

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
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3 UNITED STATES OF AMERICA,

4 v. S4 00 Cr. 15 (JFK)

5 MOKHTAR HAOUARI,

6 Defendant.

7 -----x

8 July 5, 2001
9 11:30 a.m.

10 Before:

11 HON. JOHN F. KEENAN
12 District Judge
13

14 APPEARANCES

15 MARY JO WHITE
16 United States Attorney for the
17 Southern District of New York
18 JOSEPH F. BIANCO
19 ROBIN BAKER
20 Assistant United States Attorneys

21 DANIEL OLLEN
22 Attorney for Defendant

23 Also present:
24 ADAM COHEN, Special Agent, FBI
25 JAMES HELLY, Special Agent, FBI

ISABELLE DUCHESNE
MONIQUE DELIYANIDIS
French Interpreters

1 THE COURT: Good day, everyone. Good day, Mr.

2 Haouari.

3 You can bring the jury in, please.

4 (In open court; jury present)

5 THE COURT: Good morning, everybody.

6 THE JURY: Good morning.

7 THE COURT: Thank you for being so prompt. I hope
8 you had a nice day yesterday. You may continue.

9 MR. BIANCO: Thank you, your Honor.

10 AHMED RESSAM, resumed.

11 DIRECT EXAMINATION (Continued)

12 BY MR. BIANCO:

13 Q. Mr. Ressam, going back to Tuesday for a moment, with
14 regard to thefts that you committed when you were in France
15 from 1994 to '98, is there any additional thefts other than
16 the purses and the -- sorry -- the suitcases that you stole,
17 are there any other thefts that you were involved in during
18 that time frame?

19 A. They stopped me also in France another time because I was
20 illegal in France, also.

21 Q. Maybe he didn't understand the question. I was referring
22 to the thefts that you committed when you were in Canada.

23 Was there something you wanted to add with regard to
24 those thefts when you were in Montreal?

25 A. Yes, I stole computers sometimes.

1 Q. And how would you do that?

2 A. Either from a hotel or from cars sometimes.

3 Q. Now, you were just a moment ago making reference to your
4 immigration in France. Were you legally in France when you
5 were there?

6 A. No, I was illegal in France.

7 Q. And while you were in France, did you make false
8 statements to the Immigration authorities in France as well?

9 A. Yes, I have done that also.

10 Q. Now, on Tuesday, do you recall me asking about your
11 political discussions with Mokhtar Haouari? Do you recall
12 that question?

13 A. Yes, I do.

14 Q. Do you recall mentioning the country France that one of
15 your discussions were about France?

16 A. Yes.

17 Q. I neglected to ask you what those discussions were. Can
18 you describe to us what those discussions about France were?

19 A. We spoke about an operation that occurred in France in the
20 past.

21 Q. What operation were you speaking about?

22 A. We spoke about some bombings that occurred in France some
23 time ago, not specifically, but in general.

24 Q. Well, what was the discussion?

25 A. We talked about the group that carried out the operation

1 in France and that it would be a good thing to carry out
2 another operation in France in the future.

3 Q. Who was present for that conversation?

4 A. As far as I can remember, I was with Samir Ait Mohamed and
5 also Mokhtar.

6 Q. And when you say, "we discussed," who was talking? Do you
7 recall who was doing the talking?

8 A. As far as I can remember, I was the one talking and also
9 Samir.

10 Q. And did the defendant have any response when you were
11 discussing this?

12 A. He was in agreement with the idea, but what did he say
13 exactly? I don't remember.

14 Q. And did you ever discuss in general terms the embassy
15 bombings in Africa with the defendant?

16 A. Yes, in general terms.

17 Q. What did you discuss?

18 A. The bombing against America, it was a good thing; however,
19 it would have been preferable to have carried out in the
20 country itself.

21 Q. In what country?

22 A. Inside America.

23 Q. Who was saying that?

24 A. I remember I said that.

25 Q. Did the defendant have any response -- do you recall his

1 response to that when you said that?

2 A. I don't remember precisely what he said. Generally
3 speaking though, he was in agreement.

4 Q. Approximately when were these conversations, what time
5 frame?

6 A. In October.

7 Q. What year?

8 A. 1999.

9 Q. Now, on Tuesday when we stopped, you were describing a
10 series of conversations that you had with the defendant in
11 early November of '99, do you recall that?

12 A. Yes.

13 Q. Without going through those conversations again, can you
14 just list the things that you've asked for from the defendant
15 in those early November conversations?

16 A. I asked him to get me a driver's license, an Algerian
17 passport, and to assist me with money.

18 Q. And did he suggest any additional assistance to you other
19 than those three things?

20 A. Yes, he said his friend can also help me.

21 Q. Which friend?

22 A. The friend that was going to travel to Afghanistan.

23 Q. And where was that friend at that point in time?

24 A. He used to be in America, in New York.

25 Q. Now, after these conversations with the defendant in early

1 November, where did you go?

2 A. I went to Vancouver.

3 Q. Approximately when was that?

4 A. On the 17th of November, as far as I can remember.

5 Q. Did you receive anything from the defendant prior to your
6 trip to Vancouver?

7 THE INTERPRETER: Your Honor, I cannot understand a
8 word.

9 A. He gave me some money.

10 Q. How much?

11 A. As far as I can remember, \$3,000.

12 Q. Was that U.S. or Canadian?

13 A. Canadian.

14 Q. Approximately how long were you in Vancouver for?

15 A. Two weeks, about two weeks.

16 Q. What were you doing in Vancouver during those two weeks?

17 A. I was getting -- preparing to put together the explosives.

18 THE COURT: Can I ask you something? To get from
19 Montreal to Vancouver, how did you travel?

20 THE WITNESS: By plane.

21 THE COURT: Thank you.

22 Q. When you were preparing -- when you say preparing the
23 chemicals, what do you mean? What were you doing in those two
24 weeks, generally?

25 A. First, buying some chemical instruments. Also, I went and

1 stole nitric and sulfuric acids and started preparing the
2 chemical materials.

3 Q. Where did you do that?

4 A. At a Hotel 2400 in Vancouver.

5 Q. The hotel was called 2400?

6 A. Yes.

7 Q. Did anyone help you in preparing and mixing the chemicals?

8 A. Yes.

9 Q. Who is that?

10 A. Dahoumane Abdelmajid.

11 Q. Did you ever tell Dahoumane Abdelmajid the actual target
12 of your attack?

13 A. No.

14 Q. Prior to leaving for Vancouver, did you tell the defendant
15 that you were going to Vancouver?

16 A. Yes.

17 Q. What did you tell him in general terms about Vancouver?

18 A. I didn't tell him very much. I told him: I'm going to
19 prepare my things over there. I told him: I'm going to
20 prepare my affairs there and once I do that, I will call you
21 to let you know when to contact your friend to meet me.

22 Q. Did you take the \$3,000 the defendant gave you to
23 Vancouver?

24 A. Yes, I did. I took that money and I had already some
25 money myself. I put them together.

1 Q. How much money did you have yourself before the defendant
2 gave you \$3,000?

3 A. I don't remember precisely, anywhere between 4 to \$5,000.

4 Q. And did you use that, the combined money when you were in
5 Vancouver?

6 MR. OLLEN: Object to the form.

7 THE COURT: Objection overruled.

8 A. Yes.

9 Q. What did you use it for?

10 A. I used it to buy some chemical instruments and to buy
11 urea. I bought tickets, also.

12 Q. What type of tickets?

13 A. Airplane tickets. And that is to rent a car and to pay
14 for the hotel.

15 Q. Now, did there come a time when you returned to Montreal?

16 A. Yes.

17 Q. Approximately when was that?

18 A. At the beginning of December 1999.

19 Q. Upon returning to Montreal, did you meet with Mokhtar
20 Haouari again?

21 A. Yes.

22 Q. Approximately how soon after you returned to Montreal did
23 you meet with him?

24 A. On the first day, I met him.

25 Q. And where was that?

- 1 A. At the store or at Marche Benni.
- 2 Q. Can you explain what Marche Bennie is?
- 3 A. That's the store that was going to have my name.
- 4 Q. So, you met him at that store?
- 5 A. Yes, I met him and Samir Ait Mohamed and Said Araar.
- 6 Q. And did you have a discussion with the defendant at the
- 7 store?
- 8 A. Yes, I remember speaking to him.
- 9 Q. Well, what was the discussion?
- 10 A. I spoke to him about his friend that I would want to meet
- 11 him in a week in Seattle and tell him, I said to the defendant
- 12 that my name would be Reda. And then once I tell him that
- 13 once I meet him there, I will explain to him precisely what
- 14 the job is.
- 15 Q. And did he give you anything at that meeting?
- 16 A. I don't remember precisely whether it was on that date or
- 17 a future date, he gave me the driver's license.
- 18 Q. In what name?
- 19 A. Mario Roig.
- 20 Q. After the meeting at the store, did you have another
- 21 meeting with the defendant?
- 22 A. Yes, I remember meeting him at his home, also.
- 23 Q. Approximately how much time went by between meeting at the
- 24 store and the second meeting?
- 25 A. Not long, a day or two or three.

1 Q. What was discussed at the second meeting?

2 A. He gave me the telephone number of his friend and the
3 name -- and his name.

4 Q. What was the name?

5 A. Ghani.

6 Q. And anything else?

7 A. He also showed me a photograph of Abdelghani.

8 Q. Why did he do that?

9 A. So that I would recognize him once I met him. He also
10 said that he had sent him a photograph of him to get a
11 passport made for him, that Mokhtar would get a passport made
12 for him.

13 Q. Now, during this meeting at the house, did you make any
14 further requests regarding his friend?

15 A. Yes, I remember now. I asked him to have his friend bring
16 some money along with him.

17 Q. Did you say how much?

18 A. No, I didn't tell him how much.

19 Q. Was there any discussion about what else the friend would
20 be bringing?

21 A. He gave me the telephone number of his friend and that
22 Abdelghani -- he told me Abdelghani had changed his telephone
23 number.

