



Testimony of Steven Emerson

Before the

Senate Judiciary Committee.

"DOJ Oversight: Preserving Our Freedoms While Defending Against Terrorism."

**An Investigation into the Modus Operandi of Terrorist
Networks in the United States: The Structure of Osama Bin
Laden, Al-Qaeda, Hamas and other Jihadist Organizations
in the United States**

December 4, 2001

Steven Emerson
Executive Director
The Investigative Project
Washington, DC

Executive Summary

On September 11, 2001, thousands of Americans were executed, most of them incinerated in the worst terrorist attack on American soil in the history of the United States. In the wake of this attack, the President of the United States has declared a war against the terrorists.

In the war on terrorism, the military component poses the greatest strategic challenge and incurs the greatest potential for American casualties. But from the widest political perspective, the greatest challenge to the United States is the ability to recognize terrorist groups operating under false cover and veneer. Clearly, the success of Osama Bin Laden and his Al-Qaeda network has demonstrated, with murderous consequences, the ability of terrorist groups to hide under the facade of “human rights,” “charitable” and “humanitarian” cover. In addition, the ability of militant Islamic groups to hide under the protection of the larger non-violent and peaceful Islamic community has created a challenge for policymakers and officials, the likes of which has not been present before in American society. Sleeper cells that are believed to number in the tens, possibly hundreds, also constitute a dangerous threat to American society.

As someone who has tracked and investigated the activities of militant Islamic fundamentalist networks for the past eight years, I am presenting in the following testimony the results of my recent investigations into the operations of terrorist networks in the United States.

The basic findings of my investigative findings are summarized as follows:

- Osama Bin Laden has systematically recruited American passport holders (like Wadiah El Hage, now in prison for his role in the 1998 bombings of the United States embassies in Kenya and Tanzania) in order to exploit the ease in which these operatives can travel freely around the world as well as ship American communications technology to the Bin Laden network.
- Bin Laden recruited a United States Special Forces sergeant who then became the secret head of security for Bin Laden, while serving as a triple agent, pretending to assist the FBI on counterterrorism matters, even though he was serving as a top aide to Bin Laden.
- Bin Laden has created front organizations serving under false cover as groups with missions officially tethered to “human rights,” “charitable” and “humanitarian” purposes. The most striking and hitherto secret organization serving under the false “human rights” facade was created by Bin Laden with offices in London (England), Kansas City (Missouri) and Denver (Colorado).
- Hamas has created a network of cover groups, “humanitarian organizations” and commercial companies in the United States.
- Militant Islamic groups based and headquartered in the United States have exhorted their followers, behind closed doors and out of the earshot of the

American public and media, to carry out and raise funds for Jihad (in this sense, referring to the concept of “holy war”).

- Bin Laden has created, exploited and utilized a network of established charitable conduits throughout the world, including those headquartered in the United States.
- The Islamic Jihad terrorist group secretly set up its headquarters in the United States to promote the Islamic Jihad terrorist organization under the false cover of an academic institute connected to the University of South Florida and a “humanitarian” front group.

The events of September 11th may well have been impossible without the support of individuals and organizations with ties to al-Qaeda, some of which are still operating in the United States today. Foreign terrorist organizations have utilized numerous modes of operation within the United States to facilitate their fundraising goals. Their infiltration into American society has occurred through the use of domestic universities, establishment of innocuous-sounding non-governmental organization entities, and through the utilization of “front” corporations whether they be domestic or foreign corporations with branches within the United States. The following are examples of these various modus operandi from actual situations within the United States.

A. Barakaat Group of Companies: Funneling Money for al-Qaeda on American Soil

The intricate networks of supporters for terrorists exist on the organizational level, and the Bush administration has responded in kind. With each passing order by the President and the Treasury Department, the United States gets one step closer in ridding the terrorist element from our society. One such success is the governmental shutdown of the Al-Barakaat Group of Companies, a hawala-type bank which allegedly funneled money for Osama bin Laden and his al-Qaeda. A large sum of funds used for terrorism was funneled directly from multiple branches of Barakaat in the U.S., right under our noses.

