

SUMMARY OF JOSE PADILLA'S ACTIVITIES WITH AL QAEDA¹

On June 9, 2002, the President designated Jose Padilla as an enemy combatant and directed that he be transferred to the control of the Department of Defense. At that time, the following intelligence had been developed and made available in unclassified form:

Jose Padilla has been identified as an individual who discussed with senior Usama Bin Ladin lieutenant Abu Zubaydah multiple plans to conduct terrorist operations within the United States, including an alleged plan to build and detonate a possible "radiological dispersal device" (a "dirty bomb") in probably Washington, DC. According to intelligence information, Padilla first met Abu Zubaydah in Afghanistan in 2001 and traveled to Pakistan at the behest of Abu Zubaydah to receive training in wiring explosives. Padilla, along with several other individuals, traveled with Abu Zubaydah to various locations within Pakistan. Padilla and an associate approached Abu Zubaydah several times with the above noted proposal to detonate the radiological device, and engaged in research on this topic at one of the safehouses in Lahore. The radiological device plan articulated by Padilla and his associate allegedly was still in the initial planning stages, and there was no specific time set for the operation to occur.

According to our information, Padilla subsequently traveled to Karachi, Pakistan at the behest of Abu Zubaydah to meet with senior *al Qaeda* operatives to further discuss Padilla's involvement/participation in terrorist operations, including the above noted radiological device plan. While in Karachi, Padilla discussed with the *al Qaeda* figures the proposed "dirty bomb" operation, as well as Padilla's involvement in other operations targeting the United States, including detonation of hotel rooms and gas stations. The *al Qaeda* officials held at least two conversations with Padilla, who may have been directed to return to the United States to conduct "reconnaissance" on behalf of *al Qaeda* within the United States.

Since that time, additional and more detailed intelligence information about Jose Padilla has been developed and made available in unclassified form:

A. Recruitment and First Trip to Afghanistan - Basic Training

Jose Padilla obtained a U.S. passport at Miami, Florida, on April 17, 1996, and on September 5, 1998, he flew from Miami to Cairo, Egypt, where he remained for the next year and a half. Padilla has admitted that in mid-March 2000 he attended the *hajj* in Saudi Arabia,

¹ This document briefly summarizes Padilla's activities from the time he left the United States in September 1998 through his return at Chicago on May 8, 2002. It does not cover Padilla's activities in the United States prior to departure nor his connections to persons in the United States.

where he met a Yemeni man (the "Recruiter") and became interested in going to Afghanistan. Padilla admits that he discussed training in Afghanistan with the Recruiter, who subsequently invited him to come to Yemen. Padilla traveled to Yemen in May 2000 and stayed with the Recruiter for some time. The Recruiter then facilitated Padilla's travel to Sanaa, Yemen, where he turned Padilla over to an associate (the "Sponsor") to get Padilla to Afghanistan. Padilla entered Pakistan on June 26, 2000, traveled from Karachi to Quetta, and then made the overland trip to Qandahar, Afghanistan.

Padilla has admitted that he completed a training camp application, that the Sponsor helped him fill out his entry paperwork and sponsored his application, and that he ultimately wanted to go to Chechnya. Padilla's training camp application, titled a "Mujahideen Identification Form / New Applicant Form," was recovered by the FBI in Pakistan in a box containing a binder of over 100 such applications. The application, dated July 24, 2000, bears one of Padilla's aliases, Abu Abdullah al-Muhajir, and his date of birth, 10/18/70. It also shows that the applicant's nationality is United States, lists Spanish and English as the applicant's native languages, shows he is proficient in Arabic, and indicates that in addition to Afghanistan, the applicant had traveled to Egypt, Saudi Arabia and Yemen. The application lists the Sponsor as Padilla's training camp sponsor.

Padilla has admitted that he attended the *al Qaeda*-affiliated al Farouq training camp in Afghanistan in September-October 2000 under the name Abdullah Al-Espani. Padilla says he went to the camp with the understanding that he would go to Chechnya afterwards, though the recruits received no guarantees. According to Padilla, his training included weapons training on the Kalashnikov, AK-47, G-3, M-16, Uzi, and submachine guns; training on topography, communications, camouflage, clandestine surveillance, and explosives (C-4, dynamite, mines); and physical fitness and religious training. Padilla completed his "basic training" successfully. For approximately three months in the fall of 2000, Padilla and other recruits guarded what he understood to be a Taliban outpost north of Kabul. Padilla was armed with a Kalashnikov assault rifle and ammunition for that purpose.