24 Q. What did he explain to you about that?

25 A. That he had a telephone number that would work only in the

1 New York area. He changed it and got a new one that would
2 work all over.

3 Q. For what type of phone?

4 A. It is a mobile or cell phone.

5 Q. Now, after this meeting with -- at the defendant's house,
6 what did you do?

7 A. I went -- I left and I immediately called Abdelghani.

8 Q. Where did you call him from?

9 A. From the metro station.

10 Q. What type of phone?

11 A. It was a pay phone using a calling card.

12 Q. And did you speak with Ghani?

13 A. Yes.

14 Q. What did you discuss with him?

15 A. I didn't discuss much with him.

16 Q. Just a few words?

17 A. I remembered a few English words that I said and I told
18 him that I am Reda, a friend of your friend Mokhtar, that your
19 friend gave me your number to call you. I said: In a week,
20 we will meet in Seattle and I will explain to you.

21 Q. After you spoke with Ghani, did you meet with the
22 defendant again?

23 A. Yes.

24 Q. Do you recall where that was?

25 A. No, I don't remember precisely. I remember telling him

1 that before I leave, I will give you the telephone number of
2 my friend in Britain. I told him that that is the friend that
3 would make the arrangements for visas and for Afghanistan.
4 Then also that in the future after I leave, if you want to
5 know where I am, you can call him, he will know.

6 And then in regard to my share of the money in the
7 store, you can send it to that man.

8 Q. Did you tell him that person's name?

9 A. That day, I don't think I told him.

10 Q. Did there come a time when you did tell him that name?

11 A. Yes.

12 Q. Where was that?

13 A. We were in Dunkin Donuts, I, Mokhtar and Samir Ait
14 Mohamed.

15 Q. And what happened there?

16 A. I called my friend in Britain. I told my friend in
17 Britain that I would like to introduce you to my friend
18 Mokhtar. If I'm not here, if this friend calls you, it would
19 be the same. He would send you names of people who want to go
20 to Afghanistan. I introduced him. I introduced Mokhtar to my
21 friend using the name Omar and friend in Britain, I used the
22 name Rachid for him.

23 Q. Who's -- what person did you use Omar for?

24 A. For Mokhtar.

25 Q. So, he was introduced by the name Omar?

- 1 A. Yes.
- 2 Q. And what name did you use to introduce your friend by?
- 3 A. Rachid.
- 4 Q. Who was Rachid?
- 5 A. He's my friend, Abu Doha in Britain.
- 6 Q. Can you in a few sentences, can you remind the jury who
- 7 Abu Doha is?
- 8 A. He was in charge like Martez Abu Jaffar.
- 9 Q. Where?
- 10 A. In Afghanistan.
- 11 Q. And when you introduced them, how did you do that?
- 12 A. On the phone.
- 13 Q. What did you do?
- 14 A. I said: Mokhtar, my friend in -- first, I spoke to
- 15 Mokhtar about the subject and then I talked to my friend,
- 16 Rachid. I said: Rachid, when I'm gone, Omar will tell you
- 17 and just deal with him as if you are dealing with me, just
- 18 like you're dealing with me.
- 19 Q. Did the defendant talk to Abu Doha or Rachid?
- 20 A. Yes, but very briefly.
- 21 Q. What did you do? How did that happen? How was he able to
- 22 talk to him?
- 23 A. I passed over the phone to him.
- 24 Q. Where was that call made from?
- 25 A. From a pay phone.

1 Q. Now, you made reference to giving instructions about the
2 proceeds of the store. Can you explain what that was about?

3 A. After they opened the store, they will start working. My
4 percentage of the money would be sent to Britain.

5 Q. And whose name was on the lease for that store, Marche
6 Benni?

7 A. My name, Benni Noris.

8 Q. And why did they want to use your name on that lease?

9 A. Because I was going to leave later on and then it is not
10 my real name.

11 Q. Did you give the defendant any warnings with respect to
12 that store?

13 A. Yes, at the beginning, I did.

14 Q. What did you tell him?

15 A. I address Samir Mohamed, and he was also present.

16 Q. What did you tell him?

17 A. I said I will open the store for you. When they first
18 asked me to open the store for them, I said I will open the
19 store for you, but you bear responsibilities should I have any
20 problems in the future.

21 Q. And what did you tell them with respect to those problems?

22 A. I didn't discuss the problems in detail.

23 Q. Did you discuss in general terms how they should handle
24 it?

25 A. Yes. Later on, I told them, I said: Deny any knowledge

1 of me.

2 Q. Why were you telling them that?

3 A. Should they have any problems in the future in Canada or
4 in France, just to deny knowledge of me.

5 Q. Why were you concerned about that?

6 A. Because I had work to do. I had an operation to carry
7 out.

8 Q. And did you give them any instructions about what they
9 could say?

10 A. I said: Just deny me or tell them that I'm Lebanese.

11 Q. Did you give them that warning once or more than once?

12 A. At the beginning, I warned them, not that much.

13 Q. Now, did there come a time when you left Montreal again?

14 A. Yes.

15 Q. When was that approximately?

16 A. At the beginning of December, 6 or 7.

17 Q. And where did you go?

18 A. To Vancouver.

19 Q. Did you ever return to Montreal?

20 A. No.

21 THE COURT: Mr. Ressam, you said that on the trip to
22 Vancouver in the latter part of November of 1999, that you
23 bought airplane tickets. Do you remember saying that about
24 six minutes ago, seven minutes ago?

25 THE WITNESS: Yes.

1 THE COURT: Did you ever use those airplane tickets?

2 THE WITNESS: Yes.

3 THE COURT: When did you use them?

4 THE WITNESS: From Montreal to Vancouver.

5 THE COURT: So, when you went out in early December
6 from Montreal to Vancouver, you flew?

7 THE WITNESS: Yes.

8 THE COURT: Thank you.

9 BY MR. BIANCO:

10 Q. And did you ever return to Montreal?

11 A. No.

12 Q. When was the last time you saw the defendant before
13 leaving Montreal?

14 A. We were at the pizzeria.

15 Q. And did you say anything regarding your travel? First of
16 all, when was that in relation to when you were leaving?

17 A. The last day.

18 Q. And did you say anything regarding your travel generally?

19 A. Yes, I had a problem the day that I was supposed to leave.

20 Q. And did you explain that?

21 A. Yes, I told him I was going to leave and then I missed the
22 flight. And then I got another ticket to leave later.

23 Q. Later that day?

24 A. No, the following day.

25 Q. And after that conversation in the pizza place, did you

1 ever speak to Mokhtar Haouari again?

2 A. No.

3 Q. Now, other than the defendant and Dahoumane, did any other
4 individuals help in the planning stage of this operation?

5 A. Yes, some people.

6 Q. Approximately how many others?

7 A. Three or four.

8 Q. And what type of things were they assisting you with?

9 A. Some would help me with money, some would help me with
10 ideas.

11 Q. Did you give the names of those people to the government
12 when you first started cooperating?

13 A. No.

14 Q. Did you intentionally withhold them?

15 A. Yes.

16 Q. Did you later provide those names?

17 A. Yes.

18 Q. Now, when you -- between December -- early, I guess,
19 December 6th or 7th when you arrived in Vancouver to the 14th
20 when you were arrested, what were you doing?

21 A. I spent time putting together the explosives.

22 Q. And where were you doing that?

23 A. At Hotel 2400.

24 Q. And did anyone help you in Vancouver when you were doing
25 that during that week -- I'm sorry.

1 Did anyone help you in Vancouver when you were doing
2 that during that week?

3 A. Yes.

4 Q. Who?

5 A. Dahoumane Abdelmajid.

6 Q. When you were in Vancouver for that week, did you reach
7 out for Abdelghani?

8 A. Yes.

9 Q. What type of phone did you use?

10 A. I used a pay phone.

11 Q. And did -- when you reached out to him, did you talk to
12 him?

13 A. No, I got his pager and I left him a voice message on it.

14 Q. Do you recall what the message was?

15 A. Yes, I remember.

16 Q. What did you say?

17 A. I said, Abdelghani, do not be concerned. I am Reda. I
18 will call you later.

19 Q. And did you have a second conversation? Did you try to
20 reach out to him a second time then?

21 A. Yes.

22 Q. Approximately when was that?

23 A. The last -- on the last day.

24 Q. And what did you tell him?

25 A. I had a little -- a small talk, how are you, etc. I said:

1 This evening, I will be in Seattle. I'll call you.

2 Q. Now, directing your attention to December 14, 1999, the
3 day of your arrest, you can you describe what you did at the
4 start of that day?

5 A. Yes, I remember.

6 Q. Take us through that day. What did you do?

7 A. We got up, Abdelmajid and I in the morning. We got all
8 our things out of the hotel. I rented a room for Abdelmajid
9 in a different hotel and I bought him a ticket to leave the
10 next day.

