

Approved: Nezamul / Gen D. Turner
NEGAR TEKEEI/GEORGE D. TURNER
Assistant United States Attorneys

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

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UNITED STATES OF AMERICA	:	<u>SEALED COMPLAINT</u>
- v. -	:	Violations of
TALHA HAROON,	:	18 U.S.C. §§ 2332a,
	:	2332b, 2332f, 2339A,
Defendant.	:	2339B
	:	COUNTY OF OFFENSE:
	:	NEW YORK

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SOUTHERN DISTRICT OF NEW YORK, ss.:

OSCAR M. GIFFORD, being duly sworn, deposes and says that he is a Special Agent with the Air Force Office of Special Investigations, and a member of the Federal Bureau of Investigation's Joint Terrorism Task Force ("JTTF"), and charges as follows:

COUNT ONE
(Conspiracy to Use Weapons of Mass Destruction)

1. From at least in or about April 2016, up to and including July 2016, in the Southern District of New York and elsewhere, TALHA HAROON, the defendant, 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, and (iii) the offense and the results of the

offense would have affected interstate and foreign commerce, to wit, HAROON conspired to detonate explosive devices in New York City.

(Title 18, United States Code, Section 2332a(a)(2)(A),
(a)(2)(B), (a)(2)(D).)

COUNT TWO

(Conspiracy to Commit Acts of Terrorism Transcending National Boundaries)

2. From at least in or about April 2016, up to and including July 2016, in the Southern District of New York and elsewhere, TALHA HAROON, the defendant, 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, Sections 2332a (use of weapons of mass destruction) and 2332f (bombing of places of public use and public transportation facilities), 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, HAROON, while in Pakistan, conspired with an individual located in another country to carry out a terrorist attack on New York City by, among other acts, detonating explosive devices in public places in New York City, including its subway system.

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

COUNT THREE

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

3. From at least in or about April 2016, up to and including July 2016, in the Southern District of New York and elsewhere, TALHA HAROON, the defendant, 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 outside the United States and a perpetrator is a national of the United States, to wit, HAROON, a U.S. citizen, conspired while in Pakistan to detonate explosive devices in public places in New York City, including its subway system.

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

COUNT FOUR

(Conspiracy to Provide Material Support to Terrorists)

4. From at least in or about April 2016, up to and including July 2016, in the Southern District of New York and elsewhere, TALHA HAROON, the defendant, 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), namely, property, services, personnel (including himself), 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), 2332b (acts of terrorism transcending national boundaries), and 2332f (bombing of places of public use and public transportation facilities) of Title 18, to wit, HAROON, while in Pakistan, conspired to carry out a terrorist attack on New York City by, among other acts, detonating explosive devices in public places in New York City, including its subway system.

(Title 18, United States Code, Section 2339A.)

COUNT FIVE

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

5. From at least in or about April 2016, up to and including July 2016, in the Southern District of New York and elsewhere, TALHA HAROON, the defendant, 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), namely, services, and personnel (including himself), 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) the offense occurred in whole or in part within the United States, and (ii) the offense occurred in and affected interstate and foreign commerce, to wit, HAROON conspired to plan, coordinate, and participate in an ISIL-endorsed terrorist attack on New York City.

(Title 18, United States Code, Section 2339B.)

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

6. I am a member of the Federal Bureau of Investigation's New York-based JTTF, and 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 of the Investigation

7. As set forth in greater detail below, beginning in approximately April 2016, TALHA HAROON, the defendant, and a co-conspirator ("CC-1") plotted to carry out deadly bombings in heavily-populated areas of New York City. Communications between HAROON and an undercover law enforcement officer (the "UC"), and between CC-1 and the UC, demonstrated HAROON's and

CC-1's support for ISIL and intent to carry out terrorist attacks for and in the name of ISIL. In May 2016, HAROON and CC-1 took steps in preparation for executing the planned attack on New York City. CC-1 purchased bomb-making materials, shipped them to the UC in the United States, and helped to secure a cabin within driving distance of New York City to build the bombs. Based on communications with the UC, HAROON, who resides in Pakistan, traveled within Pakistan in an effort to meet with an explosives expert in furtherance of the plot, and took steps to obtain money to buy a plane ticket to fly from Pakistan to New York City to carry out the attacks. HAROON and CC-1 identified New York City's subway system (the "NYC Subway System") and Times Square, among other locations, as primary targets of the attacks.