Padilla also admits that he first met *al Qaeda* military commander Abu Hafis al-Masri, aka Mohammed Atef ("Atef"), in Afghanistan when Atef approached him in the al Farouq camp and asked him about his commitment to Islam. Padilla believes this high-ranking *al Qaeda* member began the process of evaluating his commitment and suitability for *al Qaeda* operations. Padilla states that Atef knew Padilla was American. Padilla admits to several subsequent meetings with Atef, who provided him with \$1,400 in late 2000 to return to Egypt to visit his family there, with the understanding that Padilla would later return to Afghanistan. On February 16, 2001, Padilla sought a replacement U.S. passport from the U.S. consulate in Karachi, Pakistan, stating that his passport had been lost in a market in Karachi. He obtained the replacement passport on March 21, 2001². Padilla departed Karachi to return to Egypt from his first trip to Afghanistan around April 2, 2001.

² It is *al Qaeda* tradecraft for operatives to obtain clean replacement passports by claiming that their original passports, which contain records of travel to Afghanistan or neighboring countries, have been lost.

B. Second Trip to Afghanistan - Advanced Training for a Mission to Blow Up Apartment Buildings

Padilla made his second trip to Afghanistan approximately two months later, entering Pakistan on June 11, 2001. Padilla claims he left Egypt for fear of being arrested, but admits that he returned to Afghanistan to reunite with Mohammed Atef and the other Arab fighters. Upon his return to Qandahar, Padilla sought an audience with Atef, whom he knew to be part of *al Qaeda*. Atef met with Padilla at a safe house reserved for instructors and other well-established members of *al Qaeda*.

Padilla admits he was first tasked with an operation to blow up apartment buildings in the United States with natural gas by Atef about one month later, at a meeting in Qandahar in July or August 2001. Padilla accepted the tasking. Atef advised Padilla that he was sending Padilla to a location outside the Qandahar Airport where Padilla would train with an *al Qaeda* explosives expert (the "Explosives Expert") and another *al Qaeda* operative, Adnan Elshukrijumah, aka Jafar Al-Tayar ("Jafar"). Padilla and Jafar trained with the Explosives Expert at the Qandahar Airport on switches, circuits and timers. Padilla and Jafar also spent time learning how to prepare and seal an apartment in order to obtain the highest explosive yield. Padilla recognized Jafar from the United States. However, the mission was apparently abandoned after the training because Padilla and Jafar could not get along and Padilla told Atef he could not do the operation on his own.

Padilla admits he stayed at a number of safe houses in and around Qandahar with Atef in September 2001 and after the September 11 attacks on the United States, including the safe house at which Atef was killed by U.S. military bombing in mid-November 2001.³ Padilla, who was with the Explosives Expert at his safe house when Atef's safe house was bombed, admits he returned to help dig Atef's body out of the rubble. According to Padilla, after this attack a decision was made to move Arabs out of Afghanistan, at which point Padilla began travel from the area outside Qandahar into the mountains near Khost, across to Pakistan and ultimately to Lahore. Padilla, armed with an assault rifle, traveled with numerous other *al Qaeda* combatants who were seeking to avoid U.S. air attacks and capture by U.S. forces. At the Afghan-Pakistan border, Padilla met senior *al Qaeda* associate Abu Zubaydah for the first time. Abu Zubaydah was coordinating the departure of Arabs from Afghanistan, separating them into those to later re-enter Afghanistan and those to be evacuated to Pakistan.

C. Proposing the "Dirty Bomb" Plot

Padilla admits that after crossing into Pakistan, he met Abu Zubaydah again at a guesthouse in Lahore, Pakistan. After staying there for one month, Padilla, his future Accomplice and several others traveled to Faisalabad, where Abu Zubaydah again joined them. Padilla states that he and his Accomplice approached Abu Zubaydah with an operation in which

³ Padilla's presence in Qandahar with *al Qaeda* at this time is corroborated by both detained *al Qaeda* facilitators #1 and #2.

they would travel to the United States to detonate a nuclear bomb they learned to make on the internet.⁴ Padilla claims that Abu Zubaydah was skeptical of the idea but nonetheless told them that he would send them to Karachi to present the idea to Khalid Shaykh Muhammad ("KSM"). KSM was at the time *al Qaeda's* leading operational planner and organizer. Abu Zubaydah arranged for Padilla and his Accomplice to make the proposal to KSM.

