

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America
v.
MASOUD KHAN

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Case No.

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 25, 2018 in the county of Washington in the
District of Columbia, the defendant(s) violated:

Table with 2 columns: Code Section, Offense Description. Rows include 18 U.S.C. Section 1001(a)(2) False Statements, 18 U.S.C. Section 1512(c)(1) Obstruction of Justice - Grand Jury Investigation, and 18 U.S.C. Section 1519 Destruction, Alteration, or Falsification of Records in Federal Investigations.

This criminal complaint is based on these facts:

See attached Affidavit

[X] Continued on the attached sheet.

Complainant's signature

Special Agent John Whitworth, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 07/25/2018

Judge's signature

City and state:

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

v.

MASOUD KHAN,

Defendant.

Case No. _____

**AFFIDAVIT IN SUPPORT OF A CRIMINAL
COMPLAINT AND ARREST WARRANT**

I, John Whitworth, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. This affidavit is submitted in support of a criminal complaint and arrest warrant for Masoud Sayed KHAN (“KHAN”).

2. I am a Special Agent (“SA”) with the Federal Bureau of Investigation (“FBI”), and have been since April 10, 2011. I am currently assigned to the Joint Terrorism Task Force (“JTTF”) at the FBI Washington Field Office (“WFO”). I have held this assignment for approximately seven years. In this capacity, I have worked on terrorism matters and investigations relating to persons and organizations, both foreign and domestic, including designated foreign terrorist organizations (“FTOs”) who are interested in supporting terrorists, or attacking the United States.

3. In preparation for this assignment, and as part of your affiant’s continuing education, I have successfully completed law enforcement and focused training, to include formal courses and training exercises. I have participated in many aspects of federal investigations including, but not limited to: subject, victim and witness interviews, analysis of telephone and financial records, and assisting with the preparation and execution of arrest and/or search warrants. As a federal agent, I am authorized to investigate violations of the laws of the

United States. As a law enforcement officer, I am authorized to execute warrants issued under the authority of the United States. I have also investigated numerous counter-terrorism cases, and am familiar with the search, examination, and exploitation of information obtained from the internet, including cellular phone, computers, the internet, electronic mail, on-line messaging applications, and metadata associated therewith.

4. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of your affiant's knowledge about this matter.

5. As set forth further herein, there is probable cause to believe that KHAN has committed violations of 18 U.S.C. § 1001 (material false statements); 18 U.S.C. § 1512(c) (obstruction of justice); and 18 U.S.C. § 1519 (destruction of records in a federal investigation).

VENUE

6. Acts or omissions in furtherance of the offenses under investigation occurred within the District of Columbia, including false statements made by KHAN during interviews that took place in the District of Columbia, and the deletion of electronic messages in order to impair the integrity of a grand jury proceeding pending in the District of Columbia. See 18 U.S.C. § 3237

STATUTORY VIOLATIONS

7. Title 18, United States Code Section 1001 criminalizes knowingly and willfully making any materially false, fictitious, or fraudulent statement or representation in any matter within the jurisdiction of the executive branch of the United States. 18 U.S.C. § 1001 (a)(2). The offense involves international or domestic terrorism (as defined in 18 U.S.C. § 2331).

8. Title 18, United States Code Section 1512(c) makes it a felony to corruptly (1) alter, destroy, mutilate, or conceal a record, document, or other object, or attempt to do so, with

the intent to impair the object's integrity or availability for use in an official proceeding, or (2) otherwise obstruct, influence, or impede any official proceeding, or attempt to do so. 18 U.S.C § 1512(c)(1) & (2). A grand jury investigation is an official proceeding under § 1512(c). 18 U.S.C. § 1515(a)(1)(A).

9. Title 18, United States Code Section 1519 makes it a felony to knowingly alter, destroy, mutilate, conceal, cover up, falsify, or make a false entry in any record, document, or tangible object, with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of any department or agency of the United States, or in relation to or contemplation of any such matter or case. 18 U.S.C. § 1519.

PROBABLE CAUSE

Background on ISIS and Its Internet Recruitment Efforts

10. The FBI has been investigating the use of the Internet and social media by foreign terrorist groups, including the Islamic State of Iraq and al-Sham ("ISIS"). On or about October 15, 2004, the U.S. Secretary of State designated al-Qaeda in Iraq ("AQI"), then known as Jam 'at al Tawhid wa'al-Jahid, as an FTO under Section 219 of the Immigration and Nationality Act (INA) and as a Specially Designated Global Terrorist ("SDGT") entity under section 1(b) of Executive Order 13224. On or about May 15, 2014, the Secretary of State amended the designation of al-Qaeda in Iraq as an FTO under Section 219 of the INA and as a SDGT entity under Section 1(b) of Executive Order 13224 to add the alias Islamic State of Iraq and the Levant ("ISIL") as its primary name. The Secretary also added a number of aliases to the ISIL listing, including: The Islamic State of Iraq and al-Sham, the Islamic State of Iraq and Syria, ad-Dawla al-Islamiyya fi al-Iraq wa-sh-Sham, Daesh, and Dawla al Islamiya, and Al-Firquan Establishment for Media Production (collectively referred to herein as "ISIS"). On September

21, 2015, the Secretary added the following aliases to the FTO listing: Islamic State, ISIL, and ISIS. ISIS remains a designated FTO.

11. Based on your affiant's training and experience, I know that: (a) Sunni extremists and others, who are not citizens or residents of Syria and Iraq, are traveling to Syria and Iraq to join ISIS, an act they commonly refer to as "hijrah"¹; (b) foreign fighters commonly enter Syria by crossing the border from Turkey or Jordan; (c) foreign fighters from Western countries are traveling to locations in Turkey, including Istanbul, and then traveling to towns closer to the border where they are brought into Syria to join ISIS; (d) Abu Bakr al-Baghdadi ("al-Baghdadi") is the current leader (or "Caliph") of ISIS; (e) since on or about September 22, 2014, ISIS has advocated for the death of Americans and Europeans, including civilians, by any means necessary, including beheading, and its leadership gave blanket approval for indiscriminate killing by people residing in these countries.

12. To gain supporters, recruit fighters, and raise funds, ISIS spreads its message of violent jihad² using social media platforms, such as Twitter, Facebook, Telegram, YouTube, Instagram, and Paltalk. On these platforms, ISIS advocates post audio and video files that include recruitment messages and updates of events in Syria and Iraq. Online chat rooms controlled by ISIS advocates further effectuate this support.

