

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS
(KANSAS CITY DOCKET)

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
RIZA MOHAMMAD a/k/a)
"Paul Miller,")
)
Defendant.)
_____)

Case No: 19-20074-JAR-TJJ

INDICTMENT

The Grand Jury charges that:

GENERAL ALLEGATIONS

At all times material to this Indictment, unless otherwise specified:

1. The United States Agency for International Development ("USAID") was a U.S. government agency headquartered in Washington, D.C. USAID was the principal United States agency that extends financial assistance to countries recovering from disaster, trying to escape poverty, and engaging in democratic reforms, and was funded primarily by U.S. tax dollars.
2. Defendant RIZA MOHAMMAD was a citizen of the United States.
3. Official USAID emails came from email addresses ending with "@usaid.gov."
4. Company A was a holding company based in Iraq, with commercial operations in Iraq, Turkey, the United Arab Emirates, and China.

Purposes of the Scheme to Defraud

5. It was the purpose of the scheme to defraud for MOHAMMAD and his co-conspirators to enrich themselves and others by fraudulently obtaining items of value from companies doing business in Iraq, and to conceal the conspiracy.

6. It was the purpose of the scheme to defraud for MOHAMMAD and his co-conspirators to impersonate United States officials and employees in order to fraudulently obtain items of value from companies doing business in Iraq, and to conceal the conspiracy.

7. It was the purpose of the scheme to defraud for MOHAMMAD and his co-conspirators to use forged documents that contained false and fraudulent seals of the U.S. government and its agencies in order to fraudulently obtain items of value from companies doing business in Iraq, and to conceal the conspiracy.

Overview of the Scheme to Defraud

8. The members of the conspiracy would communicate with companies based in the Middle East via email, including to send forged documents purporting to be U.S. government contracts and documents.

9. The members of the conspiracy would set up in-person meetings with their victims, during which MOHAMMAD and his co-conspirators would impersonate U.S. government officials, collect items of value from Company A and other victims, and present falsified U.S. government documents to Company A and other victims.

10. Company A ultimately transferred materials worth millions of dollars to MOHAMMAD and his co-conspirators.

The Scheme to Defraud

11. On or about August 28, 2018, MOHAMMED and his co-conspirators sent Company A officials an email from the email address USAID@collector.org via a server located in the District

of Kansas. The email falsely purported to award Company A contract IQ100-18-US-0063 (“Contract 0063”), under which the U.S. government would purportedly purchase approximately 45,000 tons of high strength deformed steel bars from Company A for approximately \$46,597,500. Copies of a falsified “letter of award” and Contract 0063 were attached to the email and each contained a falsified USAID seal.

12. On or about September 10, 2018, Co-Conspirator 1 (“CC-1”) contacted Company A by telephone to arrange a meeting to sign Contract 0063.

13. On or about September 16, 2018, MOHAMMED and his co-conspirators sent Company A an email from USAID@collector.org via a server located in the District of Kansas. The email included a falsified document containing a falsified USAID seal purporting to be part of Contract 0063. The email asked Company A to return a signed copy of Contract 0063.

14. On or about September 23, 2018, CC-1 impersonated a USAID contracting official during a face-to-face meeting between co-conspirators and representatives of Company A to discuss Contract 0063.

15. Between on or about October 9, 2018 and on or about October 14, 2018, Company A delivered several thousand tons of steel bars to the co-conspirators in approximately three deliveries. CC-1 was present for at least one of the deliveries and gave representatives of Company A a falsified receipt on USAID letterhead containing a falsified USAID seal.

16. On or about October 16, 2018, MOHAMMED and his co-conspirators sent Company A an email from USAID@collector.org via a server located in the District of Kansas. The email included a falsified document containing a falsified USAID seal and a falsified USAID Request for Quotations to supply and deliver 1,500 gold medals.

17. On or about October 17, 2018, MOHAMMED and his co-conspirators sent Company A an email from USAID@collector.org via a server located in the District of Kansas. The email falsely purported to award Company A contract IQ100-18-USAID-0097 (“Contract 0097”), under which the U.S. government would purportedly purchase approximately 1,500 gold medals from Company A for approximately \$4,200,000. Copies of a falsified “letter of award” and Contract 0097 were attached to the email and each contained a falsified USAID seal.

