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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

UNITED STATES OF AMERICA,) No. 3:15-cv-1343

Plaintiff,)

v.)

) **COMPLAINT TO REVOKE
NATURALIZATION**

MOHAMED SHEIKH ABDIRAHMAN)

KARIYE, a.k.a. MOHAMED SHEIKH)

ABDIRAHMAN a.k.a. SHEIKH KARIYE)

a.k.a. SHEIKH MOHAMED)

ABDIRAHMAN a.k.a. MAXAMED)

SHEIKH CABDIRAXMAN KARIYE a.k.a.)

MOHAMED ABDULRAHMAN SHEIKH)

CABDIRAXMAN KARIYE a.k.a. ABU)

ABDUL RAHMAN a.k.a. ABU)

ABDIRAHMAN a.k.a. ABU AL RAHMAN)

a.k.a. ABU RAHMAN)

Defendant.)

I. JURISDICTION AND VENUE

1. This is an action under 8 U.S.C. § 1451(a) to revoke and set aside the order admitting Mohamed Sheikh Abdirahman Kariye a.k.a. Mohamed Sheikh Abdirahman a.k.a. Sheikh Kariye a.k.a. Sheikh Mohamed Abdirahman a.k.a. Mohamed Abdulrahman Maxamed Sheikh Cabdiraxman Kariye a.k.a. Abu Hafsa a.k.a. Abu Adbul Rahman a.k.a. Abu Abdirahman a.k.a. Abu Al Rahman a.k.a. Abu Rahman (“Defendant”), to citizenship and to cancel Certificate of Naturalization No. 24307995.

2. The affidavit of Trina Ledbetter, a Special Agent with Homeland Security Investigations of U.S. Immigration and Customs Enforcement (“ICE”) in the Department of Homeland Security (“DHS”), showing good cause for this action, as required by 8 U.S.C. § 1451(a), is attached as Exhibit A.

3. Plaintiff is the United States of America. This Court has jurisdiction pursuant to 28 U.S.C. § 1345 and 8 U.S.C. § 1451(a).

4. Defendant is a naturalized United States citizen whose last known residence in the United States was Portland, Oregon. Pursuant to 8 U.S.C. § 1451(a), Plaintiff has properly filed this action within the District of Oregon.

II. FACTUAL BACKGROUND

IMMIGRATION HISTORY

5. Defendant, a native and citizen of Somalia, entered the United States on August 12, 1982, on a nonimmigrant (F1) student visa. His INS file (“A file”) number is A43965040.¹

¹ On March 1, 2003, the Immigration and Naturalization Service (“INS”) ceased to exist as an independent agency and many of its relevant functions transferred to DHS. See Homeland Security Act of 2002, Pub. L. No. 107-296, 110 Stat. 2135 (Nov. 25, 2002). However, because the events in this record took place prior to the transfer, the agency will be referred to as the “INS” throughout this Complaint, rather than DHS.

Request for Asylum

6. On or about November 9, 1988, Defendant completed a Form I-598, Request for Asylum in the United States.

a. In Part 1 of his Form I-589, Defendant stated that he was born on December 1, 1961. The form originally stated that Defendant was born in 1963; however, the “3” was crossed out and replaced with “1” indicating that Defendant’s birth year was 1961.

b. In Part 14 of his Form I-589, Defendant claimed to have attended Western Mennonite High School in Salem, Oregon from September 1982 to April 1983; Portland Community College in Portland, Oregon from January 1984 to June 1986; and Portland State University in Portland, Oregon from January 1984 to December 1985.

c. In Part 25 of his Form I-589, Defendant claimed that he lost his passport in 1985.

d. In Part 41 of his Form I-589, Defendant claimed that he had not left the United States since he arrived on a student visa in August 1982.

e. In Part 43 of his Form I-589, Defendant claimed that he tried to get a new passport in July 1988, but the Somali government would not issue him one.

f. In Part 45, Defendant signed his Form I-598, Request for Asylum in the United States, under penalty of perjury under the laws of the United States, thereby certifying the information he provided was true and correct.

7. In support of his request for asylum, Defendant completed a Form G-325, Biographic Information.

a. On his Form G-325, in a block captioned “birthdate,” Defendant stated that he was born December 1, 1961. The form originally stated that Defendant was born in

1963; however, the “3” was crossed out and replaced with “1” indicating Defendant’s birth year was 1961.

b. On his Form G-325, in a block captioned “applicant’s residence last five years,” Defendant stated that he lived in Salem, Oregon from August 1982 to December 1983, and in Portland, Oregon from January 1984 to present.

c. On his Form G-325, in a block captioned, “applicant’s employment last five years,” Defendant stated, “student for the last 5 years.”

d. Defendant signed his Form G-325, Biographic Information, under penalty of perjury under the laws of the United States, thereby certifying the information he provided was true and correct.

8. On or about November 15, 1988, Defendant filed his Form I-589, Request for Asylum in the United States, and supporting Form G-325A, Biographic Information, with the Portland, Oregon office of the INS.

9. On or about November 16, 1988, INS placed Defendant under oath and interviewed him on his request for asylum. During this interview, Defendant testified that the information in his Form I-589, Request for Asylum in the United States, and supporting Form G-325, Biographic Information, was true to the best of his knowledge and belief.

10. Based on Defendant’s statements in his Form I-589 and Form G-325, and his sworn testimony during his asylum interview, the INS approved Defendant’s request for asylum on December 22, 1989, thereby authorizing Defendant to remain in the United States until December 22, 1990.

Request for Travel Document

11. On or about February 7, 1990, Defendant completed a Form I-570, Application for Issuance or Extension of Refugee Travel Document.

a. In Part 3 of his Form I-570, Defendant stated that his date of birth was December 1, 1961.

b. In Part 5 of his Form I-570, Defendant stated that he last arrived in the United States on August 12, 1982, and that he last arrived on a student visa.

c. In Part 8 of his Form I-570, in response to a question asking him to list “all organizations, societies, clubs, and associations, past or present, in which [he] held membership” Defendant stated “Islamic Center of Portland, member, 1883 [sic] to present.”

d. In Part 9 of his Form I-570, Defendant stated that he had not been charged with a violation of law.

e. In Part 15 of his Form I-570, Defendant provided details about his proposed departure from the United States:

i. Defendant stated that he intended to depart the United States on March 15, 1990.

ii. Defendant stated that he intended to reside abroad for 10 months.

iii. Defendant stated that he intended to visit “Pakistan, P.O. Box 802, Peshawar, Pakistan.”

iv. As his reason for going abroad, Defendant stated, “going to teach at Afgani [sic] Refugee Center through the Afgani [sic] Refugee Service (based in New York).”

f. In Part 21, Defendant signed his Form I-570, Application for Issuance or Extension of Refugee Travel Document, under penalty of perjury under the laws of the United States, thereby certifying the information he provided was true and correct.

12. On or about February 13, 1990, Defendant filed his Form I-570, Application for Issuance or Extension of Refugee Travel Document, with the Portland, Oregon office of the INS.

13. Based on Defendant's statements in his Form I-570, the INS approved Defendant's request for a travel document on April 2, 1990, and issued him Travel Document No. 115720.

14. Defendant departed the United States in June 1990 and traveled to Peshawar, Pakistan.

Petition for Alien Relative

15. On June 24, 1990, Defendant married Anna Valdez ("Valdez"), a United States citizen, in Peshawar, Pakistan.²

16. On or about March 17, 1993, Valdez filed a Form I-130, Petition for Alien Relative, on Defendant's behalf, so that Defendant could eventually immigrate to the United States.

a. In Section C, Part 14 of the Form I-130, Valdez stated that Defendant's date of birth was December 1, 1961.

b. In Section C, Part 14 of the Form I-130, Valdez stated that Defendant's present employer, as of December 15, 1992, was "Central [sic] Clinical Laboratory for Charity Health Project."

² According to Defendant's marriage certificate, Ibrahim Haji Jama Mee'aad, a prominent member of al-Shabaab, witnessed Defendant's marriage. Al-Shabaab is a jihadist terrorist group based in Somalia, which has pledged allegiance to the militant Islamist organization al-Qaeda.

17. In Section D, Valdez signed the Form I-130, Petition for Alien Relative, under penalty of perjury under the laws of the United States, thereby certifying the information she provided was true and correct.

18. In support of Valdez's Form I-130 petition, Defendant completed a Form G-325A, Biographic Information.

a. On his Form G-325A, in a block captioned "birthdate," Defendant stated that he was born December 1, 1961.

b. On his Form G-325A, in a block captioned "applicant's last address outside the United States of more than one year," Defendant stated that he had lived in Peshawar, Pakistan from June 1990 to present.

c. On his Form G-325A, in a block captioned, "applicant's employment last five years," Defendant stated that he was an unemployed student at Portland Community College from 1982 to 1984 and Linfield College in McMinnville, Oregon from 1988 to 1989; a teacher at "Muslim Aid – Pakistan" from May 1990 to March 1992; and a manager at "Central [sic] Clinical Laboratory for Charity and Health" from December 1992 to present.

d. Defendant signed his Form G-325, Biographic Information, under penalty of perjury under the laws of the United States, thereby certifying the information he provided was true and correct.

19. Based on the statements in Valdez's Form I-130 and Defendant's Form G-325A, the INS approved the petition for alien relative on March 22, 1993.