The Islamic State of Iraq and the Levant

8. 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 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

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.

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.

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.

9. On or about September 21, 2014, 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.

10. 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.

11. To gain supporters, ISIL, like many other terrorist organizations, spreads its message using social media and Internet platforms. Using these platforms, ISIL posts and 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 and CC-1

12. TALHA HAROON, the defendant, is an 18-year-old resident of Pakistan, and a U.S. citizen. CC-1 is a citizen of a foreign country who was a resident of that foreign country during the time period of the conspiracy.

The Defendant's and CC-1's Support for and Allegiance to ISIL

13. Based on my review of communications between TALHA HAROON, the defendant, and the UC, and between CC-1 and

the UC, I have learned that HAROON and CC-1 support ISIL and have connections to members of ISIL.²

14. TALHA HAROON, the defendant, expressed his support for ISIL, as well as his affiliation with ISIL, in communications with the UC. For example, on or about May 5, 2016, the UC informed HAROON that CC-1 said that "the Khurasan³ group is supporting u."⁴ HAROON responded that "they are may Allah bless them and grant them victory. And Inshallah I'll be coming soon." On or about May 7, 2016, HAROON informed the UC that while ISIL in Khurasan might not fund his ticket from Pakistan to New York City as HAROON had originally expected, ISIL continued to support the operation: "inshallah khurasan dawla has or [our] back."⁵ HAROON stated, referring to a Pakistan-based ISIL official with whom he is affiliated, "the akhi⁶ is well connected. Hes my connect to enter khurasan. And

² The Federal Bureau of Investigation identified TALHA HAROON, the defendant, through his communications with the UC. In the course of those communications, the user of the account communicating with the UC provided specific and unique biographical information—regarding, for example, his age, family members, and citizenship—which matches historical information associated with an 18-year-old U.S. citizen and former resident of Colorado named "Talha Haroon."

³ Based on my training, experience, and participation in this investigation, I believe that "Khurasan" is a reference to a branch of ISIL, the Khorasan Province, which is active in Pakistan.

⁴ To the extent this Complaint includes quotations of communications, those quotations are based on preliminary draft transcriptions, which are subject to change. The communications quoted herein have not been altered to correct for all grammatical, spelling, or other errors that exist in the native communications.

⁵ Based on my training, experience, and participation in this investigation, I believe that "dawla" and "dawlah" are references to ISIL, which is also known as *ad-Dawla al-Islamiyya fi al-'Iraq* and *Dawla al-Islamiya*. See *supra* ¶ 8 n.1.

⁶ Based on my training, experience, and participation in this investigation, I believe that "akhi" is an Arabic term generally meaning "my brother."

the akhi is supporting us all the way alhamdulillah."7 On or about May 8, 2016, HAROON stated "I was with dawla day one they came out." HAROON also stated that he had planned to travel to ISIL-controlled territories:

Akhi the thing is I didn't get a chance to go to dawla here in khurasan . . . I was planning on going really soon but alhamdulillah the akhi who was getting their suggested me this plan . . .

In response, the UC asked HAROON if he is in Dawlah (i.e., ISIL). HAROON responded: "Yeah alhamdulillah the higher ups know about me . . . And my plans to see them and be their."

