



IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA	)	CRIMINAL NO. 03-513-A
	)	
v.	)	Counts 1, 17-21: 18 U.S.C. § 1001
	)	False Statements, Writings, and Schemes
ABDURAHMAN MUHAMMAD	)	
ALAMOUDI	)	Count 2: 18 U.S.C. § 2332d
	)	Prohibited Financial Transactions
	)	with Libyan Government
	)	
	)	Counts 3-14: 50 U.S.C. § 1705
	)	Prohibited Financial Transactions with Libya
	)	
	)	Counts 15-16: 18 U.S.C. § 1956
	)	Money Laundering
	)	
	)	Counts 22: 31 U.S.C. § 5324
	)	Money Structuring
	)	
	)	Counts 23-24: 18 U.S.C. § 1544
	)	Misuse of Passport
	)	
	)	Count 25: 18 U.S.C. § 1425(a)
	)	Unlawful Procurement of Naturalization
	)	
	)	Count 26-28: 26 U.S.C. § 7206(1)
	)	Materially False Income Tax Returns
	)	
	)	Count 29: 26 U.S.C. § 7206(2)
	)	Procuring Materially False Income Tax
Returns	)	
	)	
	)	Counts 30-33: 31 U.S.C. § 5322
	)	Failure to Report Foreign Bank Accounts
	)	
	)	Count 34: 26 U.S.C. § 7212(a)
	)	Corrupt Endeavor to Impede Administration
	)	of Internal Revenue Laws

SUPERSEDING INDICTMENT

MARCH 2004 TERM -- AT ALEXANDRIA

THE GRAND JURY CHARGES THAT:

General Allegations

1. At all times relevant to this Indictment, the International Emergency Economic Powers Act (Title 50, United States Code, Sections 1701 through 1706) ("IEEPA"), empowered the President of the United States to deal with unusual or extraordinary threats to the national security and foreign policy of the United States by regulating or prohibiting transactions involving property in which a foreign country or a national thereof has any interest. IEEPA empowered the President to regulate or prohibit such transactions through the issuance of Executive Orders which have the force and effect of law. A willful violation, or attempted violation, of any Executive Order, Regulation, or a license issued under the authority of IEEPA is a crime pursuant to Title 50, United States Code, Section 1705(b).

2. On January 7, 1986, in the wake of terrorist bombings at airports in Rome, Italy, and Vienna, Austria, President Reagan declared a national emergency and invoked his powers under IEEPA, to order wide-ranging and comprehensive economic sanctions against Libya. The effect of the economic sanctions ordered was to halt virtually all economic intercourse with Libya and to "block" all Libyan property in the United States.

3. To implement President Reagan's orders regarding economic sanctions against Libya, the United States Department of the Treasury, through the Office of Foreign Assets Control ("OFAC"), promulgated the Libyan Sanctions Regulations, which are contained in Title 31, Code of Federal Regulations, Part 550. The Libyan Sanctions Regulations prohibit U.S. persons

from engaging in: (a) the exportation of goods and services to Libya; (b) transactions involving property in which the Government of Libya has an interest; (c) transactions relating to travel to and from Libya or to activities within Libya; and (d) transactions which have the purpose or effect of evading the prohibitions in the regulations. In short, the Libyan Sanctions Regulations prohibit virtually all commercial transactions with Libya by U.S. persons unless they have been licensed or otherwise authorized.

4. Title 31, Code of Federal Regulations, Section 550.203 prohibits any transaction by a United States person relating to transportation to or from Libya. Section 550.207 of that same title prohibits transactions relating to travel to Libya or to activities within Libya and states:

This section prohibits the unauthorized payment by a U.S. person of his own travel or living expenses to or within Libya.

5. Title 31, Code of Federal Regulations, Section 550.209 prohibits dealing in property in which the Government of Libya has an interest (known as “blocked property”). It states:

Except as authorized by regulations, rulings, instructions, licenses, or otherwise, no property or interests in property of the Government of Libya that are in the United States that hereafter come within the United States or that are or hereafter come within the possession or control of U.S. persons, . . . . may be transferred, paid, exported, withdrawn or otherwise dealt in.

6. Title 31, Code of Federal Regulations, Section 550.304 defines the “Government Libya” to include:

(a) The state and the Government of Libya, as well as any political subdivision, agency, or instrumentality thereof . . . ;

(b) Any partnership, association, corporation or other organization owned or controlled directly or indirectly by the [entities in subparagraph a];

(c) Any person to the extent that such person is, or has been, or to the extent that there is reasonable cause to believe that such person is, or has been, . . . acting or purporting to act directly or indirectly on behalf of any of the [entities in subparagraphs a & b]; . . . .

7. Title 31, Code of Federal Regulations, Section 550.202 provides:

Except as authorized, no goods, technology . . . or services may be exported to Libya from the United States . . . .