11 Q. Leave to where?

12 A. To Montreal.

13 Q. Why wasn't Dahoumane coming to the United States with you?

14 A. Because Abdelghani was going to take care of that. That
15 was enough.

16 Q. After you made those flight arrangements for Dahoumane,
17 what did you do next?

18 A. And then we went to Victoria.

19 Q. Now, what car were you using on that day?

20 A. A rental car.

21 Q. And were the explosives material in the trunk at that
22 time?

23 A. Yes.

24 Q. When had you loaded them?

25 A. In the evening, the prior evening.

- 1 Q. Now, you said you went to the ferry of Victoria; correct?
- 2 A. Yes, I took a ferry to -- from Vancouver to Victoria.
- 3 Q. And was the car with you?
- 4 A. Yes, myself, the car and Abdelmajid.
- 5 Q. And when you arrived at Victoria, then what happened?
- 6 A. We went and got a ticket to get on the ship from Victoria
- 7 to Port Angeles.
- 8 Q. And then what happened?
- 9 A. And I made reservations at the hotel in Seattle and I
- 10 bought a ticket for Abdelmajid to return from Victoria to
- 11 Vancouver.
- 12 Q. And then you got on the ferry with the car and went to
- 13 Port Angeles; correct?
- 14 A. Yes.
- 15 Q. What happened when you got to Port Angeles?
- 16 A. They stopped me.
- 17 Q. Can you explain what happened generally?
- 18 A. They asked me: Where are you going to? From what I
- 19 understood from them, I don't remember what I told them. They
- 20 gave me a form that had information on it. And then they
- 21 said: Open the car, and then they started searching. I ran,
- 22 and they stopped me.
- 23 Q. And you were placed under arrest?
- 24 A. Yes.
- 25 Q. Now, if you had not been arrested and you had gotten into

1 Port Angeles, what was your plan once you got in the U.S.?

2 A. I was to get in touch with Abdelghani so he can help me
3 put the explosives in some suitcases and then to return the
4 car to the company and then take a train to Los Angeles.

5 Q. Why were you taking a train to Los Angeles, as opposed to
6 just continuing in your rental car?

7 A. It is a very long way and I was afraid of impact and shock
8 in the car.

9 Q. Can you explain why you were concerned about that?

10 A. I had explosives that would be sensitive to impact; EGDN.

11 Q. Impact or sudden movement?

12 A. Yes, it is a very sensitive substance.

13 Q. What were you going to do once you got to LA on the train?

14 A. I would get a room at the hotel.

15 Q. Then what?

16 A. Then I would go to -- with Abdelghani to get a car and
17 check the airport out.

18 Q. And whose car was the name -- whose name was the car going
19 to be under?

20 A. The fake name that Abdelghani had.

21 Q. And after you carried out the operation, did you have a
22 plan of where you were going to go?

23 A. Yes, to return to Montreal.

24 Q. Why?

25 A. To say good-bye to my friends and get a passport.

1 Q. Where were you going to get the passport from?

2 A. From Mokhtar.

3 Q. Is that the Algerian passport you referred to earlier?

4 A. Yes.

5 Q. And after you got that passport, what were you going to
6 do?

7 A. Go to Europe and from Europe to Algeria.

8 MR. BIANCO: May I approach, your Honor?

9 THE COURT: You may.

10 Q. Mr. Ressay, I've placed in front of you various exhibits
11 that are already in evidence. I'm going to go through them
12 one by one and ask you some questions about them. Starting
13 with Government's Exhibit 159, which is a photograph, do you
14 recognize that person?

15 A. Yes.

16 Q. Who is that?

17 A. Said Araar.

18 Q. And can you describe or remind us in a few sentences who
19 Said Araar is?

20 A. He was a friend of ours. He was going to be in with us on
21 the store that we were going to open Marche Bennie.

22 Q. Regarding the credit card fraud?

23 A. Yes.

24 Q. Turning to the next exhibit, Government's Exhibit 311 and
25 311A, which is just a photograph of 311, can you hold up 311?

1 What is that?

2 A. That is an agenda.

3 Q. Whose agenda is that?

4 A. Mine.

5 Q. And does that contain various names and phone numbers in
6 there?

7 A. Yes.

8 Q. Turning to the 311A where there is a Post-It within the
9 packet of pages that are photographs, there should be a
10 Post-It marking a page.

11 MR. BIANCO: May I approach, your Honor?

12 THE COURT: You may.

13 Q. Whose name and number appears on that page of your agenda
14 book?

15 A. Mokhtar's name.

16 MR. BIANCO: Your Honor, may I take a moment to move
17 the TV over? I think it might be helpful to use that.

18 THE COURT: You may.

19 Q. Let's just start with the 159, the photograph that you
20 already referred to. Can you say again who that is?

21 A. Yes.

22 Q. Who is that?

23 A. Said Araar.

24 Q. And now we're referring to that page out of your agenda
25 book, can you read the number you have there for Mokhtar?

- 1 A. Yes.
- 2 Q. What is it?
- 3 A. 253-3479.
- 4 Q. And what appears in Arabic underneath the number?
- 5 A. Mokhtar.
- 6 Q. I'm now showing you Government's Exhibit 310. Can you
- 7 tell us what appears in the upper left-hand corner of that
- 8 document?
- 9 A. The name of the store where Mokhtar used to work.
- 10 Q. And what's the name?
- 11 A. Artisanat Nord-Sud.
- 12 Q. And whose name is on that business card?
- 13 A. Mokhtar.
- 14 Q. I'm showing you Government's Exhibit -- and on the back of
- 15 that card, do you see the name Mokhtar there?
- 16 A. Yes.
- 17 Q. What are those numbers underneath that?
- 18 A. 591-3944.
- 19 Q. What does that represent?
- 20 A. A number of a pager or a phone number.
- 21 Q. Government's Exhibit 345, do you recognize that document?
- 22 A. Yes.
- 23 Q. Can you tell us what that is?
- 24 A. An application form for a visa.
- 25 Q. And who helped you fill out that application?

1 A. Mokhtar.

2 Q. And is his store used as a reference on that application?

3 A. Yes.

4 Q. Is that the name of the store?

5 A. Yes.

6 Q. And, finally, I'm showing you Government's Exhibit 330.

7 MR. BIANCO: May I approach, your Honor?

8 THE COURT: You may.

9 Q. Do you recognize that?

10 A. That is a cell phone.

11 Q. And whose cell phone is that?

12 A. Mine.

13 Q. And where did you leave that? Did you have it on you when
14 you were arrested?

15 A. Yes.

16 Q. The cell phone?

17 A. I had two. One I left at home in Montreal and one was
18 with me in the car.

19 MR. BIANCO: Your Honor, I have an oral stipulation
20 between the parties.

21 THE COURT: You may read it.

22 MR. BIANCO: Thank you, your Honor.

23 Government's Exhibit 71 is a photograph of the money
24 that Mr. Ressay had on him at the time of his arrest. And we
25 offer that photograph. It consisted of 938 U.S. dollars and

1 100 Canadian dollars. And we offer that photo, Government's
2 Exhibit 71, in evidence.

3 MR. OLLEN: No objection.

4 THE COURT: Received.

5 (Government's Exhibit 71 received in evidence)

6 MR. BIANCO: And, your Honor, I would also offer the
7 Visa card application, Government's Exhibit 345 in evidence.

8 MR. OLLEN: No objection.

9 THE COURT: Received.

10 (Government's Exhibit 345 received in evidence)

11 BY MR. BIANCO:

12 Q. And Mr. Ressay, I'm going to focus your attention on the
13 TV screen again. I'm going to take you through a number of
14 items that were on you at the time of your arrest; O.K.

15 Starting with Government's Exhibit 68, do you
16 recognize that?

17 A. Yes, it is a tourist book.

18 Q. Of what state?

19 A. For California.

20 Q. What language is it in?

21 A. The French language.

22 Q. And did you have that on you at the time of your arrest?

23 A. Yes.

24 Q. I'm showing you now Government's Exhibit 58 and 58A.

25 That's 58. Do you recognize that?

1 A. Yes.

2 Q. And 58A is a copy of one page out of it. What is
3 reflected there?

4 A. My photograph and my name.

5 Q. And what kind of identification is that?

6 A. A passport.

7 Q. Under what name?

8 A. Noris Benni.

9 Q. Now, were the stamps from your trip to Afghanistan in
10 that -- in that passport?

11 A. No, it's not.

12 Q. Why not?

13 A. I tore them out so that I would not bring suspicion to
14 myself when I entered the U.S.

15 Q. I'm showing you Government's Exhibit 60, 61 and 62.

16 That's 60, 61, and 62. Do you recognize those?

17 A. Yes -- yes, they are phone cards.

18 Q. And what types of phones did you use to communicate with
19 people?

20 A. For sensitive calls, I would use the pay phones and the
21 phone cards. And for other purposes with my friends, I would
22 use the other phone that I had also, the cell phone that I had
23 in Montreal.

24 Q. Government's Exhibit 63, what is that?

25 A. A Visa card.

1 Q. In what name?

2 A. Benni Noris.

3 Q. And is that the Visa card you obtained from filling out
4 the application which is in evidence as Government's Exhibit
5 345?

6 A. Yes.

7 Q. I'm showing you Government's Exhibit 40, do you recognize
8 that?

9 A. Yes.

10 Q. What is that?

11 A. It is a timing circuit.

12 Q. And what is the timing circuit used for?

13 A. It is used with explosives. You set it for a specific
14 time and at that time, it emits a spark to the explosives.

15 Q. And how many of those did you have with you when you were
16 arrested?

17 A. Four.

18 Q. Why did you have four?

19 A. In case one doesn't work, then I would connect, you know,
20 I had three or four others.

21 Q. Would you put multiple timing devices in one suitcase?

22 A. Yes, I would.

23 Q. And why would you be concerned it wouldn't work? What
24 could happen? Why wouldn't they work?

25 A. There might -- a short might occur and it might not work.

1 Q. So, you planned on putting several in to make sure it
2 would work?

3 A. Yes.

4 Q. Government's Exhibit 46, do you recognize that?

5 A. Yes.

6 Q. What was contained inside that zinc lozenge bottle?

7 A. It is a booster material. It is a sensitive material.

8 Q. What is it called?

9 A. Hexamine. Hexamine peroxide.

10 Q. Is it commonly referred to as HMTD?

11 A. Yes.

12 Q. And can you explain in a sentence which is HMTD?

13 A. It is a sensitive substance that is used in the detonator.

14 Q. Is it an explosive?

15 A. It is a initiator; yes.

16 Q. And how, in a sentence, can you describe how you made the
17 HMTD?

18 A. Yes, I made it using hexamine and a concentrated peroxide
19 and a little sulfuric. I mixed them, put them in the
20 refrigerator for 24 hours, and then I put it out to dry. And
21 in that fashion, it becomes an explosive.

