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Chicago Resident David Coleman Headley Pleads Guilty to Role in India and Denmark Terrorism Conspiracies

Admits Conducting Surveillance for Lashkar e Tayyiba in Planning 2008 Mumbai Attacks

David Coleman Headley, a U.S. citizen of partial Pakistani descent, pleaded guilty today to a dozen federal terrorism charges, admitting that he participated in planning the November 2008 terrorist attacks in Mumbai, India, as well as later planning to attack a Danish newspaper. In pleading guilty to all 12 counts that were brought against him in December and were repeated in a subsequent indictment in January, Headley admitted that he attended training camps in Pakistan operated by Lashkar e Tayyiba, a designated foreign terrorist organization, on five separate occasions between 2002 and 2005. In late 2005, Headley received instructions from three members of Lashkar to travel to India to conduct surveillance, which he did five times leading up to the Mumbai attacks three years later that killed six Americans among approximately 164 people and wounded hundreds more.

A written plea agreement containing a detailed recitation of Headley's participation in the foreign terrorism conspiracies was presented when Headley, 49, of Chicago, changed his plea to guilty this afternoon before U.S. District Judge Harry Leinenweber in Federal Court in Chicago. Headley has cooperated with the Government since he was arrested on Oct. 3, 2009, and the plea agreement states that he "has provided substantial assistance to the criminal investigation, and also has provided information of significant intelligence value."

In light of Headley's past cooperation and expected future cooperation, the Attorney General has authorized the U.S. Attorney in Chicago not to seek the death penalty against Headley. When directed by the U.S. Attorney's office, Headley must fully and truthfully participate in any debriefings for the purpose of gathering intelligence or national security information, and Headley further agrees that, when directed by the United States Attorney's Office, he will fully and truthfully testify in any foreign judicial proceedings held in the United States by way of deposition, video-conferencing or letters rogatory.

Regarding sentencing, which will be deferred until after the conclusion of Headley's cooperation, the plea agreement calculates an anticipated advisory sentencing guideline of life in prison. Provided that Headley continues to provide full and truthful cooperation, the Government will ask the Court to grant an unspecified departure from the sentencing guidelines, which will be solely up to the Court to decide.

"Today's guilty plea is a crucial step forward in our efforts to achieve justice for the more than 160 people who lost their lives in the Mumbai terrorist attacks. Working with our domestic and international partners, we will not rest until all those responsible for the Mumbai attacks and the terror plot in Denmark are held accountable," said Attorney General Eric Holder. "Not only has the criminal justice system achieved a guilty plea in this case, but David Headley is now providing us valuable intelligence about terrorist activities. As this case demonstrates, we must continue to use every tool available to defeat terrorism both at home and abroad."

Headley pleaded guilty to conspiracy to bomb public places in India; conspiracy to murder and maim persons in India; six counts of aiding and abetting the murder of U.S. citizens in India; conspiracy to provide material support to terrorism in India; conspiracy to murder and maim persons in Denmark; conspiracy to provide material support to terrorism in Denmark; and conspiracy to provide material support to Lashkar.

According to the plea agreement, Headley attended the following training camps operated by Lashkar: a three-week course starting in February 2002 that provided indoctrination on the merits of waging jihad; a three-week course starting in August 2002 that provided training in the use of weapons and grenades; a three-month course starting in April 2003 that taught close combat tactics, the use of weapons and grenades and survival skills; a three-week course starting in August 2003 that taught

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counter-surveillance skills; and a three-month course starting in December 2003 that provided combat and tactical training.

Mumbai Terror Attacks

After receiving instructions from three Lashkar members in late 2005 to travel to India to conduct surveillance, in February 2006, in Philadelphia, Headley changed his name from Daood Gilani to facilitate his activities on behalf of Lashkar by portraying himself in India as an American who was neither Muslim nor Pakistani. In the early summer of 2006, Headley and two Lashkar members discussed opening an immigration office in Mumbai as a cover for his surveillance activities.

Headley eventually made five extended trips to Mumbai — in September 2006, February and September 2007, and April and July 2008 — each time making videotapes of various potential targets, including those attacked in November 2008. Before each trip, Lashkar members and associates allegedly instructed Headley regarding specific locations where he was to conduct surveillance, and Headley traveled to Pakistan after each trip to meet with Lashkar members and associates, report on the results of his surveillance, and provide the surveillance videos.

Before the April 2008 surveillance trip, Headley met with co-conspirators in Pakistan and discussed potential landing sites in Mumbai for a team of attackers who would arrive by sea. Headley returned to Mumbai with a global positioning system device and took boat trips around the Mumbai harbor and entered various locations into the device, according to the plea agreement.

Starting Nov. 26, 2008, and continuing through Nov. 28, 2008, 10 attackers trained by Lashkar carried out multiple assaults with firearms, grenades and improvised explosive devices against multiple targets in Mumbai, including the Taj Mahal and Oberoi hotels, the Leopold Café, the Chabad House and the Chhatrapati Shivaji Terminus train station, each of which Headley had scouted in advance, killing approximately 164 victims and wounding hundreds more.

The six Americans killed during the three-day siege are identified in the charges as Ben Zion Chroman, Gavriel Holtzberg, Sandeep Jeswani, Alan Scherr, his daughter Naomi Scherr and Aryeh Leibish Teitelbaum.