8. Title 31, Code of Federal Regulations, Section 550.422 explains that the prohibitions contained in §§ 550.202 and 550.209 apply to services performed on behalf of the Government of Libya anywhere in the world by an individual U.S. person ordinarily resident in the United States. As used in the Libyan Sanctions Regulations, the term U.S. Person includes a “United States citizen, permanent resident alien, juridical person authorized under the laws of the United States, . . . or any person in the United States.”

9. Title 31, Code of Federal Regulations, Section 208 prohibits any transaction for the purpose of, or which has the effect of, evading or avoiding any of the restrictions in the Libyan Sanctions Regulations.

10. Title 18, United States Code, Section 2332d prohibits financial transactions between any United States person and any of the seven state sponsors of terrorism. It provides:

Except as provided in regulations issued by the Secretary of the Treasury, in consultation with the Secretary of State, whoever, being a United States person, knowing or having reasonable cause

to know that a country is designated under section 6(j) of the Export Administration Act of 1979 (50 U.S.C. App. 2405) as a country supporting international terrorism, engages in a financial transaction with the government of that country, shall be [punished as the law directs]

11. At all times relevant to this indictment, Libya has been continuously designated a state sponsor of terrorism under Section 6(j) of the Export Administration Act of 1979.

12. In the regulations adopted by the Secretary of Treasury to implement Section 2332d, Title 31, Code of Federal Regulations, Part 596 (The Terrorist List Government Sanctions Regulations), Section 596.503 allows only those financial transactions with the Government of Libya which are authorized under the Libyan Sanctions Regulations. In other words, compliance with the Libyan Sanctions Regulations creates a safe harbor under 18 U.S.C. § 2332d for a U.S. person who engages in a financial transaction with the Government of Libya. However, unless the financial transaction complies with the licensing or authorization requirements of the Libyan Sanctions Regulations, or is not required to be licensed or authorized under those regulations, the financial transaction is prohibited under Section 2332d.

13. Use of a United States passport in violation of the rules prescribed pursuant to the laws regulating the issuance of passports is a violation of Title 18, United States Code, Section 1544. One of the rules prescribed for use of United States passports is contained at Title 22, Code of Federal Regulations, Section 51.73, which provides that United States passports are invalid for travel into countries about which the Secretary of State has made certain determinations, such as whether there is an imminent danger to the public health or physical

safety of United States travelers. Since December 11, 1981, such determinations have been made by the Secretaries of States regarding travel to Libya. As a result of such determinations, at all times relevant to this indictment, United States passports have been invalid for travel to Libya, absent a special advance approval, based upon annual determinations of the Secretary of State.

14. Title 31, United States Code, Section 5313 requires any financial institution that engages in a currency transaction (i.e., a deposit or withdrawal) in excess of \$10,000 with a customer to report the transaction to the Internal Revenue Service on Form 4789, Currency Transaction Report ("CTR").

15. Title 31, United States Code, Section 5316 requires any person that transports cash or monetary instruments of more than \$10,000 at one time to a place in the United States from or through a place outside the United States, and any person who receives such cash or monetary instruments in the United States from outside the country, to report the transaction to the United States Customs Service (now the Bureau of Immigration and Customs Enforcement) on Form 4790, Report of International Transportation of Currency or Monetary Instruments ("CMIR").

16. CTRs and CMIRs often are used by law enforcement to uncover a wide variety of illegal activities including narcotics trafficking and money laundering. Many individuals involved in these illegal activities are aware of such reporting requirements and take active steps to avoid the filing of CTRs and CMIRs. These active steps are often referred to as "smurfing" or "structuring." Cash is "structured" to evade the CTR requirement by arranging the transfer into American financial institutions of money received in cash in ways to evade the filing of a currency transaction report. Cash received outside the United States is "structured" to evade the

CMIR requirement by arranging the transfer of its value into America in ways to evade the filing of a currency and monetary instrument report. Structuring cash deposits to evade the filing of a CTR by a financial institution is prohibited by 31 U.S.C. § 5324(a). Structuring cash into the United States to evade the filing of a CMIR is prohibited by 31 U.S.C. § 5324(c).

17. Title 31, United States Code, Section 5314 authorizes the Secretary of the Treasury to require all citizens of the United States to file reports with the Treasury Department when they maintain relationships with a bank in a foreign country. Pursuant to that authority, Title 31, Code of Federal Regulations, Sections 103.24 and 103.27, require individuals to report their foreign bank accounts to the Internal Revenue Service for each year they have such accounts. Individuals report such interests on Schedule B (Interest and Ordinary Dividends) to their individual income tax return (Form 1040) and on a form known as a TD F 90-22.1, Report of Foreign Bank and Financial Accounts.

18. TD F 90-22.1 (commonly known as an “FBAR” as an acronym for “Foreign Bank Account Report”) is required to be filed no later than June 30<sup>th</sup> of each calendar year with respect to foreign financial accounts maintained during the previous calendar year, by all citizens who maintained a financial interest in, signature authority over, or other authority over one or more financial accounts in foreign countries with an aggregate value of \$10,000 or more. A willful violation of a regulation or order issued under Section 5314 of Title 31, United States Code, is punishable pursuant to Section 5322 of that Title.