Application for Immigrant Visa

20. On or about September 4, 1993, Defendant completed an Optional Form (“OF”) 230, Application for Immigrant Visa and Alien Registration.

a. In Block 4 of Part I (captioned “Biographic Data”) of his OF-230, Defendant stated that his date of birth was December 1, 1961.

b. In Block 13 of Part I of his OF-230, Defendant stated that his office phone number was 42433.

c. In Block 21 of Part I of his OF-230, Defendant stated that he was a student in Salem, Oregon from 1982 to 1982; a student Portland, Oregon from 1984 to 1990; a teacher in Peshawar, Pakistan from 1990 to 1992; and a manager in Peshawar, Pakistan from 1992 to present.

d. In Block 22 of Part II of his OF-230, Defendant stated that he had never been a member of or affiliated with any political, professional, or social organization affiliated with terrorist organizations since his 16th birthday.

e. In Block 29 of Part II (captioned “Sworn Statement”) of his OF-230, Defendant stated that his purpose in going to the United States was to “see my father (he has a stroke) sick.”

f. In Block 33(f) of Part II of his OF-230, Defendant stated that he was not seeking to enter the United States to engage in terrorist activity and had not sought an immigration benefit by fraud or misrepresentation.

g. In Block 34 of Part II of his OF-230, Defendant stated that he had never been arrested, convicted, or been in a prison.

h. Defendant signed his OF-230, Application for Immigrant Visa and Alien Registration, under penalty of perjury under the laws of the United States, thereby certifying the information he provided was true and correct.

21. On or about September 6, 1993, Defendant filed his OF-230, with the United States Consulate in Karachi, Pakistan.

22. On or about September 23, 1993, Defendant appeared before a Consular Officer at the United States Consulate in Karachi, Pakistan for a sworn interview on his application for an immigrant visa. Defendant testified under oath that the information in his OF-230, Application for Immigrant Visa and Alien Registration, and supporting documents, was true to the best of his knowledge and belief.

23. Based on Defendant's statements in his OF-230 and sworn testimony during his consular interview, the United States Consulate approved Defendant's application for an immigrant visa.

24. Defendant was thereafter admitted into the United States as the spouse of a United States citizen (IR-1) and lawful permanent resident on November 23, 1993.

NATURALIZATION PROCEEDINGS

Application for Naturalization

25. On July 15, 1997, Defendant filed a Form N-400, Application for Naturalization, based on having been a permanent resident and having been married to a United States citizen for at least three (3) years.

a. In Part 1 of his Form N-400, Defendant stated that his date of birth was December 1, 1961, and that his social security number was XXX-XX-5239.

b. In Part 3 of his Form N-400, Defendant claimed that he never used any other names besides Mohamed Abdirahman Kariye.

c. In Section A of Part 4 of his Form N-400, Defendant listed 4424 Alfred Street, Portland, Oregon as his address from November 1993 through May 1995.

d. In Section B of Part 4 of his Form N-400, Defendant stated that he had no employment during the last 5 years (since July 15, 1992).

e. In Part 7 of his Form N-400, at Question 12(g), Defendant stated that he had never given false testimony for the purpose of obtaining any immigration benefit.

f. In Part 7 of his Form N-400, at Question 15(a), Defendant stated that he had never knowingly committed any crime for which he had not been arrested.

g. In Part 7 of his Form N-400, at Question 15(b), Defendant stated that he had never been arrested, cited, charged, indicted, convicted, fined or imprisoned for breaking any law or ordinance.

h. In Part 9 of his Form N-400, Defendant stated that he had never been a member or affiliated with any organization, association, fund, foundation, party, club, society, or similar group in the United States or any other place.

26. Defendant signed his Form N-400 under the penalty of perjury under the laws of the United States, thereby certifying that the information he provided was true and correct, and filed it with the Portland, Oregon office of the INS.

Naturalization Examination

27. On March 5, 1998, an INS examiner placed Defendant under oath and examined him regarding his Form N-400, Application for Naturalization. During his naturalization examination, Defendant testified as follows:

a. Consistent with his response in Part 1 of his Form N-400, Defendant testified that his date of birth was December 1, 1961, and that his social security number was XXX-XX-5239.

b. Consistent with his response in Part 3 of his Form N-400, Defendant testified that he never used any other names besides Mohamed Abdirahman Kariye.

c. Consistent with his response in Section B of Part 4 of his Form N-400, Defendant testified that he had no employment during the 5 years prior to filing his naturalization application (since July 15, 1992) to present. Defendant further testified that he had never held a job in the United States, the Islamic Center in Portland did not pay him a salary, and his only source of income was money from family and welfare from the State of Oregon.

d. Consistent with his response in Part 7 of his Form N-400, at Question 12(g), Defendant testified that he had never given false testimony for the purpose of obtaining any immigration benefit.

e. Consistent with his response in Part 7 of his Form N-400, at Question 15(a), Defendant testified that he had never knowingly committed any crime for which he had not been arrested.

f. Consistent with his response in Part 7 of his Form N-400, at Question 15(b), Defendant testified that he had never been arrested, cited, charged, indicted, convicted, fined or imprisoned for breaking any law or ordinance.

g. Consistent with his response in Part 9 of his Form N-400, Defendant testified that he had never been a member or affiliated with any organization, association, fund, foundation, party, club, society, or similar group in the United States or any other place.

28. At the end of his naturalization examination on March 5, 1998, Defendant again signed his Form N-400 under penalty of perjury under the laws of the United States, thereby certifying that the information in his application for naturalization – including any corrections and supplements – was true to the best of his knowledge and belief.

29. Based on Defendant's statements in his Form N-400 and sworn testimony during his naturalization examination, the INS approved Defendant's application for naturalization on May 4, 1998.

30. Based on his approved Form N-400, Application for Naturalization, Defendant was administered the oath of allegiance on August 14, 1998, admitted to United States citizenship, and issued Certificate of Naturalization No. 24307995.

FALSE STATEMENTS AND TESTIMONY

Other Names

31. In addition to the name Mohamed Abdirahman Kariye, Defendant has used following names and aliases: Mohamed Sheikh Abdirahman Kariye; Mohamed Sheikh Abdirahman; Sheikh Kariye; Sheikh Mohamed Abdirahman; Mohamed Abdulrahman Maxamed Sheikh Cabdiraxman Kariye; Abu Hafsa; Abu Adbul Rahman; Abu Abdirahman; Abu Al Rahman; and Abu Rahman.

32. Accordingly, Defendant's statement in Part 3 of his Form N-400, Application for Naturalization, that he never used any other names besides Mohamed Abdirahman Kariye, was false. In addition, Defendant's sworn testimony during his naturalization examination on March 5, 1998, that he never used any other names besides Mohamed Abdirahman Kariye, was also false. Defendant knew these statements and testimony to be false, and he provided them with the intent to deceive and to obtain an immigration benefit.

Travel Outside the United States

33. At some point between 1985 and 1988, Defendant departed the United States and traveled to Afghanistan, where he fought with the Afghan Mujahideen against the Soviets in the Soviet-Afghan War.

a. Defendant received military training at a jihadist training camp in Afghanistan.

b. Defendant himself engaged in hostile acts against Soviet military forces in Afghanistan. He also provided material assistance to others fighting the Soviets.

c. Defendant helped to train others to fight jihad against Soviet military forces. He was also in charge of checking in jihadist fighters when they arrived at a safe house in Pakistan, and assisted them in getting to jihadist training camps in Afghanistan.

d. In this capacity, Defendant dealt directly with Usama Bin Laden (“UBL”) and Sheikh Abdullah Azzam (“Azzam”). UBL and Azzam were the founding members of al-Qaeda, a well-known global militant Islamist group and designated terrorist organization that has engaged in dozens of acts of international terrorism.

e. On or about November 1, 1988, Defendant returned to the United States.

34. Accordingly, Defendant’s statement in Part 41 of his Form I-589, Request for Asylum in the United States, that he had not left the United States since he arrived on a student visa in August 1982, was false. Defendant’s statements in Part 25 of his Form I-589, that he lost his passport in 1985, and in Part 43 of his Form I-589, that he tried to get a new passport in July 1988, were false. Defendant’s statement on his supporting Form G-325A, dated October 26, 1988, that he was a student for the last 5 years, was false. In addition, Defendant’s sworn testimony during his asylum interview on or around November 16, 1988, that the information in

his Form I-589, and supporting Form G-325, was true to the best of his knowledge and belief, was also false.

Employment History

35. From at least February 25, 1994 through at least August 14, 1998, Defendant was employed by the Islamic Center of Portland (“ICP”), also known as Masjid As Sabr, and paid a salary by the Dar Makkah Association of around \$2,500 per month for his work as President and Imam at ICP. During this timeframe, Defendant was also employed and paid a salary of around \$1,000 per month as a member of the Editorial Board of Baaq Magazine. By his own admission, Defendant also worked as a “teacher” and a “clinic manager” in Peshawar, Pakistan from May 1990 through September 1993.

36. Accordingly, Defendant’s statement in Section B of Part 4 of his Form N-400, Application for Naturalization, that he had no employment during the last 5 years (since July 15, 1992), was false. In addition, Defendant’s sworn testimony during his naturalization examination on March 5, 1998, that he had never held a job in the United States, the Islamic Center in Portland did not pay him a salary, and his only source of income was money from family and welfare from the State of Oregon, was also false. Defendant knew these statements and testimony to be false, and he provided them with the intent to deceive and to obtain an immigration benefit.

Prior Arrests

37. At some point between 1985 and 1988, Defendant was arrested by the Government of Pakistan. This arrest was connection with Defendant’s involvement with the Afghan Mujahideen. Defendant spent approximately four months in prison in Pakistan during this timeframe.

38. At some point between 1990 and 1993, Defendant was arrested by the Government of Pakistan. This arrest related to issues arising from Defendant's immigration status. Defendant spent several weeks in detention in Pakistan during this timeframe.