22 Q. Government's Exhibit 44, do you recognize that?

23 A. Yes.

24 Q. What did you have inside that Tylenol bottle?

25 A. RDX.

1 Q. What is RDX?

2 A. It is an explosive substance that is used also in making
3 detonator.

4 Q. And can you describe briefly how you made that?

5 A. I got the hexamine and the nitric acid and a little
6 sulfuric acid. I mixed them. I dried them up later on.

7 Q. When you were making these explosives in Vancouver, were
8 you making reference to any notes?

9 A. Yes, I had a notebook.

10 Q. From where?

11 A. I had it from Afghanistan.

12 Q. And before you came to the United States, what did you do
13 with that notebook?

14 A. I tore it up and put some nitric acid on it.

15 Q. Government's Exhibit 26, do you recognize that?

16 A. Yes.

17 Q. What is that -- what was contained in the olive jar?

18 A. EDGN -- EDGN, the substance EDGN.

19 Q. What is EGDN?

20 A. It is also an explosive substance.

21 Q. What is it is used for?

22 A. It is a booster that is used to reinforce the explosion of
23 the main charge.

24 Q. Now, looking at Government Exhibit 48, what was contained
25 in that green garbage bag?

- 1 A. Urea.
- 2 Q. And can you remind us what the urea is used for?
- 3 A. It's used for explosions, also. It has the same effect as
- 4 TNT.
- 5 Q. I'm showing you Government's Exhibit 71, the money that
- 6 you had on you when you were arrested, the 930 U.S. and the
- 7 100 Canadian, where had you gotten that money from?
- 8 A. This is my money that I had with me.
- 9 Q. And where had you gotten that from?
- 10 A. The Americans -- it's American money I had exchanged in
- 11 Montreal.
- 12 Q. And prior to that, where had you gotten money from?
- 13 Before it was exchanged where had you gotten the money from?
- 14 A. The money that I had and the money that my friend gave me.
- 15 Q. Which friend?
- 16 A. Mokhtar and other friends.
- 17 Q. How many other friends gave you money besides Mokhtar?
- 18 A. As far as I remember, one.
- 19 Q. You said earlier, Mr. Ressam, that you used calling cards.
- 20 What would you do with the calling cards after you used them?
- 21 A. Throw it away.
- 22 Q. Government's Exhibit 56, do you recognize that?
- 23 A. Yes.
- 24 Q. What is that?
- 25 A. It is a driver's license.

1 Q. And is it real or is it fake?

2 A. Fake.

3 Q. What name appears on that license?

4 A. Roig Mario.

5 Q. Where did you get that fake Mario Roig license from?

6 A. From my friend Mokhtar.

7 Q. Finally, showing you Government Exhibit 55, that's the
8 front of that card and now the back. Do you recognize the
9 numbers on the back of that card?

10 A. Yes.

11 Q. Who's number's on the back of that card?

12 A. The numbers of my friend, Rachid, Abu Jaffar, and the
13 friend of Abdelghani, Mokhtar's friend and his numbers.

14 Q. And who gave you the numbers for Abdelghani?

15 A. Mokhtar did.

16 Q. And what was the purpose of giving you those numbers?

17 A. So I will use them to call him to meet me in Seattle.

18 MR. BIANCO: May I have a moment, your Honor?

19 THE COURT: Sure.

20 (Pause)

21 MR. BIANCO: Nothing further, your Honor.

22 THE COURT: I have one question before we go to
23 lunch. You were conferring with Ms. Baker and I don't know
24 whether you heard the answer in connection with the money that
25 was Exhibit 71. I think there were 968 American dollars and a

1 certain amount of Canadian dollars. And you said you had
2 gotten the money from your friends. You said one of them was
3 Mokhtar and you said there was another friend. Who was the
4 other friend? You never told us.

5 THE WITNESS: Zemmiri Hassan -- Zemmiri Hassan.

6 THE COURT: Thank you.

7 MR. BIANCO: Thank you, your Honor.

8 THE COURT: All right. Before cross starts, I think
9 we can break for lunch.

10 So, you're excused for lunch, ladies and gentlemen.
11 And we'll resume at 2:20. Don't discuss the case or come to
12 any conclusion concerning the case. 2:20.

13 (Jury excused)

14 THE COURT: After you finish conferring, could I see
15 you for a second at the sidebar without the court reporter)

16 (Sidebar discussion off the record)

17 (Luncheon recess)

18 (Continued on next page)

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- 1 was there carrying out the experiment.
- 2 Q. You watched as your chief put a dog in a box, correct?
- 3 A. Yes. We were all present there.
- 4 Q. I am talking about you.
- 5 A. Yes.
- 6 Q. Your chief put cyanide in the box, is that correct?
- 7 A. Yes.
- 8 Q. He added sulphuric acid to the cyanide, correct?
- 9 A. Yes.
- 10 Q. And the dog shortly thereafter died from that experiment,
- 11 correct?
- 12 A. Correct.
- 13 Q. How long in general would you say that you watched these
- 14 dogs suffer?
- 15 A. Not very long.
- 16 Q. How long?
- 17 A. Not very long, I don't remember precisely, maybe four
- 18 minutes, because the dog was very small.
- 19 Q. In the four minutes you watched the dog suffer before the
- 20 dog died did you do anything to stop your leader from killing
- 21 the dogs?
- 22 A. No.
- 23 Q. You wore a mask over your face during these experiments,
- 24 correct, so that you would not breathe in any of the poison?
- 25 A. Yes.

1 Q. You practiced these techniques on the dogs so that later
2 on in one of your operations you would be able to perform such
3 techniques on human beings, is that correct?

4 A. Yes. We wanted to know what is the effect of the gas,
5 yes.

6 Q. Some of your potential targets while you were in the camp
7 were American citizens, is that correct?

8 A. In regard to targets in general, yes. Yes, we were
9 speaking about America as an enemy of Islam.

10 Q. One of the other enemies of Islam in your view would be an
11 Israeli citizen, correct? Is that right?

12 THE INTERPRETER: He would like to have the question
13 repeated, your Honor.

14 THE COURT: Could you read it back.

15 (Record read)

16 A. Not an Israeli citizen, Israel.

17 Q. Israel is an enemy of Islam?

18 A. The Government of Israel, yes.

19 Q. How about Jewish people in general around the world?

20 A. No. Anyone who supports Israel, that's all, in general.

21 Q. What are your views about an American Jewish person who
22 supports Israel?

23 A. He would be like an Israeli.

24 Q. That would be your enemy, correct?

25 A. So long as he fights me, he would be my enemy.

1 Q. You told us that with the experiments with the dogs in the
2 box, that you did not conduct them personally, correct?

3 A. Yes, not myself, personally; I was present during the
4 experiment.

5 Q. Do you remember on May 24, 2001, that you were interviewed
6 at the federal detention center by FBI agents?

7 THE COURT: Was that in Los Angeles or Seattle or
8 here, if you know?

9 MR. OLLEN: Seattle your Honor.

10 A. Yes.

11 Q. Among other people Mr. Bianco was at that meeting?

12 A. Yes, correct.

13 Q. Agent Cohen was at that meeting?

14 A. Yes.

15 Q. And your lawyers were at that meeting, correct?

16 A. Yes.

17 Q. Do you recall telling all those people on May 24, during
18 that interview, that while at the Deronta camp, that you
19 yourself conducted experiments on dogs under the instruction
20 of Mustapha Al Maghrebi and Abu al Suleiman; do you remember
21 saying that those people on May 24, 2001?

22 A. It might have been a mistake.

23 Q. What was a mistake, that you did it or that you said it?

24 A. The information was misrepresented. I was there during
25 the experiments that were carried out by the sheikh.

1 Q. The reason you were trained in the use of cyanide at the
2 camps in Afghanistan was because you were going to use cyanide
3 in your urban warfare, correct?

4 A. We don't know. Possibly if I needed it, I would use it.
5 Yes, because it is very difficult to use gases in the field.

6 Q. You were trained to use cyanide by placing the cyanide
7 near the air intake of a building, correct?

8 A. They gave us some examples, but we did not try them out
9 actually.

10 Q. The reason one of the examples was to put the cyanide
11 right near the air intake of a building such as a government
12 building, correct?

13 A. Yes, that's right.

14 Q. And the reason that you would put the cyanide, you were
15 trained, near the air intake would be to kill the most amount
16 of people without endangering yourself and without being
17 detected, correct?

18 A. Yes, that's how gas is used in killing.

19 Q. When you were at the Deronta camp, you yourself injected
20 dogs with cyanide from a syringe and you watched those dogs
21 die, isn't that right?

22 A. It was relayed incorrectly. What I was saying was cyanide
23 was used on dogs and an experiment was conducted on the dogs.

24 Q. Do you recall in the May 24, 2001 meeting with Mr. Bianco
25 and others that you told them that you also used syringes to

1 inject dogs with cyanide and you would then observe their
2 impending death within a short time; did you tell them that?

3 A. I saw dogs being injected with cyanide and saw it die;
4 however, I was not the one injecting it. Maybe the way it was
5 translated made it sound incorrectly.

6 Q. So, it's your testimony that if a document says that you
7 conducted those certain experiments personally, that those
8 documents must have been translated incorrectly; is that your
9 testimony?

10 A. Maybe. All I can tell you is that I was there present
11 when those dogs, when those experiments were carried out on
12 the dogs.

13 Q. The people taking the notes at the meetings were FBI
14 agents, is that right?

15 A. It could have done, the mistake could have been because of
16 the translation or because it was relayed improperly. The
17 question was directed to me as what did you train on. We said
18 we got training on poisons and that some of those poisons were
19 used to inject dogs.

