

SEALED

UNITED STATES DISTRICT COURT

Northern

DISTRICT OF

Texas

2011 FEB 23 PM 1:41

DEPUTY CLERK

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

KHALID ALI-M ALDAWSARI

Case Number: 5:11-MJ-017

(Name and Address of Defendant)

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about February 23, 2011 in Lubbock County, in the Northern District of Texas defendant(s) did,

(Track Statutory Language of Offense)

See attached sheet entitled "Complaint Charges-Khalid Ali-M Aldawsari" containing Count One, which is incorporated herein by reference as though fully set forth herein

in violation of Title 18 United States Code, Section(s) 2332a(a)(2)(A) and (D)

I further state that I am a(n) FBI Special Agent and that this complaint is based on the following facts:

Official Title

See attached document "AFFADIVIT IN SUPPORT OF CRIMINAL COMPLAINT AND ARREST WARRANT," sworn to by FBI Special Agent Michael Orndorff, which is incorporated herein by reference as though fully set forth herein.

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Signature of Complainant

Michael N. Orndorff

Printed Name of Complainant

Sworn to before me and signed in my presence,

Feb. 23, 2011
Date

at

Lubbock
City

Texas

State

Sam R. Cummings
Name of Judge

U.S. District Judge
Title of Judge

Signature of Judge

COMPLAINT CHARGES -KHALID ALI-M ALDAWSARI

Count One

Attempted Use of a Weapon of Mass Destruction
(Violation of 18 U.S.C. § 2332a(a)(2)(A) and (D))

On or about February 23, 2011, at Lubbock, Lubbock County, Texas in the Lubbock Division of the Northern District of Texas, **Khalid Ali-M Aldawsari**, defendant, did knowingly and unlawfully attempt to use a weapon of mass destruction, as defined in 18 U.S.C. § 2332a(2)(A), that is, a destructive device as defined in section 921 of Title 18, specifically, an explosive device, against any person and property, and the offense, or the results of the offense, if it succeeded, would have affected interstate commerce.

All in violation of Title 18, United States Code, Section 2332a(a)(2)(A) and (D).

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND ARREST WARRANT

I, Michael N. Orndorff, a Special Agent with the Federal Bureau of Investigation (FBI), being duly sworn, deposes and states:

INTRODUCTION

1. I am a federal law enforcement officer within the meaning of Federal Rule of Criminal Procedure 41(a)(2)(C), that is, a government agent engaged in enforcing Federal criminal laws. I have been a Special Agent since October 1995. I am currently assigned to the Lubbock Resident Agency office, which is a part of the Dallas Division of the FBI. Your affiant currently investigates terrorism matters among other violations of Federal criminal law. I have experience in and have utilized various methods of investigation, including, but not limited to, electronic and visual surveillance, general questioning of witnesses and subjects, the use of search warrants, and the use of other authorized techniques utilized in law enforcement.

2. I submit this affidavit in support of an application for a federal arrest warrant for KHALID ALI-M ALDAWSARI (ALDAWSARI), date of birth April 24, 1990, Saudi Arabian citizenship. For reasons set forth below, I believe there is probable cause that ALDAWSARI, knowingly and intentionally committed the following offense against the United States, to wit: 18 U.S.C. § 2332a, Attempted Use of a Weapon of Mass Destruction. Specifically, the investigation outlined below demonstrates that ALDAWSARI has been researching on-line how to construct an improvised explosive device (IED) using several highly concentrated chemicals as ingredients; that he has acquired or taken a substantial step toward acquiring most of the ingredients and equipment necessary to construct an IED; and that he has conducted research on-line regarding potential targets.

3. I have personally participated in the investigation set forth below. I am familiar with facts and circumstances of the investigation through my personal participation; from discussions with other Special Agents of the FBI, analysts, and other law enforcement officers; and from my review of records and reports relating to the investigation. Unless otherwise noted, wherever in this affidavit I assert that a statement was made, the information was provided by another FBI agent, law enforcement officer or analyst who may have had either direct or hearsay knowledge of that statement, and to whom I or others have spoken, or whose reports/records I have read and reviewed. Since this affidavit is being submitted only for the limited purpose of securing authorization for an arrest warrant, your affiant has not included each and every fact which is known to me concerning this investigation. Rather, your affiant has set forth only those facts that are

believed to be necessary to establish probable cause for the issuance of an arrest warrant. Facts not set forth herein are not being relied upon in reaching the conclusion that an arrest warrant should be issued, nor is it requested that the Court rely upon any facts not set forth herein in reviewing this affidavit.

