

Approved:

MICHAEL M. PURPURA
Assistant United States Attorney

Before: HONORABLE FRANK MAAS
United States Magistrate Judge
Southern District of New York

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UNITED STATES OF AMERICA	:	SEALED <u>COMPLAINT</u>
-v-	:	Violation of 18 U.S.C. § 951
RAED ROKAN AL-ANBUKE,	:	
a/k/a "Ra'id Al Anbuga,"	:	COUNTY OF OFFENSE:
a/k/a "Raed Rokan,"	:	NEW YORK
a/k/a "Raed Al-Anbaki,"	:	
	:	
Defendant.	:	

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SOUTHERN DISTRICT OF NEW YORK, ss.:

IAN B. VABNICK, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation ("FBI") and charges as follows:

COUNT ONE

1. From in or about January 2001, up to and including on or about March 25, 2003, in the Southern District of New York and elsewhere, RAED ROKAN AL-ANBUKE, a/k/a "Ra'id Al Anbuga," a/k/a "Raed Rokan," a/k/a "Raed Al-Anbaki," the defendant, unlawfully, willfully, and knowingly acted in the United States as an agent of a foreign government, specifically the Government of Iraq, without prior notification to the Attorney General, as required by law.

(Title 18, United States Code, Section 951.)

The bases for my knowledge and the foregoing charge are, in part, as follows:

2. I have learned some of the facts contained in this Complaint from my personal participation in this investigation, my discussions with other law enforcement agents, and my discussions with other individuals. Because this Affidavit is being submitted for the limited purpose of establishing probable cause, it does not include each and every fact that I have learned during the course of this investigation. Further, any statements related herein are related in substance and in part only.

3. I have been an agent with the FBI for approximately 5 years. I currently am assigned to the National Security Division with the New York Field Office of the FBI.

BACKGROUND

4. Through my training, experience, and intelligence data, I am aware that the Iraqi Intelligence Service ("IIS"), or "General Intelligence," known in Arabic as the Da'irat al-Mukhabbarat al-'Amma, or the "Mukhabbarat," is the foreign intelligence arm of the Government of Iraq. The IIS has multiple missions, including foreign intelligence collection, counterintelligence, and covert action. The IIS also has played a role in terrorist operations, including the attempted assassination of former President George H.W. Bush, and attempted bombings during Operation Desert Storm. Additionally, the IIS has located, intimidated, and killed Iraqi defectors and dissidents living abroad.

5. RAED ROKAN AL-ANBUKE, a/k/a "Ra'id Al Anbuge," a/k/a "Raed Rokan," a/k/a "Raed Al-Anbaki," ("RAED AL-ANBUKE") the defendant, is a son of Rokan Al-Anbuke, the former Deputy Permanent Representative to the Iraqi Mission to the United Nations ("IMUN"), who also worked covertly for the IIS during his tenure in the United States.

6. Department of State records indicate that RAED AL-ANBUKE, the defendant, entered the United States on the basis of a visa issued by the Department of State in connection with his father's diplomatic position with the IMUN. After his father left the country, RAED AL-ANBUKE's visa was invalidated. As a result, he is presently in the United States illegally. I have also confirmed with the Department of State that RAED AL-ANBUKE does not have diplomatic immunity.

7. Through confidential sources, surveillance, and investigation, the FBI has learned that RAED AL-ANBUKE, the defendant, has had contact since January 2001 with Iraqi diplomats whom he knew to be intelligence officers in the IIS. Based on confidential source information, investigation, and intelligence data, the FBI has learned the following information about these officers:

a. Co-conspirator 1 ("CC-1"): former Chief of Station ("COS") of IIS Station in New York who operated under alias and diplomatic cover as a Counselor to the IMUN. CC-1 was barred from re-entry into the United States by the Department of State due to his intelligence activities.

b. Co-conspirator 2 ("CC-2"): a known intelligence officer who formerly operated under alias and diplomatic cover as an attache/guard to the IMUN. CC-2 operated as acting COS of the IIS Station in New York after CC-1 left the United States.

c. Co-conspirator 3 ("CC-3"): a known intelligence officer who formerly operated under alias and diplomatic cover as an attache/guard to the IMUN. He succeeded CC-2 and continued as Acting COS of the IIS Station in New York. CC-3 was part of the Hostile Activities Branch ("HAB") of the IIS. The HAB's role is to identify and neutralize opposition to Saddam Hussein's rule.

d. Co-conspirator 4 ("CC-4"): the former COS of the IIS Station in New York who operated under alias and diplomatic cover as a Counselor to the IMUN. In June 2002, the Department of State declared CC-4 *Persona Non-Grata* due to his intelligence activities in the United States.

e. Co-conspirator 5 ("CC-5"): a known intelligence officer who replaced CC-3 upon CC-3's rotation to Iraq.