In March 2009, Headley made a sixth trip to India to conduct additional surveillance, including of the National Defense College in Delhi, and of Chabad Houses in several cities.

Denmark Terror Plot

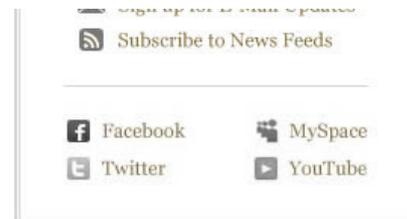
Regarding the Denmark terror plot, Headley admitted that in early November 2008, he met with a Lashkar member in Karachi, Pakistan, and was instructed to conduct surveillance of the Copenhagen and Aarhus offices of the Danish newspaper *Morgenavisen Jyllands-Posten* in preparation for an attack in retaliation for the newspaper's publication of cartoons depicting the Prophet Mohammed. After this meeting, Headley informed co-defendant Abdur Rehman Hashim Syed (Abdur Rehman), also known as "Pasha," of his assignment. Abdur Rehman stated to Headley words to the effect that if Lashkar did not go through with the attack, Abdur Rehman knew someone who would. Although not identified by name at the time, Headley later learned this individual to be co-defendant Ilyas Kashmiri. Abdur Rehman previously had told Headley that he had been working with Kashmiri and that Kashmiri was in direct contact with a senior leader for al Qaeda, the plea agreement states.

In late December 2008 and early January 2009, while in Chicago, Headley exchanged emails with Abdur Rehman to continue planning for the attack and to coordinate his travel to Denmark to conduct surveillance. In January 2009, Headley traveled from Chicago to Copenhagen to conduct surveillance of the *Jyllands-Posten* newspaper offices in Copenhagen and Aarhus and scouted and videotaped the surrounding areas.

In late January 2009, Headley met separately with Abdur Rehman and a Lashkar member in Pakistan to discuss the planned attack on the newspaper and provided them with videos of his surveillance. About the same time, Abdur Rehman provided Headley a video produced by the media wing of al Qaeda in approximately August 2008, which claimed credit for the June 2008 attack on the Danish embassy in Islamabad, Pakistan, and called for further attacks against Danish interests to avenge the publication of the offending cartoons.

In February 2009, Headley and Abdur Rehman meet with Kashmiri in the Waziristan region of Pakistan, where they discussed the video surveillance and ways to carry out the attack. Kashmiri told Headley that he could provide manpower for the operation and that Lashkar's participation was not necessary. In March 2009, a Lashkar member advised Headley that Lashkar put the newspaper attack on hold because of pressure resulting from the Mumbai attacks. In May 2009, Headley and Abdur Rehman again met with Kashmiri in Waziristan. Kashmiri told Headley to meet with a European contact who could provide Headley with money, weapons and manpower for the newspaper attack, and relate Kashmiri's instructions that this should be a suicide attack and the attackers should prepare martyrdom videos beforehand. Kashmiri also stated that the attackers should behead captives and throw their heads out of the newspaper building to heighten the response from Danish authorities, and added that the "elders," whom Headley understood to be al Qaeda leadership, wanted the attack to happen as soon as possible.

In late July and early August 2009, Headley traveled from Chicago to various places in Europe, and



met with and attempted to obtain assistance from Kashmiri's contacts and, while in Copenhagen, he made approximately 13 additional surveillance videos. When he returned to the United States on Aug. 5, 2009, Headley falsely told a U.S. Customs and Border Protection inspector in Atlanta that he had visited Europe for business reasons.

After returning to Chicago, Headley spoke with Abdur Rehman by phone and, using code, described his surveillance activities and his meeting with Kashmiri's European contact. On multiple occasions throughout August and September 2009, Headley communicated with Abdur Rehman about planning the attack and media reports that Kashmiri had been killed. On Oct. 3, 2009, Headley was arrested at O'Hare International Airport in Chicago, intending ultimately to travel to Pakistan to deliver the approximately 13 surveillance videos to Abdur Rehman and Kashmiri, the plea agreement states.

One of Headley's co-defendants, Tahawwur Rana, 49, of Chicago, who was indicted in January on three counts — conspiracy to provide material support to the Mumbai attacks; conspiracy to provide material support to the Denmark plot; and providing material support to Lashkar — has pleaded not guilty and remains in federal custody in Chicago while awaiting trial. Abdur Rehman and Kashmiri, who were charged in the same indictment with conspiracy to murder and maim persons in Denmark and providing material support to the Denmark plot, are not in U.S. custody.

The government is being represented by Chicago Assistant U.S. Attorneys Daniel Collins and Victoria J. Peters and Patrick J. Fitzgerald, U.S. Attorney for the Northern District of Illinois, as well as Los Angeles Assistant U.S. Attorneys Christopher Grigg and Janet Hudson of the U.S. Attorney's Office for the Central District of California, with assistance from the Counterterrorism Section of the Justice Department's National Security Division. The investigation has been conducted by the Chicago Joint Terrorism Task Force, led by the Chicago Office of the FBI, with assistance from the FBI offices in Los Angeles and Washington, D.C., as well as both U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement, Department of Homeland Security.

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Attorney General

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