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CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

BY _____

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

June 2017 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

RASHEED AL JIJAKLI,

Defendant.

SA CR No. 17- 85

I N D I C T M E N T

[50 U.S.C. § 1705(a), (c); 15 C.F.R. § 746.9: Conspiracy to Violate the International Emergency Economic Powers Act; 50 U.S.C. § 1705(a), (c); 15 C.F.R. § 746.9: International Emergency Economic Powers Act; 18 U.S.C. § 554: Smuggling Goods Out of the United States; 18 U.S.C. § 2(a): Aiding and Abetting; 18 U.S.C. § 2(b): Causing an Act to be Done]

The Grand Jury charges:

Introductory Allegations

At all times relevant to this Indictment:

A. Sanctions and Embargo Against Syria

1. The International Emergency Economic Powers Act ("IEEPA"), 50 U.S.C. § 1701-1707, authorized the President of the United States ("President") to impose economic sanctions on a foreign country in response to an unusual or extraordinary threat to the national

1 security, foreign policy, or economy of the United States when the
2 President declares a national emergency with respect to that threat.
3 Pursuant to the authority under the IEEPA, the President and the
4 executive branch have issued orders and regulations governing and
5 prohibiting certain transactions with Syria by United States persons
6 or involving U.S.-origin goods.

7 2. Congress enacted the Syria Accountability and Lebanese
8 Sovereignty Restoration Act of 2003 (Pub. L. 108-175, codified as a
9 note to 22 U.S.C. § 2151) ("the SAA") in December 2003. Section
10 5(a)(1) of the SAA required the President to prohibit the export to
11 Syria of all items on the Commerce Control List (15 C.F.R. Part 774)
12 ("CCL") and to impose additional sanctions, as set forth in Section
13 5(a)(2)(A)-(F) of the SAA.

14 3. Contained in the Export Administration Regulations (15
15 C.F.R. Parts 730-774) ("the EAR"), the CCL categorizes the most
16 sensitive items subject to EAR controls. Items subject to EAR
17 controls are those that could make a significant contribution to the
18 military potential or nuclear proliferation of other nations, or that
19 could be detrimental to the foreign policy or national security of
20 the United States.

21 4. On May 11, 2004, the President issued Executive Order
22 13338, declaring "an unusual and extraordinary threat to the national
23 security, foreign policy, and economy of the United States" and
24 imposing a broad prohibition on the export and re-export to Syria of
25 items on the CCL, and provided that "the Secretary of Commerce shall
26 not permit the exportation or re-exportation to Syria of any product
27 of the United States," except for food and medicine.

1 5. In accordance with Executive Order 13338, the U.S.
2 Department of Commerce ("DOC") issued General Order No. 2 to
3 Supplement No. 1 to Part 736 ("General Order No. 2"), and
4 corresponding regulations (15 C.F.R. Part 746.9), restricting exports
5 and re-exports to Syria of all items subject to the EAR other than
6 food and certain medicines.

7 6. With certain limited exceptions not applicable here, U.S.
8 sanctions against Syria prohibited, among other things, the export,
9 re-export, sale, or supply, directly or indirectly, of U.S.-origin
10 goods from the United States or by a United States person wherever
11 located, to Syria without prior authorization from the Secretary of
12 the Treasury.

13 B. Conspirators

14 7. Defendant RASHEED AL JIJAKLI ("JIJAKLI") was a Syrian-born
15 naturalized United States citizen. He was the chief executive
16 officer, chief financial officer, vice-president, secretary, and
17 treasurer of Palmyra Corporation also known as ("aka") Orange Check
18 Cashing ("Palmyra") located in Orange County within the Central
19 District of California.

20 8. Unindicted coconspirator #1 was a Syrian-born naturalized
21 United States citizen.

22 9. Unindicted coconspirator #2 was a Kuwaiti-born citizen of
23 Canada. Unindicted coconspirator #2 was the incorporator and
24 president of Palmyra.

25 10. Unindicted coconspirator #3 was a Syrian-born naturalized
26 United States citizen.

