

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**UNITED STATES OF AMERICA**

**v.**

**ABU AGILA MOHAMMAD  
MAS'UD KHEIR AL-MARIMI**

**Defendant.**

:  
:  
:  
:  
:  
:  
:  
:  
:

**Case No. 22-cr-392 (DLF)**

**GOVERNMENT'S NOTICE REGARDING COURT FILINGS RESPONSIVE TO THIS  
COURT'S MINUTE ORDER DATED FEBRUARY 26, 2024**

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, hereby provides this Notice pursuant to this Honorable Court's Minute Order dated February 26, 2024.

The U.S. Attorney's Office for the Eastern District of Virginia informed your undersigned that after their discussions with the Honorable Leonie M. Brinkema, Judge Brinkema does not consider Document [40-1] to be filed "*ex parte* and under seal," and thus, does not want or need an unsealing motion. Accordingly, attached to this Notice the government hereby provides a copy of Document [40-1], redacted pursuant to the Court's Minute Order.

Furthermore, your undersigned also provides Notice that, pursuant to this Court's February 26, 2024, Minute Order, and attached to this Notice, are redacted copies of exhibits [42-1], [42-2], and [42-3]. These filings have been redacted in accord with this Court's Minute Order.

Respectfully submitted,

MATTHEW M. GRAVES  
UNITED STATES ATTORNEY  
D.C. Bar No. 481052

/s/ JEROME J. TERESINSKI  
JEROME J. TERESINSKI (PA Bar No. 66235)  
Special Assistant U.S. Attorney  
(216) 622-3658  
Jerome.Teresinski2@usdoj.gov  
ERIK M. KENERSON (OH Bar No. 82960)  
BRITTANY KEIL (D.C. Bar No. 500054)  
Assistant United States Attorneys  
National Security Section  
United States Attorney's Office  
601 D Street NW  
Washington, D.C. 20530

KATHLEEN CAMPBELL (MD Bar No. 9812170031)  
JENNIFER BURKE (MD Bar No. 9706250061)  
Trial Attorneys  
Counter Terrorism Section  
National Security Division  
950 Pennsylvania Avenue NW  
Washington, D.C. 20530



U.S. Department of Justice

United States Attorney

Eastern District of Virginia

2100 Jamieson Avenue  
Alexandria, Virginia 22314

January 25, 2006

Hon. Leonie M. Brinkema  
United States District Judge  
401 Courthouse Square  
Alexandria, VA 22314

Ex Parte – Under Seal

Re: U.S. v. Zacarias Moussaoui; Crim. No. 01-455-A

Dear Judge Brinkema:

Pursuant to the Court's Order dated November 22, 2005, please find enclosed a copy of the latest letter from the Victim Witness Unit to the victims regarding CCTV procedures.

Thank you for your consideration.

Respectfully submitted,

Paul J. McNulty  
United States Attorney

By:

**REDACTED**

Assistant United States Attorneys



## U.S. Department of Justice

*United States Attorney  
Eastern District of Virginia*

PAUL J. McNULTY  
UNITED STATES ATTORNEY

2100 Jamieson Avenue  
Alexandria, Virginia 22314

703/299-3700  
FAX: 703/299-3980

January 24, 2006

FIELD(FirstName) FIELD(LastName)  
FIELD(Address1)  
FIELD(Address2)  
FIELD(Address3)  
FIELD(City), FIELD(State) FIELD(Zip Code)

Re: United States v. Zacarias Moussaoui  
Criminal No. 01-00455-A

### **CCTV application approval and credential procedure**

Dear FIELD(FirstName) FIELD(LastName):

### **Please read this letter carefully and completely.**

Your application to view the trial proceedings in the *Moussaoui* case via Closed Circuit Broadcast (CCTV) has been approved. **I am writing to advise you of the procedure you must follow to obtain your admittance credential.**

The CCTV statute passed by Congress defines the class of victims who are eligible to view the broadcast. **Admittance to the *Moussaoui* CCTV broadcast will not be permitted without the proper credential.**

It is imperative that *if* you think you *might* want to attend any portion of the CCTV broadcast, **you must obtain the proper credential.** Obtaining a credential in no way obligates you to attend any of the CCTV broadcast. Failure to obtain the proper admittance credential before the trial begins will, however, preclude your admission.

Judge Brinkema views the CCTV courtrooms as "extensions of her courtroom" and has imposed certain requirements for the credential process to ensure that only those persons approved for admittance are permitted inside the CCTV courtroom. Only those persons entitled by the statute passed by Congress, a presiding judicial official, and Court Security Officers and/or United States Marshals will be permitted inside the CCTV courtroom.

Page Two

In accordance with Judge Brinkema's directive, your credential will be very unique and made by special equipment; therefore, it cannot be made at a CCTV site and must be obtained before trial.

The CCTV sites are as follows:

**Alexandria**

Albert V. Bryan United States Courthouse  
401 Courthouse Square  
Alexandria, VA 22314

**Boston**

John Joseph Moakley Courthouse  
1 Courthouse Way  
Boston, MA 02210

**Long Island**

Alfonse M. D'Amato United States Courthouse  
100 Federal Plaza  
Central Islip, NY 11722

**Manhattan**

Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007

**Newark**

Martin Luther King Federal Building & United States Courthouse  
50 Walnut Street  
Newark, NJ 07102

**Philadelphia**

James A. Byrne United States Courthouse  
601 Market Street  
Philadelphia, PA 19106

Page Three

Please note that for security reasons, no electronic equipment is permitted in the courthouses, including cellular telephones. Storage lockers are available for these items in Boston, Long Island, Manhattan, Newark and Philadelphia. **Storage lockers are NOT available in Alexandria. There is no place in Alexandria to secure cellular telephones and other electronic items (e.g., palm pilots, Blackberrys, etc.). You should leave these items in your vehicle or at home if you take public transportation.**

Court will be in session Monday through Thursday from 9:30 a.m. to approximately 5:30 p.m. The Court will take a 15 minute break mid-morning and mid-afternoon and a 60 minute lunch break at approximately 1:00 p.m. every day. These times are approximate and may vary from day to day.

In addition, it is our understanding that the CCTV sites will abide by the same courtroom decorum that the live courtroom does. This means no eating, drinking, talking, sleeping, and/or reading in the courtroom.

There will be a room outside the courtroom to which you may retreat, should that be necessary. In addition, victim/witness personnel from the United States Attorney's Office and trained mental health professionals will be available to assist you, should you need assistance.

#### **HOW TO OBTAIN YOUR CCTV CREDENTIAL**

To obtain the unique CCTV credential, you must take this letter, along with photographic identification, to the United States Attorney's Office near you, so a digital photograph may be taken and forwarded to the entity designated by the Court to make the admittance credential. Every person approved for CCTV admittance will receive this letter and every approved person who wants to obtain the admittance credential must appear with the approval letter, photographic identification, and be photographed. We recognize that this procedure will require additional time on your part. Please know that this procedure is designed to ensure that the CCTV viewing space is not compromised and is respectful of your privacy within the CCTV sites.

Although the CCTV credential will provide you access to any and all of the six CCTV sites, it will be necessary for you to advise the person taking your photograph which CCTV site you plan to report to for the first time. You do not have to report to a CCTV site the first day of the broadcast, or ever, should you choose not to. **For security reasons, we cannot mail credentials to your residence. You will actually obtain the hard credential at the site you identify as the location you plan to attend the first time.**

Page Four

If you live or work within the area of the named CCTV sites, you should contact the following individuals to arrange for the credential processing. Please note that the United States Attorney's Office is not always within the same building as the CCTV courtroom. Please review the addresses below carefully:

**Alexandria**

United States Attorney's Office  
Eastern District of Virginia  
2100 Jamieson Avenue  
Alexandria, VA 22314

This is a five story wing attached to the building where the CCTV courtroom is.