20 Q. The question was, the person who was taking the notes, was
21 he an FBI agent. Please restrict your answer to that
22 question.

23 A. Yes.

24 Q. Other experiments that you conducted at the Deronta camp
25 included experiments with other poisons, correct?

1 A. Yes.

2 Q. One of the things you learned at the Deronta camp was how
3 to mix poisons with other substances, put them together and
4 smear them on doorknobs; do you remember that?

5 A. Yes, I did say that.

6 Q. Any person who would touch that doorknob would soon have
7 poison running through their bloodstream, correct?

8 A. Yes, that's true; the poison will infiltrate his body.

9 Q. And kill him or her, correct?

10 A. Yes.

11 Q. That procedure was designed to be used against
12 intelligence officers and other VIPs, correct?

13 A. Yes, yes.

14 Q. On whom or on what did you test those procedures?

15 A. This was theoretical only and that's what I said. The
16 cyanide I said would be mixed with some oily substances.

17 Q. You told us on direct examination that you wanted, during
18 your operation, to avoid civilian death as much as possible;
19 do you remember telling that to the jury?

20 A. Yes.

21 Q. Why not then blow up a vacant building?

22 A. What empty building? We have to know what the target is.

23 Q. How about a government building after everybody goes home
24 for work during the day; if you don't want to kill civilians,
25 why not blow up that kind of a building?

1 A. That is possible.

2 Q. Why didn't you do that?

3 A. That would require a lot of explosives, and an airport is
4 a more sensitive target.

5 Q. After you planted the bombs at the airport, did you intend
6 to call security and tell them there is a bomb, get the people
7 out of the airport; did you intend to do that?

8 A. Yes, if I was able to do that, I would do that.

9 Q. So you were going to call security and tell them there was
10 a bomb in the airport?

11 A. Yes.

12 Q. You started your interviews with the government
13 approximately May 10, 2001, correct?

14 A. Yes.

15 Q. How many times have you spoken to law enforcement
16 representatives in this case after you decided to cooperate;
17 how many times?

18 A. From the first time I spoke to them -- I did not
19 understand your question.

20 Q. How many meetings have you had with federal law
21 enforcement authorities since May 10 of this year?

22 A. Between 10 to 15 times that I spoke to them.

23 Q. You spoke with federal agents and federal prosecutors
24 relating to this case, for many hours, am I correct?

25 A. Yes, many hours.

1 Q. You have spoken to Mr. Bianco relating to this case,
2 correct?

3 A. Yes.

4 Q. Have you spoken to Ms. Baker relating to this case?

5 A. Yes.

6 Q. You have spoken to the FBI Agents Helly and Cohen seated
7 at the table, right?

8 A. Yes.

9 Q. Before you met those people you spoke to law enforcement
10 federal agents in Seattle, right?

11 A. Yes.

12 Q. And you never told them that you were going to call in a
13 bomb scare, correct, never?

14 A. I don't remember.

15 Q. The first time you ever said in your life that you
16 intended to call in a bomb scare was two minutes ago when you
17 testified on cross-examination, correct?

18 A. I have mentioned this fact to my lawyer and I have
19 mentioned it also when I discussed this matter with
20 Mr. Bianco.

21 Q. It's your testimony that you told Mr. Bianco that you were
22 going to call in a bomb scare? Are you sure about that?

23 A. Yes, I believe I said that. I said that this is one of
24 the things that I thought about.

25 Q. One of the things you thought about. You told us you

1 intended to do it, that you were going to do it. Right?

2 A. I said that I will attempt to do that, if I am able to.

3 Q. When did you tell that to Mr. Bianco specifically?

4 A. In the last few days that I was speaking to him, I
5 mentioned it.

6 Q. When?

7 A. In New York in the last few days that I was here in New
8 York.

9 Q. Which day?

10 A. I don't remember the day.

11 Q. After you blew up the airport, you were going to call your
12 friend Jaffar, correct?

13 A. I had called him earlier, yes.

14 Q. Please listen to the question. After you blow up the
15 airport, it was your intention to call your friend Jaffar,
16 correct? Mr. Ressam, you intended, after blowing up the
17 airport, to call your friend Jaffar so you would get credit
18 for an act of jihad, correct?

19 A. I had called him, yes, I had called him before and I would
20 call him later, yes, in the future.

21 Q. The reason you were going to call Jaffar in Pakistan was
22 so that you could take credit for blowing up the airport,
23 correct?

24 A. Yes, to claim the responsibility for the job.

25 Q. Such an act of jihad, Mr. Ressam, would make you a hero in

1 the eyes of your associates, correct?

2 A. That's not the aim.

3 THE COURT: But it would have done that, would it
4 not; it would have made you a hero, wouldn't it?

5 THE WITNESS: No, not a hero.

6 Q. Mr. Ressam, what's your real name?

7 A. Ahmed Ressam.

8 Q. Over the course of your adult life you have used a number
9 of other names, correct?

10 A. Yes.

11 Q. You have used the name Sami Beniza, is that right?

12 A. No, I don't think I have used that.

13 Q. Do you have to think about it?

14 A. I have used this in passport; I have not used it though.

15 Q. You have used the name Sami Beniza in a fake passport,
16 right?

17 A. I was planning to use it but I did not.

18 Q. You used the name Tehar Medjadi?

19 A. Yes.

20 Q. Benni Noris?

21 A. Yes.

22 Q. Mario Roig?

23 A. Yes.

24 Q. And Mark Douri, Mark Douri, did you ever use that name?

25 A. Roig, I did; I don't remember. Roig, Mario, yes. I don't

1 remember the other one.

2 Q. In the course of your adult life you have committed a
3 variety of crimes relating to fraud, correct?

4 A. Yes, correct.

5 Q. In 1997, you obtained a stolen bank card, stolen Visa
6 credit card and driver license from your friend Mustapha,
7 correct?

8 A. Yes, these were at home, at Mustapha's.

9 Q. In December of 1997, you sold those documents to
10 Mr. Haouari, is that correct?

11 A. Not in December.

12 Q. December of 1997?

13 A. No.

14 Q. When did you sell them to Mr. Haouari?

15 A. I don't remember precisely the time, but it was between
16 '96 and '97.

17 Q. When you sold the documents to Haouari, you did not ask
18 him what he was going to do with them, did you?

19 A. No, I did not.

20 Q. After December of 1997, you gave Mokhtar Haouari a
21 fraudulent passport, correct?

22 A. Why do you say December? I don't know where December came
23 from; I have not mentioned December.

24 Q. I am asking you when it took place. How about 1997; you
25 gave Haouari a fake passport, correct?

1 A. Yes, I sold him, yes, I told sold him a fake Canadian
2 passport.

3 Q. You did not ask Mr. Haouari what he was going to do with
4 the passport, did you?

5 A. That's correct, I did not ask him.

6 Q. There comes a time in the summer of 1999 when you
7 reestablished contact with Mr. Haouari, is that correct?

8 A. Yes.

9 Q. Around that time, you asked Mr. Haouari if you could use
10 his business address in order for you to get a credit card, is
11 that correct?

12 A. Yes, correct.

13 Q. You used a false name on that credit card application,
14 correct?

15 A. Yes.

16 Q. You used a fake address on the credit card or false
17 address, pardon me?

18 A. Yes, he helped me fill it out.

19 Q. At this time you already had a Social Security card and an
20 ATM card in the name of Benni Noris, am I right?

21 A. Yes, correct.

22 Q. In all the time that Mr. Haouari was trying to help you
23 get that credit card, he never asked you what you were going
24 to do with the card, correct?

25 A. I don't remember. I don't think he asked me.

1 Q. Do you remember discussing that issue on May 15, in the
2 federal detention center in Seattle, Washington with Agent
3 Cohen?

4 A. I don't know; I don't remember everything.

5 Q. Do you remember on May 15, 2001, in Seattle, that you told
6 the agents and Ms. Baker that Haouari never asked you what you
7 were going to do with that credit card; do you remember saying
8 that?

9 A. I don't remember precisely whether he asked me what am I
10 going to do with it.

11 Q. Among your other crimes that you have committed in your
12 adult life was immigration fraud, is that correct?

13 A. What do you mean by immigration crimes?

14 Q. You lied to the Canadian authorities in your asylum
15 application, correct?

16 A. That's correct, yes.

17 Q. You had a fake French passport, is that correct?

18 A. Yes, correct.

19 Q. You have lied to the government agents since you began
20 cooperating, correct?

21 A. Who?

22 Q. Federal agents.

23 A. Yes, I didn't tell them some of the information.

24 Q. Are you familiar with the phrase "lies of omission?"

25 A. Yes.

1 Q. One of the crimes that you committed in the recent past
2 was that you asked a friend of yours to get you a gun and a
3 silencer, is that correct?

4 A. Yes.

5 Q. When you were asked about that by the federal agents you
6 lied to them, correct?

7 A. Yes, I told them I was going to use it to protect myself.

8 Q. That was not true, correct?

9 A. It was true as far as protecting myself, but I had also
10 planned to use it for other things.

11 Q. And the other thing that you were going to use the gun and
12 silencer for was bank robbery, is that correct?

13 A. Yes, correct.

14 Q. Why do you need a silencer to commit a bank robbery?

15 A. The silencer was not to carry out bank robberies; it was
16 to practice with it.

17 Q. To practice what?

18 A. Practice firing it.

19 Q. Why do you need a silencer to practice firing a pistol?

20 A. So I would not make noise and people will not hear me.

21 Q. Did you plan on assassinating someone?

22 A. At that time I had no intention to assassinate anyone.

23 Q. Did you plan on sneaking up behind someone and firing?

24 A. No, I had no such targets.

25 Q. When you were in Montreal was that the location where you

1 stole from the tourists?

