

GOVERNMENT FINALLY RELEASES NARRATIVE OF ANWAR AL-AWLAKI'S ROLE IN UNDEBOMBING PLOT

As part of its sentencing memo asking for multiple counts of life imprisonment against Umar Farouk Abdulmutallab, the government has finally officially laid out how it claims Anwar al-Awlaki was involved in Abdulmutallab's plot. I've included the entirety of the account below the rule.

I agree with Evan Perez. Now that they've made this narrative available, surely they can make the OLC memo authorizing Awlaki's death available (note, the narrative says only that Awlaki and Samir Khan died, not that we killed them).

One more thing I'm interested in. I assume that Abdulmutallab, in this response to this filing, will object if he finds any of this inaccurate (so I assume it is accurate). He appears to have objected to this narrative in the presentencing report (and therefore, here), but he doesn't say they were inaccurate.

Defendant states that the objected-to paragraphs contain "information obtained during plea negotiations in this matter and can not at this stage be used against him, for sentencing purposes."

But given certain vague aspects of the narrative, I'm wondering how much corroborating evidence they have (particularly since several of the people mentioned in it are dead—and even Ibrahim al-Asiri, the bombmaker, was rumored to be). For example, the initial communication with Awlaki would involve data evidence. Did they get that after the fact? Or were they tracing it in

real time and missed that too? Some of it might depend on other witnesses who have since returned to Saudi Arabia. And I wonder if the government has tracked down (for example) the unnamed middle man who put Abdulmutallab in touch with Awlaki? We know they have physical proof of Asiri's involvement. What other evidence is out there?

Anyway, it's high time the government release this information officially. And now that it's released, they should do more and release the OLC memo.

In August 2009, defendant left Dubai, where he had been taking graduate classes, and traveled to Yemen. For several years, defendant had been following the online teachings of Anwar Awlaki, and he went to Yemen to try to meet him in order to discuss the possibility of becoming involved in jihad. Defendant by that time had become committed in his own mind to carrying out an act of jihad, and was contemplating "martyrdom;" i.e., a suicide operation in which he and others would be killed.

Once in Yemen, defendant visited mosques and asked people he met if they knew how he could meet Awlaki. Eventually, defendant made contact with an individual who in turn made Awlaki aware of defendant's desire to meet him. Defendant provided this individual with the number for his Yemeni cellular telephone. Thereafter, defendant received a text message from Awlaki telling defendant to call him, which defendant did. During their brief telephone conversation, it was agreed that defendant would send Awlaki a written message explaining why he wanted to become involved in jihad. Defendant took several days to write his message to Awlaki, telling him of his desire to become involved in jihad, and seeking Awlaki's guidance. After receiving defendant's message, Awlaki sent defendant a response, telling him that Awlaki would find a way for defendant to become involved in jihad.

Thereafter, defendant was picked up and driven through the Yemeni desert. He eventually arrived at Awlaki's house, and stayed there for three days. During that time, defendant met with Awlaki and the two men discussed martyrdom and jihad. Awlaki told defendant that jihad requires patience but comes with many rewards. Defendant understood that Awlaki used these discussions to evaluate defendant's commitment to and suitability for jihad. Throughout, defendant expressed his willingness to become involved in any mission chosen for him, including martyrdom – and by the end of his stay, Awlaki had accepted defendant for a martyrdom mission.

Defendant left Awlaki's house, and was taken to another house, where he met AQAP bombmaker Ibrahim Al Asiri. Defendant and Al Asiri discussed defendant's desire to commit an act of jihad. Thereafter, Al Asiri discussed a plan for a martyrdom mission with Awlaki, who gave it final approval, and instructed Defendant Abdulmutallab on it. For the following two weeks, defendant trained in an AQAP camp, and received instruction in weapons and indoctrination in jihad. During his time in the training camp, defendant met many individuals, including Samir Khan.⁹

Ibrahim Al Asiri constructed a bomb for defendant's suicide mission and personally delivered it to Defendant Abdulmutallab. This was the bomb that defendant carried in his underwear on December 25, 2009. Al Asiri trained defendant in the use of the bomb, including by having defendant practice the manner in which the bomb would be detonated; that is, by pushing the plunger of a syringe, causing two chemicals to mix, and initiating a fire (which would then detonate the explosive).

Awlaki told defendant that he would create a martyrdom video that would be used after the defendant's attack. Awlaki arranged for a professional film crew to film the video. Awlaki assisted defendant in writing his martyrdom statement, and it was filmed over a period of

two to three days. The full video was approximately five minutes in length.¹⁰

Although Awlaki gave defendant operational flexibility, Awlaki instructed defendant that the only requirements were that the attack be on a U.S. airliner, and that the attack take place over U.S. soil. Beyond that, Awlaki gave defendant discretion to choose the flight and date. Awlaki instructed defendant not to fly directly from Yemen to Europe, as that could attract suspicion. As a result, defendant took a circuitous route, traveling from Yemen to Ethiopia to Ghana to Nigeria to Amsterdam to Detroit. Prior to defendant's departure from Yemen, Awlaki's last instructions to him were to wait until the airplane was over the United States and then to take the plane down.

9 Khan later came to be involved with AQAP's Inspire magazine. Both Khan and Awlaki were killed in September 2011.

10 The Court has seen the thirty-four-second excerpt of the video that was subsequently released by AQAP as part of its video *America and the Final Trap*.