39. Accordingly, Defendant's statement in Block 34 of Part II of his OF-230, Application for Immigrant Visa and Alien Registration, that he had never been arrested, convicted, or been in a prison, was false. Defendant's statement in Part 7 of his Form N-400, at Question 15(b), that he had never been arrested, cited, charged, indicted, convicted, fined or imprisoned for breaking any law or ordinance, was also false. In addition, Defendant's sworn testimony during his consular interview on or about September 23, 1993, and during his naturalization examination on March 5, 1998, that he had never been arrested, was false. Defendant knew these statements and testimony to be false, and he provided them with the intent to deceive and to obtain an immigration benefit.

False Testimony

40. During the course of his sworn asylum interview on or about November 16, 1988, Defendant testified that the information in his Form I-589, Request for Asylum in the United States, and supporting Form G-325, were true to the best of his knowledge and belief, including his statement in Part 41 of his Form I-589, that he had not left the United States since he arrived on a student visa in August 1982. As discussed in paragraph 26 above, this testimony was false, and it was for the purpose of obtaining an immigration benefit.

41. During the course of his sworn consular interview on or about September 23, 1993, Defendant testified that the information in his OF-230, Application for Immigrant Visa and Alien Registration, and supporting documents, was true to the best of his knowledge and belief, including his statements in Block 33(f) of Part II of his OF-230, that he had not sought an

immigration benefit by fraud or misrepresentation, and Block 34 of Part II of his OF-230, that he had never been arrested, convicted, or been in a prison. As discussed in paragraphs 26 and 30 through 31 above, this testimony was false, and it was for the purpose of obtaining an immigration benefit.

42. During his sworn naturalization examination on March 5, 1998, Defendant provided false testimony regarding his other names; employment; source of income; whether he had ever been arrested; whether he had ever committed a crime for which he had not been arrested; whether he had ever provided false testimony to obtain an immigration benefit; and whether he had ever been a member or associated with any groups, all for the purpose of obtaining an immigration benefit.

43. Accordingly, Defendant's testimony at his March 5, 1998 naturalization examination, that he had never given false testimony for the purpose of obtaining any immigration benefit, was false. Defendant knew this testimony to be false, and he provided it with the intent to deceive and to obtain an immigration benefit.

Prior Crimes

44. On or about November 9, 1988 through at least August 14, 1998, Defendant knowingly committed crimes for which, at that time, he had not been arrested, to wit: fraudulent use of a social security number, in violation of 42 U.S.C. § 408(a)(7)(A); possession of false identification document, in violation of 18 U.S.C. § 1028(a)(6); false statements, in violation of 18 U.S.C. § 1001; and false swearing in an immigration matter, in violation of 18 U.S.C. § 1546(a). Accordingly, Defendant's statement in Part 7 of his Form N-400, at Question 15(a), that he had never knowingly committed any crime for which he had not been arrested, was false. In addition, Defendant's sworn testimony during his naturalization examination on March 5,

1998, that he had never knowingly committed any crime for which he had not been arrested, was also false. Defendant knew these statements and testimony to be false, and he provided them with the intent to deceive and to obtain an immigration benefit.

Memberships or Associations

Afghan Mujahideen

45. On December 24, 1979, the Soviet Union deployed military forces to Afghanistan to back the communist government of the People's Democratic Party of Afghanistan ("PDPA") against a growing insurgency. The ensuing Soviet-Afghan War was fought between Soviet-led Afghan forces against multi-national insurgent groups collectively called the Afghan Mujahideen. The Afghan Mujahideen were various loosely aligned opposition groups, which initially rebelled against the government of the PDPA, but included foreign fighters who wished to wage jihad against Soviet forces. The Soviet Union suffered staggering losses; historians estimate that 14,500 Soviet soldiers were killed and 50,000 were wounded during the conflict. By mid-1987, the Soviet Union announced it would start withdrawing its military forces. Its final troop withdrawal started on May 15, 1988 and ended on February 15, 1989.

46. As discussed in paragraph 26, at some point between 1985 and 1988, Defendant traveled to Afghanistan, where he fought with the Afghan Mujahideen against Soviets forces in the Soviet-Afghan War. Defendant received military training at a jihadist training camps in Pakistan and Afghanistan; engaged in hostile acts against Soviet military forces in Afghanistan; helped to train others to wage jihad against Soviet military forces; and assisted foreign fighters in getting to jihadist training camps in Pakistan and Afghanistan through a safe house in Pakistan.

47. Throughout Defendant's involvement with the Afghan Mujahideen, the organization advocated the duty, necessity, or propriety of the unlawful assaulting or killing of an officer of an organized government, and the unlawful damage, injury or destruction of property.

48. Based on his membership and association with the Afghan Mujahideen, Defendant's statement in Part 9 of his Form N-400, Application for Naturalization, that he had never been a member or affiliated with any organization, association, fund, foundation, party, club, society, or similar group in the United States or any other place, was false. In addition, Defendant's sworn testimony during his naturalization interview on March 5, 1998, that he had never been a member of or affiliated with any organization, association, fund, foundation, party, club, society, or similar group in the United States or in any other place, was also false. Defendant knew these statements and testimony to be false, and he provided them with the intent to deceive and to obtain an immigration benefit.

Maktab Al-Khidamat

49. Makhtab Al-Khidamat ("MAK") is a now defunct designated terrorist organization also known as Maktab Khadamāt al-Mujāhidīn al-‘Arab, Afghan Services Bureau, Afghan Support Committee, Afghan Office Services, and the Al-Kifah Refugee Center. On September 24, 2001, MAK was designated as a terrorist organization under Exec. Order No. 13224, 66 Fed. Reg. 49079 (Sep. 23, 2001).

50. MAK was a precursor organization to al Qaeda. It was founded in Peshawar, Pakistan in 1984 by UBL and Azzam and to raise funds and recruit foreign fighters to join the Afghan Mujahideen fighting in the Soviet-Afghan War, and later worldwide conflicts to include jihad in Bosnia-Herzegovina. MAK was instrumental in creating the fundraising and recruitment

network that benefited al Qaeda during the 1990s. After Azzam was killed on November 24, 1989, UBL assumed control of MAK, and the organization became absorbed into al Qaeda.

52. After its creation, MAK established recruitment and fundraising offices in many Western countries, including the United States. One of the first offices MAK established in the United States was at the Al Kifah Refugee Center (“Al Kifah”), based in Brooklyn, New York. Al Kifah was a *de facto* branch of MAK in the United States. Various flyers, documents, letters, and donor forms taken from Al Kifah in 1993, including a letter issued by the Islamic Society of North America (“ISNA”), refer to Al Kifah and MAK interchangeably. Many of these documents also contain a seal used by UBL and Azzam as an emblem for MAK.

53. The Afghani Refugee Service referenced by Defendant in Part 15 of his Form I-570, Application for Issuance or Extension of Refugee Travel Document, was the same entity as Al Kifah.

a. Records from the Division of Corporations at the New York Department of State indicate that Al Kifah, incorporated as a domestic not-for-profit corporation in the State of New York, also did business as Afghan Refugee Services.

b. The address in Peshawar, Pakistan (P.O. Box 802) that Defendant provided in Part 15 of his Form I-570, Application for Issuance or Extension of Refugee Travel Document, was also an address used by MAK.

i. MAK published the Al-Jihad magazine, which were shipped from P.O. Box 802, Peshawar, Pakistan, and distributed through Al Kifah in Brooklyn, New York.

ii. A document listing the board of directors for MAK, provides that the organization’s address was P.O. Box 802, Peshawar, Pakistan.

c. The phone number Defendant provided in Block 13 of Part I of his OF-230, Application for Immigrant Visa and Alien Registration (42433), was also listed as a phone number on a donation form soliciting donations for the “Afghan Mujahideen.” The form provides a mailing address of P.O. Box 922, Peshawar, Pakistan, which was also an address used by MAK in Pakistan.

54. While in Pakistan from April 2, 1990 through at least November 23, 1993, Defendant worked to recruit sympathizers and raise funds on behalf of MAK.

55. Defendant continued to recruit sympathizers and raise funds on behalf of MAK in the United States. A flyer taken from the Al-Kifah Refugee Center in Brooklyn, New York in 1994 lists Defendant as the Oregon point of contact for MAK, and provides his phone number. The flyer advertises a nationwide fundraising tour for Afghan jihad.

56. Throughout Defendant’s involvement with MAK, the organization advocated the duty, necessity, or propriety of the unlawful assaulting or killing of an officer of an organized government, and the unlawful damage, injury or destruction of property.

57. Based on his membership and association with MAK, Defendant’s statement in Part 9 of his Form N-400, Application for Naturalization, that he had never been a member or affiliated with any organization, association, fund, foundation, party, club, society, or similar group in the United States or any other place, was false. In addition, Defendant’s sworn testimony during his naturalization interview on March 5, 1998, that he had never been a member of or affiliated with any organization, association, fund, foundation, party, club, society, or similar group in the United States or in any other place, was also false. Defendant knew these statements and testimony to be false, and he provided them with the intent to deceive and to obtain an immigration benefit.

Global Relief Foundation

58. The Global Relief Foundation (“GRF”) is a now defunct designated terrorist organization also known as Fondation Secours Mondial (“FSM”). GRF was designated as a terrorist organization on October 18, 2002 under Exec. Order No. 13224, 66 Fed. Reg. 49079 (Sep. 23, 2001).

59. GRF and its officers and directors had connections to, and provided support for and assistance to, UBL, the al Qaeda network, and other known terrorist groups. GRF officers dealt with officials of the Taliban before and after the terrorist attacks of 9/11, and repeatedly promoted armed jihad against groups perceived to be un-Islamic. Senior GRF personnel actively dealt with operatives in the bombings of the United States embassies in Kenya and Tanzania, and worked to promote the ideals of radical Islamic jihad.

