

United States Department of Justice
Executive Office for Immigration Review
Immigration Court

In Bond Proceedings:

RE: ALI ABUBAKR ALI AL-MAQTARI

Pursuant to 28 U.S.C. § 1746, I, Michael E. Rolince, hereby declare as follows:

1. I have been employed by the Federal Bureau of Investigation (FBI) since September 1974 as a Special Agent, and since August 1998, I have been the Section Chief of the Counterterrorism Division's International Terrorism Operations Section (ITOS) at FBI Headquarters in Washington D.C.

2. My duties and responsibilities as the ITOS Section Chief include management oversight of international terrorism investigations conducted by any of the 96 offices of the FBI, which are located throughout the United States and around the world. As Section Chief, my responsibilities also include determining investigative priorities, monitoring manpower and resource requirements, and analyzing intelligence information, both classified and unclassified, which has been acquired by the FBI either through human or technical means.

3. As the ITOS Section Chief, I am personally involved in and have significant supervisory responsibilities for the nationwide FBI investigation initiated in response to a series of deadly terrorist attacks which occurred on September 11, 2001. As such, I am privy both to the broad scope of and to particular details from the investigation.

4. On the morning of Tuesday September 11, 2001, four commercial airplanes were hijacked, two after departing from Boston's Logan Airport, one after departing from Dulles Airport in northern Virginia, and one after departing from the Newark Airport in Newark, New Jersey. At 8:46 a.m., the first of the four hijacked airplanes crashed into the north tower of the World Trade Center in Manhattan's financial district. The second airplane struck the south tower of the World Trade Center, the third struck the Pentagon, and at 10:10 a.m., the attack ended with the crash of the fourth airplane in rural Pennsylvania. Both towers of the World Trade Center collapsed, and the Pentagon sustained heavy damage. A total of 266 passengers and flight crew members, including the hijackers, were also killed when the airplanes crashed. The confirmed death toll from the attack on the Pentagon is 189 and over 6,000 people are dead or missing from the attack on the World Trade Center.

5. The FBI has identified nineteen suspected hijackers, some of whose legal immigration status had expired. Based on a review of intelligence and other source information, the FBI has reason to believe that the hijackers were associated with al Qaeda, aka "the Base," an international network of terrorist cells controlled by Osama bin Laden, which has been formally designated by the Department of State as a foreign terrorist organization since October 8, 1999. Prior to the September 11, 2001 attacks, Osama bin Laden was being sought by the FBI in connection with the August 7, 1998 bombings of the United States embassies in Dar es Salaam, Tanzania, and Nairobi, Kenya, which killed over 200 individuals.

6. At the direction of President George W. Bush and Attorney General John Ashcroft, the FBI has initiated a nationwide investigation to identify and apprehend individuals involved in the hijackings and to prevent future acts of terrorism within the United States. To date the FBI has received or generated more than 250,000 leads from its web site, special hot line, a toll-free WATTS line, and in the FBI field offices, and additional leads are coming in every day. The investigation has yielded over 300 searches, and more than 100 court orders and 3000 subpoenas. There is still a great deal of information to be collected before the FBI will be in a position to determine the full scope of the terrorist conspiracy and to determine the full extent of damage that the terrorists intended to cause.

7. The FBI has come to believe that associates of the hijackers with connections to foreign terrorist organizations may still be in the United States. The tips received and the leads developed in our field offices have enabled the FBI to identify individuals who may have information about these associates, or, in fact, be among the participants. As explained below, the number of people of interest to the FBI is constantly changing as leads are followed and more information is obtained.

8. Information available to the FBI indicates a potential for additional terrorist incidents. As a result, the FBI has requested that all law enforcement agencies nationwide be on heightened alert. When there is threat information about a specific target, the FBI shares that information with appropriate state and local authorities. Several city and state officials have been contacted over the last few weeks to alert them to potential threats.

9. On September 23, 2001, the FBI issued a nationwide alert based on information indicating the possibility of attacks using crop-dusting aircraft. The FBI assesses the uses of this type of aircraft to distribute chemical or biological weapons of mass destruction as potential threats to Americans. At this point, there is no clear indication of the intended time or place of any such attack. The FBI has confirmed that Muhammed Atta, one of the suspected hijackers, was acquiring knowledge of crop-dusting aircraft prior to the attacks on September 11th. At the request of the FBI, the Federal Aviation Administration grounded such aircraft. In addition to its own preventative measures, the FBI has strongly recommended that state, local and other federal law enforcement organizations take steps to identify crop-dusting aircraft in their jurisdictions and ensure that they are secured.

10. The investigation has also uncovered several individuals, including individuals who may have links to the hijackers, who fraudulently have obtained, or attempted to obtain, licenses to transport hazardous material.

11. In the context of this terrorism investigation, the FBI identified individuals whose activities warranted further inquiry. When such individuals were identified as aliens who were believed to have violated their immigration status, the FBI notified the Immigration and Naturalization Service (INS). The INS detained such aliens under the authority of the Immigration and Nationality Act. At this point, the FBI must consider the possibility that these aliens are somehow linked to, or may possess knowledge useful to the investigation of, the terrorist attacks on the World Trade Center and the Pentagon. The respondent,

Ali Abubakr Ali Al-Maqtari,

(AL-MAQTARI) is one such individual.

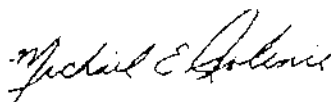
12. As a result of a search previously described to the court, the FBI continues to download the hard drive of a computer. (The computer was found in a car belonging to Al-Maqtari's wife.) When interviewed by the FBI, Al-Maqtari said he had not used the laptop but purchased it used for \$250 from a customer at the convenience store where he works. Al-Maqtari said that the customer obtained the computer from a third party. At present, the download of the hard drive is still running. Once this process is completed, the FBI will need several days to review the information obtained.

13. The FBI continues to actively pursue this investigation.

14. The business of counterterrorism intelligence gathering in the United States is akin to the construction of a mosaic. At this stage of the investigation, the FBI is gathering and processing thousands of bits and pieces of information that may seem innocuous at first glance. We must analyze all that information, however, to see if it can be fit into a picture that will reveal how the unseen whole operates. The significance of one item of information may frequently depend upon knowledge of many other items of information. What may seem trivial to some may appear of great moment to those within the FBI or the intelligence community who have a broader context within which to consider a questioned item or isolated piece of information. At the present stage of this vast investigation, the FBI is gathering and culling information that may corroborate or diminish our current suspicions of the individuals that have been detained. The Bureau is approaching that task with

unprecedented resources and a nationwide urgency. In the meantime, the FBI has been unable to rule out the possibility that respondent is somehow linked to, or possesses knowledge of, the terrorist attacks on the World Trade Center and the Pentagon. To protect the public, the FBI must exhaust all avenues of investigation while ensuring that critical information does not evaporate pending further investigation.

I declare under penalty of perjury that the foregoing is true and correct. Executed on October 11, 2001, in Washington, D.C.



Michael E. Rolince
Section Chief
International Terrorism Operations Section
Counterterrorism Division
Federal Bureau of Investigation