Padilla's admissions are corroborated by senior *al Qaeda* detainee #1, who states that Abu Zubaydah claimed to have thought the nuclear bomb idea was not feasible from the beginning, but thought explosives wrapped in uranium (i.e., a "dirty bomb") was much more feasible. Abu Zubaydah encouraged Padilla and his Accomplice in that direction, even though he claimed he thought that the dirty bomb plan would not work either, would cause too much of a problem for *al Qaeda*, and thought KSM would not think it viable. According to this detainee, Abu Zubaydah warned Padilla and his Accomplice that the dirty bomb plot was not as easy to do as they thought, but they seemed convinced they could do it without getting caught. This detainee states that Abu Zubaydah thought that Padilla and his Accomplice seemed knowledgeable in explosives, had received explosives training, and were *jihads*, but that he did not remember them from the training camps, did not think the two were members of *al Qaeda*, and did not think Padilla was willing to do a martyrdom operation.

This senior *al Qaeda* detainee has stated further that Abu Zubaydah intended to use Padilla and his Accomplice in his own future operations, but sent them to KSM instead due to their impatience. Abu Zubaydah wrote a reference letter to KSM concerning Padilla and his Accomplice, and discussed them with KSM's associate, Ammar al-Batuchi, in mid-February 2002. Abu Zubaydah provided money for both men to travel to Karachi to meet KSM to present the plan. According to this detainee, Abu Zubaydah attempted to contact KSM by telephone during this period, and on at least two occasions spoke with associates of KSM about the two. Abu Zubaydah advised KSM of the dirty bomb project and that he did not think it practical, but asked KSM to evaluate the proposal. Abu Zubaydah added that KSM could use them in his operations in the United States if he so wished. Abu Zubaydah sent Padilla and the accomplice to KSM in Karachi in mid-March 2002.

D. Meeting with Khalid Shaykh Muhammad ("KSM")

According to one statement by senior *al Qaeda* detainee #2, Padilla and the Accomplice did not commit to the apartment bombing mission, so KSM was unsure what operation they would finally pursue in the United States. According to that and other statements by this detainee, Padilla and his Accomplice were sent to KSM by Abu Zubaydah in March 2002, so that Padilla could propose the "dirty bomb" plan. KSM was very skeptical, and instead

⁴ Padilla's account of the flight from Afghanistan, meeting Abu Zubaydah, and presenting the "dirty bomb" proposal to Abu Zubaydah is substantially corroborated by both senior *al Qaeda* detainee #1 and a detained *al Qaeda* operative who admits to being Padilla's accomplice (the "Accomplice").

suggested that Padilla and his Accomplice undertake the apartment building operation originally conceived by Atef. They were to enter the United States via the Mexican border or Puerto Rico. Once in the U.S., Padilla and the Accomplice were to locate as many as three high-rise apartment buildings which had natural gas supplied to the floors. They would rent two apartments in each building, seal all the openings, turn on the gas, and set timers to detonate the buildings simultaneously at a later time. Selection of the target city in the United States was left up to Padilla. Padilla and his Accomplice discussed operational matters with KSM, were given communication training, and each received \$20,000 for the operation. Although KSM had some doubts about the ability of Padilla and his Accomplice to successfully enter the United States, they had full authority from him to conduct an operation if they succeeded in entering the United States.⁵

According to Padilla, he first met KSM in Karachi, Pakistan after Abu Zubaydah sent Padilla and his Accomplice there in March 2002 to present the nuclear/dirty bomb operation. After being taken to a safe house by Ammar al-Baluchi, Padilla presented the idea to KSM, who advised that the idea was a little too complicated and that he wanted Padilla to resurrect the apartment building operation originally discussed with Atef. KSM wanted Padilla to hit targets in New York City, although Florida and Washington, D.C. were discussed as well. Padilla had discretion in the selection of the apartments. Padilla now admits that he accepted the mission. *Al Qaeda* operative and 9/11 co-conspirator Ramzi Bin al-Shibh trained Padilla on telephone call security and e-mail protocol. KSM gave Padilla \$5,000 for the operation and Ammar al-Baluchi gave him \$10,000, travel documentation, a GSM cell-phone and an e-mail address to be used to notify him when Padilla arrived in the United States. Al-Baluchi instructed Padilla to leave on the mission through Bangladesh, and to call him before entering the Karachi airport. The night before his departure, Padilla and his Accomplice attended a dinner with KSM, Ammar al-Baluchi, and Ramzi Bin al-Shibh.⁶

⁵ In early statements this detainee claimed that KSM had said that the second operative was Jafar rather than the Accomplice, but in later statements the detainee admits that the Accomplice was the second operative. This detainee also states that Padilla was not willing to participate in a suicide operation, but continues that this was not a concern to KSM because there were many individuals who were ready to conduct suicide operations, but not all brothers could work in the West (and the apartment building mission was not a suicide operation).