18. In or about October 2018, CC-1 impersonated a USAID contracting official during a second meeting between Company A and the co-conspirators at which the parties signed Contract 0097.

19. On or about October 25, 2018, Company A received an email from USAID@collector.org, sent from a server located in the District of Kansas, attached to which was a document on USAID letterhead titled “Subject/Payment Order” purporting to be an approval to transfer \$15 million to Company A’s bank account for Contract 0063 and containing a false USAID seal.

20. On or about November 1, 2018, MOHAMMED and his co-conspirators sent Company A an email from USAID@collector.org via a server located in the District of Kansas. The email discussed the first delivery of gold medallions, stating “I would like to inform you that your appointment to delivery the first equip of the contract No. A0097 is 3th November 18 in our main base Erbil / Erbil international airport at 1:00 to 3:00 pm Iraq local time , we will gave you a call to insure the time because that related to security issue.” The email was signed “Noor I. Abdulla, Contract / procurement officer” and “Contracting Officer SSG Paul F. Miller.”

21. In or about November 2018, MOHAMMAD and Co-Conspirator 2 (“CC-2”) agreed that MOHAMMAD would impersonate a USAID official and sign a falsified USAID document in

order to induce Company A to deliver items of value to MOHAMMAD, CC-2 and other co-conspirators.

22. On or about November 3, 2018, MOHAMMAD impersonated a USAID official with the alias “Paul Miller” in a meeting with Company A representatives, CC-1, and CC-2, at which Company A presented the co-conspirators with 500 gold medals in partial satisfaction of Contract 0097.

23. On or about November 3, 2018, MOHAMMAD signed a falsified USAID receipt containing a false USAID seal for the 500 gold medals using the alias “Paul Miller,” which the co-conspirators provided to Company A.

24. On or about November 3, 2018, while impersonating a USAID contracting officer, MOHAMMAD and his co-conspirators falsely told Company A officials that Company A would soon receive payment for the steel bars it had previously delivered to the co-conspirators under Contract 0063.

25. Following the November 3, 2018 meeting, CC-2 gave MOHAMMAD \$10,000 as compensation for his participation in the scheme.

26. Between on or about November 18, 2018 and November 26, 2018, Company A representatives delivered 500 gold medallions to CC-1. When the parties met to transfer the gold medallions, CC-1 falsely stated that she was a USAID employee and an assistant to Paul Miller. CC-1 provided Company A with an invoice, which she signed on behalf of Paul Miller, to document the transfer.

27. On or about November 26, 2018, MOHAMMED and his co-conspirators sent Company A an email from USAID@collector.org via a server located in the District of Kansas. The email

falsely promised payment for Contract 0097 and included a falsified USAID document titled “Subject/Payment Order.” In fact, Company A never received payment for Contract 0097.

28. On or about November 26, 2018, MOHAMMED and his co-conspirators sent Company A an email from USAID@collector.org via a server located in the District of Kansas. The email falsely promised payment for Contract 0063 and included in the email was falsified USAID document titled “Subject/Payment Order.” In fact, Company A never received payment for Contract 0063.

29. On or about November 29, 2018, MOHAMMED and his co-conspirators sent Company A an email from USAID@collector.org via a server located in the District of Kansas. The email instructed Company A officials to appear at the “Central Bank of Iraq” to collect \$17,837,166 in payment for the two contracts.

30. In or about June 2019, CC-2 called MOHAMMAD to ask him to travel to Iraq to impersonate a U.S. government official again in order to defraud another company in a manner similar to how Company A was defrauded.

31. On or about August 2, 2019, MOHAMMAD traveled to Erbil, Iraq for the purpose of participating in the scheme as discussed with CC-2.

COUNT ONE

(18 U.S.C. § 371 – Conspiracy to Commit Wire Fraud, Impersonate an Officer or Employee and Wrongfully Use Government Seals)

32. Paragraphs 1 through 31 of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

33. From at least in or around August 2018 through in or around August 2019, in the District of Kansas, and elsewhere, defendant,

RIZA MOHAMMAD,

did knowingly and intentionally, that is, with the intent to advance the conspiracy, combine, conspire, and agree with other individuals known and unknown, to commit certain offenses against the United States, namely wire fraud, that is, to knowingly and willfully, and with the intent to defraud, having devised and intending to devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, knowing such pretenses, representations, and promises were false and fraudulent when made, transmit and cause to be transmitted, by means of wire communications in interstate and foreign commerce, writings, signs, signals, pictures, and sounds, for the purposes of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1343.