19. Internal Revenue Code Section 6033 generally requires tax-exempt organizations to file returns if their annual receipts are in excess of \$25,000. IRS Form 990 (Return of Organization Exempt from Income Tax) is used by tax-exempt organizations to provide the IRS

with the required information. At Part I, Form 990, line 1(d), the tax-exempt organization is required to report its total contributions. Generally, exempt organizations are required to attach a schedule (Schedule B) to their IRS Form 990 identifying all contributors who gave, in the aggregate, more than \$5,000 during the year by name and address and the total of their contribution.



## COUNT 1

### Concealing Material Facts

1. The Grand Jury realleges and incorporates by reference the General Allegations of this Indictment.

2. From November 1, 1995, to on or about September 28, 2003, at Washington Dulles Airport in Loudoun County, in the Eastern District of Virginia and elsewhere, the defendant, ABDURAHMAN MUHAMMAD ALAMOUDI, did unlawfully, knowingly, and willfully falsify, conceal and cover up by a trick, scheme and device, material facts in a matter within the jurisdiction of the Department of the Treasury; Internal Revenue Service; United States Customs Service; the Department of Justice; Immigration and Naturalization Service; and the Department of Homeland Security, agencies of the executive branch of the government of the United States.

### The Scheme

The primary purpose of the scheme was to obtain money from Libya and other sources overseas and transmit it to and through the United States outside of the knowledge of the United States government and without attracting the attention of law enforcement and regulatory authorities. Specifically, to prevent the Department of the Treasury, Internal Revenue Service, Customs Service, the Department of Justice, Immigration and Naturalization Service, and the Department of Homeland Security, from learning how much money he controlled, how and where he obtained such money, and what he did with such money; defendant ALAMOUDI did:

- a. Engage in financial transactions with the Government of Libya, a country designated under Section 6(j) of the Export Administration Act of 1979 as a country supporting international terrorism, in violation of Title 18, United States Code, Section 2332d;

- b. Engage in financial transactions with Libya, in violation of a regulation issued under Chapter 35 of Title 50, United States Code, in violation of Title 50, United States Code, Section 1705;
- c. Use his United States passport in violation of the conditions and restrictions therein contained, and the rules prescribed pursuant to the laws regulating the issuance of passports, in violation of Title 18, United States Code, Section 1544;
- d. Make false, fictitious, and fraudulent material statements and representations in matters within the jurisdiction of the Immigration and Naturalization Service, an agency of the executive branch of the government of the United States, in matters involving citizenship, naturalization, and the registry of aliens,
  - i. by falsely denying certain overseas travel;
  - ii. by falsely concealing his affiliation with Mousa Abu Marzook, who had been named a Specially Designated Terrorist under Executive Order 12947 on August 29, 1995; and
  - iii. by falsely concealing his membership in other organizations with connections to foreign entities;
- e. Falsely deny to United States Customs Service officials, and later to officials of the Department of Homeland Security, United States Customs and Border Protection, that he had traveled to Libya when he had in fact done so, in violation of 18 U.S.C. § 1001;
- f. Travel to Libya on different passports than the one he presented to Department of Homeland Security, United States Bureau of Customs and Border Protection officials upon his return from trips to Libya;
- g. Attempt to structure the importation into the United States cash he received from Libyan sources outside the United States for the purpose of evading the filing of a Report of International Transportation of Currency or Monetary Instruments in accordance with the reporting requirements of Section 5316 of Title 31, United States Code, by attempting to transport cash to Saudi Arabia for deposit there and subsequent wire transfer into the United States, in violation of 31 U.S.C. § 5324 and 18 U.S.C. § 1956;
- h. Attempt to structure transactions with domestic financial institutions cash he received from Libyan sources outside the United States for the purpose of evading the filing of a Currency Transaction Report in accordance with

the reporting requirements of sections 5313(a) of Title 31, United States Code, by attempting to transport the cash to Saudi Arabia for deposit there and subsequent wire transfer into the United States, in violation of 31 U.S.C. § 5324 and 18 U.S.C. § 1956;

- ii. Conceal that he had an interest in and signature and other authority over foreign financial accounts in Saudi Arabia and Switzerland on Schedule B (Interest and Ordinary Dividends) to his individual income tax return (IRS Form 1040), as required by Title 31, U.S.C. § 5314 and Title 31, Code of Federal Regulations, §§ 103.24, in violation of Title 26, U.S.C. § 7206(1); and
- j. Fail to file Reports of Foreign Bank and Financial Account (TD Form 90-22.1) as required for individuals having financial interests in, or signature or other authority over, financial accounts in foreign countries as required by Title 31, U.S.C. § 5314, in violation of 31 U.S.C. § 5322.

