

defendant persists in his guilty plea and fulfills the terms of this agreement, and if the defendant provides substantial assistance as determined by the United States, in its sole discretion, a motion for downward departure pursuant to U.S.S.G. §5K1.1 may be filed. ~~Further, the United States agrees to recommend the low end of the guideline range.~~

COUNT SIX: 18 U.S.C. §2339B— Providing Material Support to a Designated Foreign Terrorist Organization.

ELEMENTS
COUNT SIX:

- (1) That the Defendant provided material support or resources to a designated foreign terrorist organization; and
- (2) The Defendant knew that the organization either:
 - (a) has been designated a foreign terrorist organization, or
 - (b) engages, or has engaged, in “terrorism” or “terrorist activity.”

The term “material support or resources” means any property, tangible or intangible, or service, including currency or monetary instruments or financial securities, financial services, lodging, training, expert advice or assistance, safehouses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel (including the defendant), and transportation, but does not include medicine or religious materials.

PENALTY
COUNT SIX: Penalty for violation of this statute includes imprisonment for a term not to exceed fifteen (15) years, a fine of up to \$250,000, or both.



**ALTERNATIVE
FINE BASED ON
GAIN OR LOSS:** Not Applicable

**SENTENCING
GUIDELINES:** Applicable

**SUPERVISED
RELEASE COUNT
SIX:** Any term of years or life.

**SPECIAL
ASSESSMENT:** \$100 per count of conviction

ATTACHMENT: Plea Agreement