C. Providers of U.S.-Origin Goods

11. A company that facilitates the sale of firearm optics, laser boresighters (tools used to adjust optical and iron sights on firearms to ensure accuracy when firing), and other tactical equipment ("U.S. Company #1") was headquartered in California.

12. A company that sold firearm optics, laser boresighters, and other tactical equipment ("U.S. Company #2") was headquartered in Arizona.

13. A company that sold firearm optics, laser boresighters, and other tactical equipment ("U.S. Company #3") was headquartered in Arkansas.

14. A company that sells firearm optics, laser boresighters, and other tactical equipment ("U.S. Company #4") was headquartered in Arizona.

15. A company that facilitates the sale of firearm optics and other tactical equipment ("U.S. Company #5") was headquartered in Washington.

COUNT ONE

[50 U.S.C. § 1705(a), (c); 15 C.F.R. § 746.9]

B. OBJECT OF THE CONSPIRACY

16. The allegations set forth in paragraphs One through Fifteen of this Indictment are incorporated herein as if set forth in full.

17. Beginning on or about January 11, 2012 through on or about March 31, 2013, in Orange County, within the Central District of California, and elsewhere, defendant JIJAKLI, unindicted coconspirators #1, #2, and #3, and others known and unknown to the Grand Jury, conspired and agreed with each other to knowingly and willfully commit an offense against the United States, namely to export and attempt to export from the United States to Syria, items controlled by the CCL, and other products of the U.S., and not subject to any exemptions or general licenses, without having obtained a license or authorization from the Department of Commerce for such export, in violation 50 U.S.C. § 1705(a), (c); 15 C.F.R. § 746.9; and Executive Order 13338.

C. MEANS BY WHICH THE OBJECT OF THE CONSPIRACY WAS TO BE ACCOMPLISHED

18. The object of the conspiracy was to be accomplished in substance as follows:

a. Defendant JIJAKLI, unindicted coconspirator #1, and unindicted coconspirator #3 planned and acted inside and outside of the United States to acquire products of the United States;

b. Defendant JIJAKLI, unindicted coconspirator #1, and unindicted coconspirator #3 used internet communication accounts, email, and other accounts (collectively "electronic communications"),

1 telephone calls, and other forms of communication to communicate with
2 one another and with other individuals;

3 c. Defendant JIJAKLI and unindicted coconspirators #1,
4 #2, and #3 provided funding from Palmyra and other sources to
5 purchase U.S.-origin goods from companies and vendors in the United
6 States;

7 d. Defendant JIJAKLI and unindicted coconspirators #1,
8 #2, and #3 transported U.S.-origin goods from the United States to
9 Turkey to Syria;

10 e. Defendant JIJAKLI and unindicted coconspirators #1,
11 #2, and #3 caused U.S.-origin goods to be exported from the United
12 States to individuals and entities in Syria without obtaining a
13 license or authorization from the DOC.

14 D. OVERT ACTS

15 19. In furtherance of the conspiracy and to accomplish the
16 objects of the conspiracy, defendant JIJAKLI, unindicted
17 coconspirators #1, #2, and #3, and others known and unknown to the
18 Grand Jury, committed various overt acts within the Central District
19 of California and elsewhere, on or about the dates identified below,
20 including but not limited to the following:

21 Defendant JIJAKLI Travels to Syria in July 2012

22 Overt Act No. 1: On January 11, 2012, unindicted
23 coconspirator #1 communicated with an unindicted coconspirator in
24 Syria and offered to help purchase items the coconspirator wanted
25 exported to Syria, such as rifle scopes and weapon conversion kits,
26 and offered to bring the items to Turkey.

27 Overt Act No. 2: On June 10, 2012, unindicted coconspirator
28 #1 purchased via U.S. Company #1 thirty-three laser boresighters.

1 Overt Act No. 3: On June 12, 2012, unindicted coconspirator
2 #1 told an unindicted coconspirator in Syria that unindicted
3 coconspirator #1 knew someone traveling from the United States to
4 Turkey and asked for a list of items unindicted coconspirator #1
5 should send with the traveler.

6 Overt Act No. 4: On June 15, 2012, unindicted coconspirator
7 #1 purchased via U.S. Company #2 ten tactical scopes with range
8 finder cross hairs, items controlled by the CCL.