15. CC-1, like TALHA HAROON, the defendant, expressed his support for ISIL and described his connections to ISIL. For example, 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." 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. On or about May 3, 2016, CC-1 sent the UC a picture of himself making a hand gesture that I recognize, based on my training and experience, to be symbolic of support for ISIL. On or about May 6, 2016, while communicating with the UC about attacking a concert venue and a meeting of ex-Muslims in or around New York City, CC-1 urged the UC to communicate with the "khurasan guy" in order to potentially receive funding from ISIL for an attack:

He 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 dawlah[.] So they need to know everything before giving us finances or helping [emphasis added]

On or about May 12, 2016, CC-1, again discussing an attack on a concert venue in or around New York City, stated "we just walk

⁷ Based on my training, experience, and participation in this investigation, I believe that "alhamdulillah" is an Arabic term generally meaning "praise be to God."

in with the guns in our hands akhi[.] That's how the Paris guys did it[.] U just walk in and shoot anyone who says anything." Based on my training, experience, and participation in this investigation, I believe that CC-1's reference to the "Paris guys" was a reference to the ISIL supporters who planned and executed joint terrorist attacks at various locations, including a concert hall, in Paris, France, on or about November 13 and 14, 2015. Based on my review of open source materials, I am aware that ISIL claimed responsibility for the Paris attacks.

16. Communications between CC-1 and the UC also demonstrate CC-1's knowledge that TALHA HAROON, the defendant, supports ISIL and is connected to members of ISIL. For example, on or about May 1, 2016, when describing HAROON to the UC, CC-1 stated: "He was in the Taliban but he wants to leave for dawlah . . . So instead of going to dawlah he's gonna come do the operation," a reference to the planned attack in New York City. In addition, on or about May 5, 2016, CC-1, when discussing with the UC the need for HAROON to obtain a plane ticket from Pakistan to New York City in order to participate in the terror attack, expressed his expectation that "khurasan will pay for the Pakistani guy."

The Plot to Attack New York City

17. As detailed below, TALHA HAROON, the defendant, and CC-1 engaged in planning a coordinated terrorist attack on New York City, with the intention of carrying out the attack in or around June of this year. HAROON and CC-1 communicated at length with the UC regarding their plot to launch attacks in New York City, some of which communications are described below.

Targets of the Plot

18. CC-1 introduced himself to the UC on or about April 30, 2016, stating: "I'm one of the guys from the US project." In the course of the ensuing communications, CC-1 conveyed his desire to carry out a terrorist attack in New York City, referencing "the 9/11 operation" and stating that "[w]e will shake them Insha'Allah akhi"; that "[w]e will show them what they hadn't seen in 2001"; and that he planned to "com[e] to new York at around may 22."

19. CC-1 and TALHA HAROON, the defendant, identified multiple potential targets of their plot to launch terrorist attacks in New York City. One target was the NYC Subway System.

On or about April 30, 2016, CC-1 told the UC that he had "a good plan for subways." On or about the following day, CC-1 detailed the plan for attacking the NYC Subway System, stating:

So akhi the good way for drive bys (times square) is this black circle I drew on the subway map. The 2 subway routes we will blow up will be the purple one, and green one.. Because these 2 will make it easier for us to get to the vehicle. Anyway so the first guy will be dropped off near the blue circle to enter his subway rout (with explosives).. But he won't enter the route until directed. So the guy that dropped the first guy off will drive the car around the green area and park it at the side of the road.. He will then take the subway from the purple mark I put on the map.. He will take the purple route.. We will have to go the day before to see the timings, so we can have the first guy ride the subway at a similar time as the second guy , so then they can both arrive at the car at the same time.

20. As referenced in the foregoing communications, CC-1 sent the UC multiple images of what I recognize, based on my training and experience, to be marked-up maps of the NYC Subway System. Below is a copy of one such image that was sent by CC-1 to the UC on or about May 1, 2016, in the course of describing the plan to attack the NYC Subway System:



21. TALHA HAROON, the defendant, expressed his approval of and enthusiasm for participating in the plan to attack the NYC Subway System. For example, on or about May 5, 2016, the UC referenced that CC-1 had maps and drawings for an attack on the NYC subway, and HAROON responded by stating: "I think the subway is perfect. One can get in the train and on the way to the other station we kill all in the train regardless of who and remember do not stop shooting even if u see women or kids. No mercy is rule one." HAROON subsequently stated the following to the UC:

Inshallah akhi when we run out of bullets we let the vests go off
Then once we reach the second station get off and start killing on that station as well and if we get trapped we let the vests go off. But we need to make sure to do it on a very busy day

. . . .