13. One such online community was a pro-ISIS Paltalk chat room called "Authentic Tauheed" (hereinafter "AT"), which contained audio of speeches made by SUSPECT 1 ("S-1"). S-1 was convicted in British court for soliciting murder related to his encouragement of Muslims

¹ Based on my training and experience, "hijrah" or "hijra" generally means migration, and in this context refers to travel to engage in jihad.

² Based on my training and experience, "jihad" is an Arabic word that literally means striving or struggling, but in this context it refers to a holy war, fight, or struggle against the enemies of Islam.

to fight and kill “kuffars” (non-believers): Americans, Jews, Christians, Hindus, and other non-Muslims. After his conviction, imprisonment, and release, S-1 continued to encourage violence and terrorist acts in speeches posted on the Internet or in Paltalk chat rooms. S-1 has also recorded numerous statements inciting violence and supporting ISIS, its leader al-Baghdadi, al-Qaeda, and Osama bin-Laden. AT contained recorded lectures of S-1 proselytizing on behalf of and in support of ISIS. I have viewed the AT site and am familiar with its contents and organization.

14. S-1 is not a U.S. person and presently resides in Jamaica. On April 18, 2017, a grand jury in the State of New York, County of New York, charged S-1 with Conspiracy in the Fourth Degree as a Crime of Terrorism, Soliciting or Providing Support for an Act of Terrorism in the First Degree as a Crime of Terrorism, Soliciting or Providing Support for an Act of Terrorism in the First Degree, Attempted Soliciting or Providing Support for an Act of Terrorism in the First Degree as a Crime of Terrorism, and Attempted Soliciting or Providing Support for an Act of Terrorism in the First Degree as a Crime of Terrorism. On or about August 25, 2017, S-1 was arrested in Jamaica pursuant to an extradition request from the United States on the basis of this Indictment.

15. On or about December 5, 2017, the United States Office of Financial and Asset Control (“OFAC”) designated S-1 as a Specially Designated Global Terrorist (“SDGT”) pursuant to Executive Order 13224 for assisting in, sponsoring, or providing financial, material, or technological support for, or financial or other services to or in support of, ISIS.

16. A review of Jamaican records revealed a “Marriage Register” certificate issued on May 12, 2015, for a marriage between S-1 and SUSPECT 2 (“S-2”).³ S-2 further confirmed her

³ Your affiant understands this document to be an official marriage registration in Jamaica.

marriage to S-1 during an interview with FBI agents at Charlotte Douglas International Airport on January 25, 2018, and she stated that she divorced S-1 after his arrest in Jamaica. Prior to his arrest, S-1 and S-2 lived together in Jamaica, and as discussed herein, raised funds to support S-1.

FBI Investigation of KHAN

17. FBI WFO reviewed lawfully-obtained transaction records from Western Union showing that, in June 2016, KHAN sent money via Western Union to S-2, then located in Jamaica. Your affiant is aware that administrators of the AT chatroom often request donations of listeners.

18. As part of the investigation, your affiant reviewed active social media sites associated with KHAN. Your affiant has also reviewed Google records relating to the “Green Bird of Jannah” YouTube page, which list KHAN’s known email address, masoudkhan91@gmail.com, as the recovery email address for the YouTube account. In July 2016, this YouTube page included multiple Islamist videos by Anwar al-Aulaqi (“Aulaqi”). On July 16, 2010, the U.S. Department of the Treasury designated Aulaqi, a key leader for al-Qa’ida in the Arabian Peninsula (“AQAP”), a Yemen-based terrorist group, as a SDGT. In a number of these videos Aulaqi discusses the importance of jihad and martyrdom.

19. A federal grand jury in the District of Columbia was empaneled on or about July 20, 2016 to investigate possible violations of 18 U.S.C. § 2339B (Material Support for a Foreign Terrorist Organization) by KHAN and others, as they related to ISIS.

KHAN's Connection to S-1/ISIS

E-Mails with S-1 and Discussions of ISIS

20. Your affiant is aware that KHAN controls and utilizes masoudkhan91@gmail.com (“KHAN Google Account”), and that S-1 utilized another email address prior to his arrest. Based on a review of emails obtained from legal process, your affiant has confirmed that between December 2012, and June 2016, KHAN exchanged at least 33 email messages with S-1 using these accounts. Much of the conversation between KHAN and S-1 discussed KHAN's questions about ISIS and desire to make jihad. The following paragraphs discuss some of the relevant email messages between KHAN and S-1, and other relevant investigative information.

21. On February 9, 2016, KHAN emailed S-1: “So shaikh [sp] I need some advice. I was born and grew up in the states. . . . I want to get out of here make hijrah and jihad. What is considered a valid place in todays me to make hijrah to? Im thinking of Medinah, but can you still give me a list of countries that you would recommend. I dont want my children growing up in a kaffir⁴ state, where things are just getting more corrupt as days go by. Also I would like to make Jihad InshaAllah for His sake. How can one become a shahid⁵ these days? Where is a genuine place I can fight fisabilillah⁶? Palestine maybe? I dont understand the Syria situation that much whos on whos side and or who if any are right or on the truth, let alone whats actually going on over there besides the media here and there. Also my parents want me to finish school

⁴ Your affiant understands “Kaffir” or “Kafir” to be a pejorative for non-Muslim.

⁵“Shahid” is the Arabic word for martyr.

⁶“Fisabilillah” is an Arabic phrase that means “in the path of God.”

and get a degree. They seem to have different expectations of life than I do. So now what should I or can I do? Thanks for your time shaikh.”⁷

22. Also on February 9, 2016, S-1 responded: “Wa alaikum salam wrwb⁸. May Allah make it easy for you to make hijra from darul harb to darul islam⁹. I agree with your parents that u shud [sp] secure a degree before leaving for hijra. I will give u the advice upon securing the degree. Pls do engineering if you can. The Ummah¹⁰ is in dire needs of all types of engineers at the moment. Take care and pls feel free to keep in touch. Yours in deen,¹¹ [S-1].”

23. On May 2, 2016, KHAN emailed S-1: “Ok thanks Shaikh, one more question inshAllah when i have the means to I want to donate, how can I do so? Is there a minimum to which you would accept?”

24. On May 2, 2016, KHAN emailed S-1: “I need to become a shaheed¹² one day inshAllah, I cant accept to die any other way unless Allah wills so. The benefits of becoming a shaheed is too great to pass by. I have a wife kid and parents which is the only thing holding me back. Even then I wouldnt know what would be the correct way of going about doing it. Where it is valid so it becomes 100% acceptable to Allah and where it is invalid to stay far from.” On May 2, 2016, S-1 responded to KHAN: “Wa alaikum Salam wrwb . I will give u jnstructon [sp] to donate when your funds are ready.”

