AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Eastern District of Virginia

JAN 23 2012
CLERK, U.S. DISTRICT COURT
ALEXANDRIA, VIRGINIA

United States of America
v.
John Kiriakou

Case No. 1:12MJ33

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 2008 through 2009 in the county of Arlington in the Eastern District of Virginia, the defendant(s) violated:

Code Section	*Offense Description*
See Attachment A.	See Attachment A.

This criminal complaint is based on these facts:
See Affidavit in Support of Criminal Complaint and Arrest Warrant.

☑ Continued on the attached sheet.

Reviewed by AUSA/SAUSA:
Lisa Owings, AUSA

Complainant's signature
Special Agent Joseph Capitano, FBI
Printed name and title

Sworn to before me and signed in my presence.

Date: January 23, 2012

City and state: Alexandria, Virginia

/s/
John F. Anderson
United States Magistrate Judge

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

UNITED STATES OF AMERICA	)	**Attachment A**
	)	
v.	)	
	)	
JOHN KIRIAKOU	)	CASE NUMBER: 1:12MJ33

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

COUNT ONE

At times in 2008 and 2009, in the Eastern District of Virginia, Alexandria Division, and elsewhere, **JOHN KIRIAKOU**, defendant herein,

> having learned the identity of a covert agent as a result of having access to classified information, intentionally disclosed information identifying such covert agent to an individual not authorized to receive classified information, knowing that the information disclosed so identified such covert agent and that the United States government was taking affirmative measures to conceal such covert agent's intelligence relationship to the United States, in that defendant **JOHN KIRIAKOU** emailed the name of Covert Officer A to Journalist A;

in violation of Title 50, United States Code, Section 421(b); and

COUNT TWO

At times prior to June 22, 2008, in the Eastern District of Virginia, Alexandria Division, and elsewhere, **JOHN KIRIAKOU**, defendant herein,

> lawfully having had access to and been entrusted with information relating to the national defense, namely, the association of Officer B with the Central Intelligence Agency's Rendition, Detention, and Interrogation Program ("RDI Program") and with an operation to locate and capture Abu Zubaydah, which information the defendant had reason to believe could be used to the injury of the United States and to the advantage of any foreign nation, willfully communicated and transmitted the same to Journalist B, a person not entitled to receive it;

in violation of Title 18, United States Code, Sections 793(d); and

COUNT THREE

At times in May and November 2008, in the Eastern District of Virginia, Alexandria Division, and elsewhere, **JOHN KIRIAKOU**, defendant herein,

> lawfully having had access to and been entrusted with information relating to the national defense, namely, the association of Officer B with the Central Intelligence Agency's RDI Program, which information the defendant had reason to believe could be used to the injury of the United States and to the advantage of any foreign nation, willfully communicated and transmitted the same to Journalist A, a person not entitled to receive it;

in violation of Title 18, United States Code, Sections 793(d); and

COUNT FOUR

On or about July 28, 2008, in the Eastern District of Virginia, Alexandria Division, and elsewhere, **JOHN KIRIAKOU**, defendant herein,

> in a matter within the jurisdiction of the executive branch of the Government of the United States, namely, the Publications Review Board of the Central Intelligence Agency, willfully concealed and covered up by trick and scheme a material fact, namely, that, in connection with a manuscript he was seeking to publish, the defendant was aware that the Central Intelligence Agency used a particular classified technique in an operation to locate and capture Abu Zubaydah, despite representing falsely to the Publications Review Board that the technique was fictitious;

in violation of Title 18, United States Code, Section 1001(a)(1).