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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA CLERK U.S. DISTRICT COURT
WEST DIST OF PENNSYLVANIA

UNITED STATES OF AMERICA)	Criminal No. 24-257
)	
v.)	(18-U.S.C. §§ 371, 247(c), 244(d)(5),
)	1001(a)(2), 2, and 26 U.S.C. § 5861(d))
MOHAMAD HAMAD)	
TALYA A. LUBIT)	[UNDER SEAL]
MICAIAH COLLINS)	

SUPERSEDING INDICTMENT

The grand jury charges:

GENERAL ALLEGATIONS

At all relevant times:

A. Relevant Individuals and Entities

1. The defendant, MOHAMAD HAMAD (HAMAD), was a citizen of both the United States and Lebanon and resided in Coraopolis, Pennsylvania.
2. The defendant, TALYA A. LUBIT (LUBIT), was a citizen of the United States and resided in Pittsburgh, Pennsylvania.
3. The defendant, MICAIAH COLLINS (COLLINS), was a citizen of the United States and resided in Pittsburgh, Pennsylvania.
4. Chabad of Squirrel Hill (Chabad) was a center for Jewish educational programming with a synagogue for Shabbat and other Jewish religious services. It was housed in religious real property located at 1700 Beechwood Boulevard, Pittsburgh, Pennsylvania 15217, at the corner of Forbes Avenue.

B. Background on Hamas and Hezbollah

5. According to the Office of the Director of National Intelligence, Harakat al-Muqawama al-Islamiya (Hamas) is the largest and most capable militant group in the Palestinian territories and one of the territories' two major political parties. The group is committed to armed resistance against Israel and the creation of an Islamic Palestinian state in Israel's place.

6. On October 8, 1997, the United States Secretary of State designated Hamas as a Foreign Terrorist Organization (FTO) under Section 219 of the Immigration and Nationality Act. On October 31, 2001, the Secretary of State also designated Hamas as a Specially Designated Global Terrorist under Executive Order 13224. To date, Hamas remains a designated FTO.

7. On Saturday, October 7, 2023, at approximately 6:30 a.m. local time in Israel, Hamas committed a violent, large-scale terrorist attack (the "October 7 Hamas Attack"), sending more than 2,000 armed fighters across the border between the Gaza Strip and southern Israel. The fighters entered Israeli farms and towns and launched a wave of violence focused primarily on civilians. Hundreds of civilians, including Americans, were killed. Others, including Americans, were kidnapped, taken hostage, and brought into the Gaza Strip by the Hamas attackers. An armed conflict between Israel and Hamas-led Palestinian militant groups has been taking place in the Gaza Strip and Israel since the October 7 Hamas Attack.

8. Following the October 7 Hamas Attack and continuing through at least the summer of 2024, numerous residents and businesses in the City of Pittsburgh, including Jewish residents and Jewish-owned and affiliated business entities, demonstrated their support for Israel through, among other things, displaying pro-Israel signs. Following the October 7 Hamas Attack,

there have also been pro-Palestine protests in Pittsburgh, as well as vandalism incidents targeting residents and businesses for their actual or perceived support of Israel.

9. On October 8, 1997, the United States Secretary of State designated Hizballah as an FTO under Section 219 of the Immigration and Nationality Act. The designation included the following aliases: Party of God, Islamic Jihad, Islamic Jihad Organization, Revolutionary Justice Organization, Organization of the Oppressed on Earth, Islamic Jihad for the Liberation of Palestine, Organization of Right Against Wrong, Ansar Allah, and Followers of the Prophet Muhammad. On May 16, 2017, the Secretary of State amended the designation of Hizballah to include the following aliases: Lebanese Hizballah, also known as Lebanese Hezbollah, also known as LH; Foreign Relations Department, also known as FRD; and External Security Organization, also known as ESO, also known as Foreign Action Unit, also known as Hizballah ESO, also known as Hizballah International, also known as Special Operations Branch, also known as External Services Organization, also known as External Security Organization of Hezbollah. To date, Hizballah, commonly referred to as Hezbollah, remains a designated FTO.

C. Facts

1. **HAMAD Enlisted with the United States Air Force, Pennsylvania Air National Guard.**

10. In June 2023, HAMAD enlisted with the United States (U.S.) Air Force, Pennsylvania Air National Guard (PAANG). From in and around September 2023 through February 2024, HAMAD attended Air Force training in Texas.

11. As a requirement of his enlistment, HAMAD took the following oath: "I, MOHAMAD ABDALLAH HAMAD, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the State of Pennsylvania against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; and that I will obey the

orders of the President of the United States and the Governor of Pennsylvania and the orders of the officers appointed over me, according to law and regulations. So help me God.”

12. Upon completing training, HAMAD was assigned to the 171st Maintenance Squadron of the PAANG, stationed in Moon Township, Pennsylvania, near the Pittsburgh International Airport. The 171st Maintenance Squadron is a part of the 171st Air Refueling Wing, the primary mission of which is to provide in-flight refueling to Department of Defense (DoD) and North Atlantic Treaty Organization (NATO) aircraft.

