

Tunisian Man Charged with Visa Fraud Related to Terrorism, Intended to Remain in U.S. to Facilitate an Act of International Terrorism

U.S. Attorney's Office May 09, 2013 • Southern District of New York (212) 637-2600

Preet Bharara, the United States Attorney for the Southern District of New York; George Venizelos, the Assistant Director in Charge of the New York Field Office of the Federal Bureau of Investigation (FBI); and Raymond W. Kelly, the Police Commissioner of the city of New York (NYPD), today announced the unsealing of charges against Ahmed Abassi, a Tunisian citizen, for fraudulently applying for a work visa in order to remain in the United States to facilitate an act of international terrorism. Abassi was arrested on April 22, 2013, and was presented and arraigned on May 2 before U.S. District Judge Miriam Goldman Cedarbaum. Judge Cedarbaum has scheduled a conference in the case for 3:00 p.m. today.

Manhattan U.S. Attorney Preet Bharara said, "As alleged, Ahmed Abassi had an evil purpose for seeking to remain in the United States—to commit acts of terror and develop a network of terrorists here, and to use this country as a base to support the efforts of terrorists internationally. Thanks to the extraordinary vigilance of our prosecutors and law enforcement partners, Abassi has been thwarted and is being prosecuted for his alleged crimes. Protecting the residents of the Southern District, and all Americans, from terrorists is the number one priority of this office."

FBI Assistant Director in Charge George Venizelos said, "As alleged, Mr. Abassi came to the United States to pursue terrorist activity and support others in the same shameful pursuit. What Mr. Abassi didn't know was that one of his associates, privy to the details of his plan, was an undercover FBI agent. The FBI and its Joint Terrorism Task Force partners will continue working tirelessly to protect the country from those who seek to do us harm. "

NYPD Commissioner Raymond W. Kelly said, "The allegations in this case serve as still another reminder that terrorism has not abated, that we must remain vigilant, and that when we do, terrorist plots against us can be thwarted."

As alleged in the indictment unsealed today in Manhattan federal court and other documents filed in the case:

Abassi, who previously resided in Canada, traveled to the United States in mid-March 2013, where he remained until his arrest. While in the United States, Abassi, who was under surveillance by law enforcement agents at all times, maintained regular contact with an FBI

undercover officer (the UC) and also met with Chiheb Esseghaier in New York City. Esseghaier, who was recently arrested in Canada and is currently incarcerated there on terrorism charges, was previously radicalized by Abassi. During Abassi's discussions with Esseghaier and with the UC, which were recorded by the UC, Abassi discussed his desire to engage in terrorist acts against targets in the United States and other countries and his intention to provide support and funding to organizations engaged in terrorist activity—including the al Nusra Front, which is recognized by the U.S. Department of State as an alias for Al Qaeda in Iraq—and to recruit other individuals for terrorist plots. In particular, Abassi discussed with the UC a number of individuals known to Abassi and/or to his associates, whom he described as like-minded and who, in his view, would be willing to engage in terrorist activity.

On April 12, 2013, Abassi and the UC discussed Abassi's efforts to recruit others for terrorist plots and that he might be able to obtain immigration documents to remain in the United States, purportedly in order to work for the UC's U.S.-based company. In reality, Abassi made clear that he wanted to obtain immigration documents and to remain in the United States so that he could engage in "projects" relating to future terrorist activities, including recruitment. Thereafter, Abassi made false statements on two immigration forms, under penalty of perjury, and subsequently mailed those forms to U.S. Citizenship and Immigration Services for processing.

* * *

The indictment charges Abassi with two counts of knowingly making false statements in an application to the immigration authorities for a green card and work visa in order to facilitate an act of international terrorism. Each count carries a maximum term of 25 years in prison.

The charges and arrest of Abassi are the result of the close cooperative efforts of the United States Attorney's Office for the Southern District of New York, the FBI's Joint Terrorism Task Force—which principally consists of agents and detectives of the FBI and the NYPD—and U.S. Immigration and Customs Enforcement. Mr. Bharara also thanked the National Security Division and the Royal Canadian Mounted Police for their ongoing assistance.

The prosecution is being handled by the Office's Terrorism and International Narcotics Unit. Assistant United States Attorneys John P. Cronan, Michael Ferrara, and Benjamin A. Naftalis are in charge of the prosecution.

The charges contained in the indictment are merely accusations, and the defendant is presumed innocent unless and until proven guilty.