OCT 26 2010
CLERK, U.S. DISTRICT COURT
ALEXANDRIA, VIRGINIA

IN THE UNITED STATES DISTRICT COURT FOR THE

EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA)	CRIMINAL NO. 1:10 cr 413
)	
v.)	Count 1: 18 U.S.C. § 2339B
)	Attempting to Provide Material Support to a
FAROOQUE AHMED,)	Designated Foreign Terrorist Organization
)	
Defendant.)	Count 2: 18 U.S.C. § 1992(a)(8)
)	Collecting Information to Assist in
)	Planning a Terrorist Attack on a Transit
)	Facility
)	
)	Count 3: 18 U.S.C. § 2339A
	Attempting to Provide Material Support to
	Terrorists

INDICTMENT

October 2010 Term - At Alexandria

THE GRAND JURY CHARGES THAT:

COUNT 1

ATTEMPTING TO PROVIDE MATERIAL SUPPORT TO A DESIGNATED FOREIGN TERRORIST ORGANIZATION

(18 U.S.C. § 2339B)

1. From on or about April 18, 2010, and continuing through at least on or about October 25, 2010, within Arlington County in the Eastern District of Virginia and elsewhere, defendant FAROOQUE AHMED did knowingly and unlawfully attempt to provide material support and resources, as that term is defined in Title 18, United States Code, Section 2339A(b), to wit,

personnel and services, to a foreign terrorist organization, namely al-Qaeda, in that, defendant AHMED attempted to assist others whom he believed to be members of al-Qaeda in planning multiple bombings to cause mass casualties at Metrorail stations in the Washington, D.C. metropolitan area.

2. In order to provide, and attempt to provide, material support and resources to a foreign terrorist organization, as alleged above, defendant AHMED took the following actions, among others:

A. On or about April 18, 2010, AHMED drove to a hotel in Dulles, Virginia, and met with a courier he believed to be affiliated with a terrorist organization who provided AHMED with a document which provided potential locations at which future meetings could be arranged.

B. On or about May 15, 2010, in a hotel room in Sterling, Virginia, AHMED told an individual whom he believed to be affiliated with a terrorist organization that he might be ready to travel overseas to conduct jihad in January 2011 after he had completed the Hajj pilgrimage to Saudi Arabia in November 2010.

C. On or about May 15, 2010, at a hotel in Herndon, Virginia, AHMED agreed to watch and photograph the Arlington Cemetery Metrorail station and a hotel in Washington, D.C. in order to obtain information about their security and busiest periods.

D. On or about July 7, 2010, in Arlington, Virginia, AHMED participated in the surveillance and the recording of video images of the Arlington Cemetery Metrorail station.

E. On or about July 13, 2010, in Arlington, Virginia, AHMED again participated in the surveillance and the recording of video images of the Arlington Cemetery Metrorail station.

F. On or about July 14, 2010, AHMED sent an email to signal that he had completed the surveillance and the recording of video images of a Metrorail station.

G. On or about July 19, 2010, in a hotel room in Sterling, Virginia, AHMED handed a thumb drive containing video images of the Arlington Cemetery Metrorail station to an individual whom AHMED believed to be affiliated with a terrorist organization.

H. On or about July 19, 2010, in a hotel room in Sterling, Virginia, AHMED agreed to assess the security of the Courthouse and Pentagon City Metrorail stations in Arlington, Virginia, as locations of terrorist attacks.

I. On or about July 19, 2010, in a hotel room in Sterling, Virginia, AHMED told an individual whom he believed to be affiliated with a terrorist organization that he wanted to donate $10,000 to support their brothers overseas, and that he would collect donations from people even if he had to do it in the name of another cause, and send it to the organization in increments of $1,000 in order to not raise any red flags.

J. On or about August 22, 2010, AHMED participated in the surveillance of the Courthouse and Pentagon City Metrorail stations in Arlington, Virginia.

K. On or about September 28, 2010, in a hotel room in Herndon, Virginia, AHMED handed a thumb drive containing images of the Courthouse and Pentagon City

L. On or about September 28, 2010, in a hotel room in Herndon, Virginia, AHMED told an individual whom he believed to be affiliated with al-Qaeda that between 4:00 p.m. and 5:00 p.m. would be the best time to stage an attack to cause the most casualties.

M. On or about September 28, 2010, in a hotel room in Herndon, Virginia, AHMED sketched diagrams of the Arlington Cemetery, Courthouse, and Pentagon City Metrorail stations for an individual whom he believed to be affiliated with al-Qaeda.

N. On or about September 28, 2010, in a hotel room in Herndon, Virginia, AHMED provided to an individual whom he believed to be affiliated with al-Qaeda suggestions as to where explosives should be placed on trains at the Arlington Cemetery, Courthouse, and Pentagon City Metrorail stations to kill the most people in simultaneous attacks planned for 2011.

O. On or about September 28, 2010, in a hotel room in Herndon, Virginia, AHMED suggested to an individual whom he believed to be affiliated with al-Qaeda that rolling suitcases be used instead of backpacks to contain bombs to be exploded at Metrorail stations in Arlington, Virginia, in simultaneous attacks planned for 2011.