2 A. I stolen everyplace, not only there.

3 Q. Every city you have ever lived in, you have stolen from
4 people, is that correct, as an adult?

5 A. Yes.

6 Q. When you would steal from tourists what you would do, you
7 would keep the money, you would sell the passports, and you
8 would whack up the credit cards, is that correct?

9 A. Yes.

10 Q. Did that bother you to do that to people?

11 A. Yes, it bothered me.

12 Q. It didn't bother you enough to stop, correct?

13 A. I stopped at the end, yes.

14 Q. At the end of what?

15 A. When I traveled I stopped doing it.

16 Q. But when you were home you continued doing it, correct?

17 A. Yes. I got used to that sort of thing.

18 Q. When you were home in Montreal, one of the other things
19 you did, you gave a false address to the welfare office so
20 they wouldn't cut your benefits, correct?

21 A. Yes.

22 Q. Would it be fair to describe you as a dishonest person?

23 A. That is your opinion.

24 Q. I am asking you; would you describe yourself as a
25 dishonest person?

1 A. I can say that I have committed errors in my life.

2 Q. The entire time that you lived in Canada, you had one job,
3 one legitimate job for one week, correct?

4 A. Yes.

5 Q. The rest of the time that you lived in Canada, you
6 supported yourself by cheating welfare and defrauding other
7 people, correct?

8 A. That's correct, yes.

9 Q. The very first time that you say that you spoke to Mokhtar
10 Haouari about jihad, that occurred when you were talking with
11 him about Chechnya at a cafe in Montreal, is that correct?

12 A. Yes, I believe that it was during that period when I first
13 discussed the issue with him.

14 Q. I am talking about the specific conversation; the very
15 first time that you discussed jihad with Haouari, you were in
16 a cafe in Montreal, correct?

17 A. Yes, I remember I was there with Mokhtar and Samir, yes.

18 Q. Samir Mohamed?

19 A. Yes, Samir Ait Mohamed.

20 Q. You said that Mokhtar Haouari told you during that
21 conversation, your very first conversation about jihad,
22 Haouari told you that he had a friend in the United States
23 interested in jihad, correct?

24 A. Maybe it was at that time that he mentioned his friend,
25 but I believe I spoke to him about this briefly many times.

1 Q. You spoke to him briefly about what many times?

2 A. We spoke numerous times about religious issues and jihad.
3 However, that day we discussed very specifically jihad.

4 Q. Mr. Ressam, I want to be perfectly clear about this. The
5 very first time you ever discussed jihad with Mokhtar Haouari
6 was the same conversation where Haouari told you that he had a
7 friend in the United States who was interested in jihad, isn't
8 that correct?

9 A. Yes, I remember that clearly.

10 Q. You told Mokhtar Haouari in this conversation that if he
11 trusted this guy in the United States, that you would see that
12 that guy in the United States got to Pakistan, is that
13 correct?

14 A. Yes, correct.

15 Q. Up until that conversation you had never told Haouari
16 about jihad or that you had been to the camps in Afghanistan,
17 correct?

18 A. As far as I can remember, yes.

19 Q. Haouari was not a close friend of yours at that time, was
20 he?

21 A. I have known him for a long time, that's true. We didn't
22 meet that often. We used to meet in certain occasions.
23 However, when it came to helping each other, we did do, we did
24 help each other.

25 Q. You met Haouari in 1994, is that correct?

1 A. Yes.

2 Q. You had a very limited relationship with Mr. Haouari
3 between 1994 and 1997, correct?

4 A. Yes, that's correct.

5 Q. You didn't know where Haouari lived before 1997, correct?

6 A. I don't remember.

7 Q. You didn't know his telephone number before 1997, correct?

8 A. I don't remember.

9 Q. Between the fall of 1997 and February of 1999, you had no
10 dealings with Mokhtar Haouari, correct?

11 A. How?

12 Q. Between the fall of 1997 and February of 1999, you had no
13 dealings with Mokhtar Haouari, correct?

14 A. That's correct. I didn't have a relationship with him; I
15 might have seen him.

16 Q. When were you in the camps in Afghanistan, between what
17 dates?

18 A. I left on 17 December 1998.

19 Q. When did you return?

20 A. February 1999.

21 Q. How long were you in the camps?

22 A. This period, about a year.

23 THE COURT: You just said, if I understood, you left
24 in December of 1997 and came back in February 1998. Did I
25 mishear you?

1 THE WITNESS: No, I said I left on December, March
2 17, I am sorry, 1998, and I returned February 7, 1999.

3 THE COURT: That's 11 months all together.

4 THE WITNESS: Yes, about less than a year.

5 THE COURT: Let me ask you something else. Are you a
6 follower of the Koran?

7 THE WITNESS: How?

8 THE COURT: Well, you read the Koran, is that right?

9 THE WITNESS: Yes, I read the religion.

10 THE COURT: Does the Koran teach you how to live and
11 how to behave yourself and how to comport yourself?

12 THE WITNESS: Yes.

13 THE COURT: Does the Koran advocate thievery?

14 THE WITNESS: No, it does not condone thievery.

15 THE COURT: But you were engaged in thievery for many
16 years, weren't you?

17 THE WITNESS: I got used to doing bad things, yes.

18 THE COURT: Go ahead.

19 BY MR. OLLEN:

20 Q. During the time that you were at the camps during that
21 11-month period, you had no contact with Mokhtar Haouari,
22 correct?

23 A. No.

24 Q. You didn't tell him you were going to the Afghanistan
25 camp, correct?

1 A. Yes, I didn't tell him.

2 Q. Did or did not?

3 A. No, I did not tell him anything.

4 Q. You knew that Mokhtar Haouari had never engaged in a jihad
5 act; when you had this conversation with him about the person
6 in the U.S., you knew Haouari had never done a jihad act,
7 right?

8 A. I did not understand you.

9 Q. I am talking about the conversation; we are back at the
10 conversation that you had with Haouari about jihad at the
11 cafe. You told us, just so we can all be here on this, that
12 in that conversation, Haouari told you that he had the friend
13 in the United States who was interested in jihad, correct?

14 A. Correct.

15 Q. You say that you responded to Haouari, well, if you trust
16 him then I will see he gets through Pakistan, correct?

17 A. That is correct.

18 Q. You knew at the time of this conversation that you say
19 happened that Haouari had never performed an act of jihad,
20 correct?

21 A. That's correct, I didn't know.

22 Q. You knew at the time of this conversation that Haouari had
23 never been to an Afghanistan camp, correct?

24 A. That's correct.

25 Q. The person who you say Haouari referred to in the United

1 States, you knew nothing about him, correct?

2 A. I didn't know anything about him except what Mokhtar told
3 me.

4 Q. You knew that person had never been to the camps, correct?

5 A. Yes.

6 Q. You knew that person had never performed an act of jihad,
7 correct?

8 A. Yes, I didn't know anything about him.

9 Q. You didn't even know his name, correct?

10 A. Yes.

11 Q. You knew nothing about his political beliefs, correct?

12 A. He told me that he is a Muslim and an Algerian and
13 interested in jihad.

14 Q. Haouari said this?

15 A. That's what I understood from the conversation, that's
16 what I surmised.

17 Q. So you surmised it, but Haouari never said it; is that
18 your testimony?

19 A. He told me that he wants to go to Afghanistan to get
20 training. Who would do that except a person interested in
21 jihad?

22 Q. Mr. Ressam, when you say Haouari told you about this guy
23 in the United States interested in jihad, you didn't know if
24 that guy was an FBI agent, did you?

25 A. I said Mokhtar, do you know this person, he said yes, I

1 have known him from Algeria and that he studied with me in
2 school in Algeria, we studied together.

3 THE COURT: Let me ask you something else, Mr.
4 Ressay. In the camps, you took all these courses; you took
5 courses about explosives and you took courses about how to
6 attack areas that were important like governmental offices and
7 buildings. Did you also take a course on counterintelligence.

8 THE WITNESS: How is that?

9 THE COURT: Did you take a course on trying to figure
10 out whether the people you were dealing with in the United
11 States might be members of the FBI or CIA; did you take a
12 course in that?

13 THE WITNESS: Yes.

14 THE COURT: So you did take a course in
15 counterintelligence, didn't you?

16 THE WITNESS: Not as a course, but as a warning.

17 THE COURT: There were lectures on that, is that
18 right?

19 THE WITNESS: Yes. They told us not to trust
20 everybody.

21 THE COURT: Go ahead.

22 (Continued on next page)

23

24

25

1 BY MR. OLLEN:

2 Q. Despite your training to counter intelligence, is it your
3 testimony that you were willing to provide visas to Pakistan
4 to the man in the United States, a man you had never met --

5 A. Because I had trusted my friend Mokhtar.

6 Q. What would be the punishment to you if you had sent an
7 undercover agent or a spy to one of the camps and Abu Zubeida
8 found out about it?

9 A. This would be an error, a mistake. This would be
10 something that is beyond my capabilities. I would avoid
11 intelligence.

12 THE COURT: Mr. Ollen, when you reach a point where
13 it's logical for you to take a recess, just tell us and we'll
14 take our afternoon recess.

15 MR. OLLEN: Just at the end of this.

16 THE COURT: Whenever you want, that's fine.

17 MR. OLLEN: At the end of this question.

18 Q. Listen to the question, Mr. Ressam, please.

19 What would happen to you if you introduced an FBI
20 agent from the United States into an Afghanistan camp and Abu
21 Zubeida found out about it? What would happen to you?

22 A. He will stop trusting me and maybe stop me from carrying
23 out any more work.

24 Q. You would be executed; correct?

25 A. That's possible; yes.

1 MR. OLLEN: This is a good time, Judge.

2 THE COURT: All right. We will recess for about 10
3 minutes. Don't discuss the case or come to any conclusions
4 about the case.