9 Overt Act No. 5: On June 17, 2012, unindicted coconspirator
10 #1 purchased from U.S. Company #1 one tactical flashlight.

11 Overt Act No. 6: On June 20, 2012, unindicted coconspirator
12 #1 purchased from U.S. Company #1 three tactical flashlights.

13 Overt Act No. 7: On July 4, 2012, unindicted coconspirator #1
14 purchased from U.S. Company #1 two tactical flashlights.

15 Overt Act No. 8: On July 11, 2012, defendant JIJAKLI ordered
16 via U.S. Company #3 seven night vision rifle scopes, items controlled
17 by the CCL.

18 Overt Act No. 9: On July 17, 2012, defendant JIJAKLI departed
19 Los Angeles International Airport ("LAX") aboard a Turkish Airlines
20 flight to Istanbul, Turkey with U.S.-origin goods destined for Syria.

21 Overt Act No. 10: On July 21, 2012, defendant JIJAKLI told
22 unindicted coconspirator #1 (1) he had arrived in Syria and given
23 "the items" to an unindicted coconspirator in Syria and other rebel
24 fighters, (2) to purchase the items he was unable to get before he
25 left, and (3) to be careful because the items were prohibited from
26 being exported.

1 Overt Act No. 11: On July 21, 2012, defendant JIKAKLI told
2 unindicted coconspirator #1 about a technique he used to smuggle
3 goods into Turkey without being detected by law enforcement.

4 Overt Act No. 12: On July 23, 2012, defendant JIJAKLI told
5 unindicted coconspirator #1 that an unindicted coconspirator helped
6 defendant JIJAKLI enter Syria, that he planned to remain in Syria for
7 seven to ten days, and that a "Russian weapon" would be available to
8 unindicted coconspirator #1 next time unindicted coconspirator #1
9 traveled to Syria.

10 Overt Act No. 13: On July 23, 2012, defendant JIKAKLI and
11 unindicted coconspirator #1 discussed that optics were expensive in
12 Syria as compared to the United States and that it would be cheaper
13 to purchase them in the United States and transport them to Syria.

14 Overt Act No. 14: On July 23, 2012, defendant JIJAKLI told
15 unindicted coconspirator #1 that he would ask unindicted
16 coconspirator #2 to provide unindicted coconspirator #1 money for the
17 devices being sent to Syria.

18 Overt Act No. 15: On July 24, 2012, unindicted coconspirator
19 #1 purchased from U.S. Company #3 one night vision rifle scope, an
20 item controlled by the CCL.

21 Overt Act No. 16: On August 15, 2012, defendant JIJAKLI told
22 unindicted coconspirator #1 that he had just returned from Syria,
23 that he had delivered the items he brought to individuals in Syria,
24 and that the trip into Syria was "not too much fun" because he was
25 unable to "join with (sic) some action."

1 Unindicted Coconspirator #3 Travels to Syria in September 2012

2 Overt Act No. 17: On August 16, 2012, unindicted coconspirator
3 #2 withdrew \$7,000 from Palmyra and provided it to unindicted
4 coconspirator #1

5 Overt Act No. 18: On August 18, 2012, unindicted coconspirator
6 #1 purchased from U.S. Company #4 twenty rifle scopes, items
7 controlled by the CCL, and ten laser boresighters.

8 Overt Act No. 19: On August 20, 2012, unindicted coconspirator
9 #1 told defendant JIJAKLI that he ordered twenty rifle scope and that
10 he did not have the night vision devices yet.

11 Overt Act No. 20: On August 20, 2012, defendant JIJAKLI told
12 unindicted coconspirator #1 that unindicted coconspirator #1 should
13 send the items to Turkey with unindicted coconspirator #3.

14 Overt Act No. 21: On August 22, 2012, unindicted coconspirator
15 #1 deposited the \$7,000 received from unindicted coconspirator #2
16 into unindicted coconspirator #1's bank account in order to purchase
17 U.S.-origin goods to be delivered to Syria.