2. HAMAD Told Others That, Despite Joining the Air Force, He Was Still More Loyal to Palestine and Lebanon Than the United States.

13. Throughout the fall of 2023, HAMAD discussed his decision to join the PAANG with certain individuals via direct messages (DMs) on Instagram. For example, on or about October 25, 2023, HAMAD informed an associate in Ohio (Person 1) that, even though he had joined the PAANG, “[i]t’s still Palestine on top though make no mistake.”

14. HAMAD also sent Person 1 voice notes on or about October 25, 2023, and October 28, 2023.¹ In the voice notes, HAMAD reiterated that Palestine and Lebanon were “on top” for him and that “people will say America, America, but let it lick my ass.” HAMAD also stated, “don’t get me wrong, my dear, Lebanon, Palestine are my country and they are on top, and at the end of the day, fuck off Israel and all her friends.” HAMAD explained that it was good to have the “combat skills” he was learning in training “in case something happens in my country [Lebanon] or Palestine.”

¹ Portions of these voice notes were in Arabic and were translated by FBI personnel.

15. On or about October 28, 2023, HAMAD also told Person 1 via an Instagram DM, "I wish I was with the brave hearts in Palestine right now."

16. On or about October 28, 2023, HAMAD messaged another individual, believed to be in Lebanon (Person 2), on Instagram:

- a. "I want to learn combat skills too that's why I joined"
- b. "Also I got an expert marksman badge which means I shot really well"
- c. "I want to be able to protect Lebanon in case something happens."
- d. "So I need to learn combat skills now."

17. Person 2 told HAMAD not to worry about Lebanon, but rather to "focus on your future right now." HAMAD responded:

- a. "Just like how you protect lebanon, I want to as well bro"
- b. "Lebanon and Palestine are in my heart."
- c. "They are number 1."

3. HAMAD Shared Violent Pro-Hamas Videos While He Was Attending Air Force Training.

18. While HAMAD was attending Air Force training, he shared violent pro-Hamas videos. For example, on or about October 31, 2023, HAMAD sent an associate in Pittsburgh (Person 3) a series of five violent, militant propaganda videos. One of the videos is dated October 7, 2023, the day of the October 7 Hamas Attack, and shows a man being shot repeatedly at point blank range. Another video shows militants holding the flag for Hamas's military wing, the al-Qassam Brigades, while standing on top of a dead body. In the conversation, HAMAD wrote, "Yeah Fr but they [Israel] made the mistake of thinking we wouldn't do anything when they kept killing us. Us Muslims never surrender or back down."

19. On or about November 11, 2023, HAMAD sent Person 1 two videos. The first video had text that read, “A new generation is coming,” and depicted young children (even babies) being shown videos of Abu Obaida, the spokesperson for Hamas’s al-Qassam Brigades. The second video contained an Islamic Shahada which translated, in part, to, “What an achievement for one who receives a truthful martyrdom. The sins will be erased if the blood has been dripped. And the flowers are scented from the smell of must that is spread from the wounds.”

4. HAMAD Began the Background Investigation Process for the Air Force and Was Advised of the Penalties of Lying; He Also Continued to Share Foreign Terrorist Organization Propaganda and Videos.

20. On or about December 4, 2023, HAMAD completed the Standard Form 86 (SF-86), a questionnaire that U.S. government applicants must complete to be considered for national security positions. HAMAD completed the form to obtain a top-secret security clearance and as a requirement of his enlistment with the PAANG. The form stated that “[b]ackground investigations for national security positions are conducted to gather information to determine whether you are reliable, trustworthy, of good conduct and character, and loyal to the U.S.”

21. The form explained that the background investigation may include interviews and detailed the penalties for inaccurate or false statements. It warned, “U.S. Criminal Code (title 18, section 1001) provides that knowingly falsifying or concealing a material fact is a felony which may result in fines and/or up to five (5) years imprisonment.”

22. At the end of the form, HAMAD certified that he understood the penalties for inaccurate or false statements, including prosecution under Title 18, Section 1001.

23. While his background investigation was pending, HAMAD continued to share videos related to FTOs. For example, on or about December 23, 2023, HAMAD posted a

video to his Instagram story featuring a man wearing traditional Hamas apparel, with the message that Gaza will only be “a cemetery for its invaders.” The man shown in the video is Abu Obaida, the spokesperson for Hamas’s military wing, the al-Qassam Brigades, as pictured in this screenshot from the video:



24. On or about December 28, 2023, HAMAD sent Person 1 a video with the caption, in Arabic, “Hezbollah announces the targeting of a newly installed point for the Israeli army near Shomera military base.” The video depicts several men being targeted and then blown up in an explosion. HAMAD stated, “Lebanon just smoked their ass.”

5. HAMAD Made False Statements During His Background Investigation Interviews on February 1, 2024, and on February 6, 2024, About Being Loyal to the United States.

