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# United States District Court

EASTERN

DISTRICT OF

MICHIGAN

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

v.

GHAZI AL-AWADI  
aka Ghazi Kati' Musa Al-Awadi

~~Dearborn, Michigan~~  
Dearborn, Michigan

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CASE NUMBER: **07-30210**

APR 16 2007

CLERK'S OFFICE  
DETROIT

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I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief.

On or about March 1997 through November 2002 in Wayne county, in the Eastern District of Michigan defendant(s) did, (Track Statutory Language of Offense)

**Conspire To Act as an Agent of a Foreign Government, in violation of Title 18 United States Code, Section(s) 371 and 951**

and on or about May, 2002 through November 2002, in Wayne County in the Eastern District of Michigan defendant did

**Act as an Agent of a Foreign Government, in violation of Title 18, United States Code, Section 951**

I further state that I am a(n) Special Agent and that this complaint is based on the following facts:

(SEE ATTACHED AFFIDAVIT)

Continued on the attached sheet and made a part hereof:  Yes  No

Signature of Complainant  
Michael Garland/Special Agent

Sworn to before me and subscribed in my presence,

April 16, 2007  
Date

at Detroit, Michigan  
City and State

Donald A. Scheer  
United States Magistrate Judge  
Name & Title of Judicial Officer

  
Signature of Judicial Officer

## AFFIDAVIT

MICHAEL GARLAND, being duly sworn, deposes and states:

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) in Detroit. I have been employed as an FBI agent for 17 years. My duties include investigating counter-terrorism and counter-intelligence matters. The facts set forth below are based upon my own personal knowledge, as well as from information I have obtained from witnesses, documents, other law enforcement agencies and other evidence.

2. Based on the information below, there is probable cause to believe that defendant has committed the following federal offenses: Acting as a Foreign Agent Without Notifying the Attorney General, in violation of 18 U.S.C. § 951(a) and Conspiracy to violate § 951, in violation 18 U.S.C. § 371.

3. This affidavit is being submitted in support of a Complaint to charge Ghazi Al-Awadi. I include here only those facts necessary to establish probable cause in support of the Complaint, not every fact known to me about this investigation.

### Statutes Charged in the Complaint

4. Title 18, United States Code, Section 951(a) makes it a crime to act in the United States as an agent of a foreign government without prior notification to the Attorney General. The Department of Justice, Counterespionage Section, Foreign Agents Registration Act Unit, has confirmed that Al-Awadi never notified the Attorney General that he was acting as a foreign agent. Conspiracy to violate Section 951 is prohibited under 18 U.S.C. § 371.

### Relevant Facts from the Investigation

5. Ghazi Al-Awadi is a naturalized U.S. citizen, born in Iraq. Michigan court records show

that on October 4, 1990, Al-Awadi was convicted of manslaughter following a bench trial for stabbing and killing his son-in-law, Emad Muttar, aka Imad Muttar, in Dearborn, Michigan. On October 30, 1990, Al-Awadi was sentenced to 5 to 15 years in prison, and was paroled on December 1, 1996. Some witnesses have stated that the reason for the stabbing was related to family issues.

6. Following the invasion of Iraq in 2003, the United States military obtained and reviewed documents from the Iraqi Intelligence Service ("IIS") from various sources and locations within Iraq. Some of these documents pertained to Al-Awadi and were forwarded to the FBI. The documents were authenticated by a former member of the IIS, who stated that he recognized the logos, structure, and personal signatures as being those he had seen on IIS documents in the past. The individual also recognized the names of other IIS officials mentioned in the documents.

7. The IIS documents that were forwarded to the FBI about Al-Awadi contained the following information, though only a representative sample of the content of the documents, not all of the content, is listed here.