60. Newsletters distributed by GRF encouraged martyrdom through jihad, and requested donations to assist in the purchase of weaponry, ammunition, and food for the mujahideen. Photographs and negatives recovered from GRF offices reveal shipping boxes arrayed under a GRF banner, which contain sophisticated military grade communications equipment. Other photographs depict fighters with automatic rifles, a sand-bagged bunker with radio antenna mounted outside, and mutilated corpses.

61. On January 10, 1992, Defendant became a founding officer and director of GRF. According to the Articles of Incorporation and Annual Reports filed by GRF with the Secretary of State of Illinois, Defendant was on the foundation’s Board of Directors from January 10, 1992 through at least January 6, 1993.

62. The Articles of Incorporation for GRF provide Defendant’s name as “Muhammed Abdirahman,” and list Defendant’s address as 4424 Alfred Street, Portland, Oregon. This is the

same address that Defendant provided in Section A of Part 4 of his Form N-400, Application for Naturalization.

63. In May 1992, GRF established an office in Peshawar, Pakistan, where Defendant was residing at the time. GRF appointed Defendant as the Treasurer of its office in Pakistan.

64. In December 1992, GRF began funding a project in Peshawar, Pakistan called the Central Clinical Laboratory for Charity Health Projects (“Central Clinical Laboratory”). This is the same entity identified by Defendant as his employer on his Form G-325A, filed in support of his OF-230, Application for Immigrant Visa and Alien Registration. The Central Clinical Laboratory was fully operated, sponsored and supervised by GRF.

65. Defendant participated in at least three meetings of the GRF Board of Directors. These meetings occurred on January 17, 1992, April 27, 1992, and May 1, 1992. Minutes from these meetings identify Defendant as a participant.

66. In June 1992, Defendant used GRF bank accounts to transfer money to his brother in the United States.

67. Long distance toll records from June 1992 through October 1993 show that GRF office in Bridgeview, Illinois had repeated contacts with Defendant’s home and office facsimile numbers.

68. Based on his membership and association with GRF, Defendant’s statement in Part 9 of his Form N-400, Application for Naturalization, that he had never been a member or affiliated with any organization, association, fund, foundation, party, club, society, or similar group in the United States or any other place, was false. In addition, Defendant’s sworn testimony during his naturalization interview on March 5, 1998, that he had never been a member of or affiliated with any organization, association, fund, foundation, party, club, society, or similar group in the

United States or in any other place, was also false. Defendant knew these statements and testimony to be false, and he provided them with the intent to deceive and to obtain an immigration benefit.

69. Defendant's false statements on his Form N-400, Application for Naturalization, and false testimony during his naturalization examination on March 5, 1998, were material. Defendant's false statements and testimony misled the INS and cut off material lines of inquiry.

III. THE RELEVANT LAW

70. Under section 340(a) of the Immigration and Nationality Act ("INA"), the Court must revoke Defendant's naturalization and cancel his Certificate of Naturalization if his naturalization was either: (a) illegally procured, or (b) procured by concealment of a material fact or by willful misrepresentation. *See* 8 U.S.C. § 1451(a).

COUNT I

ILLEGAL PROCUREMENT OF NATURALIZATION **LACK OF GOOD MORAL CHARACTER** **(FALSE TESTIMONY)**

71. The United States re-alleges and incorporates by reference paragraphs 1 through 70 of this Complaint.

72. Defendant illegally procured his naturalization because he was statutorily precluded from establishing the good moral character necessary to naturalize on account of his false testimony for the purpose of obtaining an immigration benefit.

73. An applicant for naturalization must satisfy the statutory requirement of demonstrating that he is a person of good moral character. *See* 8 U.S.C. § 1427(a).

74. An applicant for naturalization is statutorily precluded from establishing the good moral character necessary to naturalize if he has given false testimony for the purpose of obtaining an immigration benefit. *See* 8 U.S.C. § 1101(f)(6).

75. On March 5, 1998, the INS examined Defendant regarding his INS Form, N-400, Application for Naturalization. At the beginning of his naturalization examination, Defendant took an oath affirming that he would answer all questions truthfully.

76. As discussed in paragraph 23 above, an INS officer asked Defendant about his other names; employment history; sources of income; whether he had ever been arrested; whether he had ever committed a crime for which he had not been arrested; whether he had ever provided false testimony to obtain an immigration benefit; and whether he had ever been a member or associated with any groups. Defendant testified under oath about these matters.

77. As discussed in paragraphs 31 through 68 above, this testimony was false.

78. Defendant provided false testimony about his use of other names; employment history; sources of income; whether he had ever been arrested; whether he had ever committed a crime for which he had not been arrested; whether he had ever provided false testimony to obtain an immigration benefit; and his membership or association with the Afghan Mujahideen, MAK, and GRF, during the statutory period for the purpose of obtaining naturalization. Defendant's false testimony concealed the fact that he was a member of or associated with certain organizations, and that he had committed crimes of moral turpitude and unlawful acts, which precluded him from establishing the good moral character necessary to naturalize.

79. Defendant lacked the good moral character necessary for naturalization because he provided false testimony to obtain an immigration benefit. Defendant's naturalization was therefore illegally procured and must be revoked pursuant to 8 U.S.C. § 1451(a).

COUNT II

ILLEGAL PROCUREMENT OF NATURALIZATION
LACK OF GOOD MORAL CHARACTER
(CRIMES INVOLVING MORAL TURPITUDE)

80. The United States re-alleges and incorporates by reference paragraphs 1 through 79 of this Complaint.

81. Defendant illegally procured his naturalization because he was statutorily precluded from establishing the good moral character necessary to naturalize on account of his commission of crimes involving moral turpitude.

82. One of the requirements to becoming a citizen of the United States is the applicant must satisfy the statutory requirement that he is a person of good moral character. *See* 8 U.S.C. § 1427(a). Defendant was required to prove that he was a person of good moral character from three years prior to filing his Application for Naturalization, or July 15, 1994, until the time he became a naturalized citizen on August 14, 1998 (“statutory period”).

83. An applicant for naturalization is statutorily precluded from establishing the good moral character necessary to naturalize if, during the statutory period, he commits acts which constitute the essential elements of a crime involving moral turpitude. *See* 8 U.S.C. §§ 1101(f)(3), 1182(a)(2)(A)(i)(I); 8 C.F.R. § 316.10(b)(2)(i).

84. During the statutory period, Defendant committed the following criminal offenses:

a. Fraudulent Use of Social Security Number: On or about March 5, 1998, in the District of Oregon, Defendant, for the purpose of obtaining United States citizenship, did knowingly, willfully, and with the intent to deceive, use Social Security Number XXX-XX-5239, which had been assigned to him by the Commissioner of Social Security on the basis of false information furnished to the Commissioner by Defendant on or about

February 16, 1994. All in violation of Title 18, United States Code, Section 408(a)(7)(A).³

b. Possession of False Identification Document: On or about March 5, 1998, in the District of Oregon, Defendant did knowingly possess an identification document, to wit: a Social Security Card with Social Security Number XXX-XX-5239, that was issued by the United States and produced without lawful authority knowing that such document was produced without lawful authority. All in violation of Title 18, United States Code, Section 1028(a)(6).

c. False Testimony: On or about March 5, 1998, in the District of Oregon, Defendant did willfully and knowingly make and cause to be made materially false, fictitious, and fraudulent statements and representations in a matter within the jurisdiction of a department or agency of the United States. As discussed in paragraph 23 above, Defendant testified before an INS examiner, about his other names; employment history; sources of income; whether he had ever been arrested; whether he had ever committed a crime for which he had not been arrested; whether he had ever provided false testimony to obtain an immigration benefit; and whether he had ever been a member or associated

³ On or about April 5, 1983, Defendant applied for and received a social security card using a different name and date of birth. However, on February 16, 1994, using his correct name and date of birth, Defendant applied for and received another social security card. In his application, signed under penalty of perjury, Defendant stated that he had never received a social security card before, and that he had never used a different date of birth on an earlier application for a social security card. On April 14, 1995, using the same information, Defendant applied for and received a replacement social security card. Defendant used this social security number to obtain benefits through a state program of health care for low income individuals and their children. On January 9, 2003, a federal grand jury returned a twelve count indictment charging Defendant with social security fraud and false statements relating to health care matters. The indictment included two counts alleging offenses that Defendant committed prior to naturalizing. On March 3, 2003, Defendant pled guilty to two counts relating to his use of a social security card obtained by fraud and underreporting his income to obtain health care benefits through a state health care program. These offenses occurred after Defendant had naturalized. However, in his plea agreement, Defendant admitted that he made false statements on his 1994 application for a social security card by stating that he had not previously received a social security card or used a different date of birth on an application for a social security card. In so doing, Defendant admitted to the essential elements of fraudulent use of a social security number, in violation of 42 U.S.C. § 408(a)(7)(A), and possession of false identification document, in violation of 18 U.S.C. § 1028(a)(6), both of which occurred prior to his naturalization.

with any groups. As discussed in paragraphs 24 through 60 above, Defendant knew these statements and representations were false. All in violation of Title 18, United States Code, Section 1001.

d. False Swearing in an Immigration Matter: On or about the dates of November 15, 1988, February 13, 1990, September 6, 1993, and July 15, 1997, in the District of Oregon and elsewhere, Defendant, did knowingly make under penalty of perjury under 28 U.S.C. § 1746, false statements with respect to material facts in a document required by the immigration laws and regulations prescribed thereunder, to wit: Form I-589, Request for Asylum in the United States, Form I-570, Application for Issuance or Extension of Refugee Travel Document, OF-230, Application for Immigrant Visa and Alien Registration, and Form N-400, Application for Naturalization. As alleged at paragraphs 24 through 60 above, Defendant made false statements relating to his other names; employment history; sources of income; whether he had ever been arrested; whether he had ever committed a crime for which he had not been arrested; whether he had ever provided false testimony to obtain an immigration benefit; and whether he had ever been a member or associated with any groups. Defendant knew these statements to be false. All in violation of Title 18, United States Code, Section 1546(a).