It was part of the scheme that, on Wednesday, August 13, 2003, ALAMOUDI received a telephone call at the Metropole Hotel in London from an individual with a Libyan accent, who informed ALAMOUDI that the caller had “something” for ALAMOUDI. ALAMOUDI opened his hotel room door and received from an individual a briefcase containing \$340,000 in sequentially-numbered bills of United States currency, but engaged the individual in no conversation before the individual departed. On August 16, 2003, Alamoudi departed for the airport en route to Syria, having transferred the cash to his own luggage and left the briefcase in the hotel room.

In furtherance of the scheme and to effect the objects thereof, the defendant falsely stated to Department of Homeland Security, United States Customs and Border Protection officials at Washington Dulles Airport on September 28, 2003, that the countries that he visited on his trip outside the United States from which he was then returning included only England, Saudi Arabia, Yemen, Syria, and Lebanon, when in fact he also had traveled to Libya and Egypt.

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

COUNT 2

Prohibited Financial Transactions with the Government of Libya

THE GRAND JURY CHARGES THAT:

A. The Grand Jury realleges and incorporates by reference the General Allegations of this Indictment.

B. On or about August 16, 2003, in London, England, outside the jurisdiction of any particular state and district, defendant ABDURAHMAN MUHAMMAD ALAMOUDI, being a United States person knowing and having reasonable cause to know that Libya was a country designated under section 6(j) of the Export Administration Act of 1979 as a country supporting international terrorism, did unlawfully and knowingly engage in a financial transaction with the government of that country without complying with the licensing and authorization requirements of the Libyan Sanctions Regulations. In specific, defendant ALAMOUDI received and transferred and attempted to transfer, and exported and attempted to export, and otherwise dealt in and attempted to otherwise deal in, \$340,000 in cash from the World Islamic Call Society, an entity that was a part of, controlled by and acting on behalf of the Government of Libya, within the meaning of Title 31, Code of Federal Regulations, 550.304 (a)-(c).

C. On or about September 28, 2003, defendant ABDURAHMAN MUHAMMAD ALAMOUDI was first brought to the Eastern District of Virginia.

(In violation of Title 18, United States Code, Sections 2332d and 3238, and Title 31 C.F.R. Sections 550.208, 550.209, 550.304 and 596.503.)

COUNTS 3 - 14

Prohibited Financial Transactions with Libya

THE GRAND JURY FURTHER CHARGES THAT:

A. The Grand Jury realleges and incorporates by reference the General Allegations listed in this Indictment.

B. On or about the following dates in Alexandria, Virginia, in the Eastern District of Virginia, and elsewhere outside the jurisdiction of any particular state and district, defendant ABDURAHMAN MUHAMMAD ALAMOUDI, being a United States person, did unlawfully, knowingly, and willfully violate and attempt to violate, a regulation issued under Title 50, United States Code, Sections 1701 through 1706, in that, as a United States person, defendant did willfully and unlawfully engage in financial transactions with Libya without complying with the licensing and authorization requirements of the Libyan Sanctions Regulations, as detailed below:

<u>Count</u>	<u>Date</u>	<u>Transaction</u>
3.	January 23, 2000	Defendant paid, and caused to be paid, expenses relating to travel to and from Libya, to wit, round trip air fare on Swiss Air from Zurich, Switzerland, to Tripoli, Libya, in the amount of \$1877.70;
4.	August 14, 2001	Defendant paid, and caused to be paid, expenses relating to travel to and from Libya, to wit, round trip air fare on Swiss Air from Zurich, Switzerland, to Tripoli, Libya, in the amount of \$2014.28;
5.	September 12, 2002	Defendant paid, and caused to be paid, expenses relating to travel to and from Libya, to wit, round trip air fare on Swiss International Air Lines from Zurich, Switzerland, to Tripoli, Libya, in the amount of \$3493.71 Canadian dollars;
6.	October 15, 2002	Defendant paid, and caused to be paid, expenses relating to travel to and from Libya, to wit, round trip air fare on British Airways from London Gatwick Airport to Libya in the amount of \$827.45;
7.	November 3, 2002	Defendant paid, and caused to be paid, expenses relating to travel to and from Libya, to wit, air fare on British Airways from Jeddah, Saudi Arabia, to London

Heathrow Airport, to Tripoli, Libya, and a return to Jeddah, Saudi Arabia, in the amount of 5067.00 Saudi riyals;

8. December 31, 2002 Defendant paid, and caused to be paid, expenses relating to travel to and from Libya, to wit, air fare on Swiss International Air Lines from Tripoli, Libya, through Zurich, Switzerland, and then Washington, D.C., in the amount of 1306.15 Libyan dinar;

9. March 13, 2003 Defendant paid, and caused to be paid, expenses relating to travel to and from Libya, to wit, by redeeming frequent flyer miles for a round trip airfare on Swiss International Air Lines from Zurich, Switzerland, to Tripoli, Libya, and paying, and causing to be paid, the associated taxes in the amount of \$77.82;

10. March 30, 2003 Defendant paid, and caused to be paid, expenses relating to travel to and from Libya, to wit, round trip air fare on Swiss International Air Lines from Tripoli, Libya, through Zurich, Switzerland, to London and returning, in the amount of 1275.90 Libyan dinar;