THE DEFENDANT'S ACTIVITIES ON BEHALF OF THE GOVERNMENT OF IRAQ

8. During the course of this investigation, I have interviewed another co-conspirator not named as a defendant in this Complaint ("CC-6"). CC-6 has extensive knowledge of the

activities of RAED AL-ANBUKE, the defendant, in the United States over the past several years. CC-6 stated that RAED AL-ANBUKE, the defendant, was an agent of the IIS, working in New York under the direction of CC-3 at first, and then, following CC-3's departure, under CC-4. According to CC-6, CC-4 was in the United States to kill a former Iraqi government official.

9. The FBI obtained a videotape of a trip in January 2001 to Atlantic City, New Jersey, which was taken by RAED AL-ANBUKE, the defendant, and CC-2 and CC-3, two IIS officers.

10. CC-6 stated that RAED AL-ANBUKE, the defendant, was tasked to purchase a miniature camera by CC-3.

11. CC-6 told the FBI that CC-3 had also tasked RAED AL-ANBUKE, the defendant, to ask CC-6 for the whereabouts of the son of another former Iraqi government official.

12. From approximately July 2001 through January 2003, the FBI met several times with RAED AL-ANBUKE, the defendant, regarding his contacts with members of the IIS. In those meetings and interviews, RAED AL-ANBUKE provided the following information:

a. RAED AL-ANBUKE admitted that CC-3 had tasked RAED AL-ANBUKE to purchase a camera that was approximately the size of a cigarette lighter. Based on my training and experience, I am aware that the IIS often conducts physical surveillance of targets, and the use of miniature cameras would support such operations.

b. RAED AL-ANBUKE told the FBI that CC-3 utilized RAED AL-ANBUKE's cellular telephone to make calls. Based on my training and experience, I am aware that foreign intelligence officers often use this technique as a tactic to evade electronic surveillance by the United States government.

c. RAED AL-ANBUKE admitted that he undertook certain actions at the direction of CC-4, the IIS officer whom the FBI believes became his "handling officer" following the departure from the United States of CC-3.

13. Based on surveillance and investigation, the FBI has learned that RAED AL-ANBUKE, the defendant, facilitated a

meeting between CC-3 and the family of an Iraqi dissident now living in the United States. As CC-3 was a member of HAB in New York, the FBI believes that this meeting was intended to send a tangible message from the IIS to the dissident to desist from opposition activities. Moreover, FBI physical and photographic surveillance has confirmed that RAED AL-ANBUKE has met with CC-3 on at least two occasions.

14. The FBI obtained a videotape of a birthday party at the IMUN honoring Saddam Hussein, which was held on April 28, 2001. This videotape shows RAED AL-ANBUKE, the defendant, socializing with CC-3 and other known IIS officers.

15. RAED AL-ANBUKE, the defendant, was arrested for immigration violations on or about March 25, 2003. On or about March 27, 2003, RAED AL-ANBUKE, after having been read and having waived his Miranda rights, provided the following information:

a. CC-2, CC-3, and CC-4 are IIS officers who operated under diplomatic cover and alias in the United States.

b. CC-3 told RAED AL-ANBUKE CC-3's true name. Based on my training and experience, I am aware that foreign intelligence officers often use aliases in the United States. I also am aware that an intelligence officer would only reveal his true name to a close and trusted associate.

c. CC-3 showed RAED AL-ANBUKE a document sent from officials at the IMUN to Iraqi officials in Baghdad, Iraq, which contained a positive assessment of the character of RAED AL-ANBUKE and his siblings. In this document, RAED AL-ANBUKE's father was referred to by a codename. Based on my training and experience, I am aware that, when communicating internally, intelligence services conceal names of sources, undercover officers, and agents with codenames and symbols.

d. CC-3 asked RAED AL-ANBUKE to provide the location, employment, and family status of 6 Iraqi expatriates in the United States. RAED AL-ANBUKE stated that he provided such information about three of these individuals to CC-3.

e. CC-3 tasked RAED AL-ANBUKE to obtain a miniature camera and voice recording equipment. RAED AL-ANBUKE

stated that he purchased a voice recorder and provided it to CC-3. At a later point, CC-3 gave the voice recorder back to RAED AL-ANBUKE to be returned.

16. I am aware that federal law requires individuals who are acting as agents for foreign governments to register as such with the Attorney General of the United States. The FBI and Department of Justice ("DOJ") maintain files of all individuals who have registered as agents of foreign governments. A review of FBI and DOJ files indicates that RAED AL-ANBUKE never has registered with the United States Government as an agent of Iraq.

WHEREFORE, deponent prays that a warrant be issued for the arrest of RAED AL-ANBUKE, the defendant, and that he be arrested and imprisoned, or bailed, as the case may be.

IAN B. VABNICK
Special Agent
Federal Bureau of Investigation

Sworn to before me this
_____ day of April, 2003

UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK