



U.S. Department of Justice

United States Attorney  
Eastern District of Virginia

2100 Jamieson Avenue  
Alexandria, Virginia 22314

(703)299-3700

January 31, 2008

Hon. Karen J. Williams, Chief Judge  
United States Court of Appeals  
for the Fourth Circuit  
1100 East Main Street, Suite 501  
Richmond, VA 23219-3517

Hand-delivered via Court Security Officer

Re: United States v. Zacarias Moussaoui  
Fourth Circuit Docket No. 06-4494  
District Court Case No. 01-455-A

Dear Chief Judge Williams:

We write to provide further information regarding our investigation into recordings of relevant enemy combatants.

In our Response to Appellant's Motion for a Limited Remand ("Response") we informed the Court that a videotape was made [REDACTED] See Response at 16. In a letter dated December 18, 2007, we stated: "We have been investigating this matter, but have so far been unable to locate a videotape from [REDACTED] or even confirm that it still exists. We continue to pursue the matter."

On January 17, 2008, the CIA informed us that it recently recovered this videotape, which appears to have been recorded on [REDACTED] We reviewed the videotape, as well as a transcript of an English translation of the interrogation. As the Court can see from the transcript,

Derived from: Multiple Sources  
Declassify on: 20330131

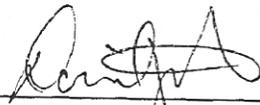
which we have attached for the Courts' review *ex parte*,<sup>1</sup> there is no mention of Moussaoui or any details of the September 11 plot. Therefore, this videotape has no bearing on this case.

The Government will promptly apprise the Court of any further developments.

Sincerely,

Chuck Rosenberg  
United States Attorney

By:

  
\_\_\_\_\_  
David J. Novak  
David Raskin  
Assistant United States Attorneys

Kevin R. Gingras  
Attorney  
Criminal Division, Appellate Section  
United States Department of Justice

cc: Justin Antonipillai, Esq.  
Barbara Hartung, Esq.  
Appellate Counsel for Zacarias Moussaoui  
(without transcript)

Hon. Leonie M. Brinkema  
United States District Judge  
Eastern District of Virginia

---

<sup>1</sup> Consistent with our previous disclosures, because defense counsel lacks a "need to know" the contents of the interview, we have not provided them with a copy of the transcript.