INVESTIGATION TO DATE

4. According to U.S. immigration records, KHALID ALI-M ALDAWSARI is a male citizen and national of Saudi Arabia who has been lawfully admitted into the United States on an F-1 student visa. This non-immigrant visa, number 89738608, located in Saudi Arabian Passport number H684890, was issued out of Riyadh, Saudi Arabia, and expires on July 21, 2014. ALDAWSARI entered the United States in September, 2008. Upon completion of an English as a Second Language (ESL) program from October 2008, to August 2009, ALDAWSARI transferred to Texas Tech University (TTU) with a major in chemical engineering. According to immigration records listed in the Student and Exchange Visitor Information System (SEVIS), ALDAWSARI obtained all required authorizations to legally transfer from the ESL program to TTU. After studying at TTU from August 2009, to January 2011, ALDAWSARI transferred to South Plains College. This transfer was also recorded in the SEVIS system. ALDAWSARI is currently majoring in Business, and attends class primarily at the Reese Technology Center campus west of Lubbock, Texas. According to immigration records, ALDAWSARI provided the address 2400 Glenna Goodacre Blvd., Apt. 2303, Lubbock, TX 79401 to TTU and South Plains College as his residence in the United States. ALDAWSARI's university classes are funded by a Saudi-based industrial corporation which pays for his educational and living expenses.

5. SEVIS records reflect that ALDAWSARI's current address is 2400 Glenna Goodacre Blvd., Apt. 2303, Lubbock, TX, and that his current telephones are 972-989-5785 and 615-968-9528.

6. Contact by SA Keith Quigley with The Centre at Overton Park apartment complex, 2400 Glenna Goodacre Blvd., Lubbock, Texas, revealed that ALDAWSARI is the current resident in apartment #2303. Apartment management also advised that ALDAWSARI is the sole resident of the one bedroom apartment. Apartment records show that ALDAWSARI provided the phone number 972-989-5785 to them when applying for an apartment. ALDAWSARI lists a 2006 silver Hyundai Sonata, Texas license plate number BG8D927, as his vehicle in apartment records. A National Crime Information Center (NCIC) check of license plate BG8D927 shows the listed owner as KHALID ALI ALDAWSARI.

Purchases of Chemical Ingredients to Construct an IED

7. On February 1, 2011, FBI Special Agents assigned to the Greensboro Resident Agency of the Charlotte, North Carolina, FBI office indicated that officials representing Carolina Biological Supply (CBS) of Burlington, North Carolina, had reported a suspicious attempted purchase of the chemical phenol by an individual who identified himself to them as KHALID ALDAWSARI. The purchase made by ALDAWSARI, via the CBS company website, was for ten 500 ml bottles of 80 percent concentration phenol. ALDAWSARI provided a debit account card number from a major U.S. based financial institution over the CBS online ordering system; his billing address, 2400 Glenna Goodacre Blvd., Apt #2303, Lubbock, TX 79401; and a shipping address, Con-way Freight, 2809 Avenue C, Lubbock, TX 79404. The shipment was sent via Federal Express (FEDEX) shipping service. CBS received the order on January 30, 2011, and shipped the order on January 31, 2011. The total cost for this order was listed on invoices as \$434.57. The Internet Protocol (IP) address associated with this purchase was recorded by CBS as 75.111.159.173. Suddenlink Communications records document that this IP address is assigned to the Suddenlink account of KHALID ALDAWSARI, 2400 Glenna Goodacre Apartment 2303, Lubbock, Texas 79401. An email dated February 1, 2011, was received by ALDAWSARI at k.aldawsari@gmail.com from CBS noting invoice number 47560845 and order number 24547970. A review of invoice number 47560845 confirms ALDAWSARI's purchase.