25. On or about February 1, 2024, HAMAD was interviewed by a contractor for the Defense Counterintelligence and Security Agency (DCSA) regarding his suitability for a security clearance. DCSA is a DoD agency (part of the executive branch) that examines applicants to ensure they possess the requisite judgement, reliability, and trustworthiness for their positions.

26. During the interview, the DCSA contractor warned HAMAD: “under 18 U.S.C. § 1001, it is a crime to knowingly and willfully make materially false or fraudulent

statements or to conceal information in ‘any matter within the jurisdiction’ of the Federal Government of the U.S., even by mere denial. Such an act may constitute a felony, which could result in fines or imprisonment.”

27. HAMAD confirmed to the DCSA contractor that his “ultimate allegiance is with the USA” over other nations. HAMAD confirmed this despite telling others on multiple occasions, as detailed above, that his loyalty was to Palestine and Lebanon over the United States and despite sharing pro-Hamas and pro-Hezbollah content.

28. HAMAD also answered “No” to each of the following questions, which were read aloud to him by the interviewer:

- a. “Is there anything that you have said or any activities that you have engaged in which might give someone reason to question your allegiance/loyalty to the United States?”
- b. “Is there anything you have said or anything you have done which might lead someone to believe that you have loyalty to any other country over that of the United States?”
- c. “Is there any reason for anyone to question your loyalty to the United States of America?”
- d. “To the best of your knowledge, are there any records that would tend to contradict anything you have told me today?”

29. At a follow-up interview on February 6, 2024, with the DCSA contractor, HAMAD was again given the warning regarding 18 U.S.C. § 1001. Again, he confirmed to the interviewer that his ultimate allegiance was to the United States.

30. Following HAMAD's interviews, the DCSA continued its background investigation into HAMAD. During this time, HAMAD continued to work for the PAANG at the 171st Air Refueling Wing.

31. HAMAD also continued to share pro-Hamas content and espouse violence. For example, on or about February 29, 2024, through March 1, 2024, HAMAD had a conversation with an individual via Instagram DMs (Person 4) about Hamas. Person 4 told HAMAD that Hamas had been an FTO since 1997. HAMAD refuted this, saying, "It's not a terrorist organization. It's a resistance." Person 4 responded, "Hamas is a terroirs (sp) organization. They always will be. They are monsters." The conversation concluded with HAMAD repeating, "They are not a terrorist organization. They are freedom fighters."

32. On or about March 13, 2024, HAMAD threatened an unknown individual on Instagram, stating, "I can't wait until the day Muslims k*ill you. I would be so happy, at this point I'm done debating. You are better off to the world not breathing."

33. On or about April 28, 2024, HAMAD shared a picture of a sweatshirt appearing to bear the image of Abu Obaida (the spokesperson for Hamas's military wing), an inverted red triangle, and the arm of a tank with the text, "RESPECT EXISTENCE OR EXPECT RESISTANCE," on his Instagram story. HAMAD commented on the sweatshirt stating, "Look what came in the mail today." This sweatshirt was later recovered from HAMAD's bedroom.



34. A spray-painted inverted triangle is a symbol that has been used by militants affiliated with Hamas in the ongoing Israel-Hamas conflict to designate homes and buildings as targets for attack.

35. On or about June 1, 2024, HAMAD messaged LUBIT via Telegram, “My ultimate goal in life is shaheed, everything else doesn’t matter nearly as much . . . I don’t see myself living long. . . . My heart yearns for being with my brothers overseas.” “Shaheed” is an Arabic word commonly used in Islam to mean “martyr to the Islamic faith” or “martyrdom.” It is often used to refer to Muslims who died while fulfilling a religious commandment, including jihad.

36. On or about June 6, 2024, HAMAD posted the following image of himself as a juvenile holding a firearm and stated, “Been toting that K since I was a boy, don’t play with me,” on his Instagram story.



37. On this same day, HAMAD sent the above image, as well as another image of him holding another rifle, to defendant COLLINS via Signal, an encrypted messaging application. With the photos, HAMAD added, “Been a terrorist since I was a kid in Lebanon, real shit.” COLLINS replied, “i love it”

6. HAMAD Built Destructive Devices (and Continued to Share Pro-Hamas Content and Espouse Violence) While Working for the Pennsylvania Air National Guard and Undergoing His Background Investigation; HAMAD Also Conspired with COLLINS to Manufacture and Possess a Destructive Device.

38. Throughout the summer of 2024, HAMAD continued to work for the PAANG. Additionally, DCSA continued his background investigation. HAMAD also began manufacturing and detonating destructive devices.

39. On or about June 10, 2024, HAMAD made two online purchases of chemical substances—Indian black aluminum powder and potassium perchlorate KClO_4 .

40. Potassium perchlorate KClO_4 is a colorless, crystalline (sand-like) solid that is a common oxidizer used in explosives. Potassium perchlorate KClO_4 transfers oxygen to combustible materials, such as Indian black aluminum powder, greatly increasing their rate of combustion. The mixture of these two substances is a way to create flash powder, a common compound used in explosives.

41. On or about June 18, 2024, HAMAD sent COLLINS a message via Signal, stating, "Some shit came in the mail today. Can't wait to have some fun with you."