85. Fraudulent use of a social security number, possession of a false identification document, false statements, and false swearing in an immigration matter all constitute crimes involving moral turpitude.

86. Because Defendant committed more than one crime involving moral turpitude during the statutory period, he was statutorily ineligible to naturalize for lack of good moral character.

87. Defendant's naturalization was therefore illegally procured and must be revoked pursuant to 8 U.S.C. § 1451(a).

COUNT III

ILLEGAL PROCUREMENT OF NATURALIZATION
LACK OF GOOD MORAL CHARACTER
(UNLAWFUL ACTS)

88. The United States re-alleges and incorporates by reference paragraphs 1 through 87 of this Complaint.

89. Defendant illegally procured his naturalization because he was precluded from establishing the good moral character necessary to naturalize on account of his commission of unlawful acts.

90. One of the requirements to becoming a citizen of the United States is the applicant must satisfy the statutory requirement that he is a person of good moral character. *See* 8 U.S.C. § 1427(a). Defendant was required to prove that he was a person of good moral character from three years prior to filing his Application for Naturalization, or July 15, 1994, until the time he became a naturalized citizen on August 14, 1998 ("statutory period").

91. Pursuant to 8 C.F.R. § 316.10(b)(3)(iii), an applicant for naturalization is precluded from establishing the good moral character necessary to naturalize if, during the statutory period, they "[c]ommitted unlawful acts that adversely reflect upon the applicant's moral character, or was convicted or imprisoned for such acts."

92. As set forth in paragraphs 31 through 68 and 84 above, Defendant committed unlawful acts, to wit: fraudulent use of a social security number, in violation of 42 U.S.C. § 408(a)(7)(A); possession of false identification document, in violation of 18 U.S.C. § 1028(a)(6);

false statements, in violation of 18 U.S.C. § 1001; and false swearing in an immigration matter, in violation of 18 U.S.C. § 1546(a).

93. Because Defendant committed unlawful acts during the statutory period, he was ineligible to naturalize for lack of good moral character.

94. Defendant's naturalization was therefore illegally procured and must be revoked pursuant to 8 U.S.C. § 1451(a).

COUNT IV

ILLEGAL PROCUREMENT OF NATURALIZATION **LACK OF GOOD MORAL CHARACTER** **(AFFILIATION WITH CERTAIN ORGANIZATIONS)**

95. The United States re-alleges and incorporates by reference paragraphs 1 through 94 of this Complaint.

96. Pursuant to 8 U.S.C. § 1424(a)(4), a person is precluded from naturalizing if he advocates or teaches, or is “a member of or affiliated with any organization that advocates or teaches . . . (A) the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers . . . of the Government of the United States or any other organized government because of his or their official character; or (B) the unlawful damage, injury or destruction of property. . . .”⁴

⁴ This provision applies to “any applicant for naturalization who at any time within the period of ten years immediately preceding the filing of the application for naturalization . . . is, or has been found to be within any of the classes enumerated within [section 1424].” See 8 U.S.C. § 1424(c). Further, pursuant to 8 U.S.C. § 1451(c), if within the five years next following their naturalization, an alien becomes a member of or affiliated with any organization described by provisions at 8 U.S.C. § 1424, “it shall be considered *prima facie* evidence that such person was not attached to the principles of the Constitution of the United States and was not well disposed to the good order and happiness of the United States at the time of naturalization, and in the absence of countervailing evidence, it shall be sufficient to authorize the revocation and setting aside of the order admitting such person to citizenship as having been obtained by the concealment of a material fact or by willful misrepresentation” See 8 U.S.C. § 1451(c).

97. Defendant illegally procured his naturalization because he was statutorily precluded from naturalizing under 8 U.S.C. § 1424(a)(4).

98. As discussed in paragraphs 45 through 68 above, Defendant was a member of or associated with the Afghan Mujahideen and MAK at various times, from at least July 15, 1987 through at least December 7, 1994.

99. Throughout Defendant's involvement with the Afghan Mujahideen and MAK, these organizations advocated the duty, necessity, or propriety of the unlawful assaulting or killing of an officer of an organized government, and the unlawful damage, injury or destruction of property. Accordingly, Defendant's membership in or affiliation with the Afghan Mujahideen and MAK precluded his naturalization.

100. In addition, in or around September 2001, Defendant incited, advocated, and supported a post-9/11 plot by several individuals to travel to Afghanistan and fight alongside al Qaeda and the Taliban against United States and coalition forces. Defendant encouraged several of the so-called "Portland Seven" conspirators to engage in violent jihad.⁵

a. In his capacity as a religious leader at the Masjed As Sabr, Defendant told several members of the plot that Muslims should fight with fellow Muslim brothers of Afghanistan against Americans, and that fighting the United States in Afghanistan was a righteous fight and legitimate jihad.

b. Defendant collected money from members of Masjid As Sabr to finance travel by members of the plot to Afghanistan.

⁵ On October 3, 2002, a federal grand jury returned an indictment charging the "Portland Seven" with conspiracy to levy war against the United States, conspiracy to provide material support to al Qaeda, and related firearms and money laundering offenses. A superseding indictment was returned on May 3, 2003. All but one of the conspirators – who was killed in Pakistan in 2003 – were ultimately convicted and sentenced. Two of these individuals pled guilty to conspiracy to levy war against the United States. They were each sentenced to 18-year prison terms. Other conspirators pled guilty to money laundering, weapons, and related charges in connection with the plot. Their sentences ranged from 3 to 10 years of imprisonment.

c. Defendant was present when members of the plot left to go wage jihad against United States and coalition forces, and he wished them good luck on their journey.

101. In connection with “Portland Seven” plot, Defendant advocated or taught the duty, necessity, or propriety of the unlawful assaulting or killing of an officer of an organized government, and the unlawful damage, injury or destruction of property. Accordingly, Defendant’s involvement in the plot precluded his naturalization.

102. Defendant’s naturalization was therefore illegally procured and must be revoked pursuant to 8 U.S.C. § 1451(a).

COUNT V

PROCUREMENT OF UNITED STATES CITIZENSHIP BY CONCEALMENT OF A MATERIAL FACT OR WILLFUL MISREPRESENTATION

103. The United States re-alleges and incorporates by reference paragraphs 1 through 102 of this Complaint

104. Defendant procured his naturalization by willful misrepresentation and concealment of material facts during his naturalization proceedings.

105. As discussed in paragraphs 25 through 26 and 31 through 68 above, Defendant made false statements on his Form N-400, Application for Naturalization, relating to his other names; employment history; sources of income; whether he had ever been arrested; whether he had ever committed a crime for which he had not been arrested; whether he had ever provided false testimony to obtain an immigration benefit; and whether he had ever been a member or associated with any groups.

106. Defendant signed his Form N-400, Application for Naturalization, under penalty of perjury under the laws of the United States, thereby certifying under oath that the information

contained therein was true and correct. Defendant filed his application with the INS on or about July 15, 1997.

107. On March 5, 1998, INS examined Defendant regarding his Form N-400, Application for Naturalization. At the beginning of his naturalization examination, an INS officer placed Defendant under oath. Defendant affirmed that he would answer all questions truthfully.

108. As discussed in paragraphs 27 through 68 above, during his sworn naturalization examination on March 5, 1998, Defendant falsely testified under oath about his other names; employment history; sources of income; whether he had ever been arrested; whether he had ever committed a crime for which he had not been arrested; whether he had ever provided false testimony to obtain an immigration benefit; and whether he had ever been a member or associated with any groups.

109. At the end of his sworn naturalization examination, Defendant again signed his Form N-400, Application for Naturalization, under penalty of perjury under the laws of the United States, thereby affirming under oath that the information contained therein was true and correct.

110. Defendant intentionally misrepresented and concealed his other names; employment history; sources of income; whether he had ever been arrested; whether he had ever committed a crime for which he had not been arrested; whether he had ever provided false testimony to obtain an immigration benefit; and whether he had ever been a member or associated with any groups. Defendant knew his false statements and sworn testimony about these matters were false and misleading.

111. Defendant's false statements and testimony about these matters was material to determining his eligibility for naturalization. Defendant's false statements and testimony had the natural tendency to influence a decision by INS to approve his Form N-400, Application for Naturalization. In fact, Defendant's false testimony, commission of criminal offenses, and involvement with the Afghan Mujahideen, MAK, and GRF would have precluded him from establishing the good moral character necessary for naturalization. The INS would have denied Defendant's Form N-400, Application for Naturalization, had he been truthful. Defendant thus procured his naturalization by concealment of material facts and willful misrepresentations.

112. Denaturalization is required when an alien has concealed material facts or made willful misrepresentations which aided in the receipt of naturalization. *See* 8 U.S.C. § 1451(a). Accordingly, Defendant's naturalization must be revoked pursuant to 8 U.S.C. § 1451(a).

WHEREFORE, the United States prays for relief as follows:

(1) Judgment revoking and setting aside the naturalization of the Defendant (which was ordered by the Attorney General of the United States, admitting Defendant to United States citizenship), and canceling Certificate of Naturalization No. 24307995;

(2) Judgment forever restraining and enjoining Defendant from claiming any rights, privileges, or advantages under any document which evidences United States citizenship obtained as a result of his August 14, 1998 naturalization;

(3) Judgment requiring the Defendant to surrender and deliver his Certificate of Naturalization and any other indicia of United States citizenship, as well as any copies thereof in his possession (and to make good faith efforts to recover and then surrender any copies thereof that he knows are in the possession of others), to the Attorney General, or his representative, including the undersigned, immediately; and

(4) Judgment granting the United States any other relief that may be lawful and proper in this case.