⁷ Your affiant has confirmed that the email describes significant personal information that matches KHAN’s age, children, educational advancement, and background.

⁸ “Wa alaikum salam wrwb, Wa alaikum salam (wrwb), and wa rahmatullahi wa barakatuh,” are different spellings and abbreviations of the traditional Islamic return greeting meaning “and the peace and mercy of Allah and his Blessings be upon you too.”

⁹ “Darul harb” is an Arabic term that refers to “land where Muslims are actively being persecuted. Darul Islam – land of Islam.”

¹⁰ “Ummah” means worldwide Muslim community.

¹¹ “Deen” means creed or religion.

¹² In this context your affiant believes KHAN used “shaheed” to mean martyr.

25. On June 3, 2016, KHAN emailed S-1: “Is abu bakr al baghdadi a legitimate caliph and is isis correct?” KHAN stated he was reading S-1’s “facebook q and a” and had questions about how ISIS was allegedly regulating the Muslim holiday Eid. Later that same day, KHAN emailed S-1 and told him he was reading a “hadith”¹³ about ISIS, and that “Isis formed in 2014, 10 years premature. I heard this hadith from a lecture by shaikh anwar al awlaki rahimahullah.”¹⁴

26. On June 3, 2016, KHAN emailed S-1: “Salaam shaikh My mind was racing too much last night. Please you have to answer my question. You cant just ignore me, if you believe the [email services] is not encrypted my number is [XXX-XXX]-4259 you can find me in [a messaging application (hereinafter “MA”), which utilizes a mobile electronic device and the internet] or skype or something. Also why is your website not working anymore?” Your affiant is also aware that ISIS terrorists and supporters will often use encrypted applications such as MA to avoid detection.

27. On June 3, 2016, S-1 responded to KHAN: “Assalamu alaikum. My [MA] is + [XXXX-XXX]-7224.” Later on the same day, S-1 told KHAN, “Wa alaikum salam wrwb. I have no evidence to say the caliphate is batil.¹⁵ The news about them banning eid is false. The hadith says: Every 100 yrs Allah will send someone to revive the Deen of islam.” Your affiant believes S-1’s interpretation of Aulaqi’s lecture, as referenced by KHAN, to indicate S-1’s belief and support of ISIS.

28. On June 3, 2016, KHAN’s legally-obtained browser history for the KHAN Google Account shows that KHAN viewed the following article about S-1, “Former Revolution Muslim Imam Encourages Support for ISIS,” <https://www.adl.org/blog/former-revolution->

¹³ “Hadith” is a collection of traditions containing sayings of the prophet Muhammad that is one of the major sources of guidance for Muslims.

¹⁴ Your affiant believes “shaik anwar al awalki” refers to SDGT Anwar al-Aulaqi.

muslim-imam-encourages-support-for-isis (Sep. 10, 2014). The article states, “[S-1], former spiritual leader of the now-defunct Revolution Muslim organization, continues to actively preach hatred and extremism online in English and now actively encourages his followers to support the Islamic State of Iraq and Syria [S-1] and three other extremist, English-speaking clerics spoke for a collective 200 minutes on the theme of support for ISIS and its self-proclaimed Caliphate” In July, S-1 copied the official ISIS version of its leader Abu Bakr al-Baghdadi’s biography in English onto his website and presented a lecture encouraging students to learn from and about Baghdadi and ISIS. Similarly, in a July lecture posted on his site, S-1 stated, ‘there is no doubt that he (Baghdadi) is the legitimate caliph and it is incumbent upon you to give you allegiance,’ later adding, ‘So take up arms, take up arms, O soldiers of the Islamic State! And fight, fight!’”

29. Two days later, on June 5, 2016, KHAN emailed S-1: “Salaam, I would like to give donation of 50 dollars whichever way possible. Its what I can afford to do as of now, I know its not much. How would I go about doing so?” On June 5, 2016, S-1 responded: “wa alaikum salam wrwb. You may send it via western union to my wife’s name [S-2] , kingston city jamaica w.i.. Pls use your real name to send it in case of a hiccup u can claim your money back. My wife’s name is clean so you shud be fine insha allah. What city do u live in I forgot?” Your affiant is aware that persons who engage in terrorist activities will often attempt to hide or obscure their financial transactions through friends or family members to avoid detection by law enforcement.

¹⁵ “Batil” is the Arabic word for falsehood.

30. On June 6, 2016, KHAN emailed S-1: "I sent it through western union just now." On June 6, 2016, S-1 responded: "Assalamu alaikum. Jzk¹⁶ for sending the donation. Pls provide me with the MTCN number and your name on the form. Its best if u can [use] [MA] the western union receipt. My [MA account number] is +1876 789 7224." Records from Western Union confirm that on June 6, 2016, KHAN used Western Union to send \$50 to S-2 in Jamaica.

MA Communications with S-1

31. Following the email exchanges above, KHAN and S-1 communicated regularly with one another using MA. On August 25, 2017, a Jamaican court authorized the search and seizure of certain items from S-1 and S-2 from their residence in Jamaica. S-1's iPhone was seized as part of the search warrant, as was S-2's iPhone. Your affiant has reviewed a copy of both forensic images, which revealed material from the MA messaging application on both cellular phones. Approximately 1100 messages between KHAN and S-1, and a smaller volume between KHAN and S-2, were exchanged between June 2016 and August 2017. In these messages KHAN utilized an MA account number, 1-703-980-****, which is identified as KHAN's mobile phone number.

32. On June 6, 2016, KHAN sent to S-1 via MA an image of the Western Union receipt for KHAN's transaction to S-2. KHAN then messaged the following question, "I've been doing some research lately about the dawla, would you say iraq is considered a part of [K]horasan?"¹⁷ <web link on "Black Flags of Khorasan/Afghanistan">. If not wouldn't the

¹⁶ "JZK" is an abbreviation for an Arabic phrase meaning "May God reward you."

¹⁷ Your affiant believes based on the article KHAN sent to S-1, KHAN believes Khorasan to be the region that, in the time of the Prophet Muhammad, included "the whole of Afghanistan, Northern parts of Pakistan including Malakand Division, Central Asian States, part of Iran." Your affiant further believes KHAN reviewed the article and questions whether ISIS has a legitimate claim to the title of Caliphate versus other militant Islamic groups holding territory in the Afghan region.