42. On or about June 26, 2024, HAMAD purchased four cans of Black Quick Color Gloss All Purpose Enamel Spray Paint from Walmart.

43. On or about June 26, 2024, HAMAD purchased red M80-style shell tubes and paper plugs from Amazon, commonly used in manufacturing explosives.

44. On or about June 27, 2024, HAMAD posted an image of himself with a rifle on his Instagram story. Another associate of HAMAD's in Pittsburgh (Person 5) messaged HAMAD telling him that he was so cool. HAMAD responded, "Terrorist mode engaged." Person 5 responded, "Helll yeaahhhhh!!!!!! Threat to US government confirmed."

45. On or about June 29, 2024, HAMAD messaged COLLINS that the "big shells came in." HAMAD also messaged COLLINS (among other messages):

- a. "I made that big shell."
- b. "It's way bigger than I expected."
- c. "I'm actually scared of it a bit."
- d. "But I want to light it."

46. COLLINS expressed excitement about lighting the device, stating, “cuz wen we do the THING.. w the THING oh yeaaaaa its OVERRRR” and “bros ankles GONE!!!” COLLINS also suggested inviting defendant LUBIT to join them in lighting the device. HAMAD responded, “I kinda just wanna test it with you as I’ve never done something that big lol and then another day very soon we can do bros ankles with [LUBIT]. While at the same time seeing if what I made is gonna be viable and work.”

47. Directly following the above conversation, HAMAD sent COLLINS a video of the detonation of a destructive device. The device, made by an unknown individual, appears to consist of a metal pipe bomb, a length of hobby fuse, and five metal fuel canisters, secured in place with black tape, as pictured in this screen shot:



48. COLLINS responded, “thas wat we gotta do!!! that bigass mf n fuck 4 we doin 5!!!” HAMAD responded, “HELL YEAH.”

49. On or about June 30, 2024, COLLINS and HAMAD had the following exchange:

- a. COLLINS: “you think . . . w that new crazy shells n 4-5 cans we can rilly take bros ankles...concrete gon blow?”
- b. HAMAD: “Maybe.”

c. COLLINS: “we gon test the big boys w like 2-3...n see...?”

d. HAMAD: “We are gonna have to test it first and see how it holds up. Maybe so.”

e. COLLINS: “gotta see what she hittin for...we gon fuck shit up”

50. On or about July 1, 2024, HAMAD purchased more M80-style shell tubes and paper plugs from Amazon.

51. On or about the night of July 1, 2024, COLLINS and HAMAD had scheduled to meet. COLLINS cancelled because her other plans ran late. HAMAD told COLLINS, “No worries, we can always do it another time soon, the big ones are here waiting for you.”

52. On or about July 2, 2024, COLLINS messaged HAMAD, “i can’t wait i wana learn how to make em! n can’t wait to set em off too! i been thinkin abt wft we gon use em for like allll day every dayyyy.”

53. On or about July 3, 2024, HAMAD purchased three additional cans of Black Quick Color Gloss All Purpose Enamel Spray Paint from Walmart.

54. On or about July 4, 2024, HAMAD messaged COLLINS saying, “I want to die fighting. I want it now so bad!! I don’t want to be here anymore.” COLLINS responded saying, “if I can see tn we can do something in our little space weve created yk.” HAMAD responded that he was “feeling a lot of anger.”

55. On or about this same day, HAMAD shared a video of an apparent Hamas funeral on his Instagram story (screenshot below). HAMAD wrote, “Ya Allah, I can’t take this anymore, I want to fight and die. I don’t want to live here anymore. I’m jealous of these fighters, they got to fight in the way of Allah and have achieved the highest level of Jannah.”

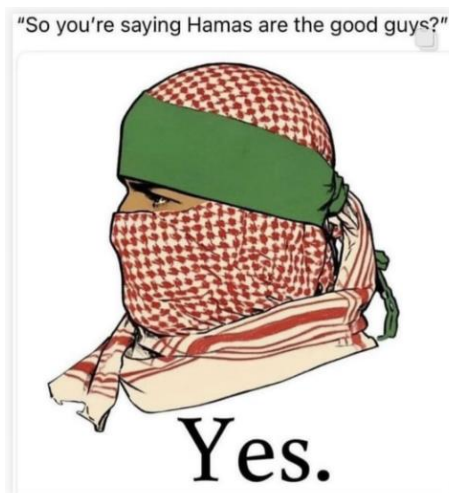


56. On or about July 5, 2024, HAMAD messaged an associate in East Liverpool, Ohio (Person 6) stating, “To be clear I want to go over there in Palestine. And help. Fight.” Person 6 asked HAMAD, “how would that conflict with your military obligations? . . . I just don’t want to see you in trouble or under investigation you know what I mean?” HAMAD responded, “I understand. I’ll delete my chats.”

57. On or about July 6, 2024, HAMAD posted the following image of a firearm on his Instagram story. On top of the image, HAMAD added the text, “Alright yall say a prayer with me. Inshallah one day each bullet in this mag kisses the foreheads of the Zionist oppressor, ameen.”