8. Affiant consulted with FBI Chemist Robert F. Mothershead of the Laboratory Division of the FBI, who communicated to your affiant that phenol is defined as a toxic chemical with a variety of legitimate uses, which can also be used to make the explosive Tri-Nitro-Phenol, also referred to as T.N.P. or picric acid. The other ingredients typically used with phenol to make picric acid, also known as T.N.P. are concentrated sulfuric and nitric acids. The preparation can be simply conducted using basic equipment to include laboratory beakers and flasks, a heat source such as a burner, and ice to cool the chemicals at various stages.

9. After the phenol order was made to CBS on January 30, 2011, ALDAWSARI telephonically contacted the Con-way Freight offices and spoke to an employee of the company to advise them that a package would arrive at their offices in Lubbock, TX for him. ALDAWSARI requested that Con-way Freight hold the package for him until he could pick it up. ALDAWSARI was advised that the package had arrived at Con-way Freight but had been returned to CBS. Con-way Freight officials then promptly contacted the Lubbock Police Department, who in turn contacted your affiant, regarding this interaction with ALDAWSARI and CBS. Con-way Freight officials advised SA Keith Quigley that no individuals at Con-way Freight have any type of relationship with ALDAWSARI that would allow him to utilize Con-way Freight as a shipping location, and that ALDAWSARI has never worked at Con-way Freight. Affiant

was advised by CBS that CBS does not ship phenol to an individual or a residence per company policy.

10. At the request of affiant, on February 3, 2011, CBS officials telephonically re-contacted ALDAWSARI at telephone number 972-989-5785 to elicit further information from him regarding his phenol purchase. During the conversation, ALDAWSARI advised the CBS official that he was associated with TTU and he wanted the phenol for "off-campus, personal research." On February 8, 2011, affiant in an undercover role, posing as an employee of CBS, telephonically contacted ALDAWSARI. Affiant asked ALDAWSARI the nature of the research for which he wished to purchase phenol. ALDAWSARI told affiant that he was conducting research into cleaners which contained phenol for the purpose of reducing their odor so that he could get into a bigger university. At the time these representations were made, ALDAWSARI was not associated with TTU and in fact was a student at South Plains College, majoring in Business.

11. ALDAWSARI called CBS on February 10, 2011, and conveyed his frustration and displeasure over the questions being asked of him regarding his phenol order. He called CBS on February 11, 2011, and cancelled his order. He also indicated to CBS that he was in contact with other companies who would sell him phenol and that he would acquire the phenol from them. ALDAWSARI used the telephone number 972-989-5785 to make the calls. During a legally authorized physical search of ALDAWSARI's apartment on February 14, 2011, in a spiral notebook agents observed the handwritten name "Abu Zidan Al Najdi," and the handwritten email address of "abu.zidan00@live.com." According to legally authorized electronic surveillance, on February 12, 2011, ALDAWSARI emailed himself instructions for making "Plastique Explosive From Aspirin" to email account abu.zidan00@live.com. In the instructions were procedures for producing phenol from aspirin and then utilizing it to make picric acid. On this occasion, the IP log of the abu.zidan00@live.com shows that this account was accessed from the IP address of 75.111.159.173, the IP address assigned to ALDAWSARI. At the request of affiant, on February 15, 2011, at approximately 3:14 p.m., an employee of CBS placed a telephone call to KHALID ALDAWSARI and advised him that the package (containing his order of phenol) could be reshipped to him overnight on Thursday for delivery on Friday. ALDAWSARI instructed CBS that he had already cancelled his order and wanted his refund credit "as soon as possible."

12. According to legally authorized electronic surveillance, ALDAWSARI utilizes email accounts in traditional ways and as repositories for information relating to his research on targets, explosives and explosive components. That is, ALDAWSARI sends emails to himself in an effort to store web pages and internet links in his email. These emails typically contain research, web links and material copied from other electronic files including but not limited to the internet. For instance,

k.aldawsari@gmail.com and k.al-dawsari@ttu.edu are heavily utilized by ALDAWSARI when making online purchases and for personal emails. ALDAWSARI also utilizes abu.zidan00@live.com for research into targets and explosives. In one email sent by ALDAWSARI to a friend from this account on July 1, 2010, ALDAWSARI provides what he says is his United States telephone number to the recipient of the email. The number he provided was 972-989-5785. The subscriber information for this telephone number lists to KHALID ALDAWSARI in Lubbock, TX. Service for this phone number, in ALDAWSARI's name, started on July 1, 2010.

13. In an email dated February 11, 2011, from abu.zidan00@live.com to abu.zidan00@live.com, information about picric acid is shown. The email contains a recipe for the manufacture of picric acid, also known as T.N.P. The email further describes T.N.P as a "military explosive." Phenol is listed as the first ingredient in the list of materials to manufacture T.N.P. Other ingredients are concentrated nitric and sulfuric acids. A list of ingredients and materials found in the email ALDAWSARI sent to himself on February 11, 2011, included the above referenced chemicals as well as distilled water, a heat source and the use of beakers, filter paper, a funnel and a glass stirring rod.

14. According to QualiChem Technologies (QualiChem) business records, on December 13, 2010, ALDAWSARI, providing email address k.al-dawsari@ttu.edu, placed Order # 3856, purchasing nitric acid, 70%, Concentrated, 6x2.5 liters (quantity 2), for a total of 30 liters, totaling \$448.36 with shipping and handling from QualiChem, located in Roswell, Georgia. The order was placed by ALDAWSARI using the shipping address of 2400 Glenna Goodacre, Apt #2303, Lubbock, Texas 79401. However, on December 13, 2010, Qualichem notified ALDAWSARI, via an email to k.al-dawsari@ttu.edu, that they could not "ship this product to an apartment because of the haz mat restrictions" on the product. Qualichem requested a business or university address in order to process the order. In a reply email to Qualichem, ALDAWSARI provided the shipping address of 803 University Avenue, Lubbock, TX. This address is a FEDEX Kinkos printing and shipping store located close to ALDAWSARI's apartment. The Qualichem invoice shows that Order # 3856 was shipped on December 14, 2010, to 803 University Avenue, Lubbock, TX 79401, via Con-way Freight, under Con-way Freight PRO tracking # 576-721574. On February 18, 2011, FBI Agent Keith Quigley confirmed by interview that ALDAWSARI retrieved the order shipped under PRO tracking # 576-721574 from a Con-way Freight employee at the Con-way Freight facility, Lubbock, TX, on December 20, 2010. The boxes and the invoice for the nitric acid purchase were personally observed in ALDAWSARI's apartment by affiant during a legally authorized physical search on February 14, 2011.

15. On December 6, 2010, ALDAWSARI placed an order via online merchant Amazon.com for three gallons of concentrated sulfuric acid. On December 11, 2010, the concentrated sulfuric acid was delivered to ALDAWSARI at his apartment complex. On December 30, 2010, ALDAWSARI, received an email from Amazon at his k.aldawsari@gmail.com email account regarding his order of "3 Gallons of Concentrated Sulfuric Acid." A legally authorized physical search of ALDAWSARI's apartment on February 14, 2011, revealed evidence that the three gallons of concentrated sulfuric acid were present in his residence at that time.

Extremist On-Line Postings of ALDAWSARI

16. An Arabic language blog, hosted on Blogspot.com, was found during a public domain internet search using key word searches that included ALDAWSARI's name. The blog was created and contains postings by ALDAWSARI, using the online user name "fromfaraway90." In the blog, ALDAWSARI comments about the current state of Arabs and Muslims throughout the world. In a March 11, 2010, posting, ALDAWSARI expressed his dissatisfaction with the current condition of Muslims, lamenting what he viewed as their passivity and pacifism. ALDAWSARI vowed to take a different path through jihad and martyrdom. ALDAWSARI stated, "Only gratification from Allah is what I want; therefore, it is what I seek. And God willing, I shall encounter it in eternity not in this world..." He continues in this posting:

"You who created mankind and who is knowledgeable of what is in the womb, grant me martyrdom for Your sake and make Jihad easy for me only in Your path, for You have no partner, and make me reside in the high heaven eternally forever, and shield me in Your shadow on the day when there is no shadow, but Yours. My God, You are the one who responds to supplication."