11. June 19, 2003 Defendant paid, and caused to be paid, expenses relating to travel to, from and within Libya, to wit, by purchasing air fare at the offices of Swiss International Air Lines, in Tripoli, Libya, from Zurich, Switzerland, to London, in the amount of 1507.05 Libyan dinar;

12. August 3, 2003 Defendant paid, and caused to be paid, expenses relating to travel to and from Libya, to wit, air fare on Swiss International Air Lines from Tripoli, Libya, through Zurich, Switzerland, to Washington, D.C., in the amount of 1286 Libyan dinar;

13. August 16, 2003 In London, England, defendant transferred and attempted to transfer, and exported and attempted to export, and otherwise dealt in and attempted to otherwise deal in \$340,000 in cash received from a representative of the World Islamic Call Society, an entity that was a part of, controlled by and acting on behalf of the Government of Libya, within the meaning of Title 31, Code of Federal Regulations, 550.304 (a)-(c).

14. September 25, 2003 Defendant paid, or caused to be paid, expenses relating to travel to Libya, to wit, round trip air fare on British Airways from Tripoli, Libya, through London Heathrow Airport to Washington, D.C. and returning, in the amount of 3165.75 Libyan dinar.

3. On or about September 28, 2003, defendant ABDURAHMAN MUHAMMAD

ALAMOUDI was first brought to the Eastern District of Virginia.

(In violation of Title 50, United States Code, Section 1705(b), Executive Orders 12543 and 12544 and Title 31, CFR Sections 550.202, 550.203, 550.207, 550.208, 550.209, and 550.304 and Title 18, United States Code, Section 3238.)



Money Laundering

THE GRAND JURY FURTHER CHARGES THAT:

1. The Grand Jury realleges and incorporates by reference the General Allegations listed in this Indictment.

2. On or about August 13-16, 2003, in London, England, and elsewhere outside the jurisdiction of any particular state and district, defendant ABDURAHMAN MUHAMMAD ALAMOUDI, attempted to transport, transmit, and transfer funds to a place in the United States from or through a place outside the United States, knowing that the funds involved in the transportation, transmission, and transfer represented the proceeds of some form of unlawful activity and that such transportation, transmission, and transfer was designed in whole and in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of specified unlawful activity and avoid a transaction reporting requirement under Federal law. Specifically, defendant attempted to transmit the \$340,000 in cash he received in the United Kingdom from Libya in violation of 50 U.S.C. § 1705(b), to the United States from outside the United States, in transactions designed to conceal the source of the proceeds and avoid Currency Transaction Reports and Currency and Monetary Instrument Reports required pursuant to 31 U.S.C. §§ 5313 and 5316.

3. On or about September 28, 2003, defendant ABDURAHMAN MUHAMMAD ALAMOUDI was first brought to the Eastern District of Virginia.

(In violation of Title 18, United States Code, Sections 1956(a)(2)(B) and 3238.)

COUNT 16

Money Laundering

THE GRAND JURY FURTHER CHARGES THAT:

1. The Grand Jury realleges and incorporates by reference the General Allegations listed in this Indictment.
  
2. On or about August 13-16, 2003, in London, England, and elsewhere outside the jurisdiction of any particular state and district, defendant ABDURAHMAN MUHAMMAD ALAMOUDI did unlawfully and knowingly attempt to transport, transmit, and transfer funds to a place in the United States from or through a place outside the United States, with the intent to promote the carrying on of specified unlawful activity. Specifically, defendant attempted to transmit \$340,000 in cash he received in the United Kingdom to the United States with the intent to promote the carrying on of a violation of the economic sanctions against Libya, in violation of 50 U.S.C. § 1705.
  
3. On or about September 28, 2003, defendant ABDURAHMAN MUHAMMAD ALAMOUDI was first brought to the Eastern District of Virginia.

(In violation of Title 18, United States Code, Sections 1956(a)(2)(A) and 3238.)

COUNT 17

False Statement

THE GRAND JURY FURTHER CHARGES THAT:

1. The Grand Jury realleges and incorporates by reference the General Allegations listed in this Indictment.

2. On or about September 28, 2003, at Washington Dulles Airport in Loudoun County, in the Eastern District of Virginia, the defendant, ABDURAHMAN MUHAMMAD ALAMOUDI, did unlawfully, knowingly and willfully make a materially false, fictitious and fraudulent statement and representation in a matter within the jurisdiction of the Department of Homeland Security, an agency of the executive branch of the government of the United States. Specifically, in responding to a question from an officer of the United States Customs and Border Protection asking him to identify the countries that he had visited in the course of the trip outside the United States from which he was then returning, ALAMOUDI falsely stated that he had visited only England, Saudi Arabia, Yemen, Syria, and Lebanon, when, as ALAMOUDI then well knew, he had also visited Libya and Egypt.

(In violation of Title 18, United States Code, Section 1001(a)(2).)

