['s] help . . . Bear in mind Tahajud is like an arrow that never misses its target. May Allah . . . blind thw kuffars" Based on my participation in this investigation, I believe that "Abu Khalid" was asking the UC to alert him when the attacks were imminent, so that "Abu Khalid" could pray for the attacks to succeed.

¹⁷ Based on my training, experience, and participation in this investigation, I understand that "shirk" is an Arabic term generally referring to the worship of any deity other than Allah.

¹⁸ Based on my training, experience, and participation in this investigation, I understand that "fitna" is an Arabic term generally meaning "temptation."

¹⁹ Based on my training, experience, and participation in this investigation, I understand that "coconut muslims" is a derogatory jihadist term for moderate Muslims.

m. On or about June 1, 2016, the UC conveyed (inaccurately) to "Abu Khalid" that the brothers preparing to carry out the NYC Plot were in a cabin making explosives. "Abu Khalid" responded: "In Sha Allah bro! Allahuakhbar[.] May Allah . . . make it succeed."

Identification of the Defendant: Records of Money Transfers in Support of ISIL and the "James Klein" Facebook Accounts

Money Transfer Records

19. As described above, the UC received a money transfer via Western Union from "Abu Khalid" on May 12, 2016. See supra ¶ 18(f). I have reviewed records obtained by the FBI from Western Union pertaining to that transaction, which show the following:

a. On May 12, 2016, the UC Name received a money transfer at the UC Address in the amount of \$423.80.

b. The money was sent on May 11, 2016. As described above, "Abu Khalid" conveyed to the UC that he had sent the money on May 11, 2016. See supra ¶ 18(e).

c. The sender's name is "Russell Salic."

d. The sender's date of birth is March 10, 1980 (the "Salic DOB").

e. The money was sent from a particular Western Union branch located at a certain street address in Cagayan de Oro, Misamis Oriental, Philippines (the "Western Union Store").

20. On or about May 11, 2016, shortly after "Abu Khalid" informed the UC that the money had been sent, "Abu Khalid" sent an image to the UC, on Application-1, which appears to depict a Western Union transfer receipt (the "May 11, 2016 Receipt"). The information reflected on the May 11, 2016 Receipt, which I have reviewed, is consistent with the Western Union records described in Paragraph 19 above. For example, the May 11, 2016 Receipt identifies the sender as "Russell Salic"

and indicates that the money (\$423.80) was sent from the Western Union Store in Cagayan de Oro.²⁰

21. As reflected above, CC-1 referred to "Abu Khalid" as "the doctor." See supra ¶ 17. Also, in the course of the electronic communications between "Abu Khalid" and the UC, "Abu Khalid" identified himself as a doctor. For example, on or about May 9, 2016, "Abu Khalid" stated, in response to the UC's mention of the risk of being arrested in connection with the NYC Plot: "Bro Im a doctor. Im a public figure. So worry not about me In Sha Allah."

22. Based on my review of open sources, including the website "TheFilipinoDoctor.com," which appears to provide listings and information regarding medical doctors practicing in the Philippines, I have learned the following:

a. "Dr. Russell L. Salic" is an orthopedic surgeon associated with the Northern Mindanao Medical Center ("NMMC"), a hospital located in Cagayan De Oro, Misamis Oriental, Philippines.

b. The NMMC and the Western Union Store – that is, the Western Union branch where "Abu Khalid" sent money to the UC – are located at the same intersection in Cagayan de Oro.

23. Based on my review of the electronic communications on Application-1 between "Abu Khalid" and the UC, I have learned that "Abu Khalid" informed the UC that he has sent money in support of ISIL on multiple other occasions:

a. On or about May 9, 2016, the UC asked "Abu Khalid" if he was concerned that the planned money transfer in support of the NYC Plot might attract the attention of the authorities. "Abu Khalid" responded: "Last time We sent thru

²⁰ As noted above, in the course of his communications with the UC, "Abu Khalid" emphasized that the UC should protect the identity of the sender and "delete . . . the senders name" after the money transfer was completed. See supra ¶ 18(c). Based on my training, experience, and participation in this investigation, I believe that this suggests "Abu Khalid" recognized that disclosure of the sender data associated with the Western Union transfer would reveal his true identity – i.e., "Russell Salic."

money gram in Bosnia but a female Agent so no theres no problem."

b. Later that day, "Abu Khalid" stated: "Last time we sent to lebanon, western union did not give the money to a male receiver so i took it back them sent thru bosnia."

c. On or about May 11, 2016, after sending the May 11, 2016 Receipt indicating that the amount of money sent by "Abu Khalid" to the UC was \$423.80, "Abu Khalid" stated: "Im sorry if thats the only amount we have sent. We actually divided the amount to other brothers in other countries." Based on my training, experience, and participation in this investigation, I believe that "Abu Khalid" was conveying that he was funding not only the NYC Plot, but also the activities of other ISIL supporters ("brothers") in other countries.