In an April 8, 2010, posting, ALDAWSARI stated "if this is the West's version of freedom, and their peace policy, we have our own policies in freedom and it is war until...the infidels leave defeated." This blog is further associated with ALDAWSARI by an earlier blog posting stating that he had purchased a Hyundai Sonata 2006 V6 in Oklahoma City. The FBI NCIC report showed that ALDAWSARI purchased a 2006 Hyundai Sonata and that it was registered on October 5, 2009.

Explosives Research and Materials and Equipment Acquired by ALDAWSARI

17. According to legally authorized electronic surveillance, an email dated October 19, 2010, from abu.zidan00@live.com to abu.zidan00@live.com, written in Arabic, was summarily translated as follows:

The subject line of the e-mail is "EXPLO6." The email describes "How to make explosives." Under that title, is the date July 7, 2008, and after that is the statement:

"In The Name of Allah The Beneficent, The Merciful. Nitro Yoria (sic) explosive is more powerful than T.N.T."

The message then lists the required material for Nitro Urea, how to prepare it, and the advantages of utilizing it. It lists the OZON Acid explosive (Nitrobenzene), the required material and how to prepare it. It states that Mirbane Oil is one of the items required, and that it is available at local pharmacies.

18. An email dated December 8, 2010, from abu.zidan00@live.com to abu.zidan00@live.com, written in Arabic, was summarily translated as including step-by-step instructions, accompanied by pictures, which explain the process of converting a cellular phone into a remote detonator. At the end of the email, a note states that the steps for making an electrical shocker are the same, but should be done with extreme caution.

19. In an email dated December 12, 2010, from Amazon.com to k.al-dawsari@ttu.edu, KHALID ALDAWSARI was notified regarding a shipment for a recent purchase of a Weller SP23LK Marksman. The purchase price was \$14.60 (including shipping and handling charges). A search of Amazon.com revealed that the Weller SP23LK Marksman to be a 25 Watt Soldering Iron Kit. The kit included a soldering iron, solder and a soldering aid.

20. In an email dated December 30, 2010, from Amazon.com to k.aldawsari@gmail.com, KHALID ALDAWSARI was thanked for his recent purchase. The email included: "Good Tidings SBC64406 G.E. String-A-Long Constant ON Miniature Christmas Lights, Clear [Kitchen]." According to SSA Mark Whitworth of the FBI's Explosives Unit, wire for electronic circuits used in Improvised Explosive Device (IED) construction can be obtained from household items such as ornamental light strings. A legally authorized physical search of ALDAWSARI's apartment on February 14, 2011, revealed that the Christmas lights were present in his residence at that time.

21. In an email dated January 3, 2011, from Amazon.com to k.aldawsari@gmail.com, KHALID ALDAWSARI was thanked for his recent purchase, a "3.2 million volt Stun Gun with built in Flashlight."

22. In an email dated January 4, 2011, from Amazon.com to k.aldawsari@gmail.com, KHALID ALDAWSARI was thanked for recent purchases which included a "Sinometer DT830B 20-Range DMM & Battery Tester," an "Elgin 3400E LCD Alarm Clock," and a "KR Tools 12609 Autoloader 6-in-1 Auto-Loading Classic and Precision Screwdriver Set."

23. In an email dated January 12, 2011, to abu.zidan00@live.com from communications_msn_cs_arsa@microsoft.windowslive.com, originally written in Arabic, the translation was summarized as follows:

The page contains a simplified lesson on how to booby-trap a vehicle with items that are readily available in every home. This lesson is directed especially to the brothers in America and Europe stating if anyone is able to execute one of those operations in one of the European countries that is participating in the fight against Muslims, this operation might lead to the withdrawal of that country. The message further states that one operation in the land of infidels is equal to ten operations against occupying forces in the land of the Muslims. The writer states that therefore it's incumbent upon Muslims to conquer infidels in their land.