5 (Jury excused)

6 (Recess)

7 MR. OLLEN: Judge, may we approach for a second?

8 THE COURT: Sure.

9 MR. OLLEN: We don't need the court reporter.

10 THE COURT: Sure. Come on over to the side.

11 (Sidebar discussion off the record)

12 (In open court; jury present)

13 THE COURT: You may continue, Mr. Ollen.

14 MR. OLLEN: Thank you, your Honor.

15 CROSS-EXAMINATION Continued

16 BY MR. OLLEN:

17 Q. Mr. Ressam, you told us on direct examination on Tuesday
18 that one of the most important lessons that you learned at the
19 camps was to preserve your secrets; do you remember that?

20 A. Yes.

21 Q. In your very first conversation with Mokhtar Haouari about
22 jihad, you told him some of your secrets, according to your
23 testimony; correct?

24 A. Yes.

25 Q. And you were willing to share those secrets with a person

1 whom you had never met in the United States; correct?

2 A. Because I trust my friend Mokhtar and also because I know
3 Samir Ait Mohamed and I also trust him very well.

4 Q. We will get to him.

5 At this time, while you were in Canada, you had
6 several friends who you were much closer to than Mokhtar;
7 correct?

8 A. Yes.

9 Q. Some of those friends were involved in jihad activities;
10 correct?

11 A. Yes.

12 Q. Some of them had trained in Afghanistan; correct?

13 A. Yes.

14 Q. And at least one of them had fought in Bosnia; correct?

15 A. In Bosnia.

16 Q. Is that right?

17 A. Yes.

18 Q. And that was one of your friends who was in Canada at the
19 time you were planning your operation; correct?

20 THE INTERPRETER: I would like -- the interpreter
21 requests the repetition of his question.

22 THE COURT: Could the court report please read the
23 question.

24 (Record read)

25 MR. OLLEN: I'm sorry. Do you need to interpret that

1 first?

2 THE INTERPRETER: It's up to you.

3 THE COURT: Take your time, Mr. Ollen.

4 Why don't you read it again and he translate.

5 MR. OLLEN: Sorry about that.

6 THE COURT: That's all right.

7 A. You mean the one who fought in Bosnia?

8 Q. Yes.

9 A. Yes.

10 Q. The one who fought in Bosnia was helping you to prepare
11 for your operation in the United States; correct?

12 A. Yes, I have asked him to help me; yes.

13 Q. And he did help you; correct?

14 A. He didn't come; how could he help me?

15 MR. OLLEN: May I just have a moment, Judge?

16 THE COURT: You may.

17 Mr. Interpreter, if you're more comfortable sitting
18 down, would you be more comfortable?

19 THE INTERPRETER: No, I'm fine. Thank you very much
20 for your concern.

21 THE COURT: All right.

22 Q. I'm not going to ask you to say his name, but do you know
23 who I'm talking about when I say the man who fought in Bosnia
24 was helping you in Canada to prepare for your operation in the
25 United States? Do you know who I'm talking about?

1 A. He did not help me. You're referring to Karim.

2 Q. Let me go back to this.

3 (Discussion off the record)

4 MR. OLLEN: I'll go back to it.

5 Q. At around the time that you were planning your operation
6 in the United States, you had many conversations with Samir
7 Ait Mohamed; correct?

8 A. Yes.

9 Q. You knew that Mohamed was interested in jihad; correct?

10 A. Yes, and he had -- that he had a relationship with jihad
11 for a long time.

12 Q. And he had a good friend who was in the camps in
13 Afghanistan; correct?

14 A. Yes, he knew people; yes.

15 Q. You knew that Mohamed knew about explosives; correct?

16 A. Yes.

17 Q. And you knew that Mohamed knew about different operations;
18 correct? Is that right?

19 A. I don't understand that.

20 Q. Did you speak to Mohamed about the camps?

21 A. Yes.

22 Q. You spoke to him about explosives; correct?

23 A. Yes.

24 Q. You spoke to him about American missile attacks; correct?

25 A. Yes.

1 Q. And you spoke to him in general about the situation in
2 Algeria; correct?

3 A. Yes, we spoke about various things about jihad.

4 Q. Well, one of the things you spoke about was that Mohamed
5 told you that he wanted to start his own training camp in
6 Afghanistan; correct?

7 A. Yes, he said that he would like to do that with some of
8 his friends.

9 Q. And in particular, Mohamed told you that he wanted to
10 teach explosives training; correct?

11 A. You mean to teach?

12 Q. Mohamed told you that he wanted to go to Afghanistan to
13 train people in explosives; correct?

14 A. I didn't say that, no. No, that's not clear.

15 Q. Are you sure about that?

16 A. I said: Samir Ait Mohamed -- I heard him say that he
17 has -- that he and his friends had a desire to establish a
18 camp in Afghanistan.

19 Q. Among other things, Mohamed told you that if someone
20 conducted a terrorist attack, the bomb should be implanted in
21 a gasoline truck for a larger and a more serious explosion;
22 correct?

23 A. Yes, correct.

24 Q. And during the summer of 1999, you and Mohamed had a
25 conversation about blowing up a neighborhood in Canada where

1 there was an Israeli interest; correct?

2 A. Yes, that he wanted to carry out an operation along those
3 lines.

4 Q. And you had many other friends in Canada at this time who
5 were sympathetic to jihad; correct?

6 A. Yes.

7 Q. One of those people, you had asked to have that person get
8 you a pistol with a silencer; correct? Is that right?

9 A. Yes.

10 Q. That person helped you plan an armed robbery of the bureau
11 of exchange in Montreal; correct?

12 A. He helped me with his ideas; yes.

13 Q. And he helped you plan, not only the armed robbery, but
14 also the terrorist attack on a U.S. airport; correct?

15 A. Yes, in regard to America, yes, we talked about it.

16 Q. That same person advised you to wear a disguise during the
17 operation; correct?

18 A. What do you mean "a mask"?

19 Q. He suggested that you wear a hat, sunglasses, and gloves;
20 correct?

21 A. Yes.

22 Q. He suggested you grow a goatee and a beard; correct?

23 A. Yes.

24 Q. You had a number of hats with you when you were arrested
25 in Port Angeles; correct?

1 A. Yes.

2 Q. In regard to the armed robbery, he advised you to leave a
3 syringe from a drug addict at the scene; correct?

4 A. Yes.

5 Q. And that way that there would be DNA from the drug addict
6 somewhere on the syringe and that would keep the investigators
7 busy; correct?

8 A. It was in regard to the fingerprints.

9 Q. And this same person -- and by the way, the person we're
10 talking about, it's Mokhtar Haouari; correct?

11 A. Correct, yes.

12 Q. And it's not Abdelghani Meskini either; correct?

13 A. Yes, correct.

14 Q. This same person that we've been discussing, he advised
15 you to use one explosive device instead of two and to set the
16 timer for 30 minutes after the device was placed; correct?

17 A. He told me yes, he told me what period of time I should
18 set it.

19 Q. And he recommended that the person that you should use to
20 help you in this operation was your friend Majid; correct?

21 A. He praised Majid. He said: Majid is good.

22 Q. And Majid is Abdelmajid Dahoumane; correct?

23 A. Yes.

24 Q. And you actually followed that advice and you brought
25 Dahoumane with you to Vancouver; correct?

1 A. Yes.

2 Q. And it was your intention to bring Dahoumane with you to
3 help you bomb the airport; correct?

4 A. Yes, if I didn't get the other friend, it was for me then
5 to call on him.

6 Q. You knew that this person that we've been discussing,
7 without naming his name, you knew that he had bombed an
8 airport in Algeria; correct?

9 A. That is wrong. I did not say he bombed an airport.

10 Q. You knew he was involved in the 1992 bombing of an airport
11 in Algiers, Algeria; correct?

12 A. Yes, he might not have carried it out himself, but he had
13 some -- something to do with it.

14 Q. You knew that the person we're discussing had already
15 participated in an operation very similar to the one that you
16 were about to carry out?

17 A. Yes. That's not the issue. The issue is he had some
18 expertise.

19 Q. The person we're discussing recommended that you don't
20 place the device by yourself at the airport, but that you
21 bring Dahoumane with you; correct; correct?

22 A. If you don't find, he told me, also, somebody to help you,
23 then it's better to do it by yourself.

24 Q. Please just respond to the question that I'm asking.

25 He told you not to place the device by yourself, but

1 to have Dahoumane help you; correct?

2 A. I didn't say that. I don't understand this question.

3 Q. Do you remember on June 23, 2001, having a conversation
4 with FBI agents, Assistant United States Attorneys, and your
5 lawyers in Seattle?

6 A. I discussed many issues, at different times. I don't
7 remember precisely the date.

8 Q. Well, do you remember telling the FBI agents, the
9 Assistant United States Attorneys, and your own lawyers that
10 this person again recommended that you not place the device by
11 yourself at the airport, but you have Dahoumane help you? Do
12 you remember saying that?

13 A. Yes, he said to -- he advised me to do it with my friend.

14 Q. And just to shortcut this, this person we're discussing
15 gave you a lot of other advice about how to a carry out this
16 operation; correct?

17 A. Yes.

18 Q. This person also helped you fix the circuit tester that
19 you were going to use to blow up the airport; correct?

20 A. Yes, he did.

21 Q. He gave you \$100 -- I'm sorry -- he gave you a hundred
22 dollars to buy the watch that you used in the bomb; correct?

23 A. He give me a hundred dollars to buy the device that checks
24 the circuits, but I used that money instead to buy a watch.

25 Q. The person we're discussing was a man you respected;

1 correct?

2 A. Yes.

3 Q. It was a man you trusted; correct?

4 A. Yes.

5 Q. It was a man who was very experienced in jihad activity;

6 correct?

7 A. He had some expertise; yes.

8 Q. He had been to the camps; correct?

9 A. He was not at the camps. He had field experience.

10 Q. Do you recall telling on June 23rd of 2001, your lawyers,

11 FBI agents, and federal prosecutors that this person had

12 considerable jihad experience in Algeria, that he was a person

13 of very strong personality, that he was a leader, and he was a

14 veteran of fighting in Algeria during the 1990s? Do you

15 remember telling him that?

