



8. On or about January 19, 1998, the HLF drafted Bank One check number 001205 made payable to defendant in the amount of \$300. The memo section of the check stated: "Bonus." Defendant negotiated this check on or about January 27, 1998.
9. On or about January 21, 1998, the HLF drafted Bank One check number 001244 made payable to defendant in the amount of \$2,085. Defendant negotiated this check on or about January 27, 1998.
10. On or about February 23, 1998, the HLF drafted Bank One check number 001357 made payable to defendant in the amount of \$350. The memo section of the check stated: "Rent for HLF Office." Defendant negotiated this check on or about March 25, 1998.
11. On or about June 9, 1999, the HLF drafted Bank One check number 002636 made payable to defendant in the amount of \$1,254.68. The memo section of the check stated: "Replacement check." Defendant negotiated this check on or about June 22, 1999.
12. On or about September 27, 2002, defendant filed an application for naturalization (Form N-400) with the Immigration and Naturalization Service to afford him the status of a United States citizen. Defendant falsely stated under penalty of perjury on Part 6B of his application that his only employment in the United States for the time period covering 1997 through 1998 was working for CRECENT



ACADEMY INT' and DAR UL-ARQAM/AMS. Defendant omitted and failed to affirmatively disclose that he was employed by the HLF in 1997 and 1998.

13. On or about September 3, 2003, special agents of the Federal Bureau of Investigation ("FBI") interviewed defendant in Detroit, Michigan, regarding his employment with the HLF. Defendant admitted to FBI agents that he worked for the HLF for eight months in 1997 and 1998.

14. Defendant falsely told FBI agents on or about September 3, 2003, that his employment with the HLF was solely as a singer in a band that performed in fundraising events for the HLF.

15. Defendant falsely told FBI agents on or about September 3, 2003, that he never received payment directly from the HLF.

16. On or about January 30, 2004, United States Citizenship and Immigration Services District Adjudication Officer Lisa Jones interviewed defendant regarding his naturalization application. When Officer Jones questioned defendant about his employment history in the United States, defendant falsely stated under oath that his only employment in the United States during the time period from September 20, 1997 to September 20, 2002, was working for CRECENT ACADEMY INT', DAR UL-ARQAM/AMS and AL-HUDA INTERNATIONAL. Defendant omitted and failed to affirmatively disclose to Officer Jones that he was employed by the HLF in



1997 and 1998.

17. During the January 30, 2004 naturalization interview, when Officer Jones questioned defendant about the groups, organizations and foundations defendant was associated with in the United States, defendant falsely stated under oath that his association with the HLF was limited to playing in a band named Al-Noujtm for the HLF. Defendant omitted, affirmatively failed to disclose, and falsely denied that:

- i. Defendant had been an official employee of the HLF;
- ii. Defendant had operated the HLF's activities in the Detroit area out of his home;
- iii. Defendant had served as the Detroit HLF representative; and
- iv. Defendant had received money directly from the HLF.

18. On or about January 30, 2004, while under oath, defendant signed his naturalization application under penalty of perjury swearing that the contents of his application were true and correct. Defendant falsely stated on Part 6B of his application that his employment history in the United States for the years 1997 through 1998 included working only at CRECENT ACADEMY INT', DAR 'JL-ARQAM/AMS, and AL-HUDA INTERNATIONAL.



COUNT ONE

(False Statements – 18 U.S.C. § 1001(a))

D-1 MOHAMAD MUSTAPHA ALI MASFAKA

Paragraphs 1 through 18 of the General Allegations are hereby incorporated by reference.

On or about September 3, 2003, in the Eastern District of Michigan, Southern Division, MOHAMAD MUSTAPHA ALI MASFAKA, also known as “Mohammad Masfaka,” also known as “Mohamad Rateb,” also known as “Abu Ratib,” also known as “Abu Rateb,” defendant herein, knowingly and willfully made materially false, fictitious, and fraudulent statements and representations, as specified in paragraphs 13, 14 and 15 of the General Allegations of this Indictment, in a matter within the jurisdiction of the Federal Bureau of Investigation, an agency of the executive branch of the United States, in violation of Title 18, United States Code, Section 1001(a).

COUNT TWO

(False Oath in Matter Relating to Naturalization – 18 U.S.C. § 1015(a))

D-1 MOHAMAD MUSTAPHA ALI MASFAKA

Paragraphs 1 through 18 of the General Allegations are hereby incorporated by reference.

On or about January 30, 2004, in the Eastern District of Michigan, Southern



Division, MOHAMAD MUSTAPHA ALI MASFAKA, also known as “Mohammad Masfaka,” also known as “Mohamad Rateb,” also known as “Abu Ratib,” also known as “Abu Rateb,” defendant herein, knowingly made a false statement under oath in a case, proceeding and matter relating to, under, and by virtue of a law of the United States relating to naturalization, in that, while under oath in connection with an Application for Naturalization (Form N-400), defendant made the false statements alleged in paragraphs 16, 17 and 18 of the General Allegations of this Indictment to an immigration officer employed with the United States Citizenship and Immigration Services, in violation of Title 18, United States Code, Section 1015(a).

COUNT THREE

(Attempted Unlawful Procurement of Naturalization – 18 U.S.C. § 1425(a))

D-1 MOHAMAD MUSTAPHA ALI MASFAKA

Paragraphs 1 through 18 of the General Allegations are hereby incorporated by reference.

Between on or about September 20, 2002 and on or about January 30, 2004, in the Eastern District of Michigan, Southern Division, MOHAMAD MUSTAPHA ALI MASFAKA, also known as “Mohammad Masfaka,” also known as “Mohamad Rateb,” also known as “Abu Ratib,” also known as “Abu Rateb,” defendant herein, knowingly attempted to procure his naturalization as a United States citizen contrary



to law, that is, defendant knowingly made the false statements alleged in paragraphs 12, 16, 17 and 18 of the General Allegations of this Indictment, in violation of Title 18, United States Code, Sections 1001(a) and 1015(a), and 8 C.F.R. § 316.10.


All in violation of Title 18, United States Code, Section 1425(a).

THIS IS A TRUE BILL.

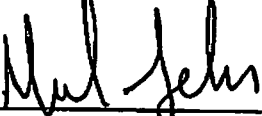
s/Grand Jury Foreperson

Dated: 12/3/08

TERRENCE BERG
Acting United States Attorney



JONATHAN TUKEL
Assistant United States Attorney
Chief, National Security Unit



MARK JEBSON
Special Assistant United States Attorney



KENNETH R. CHADWELL
Assistant United States Attorney