COUNTS 18-21

False Writings

THE GRAND JURY FURTHER CHARGES THAT:

1. The Grand Jury realleges and incorporates by reference the General Allegations listed in this Indictment.

2. On or about the following dates, at Washington Dulles Airport in Loudoun County, in the Eastern District of Virginia, the defendant, ABDURAHMAN MUHAMMAD ALAMOUDI, did unlawfully, knowingly and willfully make and use a false writing and document knowing the same to contain a materially false, fictitious and fraudulent statement and entry, in a matter within the jurisdiction of the Department of Homeland Security, an agency of the executive branch of the government of the United States. Specifically, in responding to Question 8 on Customs Form 6059-B, which requires the traveler to list "Countries visited on this trip prior to U.S. arrival," ALAMOUDI falsely wrote that he had visited only countries other than Libya when, as ALAMOUDI then well knew, he had also visited Libya.

<u>Count</u>	<u>Date</u>
18	January 1, 2003
19	March 19, 2003
20	May 11, 2003
21	September 28, 2003

(In violation of Title 18, United States Code, Section 1001(a)(3).)

COUNT 22

Structuring Financial Transactions to Evade Reporting Requirements

THE GRAND JURY FURTHER CHARGES THAT:

1. The Grand Jury realleges and incorporates by reference the General Allegations listed in this Indictment.

2. On or about August 13-16, 2003, in London, England, and outside the jurisdiction of any particular state and district, defendant ABDURAHMAN MUHAMMAD ALAMOUDI did, for the purposes of evading the reporting requirements of Section 5313(a) of Title 31, United States Code, unlawfully and knowingly structure and attempt to structure a transaction with a domestic financial institution. In specific, on or about August 16, 2003, to evade the filing of a Currency Transaction Report as required by Section 5313(a) of Title 31, United States Code, ALAMOUDI attempted to structure the deposit of \$340,000 in cash that he possessed in London, England, into a domestic financial institution in a manner that would not trigger the filing of a Currency Transaction Report, by, transporting the cash out of England, depositing the cash into a financial institution in another country from which the credits for such cash could be wire transferred into a domestic financial institution in a manner that would not trigger the filing of a Currency Transaction Report required by Section 5313(a) for currency transactions in excess of \$10,000.

3. On or about September 28, 2003, defendant ABDURAHMAN MUHAMMAD ALAMOUDI was first brought to the Eastern District of Virginia.

(In violation of Title 31, United States Code, Section 5313 and 5324, and Title 18, United States Code, Section 3238.)

COUNTS 23-24

Misuse of Passport

THE GRAND JURY FURTHER CHARGES THAT:

1. The Grand Jury realleges and incorporates by reference the General Allegations listed in this Indictment.

2. On or about the following dates, in Libya, outside the jurisdiction of any particular state and district, defendant ABDURAHMAN MUHAMMAD ALAMOUDI did unlawfully and knowingly use a passport in violation of the conditions and restrictions therein contained, and of the rules prescribed pursuant to the laws regulating the issuance of passports, in that on or about the dates listed below, the defendant used his United States passport to travel to Libya, without obtaining a special validation, in violation of the special validation requirement of Title 22, C.F.R., Sections 51.73 and 51.74, 65 Federal Register 75761-01 and 66 Federal Register 58546-02, rules prescribed pursuant to Title 22, United States Code, Section 211a, a law regulating the issuance of passports.

<u>Count</u>	<u>Date</u>
23	August 14, 2001 to August 23, 2001
24	February 7, 2002 to February 12, 2002

3. On or about September 28, 2003, defendant ABDURAHMAN MUHAMMAD ALAMOUDI was first brought to the Eastern District of Virginia.

(In violation of Title 18, United States Code, Sections 1544 and 3238.)

COUNT 25

Unlawful Procurement of Naturalization

THE GRAND JURY FURTHER CHARGES THAT:

1 The Grand Jury realleges and incorporates by reference the General Allegations listed in this Indictment.

2. Between on or about November 1, 1995, and on or about April 12, 1996, in Arlington County, in the Eastern District of Virginia, ABDURAHMAN MUHAMMAD ALAMOUDI did knowingly procure his own naturalization contrary to law. Specifically, in the Application for Naturalization (Form N-400) he submitted on November 1, 1995, and swore to on April 12, 1996, he made the following false statements under oath and false material statements and concealed the following material facts:

1. At Part 3 (Additional Information About You) of the Application for Naturalization, under the heading "Absences from the U.S.," he stated that he had been absent from the United States only five times in the five years preceding his Application for Naturalization, when in fact, as the defendant then well knew, he had been absent from the United States approximately 10 times during the five years preceding his Application for Naturalization;
2. At Part 9 (Memberships and Organizations) of the Application for Naturalization, in response to the direction to list his present and past membership in or affiliation with every organization, association, fund, foundation, party, club, society, or similar group in the United States or any other place, he failed to state that, as he then well knew, he was or had been: a Director of Mercy International - U.S.A., Inc.; a Director of United Association for Studies and Research, Inc.; affiliated with the Marzook Legal Fund, aka the Marzook Family Fund; the President of American Task Force for Bosnia, Inc.; a trustee of the Fiqh Council of North America; a director of Muslims for a Better America; a director of the Council for the National Interest Foundation; and, a member of the Eritrean Liberation Front/People's Liberation Force.

