

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**

BY:  COMPLAINT  INFORMATION  INDICTMENT  
 SUPERSEDING

**OFFENSE CHARGED**

COUNT ONE:  Petty  
 18 U.S.C. § 371 -- Conspiracy  Minor  
 COUNT TWO:  Misdemeanor  
 2 U.S.C. § 1606(b) -- Lobbying Disclosure Act  Felony

PENALTY: CT ONE: 5 yrs imprisonment, fine of \$250,000, 3 yrs supervised release, \$100 special assessment; CT TWO: 5 yrs Imprisonment, fine of \$250,000, 3 yrs supervised release, \$100 special assessment

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

**FILED**  
 JUN 25 2020

DEFENDANT - U.S. SUSAN Y. SOONG  
 CLERK, U.S. DISTRICT COURT  
 NORTH DISTRICT OF CALIFORNIA

JACK ABRAMOFF

DISTRICT COURT NUMBER

**CR 20 0260**

**CRB**

**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

Federal Bureau of Investigation

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

this is a re prosecution of charges previously dismissed which were dismissed on motion of:

SHOW DOCKET NO.

U.S. ATTORNEY  DEFENSE

this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person Furnishing Information on this form DAVID L. ANDERSON

U.S. Attorney  Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned) LLOYD FARNHAM

**DEFENDANT**

**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

- 1)  If not detained give date any prior summons was served on above charges
- 2)  Is a Fugitive
- 3)  Is on Bail or Release from (show District)

**IS IN CUSTODY**

- 4)  On this charge
  - 5)  On another conviction }  Federal  State
  - 6)  Awaiting trial on other charges
- If answer to (6) is "Yes", show name of institution

Has detainer been filed?  Yes  No } If "Yes" give date filed

DATE OF ARREST  Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY  Month/Day/Year

This report amends AO 257 previously submitted

**ADDITIONAL INFORMATION OR COMMENTS**

**PROCESS:**

SUMMONS  NO PROCESS\*  WARRANT

Bail Amount: \_\_\_\_\_

If Summons, complete following:

Arraignment  Initial Appearance

\* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address: \_\_\_\_\_

Date/Time: \_\_\_\_\_ Before Judge: \_\_\_\_\_

Comments: \_\_\_\_\_

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**FILED**

**JUN 25 2020**

SUSAN Y. SOONG  
CLERK, U.S. DISTRICT COURT  
NORTH DISTRICT OF CALIFORNIA

**CRIMINAL COVER SHEET**

**Instructions:** Effective November 1, 2016, this Criminal Cover Sheet must be completed and submitted, along with the Defendant Information Form, for each new criminal case.

**CRB**

CASE NAME:

USA v. JACK ABRAMOFF

**CR** CASE NUMBER: **20 0260**  
CR

Is This Case Under Seal?

Yes No

Total Number of Defendants:

1  2-7 8 or more

Does this case involve ONLY charges under 8 U.S.C. § 1325 and/or 1326?

Yes No

Venue (Per Crim. L.R. 18-1):

SF  OAK SJ

Is this a potential high-cost case?

Yes No

Is any defendant charged with a death-penalty-eligible crime?

Yes No

Is this a RICO Act gang case?

Yes No

Assigned AUSA  
(Lead Attorney): Lloyd Farnham

Date Submitted: 6/25/2020

Comments:

1 DAVID L. ANDERSON (CABN 149604)  
United States Attorney

**FILED**

**JUN 25 2020**

SUSAN Y. SOONG  
CLERK, U.S. DISTRICT COURT  
NORTH DISTRICT OF CALIFORNIA

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN FRANCISCO DIVISION

**CRB**

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 JACK ABRAMOFF,

15 Defendant.

) CASE NO. **CR 20 0260**

) VIOLATIONS:

) 18 U.S.C. § 371 – Conspiracy;