⁶ As discussed to some extent in the text, the substance of Padilla's admissions concerning the apartment building mission and his training for it is corroborated by a variety of other intelligence, including statements by his detained Accomplice, senior *al Qaeda* detainee #2, and detained *al Qaeda* facilitators #1 and #3. There are differences in detainee statements on the intended target of the apartment building mission, perhaps because it had not been finally determined, although the locations mentioned are all within the United States. Padilla states that the primary target was New York City, although Florida and Washington, D.C. were discussed with KSM as well; selection of the apartments was left to Padilla's discretion. Padilla's Accomplice has stated that KSM instructed Padilla to conduct the operation in the central United States, or Chicago, and that he was assigned to meet Padilla in Chicago to assist him. Senior *al Qaeda* detainee #2 has said that KSM left selection of the target city up to Padilla, and has added in other statements that KSM intended the target to be along the Mexican-U.S. border, perhaps in

According to the Accomplice, KSM first asked Padilla and his Accomplice to consider setting fire to a hotel or a gas station in the United States, but they told him it would be almost impossible to implement. KSM then asked Padilla to instead apply the explosives training he had received in Afghanistan to destroy an entire building in the central United States by fitting aluminum plates on the side of a room holding the pillars of the building, so that side would absorb all the shock of the explosion, filling the room with natural gas, and then setting a detonator to go off in 24 hours. The Accomplice was tasked to build the detonator by connecting a programmable stopwatch to an electric detonator.

The Accomplice further states that KSM and Ammar al-Baluchi instructed Padilla and the Accomplice on the steps involved to execute this terrorist operation. Padilla would travel to Chicago after obtaining a new passport from a United States Embassy in Europe to expunge the record of Padilla's travel to Pakistan. Once in the United States, Padilla was to conduct an internet search on buildings that had natural gas heating. Padilla was to open a bank account and then obtain information about documents needed to rent an apartment; KSM advised they were to blow up approximately 20 buildings simultaneously, but Padilla pointed out that he could not possibly rent multiple apartments under one identity without drawing attention, and he might have to limit this operation to only two or three buildings. The Accomplice was to return to the United Kingdom, where he held refugee status, obtain a valid travel document, and then travel to the United States to meet Padilla in Chicago to assist him.

E. Operational Deployment to the United States

Padilla departed Pakistan on April 5, 2002, bound for the United States via Zurich. After spending a month in Egypt, Padilla entered the United States at Chicago's O'Hare International Airport on May 8, 2002. Padilla was carrying \$10,526 in U.S. currency he had received from *al Qaeda*, but declared only approximately \$8,000. Padilla had in his possession the cell-phone provided to him by Ammar al-Baluchi, the names and telephone numbers of his training camp Recruiter and Sponsor, and e-mail addresses for Ammar al-Baluchi and his Accomplice.

When interviewed by FBI agents upon his arrival in Chicago, Padilla falsely denied that he had ever been to Afghanistan. Padilla also lied about the source of the money he was carrying, and the purpose of his return to the United States.⁷

Texas; that KSM advised Padilla to conduct the operation in California or somewhere in the U.S. Southwest; and that New York and Florida were never considered.

⁷ There are a number of instances in his statements where Padilla attempts to downplay or deny his commitment to *al Qaeda* and the apartment building mission. For example, Padilla claims that he never pledged *bay'at* (an oath of loyalty) to UBL and was not part of *al Qaeda*. He says he and his Accomplice proposed the dirty bomb plot only as a way to get out of Pakistan and avoid combat in Afghanistan, yet save face with Abu Zubaydah; that he entered the Karachi airport before calling Ammar al-Baluchi for final instructions so he could not be called back; that he only bought his ticket to the U.S. because Pakistani authorities told him he

Padilla was then arrested by the FBI on a material witness warrant, before being transferred to Department of Defense control as an enemy combatant on June 9, 2002.

must have a ticket to his passport country to exit; that he tried to turn in the Zurich to O'Hare part of his ticket in Zurich, when he broke his travel to go to Egypt; that it was only later because of nightmares when he was in Egypt that he decided to return to the U.S.; and that he returned to the U.S. with no intention of carrying out the apartment building operation. However, as discussed above, Padilla does admit that he accepted a terrorist mission from *al Qaeda*, trained for that operation, and then traveled to the U.S.