

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
 v.) Crim. No. 05-40026-FDS
)
MUHAMED MUBAYYID, and)
EMADEDIN Z. MUNTASSER,)
)
 Defendants.)

**GOVERNMENT’S PROFFER OF ADDITIONAL EVIDENCE TO
DEMONSTRATE SIGNIFICANCE OF THE PARTICULAR MUJAHIDEEN GROUPS AND
INDIVIDUALS WHICH THE DEFENDANTS SUPPORTED AND PROMOTED**

The government hereby files additional evidence for purposes of sentencing which explicates the significance of the pro-violent groups and individuals who were among the intended beneficiaries of Care International’s (Care) fraudulent solicitation and expenditure of tax-exempt funds.

I. INTRODUCTION

Because the Court is obligated to craft the appropriate sentence pursuant to the Section 3553(a) factors, this information puts in context the reasons for and broader affects of the defendants’ crimes, as well as sheds important light on the nature and characteristics of the defendants themselves. In general, the evidence puts in context that the defendants lied to the government in order to best be able to support and promote groups and individuals who have supported terrorism or have since been designated as terrorist entities by the United States. Although this case has repeatedly been characterized as a tax

upon:

A. Sheikh Omar Abdel Rahman

Audio cassettes including sermons by Rahman were obtained from members of Al-Kifah Refugee Center in Boston, and were referenced, in sanitized form, at trial. [See Ex. 53; Tr. 5:6-13 (Ahmed testimony). Rahman was the spiritual leader of AGAI. See Sentencing Exhibit M at p.5. Rahman himself stands convicted of conspiracy to commit terrorist acts, and was the spiritual head of the Al-Kifah Refugee Center in New York. See United States v. Rahman, 189 F.3d 89 (2nd Cir. 1999).

B. Mahmoud Abu Halima

One of the individuals who Care intended to support through fraudulent exploitation of the tax laws was Mahmoud Abu Halima. [Tr. Ex. 537A]. Abu Halima was described as a member of the "skyscraper" group, which was redacted from the final trial exhibit. [See Sentencing Exhibit O p. 9 (unredacted page of Tr. Ex. 537A)]. Abu Halima, who also conspired with Sheikh Omar Abdel Rahman, was convicted for his role in the conspiracy to blow up New York City landmarks, including the 1993 World Trade Center bombing which was much-publicized in the days before Defendant Muntasser filed Articles of Incorporation of Care. [See United States v. Salameh, et al., 152 F.3d 88 (2nd Cir. 1998); Tr. 5:97]].

C. Aafia Siddiqui - One of Muntasser's contemporaries, an

individual who also participated in Al Kifah/Care's orphan sponsorship program, is currently one of the most sought people in the world. [Ex. 286 p.8 (Automatic Withdrawal records of Care International entitled Al-Kifah Refugee Center November 23, 1993); Sentencing Exhibit P (FBI Seeking Information Notice)].

D. Adham Hassoun and Kifah Jayoussi - Care coordinated its non-charitable activities with these two individuals as evidenced at trial through voluminous documentary evidence and intercepted communications. Hassoun and Jayoussi were recently convicted of conspiring to provide material support to terrorists. See United States v. Hassoun, et al., 2007 WL 4180844, *5 (S.D.Fl. Nov. 20, 2007)(expressly pointing out that Hassoun identified himself as a member of MAK and citing approval of Osama bin Laden's CNN Interview). Defendant Muntasser specifically spoke to Hassoun about their shared activities during the time he led Care, and also declared that Care was MAK during the phone call. [See Ex. 510A].

Conclusion

Wherefore, the defendants' activities promoting and supporting the groups and individuals described above should be considered by the Court in assessing the Section 3553(a) factors to determine especially the nature and characteristics of the defendant, the seriousness of the crime, and the deterrent impact of a sentence in this matter.