) 2 U.S.C. §§ 1603(a) and 1606(b) – Lobbying  
Disclosure Act

) SAN FRANCISCO VENUE

17  
18  
19 INFORMATION

20 The United States Attorney charges:

21 Introductory Allegations

22 At all times relevant to this Information:

23 1. The allegations in this Information involve a conspiracy to commit wire fraud in  
24 connection with the sale of a purported new cryptocurrency called “AML Bitcoin” through an “initial  
25 coin offering” and otherwise. Beginning in about July 2017 and continuing through at least December  
26 2018, the cryptocurrency AML Bitcoin was marketed and sold to prospective purchasers in the United  
27 States and elsewhere through false and misleading statements. The allegations in this Information also  
28 involve the defendant’s failure to register as a federal lobbyist after being retained in June 2017 to have

INFORMATION

1 lobbying contacts with a member of the United States House of Representatives relating to the  
2 formulation, modification, or adoption of federal legislation, rules, or policies.

3 AML Bitcoin and the NAC Foundation

4 2. NAC Foundation, LLC (“NAC Foundation”) was a Nevada limited liability corporation  
5 formed on or about February 13, 2014 by co-conspirator Rowland Marcus Andrade, not a defendant  
6 herein. Andrade was the founder and chief executive officer of NAC Foundation, which was also  
7 referred to as the “National AtenCoin Foundation.” The stated purpose of NAC Foundation was to  
8 develop and manage a new cryptocurrency called AML Bitcoin. Andrade claimed to be the creator of  
9 the cryptocurrency AML Bitcoin and the inventor of AML Bitcoin technology.

10 3. The AML Bitcoin “White Paper,” a document dated October 4, 2017, was posted on the  
11 AML Bitcoin website by Andrade and NAC Foundation. The White Paper stated that NAC Foundation  
12 created two cryptocurrencies, AML Bitcoin and its predecessor AtenCoin. In the White Paper, NAC  
13 Foundation claimed AML Bitcoin cryptocurrency would include features that would allow the  
14 cryptocurrency to comply with anti-money laundering (also referred to as “AML”) and know-your-  
15 customer (“KYC”) regulations and laws by using “biometric technologies” among other methods to  
16 confirm the identities of participants in transactions using AML Bitcoin. The White Paper stated that  
17 Andrade sought to raise up to \$100 million from the public sale of AML Bitcoin tokens.

18 4. Beginning in or about July 2017, Andrade and NAC Foundation began raising money  
19 purportedly for the development of AML Bitcoin by selling AML Bitcoin tokens. Prospective  
20 purchasers of the AML Bitcoin tokens were told that once the AML Bitcoin technology was developed  
21 and functioning the tokens would be converted to the actual AML Bitcoin cryptocurrency.

22 5. Defendant JACK ABRAMOFF was retained by Andrade and NAC Foundation in or  
23 about June 2017 to perform consulting and to work on a public relations and marketing campaign for  
24 AML Bitcoin. Beginning in August 2017, ABRAMOFF recruited and paid writers to publish and  
25 disseminate, under those writers’ names, written articles touting AML Bitcoin specifically, as well as to  
26 tout the idea of a cryptocurrency that would be fully compliant with “AML” and “KYC” laws and  
27 regulations. These articles were published as opinion editorials or “op-eds” on well-known news and  
28 financial websites. The recruited writers did not disclose in the published piece that they had been paid

1 by ABRAMOFF or AML Bitcoin to disseminate the information in the article.

2 6. Beginning in October 2017 and continuing through about February 2018, the NAC  
3 Foundation conducted what it called the AML Bitcoin “initial coin offering,” or ICO. After the ICO  
4 ended in about February 2018, Andrade, NAC Foundation, ABRAMOFF, and other Andrade associates  
5 continued to solicit purchasers for AML Bitcoin tokens. NAC Foundation raised more than \$5 million  
6 through the sale of AML Bitcoin tokens beginning in about July 2017 through about December 2018.

7 The Defendant

8 7. Defendant JACK ABRAMOFF, 61, was a resident of Silver Spring, Maryland.  
9 ABRAMOFF was retained to work on public relations and marketing for the NAC Foundation, LLC in  
10 order to promote the AML Bitcoin cryptocurrency in advance of and during the AML Bitcoin ICO.  
11 Separately, ABRAMOFF performed work as a consultant to various entities and individuals regarding  
12 efforts to affect federal legislation, regulations, and policy, and as part of this work for these clients,  
13 ABRAMOFF had multiple communications with a sitting member of the United States House of  
14 Representatives during which he raised these issues on behalf of the clients.

15 Co-conspirator

16 8. Co-conspirator Rowland Marcus Andrade, also known as Marcus Andrade, was a  
17 resident of Missouri City, Texas. Andrade owned and controlled NAC Foundation and was the principal  
18 behind the efforts to raise money by selling AML Bitcoin tokens to individual purchasers, many of  
19 whom were located in the United States. Prior to soliciting purchasers and raising money for the AML  
20 Bitcoin project beginning in about 2017, Andrade created and sold other purported cryptocurrencies  
21 called “Black Gold Coin” and “AtenCoin.”

22 Definitions

23 9. The term “cryptocurrency” refers to a class of financial instruments that allow the  
24 transfer of value between individuals without any third-party mediation or government regulation. This  
25 transfer is accomplished with a set of cryptographic protocols executed entirely over the Internet. These  
26 protocols require that each transaction’s sender and receiver hold an appropriate cryptographic key.  
27 Cryptocurrency was invented in approximately 2009, and examples of cryptocurrencies in widespread  
28 use include Bitcoin, Ethereum, and Litecoin.

1           10.     The term “initial coin offering,” or “ICO,” refers to the initial sale of a cryptocurrency to  
2 the public. An ICO is similar to an “initial public offering” of stock, a transaction that raises money for a  
3 private company and begins the public trading of the company’s stock. The purpose of an ICO is to  
4 raise money by selling either units of cryptocurrency, or by selling “tokens” that act as placeholders that  
5 can later be exchanged for the cryptocurrency, and the money raised is typically used to fund the  
6 business or entity developing the new cryptocurrency.

7                           The Manner and Means of the Conspiracy and the Scheme to Defraud

8           11.     NAC Foundation, under the direction of co-conspirator Andrade, made statements  
9 regarding AML Bitcoin, including press releases that were posted on the AML Bitcoin website and  
10 distributed through newswire services, posts on social media including Twitter, discussion forums, and  
11 other information posted on the AML Bitcoin website, among others venues. Andrade, NAC  
12 Foundation employees and associates, acting at Andrade’s direction, ABRAMOFF, and others also  
13 made statements directly to purchasers and prospective purchasers of AML Bitcoin tokens.

14           12.     Beginning no later than about July 2017, and continuing to at least about December 2018,  
15 Andrade knowingly and with the intent to defraud participated in, devised, and intended to devise a  
16 scheme and artifice to defraud as to a material matter, and to obtain money and property by means of  
17 materially false and fraudulent pretenses, representations, and promises, and by means of omission and  
18 concealment of material facts. As part of the scheme to defraud, co-conspirator Andrade, individually  
19 and through the NAC Foundation, an entity he controlled, committed or caused to be committed by  
20 others, including ABRAMOFF, the following acts, among others:

21                   a)     ABRAMOFF, co-conspirator Andrade, NAC Foundation, and others made public  
22 statements and statements to potential purchasers of AML Bitcoin tokens that misrepresented the  
23 state of the development of the technology and the viability and timeline for the final release of  
24 the functional AML Bitcoin cryptocurrency. Andrade and others repeatedly stated that the  
25 conversion of the token to the AML Bitcoin and the launch of the cryptocurrency, with the  
26 promised AML and KYC compliant biometric verification, would be completed in six months.

27                   b)     In or about January and February 2018, ABRAMOFF, co-conspirator Andrade,  
28 and others engaged in a false “rejection campaign” regarding a purported television commercial

1 that ABRAMOFF, Andrade, and others stated was to going to be aired during the 2018 Super  
2 Bowl television broadcast. The television commercial portrayed AML Bitcoin as impervious to  
3 hacking efforts by the North Korean government and its leader in a manner demeaning to the  
4 North Korean government and its leader. The statements claimed that the advertisement would  
5 have aired during the Super Bowl if the television network airing the Super Bowl and the  
6 National Football League had not rejected the advertisement as being too politically  
7 controversial. In fact, as ABRAMOFF and Andrade knew, the NAC Foundation did not have the  
8 funds to purchase the advertising time, did not intend to air the television commercial, and the  
9 advertisement was never rejected by the television network or the NFL. ABRAMOFF retained  
10 at least four writers, who disseminated at least five op-ed articles regarding the purported  
11 rejection of the advertisement by the NFL and the television network, and these articles were  
12 published on five separate online news platforms in February 2018.

13 c) Co-conspirator Andrade, NAC Foundation, and others made statements that  
14 falsely stated and implied that the NAC Foundation had reached or was about to finalize  
15 agreements with various government agencies for the use of AML Bitcoin or AML Bitcoin  
16 technology, in order make prospective purchasers believe that the cryptocurrency was  
17 progressing toward widespread adoption. ABRAMOFF retained writers to further disseminate  
18 these statements as op-eds published on various news and financial websites. For example, on or  
19 about November 8, 2017, NAC Foundation announced that Andrade and NAC Foundation  
20 representatives were “in talks with” and “on track to partner with” the government of Panama  
21 and the Panama Canal Authority regarding adoption of the AML Bitcoin cryptocurrency for  
22 payment of transit fees. This statement overstated the significance and outcome of meetings and  
23 conversations with the Panama Canal Authority.

24 d) In or about July 2018, ABRAMOFF made false and misleading statements to an  
25 undercover agent posing as a potential large purchaser of AML Bitcoin, including statements that  
26 the AML Bitcoin and its technology allowing it to be compliant with all “KYC” and “AML”  
27 laws and regulations was functioning and complete.

28 e) ABRAMOFF was compensated by co-conspirator Andrade and NAC Foundation

1 for his public relations and marketing work and in some cases for his solicitation of AML  
2 Bitcoin Token purchasers, and from about June 2017 through September 2018 received a total of  
3 about \$220,000 from Andrade and NAC Foundation.

4 Overt Acts and Use of Interstate Wires

5 13. In furtherance of the conspiracy and to effect the objects thereof, in the Northern District  
6 of California and elsewhere, co-conspirator Andrade, ABRAMOFF, and others committed the following  
7 overt acts:

8 a) On or about January 12, 2018, Andrade and others transmitted and caused to be  
9 transmitted in interstate and foreign commerce, by means of a wire communication, certain  
10 writings, signs, signals, pictures, and sounds, specifically, a wire transfer of in the amount of  
11 \$730,000 originating from a bank account in the Northern District of California controlled by a  
12 person identified as PURCHASER-1 using the Fedwire Funds Service.

13 b) On or about July 9, 2018, ABRAMOFF and an undercover agent located in the  
14 Northern District of California spoke by telephone, a wire communication in interstate and  
15 foreign commerce, and during that conversation ABRAMOFF discussed the undercover agent's  
16 stated interest in purchasing AML Bitcoin tokens, and ABRAMOFF made false and misleading  
17 statements regarding AML Bitcoin.

18 Failure to Register under the Lobbying Disclosure Act

19 14. From about March 2017 through about December 2017, ABRAMOFF was retained and  
20 paid by an entity based in California in the state-legalized medical and personal-use marijuana industry,  
21 and that engagement, in part, involved efforts to advocate for changes in federal law and policy  
22 regarding marijuana. In connection with his work for that client, ABRAMOFF discussed topics with a  
23 member of Congress including the proposed modification or adoption of federal legislation regarding  
24 marijuana, adoption of laws that protected medical marijuana from federal law enforcement, and  
25 possible amendment to the federal tax code. Despite having communications with that member of  
26 Congress on behalf of the client and being paid by the client, ABRAMOFF did not register as a lobbyist  
27 with the Secretary of the Senate and the Clerk of the House of Representatives.

28 15. In or about April 2017, an undercover FBI agent posing as a business person seeking to



1 fund certain lobbying efforts began communicating with ABRAMOFF, and those communications  
2 continued through at least July 2018. In or about June 2017 the undercover agent and ABRAMOFF met  
3 in San Francisco, California, and during and after that meeting ABRAMOFF and the undercover agent  
4 discussed an engagement that included lobbying activities and planned lobbying contacts. During the  
5 meeting and in subsequent conversations, the undercover agent agreed to retain ABRAMOFF for the  
6 lobbying effort, and paid him a small retainer fee. After being retained by the undercover agent for an  
7 engagement that included planned lobbying activities and at least one lobbying contact with a member  
8 of Congress, ABRAMOFF had contacts with that member of Congress and raised topics related to the  
9 legislative goals discussed with the undercover agent, including during a meeting that included the  
10 member of Congress in or about July 2018.

11 16. After being retained for these lobbying efforts, and being retained to have one or more  
12 lobbying contacts, ABRAMOFF failed to register as a lobbyist with the Secretary of the Senate and the  
13 Clerk of the House of Representatives as required by the Lobbying Disclosure Act. ABRAMOFF was  
14 aware of the obligations to register as a lobbyist in part because Congress amended provisions of the  
15 Lobbying Disclosure Act in 2007 in part as a reaction to ABRAMOFF's past conduct as a lobbyist.

16 COUNT ONE: (18 U.S.C. § 371 – Conspiracy)

17 Paragraphs 1 through 13 of this Information are re-alleged and incorporated as if fully set forth  
18 here.

19 Beginning in or about January 2018, and continuing through in or about September 2018, in the  
20 Northern District of California and elsewhere, the defendant,

21 JACK ABRAMOFF,

22 did knowingly and willfully conspire and agree with co-conspirator Rowland Marcus Andrade, and  
23 others known and unknown to the United States Attorney, to commit offenses against the United States,  
24 specifically, to devise a scheme and artifice to defraud and to obtain money and property by means of  
25 materially false and fraudulent pretenses, representations, and promises, and by means of concealment  
26 of material facts, and in executing said scheme caused writings, signs, signals, and sounds to be  
27 transmitted by means of wire in interstate commerce, in violation of Title 18, United States Code,  
28 Section 1343.

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

2 COUNT TWO: (2 U.S.C. §§ 1603(a) and 1606(b) – Lobbying Disclosure Act)

3 Paragraphs 1, 7, and 14 through 16 of this Information are re-alleged and incorporated as if fully  
4 set forth here.

5 In or about June 2017 and continuing through in or about July 2018, in the Northern District of  
6 California and elsewhere, the defendant,

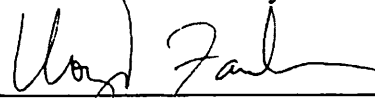
7 JACK ABRAMOFF,

8 knowingly and corruptly failed to comply with the provisions of the Lobbying Disclosure Act, 2 U.S.C.  
9 § 1602 et. seq., specifically failing to register with the Secretary of the Senate and the Clerk of the  
10 House of Representatives no later than 45 days after ABRAMOFF first made a lobbying contact or was  
11 employed or retained to make a lobbying contact, as required by 2 U.S.C. § 1603(a).

12 All in violation of Title 2, United States Code, Sections 1603(a) and 1606(b).

13  
14 DATED: June 25, 2020

15 DAVID L. ANDERSON  
United States Attorney

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17 LLOYD FARNHAM  
ANDREW F. DAWSON  
18 Assistant United States Attorneys  
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