24. Based on my review of records obtained by the FBI from Western Union pertaining to "Russell Salic," I have learned the following:

a. Between February 2015 and June 2016, money was sent to individuals in various countries around the world on at least six different occasions, in amounts ranging from approximately \$180 to \$435, by a sender listed in the Western Union records as "Russell Salic" or as one of the following variations on that name: "Russell L. Salic," "Russell Langi Salic," or "Russel Langi Salic."

b. On each occasion, the date of birth listed for the sender is the Salic DOB.

c. In addition to the UC in the United States, the recipients of those transfers were located in the following countries: Malaysia, Syria, Australia, Lebanon, and Palestine. As set forth above, Lebanon is one of the countries to which "Abu Khalid" told the UC he had previously sent money. See supra ¶ 23(b).

d. All six money transfers were made from the same location: the Western Union Store in Cagayan de Oro.

25. I have also reviewed records obtained by the FBI from MoneyGram, which show the following:

a. In or about April 2016, "Russell Salic" and "Russel Salic" sent money on two occasions, in the amounts of

approximately \$422 and \$583, to the same location in Bosnia. As described above, "Abu Khalid" told the UC that he had previously sent money to Bosnia, specifically through MoneyGram. See supra ¶ 23(a).

b. The date of birth listed for the sender for both transactions is the Salic DOB.

c. On both occasions, the money was sent from the Philippines.

26. As indicated in Paragraph 24(c) above, Lebanon was the destination of one of the money transfers listed in the Western Union records pertaining to "Russell Salic." The Western Union records show that the transfer was made by "Russell L. Salic," in the amount of \$434.23, on April 13, 2016, from the Western Union Store. The FBI was able to obtain records from that particular Western Union branch in Cagayan de Oro relating to that April 13, 2016 transfer by "Russell L. Salic." From my review of those records, I have learned the following:

a. The records include a form that appears to have been filled out and signed by the sender. The form lists, among other identifying information, "Russell L. Salic" as the sender's name and the Salic DOB as the sender's date of birth.

b. The records also include a copy of a receipt (the form of which resembles the May 11, 2016 Receipt discussed above). The receipt indicates that the type of "ID" provided by the sender was a Filipino Professional Regulations Commission Identification Card ("PRC ID Card").

c. A copy of the PRC ID Card provided by the sender is also included in the records obtained from the Western Union Store in Cagayan de Oro. The PRC ID Card lists a name of "Russell Langi Salic"; the Salic DOB; and an occupation of "physician." The PRC ID Card also provides a photograph of the cardholder, "Russell Langi Salic."

27. As indicated in Paragraph 24(c) above, Malaysia was another destination of one of the money transfers listed in the Western Union records pertaining to "Russell Salic" (the "Malaysia Transfer"). The Western Union records show the following with respect to the Malaysia Transfer:

a. On or about June 24, 2016, "Russell Langi Salic" sent approximately \$426.30 to "Jasanizam Bin Rosni" in Malaysia.

b. "Jasanizam Bin Rosni" picked up the money transferred by "Russell Langi Salic" on or about June 26, 2016, in Johor, Malaysia.

28. Based on my participation in this investigation and my review of open sources, I have learned the following:

a. On or about June 28, 2016, which was two days after "Jasanizam Bin Rosni" received the Malaysia Transfer, a grenade attack occurred at a nightclub in Kuala Lumpur, Malaysia, injuring approximately eight civilians (the "Malaysia Nightclub Attack"). ISIL has claimed responsibility for the attack.

b. Jasanizam Rosni (among others) was arrested in or about August 2016 by Malaysian authorities and charged with participating in launching the grenade in the Malaysia Nightclub Attack.

29. I believe that the Malaysia Transfer – which Salic sent four days before the Malaysia Nightclub Attack, which was directed to one of the individuals, Jasanizam Rosni, who has been charged with carrying out the attack, and which Jasanizam Rosni picked up two days before the Malaysia Nightclub Attack – is consistent with the statement of "Abu Khalid" indicating that he was involved in funding not only the NYC Plot, but also the activities of other ISIL supporters in other countries. See supra ¶ 23(c).

"James Klein" Facebook Accounts

30. As explained below, the FBI's investigation has also revealed that RUSSELL LANGI SALIC, a/k/a "Abu Khalid," a/k/a "James Klein," a/k/a "the Doctor," the defendant, uses a persona known as "James Klein" on Facebook. The FBI has identified multiple iterations of Facebook accounts associated with the "James Klein" persona (collectively, the "James Klein Facebook Accounts"; individually, "James Klein Account-1" and "James Klein Account-2").

31. Based on my review of the electronic communications between "Abu Khalid" and the UC on Application-1, I have learned that on or about June 1, 2016, "Abu Khalid" asked

the UC if he could use the Times Square Photograph on his Facebook page as his profile picture.²¹ "Abu Khalid asked the UC: "Bro can I use your photo on my FB as my DP?"²² At approximately the same time that "Abu Khalid" posed this question to the UC, "Abu Khalid" sent the UC a copy of Times Square Photograph-1, thereby making clear that "Abu Khalid" was referring to that particular photograph. The UC responded affirmatively, indicating that "Abu Khalid" could use that photograph.