These false statements were made in violation of Title 18, United States Code, Sections 1001(a) and 1015(a).

(In violation of Title 18, United States Code §1425(a).)



COUNT 26

False Statements on Tax Return

THE GRAND JURY FURTHER CHARGES THAT:

1. The Grand Jury realleges and incorporates by reference the General Allegations listed in this Indictment.

2. On or about April 15, 1999, in the Eastern District of Virginia, the defendant, ABDURAHMAN MUHAMMAD ALAMOUDI, a resident of Falls Church, Virginia, did willfully make and subscribe a U.S. Individual Income Tax Return (Form 1040) for the calendar year 1998, which was verified by a written declaration that it was made under the penalties of perjury and was filed with the Internal Revenue Service, which said Form 1040 he did not believe to be true and correct as to every material matter in that in Part III, Question 7(a) to Schedule B (Interest and Ordinary Dividends) to the Form 1040, he stated that he did not have “an interest in or signature or other authority over a financial account in a foreign country, such as a bank account, securities account, or other financial account,” and, in response to Question 7(b), omitted the name of the foreign country where the account was located; whereas, as the defendant then and there well knew and believed, he had an interest in, and signature and other authority over a foreign bank account in Saudi Arabia.

(In violation of Title 26, United States Code, Section 7206(1).)

COUNT 27

False Statement on Tax Return

THE GRAND JURY FURTHER CHARGES THAT:

1. The Grand Jury realleges and incorporates by reference the General Allegations listed in this Indictment.

2. On or about July 31, 2000, in the Eastern District of Virginia, the defendant, ABDURAHMAN MUHAMMAD ALAMOUDI, a resident of Falls Church, Virginia, did willfully make and subscribe an U.S. Individual Income Tax Return (Form 1040) for the calendar year 1999, which was verified by a written declaration that it was made under the penalties of perjury and was filed with the Internal Revenue Service, which said Form 1040 he did not believe to be true and correct as to every material matter in that in Part III, Question 7(a) to Schedule B (Interest and Ordinary Dividends) to the Form 1040, he stated that he did not have “an interest in or signature or other authority over a financial account in a foreign country, such as a bank account, securities account, or other financial account,” and, in response to Question 7(b), omitted the name of the foreign country where the account was located; whereas, as the defendant then and there well knew and believed, he had an interest in, and signature and other authority over a foreign bank account in Switzerland.

(In violation of Title 26, United States Code, Section 7206(1).)

COUNT 28

False Statement on Tax Return

THE GRAND JURY FURTHER CHARGES THAT:

1. The Grand Jury realleges and incorporates by reference the General Allegations listed in this Indictment.

2. On or about April 15, 2002, in the Eastern District of Virginia, the defendant, ABDURAHMAN MUHAMMAD ALAMOUDI, a resident of Falls Church, Virginia, did willfully make and subscribe a joint U.S. Individual Income Tax Return (Form 1040) for the calendar year 2001, in the name of Abdurahman M. & Shifa O. Alamoudi, which was verified by a written declaration that it was made under the penalties of perjury and was filed with the Internal Revenue Service, which said Form 1040 he did not believe to be true and correct as to every material matter in that in Part III, Question 7(a) to Schedule B (Interest and Ordinary Dividends) to the Form 1040, he stated that he did not have “an interest in or signature or other authority over a financial account in a foreign country, such as a bank account, securities account, or other financial account,” and, in response to Question 7(b), omitted the name of the foreign country where the account was located; whereas, as the defendant then and there well knew and believed, he had an interest in, and signature, and other authority over a foreign bank account in Switzerland.

(In violation of Title 26, United States Code, Section 7206(1)).

COUNT 29

Aiding and Assisting the Preparation of a False Tax Return

THE GRAND JURY FURTHER CHARGES THAT:

1. The Grand Jury realleges and incorporates by reference the General Allegations listed in this Indictment.

2. On or about March 5, 2003, in the Eastern District of Virginia, the defendant, ABDURAHMAN MUHAMMAD ALAMOUDI, a resident of Falls Church, Virginia, did willfully aid and assist in, and procure, counsel, and advise the preparation and presentation to the Internal Revenue Service, of a U.S. Individual Income Tax Return (Form 1040) in the name of Abdurahman and Shifa Alamoudi for the calendar year 2002, which was false and fraudulent as to a material matter, in that he provided, and caused to be provided, to his return preparer an individual income tax return for electronic filing with the Internal Revenue Service which stated in Part III, Question 7(a) to Schedule B (Interest and Ordinary Dividends) to the Form 1040, that he did not have “an interest in or signature or other authority over a financial account in a foreign country, such as a bank account, securities account, or other financial account,” and, in response to Question 7(b), omitted the name of the foreign country where the account was located; whereas, as the defendant then and there well knew and believed, he had an interest in and signature, and other authority over a foreign bank account in Switzerland.