18 Overt Act No. 22: On August 22, 2012, unindicted coconspirator
19 #1 purchased from U.S. Company #3 six night vision rifle scopes,
20 items controlled by the CCL.

21 Overt Act No. 23: On August 23, 2012, unindicted coconspirator
22 #1 told defendant JIJAKLI that unindicted coconspirator #1 was able
23 to purchase another twenty scopes and ten laser units with the money
24 unindicted coconspirator #2 provided and that defendant JIJAKLI would
25 be receiving thirty of each device.

26 Overt Act No. 24: On August 23, 2012, defendant JIJAKLI told
27 unindicted coconspirator #1 that unindicted coconspirator #1 should
28 purchase more night vision scopes.

1 Overt Act No. 25: On August 23, 2012, defendant JIJAKLI asked
2 if unindicted coconspirator #1 needed an alias in the event law
3 enforcement questioned unindicted coconspirator #1 about the
4 purchases.

5 Overt Act No. 26: On August 23, 2012, defendant JIJAKLI told
6 unindicted coconspirator #1 that he met a rebel group in Syria, that
7 they were tough fighters, and that they deserved to be supported.

8 Overt Act No. 27: On August 26, 2012, unindicted coconspirator
9 #1 purchased via U.S. Company #5 one night vision rifle scope, an
10 item controlled by the CCL.

11 Overt Act No. 28: On August 29, 2012, unindicted coconspirator
12 #1 purchased via U.S. Company #3 two night vision rifle scopes, items
13 controlled by the CCL; and one digital night vision monocular.

14 Overt Act No. 29: On September 12, 2012, unindicted
15 coconspirator #3 departed LAX aboard a Turkish Airlines flight to
16 Istanbul Ataturk Airport, Turkey with U.S.-origin goods destined for
17 Syria.

18 Overt Act No. 30: On September 13, 2012, unindicted
19 coconspirator #1 asked unindicted coconspirator #3 if all the bags
20 unindicted coconspirator #3 took to Turkey were "ok for weight."

21 Overt Act No. 31: On September 14, 2012, defendant JIJAKLI
22 told unindicted coconspirator #1 that he was in Turkey but would be
23 in Syria soon.

24 Overt Act No. 32: On September 19, 2012, unindicted
25 coconspirator #3 told unindicted coconspirator #1 he was able to see
26 defendant JIJAKLI "every day" and that defendant JIJAKLI took "the
27 stuff," that twenty-six day scopes and seven night vision scopes made
28 it to Syria, and that "they" needed more scopes and were desperate.

1 Unindicted Coconspirator #1 Travels to Syria in February 2013

2 Overt Act No. 33: On September 30, 2012, defendant JIJAKLI
3 told unindicted coconspirator #1 that he had spoken with unindicted
4 coconspirator #2 and that unindicted coconspirator #2 would give him
5 \$10,000.

6 Overt Act No. 34: On October 1, 2012, unindicted coconspirator
7 #2 withdrew \$10,000 from PALMYRA and provided it to unindicted
8 coconspirator #1

9 Overt Act No. 35: On October 3, 2012, unindicted coconspirator
10 #1 purchased from U.S. Company #4 twenty-five rifle scopes, items
11 controlled by the CCL, and forty laser boresighters.

12 Overt Act No. 36: On October 3, 2012, unindicted coconspirator
13 #1 told unindicted coconspirator #3 that unindicted coconspirator #2
14 gave unindicted coconspirator #1 \$10,000 and that he "ordered the
15 night vision scopes."

16 Overt Act No. 37: On October 3, 2012, unindicted coconspirator
17 #1 deposited \$12,000, including the \$10,000 received from unindicted
18 coconspirator #2, into unindicted coconspirator #1's bank account in
19 order to purchase U.S.-origin goods to be delivered to Syria.

20 Overt Act No. 38: On October 4, 2012, unindicted coconspirator
21 #1 purchased via U.S. Company #1 five night vision rifle scopes,
22 items controlled by the CCL.

23 Overt Act No. 39: On October 10, 2012, unindicted
24 coconspirator #1 purchased via U.S. Company #1 five night vision
25 rifle scopes, items controlled by the CCL.