58. On or about July 6, 2024, HAMAD shared the following image of an apparent Hamas fighter with a green headband on his Instagram story. The caption reads, "So you're saying Hamas are the good guys. Yes."



59. On or about July 6, 2024, HAMAD finalized his plans with COLLINS to detonate a destructive device. On this date, HAMAD picked COLLINS up from her residence at approximately 10:45 p.m. Text messages between HAMAD and COLLINS show that COLLINS was home by approximately 1:18 a.m. on July 7, 2024.

60. At or around 6:40 p.m. on July 7, 2024, COLLINS messaged HAMAD, “I keep watchin the video!” HAMAD immediately responded, “Hell yeah. That shit was a blast.” At approximately 6:41 p.m., COLLINS sent a video of an explosion, to which HAMAD responded, “Hell yeah.” Screenshots from the video are below:



61. On or about July 11, 2024, HAMAD purchased three iron cap fittings from Home Depot. Such fittings can be used to manufacture destructive devices.

62. On or about July 12, 2024, HAMAD sent the following photograph of himself wearing a Hamas-style headband and sweatshirt to an associate in Pittsburgh (Person 7). HAMAD called himself a “Hamas operative,” referred to “ripping off” flags related to Israel from “white suburbia,” and joked about the “terror” the residents must have felt if they had security cameras and saw him dressed that way while stealing their flags.



63. On or about July 14, 2024, HAMAD purchased three 20-foot safety fuses from Phantom Fireworks. The fuses were later recovered from HAMAD's residence with a portion missing. Such fuses can be used to manufacture destructive devices.

64. On or about July 18, 2024, HAMAD drove from Pittsburgh, Pennsylvania, to State College, Pennsylvania. HAMAD brought with him in his trunk three destructive devices: two pipe bombs and one device made with a red M80-style shell tube, a length of green hobby fuse, and two metal spray paint cans, secured together with clear tape. The items used to construct the devices are consistent with items purchased by HAMAD (shells, cans, fuses, iron cap fittings, etc.), and the third device is similar to the destructive device that HAMAD and COLLINS conspired to make, as detailed above. HAMAD possessed these devices in Pittsburgh prior to driving to State College.

65. On or about July 18, 2024, HAMAD and an associate in State College (Person 8) drove to Rothrock State Park and detonated the devices shortly after midnight on or about July 19, 2024. Fragments from the destructive devices were recovered at the park. One of

the destructive devices manufactured and detonated by HAMAD on or about July 19, 2024, is pictured below:



66. In the video of the detonation of this destructive device, HAMAD can be heard acknowledging that the device would create “metal shrapnel.”

67. The other two destructive devices manufactured and detonated by HAMAD on or about July 19, 2024, were pipe bombs, one of which is pictured below:



68. On or about July 23, 2024, HAMAD posted a collage of prominent Hamas leaders to his Instagram story and stated, “Without these men our resistance would be 100 years behind.”

69. On or about July 24, 2024, HAMAD posted a collage of pictures in tribute to Nour Al Din Barakah, a deceased al-Qassam Brigades leader, to his Instagram story. The collage included the caption, “M@rtyr Nour Al Din Barakah. The man who discovered the infiltration. Without him 10.7 would’ve been impossible. Glory to the m@rtyrs.”

7. HAMAD Defaced Jewish Religious Real Property with LUBIT While Working for the Pennsylvania Air National Guard and Undergoing His Background Investigation.

70. On or about July 27, 2024, HAMAD, wearing a Hamas-style headband, drove past the front of the Chabad to survey the target location and recorded the drive-by on a cellular telephone. A still photo taken from that video is shown below:



71. On or about July 27, 2024, from at or around 9:25 p.m. to at or around 11:20 p.m., HAMAD and LUBIT, using Signal, discussed vandalizing and painting graffiti on “Jewish institutions.” During the conversation, LUBIT agreed to “Decorating Chabad” and stated, “I can literally feel myself starting to see Jews as my enemies.”

72. On or about July 28, 2024, HAMAD purchased one can of Rust-Oleum high-gloss red spray paint, in the color “Strawberry Fields,” at Walmart.

73. On or about July 29, 2024, at or around 1:46 a.m., HAMAD and LUBIT arrived at the front of the Chabad in HAMAD’s vehicle.

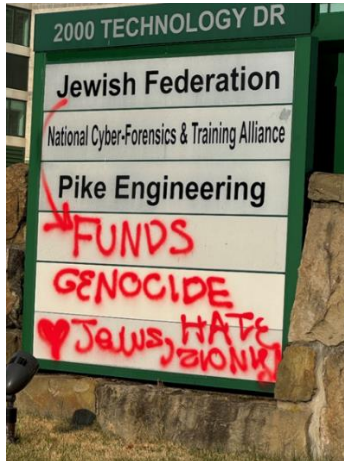
74. On or about July 29, 2024, at or around 1:46 a.m., LUBIT, with her face covered, exited HAMAD’s vehicle and spray-painted in red the words, “Jews 4 Palestine” and an inverted triangle on the front exterior wall of the Chabad’s religious real property.

75. On the morning of July 29, 2024, Chabad reported to the Pittsburgh Bureau of Police (PBP) that an exterior wall of its religious real property had been defaced with graffiti. Specifically, the words “Jews 4 Palestine” with a red inverted triangle were spray-painted onto the exterior of the building. As noted above, a spray-painted inverted triangle is a symbol that has been used by Hamas to designate buildings as targets for attack. As depicted below, the graffiti was painted directly below a sign reading “Chabad of Squirrel Hill” and a few feet away from a large menorah, a Jewish religious symbol, which was implanted in the nearby grass.



76. Also, on or about July 29, 2024, the Jewish Federation—a non-profit organization with the charitable purposes of serving as the central fundraising, community

relations, budgeting, and community planning arm of the Jewish community of Greater Pittsburgh—reported to PBP that an exterior entrance sign had been defaced with graffiti. On the Federation’s exterior sign, a red arrow was spray-painted pointing from the words “Jewish Federation” to a message, also in red spray paint, with the words, “Funds Genocide Jews, Hate Zionists” and a red heart (depicted below).



8. HAMAD Again Made False Statements at His Background Investigation Interview on September 10, 2024, About Being Loyal to the United States.

77. On or about September 10, 2024, HAMAD was interviewed again regarding his suitability for a security clearance. This time, he was interviewed by a DCSA Special Agent. At the beginning of the interview, the interviewer warned HAMAD: “Title 18 U.S. Code Section 1001 applies to this interview, which provides that knowingly falsifying or concealing a material fact is a felony which may result in fines or imprisonment.”

78. During the interview, as he had done in February 2024, HAMAD confirmed his allegiance was “100%” to the United States. He stated that he lived here in the United States, that his life was here, and that he planned to die here.

COUNT ONE

The grand jury charges:

79. The allegations set forth in paragraphs 1 through 78 are incorporated by reference as if realleged fully herein.

The Conspiracy and Its Object

80. From in and around July 2024, through on or about July 29, 2024, in the Western District of Pennsylvania, defendants HAMAD and LUBIT did knowingly and willfully combine, conspire, confederate, and agree with each other, to commit an offense against the United States, that is: to knowingly and intentionally deface, damage, and destroy religious real property, or attempt to do so, because of the race and ethnic characteristics of any individual associated with that religious real property, in violation of Title 18, United States Code, Section 247(c).

Manner and Means

81. It was a manner and means of the conspiracy that defendants HAMAD and LUBIT used an encrypted messaging application to discuss and plan a coordinated effort to deface, damage, and destroy Jewish owned or associated real properties.

82. It was a further manner and means of the conspiracy that defendants HAMAD and LUBIT agreed to deface, damage, and destroy the real property owned and used by the Chabad.

83. It was a further manner and means of the conspiracy that defendants HAMAD and LUBIT agreed to deface, damage, and destroy the real property owned and used by the Chabad by spray painting pro-Palestinian messaging on the front wall of the building, that is, “Jews 4 Palestine” with an inverted red triangle.

84. It was a further manner and means of the conspiracy that defendants HAMAD and LUBIT vandalized the real property owned and used by the Chabad in the early morning hours of July 29, 2024, when it was dark and quiet.

85. It was a further manner and means of the conspiracy that defendant HAMAD placed his cellular telephone in “airplane mode” while he and defendant LUBIT traveled to and from the Chabad, masking his whereabouts while engaged in defacing, damaging, and destroying the Chabad.

Overt Acts

86. In furtherance of the conspiracy, and to accomplish its object and purpose, defendants HAMAD and LUBIT committed and caused to be committed, in the Western District of Pennsylvania, at least one of the following overt acts, among others:

a. HAMAD, using the Google Maps application on his cellular telephone searched for the following locations: “Chabad,” Chabad of Squirrel Hill,” “Chabad Young Professionals Pittsburgh,” Chabad Young,” “Chabad Lubavitch of Western Pennsylvania,” and “245 Melwood Avenue,” defendant LUBIT’s address.

b. On or about July 27, 2024, at or around 7:03 p.m., HAMAD, wearing a headband and face covering indicative of a Hamas operative, drove past the front of the Chabad to survey the target location and recorded the drive-by on a cellular telephone.

c. On or about July 27, 2024, from at or around 9:25 p.m. to at or around 11:20 p.m., HAMAD and LUBIT, using the Signal encrypted messaging application, discussed vandalizing and painting graffiti on “Jewish institutions.”

d. On or about July 27, 2024, at or around 7:27 p.m., during the Signal conversation with defendant HAMAD, LUBIT agreed to “Decorating Chabad.”

e. On or about July 27, 2024, at or around 11:08 p.m., during the Signal conversation with HAMAD, LUBIT stated, “I can literally feel myself starting to see Jews as my enemies.”

f. On or about July 28, 2024, HAMAD purchased one can of Rust-Oleum high-gloss, red spray paint, in the color “Strawberry Fields,” at Walmart.

g. On or about July 29, 2024, at or around 1:46 a.m., HAMAD and LUBIT arrived at the front of the Chabad in HAMAD’s vehicle.

h. On or about July 29, 2024, at or around 1:46 a.m., LUBIT, with her face covered, exited HAMAD’s vehicle and spray-painted in red the words, “Jews 4 Palestine” and an inverted triangle on the front exterior wall of the Chabad’s religious real property.

In violation of Title 18, United States Code, Section 371.

COUNT TWO

The grand jury further charges:

87. The allegations set forth in paragraphs 1 through 78 are incorporated by reference as if realleged fully herein.

88. On or about July 29, 2024, in the Western District of Pennsylvania, defendants HAMAD and LUBIT did intentionally deface, damage, and destroy religious real property, that is, the Chabad of Squirrel Hill because of the race and ethnic characteristics of any individual associated with that religious real property.

In violation of Title 18, United States Code, Sections 247(c), 247(d)(5), and 2.

COUNT THREE

The grand jury further charges:

89. The allegations set forth in paragraphs 1 through 78 are incorporated by reference as if realleged fully herein.

90. On or about February 1, 2024, in the Western District of Pennsylvania, the defendant, HAMAD, in a matter within the jurisdiction of the executive branch of the Government of the United States, did knowingly and willfully make a materially false, fictitious, and fraudulent statement and representation to a DCSA contractor, that is, HAMAD:

a. Stated and represented that his ultimate allegiance was to the U.S. over other nations.

b. Answered “No” to the question, “Is there anything that you have said or any activities that you have engaged in which might give someone reason to question your allegiance/loyalty to the United States?”

c. Answered “No” to the question, “Is there anything you have said or anything you have done which might lead someone to believe that you have loyalty to any other country over that of the United States?”

d. Answered “No” to the question, “Is there any reason for anyone to question your loyalty to the United States of America?”

e. Answered “No” to the question, “To the best of your knowledge, are there any records that would tend to contradict anything you have told me today?”

91. Whereas, in truth and fact, as the defendant, HAMAD, well knew:

a. HAMAD’s loyalty and allegiance was not to the U.S. over other nations;

b. HAMAD had said and done things that would cause someone to question his loyalty to the U.S. and would lead them to believe he had loyalty to Palestine and Lebanon over the U.S. (for example, HAMAD told others that Lebanon and Palestine were “on top” and “number 1” for him and that he only joined the U.S. military to learn combat skills to protect Lebanon and Palestine; said “fuck off Israel and all her friends;” said, “let America lick my ass;” and shared pro-Hamas and pro-Hezbollah content and propaganda); and

c. There were records, including from Instagram and other sources, that would contradict what HAMAD told the DCSA contractor.

In violation of Title 18, United States Code, Section 1001(a)(2).

COUNT FOUR

The grand jury further charges:

92. The allegations set forth in paragraphs 1 through 78 are incorporated by reference as if realleged fully herein.

93. On or about February 6, 2024, in the Western District of Pennsylvania, the defendant, HAMAD, in a matter within the jurisdiction of the executive branch of the Government of the United States, did knowingly and willfully make a materially false, fictitious, and fraudulent statement and representation to a DCSA contractor, that is, HAMAD stated and represented that HAMAD's ultimate allegiance was to the United States over other nations, whereas, in truth and fact, as HAMAD well knew, his ultimate allegiance was not to the United States over other nations.

In violation of Title 18, United States Code, Section 1001(a)(2).

COUNT FIVE

The grand jury further charges:

94. The allegations set forth in paragraphs 1 through 78 are incorporated by reference as if realleged fully herein.

95. On or about September 10, 2024, in the Western District of Pennsylvania, the defendant, HAMAD, in a matter within the jurisdiction of the executive branch of the Government of the United States, did knowingly and willfully make a materially false, fictitious, and fraudulent statement and representation to a DCSA Special Agent, that is, HAMAD stated and represented that HAMAD's loyalty was 100% to the United States, whereas, in truth and fact, as HAMAD well knew, his loyalty was not 100% to the United States.

96. Rather, as of September 10, 2024, HAMAD had said and done many things that showed that his loyalty was not 100% to the United States, such as: HAMAD told others that Lebanon and Palestine were "on top" and "number 1" for him and that he only joined the U.S. military to learn combat skills to protect Lebanon and Palestine; stated "fuck off Israel and all her friends;" stated "let America lick my ass;" shared pro-Hamas and pro-Hezbollah content and propaganda; threatened Zionists; wore Hamas clothing and referred to himself as a Hamas operative and a terrorist; stated his desire to go overseas and fight and die for Palestine; manufactured, possessed, transported, and detonated destructive devices; and defaced Jewish religious real property with pro-Palestine and anti-Zionist graffiti.

In violation of Title 18, United States Code, Section 1001(a)(2).

COUNT SIX

The grand jury further charges:

97. The allegations set forth in paragraphs 1 through 78 are incorporated by reference as if realleged fully herein.

The Conspiracy and Its Object

98. From in and around June 2024, and continuing thereafter to in and around July 2024, in the Western District of Pennsylvania, defendants MOHAMAD HAMAD and MICAIAH COLLINS knowingly conspired, confederated, and agreed together and with each other, to:

a. knowingly and unlawfully make a firearm, as defined in Title 26, United States Code, Section 5845(a)(8), to wit: a destructive device, as defined in Title 26, United States Code, Section 5845(f), further described as an explosive device made of an ignition source and surrounded by metal spray paint cans, in violation of Title 26, United States Code, Section 5861(f); and

b. knowingly and unlawfully possess a firearm, as defined in Title 26, United States Code, Section 5845(a)(8), to wit: a destructive device, as defined in Title 26, United States Code, Section 5845(f), further described as an explosive device made of an ignition source and surrounded by metal spray paint cans, which was not registered to HAMAD or COLLINS in the National Firearms Registration and Transfer Record, in violation of Title 26, United States Code, Section 5861(d).

Manner and Means

99. It was a manner and means of the conspiracy that HAMAD and COLLINS agreed to manufacture, possess, and detonate a destructive device.

100. It was a further manner and means of the conspiracy that HAMAD and COLLINS planned the manufacture, possession, and detonation of the destructive device in messages with each other, including, among other things, sharing an inspiration video, discussing specifications of how the device would be made, sharing their excitement about their plans, encouraging each other, and planning a time to meet to test if the device manufactured was “viable.”

101. It was a further manner and means of the conspiracy that HAMAD told COLLINS that he would wait for her to use the big shells he had made.

102. It was a further manner and means of the conspiracy that COLLINS discussed the potential uses for the devices that she and HAMAD were testing, including hurting people by blowing up their ankles (“we can rily take bros ankles”; “concrete gon blow”; “gotta see what she hittin for”; “i been thinkin abt wft we gon use em for like allll day every dayyyy”).

103. It was a further manner and means of the conspiracy that, when HAMAD expressed his desire to die fighting overseas, COLLINS told him that instead they could do something in the “little space” that they had created here in Pittsburgh.

104. It was a further manner and means of the conspiracy that HAMAD and COLLINS agreed to meet at night to test the device, when it was dark.

105. It was a further manner and means of the conspiracy that neither HAMAD nor COLLINS sought approval to manufacture a destructive device or registered a destructive device in the National Firearms Registration and Transfer Record.

Acts In Furtherance

106. In furtherance of the conspiracy, and to affect the objects of the conspiracy, HAMAD and COLLINS committed and caused to be committed, in the Western District of

Pennsylvania and elsewhere, at least one of the following overt acts, among others:

a. As explained above in the General Allegations, in and around June and July 2024, HAMAD purchased Indian black aluminum powder; potassium perchlorate $KClO_4$; shell tubes; spray paint cans; and other materials for the manufacture of the destructive device.

b. From on or about June 29, 2024, through on or about June 30, 2024, HAMAD sent COLLINS a video of the inspiration for the destructive device. HAMAD and COLLINS then planned the design of their device, with COLLINS suggesting that they use shells and 4 to 5 cans.

c. On or about July 6, 2024, HAMAD and COLLINS detonated a device, and COLLINS filmed it.

In violation of Title 18, United States Code, Section 371.

COUNTS SEVEN THROUGH NINE

The grand jury further charges:

107. The allegations set forth in paragraphs 1 through 78 are incorporated by reference as if realleged fully herein.

108. On or about July 18, 2024, in the Western District of Pennsylvania and elsewhere, the defendant, HAMAD, did knowingly and unlawfully possess a firearm, as defined in Title 26, United States Code, Section 5845(a)(8), which was not registered to him in the National Firearms Registration and Transfer Record, specifically the following destructive devices:


- a. An improvised explosive device, commonly referred to as a pipe bomb (**Count Seven**);
- b. An improvised explosive device, commonly referred to as a pipe bomb (**Count Eight**); and
- d. An explosive device made up of a red M80-style shell tube, a length of green hobby fuse, and two metal spray paint cans, secured in place with clear tape (**Count Nine**).

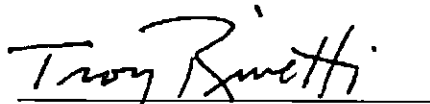
In violation of Title 26, United States Code, Section 5861(d).

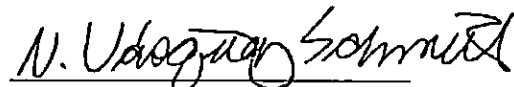
FORFEITURE ALLEGATIONS

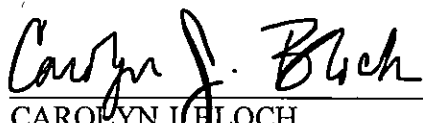
109. The United States hereby gives notice to the defendants charged in Counts Six through Nine that, upon their conviction of any such offenses, the government will seek forfeiture in accordance with Title 26, United States Code, Section 5872, which requires any person convicted of such an offenses to forfeit to the United States of America any and all firearms involved in the offenses.

A True Bill,


FOREPERSON


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