16 A. Yes, he was in Algeria.

17 Q. You chose not to use this experienced leader to assist you

18 in the bombing of the Los Angeles airport; correct?

19 A. Because his situation did not allow him.

20 (Continued on next page)

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25

1 Q. Yes or no, did you choose that man that we were discussing
2 to assist you in the bombing of the airport?

3 A. I decide to have him help me with his ideas for that plan.

4 Q. With respect to actually participating in Los Angeles
5 itself, it's your testimony that you chose a total stranger;
6 is that your testimony?

7 A. What person do you mean?

8 Q. Meskini.

9 A. For me he is not unknown; he is a person that Mokhtar
10 trusts and he has known him since Algeria.

11 Q. Have you ever met Abdelghani Meskini other than in the
12 courtroom in Los Angeles?

13 A. No, never.

14 Q. I want to turn to some other associates of yours in Canada
15 at around the time you were discussing jihad with Mokhtar
16 Haouari. I will rephrase that, I will withdraw it and
17 rephrase it.

18 You told us there were a number of other associates
19 of yours in Canada at around the time you were planning this
20 operation, correct?

21 A. Yes, I had some people, yes.

22 MR. OLLEN: Let me just for one moment please.

23 THE COURT: Yes.

24 (Pause)

25 Q. You had an associate in Canada at around this time by the

1 name of Hassan Zemmiri, is that correct?

2 A. Hassan Zemmiri is a friend of mine. I don't know what
3 your question is.

4 Q. Your friend Hassan Zemmiri was present in Canada during
5 the time that you were planning this operation, correct?

6 A. Yes.

7 Q. Zemmiri gave you a video recorder and told you to use it
8 for camouflage, correct?

9 A. Yes.

10 Q. He gave you \$3500, correct?

11 A. Yes.

12 Q. You told him that the money would be used to finance your
13 attack in the United States; you told that to Zemmiri?

14 A. I didn't give him details.

15 Q. He knew that you were going to commit a terrorist act, yes
16 or no?

17 A. A job in America, yes.

18 Q. Zemmiri knew that you and Dahoumane were making explosives
19 in Vancouver and he wanted to be part of the operation,
20 correct?

21 A. He wanted to be with us but I am not sure whether it was
22 to put the explosives together.

23 Q. Zemmiri was aware that you and Dahoumane were
24 manufacturing explosives in Vancouver, correct?

25 A. I didn't give him any details. He knows that I was

1 working with another friend, yes.

2 Q. Do you recall on June 23, in Seattle, with the same people
3 you had been discussing this case with, federal agents,
4 assistant United States attorneys, and your lawyers, do you
5 recall telling them that Zemmiri knew that you and Dahoumane
6 were manufacturing the explosives in Vancouver and he wanted
7 to be part of the operation; did you tell them that?

8 A. I told them that I and Dahoumane have told Zemmiri that we
9 are going to Vancouver to do a job. I did not tell him
10 explosives at all.

11 Q. Did you tell the FBI that Zemmiri knew that you and
12 Dahoumane were making the bombs?

13 A. I told them that he knew that we were going to do a job; I
14 didn't tell them that he knew about the explosives.

15 Q. Are you sure about that?

16 A. I didn't mention the word explosives. I told them that
17 Zemmiri knew that Dahoumane and I were going to Vancouver to
18 carry out a job.

19 Q. Zemmiri helped you plan the bank robbery, correct?

20 A. Yes, correct.

21 Q. Zemmiri and you did surveillance on the bank, correct?

22 A. Yes, correct.

23 Q. You asked Zemmiri to find you a pistol with a silencer,
24 correct?

25 A. Yes, a weapon, yes.

- 1 Q. You also asked Zemmiri to find you hand grenades, correct?
- 2 A. From him and also from Samir Ait Mohamed. I don't
- 3 remember quite clearly whether I did request that or not.
- 4 Q. What do you need hand grenades for?
- 5 A. I might have some use for it during the operation.
- 6 Q. What kind of use would you need hand grenades for?
- 7 A. If we are going to carry out a robbery we would need it.
- 8 Q. What did you intend to use hand grenades for in a robbery?
- 9 A. If you engage the police, you would throw a hand grenade
- 10 at them and run.
- 11 Q. You were willing to throw a live hand grenade at the
- 12 police in Canada in order to get away?
- 13 A. Yes, I did; if I needed it, I would do it.
- 14 Q. Zemmiri was a close friend of yours, correct?
- 15 A. He was a close friend, yes.
- 16 Q. You respected him, correct?
- 17 A. Yes, very much.
- 18 Q. He was involved in jihad activities, correct?
- 19 A. Yes, he did, he did have a jihad.
- 20 Q. He was aware you were about to commit a terrorist act on
- 21 United States soil, correct?
- 22 A. Yes, he knew that I was going to America to carry out a
- 23 job.
- 24 Q. He asked you to be part of the operation?
- 25 A. No, he asked me to come with me to Vancouver; I said no,

1 don't come.

2 Q. You did not select your friend Zemmiri to go with you to
3 Los Angeles to help you plant the bomb, correct?

4 A. No.

5 Q. Is that correct?

6 A. Yes, I didn't want him; yes, I didn't tell him, sorry, I
7 didn't tell him.

8 Q. To shortcut this, you had a number of other close friends
9 in Canada during this time who assisted you in preparing for
10 your operation, correct?

11 A. They didn't help me in my plan; they did a few simple
12 things.

13 Q. In doing those simple things, these men knew that you were
14 about to commit a terrorist act in the United States, correct?

15 A. They had a feeling but not, they didn't have any details.

16 Q. They knew because you told them that you were about to do
17 an operation in the United States, correct?

18 A. To some I said that, not to all.

19 Q. You did not select any of those trusted friends of yours
20 to accompany you to Los Angeles, correct?

21 A. Yes.

22 Q. In addition to those men, you had another friend named
23 Dahoumane, correct?

24 A. Yes, Dahoumane.

25 Q. Dahoumane was in Vancouver with you, correct?

- 1 A. Yes.
- 2 Q. Dahoumane helped you burglarize a fertilizer store,
3 correct?
- 4 A. Yes, correct.
- 5 Q. Dahoumane helped you assemble the bombs, correct?
- 6 A. Yes, correct.
- 7 Q. Dahoumane contributed money to the cause, correct?
- 8 A. Not much. I don't remember.
- 9 Q. Dahoumane showed up with no money in Vancouver?
- 10 A. He had some, some very little money.
- 11 Q. Dahoumane drove with you to the ferry in Victoria,
12 correct?
- 13 A. Yes, until the end of the stop there in Victoria.
- 14 Q. And it was not until that point when you reached the ferry
15 in Victoria that you told Dahoumane that you didn't want him
16 to come with you, correct?
- 17 A. How's that?
- 18 Q. When did you make the decision that Dahoumane was not
19 coming with you to the United States?
- 20 A. I had made that decision way before that, in Montreal.
- 21 Q. Are you sure about that?
- 22 A. Yes. Once I found Abdelghani, I stopped thinking of him.
- 23 Q. You stopped thinking of Dahoumane?
- 24 A. Yes, in regard to taking him with me to America.
- 25 Q. Do you remember your very first meeting with the FBI on

1 May 10, 2001?

2 A. Yes.

3 Q. Do you remember that there was an FBI agent there, the
4 assistant United States attorney for the Western District of
5 Washington was there, and your lawyers were there; do you
6 remember that?

7 A. Yes.

8 Q. Do you recall telling those people in your very first
9 interview that you said that it was not predetermined that
10 Dahoumane and Ressay would part company at Victoria, but
11 Ressay made that decision in Victoria? Do you remember
12 telling them that; do you remember saying that to those people
13 the very first time you met them?

14 A. No. I might have made a mistake. I had bought him a
15 ticket to Montreal, back to Montreal; how do I take him on
16 with me?

17 MR. OLLEN: May I approach the witness.

18 THE COURT: You may. What are you showing him,
19 3560A?

20 MR. OLLEN: Page 9. I would like the interpreter to
21 read it to him, just the underlined part.

22 (Pause)

23 A. That's wrong. It could be my mistake.

24 Q. Let me ask you this first, then we will get to who makes a
25 mistake on this. Does reading that document, does the

1 interpreter reading that document to you refresh your
2 recollection as to whether or not you told those people the
3 very first day you met them that it was not predetermined,
4 that Dahoumane and Ressay would part company at Victoria, but
5 Ressay made that decision in Victoria?

6 A. I might have misspoke.

7 Q. Did you say that?

8 A. Maybe I have said that, yes. I may have said that; I am
9 not sure. Maybe I misunderstood the question, but I may have
10 said that wrongly. It is possible that I said it.

11 Q. Mr. Ressay, at the time that you were formulating your
12 plan to blow up the airport, you had several trusted friends
13 in Canada, correct?

14 A. Not many, just a few.

15 Q. The people that we just mentioned?

16 A. Yes.

17 Q. They had similar political and religious beliefs to your
18 own, correct?

19 A. Some; not all of them did.

20 Q. Some had participated in jihad activity, correct?

21 A. Yes.

22 Q. And at least one of them had fought for jihad in Bosnia,
23 correct?

24 A. Yes.

25 Q. These people, some of them gave you money, correct?

1 A. Hassan Zemmiri, yes.

2 Q. The other man gave you \$100; you bought the watch?

3 A. Yes.

4 Q. Instead of using these men to help you, you trusted
5 Mokhtar Haouari to send a complete stranger to Los Angeles to
6 help you blow up an airport; is that your testimony?

7 A. How was that?

8 Q. I am sorry?

9 A. How was that; can you repeat the question please.

10 THE COURT: Please read the question back.

11 (Record read)

12 A. Yes.