34. From at least in or around August 2018 through in or around August 2019, in the District of Kansas, and elsewhere, defendant,

RIZA MOHAMMAD,

did knowingly and intentionally, that is, with the intent to advance the conspiracy, combine, conspire, and agree with other individuals known and unknown, to commit certain offenses against the United States, namely impersonating an officer or employee of the United States, that is, to falsely assume and pretend to be an officer and employee acting under the authority of the United States and a department and any agency thereof, namely USAID, and to act as such, and in such pretended character to demand or obtain any money, paper, document, or thing of value, in violation of Title 18, United States Code, Section 912.

35. From at least in or around August 2018 through in or around August 2019, in the District of Kansas, and elsewhere, defendant,

RIZA MOHAMMAD,

did knowingly and intentionally, that is, with the intent to advance the conspiracy, combine, conspire, and agree with other individuals known and unknown, to commit certain offenses against the United States, namely wrongful use of government seals, that is, to fraudulently and wrongfully affix and impress the seal of a department and agency of the United States, to and upon a certificate, instrument, commission, document, and paper, and with knowledge of its fraudulent character, with wrongful or fraudulent intent, to use, buy procure, sell, or transfer to another any such certificate, instrument, commission, document and paper, to which or upon which said seal has been so fraudulently affixed or impressed, in violation of Title 18, United States Code, Section 1017.

Objects of the Conspiracy

36. The objects of the conspiracy were the same as the purposes of the scheme to defraud set forth in paragraphs 5 through 7 of this Indictment, which are realleged and incorporated by reference as though fully set forth herein.

Manner and Means of the Conspiracy

37. In furtherance of this conspiracy, and to accomplish its objects, the methods, manner and means that were used are described in paragraphs 8 through 10 of this Indictment, which are realleged and incorporated by reference as though fully set forth herein.

Overt Acts in Furtherance of the Conspiracy

38. In furtherance of the conspiracy and to accomplish its objects, the overt acts that were committed in the District of Kansas and elsewhere, among others, are described in paragraphs 11 through 31 of this Indictment, which are realleged and incorporated by reference as though fully set forth herein.

All in violation of Title 18, United States Code, Section 371 .

COUNTS TWO THROUGH SEVEN
(18 U.S.C. §§ 1343 and 2 – Wire Fraud)

39. Paragraphs 1 through 31 of this Indictment are realleged and incorporated by reference as though fully set forth herein.

40. From at least in or around August 2018 through in or around August 2019, in the District of Kansas and elsewhere, defendant,

RIZA MOHAMMAD

aided and abetted by others known and unknown to the Grand Jury, and aiding and abetting others known and unknown to the Grand Jury, did knowingly, willfully, and with the intent to defraud, having devised and intending to devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, knowing such pretenses, representations, and promises were false and fraudulent when made, transmit and cause to be transmitted, by means of wire communications in interstate and foreign commerce, writings, signals, pictures, and sounds, for the purpose of executing such scheme and artifice.

Purpose of the Scheme and Artifice to Defraud

41. The Grand Jury realleges and incorporates by reference paragraphs 5 through 7 of this Indictment as though fully set forth herein as a description of the purpose of the scheme and artifice.

The Scheme and Artifice to Defraud

42. The Grand Jury realleges and incorporates by reference paragraphs 8 through 31 of this Indictment as though fully set forth herein as a description of the scheme and artifice.

Execution of the Scheme and Artifice

43. On or about the dates specified below, in the District of Kansas and elsewhere, the defendant, for the purpose of executing the aforesaid scheme and artifice to defraud, and attempting to do so, did knowingly transmit and cause to be transmitted, by means of wire, radio, and television communication, writings, signals, pictures, and sounds in interstate and foreign commerce for the purposes of executing such scheme and artifice, as set forth below:

Count	Approximate Date	Wire Location	Description of Wire
2	August 28, 2018	Kansas to Iraq	Email from USAID@collector.org to Company A with false contract.
3	September 16, 2018	Kansas to Iraq	Email from USAID@collector.org to Company A with false contract.
4	October 17, 2018	Kansas to Iraq	Email from USAID@collector.org to Company A with false contract and award letter.
5	October 25, 2018	Kansas to Iraq	Email from USAID@collector.org to Company A with falsified document regarding payment.
6	November 26, 2018	Kansas to Iraq	Email from USAID@collector.org to Company A with falsified document regarding payment.
7	November 29, 2018	Kansas to Iraq	Email from USAID@collector.org to Company A regarding payment.

