

AFFIDAVIT

I, Emerson Lopez-Fuentes, do swear under penalty of perjury:

1. I am an FBI Special Agent, and have been ordered by the Court to provide testimony in this case. I hereby submit this affidavit, and request that the Court accept this submission in lieu of testimony.
2. I have a bachelor's degree in French Literature and a minor in Computer Science. I joined the FBI in 2009. I spent five years assigned to the extraterritorial squad of the counterterrorism division in the Miami field office. For an additional two years, I was assigned to the health care fraud division in that same office.
3. Since 2016, I have been assigned to the FBI Fly Team. The FBI Fly Team is a small, highly trained cadre of counterterrorism investigators, including special agents and intelligence analysts, based at FBI Headquarters. The Fly Team deploys to locations around the world to respond to terrorist threats and to provide support to the field in the FBI's counterterrorism mission. The team brings the FBI's strategic and tactical counterterrorism capabilities to bear in partnership with other U.S. Government agencies and foreign partner-nation entities in critical overseas locations to detect, penetrate, and disrupt terrorist networks.
4. I am currently a Supervisory Special Agent on the FBI Fly Team, managing a squad and awaiting instructions with regard to my next deployment overseas.
5. As a member of the FBI Fly Team, I have received specialized training, including interview techniques and cultural training specific to the location of deployment. I have extensive field experience conducting interviews. I have conducted approximately 100 interviews of ISIS members, or alleged members of ISIS, in my years on the FBI Fly Team. I have received training specific to the region on recognizing deception in interviews.
6. I have served in various locations around the world as a member of the FBI Fly Team. In the fall of 2017, I was stationed in Iraq. I was assigned specific taskings related to the United States' criminal investigation of Omar Abdulsattar Ameen (Ameen). I was not a case agent assigned to the Ameen case; rather, I was asked to undertake discrete tasks as part of the broader FBI investigation.
7. One of those tasks was the interview of the individual who I have been told is referred to in court papers as Person 5. This interview occurred on or about October 23, 2017, as memorialized in an FBI 302 (Memorandum of Interview) that I prepared. A known individual (referred to herein as TMF Member 1¹) brought Person 5 and two other individuals with

¹ It was my understanding that TMF Member 1 is a member of the Iraq Tribal Mobilization Forces (TMF). According to open source reporting, the TMF is an Iraqi force of Sunni Arab Tribal Fighters attached to the Shia-dominated Popular Mobilization Forces (PMF) and governed by the Popular Mobilization Commission (PMC) that was formally established in 2014 by the Iraq Office of the Prime Minister. Upon consultation within the FBI, I have come to understand TMF Member 1 has been working alongside U.S. forces in counter-terrorism operations for years. As a counter-terrorism partner, he regularly shared information and intelligence with U.S. forces, to include the FBI, to assist in counter-insurgency operations, as well as counter-terrorism investigations both inside and outside of Iraq. I am not aware of any instance where TMF Member 1 has fabricated or falsified information or passed on information that the FBI later discovered to be fabricated or falsified. I interacted with TMF Member 1 on

information concerning Ameen to the interview location. In addition to Person 5, Special Agent (SA) Phillip Coonfield and I interviewed the other two individuals on this day. Each individual was interviewed separately while the others waited outside on a sofa. The atmosphere in the waiting area was pleasant; the individuals all appeared to be in good spirits and lightly conversing. The interviews of the other two individuals did not include direct information concerning the murder of Ihsan Abdulhafith Jasim (Ihsan).²