Depending on how Manny we are we need to do an attack like this. The day one of us attack the subway the other waits until the swat gathers around. When they gather around the second

person goes and shoots and starts war with them. What can I assist you with in the vests akhi? On how to make them? Or supplies?

22. As reflected in Paragraph 19 above, Times Square was another target of the plot. In the course of communications with the UC on or about May 6, 2016, 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 gotta buy the materials now." CC-1 subsequently caused approximately 40 pounds of hydrogen peroxide, among other supplies, to be shipped to the UC in the United States for making explosives to attack New York City. See *infra* ¶¶ 36-37.⁸

23. On or about May 12, 2016, CC-1 again 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

CC-1 also sent the UC the following image, which I recognize, based on my training and experience, as a depiction of Times Square:

⁸ Based on my training, experience, and participation in this investigation, I have learned that hydrogen peroxide is a primary component of TATP (triacetone triperoxide), which is a type of explosive commonly used in improvised explosive devices, and which has been used in previous terrorist attacks.



After sending the image of Times Square, CC-1 stated, "we seriously need a car bomb at times square.. Look at these crowds of people!" CC-1 also stated that "me or u or Pakistani [i.e., TALHA HAROON, the defendant]" would be responsible for detonating the bomb, and that "if we don't have a third person then forget the bomb."

24. On or about May 20, 2016, TALHA HAROON, the defendant, after receiving a photograph of Times Square from the UC, stated: "Looks like a perfect spot to hit them." HAROON suggested that the plan could include "[d]rive by or we surround the whole street and trap them and kill as many as possible." In the course of those communications with the UC, HAROON also stated the following: "I wanna kill in them in thousands"; "we have to make a ocean out of their blood[.] Leave no one standing"; "I wish we had someone to record their terrified screams may allah cool the hearts of the believers thru this attack"; "[w]e need to hit up a jewish neighborhood[.] Shoot them up after the main area."

25. In addition to targeting the NYC Subway System and Times Square, CC-1 identified specific concerts scheduled to take place in early June 2016 in and around New York City as potential targets. On or about May 6, 2016, CC-1 stated that "we should pick a concert in a closed area"; that he had researched the dates and locations of concerts scheduled to be held in the New York City area; and that he was looking, in particular, "for a concert hall that's far away from cops."

The Defendant and CC-1 Coordinate and Prepare for the Attack

26. Based on my review of the communications between TALHA HAROON, the defendant, and the UC, and between CC-1 and the UC, as well as my training and experience, I believe that HAROON and CC-1 communicated directly in furtherance of the plot to carry out attacks in New York City. For example, the UC's communications with HAROON and CC-1 included the following:

a. On or about May 1, 2016, CC-1 stated, "I'll tell the Pakistani to contact u." CC-1 then sent a photograph to the UC depicting an unknown male, whom CC-1 identified as "the Pakistani." CC-1 reiterated, "[o]ne sec I'll tell him to contact u." Based on my participation in this investigation, and as explained herein, I believe that "the Pakistani" was a reference by CC-1 to HAROON. Thus, I believe that, during the foregoing communications, CC-1 was conveying that he would put HAROON in contact with the UC.

b. Shortly after the communications described in the preceding paragraph, the UC advised CC-1 that the UC had just been contacted by someone with the username "Kill Kuffars," and asked who that was. CC-1 stated: "Pakistani guy will message u now[.] Yeah that's the Pakistani guy." From my participation in this investigation, including my communications with the UC, I have learned that "Kill Kuffars" is the username associated with an account used by HAROON to communicate with the UC.⁹

c. As the foregoing indicates, HAROON contacted the UC for the first time on or about May 1, 2016. HAROON stated, "[t]he akhi linked me to you." Based on my participation in this investigation, including my review of the communications referenced above, I believe that "akhi" was a reference by HAROON to CC-1. The UC subsequently asked HAROON if he knew CC-1 by a specific moniker that CC-1 used in the course of CC-1's communications with the UC. HAROON responded, "Yea akhi I'm talking to now." HAROON also stated that CC-1 is "a very nice akhi and may 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."