Taliban be considered the army from Khorasan?” Your affiant understands that the term dawla means the “state” in Arabic but that KHAN is using the term “dawla” to refer to ISIS in his communication with S-1. Your affiant is aware that S-1 posted a lecture entitled, “Is the Caliphate Valid?” on July 18, 2014, in which he articulated the legitimacy of the ISIS Caliphate, the legitimacy of ISIS leader (and “Caliph”) al-Baghdadi, refuted arguments against the ISIS Caliphate, and advised his listeners that they will face spiritual detriment if they do not support the ISIS Caliphate. Within the lecture, S-1 spells “Dawla” and explains that dawla means ISIS. Specifically, in the beginning of the lecture, S-1 states, “dawla, D... A... W... L... A, I spell it, the way I spell it, dawla the Islamic State, dawla means the Islamic State”.

33. On October 20, 2016, S-1 sent KHAN a link to his lecture entitled, “Can the Caliphate Survive?” using MA. The poster advertising the lecture included a picture of al-Baghdadi and what appears to be a soldier holding an ISIS flag. S-1 sent KHAN a promo code to watch the video through MA. KHAN thanked S-1 for the code through MA and told him the code worked.

34. On October 31, 2016, KHAN asked S-1 through MA for advice, including whether he should leave the United States to teach English in Saudi Arabia. As part of the conversation KHAN told S-1, “Alhamdulillah . . . Get out of this kaffir country. . . . I hope there’ll be jobs in Medinah because jeddah and riyadh is sort of too freeInshaAllah one day become a Mujahideen¹⁸ and a shaheed.”

35. KHAN’s Google Account browser history shows that on November 8, 2016, KHAN searched, “where can I fight jihad”?

¹⁸ “Mujahideen” means one engaged in jihad. Your affiant believes KHAN’s use means “fighter for Islam.”

36. On November 15, 2016, KHAN responded to S-1 via MA, “I just got a chance to listen to your talk on the enemies of the caliphate. Alhamdulillah, a lot of enlightening information.”

37. On December 2, 2016, KHAN sent S-2 \$300 via Western Union.

38. On December 2, 2016, the same day, KHAN sent confirmation via MA that he had sent another donation to S-1 via S-2. KHAN also discussed the possibility of visiting S-1 in Jamaica. In response, S-1 invited KHAN, KHAN’s wife, and son to visit him in Jamaica.

39. On January 23, 2017, S-1 sent KHAN a link to a YouTube video entitled, “The Holocaust of Aleppo” using MA. The description of the video, included on the link sent to KHAN, is as follows: “Pro-ISIS Jamaican Sheikh [S-1] said that Aleppo fell because Allah was punishing Jabhat Al-Nusra and the FSA (Free Syrian Army) for their treachery against the Muslims and against the Caliph. [S-1] said that if Allah had granted them victory, ‘they would dump Islam for a new religion called democracy’.”

40. On March 18, 2017, S-1 sent another link to a lecture entitled, “Can the Caliphate Survive?” to KHAN using MA.

41. On March 22, 2017, KHAN asked S-1 using MA, “how do I respond to someone who uses argument of dawla using children with explosives?” S-1 responded, “You respond with Surah 49:6¹⁹ if an evil person bring you news verify it.” KHAN responded, “Alright, these people are my cousins, they get very irritating and i don’t like being with them. i don’t have to keep in touch with them if they are in a state of opposition right.” S-1 responded, “They reject

¹⁹ Your affiant believes this refers to a verse in the Quran. The verse according to Sahih international translation is as follows: “O you who have believed, if there comes to you a disobedient one with information, investigate, lest you harm a people out of ignorance and become, over what you have done, regretful.”

the dawla ?” KHAN responded, “Yeah.” KHAN then asked S-1 to send him a lecture on hirjah and stated, “Im still trying to figure what my best option would be realistically.”

42. On April 6, 2017, KHAN contacted S-1 using MA and told him that he attempted to send money, \$300, to S-1 through S-2, which was ultimately declined by Western Union, as explained below. S-1 responded that KHAN should send the money to him using a different name through MoneyGram. Between April 16 and 17, 2017, S-1 communicated with KHAN over MA, and instructed KHAN to obtain an auto part for him in the United States and to deliver the auto part to S-2 while she was traveling to Washington, DC. S-1 provided KHAN with S-2’s MA contact number. Thereafter, KHAN and S-2 communicated with one another using MA, and the messages indicate that KHAN successfully delivered the auto part to S-2 on or about April 19, 2017. KHAN told S-1 over MA that he found the auto part for \$100.

43. On May 26, 2017, S-1 wrote to KHAN over MA, “Don’t send any donation to jam [Jamaica] till I give u the name to use.” KHAN responded, “Ok. Why What happened?” S-1 responded, “Nothing. It’s just that I don’t use my wife’s name anymore.” KHAN responded, “Oh ok.” S-1 responded, “Bcs I don’t want any donation to be linked to me directly or indirectly. I just use a kafir neighbor.” KHAN responded, “I see ok.” S-1 responded, “I don’t want the kuffar to know my business.” KHAN then responded, “I feel as though I may be under watch. Maybe alahualam. I just get that feelings sometimes.” S-1 responds, “Ok keep your head down. Don’t talk politics with anyone.” KHAN responds, “Even friends amd family?” S-1 responds, “Maybe those who u can trust.” KHAN responded, “Theres a group I share knowledge with, I have mentioned some things but [the MA application] shoyl d be encrypted and hopefully no one back stabs me.”

44. On May 31, 2017, S-1 sent an image to KHAN, through MA, of a news article with the following headline, “ISIS has ambushed the army in Marawi today. They captured vehicles and weapons.” KHAN immediately wrote back, “May Allah grant the mujahedeen victory.”

45. On June 9, 2017, KHAN wrote S-1 over MA, “How do I respond to my mom who was using the argument of the recent daesh [ISIS] blasts in the city market that they are evil ect? Her excuse is all they do is kill other muslims.” On June 11, 2017, S-1 sent KHAN, over MA, a video of an unknown male purporting to be in Raqqa, Syria on or about June 8, 2017, viewing what the male believes to be chemical attacks conducted against civilians. The unknown male narrates and condemns Muslims in America for not doing anything.²⁰ KHAN responded to S-1 via MA, “What should we do shaikh? What can I do, I need a plan I dont know what im doing, lost in heedlessness.²¹ I want to fight fisabilillah²² but where should I go and where can I go.”