Date: July 20, 2015

Respectfully submitted,

BENJAMIN C. MIZER
Principal Deputy Assistant Attorney General

WILLIAM C. PEACHEY
Director, District Court Section
Office of Immigration Litigation

COLIN A. KISOR
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s/ Christopher W. Dempsey
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EXHIBIT A

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UNITED STATES OF AMERICA)
Portland, Oregon)
In the Matter of the Revocation of the)
Naturalization of)
Mohamed Sheikh Abdirahman Kariye, a.k.a.)
Mohamed Sheikh Abdirahman)
A043 965 040)

AFFIDAVIT OF GOOD CAUSE

Introduction

I, Trina Ledbetter, declare under penalty of perjury as follows:

1. I am a Special Agent of Immigration and Customs Enforcement (“ICE”) within the United States Department of Homeland Security (“DHS”). In this capacity, I have access to the official records of DHS and ICE, including the immigration file of Mohamed Sheikh Abdirahman Kariye, File No. A043 965 040 (“Mr. Kariye”).

2. I have examined the records relating to Mr. Kariye’s case. Based upon my review of these records, I state on information and belief that the information set forth in this Affidavit of Good Cause is true and correct.

3. On or about July 15, 1997, Mr. Kariye filed an application for naturalization, Form N-400, with the Portland, Oregon, District Office of the Immigration and Naturalization

1 Service (“INS”)¹ pursuant to section 319(a) of the Immigration and Nationality Act (“INA”), 8
2 U.S.C. § 1430(a) (pertaining to naturalization of persons married to United States citizens).

3 4. On March 5, 1998, INS Officer Jennifer Swinhoe interviewed Mr. Kariye, under
4 oath, concerning the information he provided on his application for naturalization. Based on
5 some inconsistencies between the written information Mr. Kariye provided in his application and
6 his testimony during his naturalization interview, his application for naturalization was continued
7 for further review and for Mr. Kariye to submit additional documentation to establish his
8 eligibility for naturalization.

9 5. On May 4, 1998, on the basis of his written application, including the
10 supplemental documentation submitted, and his testimony during his naturalization interview,
11 Mr. Kariye’s application for naturalization was approved. Following the approval, INS sent Mr.
12 Kariye a Notice of Naturalization Oath Ceremony, Form N-445. On August 14, 1998, Mr.
13 Kariye took the oath of allegiance and was sworn in as a United States citizen. He was issued a
14 Certificate of Naturalization, number 24307995.
15

16 **Illegal Procurement**

17 6. Mr. Kariye illegally procured his naturalization because he could not have
18 established that he was a person of good moral character at the time of naturalization.

19 7. As an applicant for naturalization, pursuant to section 319(a) of the INA, Mr.
20 Kariye was required to prove that he was, and continued to be, a person of good moral character,
21 as described in 8 U.S.C. § 1101(f), for the statutory period of three (3) years before he filed his
22 application for naturalization, until the time he took the oath of allegiance (from July 15, 1994
23

24 ¹ On March 1, 2003, the INS ceased to exist as an agency within the Department of Justice and its functions were
25 transferred to the Department of Homeland Security (“DHS”). See Homeland Security Act of 2002, Pub.L.No. 107-
296, 110 Stat. 2135 (Nov. 25, 2002). Because Mr. Kariye’s naturalization case was adjudicated before the transfer,
this Affidavit of Good Cause will reference the INS as necessary.

1 until August 14, 1998). *See* INA § 316(a)(3), 8 U.S.C. § 1427(a)(3) (requirements for
2 naturalization generally); INA § 319(a), 8 U.S.C. § 1430(a) (requiring a three-year statutory
3 period for persons married to a United States citizen); 8 C.F.R. § 316.10(a).

4 8. In determining whether an applicant has sustained his burden of establishing good
5 moral character for citizenship, the Attorney General shall not be limited to the applicant's
6 conduct during the three (3) years preceding the filing of the application, but may take into
7 consideration the applicant's conduct and acts at any time prior to that period if the conduct
8 appears relevant to the applicant's present moral character or there has been no reform in
9 character. *See* INA § 316(e), 8 U.S.C. § 1427(e); 8 C.F.R. § 316.10(a)(2).

10 9. Unlawful Acts. Mr. Kariye could not have established that he was a person of
11 good moral character during the statutory period because he committed unlawful acts that
12 adversely reflected upon his moral character.

13 10. Unless there are extenuating circumstances, an applicant for naturalization is
14 precluded from establishing good moral character if, during the statutory period, he commits
15 unlawful acts that adversely reflect upon his moral character. *See* 8 C.F.R. § 316.10(b)(3)(iii).
16 Whether unlawful acts affect the applicant's moral character is a case-by-case determination,
17 considering the standards of the average citizen in the applicant's community of residence. 8
18 C.F.R. § 316.10(a)(2).

19 11. On or about April 5, 1983, Mr. Kariye, using the name Mohamed Sheikh
20 Abdirahman, and stating that he was born in Hargeisa, Somalia on December 1, 1963, signed and
21 filed an application for a Social Security card with the Social Security Administration. On the
22 basis of this application, the Social Security Administration issued Mr. Kariye a Social Security
23 card, No. XXX-XX-1499.
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1 12. On or about February 16, 1994, Mr. Kariye, using the name Mohamed Sheikh
2 Abdirahman Kariye, and stating that he was born in Hrgesia (sic), Somalia on December 1, 1961,
3 signed and filed another application for a Social Security card with the Social Security
4 Administration. In response to the question on the application, have you “ever received a Social
5 Security number before,” Mr. Kariye falsely answered “No.” Furthermore, in response to a
6 request to list any different birth date used in previous applications for a Social Security card,
7 Mr. Kariye left the line provided blank. Finally, Mr. Kariye provided different names for his
8 parents in this application. Because his name, date of birth, and parents’ names were different on
9 his second application than on his first application, the Social Security Administration did not
10 have notice that Mr. Kariye already had a Social Security number (“SSN”). On the basis of this
11 second application, the Social Security Administration issued Mr. Kariye a second Social
12 Security card, No. XXX-XX-5239.

13 13. On or about April 14, 1995, during the period in which he was required to
14 establish good moral character, Mr. Kariye, signed and filed another application for a Social
15 Security card with the Social Security Administration (seeking a replacement card). He used the
16 name Mohamed Sheikh Abdirahman Kariye and stated that he was born in Hargesia, Somalia on
17 December 1, 1961. In response to a question on the application asking whether he “ever
18 received a Social Security number before,” Mr. Kariye answered “Yes,” and listed the SSN he
19 had received in 1994 (SSN XXX-XX-5239). Mr. Kariye did not list the SSN he had received in
20 1983 (SSN XXX-XX-1499). Furthermore, in response to a request to list any different date of
21 birth if used in an earlier application for a Social Security card, Mr. Kariye left the line provided
22 blank. On the basis of this third application, the Social Security Administration reissued a Social
23 Security card, No. XXX-XX-5239, to Mr. Kariye.
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1 14. On or about July 15, 1997, during the period in which he was required to establish
2 good moral character, Mr. Kariye filed his application for naturalization with the Portland,
3 Oregon, District Office of the INS, using the SSN he obtained in 1994, No. XXX-XX-5239.

4 15. On January 9, 2003, a federal grand jury in Portland, Oregon, returned a twelve-
5 count superseding indictment charging Mr. Kariye with Misuse of a Social Security Card in
6 violation of 42 U.S.C. § 408(a)(7)(A). Count 11 of the Superseding Indictment alleged that in
7 2001, Mr. Kariye knowingly and willfully made materially false, fictitious, and fraudulent
8 representations about his income to establish eligibility for benefits under the Oregon Health
9 Plan. Count 12 of the Superseding Indictment alleged that in 2001, for the purposes of obtaining
10 benefits under the Oregon Health Plan, Mr. Kariye, knowingly and willfully, with the intent to
11 deceive, used Social Security number, XXX-XX-5239, which he obtained on the basis of false
12 information furnished to the Commissioner of Social Security on or about February 16, 1994.

13 16. On March 3, 2003, Mr. Kariye admitted, pursuant to a plea agreement, that he
14 obtained SSN XXX-XX-5239 in 1994 by providing false information to the Commissioner of
15 Social Security. Mr. Kariye entered a plea of guilty to counts 11 and 12 of the Superseding
16 Indictment for False Statements Relating to Health Care Matters in violation of 18 U.S.C. § 1035
17 and for Misuse of a Social Security Number in violation of 42 U.S.C. § 408(a)(7)(A). He further
18 acknowledged that in 2001 he falsely, with intent to deceive, used SSN XXX-XX-5239 to obtain
19 health benefits from the Oregon Health Plan.
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1 17. When Mr. Kariye applied for a Social Security card on February 16, 1994, he
 2 committed an unlawful act in violation of 42 U.S.C. § 408(a)(6),² because he knowingly,
 3 willfully, and with intent to deceive, used false information to obtain a Social Security card, No.
 4 XXX-XX-5239. When Mr. Kariye applied for a replacement Social Security card on April 14,
 5 1995, he again committed an unlawful act in violation of 42 U.S.C. § 408(a)(6) because he
 6 knowingly, willfully, and with intent to deceive, used false information to obtain a replacement
 7 Social Security card, No. XXX-XX-5239.

8 18. In addition, when Mr. Kariye filed his application for naturalization with the INS
 9 on July 15, 1997, he committed an unlawful act in violation of 42 U.S.C. § 408(a)(7)(A),³
 10 because he, for the purposes of obtaining United States citizenship, knowingly, willfully, and
 11 with intent to deceive, used SSN XXX-XX-5239, which he had obtained based on false
 12 information provided to the Commissioner of Social Security on or about February 16, 1994.