⁹ Based on my training, experience, and participation in this investigation, I believe that "kuffar" is an Arabic term generally meaning "disbelievers."

27. In the course of the communications with the UC, TALHA HAROON, the defendant, repeatedly expressed his desire to participate with CC-1 in the plot to attack New York City. For example, on or about May 1, 2016, the UC asked HAROON if he wanted to participate in the operation to attack New York City. HAROON responded, "Inshallah akhi I just need a ticket once it's done I'll be on my way their." HAROON subsequently stated to the UC that "the path of jihad is something very rare in this century and it's a huge blessing for us to be apart of it."

28. On multiple occasions, CC-1 identified TALHA HAROON, the defendant, as one of the other participants in the plot to carry out terrorist attacks in New York City. For example, on or about May 3, 2016, when discussing who would participate in the attacks, CC-1 stated to the UC that "our team" included "me and u and the Pakistani guy [i.e., HAROON]." On or about May 5, 2016, CC-1 stated that he would "recap the finances" of the operation, and proceeded to list the costs of travel for, and potential monetary contributions from, various prospective participants in the plot. One of the expenses listed by CC-1 was "850\$ -- Pakistani guy plane ticket."

29. TALHA HAROON, the defendant, again contacted the UC on or about May 5, 2016, and engaged in communications with the UC over the course of the ensuing two days, which communications included the following:

a. The UC asked HAROON if he could be "here" during the month of Ramadhan. From my training and experience, as well as my review of open source materials, I know that Ramadhan refers to a holy month on the Islamic calendar that began this year on approximately June 5. HAROON responded, "Inshallah akhi I'll be their before." HAROON further conveyed that he intended to fly directly from Pakistan to New York City and "meet[] up as soon as I get their."

b. The UC noted that the team carrying out the operation might be relatively small, and referred to HAROON and CC-1 as two participants. After discussion of other potential participants in the attack, HAROON stated that "we can be a 3 man team inshallah."

c. HAROON expressed the belief that "[t]his opp is gonna be successful" and recounted a dream in which "their were countless amounts of kuffar soldiers we had killed."

d. HAROON discussed with the UC the necessary supplies and methods for making explosive devices for use in the attack on New York City. For example, when the UC informed HAROON that the UC and CC-1 were buying supplies and ingredients," HAROON responded: "Be very careful akhi when buying those ingredients. The pigs can get on to you from buying just a few of the things needed. Do you have guns? Be ready incase they try and come thru." HAROON also advised the UC that "[w]e are gonna need perming cords" and asked if "the akhi [i.e., CC-1] give u all that's needed?"¹⁰ HAROON further informed the UC that he "ha[s] a book on how to make explosives"; that he "ha[s] alot of connects on how to make explosives down here"; that "[t]he experts are close friends of ours"; and that he was "gonna try and get the akhi who makes bombs come thru."

30. On or about May 9, 2016, TALHA HAROON, the defendant, engaged in further communications with the UC, which included the following:

a. The UC asked if HAROON could have his explosives expert look at the instructions that had been sent to the UC by CC-1 for making TATP. In response, HAROON 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." The UC asked what that meant. HAROON 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 HAROON was advising the UC that an ISIL official ("the khurasan akhi") had informed HAROON 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.

¹⁰ Based on my training, experience, and participation in this investigation, I believe that "perming cords" was a reference to detonator cords, which are used in making explosives and sometimes referred to as primer cords.

b. HAROON referenced Ramzi Yousef, "the first akhi tho attack the twin towers,"¹¹ and stated, "[m]ay Allah give him sabr."¹² HAROON then stated: "NY Needs to fall. It's a must."

c. HAROON informed the UC that, while he did not presently have enough money to buy a plane ticket from Pakistan to New York City for purposes of carrying out the attack, he would "do everything in [his] power to get a ticket," including selling some of his personal property.

