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



Alexandria Division

UNITED STATES OF AMERICA	)	
	)	
v.	)	CRIMINAL NO. 1:13cr 460
	)	
ABDUL RAZAQ,	)	
	)	
Defendant.	)	

STATEMENT OF FACTS

The parties stipulate that the allegations in the Criminal Information and the following facts are true and correct, and that had the matter gone to trial the United States would have proven them beyond a reasonable doubt.

✓ 1. At all times relevant to this Statement of Facts, the Kashmiri American Council ("KAC") was a not-for-profit organization in Washington, D.C. The director of the KAC, Syed Ghulam Nabi Fai ("Fai"), conspired to conceal that the KAC was funded between 1990 and 2011 with at least \$3,500,000 from the government of Pakistan, including the Inter-Services Intelligence Agency ("ISI"), Pakistan's military intelligence service.

2. At all times relevant to this Statement of Facts, Zaheer Ahmad was a U.S. citizen who spent most of his time in Pakistan. Ahmad arranged for ISI funding to reach Fai for the operation of the KAC through transfers to Fai - - often in Virginia - - from "straw donors" in the United States who maintained connections in Pakistan. The straw donors asserted charitable deductions for their transfers to Fai even though they were reimbursed for those transfers by Ahmad with money from the ISI.

3. ABDUL RAZAQ is a 67-year old naturalized United States citizen who resides in La Plata, Maryland. RAZAQ served with Ahmad on the Board of Directors of a not-for-profit

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organization based in Little Neck, New York, known as the Society for International Help (“SIH”). ✓  
RAZAQ asserted charitable deductions for his transfers to SIH as well as for those to KAC, even though he was being reimbursed by Ahmad for at least a portion of his transfers to both organizations.

4. RAZAQ was one of the straw donors used by Ahmad to route ISI money to the KAC. RAZAQ began sending checks to Fai at Ahmad’s request when RAZAQ was living and practicing in New York in the 1990s.

5. A letter written by RAZAQ to Fai reflects that RAZAQ sent money to Fai as ostensibly a charitable donation at the behest of Ahmad:

On the advice of Dr. Zaheer enclosed is the check for \$3100. Kindly send the receipt. Is this donation tax deductible. I understand there is part of the organization to whom the donations are tax deductible.

6. On March 9, 2010, one of RAZAQ’s family members referenced RAZAQ’s need for reimbursement from Zaheer Ahmad on an upcoming trip to Pakistan later that month. In the email, the family member wrote that she would transfer money to SIH if Ahmad would provide cash to RAZAQ in Pakistan:

The amount he had mentioned to you was \$10,000, but . . . we would like to do \$15,000 if possible. We received calls over the last few days from relatives that are in the need of financial help and we would prefer that Dad give them the funds while he is there. Also, there are some individuals that I wanted to send money for as well and this is a great opportunity for me to do that easily. Please let me know if this is okay, so we can send the check to [the director of SIH] within the next day or so.

7. Ahmad agreed to the plan, emailing in response: "Its ok. Pl send check to [the director of SIH] for SOC. For INT’L HELP. Immediately. Thanks." In accordance with the agreement discussed in the emails, RAZAQ wrote a check dated March 15, 2010, and made payable to SIH in the amount of \$15,000.

8. On March 21, 2010, one of RAZAQ’s family members wrote Zaheer Ahmad that RAZAQ wanted Ahmad to transfer \$12,250 into the bank account of RAZAQ’s brother, and

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gave Ahmad the account details for him to do so. She further stated that RAZAQ would take the rest in cash when he arrived in Pakistan.

9. RAZAQ was in Pakistan between March 28 and April 10, 2010.

10. RAZAQ deducted the \$15,000 he sent to SIH as a charitable contribution, even though he was reimbursed for this in Pakistan.