8. For the interview of Person 5, SA Phillip Coonfield and I were accompanied by an Arabic language interpreter. The interview was a formal interview conducted by SA Coonfield and myself; no member of any foreign government or the public was in the room. The interview took place in a private room. The temperature was comfortable, and we offered Person 5 water and light snacks. We did not make any promises to the witness or offer him any benefits.
9. As a preliminary step, we told Person 5 who we were and informed him that the interview was voluntary and that he could terminate the interview at any time. Person 5 indicated his willingness to cooperate and his desire to seek justice on behalf of Ihsan. The tone of the interview was initially calm and explanatory, as Person 5 detailed the background information setting forth his personal knowledge of Ameen and Ihsan. Person 5 explained Ihsan's role as a police officer and his rise to become Rawah police commander, with a moniker of "Master of the Night." Person 5 stated his knowledge of Ameen and Ameen's specific involvement in planting IEDs in 2008.
10. Person 5 described the fall of the town of Rawah to ISIS in June 2014. At that point, the tone of the interview shifted, as Person 5 became emotional in describing the eyewitness account of the murder. I recall Person 5 tearing up as he described the shooting of Ihsan. Person 5 regained composure and concluded his account of the murder, indicating a willingness to testify as necessary.
11. At the conclusion of the interview, we left the room and requested use of TMF Member 1's smart phone. TMF Member 1 selected photos to conduct a photo lineup, and then SA Coonfield took the phone and scrolled through the photos. Person 5 identified Ameen among these photos.
12. The length of the interview was approximately between 45 minutes and 90 minutes.
13. Person 5 presented identification to enter the interview space but was not asked to sign anything or fingerprint anything. I have no knowledge of the signature or fingerprint of Person 5.
14. On or about January 23, 2018, I had the opportunity to interview a second witness with knowledge of Ameen's participation in the convoy of ISIS fighters that came through Rawah on the day of Ihsan's murder as memorialized in a FBI 302 (Memorandum of Interview) that I prepared. This witness was brought to the same interview location by TMF Member 1 and was conducted in the same manner as the interview of Person 5. I understand that this individual

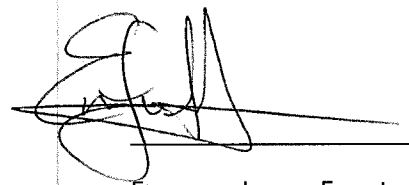
approximately three occasions. On one of those instances, TMF Member 1 provided me with a copy of Ameen's father's death certificate, which corroborated TMF Member 1's earlier claim that Ameen's father had not been shot by Al Qaeda, as Ameen had claimed on his immigration forms, but rather had died of natural causes. This is an example of the evaluation of providing reliable information that the FBI assesses in receiving information from individuals like TMF Member 1.

² I disclose these details to provide a sense of the interview environment. Additional details about the setting or circumstances of the interview may be classified, and thus cannot be disclosed in this forum. If required to testify, I will be unable to answer any questions that would require me to disclose classified information.

has been referred to in court papers as Person 1. The interview was conducted by another FBI Special Agent, an Arabic language interpreter, and myself. The interview was a formal interview conducted by another SA and myself; no member of any foreign government or the public was in the room. TMF Member 1 had accompanied Person 1 to the interview but waited in a seating area outside and was not present for the interview. We did not make any promises to Person 1 or offer him any benefits.

15. As a preliminary step, we told Person 1 who we were and informed him that the interview was voluntary and that he could terminate the interview at any time. Person 1 indicated his willingness to cooperate.
16. Person 1 indicated that he knew Ameen as both a child and adult and has interacted with him socially. Person 1 stated that he understood that Ameen had been a member of Al-Qaida and had fought against Iraqi police and the Americans, planting IEDs to attack coalition forces. Ameen would walk the streets of Rawah with a slung AK-47 style rifle. Person 1 indicated that when Ameen was with Al-Qaida, he kidnapped a relative of Person 1.
17. Person 1 indicated an understanding that Ameen was an ISIS commander. On or about the day Rawah fell to ISIS, Person 1 was standing outside in the late afternoon when he witnessed a 3 vehicle ISIS convoy pass by. The convoy was made up of 3 trucks, 2 tan in color and 1 white. All of the vehicles had ISIS paraphernalia on them to include ISIS flags. At least one of the tan trucks had a larger crew, with weapons mounted on top. Each vehicle had 3 or more men in it, armed with rifles and dressed in ISIS style clothes. Person 1 saw Ameen in the passenger seat of the white vehicle, wearing a black shemagh. Person 1 stated that he had the impression that Ameen was likely the commander of the convoy. The convoy passed where Person 1 was standing, continued down the street, and stopped in the area of Ihsan's house. Person 1 then heard a burst of rifle fire. Person 1 stated that he feared that Ameen would come back to kill him, so he fled from the area. He later heard through conversations that Ameen had killed Ihsan in that burst of rifle fire.
18. We showed Person 1 an unmarked photograph, which he identified as Ameen.
19. I left Iraq in approximately February 2018 and had no involvement in the Republic of Iraq's extradition request. I never met the individuals referred to as Witnesses A and B, and I had no further contact with Person 5 nor Person 1.

I certify that the foregoing is true and accurate to the best of my recollection.



Emerson Lopez-Fuentes

10/28/2019