32. Based on my review of content publicly visible on Facebook, as well as my review of FBI reports, I have learned the following:

a. On or about June 1, 2016 – that is, the same day that "Abu Khalid" asked the UC if he could use the Times Square Photograph as his profile picture on Facebook – the Times Square Photograph was posted as the profile picture on James Klein Account-1.

b. As of in or about early July 2016, the profile picture on James Klein Account-2 was also the Times Square Photograph.

33. Based on my review of subscriber records obtained by the FBI from Facebook for James Klein Account-1 and James Klein Account-2, I have learned that the Internet Protocol ("IP") addresses²³ associated with user logins and logouts for James Klein Account-1 and James Klein Account-2 show that both accounts have been accessed exclusively from the Philippines.

34. From my participation in this investigation, including my communications with other FBI personnel, I am aware that the content of the James Klein Facebook Accounts generally

²¹ The Times Square Photograph is the photograph that the UC sent to "Abu Khalid" via Application-1 on or about May 20, 2016. See supra ¶ 18(k).

²² Based on my training, experience, and review of open source materials, I have learned that a Facebook profile picture is sometimes referred to as a display picture or "DP."

²³ Based on my training and experience, I have learned that an IP address generally refers to a unique numerical label assigned to a digital device that accesses the Internet (e.g., a computer), and that IP addresses can be used to determine the general geographic locations of the devices to which they are assigned.

has not been publicly accessible as a result of their privacy settings. However, a confidential source working at the direction of the FBI (the "CS") was able to access, at various times, certain of the James Klein Facebook Accounts as a result of the CS's "friend" status with the user of the accounts. Based on my review of content from the James Klein Facebook Accounts obtained by the FBI through such access, I have learned that the "James Klein" persona (*i.e.*, the persona associated with James Klein Account-1 and James Klein Account-2, among other James Klein Facebook Accounts) posted content supportive of ISIL, jihad, and terrorist activities. For example:

a. On or about April 23, 2016, "James Klein" posted a photograph depicting what appears to be an executioner holding up a human head, along with a comment stating: "I didnt know they have it also in South East Asia. Amazing. Ya Allah."

b. On or about June 11, 2016, "James Klein" posted a comment promoting certain online groups supportive of "Dawla" (*i.e.*, ISIL), "[f]or the information of all brothers and sisters."

c. In June 2016, following the shooting attack that resulted in the deaths of 49 victims at a nightclub in Orlando, Florida, "James Klein" posted multiple comments that appeared to support and celebrate the attack. For example, "James Klein" posted a comment alluding to "Allah send[ing] his punishment to these people," and another comment stating, in reference to one of the victims, "Tfeeehhh forgot to pull up his pants!" and "#LBGT as prey for predators." Several posts by other Facebook users on that "James Klein" page also included comments supportive of the Orlando attack – including, for example, posts such as "Hahaha" by a user whose profile picture appeared to be an ISIL flag; "good job"; and "May ALLAH accept that brother [*i.e.*, the attacker]" – indicating that "James Klein" associates on Facebook with other supporters of terrorist activity.²⁴

²⁴ While the FBI has not established which of the various James Klein Facebook Accounts displayed each particular post cited in subparagraphs (a) through (c) above, all of that content was posted by the same "James Klein" persona associated with those accounts, which include James Klein Account-1 and James Klein Account-2.

35. Based on my training, experience, and involvement in this investigation, and particularly in light of the facts set forth in Paragraphs 19 through 34 above, I believe that the individual who communicated with the UC on Application-1 as "Abu Khalid," the individual using the "James Klein" persona on Facebook, and the Philippines-based doctor "Russell Langi Salic" are one and the same person: RUSSELL LANGI SALIC, a/k/a "Abu Khalid," a/k/a "James Klein," a/k/a "the Doctor," the defendant.

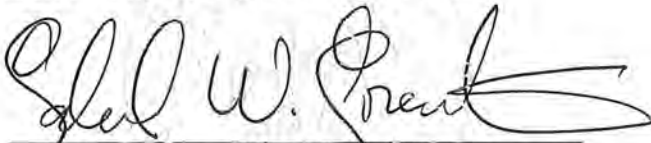
WHEREFORE, deponent prays that a warrant be issued for the arrest of RUSSELL LANGI SALIC, a/k/a "Abu Khalid," a/k/a "James Klein," a/k/a "the Doctor," the defendant, and that he be arrested and imprisoned, or bailed, as the case may be.

FURTHER, the Government respectfully moves for the complaint and arrest warrant to remain sealed – with the exception that the complaint and arrest warrant are unsealed for the limited purpose of disclosing the existence of or disseminating the complaint and/or arrest warrant to relevant United States, foreign, or intergovernmental authorities, at the discretion of the United States and in connection with efforts to prosecute the defendant or to secure the defendant's arrest or extradition, or as otherwise required for purposes of national security.



CODY HAVEN
Special Agent
Federal Bureau of Investigation

Sworn to before me this
18th day of November, 2016



HONORABLE GABRIEL W. GORENSTEIN
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK