

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	Civil Action No. 4: 26-cv-393
Plaintiff,	)	
	)	
v.	)	
	)	COMPLAINT TO REVOKE
KHALID OUAZZANI,	)	NATURALIZATION
	)	
Defendant.	)	
	)	

When Defendant Khalid Ouazzani (“Defendant”) applied for U.S. citizenship in 2005, he swore to his attachment to the principles of the Constitution of the United States. Then, when he took the oath of citizenship on June 16, 2006, he again swore to support and defend the Constitution and laws of the United States of America. Both those oaths were false. In 2003, Defendant had begun discussing ways to support [REDACTED] the notorious anti-American terrorist organization, and in 2007, just one year after he naturalized, he began providing material support to [REDACTED] by sending them tens of thousands of dollars that he had obtained through fraud.¹ Three years later, in May 2010, Defendant pleaded guilty to those crimes. As part of his guilty plea, and in subsequent law enforcement interviews, Defendant admitted that he provided financial and material support to [REDACTED] between 2007 and 2008 and that he took an oath of allegiance to [REDACTED] in June 2008.

¹ [REDACTED] is transliterated from Arabic text, and several spellings may be commonly used for [REDACTED] transliterated word. See *United States v. Moussaoui*, 333 F.3d 509, [REDACTED] (4th Cir. 2003). This memorandum follows the spelling convention used in the Information filed in OUAZZANI’s criminal case and discussed below at paragraph 37 except when quoting a source that uses a different spelling.

Defendant lied during his naturalization proceedings about his loyalty to the U.S. Constitution. That false testimony precluded him from lawfully obtaining U.S. citizenship. Furthermore, his support for and affiliation with Al-Qaida beginning within a year of his naturalization constitutes prima facie evidence that when he naturalized, he willfully misrepresented his attachment to the principles of the Constitution and to the good order and happiness of the United States. Accordingly, this Court must revoke Defendant's naturalization on either of two grounds: (1) Defendant illegally procured his naturalization because he gave false testimony for an immigration benefit, barring him from establishing the good moral character required for lawful naturalization; and (2) he procured his naturalization by concealment of a material fact or willful misrepresentation.

I. JURISDICTION, VENUE, AND PARTIES

1. This is an action under 8 U.S.C. § 1451(a) and (c) to revoke and set aside the order admitting Defendant to U.S. citizenship and to cancel Certificate of Naturalization No. , issued to Defendant on June 16, 2006.

2. Plaintiff is the United States of America.

3. Defendant is a naturalized U.S. citizen.

4. Defendant resides in Lee's Summit, Missouri.

5. This Court has subject-matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1345 for this cause of action under 8 U.S.C. § 1451(a) and (c).

6. Venue is proper in the Western District of Missouri under 8 U.S.C. § 1451(a) and 28 U.S.C. § 1391 because Defendant lives within this jurisdiction.

II. FACTUAL BACKGROUND

7. The affidavit of  a Special Agent with Homeland Security Investigations, U.S. Immigration and Customs Enforcement, a component of the U.S.

Department of Homeland Security, showing good cause for this action, is attached hereto as Exhibit A, as required by 8 U.S.C. § 1451(a).

A. Defendant immigrates to the United States and naturalizes as a U.S. citizen

7. On June 9, 1998, Defendant was issued a B-2 visitor visa.
8. On July 4, 1998, Defendant was admitted to the United States as a B-2 visitor for pleasure.
9. On December 21, 2000, Defendant adjusted his immigration status to a conditional permanent resident based on his allegedly bona fide marriage to a U.S. citizen.
10. On or about October 28, 2002, Defendant filed a Form I-751, Petition to Remove Conditions on Residence (“Form I-751”).
11. On June 16, 2004, U.S. Citizenship and Immigration Services (“USCIS”) approved Defendant’s Form I-751 and granted Defendant the status of permanent resident.
12. On November 30, 2005, Defendant applied for U.S. citizenship by filing a Form N-400, Application for Naturalization (“N-400”), with USCIS.
13. A true and complete copy of Defendant’s N-400, except for redactions of immaterial personally identifying information, is attached hereto as Exhibit B.
14. Part 10, question 34 of the N-400 asked, “Do you support the Constitution and form of government of the United States?”
15. In response to that question, Defendant marked the box for “Yes.”
16. Part 10, question 35 of the N-400 asked, “Do you understand the full Oath of Allegiance to the United States?”
17. In response to that question, Defendant marked the box for “Yes.”
18. Part 10, question 36 of the N-400 asked, “Are you willing to take the full Oath of Allegiance to the United States?”

19. In response to that question, Defendant marked the box for “Yes.”
20. On April 4, 2006, a USCIS officer interviewed Defendant to determine his eligibility for naturalization (“Naturalization Interview”).
21. At the beginning of the Naturalization Interview, the USCIS officer placed Defendant under oath.
22. During the Naturalization Interview, the USCIS officer asked Defendant whether he supported the Constitution and form of government of the United States.
23. In response to that question, Defendant said yes, consistent with his written answer to Part 10, question 34 of the N-400.
24. During the Naturalization Interview, the UCSIS officer asked Defendant whether he understood the full Oath of Allegiance to the United States.
25. In response to that question, Defendant said yes, consistent with his written answer to Part 10, question 35 of the N-400.
26. During the Naturalization Interview, the USCIS officer asked Defendant whether he was willing to take the full Oath of Allegiance to the United States.
27. In response to that question, Defendant said yes, consistent with Part 10, question 36 of the N-400.
28. During Naturalization Interview, Defendant signed Part 14 of the N-400, thereby acknowledging his “willingness and ability” to take the Oath of Allegiance to the United States that was set forth in Part 14 of the N-400.
29. At the conclusion of the Naturalization Interview, and in the presence of the USCIS officer who had conducted the Naturalization Interview, Defendant signed the N-400 and swore that the contents of his application, including the three numbered corrections he made to

the N-400 during his Naturalization Interview, were true and correct to the best of his knowledge and belief.

30. At no point during his naturalization proceedings did Defendant disclose to U.S. immigration authorities that he had been discussing with others various ways he could support



31. At no point during his Naturalization Interview did Defendant disclose to the USCIS officer who had conducted the Naturalization Interview that Defendant had been discussing with others various ways he could support



32. On April 6, 2006, USCIS approved Defendant's N-400.

33. Based on the approved N-400, USCIS administered Defendant the Oath of Allegiance to the United States, admitting him to United States citizenship on June 16, 2006.

That same day, USCIS issued Defendant Certificate of Naturalization No.



B. Defendant is convicted of providing material support to



34. On February 3, 2010, a grand jury in the U.S. District Court for the Western District of Missouri indicted Defendant in a thirty-three-count complaint. *See* Indictment, *United States v. Ouazzani*, No. 4:10-cr-25-HFS (W.D. Mo. Feb. 3, 2010), ECF No. 1 ("Indictment").

35. A true and complete copy of the Indictment, except for the redaction of the name of the grand jury foreperson, is attached hereto as Exhibit C.

36. The Indictment charged Defendant with eighteen counts of bank fraud, ten counts of money laundering, two counts of interstate fraud, and three counts of false statements.

37. On May 19, 2010, the U.S. Attorney for the Western District of Missouri filed a one-count Information charging Defendant with conspiring to provide and providing material support to



a designated foreign terrorist organization, in violation of 18 U.S.C.

§ 2339B. *See* Information, *United States v. Ouazzani*, No. 4:10-cr-25-HFS (W.D. Mo. May 19, 2010), ECF No. 26 (“Information”).

38. A true and complete copy of the Information is attached hereto as Exhibit D.

39. The Information alleged that  is a designated terrorist organization that engages in terrorist activity.

40. On May 19, 2010, Defendant appeared before the U.S. District Court for the Western District of Missouri for a change of plea hearing.

41. At that hearing, Defendant pleaded guilty to the charge contained in the Information as well as one count of bank fraud and one count of money laundering alleged in the Indictment. *See* Certified Transcript of Change of Plea Hearing (May 19, 2010) 24:25-25:11, *United States v. Ouazzani*, No. 4:10-cr-25-HFS (W.D. Mo. July 9, 2010), ECF No. 31 (“Plea Transcript”).

42. A true and complete copy of relevant portions of the Plea Transcript are attached hereto as Exhibit E.

43. At the change of plea hearing, while under oath, Defendant admitted that between August 2007 and July 2008 he agreed to provide and did provide more than \$23,000 in U.S. currency to  Plea Transcript 32:1-33:20.

44. On May 19, 2010, Defendant filed in his criminal proceedings a Plea Agreement that Defendant and Defendant’s criminal defense attorney had signed. *See* Plea Agreement, *United States v. Ouazzani*, No. 4:10-cr-25-HFS (W.D. Mo. July 9, 2010), ECF No. 28 (“Plea Agreement”).

45. A true and complete copy of the Plea Agreement is attached hereto as Exhibit F.

46. Defendant admitted in his Plea Agreement to the following:

.... Defendant knew the nature of the organization of [REDACTED] including the purposes of the organization, and acts of t [REDACTED] had engaged in over the years, and intended to further these purposes when he had the discussions and did the acts described below.

Over a period of years, [REDACTED] and others discussed various ways they could support [REDACTED]. One of the ways the Defendant and others agreed they [REDACTED] port [REDACTED] was to provide currency to it. In 2007 and 2008, Ouaz [REDACTED] onally provided over \$23,000 in United States currency for the use and benefit of [REDACTED]. Defendant and others also discussed how they could perform other tasks at the request of and for the benefit of [REDACTED]. [REDACTED] Some of the Defendant's conversations with others also d plans for them to participate in various types of actions to support [REDACTED], including fighting in Afghanistan, Iraq, or Somalia. [REDACTED] t and others he was communicating with about [REDACTED] took various steps and used various techniques to disguise [REDACTED] munications about their plans and assistance to support [REDACTED]. [REDACTED]

Plea Agreement 5-6.

47. In his Plea Agreement, Defendant admitted that, "In or about June, 2008, Ouazzani formally swore an oath of allegiance to [REDACTED] through another individual with whom Ouazzani had been communicating for some period of time about supporting [REDACTED]" *Id.* at 6.

48. Defendant's guilty plea resulted in his conviction for conspiring to provide and providing material support to [REDACTED] a designated foreign terrorist organization, in violation of 18 U.S.C. § 2339B; bank fraud, in violation of 18 U.S.C. § 1344; and money laundering, in violation of 18 U.S.C. § 1956. *See* Amended Judgment, *United States v. Ouazzani*, No. 4:10-cr-25-HFS, ECF No. 28 (W.D. Mo. Oct. 7, 2013), ECF No. 63 ("Amended Judgment").

49. A true and complete copy of the Amended Judgment is attached hereto as Exhibit G.

50. On October 7, 2013, Defendant was sentenced to fourteen years' imprisonment and five years of supervised release.

C. [REDACTED] conviction, Defendant admits that he provided material support to

51. On December 16, 2019, Defendant gave a recorded interview about his crimes to attorneys from the U.S. Department of Justice and a special agent with the U.S. Department of Homeland Security ("December 16 Interview").

52. A true and complete transcript of the December 16 Interview is attached hereto as Exhibit H.

53. During the December 16 Interview, Defendant said that in 2003 or 2004, he began discussing, with others, methods to support [REDACTED] December 16 Interview 9:21-11:1.

54. During the December 16 Interview, Defendant said that he had transferred money through a friend on two occasions in 2006-2007 with the intent and understanding that it would result in material, financial support to [REDACTED] *Id.* at 11:8-12:21.

D. [REDACTED] has been designated as a Foreign Terrorist Organization.

55. On October 8, 1999, the U.S. Secretary of State designated [REDACTED] (alternatively spelled as [REDACTED]) as a Foreign Terrorist Organization pursuant to 8 U.S.C. § 1189. *See* Designation of Foreign Terrorist Organizations, 64 Fed. Reg. 55012-01 (Oct. 8, 1999).

56. The U.S. Secretary of State has re-designated [REDACTED] as a Foreign Terrorist Organization at various dates thereafter from October 8, 1999, to the present, including at all times material to this Complaint.

57. [REDACTED] advocates or teaches the propriety of unlawfully assaulting officers of an organized government because of their official character.

58.  advocates or teaches the unlawful damage of property.

III. GOVERNING LAW

59. No individual has a right to naturalization “unless all statutory requirements are complied with.” *United States v. Ginsberg*, 243 U.S. 472, 474-75 (1917). Indeed, the Supreme Court has underscored that “[t]here must be strict compliance with all the congressionally imposed prerequisites to the acquisition of citizenship.” *Fedorenko v. United States*, 449 U.S. 490, 506 (1981).

A. Congressionally imposed prerequisites to the acquisition of citizenship

60. Congress has mandated that an individual may not naturalize unless that person “during all periods referred to in this subsection has been and still is a person of good moral character....” *See* 8 U.S.C. § 1427(a)(3).

61. Congress has also mandated that an individual may not naturalize unless that person “during all the periods referred to in this subsection has been and still is ... attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the United States.” *Id.*

62. The required statutory period for good moral character and attachment to the principles of the Constitution of the United States and being well disposed to the good order and happiness of the United States begins five years before the date the applicant files the application for naturalization, and it continues until the applicant takes the oath of allegiance and becomes a United States citizen. 8 U.S.C. § 1427(a).

63. Congress has explicitly precluded individuals who give false testimony for the purpose of obtaining immigration benefits from being able to establish the good moral character necessary to naturalize. 8 U.S.C. § 1101(f)(6).

B. The denaturalization statute

64. Recognizing that there are circumstances where an individual has naturalized despite failing to comply with all congressionally imposed prerequisites to the acquisition of citizenship or by concealing or misrepresenting facts that are material to the decision on whether to grant his or her naturalization application, Congress enacted 8 U.S.C. § 1451.

65. Under 8 U.S.C. § 1451(a), this Court must revoke an order of naturalization and cancel an individual's Certificate of Naturalization if his or her naturalization was either (i) illegally procured or (ii) procured by concealment of a material fact or by willful misrepresentation.

66. Failure to comply with any of the congressionally imposed prerequisites to the acquisition of citizenship renders the citizenship "illegally procured." *Fedorenko*, 449 U.S. at 506.

67. Naturalization is procured by concealment of a material fact or by willful misrepresentation where: (1) the naturalized citizen misrepresented or concealed some fact during the naturalization process; (2) the misrepresentation or concealment was willful; (3) the fact was material; and (4) the naturalized citizen procured citizenship as a result of the misrepresentation or concealment. *Kungys v. United States*, 485 U.S. 759, 767 (1988).

68. Where the government establishes that citizenship was procured illegally or by willful misrepresentation or concealment of material facts, "district courts lack equitable discretion to refrain from entering a judgment of denaturalization." *Fedorenko*, 449 U.S. at 517. In such a circumstance, the district court must order "such revocation and setting aside of the order admitting such person to citizenship and such canceling of certificate of naturalization ... effective as of the original date of the order." 8 U.S.C. § 1451(a).

IV. CAUSES OF ACTION

COUNT I

ILLEGAL PROCUREMENT OF NATURALIZATION **LACK OF GOOD MORAL CHARACTER** **(FALSE TESTIMONY)**

69. The United States re-alleges and incorporates by reference the allegations contained in Sections I through III of this Complaint.

70. As discussed above, to be eligible for naturalization, an applicant must show that he has been a person of good moral character for the five-year statutory period before he files his N-400, and until the time he becomes a naturalized United States citizen. 8 U.S.C. § 1427(a)(3); 8 C.F.R. § 316.10(a)(1).

71. Defendant filed his N-400 on November 30, 2005.

72. Thus, Defendant was required to establish good moral character from November 30, the date five years prior to the date on which he filed his N-400, until he took the Oath of Allegiance on June 16, 2006 (the “statutory period”).

73. Defendant was statutorily precluded from establishing the good moral character necessary to naturalize because he gave false testimony during the statutory period for the purpose of obtaining an immigration benefit. *See* 8 U.S.C. § 1101(f)(6).

74. Defendant provided false testimony for the purpose of obtaining an immigration benefit during his statutory period on April 4, 2006, when he was interviewed under oath in connection with his N-400, during the period in which he was required to demonstrate good moral character.

75. Specifically, while under oath, Defendant testified that he supported the Constitution and form of government of the United States; that he understood the full Oath of

Allegiance to the United States; and that he was willing to take the full Oath of Allegiance to the United States.

76. Defendant's testimony on the subjects set forth in paragraph 75 was false, because, as described in paragraphs 34 through 47 and 51 through 54 above, Defendant admitted that "over a period of years" predating his provision of material support to [REDACTED] he and others discussed various ways they could support [REDACTED] to further its terrorist activity.

77. This "period of years" encompasses at a minimum conduct that took place beginning in 2003 or 2004 through August 2007, and includes April 4, 2006, the date of Defendant's Naturalization Interview.

78. Conspiring to provide support to [REDACTED] with the intent to further terrorist activity is inconsistent with supporting the Constitution and form of government of the United States and the Oath of Allegiance to the United States.

79. Defendant knew at his Naturalization Interview that his testimony on the subjects set forth in paragraph 75 to be false.

80. Defendant knew at his Naturalization Interview that [REDACTED] was a designated terrorist organization.

81. Defendant knew at his Naturalization Interview that [REDACTED] was an organization that had engaged in and that was engaging in terrorist activity and terrorism.

82. Defendant provided false testimony during his statutory period for the purpose of obtaining an immigration benefit, namely, naturalization.

83. Because Defendant provided false testimony for the purpose of obtaining an immigration benefit during the statutory period, he lacked the good moral character necessary to be eligible to naturalize.

84. Because he was ineligible to naturalize, Defendant illegally procured his citizenship, and this Court must revoke his naturalization, as provided for by 8 U.S.C. § 1451(a).

COUNT II

PROCUREMENT OF UNITED STATES CITIZENSHIP BY CONCEALMENT OF A MATERIAL FACT OR WILLFUL MISREPRESENTATION

(Presumptively Not Attached to the Principles of the Constitution or Well-Disposed to the Good Order and Happiness of the United States)

85. The United States re-alleges and incorporates by reference the allegations contained in Sections I through III of this Complaint.

86. Under 8 U.S.C. § 1451(a), this Court must revoke a naturalized person's citizenship and cancel his Certificate of Naturalization if that person procured his naturalization by concealment of a material fact or by willful misrepresentation.

87. Under 8 U.S.C. § 1451(c), if, within five years of naturalizing, a naturalized citizen becomes a member of or affiliated with an organization that would have precluded naturalization under 8 U.S.C. § 1424 had the membership or affiliation occurred prior to naturalization, "it shall be considered prima facie evidence that such person was not attached to the principles of the Constitution of the United States and was not well disposed to the good order and happiness of the United States at the time of naturalization." 8 U.S.C. § 1451(c).

88. Furthermore, "in the absence of countervailing evidence, it shall be sufficient . . . to authorize the revocation and setting aside of the order admitting such person to citizenship and the cancellation of the certificate of naturalization as having been obtained by concealment of a material fact or by willful misrepresentation. 8 U.S.C. § 1451(c).

89. Under 8 U.S.C. 1101(e)(2), “the giving, loaning, or promising of support or of money or any other thing of value for any purpose to any organization shall be presumed to constitute affiliation therewith.”

90. Throughout his naturalization proceedings, Defendant concealed his true beliefs and willfully misrepresented that he was attached to the principles of the Constitution and well-disposed to the good order and happiness of the United States.

91. As outlined in paragraphs 37 through 47 above, no later than August 2007 and continuing through July 2008, and within five years of June 16, 2006—the date on which he naturalized—Defendant became affiliated with [REDACTED] both through the provision of money and the swearing of an oath.