P. On or about September 28, 2010, in a hotel room in Herndon, Virginia, AHMED told an individual whom he believed to be affiliated with al-Qaeda that AHMED wanted to kill as many military personnel as possible.

Q. On or about September 28, 2010, in a hotel room in Herndon, Virginia, AHMED suggested an additional attack on the Crystal City Metrorail station to an

individual whom he believed to be affiliated with al-Qaeda, and offered to conduct surveillance on that station.

R. On or about October 18, 2010, AHMED received an email message from an individual whom he believed to be affiliated with al-Qaeda, indicating that a courier would be available to meet him between October 27 and October 29, 2010, to pick up the results of the surveillance of the Crystal City Metrorail station.

S. On or about October 21, 2010, AHMED participated in the surveillance of the Crystal City Metrorail station in Arlington, Virginia.

T. On or about October 21, 2010, AHMED sent an email message to an individual whom he believed to be affiliated with al-Qaeda, indicating that he had completed the surveillance of an additional Metrorail station, and would be available to meet with a courier between October 27 and October 29, 2010.

(All in violation of Title 18 United States Code, Section 2339B.)

COUNT 2

Collecting Information to Assist in Planning a Terrorist Attack on a Transit Facility

(18 U.S.C. § 1992(a)(8))

1. The Grand Jury realleges and incorporates by reference Paragraph 2 of Count 1 of this Indictment as if set forth in full herein.

2. From on or about May 15, 2010, and continuing through at least on or about October 25, 2010, within Arlington County in the Eastern District of Virginia and elsewhere, defendant FAROOQUE AHMED did knowingly and unlawfully surveil, photograph, videotape, diagram, and otherwise collect information with the intent to plan or assist in planning the following unlawful activities:

A. wrecking, derailing, setting fire to, and disabling railroad on-track equipment and mass transportation vehicles;

B. placing a destructive substance or a destructive device in, upon, or near railroad on-track equipment or a mass transportation vehicle with intent to endanger the safety of persons or with a reckless disregard for the safety of human life;

C. setting fire to, undermining, making unworkable, unusable, and hazardous to work on and use, and placing a destructive substance and destructive device in, upon, and near any - -

tunnel, bridge, viaduct, trestle, track, electromagnetic guideway, station, depot, terminal, or any other way, structure, property, or appurtenance used in the operation of and in the support of the operation of a railroad carrier and with intent to, or knowing or having reason to know, such activity would likely derail, disable, or wreck railroad on-track equipment; or

garage, terminal structure, track, electromagnetic guideway, supply, or facility used in the operation of, or in support of the operation of, a mass transportation vehicle, and with intent to, or

> knowing or having reason to know, such activity would likely derail, disable, or wreck a mass transportation vehicle used, operated, or employed by a mass transportation provider;

as described in Sections 1992(a)(1), (a)(2), and (a)(4) of Title 18 of the United States Code, in that defendant AHMED surveilled, photographed, videotaped, diagramed, and otherwise collected information with the intent to plan and assist in planning multiple bombings to cause mass casualties at Metrorail stations in the Washington, D.C. metropolitan area.

(All in violation of Title 18, United States Code, Section 1992(a)(8).)

COUNT 3

ATTEMPTING TO PROVIDE MATERIAL SUPPORT TO TERRORISTS

(18 U.S.C. § 2339A)

1. The Grand Jury realleges and incorporates by reference Paragraph 2 of Count 1 of this Indictment as if set forth in full herein.

2. From on or about April 18, 2010, and continuing through on or about October 25, 2010, in the Eastern District of Virginia and elsewhere, defendant FAROOQUE AHMED did knowingly and unlawfully attempt to provide material support and resources, namely, personnel and services, knowing and intending that they were to be used in preparation for and in carrying out, a violation of Title 18, United States Code, Section 1992 (attack on a mass transit facility). In specific, defendant AHMED attempted to assist in the planning of multiple bombings to cause mass casualties at Metrorail stations in the Washington, D.C. metropolitan area.

(All in violation of Title 18, United States Code, Section 2339A.)

FORFEITURE

If convicted of any of the counts of this Indictment, the defendant shall forfeit to the United States all of his assets, which constitute assets of an individual engaged in planning or perpetrating any Federal crime of terrorism against the United States, citizens or residents of the United States, or their property. These assets include, but are not limited to:

1. One green 2005 four-door Honda Accord automobile, with a vehicle identification number 1HGCM56415A120045, registered to Farooque Ahmed, and bearing Virginia license plates XVM-4782; and

2. All monies and other things of value in account number 5237470771, in the name of Farooque Ahmed, at BB&T Bank, 2221 South Eads Street, Arlington, Virginia.

(Pursuant to 18 U.S.C. § 981(a)(1)(g), 28 U.S.C. § 2461, and 21 U.S.C. § 853.)

A TRUE BILL:

Pursuant to the E-Government Act, the original of this page has been filed under seal in the Clerk's Office.

FOREPERSON OF THE GRAND JURY

Neil H. MacBride
United States Attorney

By:
Gordon D. Kromberg
Assistant United States Attorney

Paul Casey
Joseph Moreno
Trial Attorneys
U.S. Department of Justice