46. On July 1, 2017, the internet browsing history from KHAN’s Google Account shows that KHAN again viewed the following article, <https://www.adl.org/blog/former-revolution-muslim-imam-encourages-support-for-isis>, “Former Revolution Muslim Imam Encourages Support for ISIS”. KHAN also searched “bbc sheikh [S-1] 2017” and visited a website maintained by the Counter Extremism Project. The website identifies S-1 as an active supporter of ISIS and states, “he (S-1) propagandizes for ISIS both in Jamaica and on his website and social media.”

²⁰ Your affiant believes that S-1 sent this message as a way of answering his question, explaining that because enemies of ISIS are committing atrocities, ISIS is justified in responding in kind.

²¹ Your affiant believes KHAN to mean he is careless, thoughtless in his actions. KHAN is seeking direction from S-1.

²² “Fisabilillah” is an Arabic phrase that means “in the path of God.”

47. On July 4, 2017, S-1 sent KHAN over MA a link to S-1's lecture on the evil effects of sins. KHAN responded, "forwarded this to everyone I possibly could InshaAllah they'll give it a listen, do you think it's a ok to post it on facebook? You dont think id get in trouble with the fbi?"

48. On July 15, 2017, S-1 wrote to KHAN over MA and included an audio file, "Today's [lecture is entitled "Islam Under Siege/Attack"]. My wife said it's too political and radical. What do u think." KHAN responded, "You know better than me shaikh, but I heard nothing radical about it, political maybe a little but it was all based on Haqq²³. Great lecture SubhanAllah. I don't understand how any of it was radical I could see how the christians jews or other kuffar may see it as radical because it opposes their ideologies but then again its all based on textual evidences as you already know. When there is no sugar coating and when its to the point, I suppose it may come off as 'radical' to some people." Your affiant has reviewed the lecture provided by S-1 to KHAN, "Islam under Siege/Attack." In the lecture, S-1 discussed "wicked scholars" that do not preach jihad, and who also speak out against the mujahedeen [ISIS fighters]. S-1 also stated that the Islamic State (ISIS) could fall, but that it will come back because truth will always battle falsehood.

Financial Support to S-1

49. Your affiant is aware that KHAN has provided S-1 with several donations to promote the "dawa²⁴"—donations in the form of purchased lectures, wire transactions, and the delivery of an auto part; and, as explained below, misleading the FBI about his relationship with S-1.

²³ "Haqq" means truth, right and reality in an Islamic religious context.

²⁴ Dawa refers to spreading the word of Islam.

50. Based on Western Union records, between June 2016, and August 2017, KHAN provided a total of \$350 to S-2 (for S-1) and attempted an additional \$300 wire transfer, which was declined by Western Union. According to Western Union, KHAN was blocked from using Western Union on December 22, 2016, on suspicion of Terrorism/Terror-related activities.

**Interviews with Law Enforcement and
Continued Communications Using MA with S-1**

51. On July 19, 2017 an U.S. Citizenship and Immigration Services (USCIS) Officer detailed to WFO contacted KHAN to voluntarily participate in an interview on July 31, 2017, at WFO's Virginia Office in Manassas, VA. On July 31, 2017, KHAN and his wife voluntarily came to the office to speak with a WFO SA and USCIS concerning the wife's request for citizenship. KHAN and his wife were first interviewed jointly, and then separately. When interviewing KHAN alone, FBI SAs from WFO ("WFO Agents") told KHAN they wanted to discuss an Instagram account utilized by KHAN, "Green_bird_Inshallah,"²⁵ which contained imagery and material about martyrdom. KHAN admitted to the WFO Agents that he maintained the Instagram profile and held a religious view that glorifies martyrdom. KHAN expressed to the WFO Agents that he had an interest in dying as a martyr for his religion but that he did not want to hurt innocent people. KHAN was asked multiple times by the WFO Agents if he sent money to any person outside the United States. KHAN replied, he had sent money to his family in Saudi Arabia and to one person on Facebook from Nigeria who was begging for money. The WFO agents asked KHAN if he knew of any influential religious sheikhs that were proselytizing.

²⁵ KHAN regularly utilized the green bird imagery across multiple accounts, including The GreenBird of Jannah Facebook account, an MA linked to the subject's phone number, his Youtube page, and a Twitter handle. Your affiant knows that the image of a green bird is a reference to a passage from the hadith, which indicates the souls of martyrs will reside in bodies of green birds in paradise. Your affiant is also aware that the green bird is a common symbol of ISIS supporters.

KHAN identified S-1. KHAN volunteered that “he pretty much is also, before I realized, the ideology of [Anwar al] Aulaqi, is similar, I’m not sure. Pretty much, you’re just asking about anyone extreme.” KHAN told the WFO Agents that he planned to travel Saudi Arabia in August 2017 for a religious pilgrimage.

52. KHAN stated that he knew S-1 was in Jamaica, and that S-1’s lectures were publicly available. The WFO Agent asked, “Where is S-1 on the spectrum of Islam?” KHAN responded, “Ummm, I’d say he endorses ISIS, well that was before I realized, if you look at his page, it shows the caliphate stuff, I’m not really too into that stuff, I don’t get into the politics, just pretty much the knowledge.” KHAN stated he did not think that S-1 was right about endorsing ISIS, but that he believed that S-1 was “ISIS.”

53. Later on the same day as the July 31, 2017 interview, KHAN had the following exchange with S-1 via MA.

- a. KHAN: “I was interrogated vy fbi today. Me and my wife..”
- b. S-1: “...Why ?”
- c. KHAN: “I told then i listen to you and shaikh anwar aw awlaki. Because they think im isis”
- d. S-1: “Did they spk ill of me?”
- e. KHAN: “No. Its getting dangerous for me. Can they arrest me for talking to you and sending money. They kept asking me”
- f. S-1: “Don’t admit to anything bcs u didn’t send anything to my name. It’s best to say no comment”
- g. KHAN: “Ok”
- h. S-1: “Did they say they are coming back to u?”
- i. KHAN’ “Yea”
- j. S-1: “Say no comment”
- k. KHAN: “To everything they ask? I already spoke to them told them everything”
- l. S-1: “Were they nasty to u, I don’t think they will arrest u”
- m. KHAN: “They were acting friendly. They wanted information from me, asked me if I talk to anyone who supports isis, asked me why my name was green bird”