24. In an email dated January 18, 2011, from Amazon.com to k.aldawsari@gmail.com, KHALID ALDAWSARI was notified regarding the shipment for a recent purchase of a "PYREX brand 4980 flask; 2000 mL (sic)" The total amount paid was \$40.17 and the shipment was sent to 2400 Glenna Goodacre Boulevard, Apartment #2303, Lubbock, TX 79401.

25. In an email dated January 18, 2011, from Amazon.com to k.aldawsari@gmail.com, KHALID ALDAWSARI was notified regarding the shipment for a recent purchase of a Chemistry Laboratory Equipment Set-All Professional. The purchase price was \$169.00 with a total cost of \$190.49 (including shipping and handling charges). A legally authorized physical search of ALDAWSARI's apartment on February 14, 2011, revealed that the lab equipment was present in his residence at that time.

26. Paypal records reflect that ALDAWSARI ordered and paid for an ASUS EeePC 1000HE Netbook computer from MechaTek, LLC, which was shipped to his residence on January 24, 2011. FEDEX records document that an employee of the Centre at Overton received and signed for this order on January 27, 2011. Affiant observed this computer in ALDAWSARI's apartment during a legally authorized physical search on February 14, 2011. Additionally, affiant observed a Lacie key-shaped thumb drive and 16GB Kingston Technology SD media card.

27. ALDAWSARI's Gmail account, k.aldawsari@gmail.com, reflects that ALDAWSARI ordered a Western Digital Scorpio hard drive from Amazon.com, which was shipped to ALDAWSARI at his apartment address on December 28, 2010. UPS records document that an employee of the Centre at Overton received and signed for this order on December 29, 2010.

28. In an email dated January 17, 2011, from Amazon.com to k.aldawsari@gmail.com, KHALID ALDAWSARI was notified regarding the shipment of a recent purchase: PYREX brand 1L Erlenmeyer Narrow Mouth Flask, Quantity: 2 - \$21.95 each and a 12" Glass Stir Rod, Quantity: 1 - \$2.00 each, for a total of \$56.85 including shipping and handling.

29. In an e-mail dated January 21, 2011, from Ebay to k.aldawsari@gmail.com, Ebay confirmed a bid from k.aldawsari@gmail.com for a "US M42 Gas Mask / Protective Mask, Medium." ALDAWSARI was not successful in his bid.

30. In an e-mail dated January 22, 2011, from an eBay member to k.aldawsari@gmail.com, KHALID ALDAWSARI was notified that the purchased "Hazmat Suit Tychem BR Chemical Protective Clothing XLx1" has been shipped. The total amount of the purchase was \$84.99, and the item number was 320397257923. A legally authorized physical search of ALDAWSARI's apartment on February 14, 2011, revealed that the Hazmat suit was present in his residence at that time.

Physical Searches of ALDAWSARI's Residence

31. On February 14, 2011, and February 17, 2011, the FBI conducted legally authorized surreptitious physical searches of ALDAWSARI's apartment. The results of these searches indicated that the concentrated sulfuric acid, the concentrated nitric acid, the lab equipment to include beakers and flasks, wiring, the Christmas lights, the Hazmat suit, and clocks (to include one clock which had been partially dismantled and the hands removed) were present in ALDAWSARI's residence. Observed and photographed were handwritten references to the email address abu.zidan00@live.com. Also observed and photographed was a handwritten notebook in Arabic which appeared to be a diary or personal journal. Excerpts from this journal include:

- ALDAWSARI indicates that he has been planning to commit a terrorist attack in the United States for years. The following is a verbatim translation: "I excelled in my studies in high school in order to take advantage of an opportunity for a scholarship to America, offered by the Saululi¹ government and its companies, so I

¹ Translator's note: Saululi is a degrading term used to describe the Saudi Royal Family.

applied with [Saudi industrial corporations], and with the Traitor² of the Two Holy Places scholarship program and was accepted for all of them, thank God. I chose [a specific Saudi sponsoring corporation] for two reasons. First, [it] sends its students directly to America, . . . contrary to [the other] which requires its students to study in the Land of the Two Holy Places for one year. Second, [the sponsoring corporation's] financial scholarship is the largest, which will help tremendously in providing me with the support I need for Jihad, God willing. And now, after mastering the English language, learning how to build explosives, and continuous planning to target the infidel Americans, it is time for Jihad. I put my trust in God, for he is the best Master and Authority."