13 19. As evidenced by his post-naturalization conviction for Misuse of a Social Security
 14 Number, there were no extenuating circumstances that could have mitigated the effect of Mr.
 15 Kariye's actions on his ability to establish good moral character.
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17
 18 ² This section provides, "[w]hoever ... (6) willfully, knowingly, and with intent to deceive the Commissioner of
 19 Social Security as to his true identity (or the true identity of any other person) furnishes or causes to be furnished
 20 false information to the Commissioner of Social Security with respect to any information required by the
 Commissioner of Social Security in connection with the establishment and maintenance of the records provided for
 in 405(c)(2) of this title ... shall be guilty of a felony and upon conviction thereof shall be fined under Title 18 or
 imprisoned for not more than five years, or both." 42 U.S.C. § 408(a)(6).

21 ³ "Whoever ... (7) for the purpose of causing an increase in any payment authorized under this subchapter (or any
 22 other program financed in whole or in part from Federal funds), or for the purpose of causing a payment under this
 subchapter (or any such other program) to be made when no payment is authorized thereunder, or for the purpose of
 obtaining (for himself or any other person) any payment or any other benefit to which he (or such other person) is
 not entitled, or for the purpose of obtaining anything of value from any person, or for any other purpose--

23 (A) willfully, knowingly, and with intent to deceive, uses a social security account number, assigned by the
 24 Commissioner of Social Security (in the exercise of the Commissioner's authority under section 405(c)(2) of this
 title to establish and maintain records) on the basis of false information furnished to the Commissioner of Social
 25 Security by him or by any other person ... shall be guilty of a felony and upon conviction thereof shall be fined
 under Title 18 or imprisoned for not more than five years, or both." 42 U.S.C. § 408(a)(7)(A).

1 20. Because Mr. Kariye committed unlawful acts affecting his moral character within
2 the period of time in which he was required to establish good moral character, he was precluded
3 from establishing good moral character. Consequently, he illegally procured his naturalization.

4 21. False Testimony. Additionally, Mr. Kariye could not have established that he was
5 a person of good moral character because during his naturalization interview, conducted under
6 oath on March 5, 1998, he provided affirmative false statements in order to obtain naturalization.

7 22. An individual who, during the statutory period, provides false testimony with the
8 intent of obtaining an immigration benefit, including naturalization, is precluded from
9 establishing good moral character. *See* INA § 101(f)(6), 8 U.S.C. § 1101(f)(6); 8 C.F.R. §
10 316.10(b)(2)(vi); *see also Kungys v. United States*, 485 U.S. 759, 780-81 (1988) (explaining this
11 preclusion applies to affirmative, oral misrepresentation, but does not apply to omissions or
12 falsified documents).

13 23. Mr. Kariye testified falsely regarding his employment during his naturalization
14 interview. Part 4, Question B, on Mr. Kariye's naturalization application asks and requires that
15 he list all employment for the last five (5) years, listing the most recent employer first. In his
16 written response to this question, Mr. Kariye answered "None." He signed his naturalization
17 application, under penalty of perjury, on May 31, 1997.

18 24. On March 5, 1998, INS Officer Jennifer Swinhoe interviewed Mr. Kariye
19 regarding his application for naturalization. At the beginning of the naturalization interview, Mr.
20 Kariye took an oath or affirmed that he would truthfully answer all of the questions asked of him
21 during his naturalization interview. It was Officer Swinhoe's practice during these interviews to
22 ask each applicant about every question on the naturalization application by reading it to the
23 applicant as it was written on the form. If the applicant provided a different answer than was
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1 written on the application, or the applicant wanted to make changes to the written answer on the
2 application, Officer Swinhoe would make those changes in red ink.

3 25. During the course of his naturalization interview, in order to adjudge his
4 eligibility for naturalization, INS Officer Swinhoe asked Mr. Kariye about his response to Part 4,
5 Question B, which reflected "None." INS Officer Swinhoe specifically asked Mr. Kariye if he
6 had been employed in the last five (5) years and, if not, how he supported himself. In response
7 to this question, Mr. Kariye falsely testified under oath that he does not work, that he has never
8 worked in the United States, and that his extended family supported his family.

9 26. This information regarding Mr. Kariye's employment was false. On April 18,
10 1996, Mr. Kariye and his wife completed and signed an application for health benefits through
11 the Oregon Health Plan. In the application, Mr. Kariye indicated that he was employed and was
12 paid \$1000 per month in cash in April, May and June of 1996.

13 27. On or about February 25, 1997, Mr. Kariye and his wife completed a tenant
14 reference check form in conjunction with their application to rent an apartment at the Capitol
15 Garden Apartments in Portland, Oregon. On the portion of the tenant reference check form
16 entitled "Employment Verification," Mr. Kariye indicated that he was "President of the Islamic
17 Center of Portland" and on the "Editorial Board - Baaq P.O. Box 82 ST Toronto Canada." The
18 form indicated that Mr. Kariye had been employed full-time for the last three (3) years and
19 claimed combined income (from both positions) of \$2500 per month.
20

21 28. On or about August 31, 1998, Mr. Kariye and his wife completed and signed
22 another application for health benefits through the Oregon Health Plan. In this application, Mr.
23 Kariye indicated that he was employed and that he earned a gross income of \$1500 per month
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1 during the months of June, July, and August 1998. With the application, he submitted two letters
2 from Masjed AsSabr mosque, attesting to his employment and monthly salary.

3 29. Between 1997 and 1998, Mr. Kariye cashed numerous checks from Masjed
4 AsSabr (The Islamic Center of Portland), including the following checks dated: November 3,
5 1997 (\$500.00); November 29, 1997 (\$500.00); June 2, 1998 (\$1000.00); June 9, 1998
6 (\$850.20); and June 9, 1998 (\$35.25).

7 30. On or about September 27, 2001, Mr. Kariye completed and signed a rental
8 application for the Capitol Gardens Apartments. In the section of the form entitled
9 "Employment," Mr. Kariye indicated that he had been employed as an Imam by "Dar Makah"
10 (sic) in Portland, Oregon for "5 years" (dating back to 1996) and earned a gross income of \$2600
11 per month.

12 31. On or about October 15, 2002, Mr. Kariye completed and signed another rental
13 application for the Capitol Gardens Apartments. On this application, under "Employment," Mr.
14 Kariye indicated that he had been employed as an Imam by "Dar Makkah Assoc." in Portland,
15 Oregon for the last "5 years" (dating back to October 1997) and he earned a gross income of
16 \$3000 per month.

17 32. Mr. Kariye's false testimony regarding his employment concealed the fact that he
18 had been employed during the five (5) years prior to his naturalization interview.

19 33. Because Mr. Kariye provided false testimony in order to obtain naturalization, he
20 could not have established that he was a person of good moral character. Therefore, Mr. Kariye
21 was ineligible for naturalization.
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Procurement by Willful Misrepresentation and Concealment of Material Facts

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2 34. Mr. Kariye also procured his naturalization by willful misrepresentation and
3 concealment of material facts.

4 35. On May 31, 1997, Mr. Kariye signed his Form N-400, Application for
5 Naturalization, thereby certifying that the information it contained was true and correct. On July
6 15, 1997, Mr. Kariye submitted his Form N-400 to the INS. Mr. Kariye misrepresented and
7 concealed information about his travel history, employment history, criminal history, and
8 memberships and affiliations when he submitted his Form N-400 and during his naturalization
9 interview.

10 36. Misrepresentation of travel history. Part 3 of Mr. Kariye's naturalization
11 application asked and required that he list all absences from the United States since he became a
12 permanent resident. In his written response to the question in Part 3, Mr. Kariye listed four (4)
13 absences from the United States. However, Mr. Kariye did not disclose on his Form N-400, or
14 during his naturalization interview, that he traveled to London, England, in the summer of 1995
15 and to Canada in the summers of 1994, 1996, and 1997.

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17 37. During his naturalization interview conducted under oath on March 5, 1998, INS
18 Officer Swinhoe asked Mr. Kariye about his travel outside the United States. INS Officer
19 Swinhoe's practice was to write any changes or additions revealed during the interview onto the
20 naturalization application in red ink. Mr. Kariye then testified that he had made a trip to the
21 United Arab Emirates in 1998, a trip to London in 1997, and a trip to Pakistan from 1990 to 1993
22 (prior to the time he became a permanent resident on November 23, 1993). INS Officer Swinhoe
23 recorded these responses in red ink on the naturalization application.
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1 38. In fact, Mr. Kariye had made additional trips outside the United States. Mr.
2 Kariye made a trip to London, England, in the summer of 1995. Mr. Kariye did not include this
3 trip in his written response to Part 4 of his naturalization application or disclose it during his
4 naturalization interview. In addition, Mr. Kariye travelled to Canada in the summers of 1994,
5 1996, and 1997. Mr. Kariye did not disclose these trips in his written response or in his oral
6 testimony during his naturalization interview.

7 39. Misrepresentation of employment history. Mr. Kariye also misrepresented and
8 concealed his employment history in his Form N-400 and during his naturalization interview.

9 40. As noted above, Part 4, Question B, on Mr. Kariye's naturalization application
10 asks and requires that he list all employment for the last five (5) years, listing the most recent
11 employer first. In his written response to this question, Mr. Kariye answered "None."

12 41. This representation of his employment history was false because, as noted above,
13 Mr. Kariye had been employed during the five (5) years preceding the submission of his Form
14 N-400 and his naturalization interview.

15 42. Misrepresentation of criminal history. Mr. Kariye also misrepresented and
16 concealed his criminal background in his Form N-400 and during his naturalization interview.

17 43. Part 7, Question 15a, on Mr. Kariye's naturalization application asked if he has
18 ever knowingly committed a crime for which he has not been arrested. In his written response to
19 this question, Mr. Kariye checked the box on the form labeled "No."