- n. S-1: "Did u tell them no ?"
- o. KHAN: "Yea I said no. I feel like they hacked my phone too."
- p. S-1: "You used green bird for your paltalk nic?"
- q. KHAN: "My name"
- r. S-1: "Name where"
- s. KHAN: "Paltalk"
- t. S-1: "Tell them green was the favorite color of the prophet"
- u. KHAN: "I told them because whoever in Islam because a martyr becomes a greem bird"
- v. S-1: "What did they say"
- w. KHAN: "I don't rmember but they said how do you become a martyr. I said by fighting and dieing jihad when someone attacks you"
- x. S-1: "Were they upset"
- y. KHAN: "Not really I dont think"

54. The day of the interview, FBI agents learned that KHAN had, the prior day on July 30, 2017, had an encounter with the U.S. Secret Service (USSS) in Washington, D.C. According to the USSS, KHAN was parked in his vehicle for approximately 15 minutes, with his headlights on in the vicinity of a protectee of the USSS in Washington, D.C. USSS Special Agents (SAs) approached KHAN in his vehicle and asked him to turn off the lights in his vehicle because the lights were blinding the Agent assigned to the post. KHAN began to question the USSS SA and stated that he did not have to turn them off. The USSS SA then identified himself as a USSS Special Agent and KHAN became belligerent and refused to comply with the Agent's requests. The SA then requested USSS Uniformed Division to respond. KHAN continued to become belligerent with all law enforcement on scene. USSS issued a citation for excessive idling, and after KHAN took possession of the ticket and was driving away, he yelled at the Agents and Officers, "I hope you get what you deserve," and yelled at another Officer, "All of you are assholes."

55. On August 3, 2017, USSS SAs visited KHAN at his residence in Woodbridge, VA concerning the July 30, 2017, incident. KHAN voluntarily agreed to be interviewed and

during the interview, KHAN admitted to the veiled threat he made to the Agents on July 30, 2017, and stated what he meant was that, “you will get what you deserve on the day of judgment.” During the interview, KHAN told the Agents he followed S-1 videos online. KHAN stated he was aware S-1 was connected to ISIS, but that he felt personally connected to S-1. KHAN explained that in 2011, he e-mailed S-1 and a number of other Muslim scholars regarding some mental health issues he was experiencing at the time. KHAN stated the only scholar to respond to his message was S-1. According to KHAN, S-1 told him it was the devil’s voice he was listening to, and S-1 told him to continue to study the Koran for guidance. KHAN was directly asked if he had any further email, electronic or phone communication between himself and S-1 after the original 2011 e-mail exchange, and KHAN denied having any other communications with S-1.²⁶

56. On August 5, 2017, KHAN messaged S-1 via MA: “So the other day secret service came to my house the other day, I felt transgressed against and they disrespected me after questioning me stupid questions. They even entered me and my wife’s bedroom with asking and taking pictures of everything in my house. Without. These people are evil to the core May Allah destroy them. Do you think that’s fair or right for them to do that.” The MA records on S-1’s phone do not capture any direct response to this message, but S-1 continued to send updates and news to KHAN using the MA from August 7, to August 23, 2017, including messages on August 7-8, 2017.

²⁶ During this interview with USSS Agents, KHAN spoke about his mental health. According to KHAN, KHAN was diagnosed with Paranoid Schizophrenia, Depression, and Social Anxiety Disorder. KHAN also stated he was being treated for depression by a doctor in Woodbridge, VA, but had not gone to see this doctor since he was 26. At the time of the interview, KHAN claimed he had not been compliant with his medication for approximately one month and that he stopped taking the medication because it made him feel dizzy, lazy, and slow.

57. On or about August 7, 2017, KHAN contacted the affiant and asked if he was still okay to fly abroad because he had an incident with the USSS. On August 7, 2017, a WFO Special Agent contacted KHAN and asked him to participate in another voluntary interview with the FBI about his intention to travel abroad to Saudi Arabia on August 20, 2017. On August 8, 2017, KHAN drove himself to the Prince William County Police Department station in Woodbridge, VA, and was voluntarily interviewed by a WFO Agent and a USSS SA, hereinafter collectively referred to as (“WFO Interviewing Agents”) ²⁷ This interview was recorded. Prior to arriving at the location, S-1 had sent two MA messages to KHAN at 8:06 and 8:09 AM (UTC+5).

58. At the beginning of the interview, after KHAN relayed his concern about his ability to travel because of interviews with the FBI and his encounter with USSS, the WFO Interviewing Agents told KHAN that lying to the FBI is a crime, and KHAN confirmed to the WFO Interviewing Agents that he understood that admonition. Later in the interview, KHAN was read 18 U.S.C. § 1001 and again confirmed to the WFO Interviewing Agents that he understood the admonition. KHAN was questioned about previous statements he made about S-1 and his links to ISIS. KHAN stated to the WFO Interviewing Agents that he reached out to S-1 by email in 2012 regarding personal mental health issues, and again in 2016 about marijuana usage. KHAN stated that S-1 responded to both emails. KHAN was asked if he was sure those were the only emails he had sent to S-1, and KHAN stated, “Yes.”

59. KHAN then asked the WFO Interviewing Agents if it was illegal to listen to S-1’s lectures. The WFO Interviewing Agents informed KHAN that it was not illegal to listen to S-1’s

²⁷ A WFO Intelligence Analyst was also present for the interview and will be included in the “WFO Agent” collective.

lectures or to talk to S-1, but that it was illegal for him to lie to the FBI. The WFO Interviewing Agents again asked KHAN if he had any other contacts with S-1 besides the two emails he mentioned. He was further asked if he had any ongoing relationship or contact with S-1 since 2016. KHAN stated multiple times that he had no other contacts with S-1 aside from the two email messages previously disclosed, and that he had no continuing contact with S-1. The WFO Interviewing Agents further inquired whether KHAN had any other email, text message, or telephone contact with S-1, and KHAN indicated that he had none.

60. After making these statements, KHAN retrieved and showed his cellular phone to the WFO Interviewing Agents, and allowed the WFO Interviewing Agents to review the phone based on KHAN's searching of his own phone for S-1's email address. The WFO Interviewing Agents reviewed the phone after KHAN manipulated his phone, and the screen showed only the two emails KHAN discussed being visible on the screen, one email from 2012 and the other from 2016. The WFO Interviewing Agents asked, "That's his e-mail, [XXXXXXXXXXXX]3000@gmail.com?" and KHAN responded, "Uh yeah."