Though based in the United Arab Emirates, al-Barakaat has an abundance of subsidiaries, scattered across the world, with nine of them in the United States¹, including branches in or near Seattle, Washington DC, Minneapolis, Columbus, and Boston. In particular, the Boston branch of Barakaat, Barakaat North America Inc., moved more than two million dollars through an American bank.² The head of Barakaat, Ahmed Nur Ali Jumale, is said to have befriended Osama bin Laden during the Afghani war against the Soviets. In 1988, bin Laden donated a substantial amount of capital to Jumale, initiating the money flow between al-Qaeda and

¹ Ron Fournier. “U.S. moves on Islamic money exchanges in Minnesota, elsewhere.” *The Associated Press*. November 7, 2001.

² Ibid.

Barakaat.³ The London Daily Telegraph reported that the Barakaat bank was owned by Al-Ittihad al-Islamiya,⁴ which is on the list of terrorist organizations whose assets were frozen by Bush's first Executive Order. The Barakaat Bank of Somalia was also believed to be sending funds to Al-Ittihad al-Islamiya.⁵

Barakaat clearly flourished on American soil, incorporating in at least five states and working clandestinely as a benign money-transfer business. This organization could be one of many supposedly legitimate businesses that reside within the United States. It is therefore imperative that suspicious organizations be scrutinized to the fullest extent within which the law will allow. Cutting off the money flow to terrorist organizations and their supporters is an integral part of the war against terrorism. The war is now on our soil, and our enemy comes in many forms, including American businesses.

While businesses must be examined thoroughly, we must not forget to look at the fundamental base of these organizations—people who actively support the terrorist agenda. Terrorists make up these organizations, and they have exploited the United States and its liberties in every way possible.

B. U.S. Passport Holders: Terrorist Candidates

American passport holders are recruited by terrorist groups enabling these operatives to move easier, risking less suspicion than their counterparts who hold foreign passports. There are documented cases of individuals traveling in and out of the United States on their American passports to deliver money, weapons and technical equipment such as satellite phones. This method of operation is used by various terrorist groups such as Hamas who used Muhammad Salah, an American naturalized citizen, to travel to Israel using his American passport to enter Palestinian territories carrying hundreds of thousands of dollars.

The Al-Qaeda network used various U.S. passport holders such as Wadih El Hage, a 40-year-old naturalized American citizen from Lebanon who was convicted earlier this year for the 1998 embassy bombings in Kenya and Tanzania.

FBI Special Agent Robert Miranda testified in 2001 at the trial of Wadih El Hage and others for their roles in the bombings of the United States embassies in Kenya and Tanzania regarding an interview he conducted with El-Hage on August 20, 1998:

Q: Did he indicate to you why it was that he was asked to work for Usama Bin Laden?
Miranda: Yes. He said that because he had an American passport, Usama Bin Laden wanted him to work for him because he could travel more freely and buy things for Bin Laden.⁶

³ David E. Sanger and Kurt Eichenwald. "A NATION CHALLENGED: MONEY TRAIL; U.S. MOVES TO CUT 2 FINANCIAL LINKS FOR TERROR GROUP." *The New York Times*. November 8, 2001.

⁴ "Banks-to-terror conglomerate faces US wrath Somalia" *The Daily Telegraph* (London). September 28, 2001.

⁵ "European Authorities Arrest 3 Allegedly Linked to Al Qaida" *Associated Press*. October 10, 2001.

⁶ *United States v. Usama Bin Laden et al.*, trial transcript, March 20, 2001.

One of Wadih El-Hage's attorneys, Sam Schmidt, emphasized this point even further at the same trial by stating:

The evidence will show that Wadih El Hage was hired by Bin Laden to work in the Sudan, not only because he was well- educated, a hard worker, honest, responsible and a devout Muslim, but, yes, he was an American free to travel throughout the world on American passport.⁷

Wadih El-Hage served as Osama Bin Laden's personal secretary in the early 1990's. In 1994, Mr. El-Hage moved to Kenya to set up businesses for Bin Laden to be used as terrorist fronts. Mr. Hage's business card shows him as a director of Anhar Trading, a company with addresses in Hamburg, Germany, and Arlington, Texas.⁸

U.S. passport holders Tarik Hamdi and Ziyad Khaleel illustrate another example of Al-Qaeda's use of American citizens. Hamdi and Khaleel delivered a satellite telephone and battery pack to Osama Bin Laden in Afghanistan in May 1998. Using this phone, Bin Laden conferred with followers across the globe and, according to prosecutors, ordered the bombing of the two American embassies in East Africa. Hamdi, a resident of Herndon, Virginia, traveled to Afghanistan with an ABC News team in order to coordinate an interview with Bin Laden. The phone itself was purchased by Khaleel.⁹