20 44. This representation of his criminal history was false because, as noted above,
21 when Mr. Kariye applied for a replacement Social Security card on April 14, 1995, he committed
22 a crime in violation of 42 U.S.C. § 408(a)(6) because he knowingly, willfully, and with intent to
23 deceive, used false information to obtain a replacement Social Security card, No. XXX-XX-
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1 5239. In addition, when Mr. Kariye filed his application for naturalization on July 15, 1997, he
2 committed a crime in violation of 42 U.S.C. § 408(a)(7)(A), because he used SSN XXX-XX-
3 5239, which he had obtained based on false information provided to the Commissioner of Social
4 Security on or about February 16, 1994.

5 45. Misrepresentation of memberships and affiliations. Mr. Kariye also
6 misrepresented and concealed his past memberships and affiliations with various organizations
7 in his Form N-400 and during his naturalization interview.

8 46. Part 9, Question A, on Mr. Kariye's naturalization application asked and required
9 that he list his present and past membership in or affiliation with every organization, association,
10 fund, foundation, party, club, society, or similar group in the United States or in any other place.
11 In his written response to this question, Mr. Kariye answered "None."

12 47. This representation of his present and past memberships and associations was
13 false. In fact, Mr. Kariye failed to disclose his memberships and associations with three
14 organizations: 1) the Islamic Center of Portland, 2) the Afghan Refugees Services, Inc. (also
15 known as Al Kifah Refugee Center), and 3) Global Relief Foundation, Inc.

16 46. *Islamic Center of Portland/Afghan Refugee Services, Inc. (Al Kifah Refugee*
17 *Center).* On or about February 7, 1990, Mr. Kariye completed and signed an Application for
18 Issuance or Extension of Refugee Travel Document, Form I-570, seeking authorization to travel
19 to Pakistan. Block 8 of the I-570 asked the applicant to list all organizations, societies, clubs,
20 and associations, past or present, in which he has held membership. In his written response to
21 this question, Mr. Kariye listed the "Islamic Center of Portland, member, 1983 to present."
22 Block 15 of the I-570 asks for information about the applicant's foreign travel destination. Block
23 15 specifically asks the reason for going abroad. In his written response to this question, Mr.
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1 Kariye stated that he was “going to teach at the Afgani (sic) Refugee Center through the Afgani
2 (sic) Refugee Service (based in New York).”

3 47. Records from the New York State, Department of State Division of Corporations
4 indicate that Afghan Refugees Services, Inc., filed for incorporation as a domestic not-for-profit
5 corporation in the State of New York on December 29, 1987. Afghan Refugees Services, Inc. is
6 also known as Al Kifah Refugee Center, Inc.

7 48. In a letter issued by the Islamic Society of North America (“ISNA”), the ISNA
8 endorsed Al Kifah Refugee Center, Inc. and Makhtab al-Khidamat.⁴ The letter also referred to
9 the organizations as the same entity, sharing address in Brooklyn, NY. It instructed that
10 donations to the organizations could be sent to “Alkifah, P. O. Box 294, Brooklyn, NY 11217.”

11 49. Additionally, a donor/sponsor form issued by Makhtab al-Khidamat indicated that
12 donations for “Widows and Orphans of Martyred Mujahdeen” could be sent to either Al Kifah
13 Refugee Center, Inc., or Makhtab al-Khidamat at the same Brooklyn, New York, address.

14 50. *Global Relief Foundation*. On or about January 10, 1992, the Global Relief
15 Foundation, Inc. filed Articles of Incorporation with the Secretary of State for the State of
16 Illinois. The Articles of Incorporation list “Muhamed Abdirahman” (the name Mr. Kariye used
17 in his April 5, 1983 application for a Social Security card) as a member of the Board of Directors
18 for Global Relief Foundation. The address listed in the Articles of Incorporation for Muhamed
19 Abdirahman is the same Portland, Oregon, address that Mr. Kariye listed as a residence in Part 4
20 of his application for naturalization. “Muhamed Abdiraham” is also listed as a Director of
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25 ⁴ Alternate spellings from translations and open source materials include “Maktab Khadamat”, “Makhtab Khidimat”,
“Makhtab al-Khidimat”, “Makhtab al-Khidmat”, “Makhtab al-Khidamat”, and “Makhtab Al-Khidamat”. This
document refers to the organization as Makhtab al-Khidamat.

1 Global Relief Foundation in the Annual Report filed with the Illinois Secretary of State on
2 January 6, 1993.

3 51. In May of 1997, information available to the Federal Bureau of Investigation
4 indicated that Makhtab al-Khidamat, also known as Al Kifah Refugee Center and as the Afghan
5 Refugees Services, Inc., had been engaged in terrorist activity and that Global Relief Foundation
6 had been in contact with well known international fundamentalists with terrorist ties.
7 Additionally, in May 1997 or previously, people involved in the operations of Makhtab Al-
8 Khidamat, Al-Kifah Refugee Center, and Global Relief Foundation were the subjects of
9 international terrorism investigations.

10 52. On September 23, 2001, President George W. Bush designated Makhtab al-
11 Khidamat/Al Kifah, as a Specially Designated Global Terrorist ("SDGT"), blocking its assets
12 and prohibiting transactions with it. *See* Exec. Order No. 13224, 66 Fed. Reg. 49079 (Sept. 25,
13 2001); 31 C.F.R. § 594.310. On December 7, 2001, the U.S. Secretary of State, in consultation
14 with the Attorney General, designated Makhtab al-Khidamat as a terrorist organization under the
15 PATRIOT USA Act. *See* 66 Fed. Reg. 63620-01 (Dec. 7, 2001).

16 53. On October 17, 2002, the United States Department of Treasury designated the
17 Global Relief Foundation as a SDGT under the authority of Executive Order 13224. *See* 68 Fed.
18 Reg. 399-02 (Jan. 3, 2003).

19 54. The facts misrepresented and concealed by Mr. Kariye were material to
20 determining his eligibility for naturalization because they would have had the natural tendency to
21 influence the INS's decision whether to approve his application and they would have raised a fair
22 inference of ineligibility for naturalization. First, the facts relating to Mr. Kariye's absences
23 from the United States and his employment history were directly relevant to determining whether
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1 he had the requisite continuous residence and physical presence in the United States during the
2 statutory period. Second, the facts relating to Mr. Kariye's criminal history were directly
3 relevant to determining whether he was a person of good moral character during the statutory
4 period. Finally, the facts relating to Mr. Kariye's memberships and associations were directly
5 relevant to whether Mr. Kariye was a person of good moral character and whether he was
6 attached to the principles of the Constitution of the United States and was well disposed to the
7 good order and happiness of the United States. For instance, had Mr. Kariye disclosed his
8 memberships and associations during his naturalization proceedings, the INS could have inquired
9 further into those organizations and could have discovered that Al Kifah Refugee Center/Afghan
10 Refugee Services Inc. had been engaged in terrorist activity and that Global Relief Foundation
11 had been in contact with well known fundamentalists with terrorist ties. Affiliations with these
12 groups could have constituted grounds for finding that Mr. Kariye was not well-disposed to the
13 good order and happiness of the United States.
14

15 Conclusion


16 55. Based on the facts outlined above, good cause exists to institute proceedings
17 pursuant to INA § 340(a), 8 U.S.C. § 1451(a), to revoke Mr. Kariye's citizenship and to cancel
18 his certificate of naturalization.

19 56. The last known address for Mohamed Sheikh Abdirahman Kariye is 10706 SW
20 Capitol Highway, #62, Portland, Oregon, 97219.
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Declaration in Lieu of Jurat (28 U.S.C. §1746)

I declare under penalty of perjury that the foregoing is true and correct.

Executed: 9/24/14


Trina Ledbetter
Special Agent
U.S. Department of Homeland Security
U.S. Immigration and Custom Enforcement

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CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS
 UNITED STATES OF AMERICA

(b) County of Residence of First Listed Plaintiff _____
 (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
 Christopher W. Dempsey, Assistant Director, U.S. Department of Justice,
 P.O. Box 868, Ben Franklin Station, Washington, D.C. 20044,
 Telephone: (202) 532-4110

DEFENDANTS
 MOHAMED SHEIKH ABDIRAHMAN KARIYE

County of Residence of First Listed Defendant Multnomah
 (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)
 Philip Smith & Nicole H. Nelson, Nelson Smith, LLP
 208 SW First Avenue, Suite 360, Portland, OR 97204, Telephone:
 (503) 224-8600

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

1 U.S. Government Plaintiff

2 U.S. Government Defendant

3 Federal Question (U.S. Government Not a Party)

4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES		
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes		
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609
	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input checked="" type="checkbox"/> 465 Other Immigration Actions				

V. ORIGIN (Place an "X" in One Box Only)

1 Original Proceeding

2 Removed from State Court

3 Remanded from Appellate Court

4 Reinstated or Reopened

5 Transferred from Another District (specify)

6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
8 U.S.C. § 1451(a)

Brief description of cause:
 Action to revoke naturalized United States citizenship.

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$ _____

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY (See instructions):

JUDGE _____ DOCKET NUMBER _____

DATE: 07/20/2015

SIGNATURE OF ATTORNEY OF RECORD: s/ Christopher W. Dempsey

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Oregon

UNITED STATES OF AMERICA

Plaintiff(s)

v.

MOHAMED SHEIKH ABDIRAHMAN KARIYE

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Mohamed Sheikh Abdirahman Kariye
10706 SW Capitol Highway, #62
Portland, Oregon 97219

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Christopher W. Dempsey
U.S. Department of Justice
P.O. Box 868, Ben Franklin Station
Washington, D.C. 20044
Tele: (202) 532-4110
Email: christopher.dempsey@usdoj.gov

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date:

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____ .

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____ , who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: