

# **BENEVOLENCE INTERNATIONAL**

*A sourcebook for researchers*

**Court documents concerning an al Qaeda-linked  
charity front based in Chicago, Ill.**

J.M. Berger, Editor

**INTELWIRE PRESS**

© 2006, J.M. BERGER

# THE BENEVOLENCE INTERNATIONAL FOUNDATION SOURCEBOOK

In the history of criminal prosecutions in the War on Terror, there are only two criminal cases which have provided Americans with a real window into the history and origins of al Qaeda -- the infamous *U.S. v. Bin Laden* prosecution (for the East African embassy bombings) and *U.S. v. Arnaout* (including predecessor case, *U.S. v. Benevolence International Foundation*).

The Benevolence International Foundation was a U.S.-based charity founded in the early 1990s and eventually located in Chicago, Ill. The charity was shut down after September 11 and its president, Enaam Arnaout was prosecuted. (Arnaout eventually cut a plea deal that did not require him to admit to assisting al Qaeda.)

Documents filed in the case provided a great deal of information about al Qaeda's formative years, because Arnaout was alleged to be one of its earliest members and other alleged BIF employees -- such as Mohamed Loay Bayazid, a.k.a. Abu Rida al Suri -- were among al Qaeda's founders. The documents also tied Benevolence to some of Osama bin Laden's closest associates, including his brother-in-law Mohammed Jamal Khalifa and hardened Afghan war veteran Wali Khan Amin Shah.

In the 365 pages of documents contained in this volume, you will read of al Qaeda's founding -- including the minutes of its first ever meeting, reproduced here in the original Arabic and in an English translation.

Many of the documents in this collection have never been published before, including business and tax filings related to Benevolence, detention memos for Arnaout and a bill of particulars detailing some of the charges the government planned to bring prior to the plea arrangement. The latter document in particular provides a great deal of new information about the former al Qaeda operatives who today are collaborating with the U.S. in the War on Terror.

--- *J.M. Berger*

**Index of Documents**

|  |     |
|--|-----|
| 4/29/02 -- INDICTMENT, US V BENEVOLENCE INTERNATIONAL .....  | 1   |
| <i>(Affidavit of FBI Special Agent Robert Walker, details links to Mohammed Jamal Khalifa, Mohamed Loay Bayazid aka Abu Rida Al Suri, Wali Khan Amin Shah aka Osama Asmurai, Mamdouh Saleh aka Abu Hajer al Iraqi, and Osama bin Laden)</i>                                    |     |
| 4/02 -- GRAND JURY PRESENTMENT, US V ARNAOUT .....   | 37  |
| <i>(History of al Qaeda, founding and history of Benevolence Foundation, racketeering allegations.)</i>  |     |
| 10/9/02 -- PRESS RELEASE, US DEPARTMENT OF JUSTICE.....  | 63  |
| <i>(A more readable, but less detailed, summary of the charges and allegations listed above regarding Benevolence International Foundation and Enaam Arnaout)</i>  |     |
| 5/29/02 -- GRAND JURY PRESENTMENT, US V ARNAOUT .....  | 72  |
| <i>(Abbreviated filing of document presented above, includes case routing and other notations)</i>   |     |
| 8/07/02 -- MOTION ON ELECTRONIC SURVEILLANCE.....  | 79  |
| <i>(Background of government FISA surveillance and execution of search warrants regarding Benevolence and its employees)</i>   |     |
| 11/15/02 -- MOTION ON SPECIAL DETENTION, ENAAM ARNAOUT .....   | 104 |
| <i>(Government outline its reasons for special detention restrictions )</i>  |     |
| 12/02/02 -- CONSTITUTIONALITY OF BOSNIAN SEARCHES .....  | 120 |
| <i>(A key document outlining how the U.S. seized several important documents related to the early history of al Qaeda from a BIF office in Bosnia, including the Tareek Osama memo reprinted herein)</i>   |     |
| 12/10/02 -- US RESPONSE ON CONSTITUTIONALITY OF BOSNIAN SEARCHES .....   | 126 |
| <i>(US response to the previous filing by Arnaout's defense team)</i>  |     |
| 1/6/03 -- US V ARNAOUT, GOV'T. EVIDENTIARY PROFFER.....  | 132 |
| <i>(This 100-page detailed accounting of the government's proposed case against Enaam Arnaout is one of the most thorough histories ever released to the public discussing government knowledge of al Qaeda's financing chains and its involvement in Bosnia and Chechnya)</i> |     |
| 1/22/03 -- SUPERSEDING INDICTMENT .....  | 229 |
| <i>(A revised indictment of Enaam Arnaout that adds some new charges while tweaking or deleting charges from the previous filings)</i>   |     |
| 2/5/03 -- BILL OF PARTICULARS .....  | 258 |
| <i>(An especially interesting document that outlines the government's evidence regarding Benevolence, including details of informant testimony that was expected should the case have gone to trial)</i>   |     |

|   |     |
|---|-----|
| 6/9/03 -- SENTENCING MEMORANDUM .....   | 268 |
| <i>(Defense arguments addressing Arnaout's proposed plea agreement which include the defendant's own version of his personal history and association with Osama bin Laden)</i>  |     |
| 3/22/06 -- RESTITUTION MEMORANDUM .....   | 281 |
| <i>(Arguments by Arnaout defense attorneys regarding the court-ordered restitution and providing interesting details about the extent to which Arnaout is allowed communication with the outside world -- apparently including overseas calls -- while in prison)</i> |     |
| 1999 -- BENEVOLENCE INTERNATIONAL FOUNDATION FORM 990 .....   | 287 |
| <i>(Non-profit tax filing from 1999, business and financial details.)</i>   |     |
| 2002-2005 -- US V. ARNAOUT DOCKET.....  | 292 |
| <i>(A list of all court filings in US v. Arnaout through Dec. 2005)</i>   |     |
| 2/12/93 -- FLORIDA STATE REGISTRATION, BENEVOLENCE INT'L FOUNDATION .....   | 325 |
| <i>(Before incorporating in Chicago, Benevolence first opened an office in Florida, a branch with some relevance to the prosecution of Jose Padilla. Includes directors.)</i>   |     |
| c. 1988 -- TAREEK OSAMA MEMO (ENGLISH).....   | 326 |
| <i>(This historical document was written by Mohamed Loay Bayazid -- it is a firsthand record of the formation of al Qaeda, a historical document of outstanding importance. Original Arabic version follows.)</i>   |     |
| c. 1988 -- TAREEK OSAMA MEMO (ARABIC).....  | 344 |
| <i>(Handwritten Arabic original of the above document.)</i>   |     |