31. On or about May 11, 2016, the UC conveyed to TALHA HAROON, the defendant, in the course of their communications, that the UC had received approximately 40 pounds of hydrogen peroxide. The UC then sent HAROON the following photograph:



Based on my communications with other Federal Bureau of Investigation personnel, including the UC, I understand that the photograph above depicts the box containing approximately 40 pounds of hydrogen peroxide that CC-1 arranged to be delivered to the UC. See *infra* ¶¶ 36-37. In response, HAROON stated, among other things, "akhi that's great news and im Gonna message the other bro [i.e., CC-1] now and talk to him about it inshallah."

¹¹ Based on my training and experience, I know that Ramzi Yousef was convicted after trial in the Southern District of New York as a result of, among other acts, his participation in the February 1993 bombing of the World Trade Center in New York City, and is currently serving a life sentence.

¹² Based on my training, experience, and participation in this investigation, I believe that "sabr" is an Arabic term generally meaning "perseverance" or "patience."

32. On multiple occasions, TALHA HAROON, the defendant, informed the UC that he was seeking to meet with an explosives expert in Pakistan in furtherance of the plot. For example, on or about May 14, 2016, HAROON informed the UC that he was traveling to a certain city in Pakistan to meet with an explosives expert, for the purpose of obtaining additional information to be used in constructing the explosive devices for the attack on New York City.

33. As part of the plot, CC-1 discussed renting a cabin or cottage in the United States for assembling the explosive devices to be used in the attack on New York City. For example, on or about May 7, 2016, during communications with the UC, CC-1 referenced using a "cottage" to build a car bomb, and emphasized that the cottage would need to contain a refrigerator for purposes of making explosives. On or about May 14, 2016, CC-1 stated that he had called a certain campsite located in the vicinity of Albany, New York, to check on rental availability. CC-1 informed the UC that they could also use the woods surrounding a cabin to practice shooting and train for the attack. At CC-1's request, the UC attempted to reserve a cabin at the campsite for a period of approximately one week beginning on May 22, 2016, but was not successful due to the campsite's lack of availability. CC-1 subsequently approved of a different cabin, also within driving distance of New York City, and the UC made a reservation at that cabin. CC-1 stated that they could "receive packages" there and that it was not "too far" from New York City. CC-1 further conveyed to the UC that they should consider whether they "can practise shooting" at the cabin "[o]r if it's too close to people."

34. On multiple occasions, TALHA HAROON, the defendant, expressed to the UC that he was committed to traveling to New York City as soon as feasible to carry out the planned terrorist attacks for and in the name of ISIL. On or about May 24, 2016, HAROON told the UC that he "will do as much as possible to help" the operation, and that he would provide advice from his explosives expert if he succeeded in meeting with the expert. Later that day, HAROON discussed the possibility of attempting to carry out the attacks as soon as Memorial Day (i.e., May 30, 2016). HAROON stated to the UC that "that's a day that will change history" and that an attack "will scar them for life knowing the soldiers of Allah are everywhere and ready." Based on HAROON's communications with the UC, HAROON also actively took steps to renew his Pakistani visa in order to enable HAROON to exit Pakistan and travel to the United

States for purposes of carrying out the planned attacks.¹³ On or about May 23, 2016, HAROON also asked the UC, "akhi how positive are you that you yourself are not being watched by feds or anything."

CC-1 Ships Bomb-Making Materials to the UC in the United States

35. In the course of CC-1's communications with the UC, CC-1 repeatedly discussed purchasing various bomb-making materials, including acetone, a beaker, light bulbs, coffee filters, batteries, ammonium nitrate, and hydrogen peroxide, as well as bomb-carrying and detonating components such as a vest, batteries and a cellphone, for the purpose of carrying out the attack on New York City.