In the same trial as mentioned above, an employee of O'Gara Satellite Networks testified on the sale of an INMARSAT phone to Ziyad Khaleel, a resident of Columbia, Missouri. This phone was allegedly for the exclusive use of Osama Bin Laden.¹⁰ Khaleel purchased additional phone accessories and asked that the equipment be mailed to: Tarik Hamdi at 933 Park Avenue in Herndon, Virginia 20170.¹¹

In the trial transcripts on March 27, Hamdi's name was mentioned time and again regarding the satellite phone issue and a letter from ABC World News Tonight requesting an interview with Bin Laden, dated May 13, 1998 and addressed to Bin Laden's senior military commander, Mohammed Atef. Apparently Hamdi was familiar with Atef, since contained in the letter was a line referring to previous communication through "Mr. Tarik Hamdi in Washington." Later in the trial it was revealed that when Hamdi traveled to Afghanistan with the ABC News team, he sent a fax from Pakistan to a Bin Laden aide named Khalid al-Fawwaz. The fax read:

"Brother Khalid: Peace be upon you. We arrived safely and now we are in the Marriott Hotel."¹² Soon after, Bin Laden received the battery pack that was so instrumental in Bin Laden's communication with his worldwide network.

The use of individuals with American passports was a necessity for Bin Laden to achieve his goals. One of the privileges that an American passport brings is the ability to travel from place

⁷ *United States v. Usama Bin Laden et al.*, trial transcript, February 20, 2001.

⁸ A copy of this business card is included as Appendix "A".

⁹ See Appendix "B" for documentation of this fact.

¹⁰ *United States v. Usama Bin Laden et al.*, trial transcript, March 20, 2001.

¹¹ *United States v. Usama Bin Laden et al.*, trial transcript, March 27, 2001.

¹² *United States v. Usama Bin Laden et al.*, trial transcript, May 1, 2001.

to place with little or no interference. This was obviously the case with Wadih El Hage who, with his American passport, was able to pass in and out of the United States and into regions in Africa, the Middle East and Asia on instructions from Bin Laden himself. This trend should definitely raise a warning flag for future cooperation between international terrorists and sympathetic counterparts within the United States.

C. Ali Mohammed: Bin Laden's Special Operations Man Within the United States

Perhaps one of the most frightening examples of the infiltration of terrorists into the infrastructure of the United States is that of Ali Mohammed, one of the individuals indicted for his role in the conspiracy plot to bomb the United States embassies in Kenya and Tanzania. Mohammed was an officer within the United States Army's Special Forces based out of Fort Bragg, North Carolina. At the same time, he was arranging for security for meetings between such individuals as Osama Bin Laden and Hizbollah military chief Imad Mughniyeh in Sudan and coordinating activities with other Bin Laden operatives within the United States.

On November 8, 1990, FBI agents raided the New Jersey home of El Sayyid Nosair, the Egyptian born Islamic militant, following his arrest in the shooting of Rabbi Meir Kahane in New York City. Among the many items found in Nosair's possession were sensitive military documents from Fort Bragg, North Carolina. The documents, some of which were classified Secret, contained the locations of U.S. military Special Operations Forces exercises and units in the Middle East, military training schedules, U.S. intelligence estimates of Soviet forces in Afghanistan, a topographical map of Fort Bragg, U.S. Central Command data and intelligence estimates of Soviet force projection in Afghanistan. Appended throughout the documents were Arabic markings and notations believed to be that of Ali Mohammed. Some documents were marked "Top Secret for Training otherwise unclassified". Other documents were marked "sensitive."

The military documents had been given to Nosair by Ali Mohammed, an Egyptian born Islamic fundamentalist who had come to live in the United States in 1985. He had been in the United States earlier that decade, having graduated as a captain from a Special Forces Officers School at Fort Bragg in 1981 in a program for visiting military officials from foreign countries. He joined the U.S. military in 1986 and received a security clearance for level "secret." He was assigned as a sergeant with the U.S. Army Special Operations at Fort Bragg, North Carolina. He also served unofficially as an assistant instructor at the JFK Special Operations Warfare School at Fort Bragg where he participated in teaching a class on the Middle East and Islamic fundamentalist perceptions of the United States.