- ALDAWSARI explained that the events of 09/11 produced a "big change" in his thinking and that he has been inspired by the speeches of Usama bin Laden.
- In a journal entry dated July 22, 2010, ALDAWSARI stated that he wished to create an Islamic group under the banner of al-Qa'ida (AQ), and sharing AQ's agenda, called Jamaat Jund al-Islam. He envisions being able to provide the source of funding to provide the members with scholars to advise them and experts to train them.
- On September 24, 2010, ALDAWSARI wrote that he was doing his best to reach his goal of jihad by money, deeds, sayings, and killing. He advised that he was near to reaching his goal and near to getting weapons to use against the infidels and their helpers. ALDAWSARI referenced explosives and stated that he was doing his best in his effort to produce an "intelligent bomb."
- In a "synopsis of important steps," ALDAWSARI listed: obtaining a forged US birth certificate; applying for a US passport and driver's license; traveling to New York for at least a week; renting a car via the internet; changing clothing and appearance before picking up the car; using a different drivers' license for each car he rents; preparing the bombs for remote detonation; putting the bombs into the cars and taking them to different places during rush hour; and leaving the city for a safe place.
- ALDAWSARI wrote that he is near to receiving the phenol. He also made a reference to what is likely picric acid.³

² Translator's note: The king of Saudi Arabia is referred to as the Servant of the Two Holy Places, but ALDAWSARI here used a derogatory term calling him the Traitor of the Two Holy Places.

³ Translator's Note: there's no "p" in the Arabic language. What ALDAWSARI wrote was "bakric acid" and makes a comment about this being able to fulfill his purpose.

**Subject Matter Expert Opinions Regarding the Materials Acquired by
ALDAWSARI**

32. On February 22, 2011, Affiant consulted with FBI Chemist Robert F. Mothershead of the Laboratory Division of the FBI, who communicated to your affiant the likely uses of material purchased by ALDAWSARI. Specifically, the investigation to date as outlined above indicates that ALDAWSARI has recently purchased concentrated nitric and sulfuric acid, and attempted to purchase a highly concentrated phenol solution. In addition, ALDAWSARI has purchased on-line a digital multi-meter, alarm clocks, a screwdriver set, a string of miniature Christmas lights, several pyrex glass containers, a professional laboratory equipment set which included a scale, and protective clothing. Legally authorized electronic surveillance shows that he has researched on-line instructions on how to create picric acid, also known as T.N.P., a former military explosive. According to FBI Chemist Mothershead the combination of phenol, nitric acid and sulfuric acid can be used to make T.N.P., also known as picric acid. Based on various recipes, the volume of the phenol purchased in this instance would require approximately five liters of sulfuric acid and eight liters of nitric acid for a theoretical maximum yield of almost 15 pounds of the picric acid explosive. Records indicate that the subject ordered/purchased approximately 12 liters of concentrated sulfuric and 30 liters of concentrated nitric acid, more than enough needed for the picric acid preparation. The preparation can be simply conducted using basic equipment to include laboratory beakers and flasks, if available, a heat source (a burner would work) and ice to cool the chemicals at various stages. The laboratory equipment purchased (beakers, flasks, glass stirring rods) would be more than adequate for this need. The basic equipment purchased could be used to make other chemicals that do not require specialized equipment and sophisticated techniques. The production of picric acid would produce noxious and hazardous vapors. If one were producing this material without the resources of a properly equipped laboratory, it would be desirable to employ a gas mask and/or hazardous material protective suit to protect oneself.

33. According to SSA Mark Whitworth of the Explosives Unit of the FBI, electrically initiated fuzing systems contain the following: a power source (battery), a switch, a conductor (such as wire) to transmit electrical current from the power source to the initiator, and an initiator. Switches can include items such as cell phones or alarm clocks. Improvised initiators can be constructed from incandescent bulbs in ornamental lighting systems such as the Christmas lights purchased by ALDAWSARI as described in paragraph 20. The Christmas lights could also provide the wire that would be necessary to transmit current from the power source to the improvised detonator. Depending on the charge utilized in the destructive device, the initiator can be either the filament from the bulb alone or in combination with a sensitive primary explosive. In improvised fuzing systems, a cell phone battery or the batteries utilized in electronic alarm clocks can

generate enough power to heat the filament in small incandescent light bulbs. The heated filament provides enough energy to initiate primary explosive mixtures and compounds. All electrical improvised fuzing systems require conductors (such as wires) to transmit electrical current. These wires and the power sources would often involve soldered connections to ensure a reliable transfer of electric current. According to SSA Mark Whitworth, the combination of an explosive such as T.N.P., also known as picric acid, with a fuzing system, detonator, and wire, would result in the production of a destructive device as defined in 18 U.S.C. Section 921(a)(4)(A).

Research of Targets by ALDAWSARI


34. Legally authorized electronic surveillance shows that ALDAWSARI has conducted research on various target locations. ALDAWSARI, through the email address abu.zidan00@live.com, electronically sent himself intelligence on individuals and locations that had been researched. On at least one of the documents that he sent to himself on September 22, 2010, the subject line was listed as "Targets." This email contained the names and home addresses of three American citizens who had previously served in the U.S. military and had been stationed, at least for a portion of their military service, at Abu Ghraib prison in Iraq. On another email, dated October 25, 2010, ALDAWSARI, emailed himself the names of 12 reservoirs or dams that are located in the states of Colorado and California. At the top of the list, he typed "Hydroelectric Dams." The title of the email was "NICE TARGETS 01." A second email sent to himself on October 25, 2010, while continuing to use the abu.zidan00@live.com email address listed two categories of targets: "1. Hydroelectric dams and 2. Nuclear Power Plants." The title of this second email was "NICE TARGETS." In still one more email, ALDAWSARI listed the subject of the email as "NYC STREET CAMERAS." The contents of this email contained an internet link that showed real time traffic cameras in the city of New York, New York. On February 6, 2011, ALDAWSARI sent himself an email at his abu.zidan00@live.com address. The title of this email was "Tyrant's House." In the email, ALDAWSARI listed the Dallas address for former President George W. Bush.

35. ALDAWSARI has made numerous Internet searches related to infants and babies. He viewed photos of realistic looking newborn and infant dolls. In addition, numerous Websites were viewed that are related to baby accessories, including strollers, baby clothes, and diapers. ALDAWSARI also viewed doll photos that appeared to be altered in the neck area, with what may have been a pipe and wires visible. Based on my training and experience, your affiant believes this web activity could indicate ALDAWSARI's consideration of the use of a realistic doll to conceal explosives or other weapons.

36. On February 19, 2011, ALDAWSARI conducted the following key-word searches in order: "party in dallas;" "can u take a backpack to nightclub;" "bakcpack" [sic]; "dallas night clubs." Based on my training and experience, your affiant believes this web activity could indicate ALDAWSARI's consideration of targeting a nightclub with an explosive concealed in a backpack.

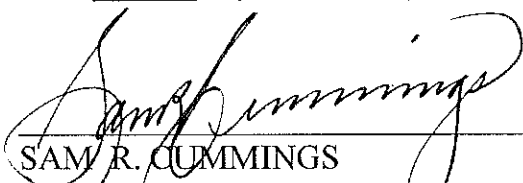
Conclusion

37. Based on the facts of this investigation and outlined in this affidavit, there is probable cause to believe that KHALID ALI-M ALDAWSARI knowingly and intentionally committed an offense in violation of 18 U.S.C. § 2332a(a)(2)(A), Attempted Use of a Weapon of Mass Destruction as evidenced by his research of instructions on how to manufacture a weapon of mass destruction, purchase of chemicals and equipment used to make a weapon of mass destruction, and attempted purchase of the last necessary ingredient, which is phenol, for picric acid, also known as T.N.P., as well as his intent to use the weapon of mass destruction, demonstrated by his research of potential targets.



Michael N. Orndorff
Special Agent
Federal Bureau of Investigation
Lubbock, Texas

Sworn to and subscribed before me this 23rd day of February, 2011.



SAM R. CUMMINGS
UNITED STATES DISTRICT JUDGE