(In violation of Title 26, United States Code, Section 7206(2)).

COUNTS 30–33

Failure to File Reports of Foreign Bank Accounts

THE GRAND JURY FURTHER CHARGES THAT:

1. The Grand Jury realleges and incorporates by reference the General Allegations listed in this Indictment.

2. On or about the following dates, in Falls Church, in the Eastern District of Virginia, the defendant ABDURAHMAN MUHAMMAD ALAMOUDI, who, during the following calendar years had financial interests in and signature and other authority over financial accounts in foreign countries which accounts exceeded in those calendar years \$10,000 in aggregate value, did unlawfully, knowingly, and willfully fail to file reports of those financial accounts on or before the following dates, as required by Title 31, United State Code, Section 5314 and Title 31, Code of Federal Regulations, Sections 103.24 and 103.27:

<u>Count</u>	<u>Calendar Year</u>	<u>Date</u>
30	1998	June 30, 1999
31	1999	June 30, 2000
32	2001	June 30, 2002
33	2002	June 30, 2003

(In violation of Title 31, United States Code, §§ 5314 and 5322, and Title 31, Code of Federal Regulations, §§ 103.24 and 103.27.)

COUNT 34

Corrupt Endeavor to Impede Administration of the Internal Revenue Laws

THE GRAND JURY FURTHER CHARGES THAT:

1. The Grand Jury realleges and incorporates by reference the General Allegations listed in this Indictment.

2. Beginning at date unknown to the grand jury and continuing through September 28, 2003, in Falls Church, in the Eastern District of Virginia, and elsewhere, the defendant ABDURAHMAN MUHAMMAD ALAMOUDI, did corruptly endeavor to impede the due administration of the internal revenue laws by:

- b. Attempting to structure the importation into the United States of currency he received from Libyan sources outside the United States for the purpose of evading the filing of a Report of International Transportation of Currency or Monetary Instruments in accordance with the reporting requirements of Section 5316 of Title 31, United States Code, by attempting to transport currency to Saudi Arabia for deposit there and subsequent wire transfer into the United States;
- b. Attempting to structure transactions with domestic financial institutions in currency he received from Libyan sources outside the United States for the purpose of evading the filing of a Currency Transaction Report in accordance with the reporting requirements of sections 5313(a) of Title 31, United States Code, by attempting to transport currency to Saudi Arabia for deposit there and subsequent wire transfer into the United States;
- c. Attempting to deal in currency he received from Libyan sources outside the United States for the purpose of evading the reporting requirements under Internal Revenue Code Section 6033(b) and the regulations thereunder, requiring tax exempt organizations to identify on their IRS Form 990 all contributors of \$5,000 or more by name, address and amount contributed during the year, by attempting to transport currency to Saudi Arabia for deposit there and subsequent wire transfer into the United States for American Muslim Foundation, an organization exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code;

- d. Concealing that he had an interest in and signature and other authority over foreign financial accounts in Saudi Arabia and Switzerland on Schedule B (Interest and Ordinary Dividends) to his individual income tax return (IRS Form 1040), as required by Title 31, U.S.C. § 5314 and Title 31, Code of Federal Regulations, §§ 103.24; and
- e. Failing to file Reports of Foreign Bank and Financial Account (TD Form 90-22.1) as required for individuals having financial interests in, or signature or other authority over, financial accounts in foreign countries as required by Title 31, U.S.C. § 5314.

(In violation of Title 26, United States Code, Section 7212(a)).

FORFEITURE

If convicted of any of Counts 2-14 and/or 23-25 the defendant shall forfeit all property constituting or derived from proceeds traceable to such violations. If convicted of any of Counts 15, 16, and/or 22 of this indictment, defendant shall forfeit to the United States any property, real or personal, involved in such money laundering and/or money structuring offense(s) in violation of Title 18, United States Code, Section 1956 and/or Title 31, United States Code, Section 5324, and any property traceable to such property. This property includes, but is not limited to, \$340,000 in cash received from Libya that, on or about August 16, 2003, defendant attempted to deliver from a place outside the United States to accounts at financial institutions in the United States without the filing of a Currency and Monetary Instrument Report and a Currency Transaction Report required by law.

(Pursuant to Title 18, United States Code, Sections 981 and 982, and Title 28, United States Code, Section 2461, and Title 31, United States Code, Section 5317(c).)

A TRUE BILL:

---

FOREPERSON OF THE GRAND JURY

PAUL J. McNULTY  
UNITED STATES ATTORNEY

By:

Kevin DiGregory  
Acting Chief, Criminal Division

Steven P. Ward  
Special Assistant United States Attorney

Gordon D. Kromberg  
Assistant United States Attorney