



*United States Attorney
Southern District of New York*

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ACCUSED AL SHABAAB LEADER CHARGED WITH PROVIDING
MATERIAL SUPPORT TO AL SHABAAB AND AL QAEDA
IN THE ARABIAN PENINSULA

PREET BHARARA, the United States Attorney for the Southern District of New York, JANICE K. FEDARCYK, the Assistant Director-in-Charge of the New York Office of the Federal Bureau of Investigation ("FBI"), and RAYMOND W. KELLY, the Police Commissioner of the City of New York ("NYPD"), announced today that AHMED ABDULKADIR WARSAME, aka "KHATTAB," aka "FARAH," aka "ABDI HALIM MOHAMMED FARA," aka "FAREH JAMA ALI MOHAMMED," has been indicted on charges of providing material support to al Shabaab and al Qaeda in the Arabian Peninsula ("AQAP"), two designated foreign terrorist organizations, as well as conspiring to teach and demonstrate the making of explosives, possessing firearms and explosives in furtherance of crimes of violence, and other violations.

WARSAME, a Somali national in his mid-twenties, was captured in the Gulf region by the U.S. military on April 19, 2011, and was questioned for intelligence purposes for more than two months. Thereafter, WARSAME was read his Miranda rights, and after waiving those rights, he spoke to law enforcement agents for several days. Warsame arrived in the Southern District early this morning, and was arraigned before U.S. District Judge COLLEEN McMAHON in Manhattan federal court earlier today.

Manhattan U.S. Attorney PREET BHARARA said: "As alleged, Ahmed Warsame was a conduit between al Shabaab and al Qaeda in the Arabian Peninsula -- two deadly terrorist organizations -- providing material support and resources to them both. Protecting Americans from the threat of terrorism both here and abroad is, and always will be, our number one priority."

FBI Assistant Director-in-Charge JANICE K. FEDARCYK said: "This defendant is charged not only with providing material support to two notorious terrorist organizations, but with using automatic weapons and explosives to commit violence in the name of their 'cause.' The mission of the FBI is to protect innocent lives not just in the United States, but everywhere the law permits us to."

NYPD Commissioner RAYMOND W. KELLY said: "Capturing and bringing Warsame to justice is a body blow to any al Qaeda affiliate that aspires to fill the vacuum of a diminished al Qaeda central. I want to congratulate our military and the NYPD detectives and FBI agents whose collaborative work on the Joint Terrorism Task Force helps to protect New York and the rest of the nation from terrorism on a daily basis."

According to the Indictment unsealed today in the Southern District of New York:

From at least 2007 until April 2011, WARSAME conspired to provide and provided material support to al Shabaab, resulting in the death of at least one person. He allegedly fought on behalf of al Shabaab in Somalia in 2009 and provided other forms of support to the terrorist organization, including explosives, weapons, communications equipment, expert advice and assistance, and training. In addition, WARSAME is alleged to have possessed and used destructive devices, machine guns, and an AK-47 semi-automatic assault weapon in Somalia in furtherance of crimes of violence.

The Indictment further alleges that from about 2009 until April 2011, WARSAME conspired to provide, and provided material support to AQAP, in the form of money, training, communications equipment, facilities, and personnel. While he was in Yemen in 2010 and 2011, WARSAME allegedly received explosives and other military-type training from AQAP. In addition, he allegedly possessed and used grenades and an AK-47 semi-automatic assault weapon in Yemen in furtherance of crimes of violence.

According to the charges, WARSAME also worked to broker a weapons deal with AQAP on behalf of al Shabaab. He is also charged with conspiring from about 2009 until April 2011 to teach and demonstrate the making of explosives, destructive devices and weapons of mass destruction, and to distribute such information to others.

Al Shabaab was designated by the U.S. Department of State as a foreign terrorist organization in February 2008. AQAP was so designated in January 2010.

* * *

The indictment charges WARSAME with nine separate counts:

- Count One: Conspiracy to provide material support to al Shabaab, causing death;
- Count Two: Providing material support to al Shabaab, causing death;
- Count Three: Use, carrying, and possession of firearms (machine guns and destructive devices) in furtherance of crimes of violence (in Counts One and Two);
- Count Four: Conspiracy to provide material support to AQAP;
- Count Five: Providing material support to AQAP;
- Count Six: Use, carrying, and possession of firearms (machine guns and destructive devices) in furtherance of crimes of violence (in Counts Four and Five);
- Count Seven: Conspiracy to teach and demonstrate the making of explosives;
- Count Eight: Conspiracy to receive military-type training from AQAP; and
- Count Nine: Receiving military-type training from AQAP.

If convicted, WARSAME could face a mandatory sentence of life in prison. The maximum sentences for each of the charges is reflected in the attached chart.

Mr. BHARARA praised the extraordinary investigative work of the JTTF, which principally consists of agents from the FBI and detectives from the NYPD. He also thanked the Department of Defense, the National Security Division of the Department of Justice, and the other agencies that provided assistance.

This case is being handled by the Terrorism and International Narcotics Unit of the U.S. Attorney's Office for the Southern District of New York, with assistance from the Counterterrorism Section of the Justice Department's National Security Division. Assistant U.S. Attorneys BENJAMIN NAFTALIS and ADAM S. HICKEY are in charge of the prosecution.

The charges contained in the Indictment are merely allegations, and the defendant is presumed innocent unless and until proven guilty.

U.S. v. Warsame - Maximum Penalties

<u>Statute (Title 18)</u>	<u>Count</u>	<u>Description</u>	<u>Maximum Penalties</u>
§ 2339B	1 2	Conspiracy to provide material support to a foreign terrorist organization, and provision of material support to a foreign terrorist organization, causing death (al Shabaab).	Maximum of life in prison.
§ 924(c)	3	Use, carrying, and possession of firearms (machine guns and destructive devices) in furtherance of crimes of violence (Counts 1 and 2).	Mandatory minimum of 30 years in prison (consecutive to any other term). Maximum of life in prison.
§ 2339B	4 5	Conspiracy to provide material support to a foreign terrorist organization, and provision of material support to a foreign terrorist organization (AQAP).	Maximum of 15 years in prison.
§ 924(c)	6	Use, carrying, and possession of firearms (machine guns and destructive devices) in furtherance of crimes of violence (Counts 4 and 5).	Mandatory minimum of 30 years in prison (consecutive to any other term). Maximum of life in prison.*
§§ 842(p), 844(n)	7	Conspiracy to teach and demonstrate the making of explosives.	Maximum of 20 years in prison.

* A second 18 U.S.C. § 924(c) conviction in this context would carry a mandatory term of life in prison.

§§ 2339D, 371	8	Conspiracy to receive military-type training from a foreign terrorist organization.	Maximum of five years in prison.
§ 2339D	9	Receipt of military-type training from a foreign terrorist organization.	Maximum of 10 years in prison.