61. The WFO Interviewing Agents asked KHAN multiple times if he had given any money or donation to S-1. KHAN again denied providing any money to S-1, and stated he did not give any other item to S-1, or to any person related to S-1. KHAN later equivocated his answer regarding donations to persons who may be associated with S-1 and stated, "Uh not that I No, not that I know of. Uh but I mean I do give money to people who ask so like for donations." WFO Interviewing Agents then asked follow-up questions to have him identify these persons, and KHAN refused to provide names and stated, "Um well uh there was like you know some people on Facebook and then there was like I just do like donations for like um uh through

websites uh.” The WFO Interviewing Agents asked, “Which websites?” to which KHAN responded, “Um uwt.org. It’s a donation website.”

62. KHAN was then asked by the WFO Interviewing Agents whether he has discussed hijrah with S-1. KHAN denied any memory of talking to S-1 about hijrah, stating, “I read something about it but uh I don’t really remember like personally about him talking about hijrah but, uh, yeah.” He was further asked, “It’s not something you guys discussed or anything?” KHAN replied, “Yeah. I mean I don’t really talk to him like like that. But uh I mean I do listen and read his website sometimes when I’m when I’m looking for like you know uh mainly uh things on aqeedah, uh like creed.”

63. After providing these answers, the WFO Interviewing Agents told KHAN that they did not believe that KHAN had told the whole truth during his interviews. KHAN was then asked, “So have you used any other [internet or communication] applications um where you have received any information from S-1?” KHAN replied, “Um no.” KHAN was then asked, “Besides Paltalk?” Khan replied, “No.” KHAN was then asked, “just Paltalk and email?” KHAN replied, “email, I mean his website, Facebook, I . . . I don’t really know. Yeah, that’s it. Facebook.” KHAN did not identify the fact that he communicated with S-1 through MA.

64. The WFO Interviewing Agents again asked KHAN whether he had other communications with S-1, outside the two emails he identified, and whether he had ever given money to S-1. KHAN reiterated that had no other contacts, and that he had not provided S-1 or his associates with money.

65. The WFO Agents again asked KHAN about any donations he might have given which could be linked to S-1. KHAN was again asked, “You’ve never donated to him [S-1]?”

- a. KHAN: “Umm... I have donated to someone in Jamaica, but uh a it’s a umm. It wasn’t, uh it was through [MA]. He uhh he or she, uhh I think it was a she.

She was a US person and she they gave me a story about like you know, her family. So it was kinda believable, so.”

- b. WFO Interviewing Agent: “Ok.”
- c. KHAN: “I sent money to them. Um.”
- d. WFO Interviewing Agent: “So this is a family in Jamaica?”
- e. KHAN: “Uh.”
- f. WFO Interviewing Agent: “Kinda like the ones in Afghanistan, that were....”
- g. KHAN: “Uh yeah pretty much. It was like a Muslim family, that um they said they needed, they needed help, they needed money, so I was helping, uh yeah.”
- h. WFO Interviewing Agent: “Do you have their phone number? Or their [MA] account number?”
- i. KHAN: “Uhh it was, they had it, I had it for a while cause they kept asking me like over a time period. Then I kinda deleted it and blocked it. So I don’t really have it.”
- j. WFO Interviewing Agent: “Oh they kept asking you?”
- k. KHAN: “Yeah.”
- l. WFO Interviewing Agent: “How did they first get in contact with you to start asking you for money?”
- m. KHAN: “Umm. I would say it might have been through uh Facebook.”
- n. WFO Interviewing Agent: “Oh, okay.”
- o. WFO Interviewing Agent: “Might have been or it was?”
- p. KHAN: “Might have been. I have no idea if it was from someone who, I don’t know. Because it was like a random name. Uh.”
- q. WFO Interviewing Agent: “What was the name?”
- r. KHAN: “I urr, I don’t really remember.”
- s. WFO Interviewing Agent: “Do you have your phone number on Facebook? If they would be able to then hit you up on [MA]?”
- t. KHAN: “Uh.”
- u. WFO Interviewing Agent: “Through Facebook?”
- v. KHAN: “I do have my phone number connected to Facebook.”
- w. WFO Interviewing Agent: “Oh ok.”
- x. KHAN: “But, uh I deleted it though.”
- y. WFO Interviewing Agent: “Deleted... your Facebook?”
- z. KHAN: “Uh yeah.”

66. WFO Interviewing Agents warned KHAN that it was illegal to lie to the FBI, and asked whether KHAN had been in contact with S-1 since 2016, and whether he had given money

to S-1 or anyone associated with him. KHAN was told to take a minute and think about his answer. KHAN asked, “Think about what?” The WFO Interviewing Agents told him to think about any connection to S-1 that he might have besides sending two emails. KHAN did not provide any additional information. KHAN was again asked whether he had sent any money to S-1, “Not even \$50 bucks?”

- a. KHAN: “Uhh no.”
- b. WFO Interviewing Agent: “Ok.”
- c. WFO Interviewing Agent: “Money to any members of his family?”
- d. KHAN: “Well, uhh, I mean, it might have been. But like that individual I said before. Female. But I don’t know that if she is related to him, so. Because she is also from Jamaica but she brought it up as a Muslim. I don’t know if that counts.”
- e. WFO Interviewing Agent: “It could. When did you send it?”
- f. KHAN: “I’m not sure. It was a while back. I don’t remember. Maybe a year or two ago.”
- g. WFO Interviewing Agent: “Ok. Are you able to check on your phone?”
- h. KHAN: “Uh no. I don’t know how to check it.”
- i. WFO Interviewing Agent: “Ok. How did you send the money?”
- j. KHAN: “Uh it was through Western Union.”
- k. WFO Interviewing Agent: “Okay. So Western Union to a female in Jamaica. Something about a Muslim family.”
- l. KHAN: “Yes.”
- m. WFO Interviewing Agent: “Do you remember how much it was for?”
- n. KHAN: “Um, well I kinda, I sent like a couple, maybe like 300. Yeah.”
- o. WFO Interviewing Agent: “Like on separate occasions or like. . . ?
- p. KHAN: “Yeah.”
- q. WFO Interviewing Agent: “300 oh ok.”
- r. KHAN: “Mmhmm.”
- s. WFO Interviewing Agent: “Ok, It seems like you are starting to remember more. Is there anything else?”
- t. KHAN: “Um it’s just that. That family. The Jamaican family. Uh, uh I know I don’t remember the name, it’s just uh I thought it was, just like you know, just like the other ones. Just asking for money. So but since it’s from Jamaica I don’t know if it it could be related to S-1 or whatever. But other than that I wouldn’t know.