92. [REDACTED] advocates or teaches the propriety of unlawful assaulting of officers of an organized government because of their official character.

93. [REDACTED] has engaged in and advocates for the unlawful damage, injury, or destruction of property.

94. Accordingly, had Defendant affiliated with [REDACTED] prior to naturalizing, that affiliation would have prevented his naturalization. *See* 8 U.S.C. § 1424(a)(4)(B), (a)(4)(C).

95. Defendant admitted under oath at his change of plea hearing that he was aware of the nature and character of [REDACTED] when he affiliated with it, including the purposes of the organization and the acts of terrorism it had engaged in over the years.

96. Defendant intended to further those purposes and acts of [REDACTED] when he affiliated with and supported it.

97. Defendant’s affiliation with [REDACTED] within five years of his June 16, 2006, naturalization constitutes prima facie evidence that during his naturalization process, he

concealed that he was not at that time attached to the principles of the Constitution and not well-disposed to the good order and happiness of the United States, as required for naturalization. *See* 8 U.S.C. §§ 1451(c), 1427(a)(3).

98. Defendant's affiliation with  within five years of his June 16, 2006, naturalization constitutes prima facie evidence that during his naturalization process, he made material misrepresentations by claiming that he was attached to the principles of the Constitution and well-disposed to the good order and happiness of the United States. *See* 8 U.S.C. § 1451(c).

99. Defendant was in fact not attached to the principles of the Constitution and not well-disposed to the good order and happiness of the United States at the time of his naturalization.

100. Defendant's concealment and willful misrepresentations were material to determining his eligibility for naturalization.

101. Defendant's concealment and willful misrepresentations had the natural tendency to influence the decision by USCIS to approve his N-400 and to administer the oath of allegiance.

102. Indeed, but for Defendant's concealment and willful misrepresentations regarding his attachment to the principles of the Constitution and disposition to the good order and happiness of the United States, his statutory ineligibility for naturalization would have been disclosed, and USCIS would not have approved his N-400 or administered the oath of allegiance. *See* 8 U.S.C. §§ 1424(a)(4)(B), 1424(a)(4)(C), 1427(a).

103. Defendant's affiliation with  within five years of his June 16, 2006, naturalization establishes that Defendant obtained his U.S. citizenship by willful misrepresentation and concealment of material facts. *See* 8 U.S.C. § 1451(c).

104. Because Defendant procured his naturalization by willful misrepresentation and concealment of material facts, this Court must revoke his citizenship pursuant to 8 U.S.C. § 1451(a), (c).

V. PRAYER FOR RELIEF

WHEREFORE, Plaintiff, the United States of America, respectfully requests:

- (1) A declaration that Defendant illegally procured his citizenship;
- (1) A declaration that Defendant procured his citizenship by concealment of material facts and willful misrepresentation;
- (2) Judgment revoking and setting aside the naturalization of the Defendant, and canceling Certificate of Naturalization No.  effective as of the original date of the order and certificate, June 16, 2006;
- (3) Judgment forever restraining and enjoining the Defendant from claiming any rights, privileges, benefits, or advantages under any document that evidences U.S. citizenship obtained as a result of Defendant's June 16, 2006, naturalization;
- (4) Judgment requiring Defendant, within ten days of judgment, to surrender and deliver his Certificate of Naturalization, No.  and any copies thereof in his possession or control (and to make good faith efforts to recover and surrender any copies thereof that he knows are in the possession or control of others), to the Attorney General through his representative, undersigned counsel in Washington, D.C.;
- (5) Judgment requiring Defendant, within ten days of judgment, to surrender and deliver any other indicia of U.S. citizenship, including, but not limited to, all United States passports and passport cards, voter identification card, and other voting documents, as well as any copies thereof in his possession or control (and to make good faith efforts to recover and immediately

surrender any copies thereof that he knows are in the possession or control of others), to the Attorney General through his representative, undersigned counsel in Washington, D.C.; and

(6) Judgment granting the United States such other relief as may be lawful and proper.

Dated: May 8, 2026

R. MATTHEW PRICE
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Respectfully submitted,

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