- a. An IIS report dated March 13, 1997, stated that an IIS officer met with Al-Awadi at the Iraqi Ministry of Foreign Affairs, and that Al-Awadi was "ready to cooperate fully with us and to execute whatever is needed from him." During the meeting, Al-Awadi told the officer that "he killed a responsible person in the Al-Da'wa party, traitor, in Michigan and sent to jail for 5 years."
- b. An IIS report dated April 6, 1997, stated that Al-Awadi "killed his son-in-law, Imad Muttar, the responsible person for cultural activities for the traitor Al-Da'wa Party in America." The report also detailed various pieces of information provided by Al-Awadi to the IIS, including:

- Information about the number of refugees coming to Dearborn, Michigan.
  - Pictures and names of members of Hizballah and the Da'wa party.
  - A draft of the rules of the Iraqi Muslim Students Union in Canada and in the United States
  - Information that a retired physician, whose son married Ghazi Al-Awadi's daughter, was "assaulting the leading party [Ba'ath Party], the president, the leader, May God protect him and also the Caliphs." Al-Awadi also reported that the physician was "planning to runaway to the United States," and furnished the IIS with his address.
  - The report stated that Al-Awadi "is ready to do whatever is needed from him to serve Iraq and the wise leadership." The report concluded by recommending that the IIS cooperate with Al-Awadi in order to work on some of these issues.
- c. An IIS report dated May 26, 1997, stated that Al-Awadi presented an "opportunity to work in the midst of the Iraqi immigrants in the United States and also on the activities of the hostile religious parties and refugees." The suggestions in the report were approved by IIS officials.
- d. On July 25, 2001, Al-Awadi met with IIS officials and "asked for our assistance to finalize the marriage papers of his son to his Iraqi niece who works as a teacher in the country." The IIS "demanded that he prepare a report on the subjects he discussed with us on the hostile activities and, in return, we will assist him within our capabilities." Following the meeting, Al-Awadi traveled to Syria to meet his son,

and did not submit the report that the IIS demanded. Upon returning to Iraq from Syria, the IIS refused to meet with Al-Awadi until he supplied them with the report, which he eventually provided.

- c. An IIS report dated November 24, 2001, stated that Al-Awadi contacted the IIS station in Damascus, Syria, "to provide information on activities of some elements of the so called Officers for Salvation of Iraq Movement." The report ordered "a meeting with the above mentioned source in order to ask him about the information he has concerning work."
- f. An IIS report dated December 3, 2001, stated that a division of the IIS "requested the advice" from the IIS on the marriage of (Al-Awadi's son) to his cousin. The report also stated that "[t]he father of the above mentioned individual is one of the section's sources and he often visits the county. During his recent visit, he provided us with information on some enemies of Iraq. He has no negative attitudes."
- g. An IIS report dated January 20, 2002, described a January 18, 2002, dinner that IIS held on Al-Awadi's behalf. The subject line of the report was "Meeting our Codename (Ghassan)." The report recounted that Al-Awadi provided the IIS with an audio cassette containing the recorded conversation Al-Awadi had with two individuals who were members of the Iraqi Free Officers Movement. Al-Awadi also provided the IIS with "a report on his activity for the last period." Included in the IIS documents provided to the FBI was an undated hand written note signed "Ghazi Al-Awadi," which reported on the activities and members of the Free Officers Movement. The IIS, in turn, instructed Al-Awadi to target the Free Officers

Movement in the future, particularly three individuals. The IIS report also noted that during the dinner, Al-Awadi "requested indirectly financial assistance."

