

The Honorable Secretary of State Hillary R. Clinton
U.S. Department of State
2201 C Street NW
Washington, D.C. 20520

January 23, 2009

Dear Madame Secretary:

My name is Richard Chichakli, I am an American citizen, an honorably discharged disabled US Army veteran, a husband, a father, and a CPA serving taxpayers and small businesses in North Texas community. On April 26, 2005 I was included on OFAC SDN list on allegation that I was an employee of Victor Bout, a person sanctioned by the US government in July 2004 by Executive Order 13348. In a press release on that day OFAC, the DOJ, and the State Dept. indicated that my designation was subsequent to a two-year investigation. The said investigation was closed in 2008 without bringing charges for any wrongdoing on my part, and without asserting the justification used by OFAC for designating me.

Upon my inclusion in the SDN list my businesses were closed, my assets were confiscated, my bank accounts were frozen, my car was taken, and I was kicked out of my house. I was effectively executed without a trial, without charges, without being questioned, and without having the opportunity to defend myself. All my constitutional and legal rights were terminated immediately and all I was permitted to do is to leave the US and go into exile. Furthermore, and at the request of the US State Department, the United Nations Security Council issued added me to the lists of worldwide travel ban and assets freeze. I have no assets outside the United States.

On August 25, 2006 I filed a law suit demanding trial against OFAC's action; 10 months later on June 04, 2007 Judge David C. Godbey of the Federal Court in North Texas granted the government a summary judgment without meeting or talking to my lawyer. The government filed 1,212 pages in response to my complaint, nearly 1,000 of which were about Victor Bout, and it did not make any reference to me. I asserted to the court that the trial is about Richard Chichakli not Victor Bout, and I asserted that I did not have any business with Mr. Bout since he was designated by the US government in July of 2004, and therefore; there was no justification for OFAC action against me. OFAC agreed that I had no business with Mr. Bout after he was designated; however, stating that my relation to him, 10 years earlier in 1995 is sufficient cause for designation. In 1995 I was an employee of the government of Sharjah in the United Arab Emirates and I was responsible for creating a free trade and industrial zone in the state of Sharjah. Mr. Bout was one of the 170+ clients the zone had and my relation to him was part of my duties as the Commercial Manager of that Free Zone. In 1995 there was not any derogatory information or any accusations pertinent to Victor Bout and his operations. The first questionable information about this person was made available to the public in 2001 after he was mentioned in the UN report S/2000/1225.

Madame Secretary, OFAC was either penalizing me because I could not predict in 1995 what will be of Victor Bout 10 years later in the future, or simply because they needed a scapegoat for a political objective beyond my knowledge or understanding. All I know is that I was to be sacrificed outside the reach of the US legal system and I was not permitted to ask why.

OFAC stated in my designation that I have been an employee of Victor Bout for more than a decade; that is impossible and untrue because during the time OFAC stated that I was working for Viktor Bout, I was either an employee of the United States federal government, in the United States Army, A Co. 1/58th AVN, RGMT (FWD), The 18th Avn. Corp; or the United States Department of Justice, INS - Dallas Finance Center. After separation from government service and while I was in process for gaining certification in the State of Texas as a Certified Public Accountant (CPA), I worked as an accountant in several companies through the US-based employment agency “Robert Half Account Temps” and my employment records clearly indicate that I was working in excess of 8 hours per day.

Besides working full-time to support my wife and children, and in addition to coaching the Richardson Independent School District Soccer squad, I was also attending two universities; full-time, and my academic records support my statement. I had done all of that while I was in the United States, *so how can I be the CFO handling the day-to-day operations of a company on the other side of the earth?* OFAC mentioned that my resume indicated that I was Bout’s employee in 1998 in South Africa – that is not true and it also dated seven years before he was designated. In 1998, I was an employee of the US-DOJ, and I had a swimming pool cleaning business where I performed the work, and the business records testify to that. In 1998 I visited South Africa for 15 days, and was never an employee there, the immigration, travel, government, and tax records all prove that I was in the United States not anywhere else. I was not an employee of Victor Bout and I never received salary or employees’ benefits from the Bout’s organization, is it possible that I worked more than 10 years for free? How could I be a senior employee and no one knew me, met me, or heard of me, not bank, not a customer, or even a coworker?

How can I be a CFO of a conglomerate, a very busy organization as OFAC alleged while I was a full-time practicing CPA in the US, and a part-time faculty teaching accounting or information systems in Texas universities? My 500 tax and accounting clients, and hundreds of students I taught are willing to testify that my work day started at 7 am and ended with my classes’ ending at 10 pm. OFAC’s stated justifications for designation cannot possibly be true, it simply defy the boundaries of logic and stretches the impossible. Guilt and innocence should be determined in a court of law by jury of one’s peers; this is a constitutional right should not be denied.

I am writing you asking for your help to be removed from OFAC’s SDN list and the UN sanctions lists in the name of justice and fairness. If that is too much to ask, would a trial in a US court of law in accordance with the US constitution would also be too much to ask. I am a law abiding citizen, a decorated and honorably discharged, disabled war veteran of the United States Army, and all I am asking for is justice. Please relief me or let me be tried in a court of law.

Respectfully



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