Ali Mohammed became active in the war against the Soviets in Afghanistan and soon connected with Islamic militants in New Jersey who had been training and supporting the jihad. Mohammed was introduced to El Sayyid Nosair by Khalid Ibrahim, an Egyptian born Islamic fundamentalist in New Jersey. Ibrahim had become active in the Office of Services of the Mujihadeen, known Al Kifah, the group that recruited volunteers and funds for the jihad in Afghanistan. Al Kifah, headquartered in Peshawar, Pakistan, maintained scores of offices worldwide, including three dozen in the United States, with Al Kifah's primary American offices located in Brooklyn, Jersey City and Tucson, Arizona. According to the current indictment

against Bin Laden and others for their role in the bombing of the United States embassies in Kenya and Tanzania in August 1998, the Office of Services was transformed into the terrorist organization of Osama Bin Laden, known as Al-Qaeda.

According to transcripts of the World Trade Center bombing trials, Ali Mohammed began giving training sessions in New Jersey in guerilla warfare in 1989 to Islamic militants that included, among others, El Sayyid Nosair, Mahmud Abuhallima (later convicted in the World Trade Center bombing conspiracy) and Khalid Ibrahim. Other training sessions took place in Connecticut where Islamic militants trained on weekends. A FBI report, based on Connecticut State Police intelligence, summarized the activities of the training sessions using semi-automatic weapons.¹³

According to military records, Ali Mohammed left the military in November 1989 and moved to Santa Clara, California. Law enforcement officials say he traveled to Afghanistan and Pakistan where he befriended Osama Bin Laden and other top militants in the Islamic fundamentalist movements who had sought sanctuary in Peshawar. From his base in Santa Clara, Mohammed soon emerged as a top aide to Osama Bin Laden. Federal officials say that Mohammed traveled regularly to and from Pakistan and Afghanistan, having helped oversee Bin Laden's terrorist bases in Khost and other terrorist camps in Afghanistan. In 1991, Mohammed was the person in charge of Bin Laden's move from Afghanistan to the Sudan. The move was considered perilous since Bin Laden had made so many enemies. Mohammed helped Bin Laden set up his new home and terrorist base in Khartoum, Sudan where 2000 "Arab Afghans"—the name given to the Arab veterans of the Afghanistan jihad—were headquartered in Bin Laden terrorist camps. Mohammed continued to travel between the terrorist camps in Afghanistan, Bin Laden's base in the Sudan and the United States. Mohammed continued to train new Islamic recruits in the expanded holy war, or jihad, against the United States, Israel, the Philippines, Bosnia, Egypt and Algeria.

Law enforcement records show that Mohammed's extended stays outside the United States would range from weeks to half a year. But he would always return to the United States, which provided him a safe base from which to travel around the world on behalf of Bin Laden. In California, Mohammed became involved in smuggling illegal aliens into the United States, including suspected terrorists. Law enforcement sources say that a favorite route for Mohammed was to smuggle illegal aliens through Vancouver, Canada.

In a seemingly bizarre twist, while in California, Mohammed volunteered to provide information to the FBI on smuggling operations involving Mexicans and other aliens not connected to terrorist groups. Within time, officials say, the relationship allowed Mohammed to divert the FBI's attention away from looking at his real role in terrorism into examining the information he gave them about other smuggling. This gave Mohammed a de facto shield in effectively insulating himself from FBI scrutiny for his ties to Bin Laden. And the relationship helped protect Mohammed from being scrutinized by other federal agencies. Mohammed had succeeded in creating an ingenious scheme all the while he worked for Osama Bin Laden. Mohammed had also tried to cultivate a relationship with the CIA, which did not succeed,

¹³ The FBI reports were collected in connection with the investigation of El Sayyid Nosair for the assassination of Rabbi Meir Kahane in New York City on November 5, 1990.

although he had far better success in playing off the FBI against the CIA in his dealings with both agencies. Like a John Le Carre thriller, Mohammed played the role of a triple agent and nearly got away with it.

In late 1994, Mohammed was called by the FBI who wanted to speak with him about the trial in the World Trade Center conspiracy case. As Mohammed stated in his plea of guilty before Judge Leonard B. Sand of the United States District Court for the Southern District of New York on October 20, 2000, “I flew back to the United States, spoke to the FBI, but didn’t disclose everything I knew.”¹⁴ In other words, Mohammed was continuing to manipulate the American authorities even when he was called to testify regarding the acts of terrorists about whom he possessed information.