- h. Following the dinner, on February 10, 2002, the IIS sought and obtained permission to disburse 28,200 Iraqi Dinars "to cover dinner invitation for codename Ghasan for work purposes," and 25,000 Iraqi Dinars "as assistance to the source, (Ghasan) in order to encourage him to boost his 'pursuits' for work purposes."
- i. An IIS report dated June 4, 2002, outlined the history of Al-Awadi's cooperation with the IIS, including a meeting in 1997 when "the relationship with him became firm and it was considered as an intelligence opportunity with respect to the hostile parties and individuals in the American arena." The report stated that the "relationship continued since that time and he provided us with good and accurate information on the (Free Officers Movement)." The report stated a plan was prepared to "penetrate the ranks of the Free Officers Movement in Michigan." The report also discussed the fact that Al-Awadi's "financial limitation" prevented him from moving in an "effective way among the hostile ranks in the American arena." The IIS report therefore recommended paying Al-Awadi \$1,000.
- j. On September 16, 2002, the IIS approved the disbursement of \$1,000 to Al-Awadi. A handwritten note dated November 23, 2002, on a receipt indicates that funds were delivered to Al-Awadi.
- k. An IIS report dated July 31, 2002, stated that Al-Awadi provided the IIS with information about the Officers for Salvation of Iraq Movement, including information on an Iraqi major general who was Al-Awadi's nephew. The report also


discussed the IIS's plan for Al-Awadi in the future, which included maintaining "the relationship and telephone communications with the source," "continuing authorizing him to maintain a relationship with elements of the movement," and documenting the movement's seminars and meetings.

- l. An IIS report dated August 11, 2002, stated that it had placed Al-Awadi's nephew under surveillance, including monitoring his telephone, "in order to verify the information provided by the source, Ghazi Kati Al-Awadi on him."
  - m. On November 13, 2002, the IIS sought approval to maintain an international telephone connection with Al-Awadi "to maintain the relationship at a good level." On November 21, 2002, approval was obtained "to facilitate international telephone connection with the subject discussed, on his phone number 313/406-3460 in the United States."
8. Telephone records show that the telephone number 313-406-3460 was subscribed to for the period September 5, 2001 through March 7, 2003 by Ghazi Al-Awadi, 5416 Horger Street, Dearborn, Michigan.
9. On February 14, 2006, I interviewed Al-Awadi at his residence. Al-Awadi admitted to traveling to Iraq in 1997 for one month to visit family and going to the Foreign Ministry while in Iraq to obtain an Iraqi passport so that his U.S. passport did not have an Iraqi stamp on it. Al-Awadi also admitted to traveling to Iraq in 2001 to procure a wife for his son, Ali, and traveling to Iraq in 2002 to finalize the marriage arrangements, which included having to pay money to Iraqi government officials in order for the bride to leave Iraq. Al-Awadi stated that he was a loyal U.S. citizen and that he never worked for the Iraqi Government or the IIS. Al-Awadi also denied ever

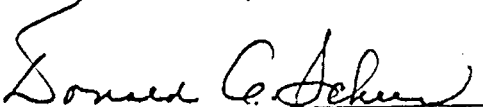
receiving Iraqi Dinars or any other money from the Iraqi government or the IIS. During a telephone conversation with Al-Awadi on December 20, 2006, Al-Awadi again denied ever working for the Iraqi Intelligence Service.

10. The investigation in this case has uncovered facts that corroborate information about Al-Awadi contained in various IIS documents in addition to the telephone number for Al-Awadi's Horger Street address. For example, an IIS document describing Al-Awadi's meeting with IIS officials at the Foreign Ministry in 1997 also mentions that Al-Awadi's "Address outside Iraq," is "7749 Kentucky, Dearborn, Mich. 48126 phone: 9349932." Witnesses confirm that Al-Awadi resided at 7749 Kentucky Street, Dearborn, Michigan, for 15 years before moving to 5416 Horger Street in January, 1999. In addition, subscriber information shows that for the period April 1, 1997 to March 1, 1998, the subscriber to number 313-934-9932 was Al-Awadi's wife at 7749 Kentucky, Dearborn, Michigan.

11. Based on the foregoing, there is probable cause to believe that Ghazi Al-Awadi has violated 18 U.S.C. §§ 951, 371.

  
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Michael Garland  
Special Agent

Subscribed to and sworn before  
me this 16 day of April, 2007

  
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Donald A. Scheer  
United States Magistrate Judge