

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

NAIF ABDULAZIZ M. ALFALLAJ,)

a/k/a Al-Muthana Al-Najdi,)

Defendant.)

No. **CR 18-029-SLP**

Violations: 18 U.S.C. § 1546(a)

18 U.S.C. § 2

18 U.S.C. § 1001(a)(2)

FILED

FEB 06 2018

The Federal Grand Jury charges:

CARMELITA REEDER SHINN, CLERK
U.S. DIST. COURT WESTERN DIST. OKLA.
BY SK, DEPUTY

Background

1. On October 8, 1999, the Secretary of State designated al Qaeda as a Foreign Terrorist Organization ("FTO") pursuant to Section 219 of the Immigration and Nationality Act. Al Qaeda is an international terrorist group dedicated to opposing non-Islamic governments, including the United States, with force and violence. Prior to and during the year 2000 and up until late 2001, al Qaeda operated al Farooq, a terrorist training camp near Kandahar, Afghanistan. Al Qaeda used the al Farooq camp to instruct and train members and associates of al Qaeda in the use of firearms, explosives, chemical weapons, and other weapons of mass destruction. To date, al Qaeda remains a designated FTO.

2. At all times relevant to this Indictment, **NAIF ABDULAZIZ M. ALFALLAJ** was a citizen of the Kingdom of Saudi Arabia.

3. In and around September 2000, **ALFALLAJ** attended the al Farooq training camp. In connection with attendance at the camp and while in Afghanistan, he completed a "Mujahedeen Data Form" on which he identified himself by his "kunya," or nickname: Al-Muthana Al-Najdi. He stated in Arabic on this form that his hobbies included "more training on military matters" and that he wanted to be "a mujahid for the sake of God."

4. On or about October 18, 2011, while in the Kingdom of Saudi Arabia, **ALFALLAJ** applied for an F-2 nonimmigrant visa to enter the United States based on his status as the spouse of a person applying for an F-1 nonimmigrant student visa. **ALFALLAJ** made materially false statements on this application, including:

(a) He responded "No" to the question: "Do you seek to engage in terrorist activities while in the United States or have you ever engaged in terrorist activities?"

(b) He responded "No" to the question: "Have you ever or do you intend to provide financial assistance or other support to terrorists or terrorist organizations?"

(c) He responded "No" to the question: "Do you have any specialized skills or training, including firearms, explosives, nuclear, biological, or chemical experience?"

(d) In response to a request to provide a list of countries visited in the five years before the date of the application, he failed to disclose he had traveled to Syria in 2008.

5. On or about October 23, 2011, **ALFALLAJ** was granted an F-2 nonimmigrant visa.

6. **ALFALLAJ** entered the United States for the first time on or about December 29, 2011. On or about March 22, 2012, **ALFALLAJ** became a resident of the Western District of Oklahoma.

COUNT 1
(Visa Fraud)

7. The Federal Grand Jury incorporates paragraphs 1-6 by reference.

8. From in or about March 2012 to the present, in the Western District of Oklahoma,

-----**NAIF ABDULAZIZ M. ALFALLAJ,**
a/k/a Al-Muthana Al-Najdi,-----

knowingly possessed a nonimmigrant visa for entry into and as evidence of authorized stay in the United States that he knew to have been procured by means of materially false claims and statements and to have been otherwise procured by fraud.

All in violation of Title 18, United States Code, Section 1546(a).

COUNT 2
(Visa Fraud)

9. The Federal Grand Jury incorporates paragraphs 1-6 by reference.

10. On or about October 2, 2016, in the Western District of Oklahoma,

-----**NAIF ABDULAZIZ M. ALFALLAJ,**
a/k/a Al-Muthana Al-Najdi,-----

knowingly used a nonimmigrant visa for entry into and as evidence of authorized stay in the United States that he knew to have been procured by means of materially false claims and statements and to have been otherwise procured by fraud. In particular, **ALFALLAJ** submitted his F-2 visa to the Transportation Security Administration in connection with a request for flight training at a private flight school in the Western District of Oklahoma.

All in violation of Title 18, United States Code, Section 1546(a), and Title 18, United States Code, Section 2.

COUNT 3
(False Statement)

11. The Federal Grand Jury incorporates paragraphs 1-6 by reference.

12. On or about December 4, 2017, in Oklahoma City, in the Western District of Oklahoma,

-----**NAIF ABDULAZIZ M. ALFALLAJ,**
a/k/a Al-Muthana Al-Najdi,-----

in a matter within the jurisdiction of the Federal Bureau of Investigation and the Department of Homeland Security, parts of the executive branch of the United States, knowingly and willfully made a materially false, fictitious, and fraudulent statement and representation during an investigation involving international terrorism. In particular, **ALFALLAJ** stated to federal law

enforcement agents that he had never visited Afghanistan, had never participated in religious, tactical, or military training outside of the Kingdom of Saudi Arabia, and otherwise affirmed that all the answers on his nonimmigrant visa application dated October 18, 2011, were true and correct, when he knew that he had participated in religious, tactical, and military training in Afghanistan at the al Farooq training camp.

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

A TRUE BILL:

FOREPERSON OF THE GRAND JURY

ROBERT J. TROESTER
Acting United States Attorney

MATT DILLON
SCOTT E. WILLIAMS
Assistant U.S. Attorneys

C. ALEXANDRIA BOGLE
Trial Attorney
National Security Division