Federal law enforcement officials say that Mohammed’s role and association with the Islamic militants surfaced in connection with the World Trade Center bombing trials in 1994 and 1995. He was named on a list of some 118 potential unindicted co-conspirators in the World Trade Center bombing conspiracy released by federal prosecutors. Even so, Mohammed’s connections with Bin Laden were so solid that, when he obtained a copy of this list, he sent it to Wadih El Hage, Bin Laden’s personal assistant, in Kenya “expecting that it would be forwarded to bin Laden [sic] in Khartoum.”¹⁵

In 1996, according to intelligence reports, Mohammed helped move Bin Laden back from the Sudan, which wanted to maintain an official arm’s length relationship (yet keeping its close connections secret), to Afghanistan. Mohammed continued working for Bin Laden in 1997 and 1998, maintaining his role as one of Bin Laden’s top lieutenants.

On October 20, 2000, Mohammed rendered a guilty plea to all charges filed against him with regard to his role in the conspiracy to bomb the United States embassies in Kenya and Tanzania in 1998. In his admission, Mohammed admitted his involvement with both the Al-Qaeda organization and the Egyptian Islamic Jihad organization. He admitted that he had been involved in conducting military and explosives training for Al-Qaeda in Afghanistan; that he had conducted surveillance of various American, British, French and Israeli targets in Nairobi; that trained Bin Laden’s personal bodyguards to prevent any assassination attempts; and that he arranged security for a meeting between Bin Laden and Hizbollah military leader Imad Mughniyeh.¹⁶ Ali Mohammed’s role in terrorism and his ability to work within the United States outside the scope of investigation provides proof of the vulnerability of the United States to the work of terrorists within the United States.

D. Ihab Ali: Flight School

Another instance of an abuse of American citizenship is Ihab Mohammed Ali, currently incarcerated for lying to a grand jury about his role in the Al-Qaeda network and the embassy bombings in Kenya and Tanzania. Ali and his family moved to the United States in the 1970s, immigrating from Egypt. There he obtained a job as a cab driver for City Cab Co in Orlando,

¹⁴ Excerpts of Mohammed’s October 20, 2000 plea are attached as Appendix “C”.

¹⁵ See Appendix “C”.

¹⁶ See Appendix “C” for further excerpts of Mohammed’s plea.

Florida, before heading off for Pakistan in 1989.¹⁷ While there, Ali worked for the Muslim World League, an organization reportedly backed by Osama bin Laden.¹⁸ After being taken into custody in May 1999 due to his alleged connections to the embassy bombings in Africa, Ali refused to aid authorities and lied to the grand jury.

According to his indictment, Ali took flight lessons in Oklahoma in 1993 like some of the September 11 hijackers.¹⁹ Ali's learned to fly at the Airman Flight School in Norman, Oklahoma. Two hijackers, Mohammed Atta and Marwan al-Shehhi, visited the Airman Flight School before deciding to learn to fly at a flight school in Florida. Ihab Ali's exact role in the Al-Qaeda network remains unclear, but his indictment intimates that Ali was believed to have knowledge of both Wadih El Hage and Ali Mohammed and their actions.²⁰

E. Ramadan Abdullah Shallah: The Case of the University of South Florida

On March 11, 1992, the University of South Florida (USF) and the World & Islam Studies Enterprise (WISE) entered into a formal agreement regarding cooperation between the two entities in the fields of research and graduate student enrichment.²¹ WISE was a seemingly benign organization which was a self-described think-tank on Middle Eastern and Islamic issues. The individual who signed the agreement on behalf of WISE was Ramadan Abdullah Shallah. In October 1995, following the assassination of then-leader Fathi Shikaki, Shallah became the Secretary-General of the Palestinian Islamic Jihad (PIJ), an international terrorist organization based in Damascus, Syria, that was engaged in a *jihad* against the State of Israel through a campaign of suicide bombings and other deadly attacks carried out against Israeli civilians and soldiers alike.

The role of WISE in nurturing the future leadership of PIJ was that of providing a legitimate front for PIJ activities within the United States through agreements such as the one between WISE and USF which lent WISE the legitimacy necessary to overcome scrutiny for its activities. WISE, founded in 1990, was a PIJ brain-child from its formulation. The founders of WISE all emanated from the Middle East with a definite agenda dictated by PIJ.