Contact:

REDACTED  
REDACTED  
REDACTED

**Boston**

United States Attorney's Office  
District of Massachusetts  
John Joseph Moakley Courthouse  
1 Courthouse Way  
Suite 9200  
Boston, MA 02210

This is the same building where the CCTV courtroom is.

Contact:

REDACTED  
REDACTED

**Long Island**

United States Attorney's Office  
Eastern District of New York  
100 Federal Plaza  
Suite 610  
Central Islip, NY 11722

Page Five

This is the same building where the CCTV courtroom is.

Contact:

REDACTED  
REDACTED

**Manhattan**

United States Attorney's Office  
Southern District of New York  
One St. Andrews Plaza  
New York, NY 10007

This is not in the same building where the CCTV courtroom is.

Contact:

REDACTED  
REDACTED  
REDACTED

**Newark**

United States Attorney's Office  
District of New Jersey  
Peter Rodino Federal Building  
970 Broad Street  
Suite 700  
Newark, NY 07102

This is not the same building where the CCTV courtroom is.

Contact:

REDACTED  
REDACTED

**Philadelphia**

United States Attorney's Office  
Eastern District of Pennsylvania  
615 Chestnut Street  
Suite 1250  
Philadelphia, PA 19106

This is not the same building where the CCTV courtroom is.

Contact:

REDACTED  
REDACTED



Page Six

Enclosed are directions to the United States Attorney's offices listed above. Absent any extraordinary circumstance, photographing will occur during the hours of 9:30 a.m. to 4:00 p.m. Monday through Friday. If you have a circumstance that precludes you from reporting during these hours, you should advise the contact person for the applicable site.

If you reside outside of the area identified above, please contact the United States Attorney's Office in Alexandria, toll free at 1-866-828-1834. We will assist you in identifying the local United States Attorney's Office where you may complete the process identified above.

**All photographs must be taken before February 17, 2006. This deadline cannot be extended. Failure to have your photograph taken before February 17, 2006, will preclude your admission to a CCTV site.**

The CCTV broadcast will begin on Monday, March 6, 2006.

Six CCTV sites are unprecedented in the history of our country. Our office remains committed to ensuring that the CCTV sites are handled in a manner that will be efficient, professional, and respectful of our Nation's system of justice.

Should you have any questions, please contact us at 1-866-828-1834.

Sincerely,

Paul J. McNulty  
United States Attorney

**REDACTED**

BY:

**REDACTED**

Victim/Witness Coordinator

Enclosures

# EXHIBIT 42-1



U.S. Department of Justice

*United States Attorney*

*Eastern District of Virginia*

2100 Jamieson Avenue

703/299-3700

Alexandria, Virginia 22314

FAX 703/299-3981

August 8, 2002

The Honorable Leonie M. Brinkema  
United States District Judge  
401 Courthouse Square  
Alexandria, Virginia 22314

Re: Closed Circuit Televising of Moussaoui Trial

Dear Judge Brinkema:

As the Court is well aware, on August 2, 2002, the President signed into law legislation that directs the Court to order closed circuit televising of the Moussaoui trial proceedings to convenient locations the Court determines are reasonably necessary for viewing by September 11 victims. From our previous meetings and conversations with [REDACTED] from the Administrative Office of United States Courts, it is our understanding that the Court would like the United States Attorney's Office to participate in the implementation of the CCTV legislation. Specifically, we understand that because we have contact information for many of the September 11 victims and survivors, the Court wishes that we assist in the application process.

Please be assured that the staff in our Victim Witness Unit is ready to assist the Court in conducting the application process, and they will be in contact with you soon. The Victim Witness Unit is presently staffed by the following personnel: [REDACTED], the Victim Witness Coordinator; [REDACTED], the Victim Witness Specialist, and Assistant United States Attorney [REDACTED], who is serving as the Attorney Liaison for the Victims. Other members of our staff are also providing their time and effort to victim support.

As the Court knows, the statute does not specify the locations of the CCTV sites. Instead, it directs the Court to order closed circuit televising to "convenient locations the trial court determines are reasonably necessary." We strongly urge the Court to designate CCTV sites in the following locations: New York (at least two sites); New Jersey; the Washington, D.C. Metropolitan Area; Massachusetts; and California. We believe there is a significant need in those locations for CCTV sites.

As the Court can well imagine, the state of New York has the largest number of victims, with most residing in New York City or the surrounding areas. We have in our victim database approximately 3500 victims residing in the state of New York. New Jersey has the second largest number of victims, with approximately 1200 in our database. There are approximately 400 victims in our database that reside in Virginia, Washington, D.C., or Maryland.


As for California, we have 198 California residents in our victim database. We believe there are many more California survivors that have not been identified. As the Court is well aware, all four hijacked planes were destined for California. In addition, according to the California Victim Compensation Program, to date they have had contact with 271 surviving family members who reside in California. Furthermore, because California is a large state, we believe it would be most appropriate to have two sites: one in Southern California and the other in Northern California.

With regard to the need for a CCTV site in Massachusetts, we have in our victim database 199 individuals who reside in Massachusetts and 224 individuals who reside in Rhode Island, Connecticut, Maine, New Hampshire, and Vermont. Because the total number of victims in our database from the New England states is 423, the need for a CCTV site in Massachusetts is comparable to the need for a site in the Washington, D.C. Metropolitan area.

Other than the states and metropolitan areas previously mentioned, there are no other states that have more than 200 victims in our database. Nonetheless, the Court may also wish to consider a CCTV site at a location somewhere in the middle of the country. All sites proposed above are located on the East or West Coast. There are, however, hundreds of victims in our database from the inland states. A site at a location in the mid-western region of the United States (such as Chicago, Illinois or St. Louis, Missouri) may provide victims in the middle of the country a convenient location to view the CCTV broadcast.

Based upon the geographic locations of the victims and our collective responsibilities to allow them access to the Moussaoui trial proceedings, the United States Attorney's Office strongly encourages the Court to designate the locations mentioned above for CCTV coverage.

Very truly yours,

  
Paul J. McNulty  
United States Attorney

cc:

**REDACTED**

**REDACTED**

**REDACTED**

**REDACTED**

**REDACTED**

**REDACTED**



U.S. Department of Justice

United States Attorney

Eastern District of Virginia

2100 Jamieson Avenue

Alexandria, Virginia 22314

703/299-3700

FAX 703/299-3981

October 3, 2002

The Honorable Leonie M. Brinkema  
United States District Judge  
401 Courthouse Square  
Alexandria, Virginia 22314

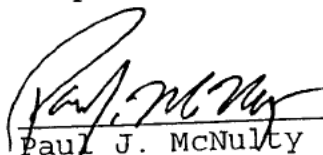
Re: Closed Circuit Televising of Moussaoui Trial

Dear Judge Brinkema:

On August 8, 2002, we urged the Court to designate sites in various locations around the country for the closed circuit broadcast of the Moussaoui trial. By letter dated September 30, 2002, the Director of Victim Services of the Pennsylvania September 11 Victim Assistance Program advised that her office has identified and provided services to over 200 September 11 victims who reside in Pennsylvania and would meet the eligibility requirements for viewing the CCTV broadcast. A copy of that letter is enclosed.

Because the number of September 11 victims residing in Pennsylvania is comparable to the number of victims residing in several other states for which we requested sites, I wish to supplement my previous request for CCTV locations to include Pennsylvania.

Very truly yours,

  
Paul J. McNulty  
United States Attorney

cc:

**REDACTED**

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

## EXHIBIT 42-2



# United States District Court

EASTERN DISTRICT OF VIRGINIA  
401 COURTHOUSE SQUARE  
ALEXANDRIA, VIRGINIA 22314-5799

CHAMBERS OF  
LEONIE M. BRINKEMA  
DISTRICT JUDGE

TELEPHONE (703) 299-2116  
FACSIMILE (703) 299-2238

March 11, 2003

Paul J. McNulty  
United States Attorney  
Eastern District of Virginia  
2100 Jamieson Avenue  
Alexandria, Virginia 22314

Re: Closed-Circuit Transmission of Moussaoui Trial (Criminal No. 01-455-A)

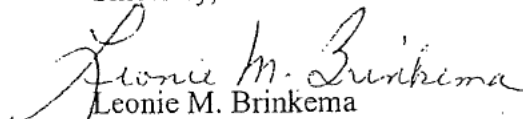
Dear Mr. McNulty:

I have carefully considered your letters of August 8 and October 3, 2002 in which you request that I authorize the closed-circuit transmission of the trial of Zacarias Moussaoui to locations in New York, New Jersey, the Washington D.C. area, Massachusetts, California and Pennsylvania. Although I understand that victims throughout the country wish to have convenient access to these proceedings, for significant security and economic reasons, the number of transmission locations must be kept to a minimum.

Each remote site imposes financial and logistical burdens on the judiciary. Staff will be needed to control access to the courtrooms to ensure that only authorized persons are admitted, to maintain the spectators' security and to enforce proper courtroom decorum. Moreover, to guard against any pirating of the transmission signal, we must use expensive encryption technology. Each site to which the trial is broadcast increases the risk that the signal might be intercepted.

I have selected federal courthouses in the District of Columbia, Manhattan, Long Island and Newark, New Jersey as transmission sites because of the disproportionately large number of victims in those areas and, as to the Newark location, because of its relative proximity to Pennsylvania. With closed-circuit transmission to sites in these cities in addition to the overflow courtroom in the federal courthouse in Alexandria, Virginia, many victims should be able to attend the proceedings without excessive inconvenience. I do not expect to authorize any additional sites.

Sincerely,

  
Leonie M. Brinkema  
United States District Judge

cc:

**REDACTED**

(AUSA)

# EXHIBIT 42-3

# United States District Court

EASTERN DISTRICT OF VIRGINIA  
401 COURTHOUSE SQUARE  
ALEXANDRIA, VIRGINIA 22314-5799

CHAMBERS OF  
LEONIE M. BRINKEMA  
DISTRICT JUDGE

TELEPHONE (703) 299-2116  
FACSIMILE (703) 299-2238

February 7, 2006

**REDACTED**

Re: United States of America v. Zacarias Moussaoui, Criminal No. 01-455-A

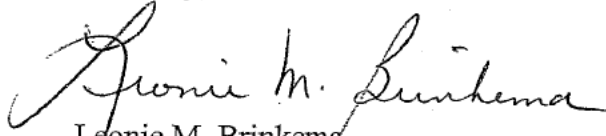
Dear **REDACTED**:

I regret that I cannot grant your request to include a California site for the CCTV viewing of this trial. As you may know, this is only the second federal criminal trial in history to be viewable at off-site locations via CCTV. The law Congress passed that required such CCTV, provides only for simultaneous viewing of the trial by CCTV. As I have explained to the Senator who wrote me about possible California sites, because the trial will begin at 9:30 a.m. EST, viewing the trial in California would have to start at 6:30 a.m. PST. The courthouse would have to be opened well before 6:30 a.m. and necessary security staff would have to be in place by 5:30 a.m. Those hours would place an unreasonable burden on limited judicial and Marshals Service staff. The FBI presentation that you discussed was obviously not so time-restricted. Moreover, the security issues involved in months of a long trial are very different from those needed for a one day presentation.

You might try to contact the Victims/Witness Unit of the United States Attorney's Office, which has a toll-free number dedicated to September 11 issues to find out whether they have any special arrangements or resources to help eligible persons who do not live near one of the five sites get to those sites. The toll-free phone number is 1-866-828-1844.

I hope you understand that careful consideration was given to the site locations and that there are sound reasons for the choices that were made.

Sincerely,

  
Leonie M. Brinkema  
United States District Judge

cc: AUSA **REDACTED**  
**REDACTED** Victim/Witness Coordinator