36. On or about May 7, 2016, CC-1 purchased approximately 40 pounds of hydrogen peroxide (the "Hydrogen Peroxide") and arranged for the Hydrogen Peroxide to be delivered to the UC in the United States. In connection with this purchase, CC-1 sent the UC the purchase confirmation details which included information about the payment method used by CC-1, and identified CC-1 by name to the UC.

37. On or about May 11, 2016, the UC received the Hydrogen Peroxide, which is shown in the image below:

¹³ Based on my training, experience, and participation in this investigation, as well as my review of open source materials, it is my understanding that TALHA HAROON, the defendant, as a U.S. citizen, would not be permitted to exit Pakistan without a valid Pakistani visa.



Upon receiving confirmation that the UC had received the Hydrogen Peroxide, CC-1 wrote: "allahi Akbar" [thanks be to God]. As described in Paragraph 31 above, TALHA HAROON, the defendant, also expressed satisfaction that the Hydrogen Peroxide had reached the UC. As noted above, based on my training, experience, and participation in this investigation, I have learned that hydrogen peroxide is a primary ingredient used to make TATP, a powerful explosive that has been used in terrorist attacks. See *supra* ¶ 22 & n.8.

38. The Hydrogen Peroxide is only one of several packages containing bomb-making components that CC-1 purchased and arranged to be delivered to the UC in the United States. On or about May 16 and May 18, 2016, the UC received a total of approximately seven packages sent to the address that the UC had provided to CC-1. The packages contained various items that CC-1 had told the UC he would send to the UC for purposes of making explosives, including, among other items, Christmas lights, batteries, battery holders, thermometers, and aluminum foil. Several of the packages were accompanied by invoices identifying CC-1 by name.

39. In addition to shipping bomb-making materials to the UC, and discussing building explosive devices, on or about May 7, 2016, CC-1 discussed his research regarding remote detonation devices: "I just found a way to make a remote detonater .. We can talk about it later[.] Its so easy[.] Just need a cellphone lol[.]"

40. On or about May 16, 2016, in the course of CC-1's communications with the UC, CC-1 stated: "But if ur a cop then

arrest me now[.] I already gave material support By buying bomb making materials."

An Unidentified Co-Conspirator Sends Funding for the Attack on New York City to the UC

41. During communications with the UC, CC-1 repeatedly referenced an unidentified co-conspirator ("CC-2"), whom CC-1 referred to as being associated with a certain overseas country, as a prospective contributor to the funding for the attack on New York City. For example, on or about May 7, 2016, after listing certain supplies needed "to make a car bomb," CC-1 stated that CC-2 would send money to the UC "so u can buy most of these stuff." On or about May 8, 2016, CC-1 stated, "[CC-2] is 100% tazkia."¹⁴ On or about May 9, 2016, CC-1 provided CC-2's contact information to the UC in order to enable direct communications between CC-2 and the UC, and reiterated that CC-2 would be sending money to the UC. On or about May 10, 2016, CC-1 informed the UC that he had given the UC's account information to CC-2 for purposes of a money transfer (the UC had previously provided such information to CC-1).

42. Based on my review of reports prepared by the Federal Bureau of Investigation and my communications with the UC, as well as my review of communications between the UC and CC-1, I have learned that, during the week beginning May 9, 2016, the UC received a money transfer of approximately several hundred dollars, which I believe CC-2 was responsible for sending, consistent with the facts set forth above. The UC informed CC-1, as well as TALHA HAROON, the defendant, that CC-2 had sent money in support of the operation, and CC-1 responded, "Allahu Akbar."

¹⁴ Based on my training, experience, and participation in this investigation, I believe that "tazkia" is an Arabic term generally meaning "purity of the self," and is commonly used by jihadists to mean that an individual has been "vouched for" or "cleared."

WHEREFORE, deponent prays that a warrant be issued for the arrest of TALHA HAROON, 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.



OSCAR M. GIFFORD
Special Agent
Air Force Office of Special Investigations
FBI Joint Terrorism Task Force

Sworn to before me this
27th day of September, 2016



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