- u. WFO Interviewing Agent: "Did you ask S-1 about that person since they are both in Jamaica?"
- v. KHAN: "No."
- w. WFO Interviewing Agent: "So it is just coincidence that he is in Jamaica?"
- x. KHAN: "That's what I think, yeah."
- y. WFO Interviewing Agent: "Ok."

67. At this point, KHAN provided consent to the WFO Interviewing Agents to look at his MA on his device. The WFO Interviewing Agents reviewed the MA and did not find any messages or contacts on KHAN's MA with S-1's MA account. The WFO Interviewing Agent observed other messages in KHAN's MA.

68. Based on the MA records viewed and obtained from S-1's phone, your affiant is aware that KHAN and S-1 had been in regular communication with each other using the MA, including messages on July 31, and August 3, 5, 7-8, 2017. Your affiant is also familiar with the MA's settings. The MA stores groups of messages between the same individuals as one continuous "chat." Your affiant is aware that the MA allows a user to delete both the messages and the chats from the MA, but the user must do so manually, either by deleting the individual message or the entire chat, or by wiping all chats off the MA at once. The MA does not have a setting to allow the MA messages or chats to be automatically deleted. Thus, because there was no evidence of a chat with S-1 on KHAN's MA, but there was evidence of other chats with other individuals, there is probable cause to believe that KHAN individually deleted the chat he had with S-1 between his first and second interviews with the FBI (on July 31 and August 8, respectively).

69. After showing his phone to the WFO Interviewing Agents, KHAN was again asked if he had any other contact with S-1, and whether he had sent S-1 any money. KHAN again denied any such contacts or providing any money to S-1. KHAN was told if either one of

those statements was a lie, KHAN was lying for someone who is linked to ISIS. Interviewing Agents then asked, “So just want to make sure this is. Like, like [WFO Interviewing Agent] said and we don’t want to keep saying it because once it’s over it’s over. When we are in this room today, this is your last chance to set the record straight and I want to make sure you have had the opportunity to do that. So have you told us everything . . .?” KHAN responded, “Umm” The WFO Interviewing Agents continued, “Concerning your relationship with S-1?” Khan replied, “Yes.” The WFO Interviewing Agents further asked, “Do you have S-1 as a contact [Referring to MA]? Khan responded, “Umm no.” The WFO Interviewing Agents then asked, “has he [S-1] contacted you through here [pointing to KHAN’s MA]?” Khan replied, “No.”

70. On August 10, 2017, KHAN was again contacted by telephone by the WFO SA who was one of the WFO Interviewing Agents, who interviewed KHAN on August 8, 2017. The WFO Agent was located in the District of Columbia during the call. Prior to being contacted by the WFO Agent, S-1 sent KHAN two messages on August 10, 2017 at 6:29 and 8:55 AM (UTC+5). After identifying himself and informing KHAN that he should be good to travel and that the FBI would not interview KHAN’s parents, the WFO Agent asked KHAN additional questions. The WFO Agent asked KHAN to confirm that he was still “good with everything you told us yesterday,” and to confirm that “it was the truth on everything linked to [S-1], there was no money to [S-1], and no contact with [S-1], is that right?”

- a. KHAN: “Other than some of the contacting, uh no.”
- b. WFO Agent: “Right, just so just those two emails, the one about the, you weren’t doing so well and the one about marijuana and that was it?”
- c. KHAN: “Umm, uh, yeah, I mean, yeah.”
- d. WFO Agent: “Okay, I’m just trying to finish my report so I’m done, I just need to make sure so, that was it, and no money to the sheikh I think I’m good.”
- e. KHAN: “Okay.”
- f. WFO Agent: “All right, Masoud, Do you have any questions for me?”

- g. KHAN: “Uh, no, uh, so everything is good now?”
- h. WFO Agent: “I think so, I mean my report is all but done, I just had to, my boss just wanted me to make sure there was no money and the only emails were the, umm, the email about how you were feeling and the marijuana, as long as that, you’re good with that, you’re good with my report be finalized, I’m good on my end.”
- i. KHAN: “Oh, okay”

71. According to internet browsing history from KHAN’s Google Account, on August 13, 2017, KHAN visited hirefelons.org and searched for “best tech jobs with a felony” on multiple occasions. Your affiant did not see any searches regarding employment with a felony prior to KHAN’s FBI interviews. Your affiant believes KHAN’s search indicates a knowledge that he may be arrested or charged because of the false statements he gave to the FBI.

CONCLUSION

72. I submit there is probable cause to establish that KHAN made false and misleading statements, which involve international terrorism, to WFO Agents on July 31, 2017, August 8, 2017, and August 10, 2017. The purpose of these false statements was to avoid informing the FBI about his interest and desire to help S-1 and to support ISIS. On August 8 and 10, 2017, KHAN was informed that lying to the FBI was a crime. The statements include that on August 10, 2017, during a phone call with the FBI SAs in Washington, D.C., KHAN purposefully made false and misleading statements to the FBI about (a) his true communications with S-1, and (b) not sending S-1 any monetary support; and further that KHAN adopted the prior false and misleading statements he had made to the FBI on July 31 and August 8, 2017. The offense involves international or domestic terrorism (as defined in 18 U.S.C. § 2331).

73. Your affiant also believes there is probable cause that KHAN obstructed justice and deleted records in a federal investigation by willfully and intentionally deleting the MA messages relating to S-1, prior to his August 8, 2017 interview with the FBI wherein he provided

false and misleading information to the FBI about his contacts with S-1. This conduct interfered with (a) an FBI investigation, in violation of 18 U.S.C. §1519, and (b) a grand jury investigation in the District of Columbia that was reasonably foreseeable to KHAN based on his conduct, in violation of 18 U.S.C. § 1512(c). Prior to deleting the messages, KHAN was aware (a) of an FBI investigation related to himself and his interactions with S-1, and (b) that he had told S-1 about the encounters with the FBI and the USSS, and that S-1 told KHAN to make false statements to federal investigators (*e.g.*, on July 31, 2017, S-1 stated, “Don’t admit to anything bcs u didn’t send anything to my name. It’s best to say no comment.”). KHAN’s intent to corruptly deceive and thwart a criminal investigation, including a foreseeable grand jury investigation, was further established during the August 8, 2017, interview when KHAN used the phone he had deleted records from as proof that he had no MA contacts with S-1 and only 2 email contacts with S-1.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Respectfully submitted,

John H Whitworth
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me

on July 25, 2018:

HON. ROBIN M. MERIWEATHER
UNITED STATES MAGISTRATE JUDGE