



# Department of Justice

**FOR IMMEDIATE RELEASE**  
**Friday, February 27, 2009**  
[WWW.USDOJ.GOV](http://www.usdoj.gov)

**AG**  
**(202) 514-2007**  
**TDD (202) 514-1888**

## **Ali Al-Marri Indicted for Providing Material Support to Al-Qaeda**

WASHINGTON – A federal grand jury in the Central District of Illinois has returned a two-count indictment charging Ali Saleh Kahlah al-Marri, 43, with providing material support to al-Qaeda and conspiring with others to provide material support to al-Qaeda, Attorney General Eric Holder announced today.

The indictment was returned yesterday and unsealed this morning. If convicted, al-Marri, a dual national of Saudi Arabia and Qatar, faces a maximum penalty of 15 years imprisonment for each count of the indictment.

“This indictment shows our resolve to protect the American people and prosecute alleged terrorists to the full extent of the law,” said Attorney General Holder. “In this administration, we will hold accountable anyone who attempts to do harm to Americans, and we will do so in a manner consistent with our values.”

On Jan. 22, 2009, the President ordered the Attorney General to lead an interagency review of al-Marri’s case. Specifically, the President instructed the Attorney General, the Secretaries of State, Defense, and Homeland Security, as well as the Director of National Intelligence to conduct a review of the factual and legal basis for al-Marri’s continued detention, and to identify and thoroughly evaluate alternative dispositions for al-Marri.

After the indictment against al-Marri was returned, the President directed the Secretary of Defense to transfer, upon the request of the Attorney General, al-Marri from the custody of the Defense Department at the Naval Consolidated Brig in Charleston, S.C., to the custody of the Justice Department for purposes of criminal prosecution. The President’s memorandum supersedes a June 23, 2003 Presidential directive that ordered al-Marri detained as an enemy combatant by the Defense Department. The transfer will be accomplished once the U.S. Supreme Court rules on a motion that the Acting Solicitor General files later today.

In conjunction with the indictment announced today, the Justice Department’s Office of the Solicitor General will be moving to dismiss al-Marri’s pending litigation before the U.S. Supreme Court.

“We look forward to prosecuting this critically important case and thank the many investigators, analysts and prosecutors who worked tirelessly to make it possible,” said Matthew Olsen, Acting Assistant Attorney General for National Security and Executive Director of the Guantanamo Detainee Review Task Force.

“These charges remind us of the importance of vigilant law enforcement across the country working individually and together to protect Americans,” said FBI Director Robert S. Mueller, III. “It was important seven years ago, and even more important today.”

“The indictment alleges that Ali al-Marri provided material support to al-Qaeda, which has committed horrific terrorist acts against our nation,” said U.S. Attorney Rodger A. Heaton. “As a result, he will now face the U.S. criminal justice system, where his guilt or innocence will be determined by a jury in open court.”

Al-Marri entered the United States on Sept. 10, 2001, purportedly to pursue a second bachelor’s degree at Bradley University in Peoria, Ill. After having been detained in the Central District of Illinois, al-Marri was transferred to the Southern District of New York as a material witness in the investigation of the Sept. 11, 2001 attacks.

Al-Marri was charged with credit card fraud, false statements and identity fraud in the Southern District of New York. After al-Marri withdrew his waiver of venue, the court dismissed the charges and the government brought its case in the Central District of Illinois. On May 22, 2003, after being returned to the Central District of

Illinois, al-Marri was indicted by a grand jury in that district. The May 2003 indictment alleged the same offenses that had been alleged previously in the Southern District of New York.

On June 23, 2003, al-Marri was designated by President Bush as an enemy combatant and transported from the Central District of Illinois to the Naval Consolidated Brig in Charleston, where he has been detained since. The criminal charges against al-Marri were dismissed with prejudice on the government's motion on June 23, 2003, prior to his transfer to South Carolina.

The al-Marri investigation was conducted by the FBI Joint Terrorism Task Force in Springfield, Ill. The case is being prosecuted by Trial Attorneys Joanna Baltes and John Gibbs of the Counterterrorism Section of the Justice Department's National Security Division, and Assistant U.S. Attorney David E. Risley of the U.S. Attorney's Office for the Central District of Illinois.

The public is reminded that the charges contained in an indictment are mere allegations and each defendant is presumed innocent unless and until convicted in a court of law.

###

09-177