In violation of Title 18, United States Code, Sections 1343 and 2.

COUNT EIGHT

(18 U.S.C. §§ 912 and 2 – False Impersonation of an Officer or Employee of the United States)

44. Paragraphs 1 through 31 of this Indictment are realleged and incorporated by reference as though fully set forth herein.

45. On or about November 3, 2018, defendant,

RIZA MOHAMMAD,

aided and abetted by others known and unknown to the Grand Jury, and aiding and abetting others known and unknown to the Grand Jury, falsely assumed and pretended to be an officer and

employee acting under the authority of the United States and a department and any agency thereof, namely, the United States Agency for International Development, and acted as such.

46. On or about November 3, 2018, defendant,

RIZA MOHAMMAD,

aided and abetted by others known and unknown to the Grand Jury, and aiding and abetting others known and unknown to the Grand Jury, falsely assumed and pretended to be an officer and employee of the United States and a department and any agency thereof, namely, the United States Agency for International Development, and in such pretended character demanded or obtained any money, paper, document, or thing of value.

In violation of Title 18, United States Code, Sections 912 and 2.

COUNT NINE
(18 U.S.C. §§ 1017 and 2 – Wrongful Use of Government Seals)

47. Paragraphs 1 through 31 of this Indictment are realleged and incorporated by reference as though fully set forth herein.

48. On various dates between on or about August 28, 2018 and November 26, 2018, including on September 16, 2018, October 16, 2018, October 17, 2018, October 25, 2018, October 29, 2018, November 26, 2018, and November 29, 2018, in the District of Kansas and elsewhere, defendant,

RIZA MOHAMMAD,

aided and abetted by others known and unknown to the Grand Jury and aiding and abetting others known and unknown to the Grand Jury, fraudulently and wrongfully affixed and impressed the seal of a department and agency of the United States, namely USAID, to and upon a certificate, instrument, commission, document, and paper, and with knowledge of its fraudulent character, with wrongful or fraudulent intent, used, bought, procured, sold, and transferred to another any

such certificate, instrument, commission, document and paper, to which or upon which said seal has been so fraudulently affixed or impressed.

In violation of Title 18, United States Code, Sections 1017 and 2.

FORFEITURE ALLEGATION

The Grand Jury further charges that:

49. The allegations contained in paragraphs 1 through 48 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C) and 28 United States Code, Section 2461(c).

50. Pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), upon conviction of an offense in violation of Counts One through Seven, as alleged in this Indictment, defendant,

RIZA MOHAMMAD,

shall forfeit to the United States of America all property, real and personal, which constitutes and is derived from proceeds traceable to the scheme to defraud. The property to be forfeited includes, but is not limited to, a money judgment in the amount of the total loss caused by defendant's criminal conduct, as determined by the Court at sentencing.

51. If any of the property described above, as a result of any act or omission of defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

THIS IS A TRUE BILL.

Foreperson_____

s/

FOREPERSON

ROBERT A. ZINK
Chief
Criminal Division, Fraud Section
United States Department of Justice

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Dated: November 20, 2019

(It is requested that trial of the above-captioned case be held in Kansas City, Kansas.)

Penalties

Ct. 1: NMT 5 years imprisonment; NMT \$250,000 or 2xgain or 2xloss fine; NMT 3 years supervised release; \$100 special assessment; forfeiture allegation

Cts. 2-7: NMT 20 years imprisonment; NMT \$250,000 or 2xgain or 2xloss fine; NMT 3 years supervised release; \$100 special assessment; forfeiture allegation

Ct. 8: NMT 3 years imprisonment; NMT \$250,000 or 2xgain or 2xloss fine; NMT 1 year supervised release; \$100 special assessment

Ct. 9: NMT 5 years imprisonment; NMT \$250,000 or 2xgain or 2xloss fine; NMT 3 years supervised release; \$100 special assessment