11. RAZAQ transferred at least \$250,000 to the KAC between 1994 and 2009, including \$134,850 between 2000 and 2008. Moreover, RAZAQ transferred at least \$90,655 to the SIH between 2000 and 2009. RAZAQ claimed charitable deductions for these transfers, even though Zaheer Ahmad reimbursed him for at least a portion of these transfers. These transfers included the following amounts claimed on RAZAQ's tax returns:

<u>Calendar Year</u>	<u>Amount to KAC</u>	<u>Amount to SIH</u>
2000	\$ 33,100	\$ 1,500
2001	\$ 4,000	\$ 8,740
2002		\$ 11,500
2003	\$ 17,000	\$ 2,000
2004	\$ 25,500	\$ 15,100
2005	\$ 30,000	\$ 23,370
2006	\$ 250	\$ 13,495
2007	\$ 20,000	\$ 13,350
2008	\$ 5,000	\$ 550
2009		\$ 1,050
<b>Total</b>	<b>\$134,850</b>	<b>\$ 90,655</b>

12. Zaheer Ahmad deposited approximately \$139,538 into the financial accounts of RAZAQ and a member of his family in the United States, including the following amounts (at least a portion of which constituted reimbursement for transfers described above):

<u>Date</u>	<u>Amount</u>	<u>Recipient</u>
5/23/2005	\$15,200	Family Member
6/1/2005	\$15,025	Family Member
10/21/2005	\$ 5,000	Family Member
2/6/2006	\$ 5,000	Family Member
2/10/2006	\$ 5,000	Family Member
3/2/2006	\$ 5,000	Family Member
4/3/2006	\$ 5,000	Family Member

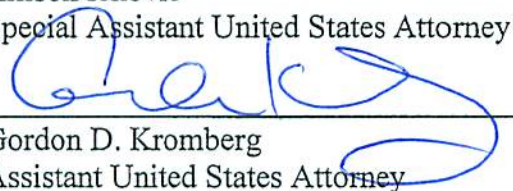
4/10/2006	\$ 5,000	Family Member
4/13/2006	\$ 5,000	Family Member
12/13/2006	\$ 5,000	Family Member
12/26/2006	\$ 15,000	Family Member
12/26/2006	\$ 3,698	RAZAQ
1/4/2007	\$ 7,500	Family Member
2/26/2007	\$ 7,500	Family Member
5/31/2007	\$ 9,500	Daughter
12/3/2007	\$ 6,000	RAZAQ
3/10/2008	\$ 3,900	RAZAQ
4/3/2008	\$ 1,000	RAZAQ
5/15/2008	\$ 7,500	RAZAQ
7/23/2008	\$ 2,214.87	RAZAQ
11/10/2008	\$ 5,500	RAZAQ
Total	\$139,537.87	

Respectfully submitted,

Dana J. Boente  
Acting United States Attorney

Allison Ickovic  
Special Assistant United States Attorney

By:

  
Gordon D. Kromberg  
Assistant United States Attorney

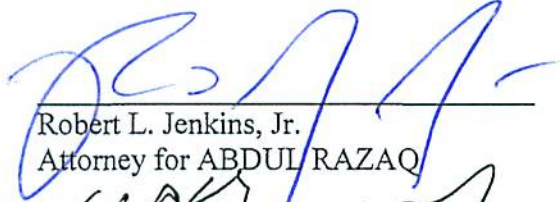
After consulting with my attorney and pursuant to the plea agreement entered into this day between the defendant, ABDUL RAZAQ, and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.

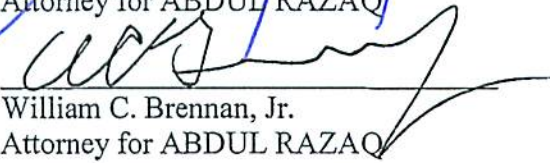
  
ABDUL RAZAQ

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We are ABDUL RAZAQ's attorneys. Each of us has carefully reviewed the above Statement of Facts with him. To our knowledge, his decision to stipulate to these facts is an informed and voluntary one.

  
Robert L. Jenkins, Jr.  
Attorney for ABDUL RAZAQ

  
William C. Brennan, Jr.  
Attorney for ABDUL RAZAQ