26 Overt Act No. 40: On October 17, 2012, unindicted
27 coconspirator #1 purchased via U.S. Company #1 ten night vision rifle
28 scopes, items controlled by the CCL.

1 Overt Act No. 41: On November 25, 2012, unindicted
2 coconspirator #1 purchased from U.S. Company #4 thirty rifle scopes,
3 items controlled by CCL.

4 Overt Act No. 42: On December 20, 2012, unindicted
5 coconspirator #1 told an unindicted coconspirator in Syria that he
6 would travel to Syria and bring equipment with him.

7 Overt Act No. 43: On January 7, 2013 and January 8, 2013,
8 unindicted coconspirator #1 purchased via U.S. Company #1 one
9 handheld two-way portable radio, an item controlled by the CCL, and
10 two two-way radios, items controlled by the CCL.

11 Overt Act No. 44: On January 22, 2013, unindicted
12 coconspirator #1 purchased via U.S. Company #1 one camouflage bullet
13 proof vest, an item controlled by the CCL.

14 Overt Act No. 45: On February 8, 2013, unindicted
15 coconspirator #1 purchased via U.S. Company #1: one handheld radio;
16 one camouflage military field pack; two two-way radios, items
17 controlled by the CCL; three waterproof cameras; four camcorders; and
18 four "dual LED digital display power current voltage AMP Meter VA
19 voltmeter DC-DC 20A," items controlled by the CCL.

20 Overt Act No. 46: On February 9 and February 10, 2013,
21 unindicted coconspirator #1 told an unindicted coconspirator that he
22 would enter Syria from Rayhaniya and meet the unindicted
23 coconspirator there.

24 Overt Act No. 47: From February 15, 2013, to February 17,
25 2013, unindicted coconspirator #1 traveled with fourteen bags of
26 checked luggage, weighing a total of approximately 619 pounds, on
27 commercial flights from LAX to Gaizientep, Turkey carrying U.S.-
28 origin goods destined for Syria.

1 Overt Act No. 48: On February 18, 2013, unindicted
2 coconspirator #1 traveled from Turkey to Syria with U.S.-origin
3 goods.
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COUNT TWO

[50 U.S.C. § 1705(a), (c); 15 C.F.R. § 746.9;

18 U.S.C. § 2(a), (b)]

20. The allegations set forth in paragraphs One through Six of this Indictment are incorporated herein as if set forth in full.

21. On or about July 17, 2012, in Orange County, within the Central District of California, and elsewhere, defendant RASHEED AL JIJAKLI, and others known and unknown to the Grand Jury, willfully violated the United States trade regulations with Syria by attempting to export and exporting, from the United States to Syria, rifle scopes, night vision rifle scopes, laser boresighters, and other tactical equipment, without first having applied for and obtained by such application the necessary license and authorization from the Department of Commerce, for such export.

COUNT THREE

[18 U.S.C. § 554; 18 U.S.C. § 2(a), (b)]

22. The allegations set forth in paragraphs One through Six of this Indictment are incorporated herein as if set forth in full.

23. From on or about January 11, 2012 through on or about February 28, 2013, in Orange County, within the Central District of California, and elsewhere, defendant RASHEED AL JIJAKLI ("JIJAKLI"), knowingly and fraudulently did, and attempted to, and willfully caused others to, receive, conceal, buy, sell, and facilitate the transportation, concealment, and sale of merchandise, articles, and objects, and aided, abetted, counseled, commanded, induced, and procured others to do the same, all prior to the exportation of the merchandise, articles, and objects, and all the while knowing that the merchandise, articles, and objects were intended for the exportation contrary to a law and regulation of the United States.

24. Specifically, defendant JIJAKLI did and attempted to buy and arrange for shipment of rifle scopes, night vision rifle scopes, laser boresighters, and other tactical equipment, and did and aided and abetted, counseled, commanded, induced, and procured others to do so, all the while believing that these items would be exported from the United States contrary to the law and regulations of the United

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1 States because defendant JIJAKLI had not applied for or obtained the
2 necessary export license for each such item.

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4 A TRUE BILL

5 151
6 Foreperson
7

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