The Director of Administration of WISE was Ramadan Abdullah Shallah. As mentioned earlier, Shallah currently serves as the Secretary-General of PIJ in Damascus, Syria. The Director of Research of WISE was Bashir Musa Nafi. Nafi was deported from the United States in 1996 based on visa violations. On his INS Order to Show Cause, which constitutes the INS equivalent to an indictment against an alien within the United States, a pseudonym is listed for Nafi of Ahmed Sadiq. This alias is important to his connections to terrorism. To those in the Palestinian Islamic Jihad, he was better known by this name. Under this pseudonym, Nafi wrote scores of articles in journals referred to by Palestinian Islamic Jihad head Fathi Shikaki as publications of the movement. Included among these are *Al-Mukhtar Al-Islami*, which is

¹⁷ Pedro Ruz Gutierrez. "Case Builds Against a Cabbie." *The Orlando Sentinel*. July 19, 1999.

¹⁸ Ibid.

¹⁹ United States District Court for the Southern District of NY, Indictment of Ihab Mohamed Ali., p.5.

²⁰ Ibid.

²¹ A copy of the agreement is attached as Appendix "D".

published in Cairo, and *Al-Taliah Al-Islamiah*, which was published in London (Nafi being on the Editorial Boards of both publications during the time that he wrote for them).

A master's thesis presented by Abdul Aziz Zamel at *USF* on April 17, 1991 referred to Nafi as an ideological head of the Palestinian Islamic Jihad along with Fathi Shikaki. Based on interviews with an anonymous individual identified by Zamel as a "founder" of the Palestinian Islamic Jihad, Zamel wrote, on page 192 of his thesis, that Nafi had actually "published and edited a journal, al-Taliah al-Islamiah (The Islamic Vanguard) [sic] specifically for the [Palestinian Islamic Jihad], which was sent to the occupied territories for reproduction, in the same shape and form, and distribution." Thomas Mayer, a researcher who wrote an article in Emmanuel Sivan and Menachem Friedman's 1990 book entitled *Religious Radicalism and Politics in the Middle East*, stated that Fathi Shikaki regarded Bashir Nafi as "an ideological friend." Mayer also discussed the cooperation between Nafi and Fathi Shikaki in distributing *Al-Taliah Al-Islamiah* throughout the West Bank and Gaza Strip.²² These references suggest that Nafi was not merely a member of the movement, but a spokesperson with close ties to Shikaki.

Another of the founding members of WISE was Khalil Shikaki, the brother of then-Secretary-General of PIJ, Fathi Shikaki. Documents seized by federal agents pursuant to a search warrant at the WISE office in November 1995 show that Shikaki, after his departure from WISE in 1992, contacted his brother by means of Ramadan Shallah who was working at WISE and teaching at *USF* at the time. Evidence released in the federal investigation against WISE and ICP included a letter and a fax between Abdullah and Khalil Shikaki showing that Abdullah served as a go-between for the brothers.²³

By utilizing the agreement between WISE and *USF*²⁴ as a means of facilitating legitimacy for their activities, the individuals associated with WISE were able to coordinate PIJ activities within the United States free from government scrutiny. The government became actively involved only after one member of the inner circle of this organization, Ramadan Shallah, emerged as the Secretary-General of PIJ in Damascus, Syria.²⁵

F. Musa Abu Marzook and UASR:

The United Association for Studies and Research (UASR), an Islamic think tank now based in Springfield, Virginia, was founded in 1989 in Chicago, Illinois by a number of prominent Islamic radicals living in the US, primary among whom was Musa Abu Marzook.

Musa Abu Marzook, a.k.a. Abu Omar, was the head of the Hamas Political Bureau since 1988, while he was resident in the United States.²⁶ Hamas (*Harakat Al-Muqawama Al-Islamia fi Filastin - The Islamic Resistance Movement in Palestine*) is one of the most militant Islamic

²² Emmanuel Sivan and Menachem Friedman, *Religious Radicalism and Politics in the Middle East*, SUNY Press, 1990.

²³ This evidence was released subsequent to the first immigration bond determination hearings for Mazen Al-Najjar in Orlando, Florida in 1996 and 1997.

²⁴ See Appendix "D".

²⁵ Additional information on the Palestinian Islamic Jihad network in the United States is attached as Appendix "E".

²⁶ United States District Court for the Southern District of NY, In the Matter of the Extradition of Mousa Mohammed Abu Marzook, Affidavit of Kevin Thomas Duffy, DJ, 95 Civ. 9799 (KTD) May 8, 1996. p. 1.

groups in the world and is included in the United States Department of State's list of Foreign Terrorist Organizations that are outlawed pursuant to the Anti-Terrorism and Effective Death Penalty Act of 1996. Hamas has claimed responsibility for numerous suicide bombing attacks within Israel resulting in the deaths of scores of innocent Israelis.

On July 27, 1995, Marzook was arrested at New York's John F. Kennedy Airport because "he played an important role in supervising the activities of the military wing to Hamas [the wing responsible for the terrorist attacks] and in appointing individuals to important leadership roles in the military wing."²⁷ In the United States, Abu Marzook was "responsible for the Muslim Brothers organization in the U.S. and resigned from this job in order to devote his time to activities dedicated to Palestine" following the foundation of the Hamas. Marzook, who was born in the Gaza Strip, was a close associate of Sheikh Ahmad Yassin, the Islamic cleric who founded Hamas as an organization distinct from its parent group Muslim Brotherhood.²⁸

Marzook first came to the United States in the late 1970s, although immigration records show that he formally began residing in the United States starting in 1981.²⁹ Marzook and his family lived in a number of locations during their 14 years in the United States, including Colorado, Louisiana and Virginia. He and his family moved to Falls Church, Virginia in 1991. Between 1993 and 1995, Marzook resided principally in Jordan, which deported him in June 1995 for his involvement and senior position in Hamas. In July 1995, after making trips to Iran and Syria, Abu Marzook attempted to reenter the United States at which time he was arrested by customs and INS officials at the request of the Israeli Government which sought to prosecute Abu Marzook for numerous crimes in connection with his leadership role in Hamas. In October 1995, acting at the request of the Israeli Government, the United States initiated extradition proceedings against Abu Marzook, based on pending Israeli criminal charges that included murder, attempted murder and conspiracy stemming from Hamas-sponsored terrorist acts.

At the time of his arrest, Abu Marzook was a permanent resident alien of the United States. In 1990, he and his family received their Green Cards in an INS lottery that offered "permanent legal residency" to potential immigrants. In affidavits filed by Deputy United States Attorney Shirah Neiman, the role of Abu Marzook in Hamas activities was discussed as follows:

In his role as head of political bureau, Abu Marzook financed certain activities of Hamas, including terrorist activities against soldiers and civilians in the Territories and Israel. In addition, he played an important role in supervising the activities of the military wing to Hamas (the wing responsible for the terrorist attacks) and in appointing individuals to important leadership roles in the military wing. Throughout most of the relevant period, he resided in the United States.³⁰

²⁷ United States District Court for the Southern District of NY, In the Matter of the Extradition of Mousa Mohammed Abu Marzook, Sealed Complaint by Shirah Neiman.

²⁸ The Muslim Brotherhood is the international Sunni Islamic extremist movement that was founded in Egypt in 1928. It is also the ideological ancestor of today's most violent Islamic extremist movements.

²⁹ United States District Court for the Southern District of NY, In the Matter of Mousa Abu Marzook , Affirmation 95 Cr. Misc. I , p.34.

³⁰ United States District Court for the Southern District of NY, In the Matter of the Extradition of Mousa Mohammed Abu Marzook, Sealed Complaint by Shirah Neiman To the US Magistrate Judge, p.2.

The arrest of Muhammad Salah, Mohamad Jarad and Nasser Hidmi by the Israeli authorities marked an important turning point into the investigation of Hamas. What was revealed as a result of interrogations and confessions of these individuals (Salah and Jarad were both residents of Chicago, Illinois, and Hidmi was a student at Kansas State University in Manhattan, Kansas) was the importance of the United States as an operational base for Hamas. Under the leadership of Musa Abu Marzook, the Hamas headquarters in the United States was able to operate virtually unimpeded from the intense scrutiny of authorities.

On January 25, 1993, Salah and Jarad, two high ranking Hamas operatives with United States citizenship, were arrested by the Israeli General Security Services (GSS) with the aid of the Israeli Defense Forces (IDF). The Israeli authorities obtained the most significant information against Musa Abu Marzook from Salah, a.k.a "Abu Ahmad." In these statements, Salah exposed the pivotal role of Musa Abu Marzook in the Hamas organization. Musa Abu Marzook directed the Hamas organization's activities, the allocation of its resources and the transfer of funds: "Abu Marzook specifically directed funds towards Hamas' 'military' (i.e. terror) activities, encouraged acts of terror, and played an important role in overseeing certain 'military' aspects of Hamas' operations and in making 'military.'" ³¹

On October 10, 1994, Abu Marzook appeared in a television interview broadcast from the "Al Manar" television station in Lebanon. This was only one day after the October 9, 1994 shootings in which two Hamas terrorists killed two and wounded eighteen persons in a suicide attack in a pedestrian mall in downtown Jerusalem. In the interview, Marzook stated as follows:

Death is the goal to every Muslim and every fighter wants to die on Palestinian land. This is not the first time that the Izz Al-Din Al-Qassem heroes carry out suicide and terrorism actions...The peace process, as described by Arafat more than once, is a failure. By these actions, we do not strive to foil the talks and the negotiations. We are doing them for a much higher aim and they are steps on the way for a full restitution of the rights of the Palestinian people.

G. Use of Money Laundering: The "Charlotte Hizbollah Cell"

On July 21, 2000, agents from the Federal Bureau of Investigation (FBI) in Charlotte, North Carolina, arrested eleven individuals on charges of smuggling contraband cigarettes to Michigan from North Carolina and money-laundering. In a superseding indictment filed in the United States District Court for the Eastern District of North Carolina on March 28, 2001, four individuals were charged with providing material support or resources to the Hizbollah terrorist organization. The individuals were charged with providing "currency, financial services, training, false documentation and identification, communications equipment, explosives, and other physical assets to Hizbollah, in order to facilitate its violent attacks."³²

³¹ Ibid. p. 5

³² *United States v. Mohamad Youssef Hammoud et al.*, No. 00 CR 147 (W.D. N.C. filed July 20, 2000, amended March 28, 2001) Superseding Bill of Indictment, ¶ 3.

Another similar case was filed in Michigan against Fawzi Mustapha Assi on August 4, 1998. The charges against Assi, stated in both the Indictment and the Criminal Complaint, included allegations that he did “(k)nowingly provide and attempt to provide material support or resources, to wit, night vision goggles, global positioning satellite modules and a thermal imaging camera to a designated foreign terrorist organization.” The foreign terrorist organization to whom Assi was charged with providing these materials was the Hizbollah terrorist organization. Unfortunately, prior to the filing of the indictment, Assi disappeared,³³ and allegedly reappeared in Lebanon.³⁴

These two examples show how foreign terrorist organizations may develop relationships with individuals who are already resident within the United States in order to provide them support. In these cases, however, the support was not merely financial but also tactical. Both in Charlotte and in Detroit, the items involved were highly sophisticated items to be used directly in terrorist operations.

In each of the above examples, different approaches by the United States government and its many agencies would have served the purpose of shutting down the potential for providing funds, recruitment or a base of operations for terrorists on American soil.

Conclusion:

On September 11, Osama Bin Laden proved that terrorists were able to hide under our radar screen for years without being detected by the relevant agencies or even by what is known as the fourth branch of government, the media. The horror of September 11 was achieved through a variety of means, not all tethered to the specific operational details of the actual plot. Our nation’s defenses and our awareness of the threats surrounding us were numbed through false conduits, fake companies, religious charities, exploitation of our free speech and religious freedoms and abetted by problems in the visa system and loopholes in the terrorist watch list.

The bottom line is that if this is not to be repeated, we need to institute new safeguards, methods of detecting false cover companies, academic institutes, and religious charities, monitor those who are here illegally and who are connected to known terrorist groups and demand that our government do a much better job of scrutinizing those who violate American law by exploiting the very freedoms that make our country great.

³³ Kay M. Siblani, “Man charged with exporting weapons to Hizbollah disappears,” *Arab American. News*, August 7, 1998; David Josar, “Suspect in Hezbollah case skips hearing,” *Detroit News*, July 29, 1998.

³⁴ Kevin Lynch, “Ford engineer seen in Lebanon: Newsletter publisher says people have seen man suspected of supporting terrorists,” *Detroit News*, September 4, 1998.