



**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. <u>04-543</u>
v.	:	DATE FILED: _____
ATEF HASAN ISMAIL IDAIS	:	VIOLATIONS:
	:	18 U.S.C. § 1546
	:	(false statement on visa application – 1 count)
	:	18 U.S.C. § 1546
	:	(use of a visa obtained based on a false statement - 1 count)
	:	Notice of additional factors

SUPERSEDING INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about July 19, 2000, in Jerusalem, Israel, and elsewhere, defendant

ATEF HASAN ISMAIL IDAIS

knowingly made under oath a false statement with respect to a material fact in an application for a NonImmigrant Visa, claiming that he had never been arrested, charged or convicted of any offense or crime, and was not a member of a terrorist organization, when in fact as the defendant then and there well knew, he had been arrested for an offense or crime, charged and convicted of an offense or crime, and was a member of Hamas, a terrorist organization on the United States Department of State’s List of Designated Foreign Terrorist Organizations.

In violation of Title 18, United States Code, Sections 1546(a) and 3238.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 6, 2000, in Detroit, Michigan, Philadelphia, Pennsylvania, and elsewhere, defendant

ATEF HASAN ISMAIL IDAIS

knowingly used, attempted to use, possessed, obtained, accepted and received an Immigrant Visa for entry into or as evidence of authorized stay in the United States, which the defendant knew was procured by means of a false statement, in that defendant claimed in the application for a NonImmigrant Visa that he had never been arrested, charged or convicted of any offense or crime, and was not a member of a terrorist organization, when in fact as the defendant then and there well knew, he had been arrested for an offense or crime, charged and convicted of an offense or crime, and was a member of Hamas, a terrorist organization on the United States Department of State's List of Designated Foreign Terrorist Organizations.

In violation of Title 18, United States Code, Sections 1546(a) and 3238.

NOTICE OF ADDITIONAL FACTORS

THE GRAND JURY FURTHER CHARGES THAT:

1. In committing the offenses charged in Counts One and Two of this indictment defendant **ATEF HASAN ISMAIL IDAIS:**

a. Committed the instant offense less than two years after release from imprisonment on a sentence, as defined by U.S.S.G. § 4A1.1(e).

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
United States Attorney