



## **Attorney General Transcript**

### **News Conference regarding Zacarias Moussaoui December 11, 2001 DOJ Conference Center**

ATTY GEN. ASHCROFT: Today, three months after the assault on our homeland, the United States of America has brought the awesome weight of justice against the terrorists who blithely murdered innocent Americans. The first indictment has been brought against the terrorists of September 11th. Al Qaeda will now meet the justice it abhors and the judgment it fears.

This morning a grand jury in the Eastern District of Virginia charged Zacarias Moussaoui, a native of France of Moroccan ancestry, with conspiring with Osama bin Laden and al Qaeda to murder thousands of innocent people in New York, Virginia and Pennsylvania on September the 11th. The indictment names the following individuals as unindicted co-conspirators:

Osama bin Laden, head of the al Qaeda network;

Ayman al-Zawahiri, head of the Egyptian Islamic Jihad;

Moustaffa Ahmed al-Hawasawi (sp), who is alleged to have provided funding to Moussaoui and some of the 19 hijackers from bank accounts in the United Arab Emirates;

Ramzi Binalshibh, believed to have been a member of the al Qaeda Hamburg cell, who is alleged to have transferred funds to Moussaoui.

Also named as unindicted co-conspirators are: Mohamed Atta, Abdul Alomari, Wail Alshari, Waleed Alshehri and Satam al-Suqami, the hijackers of American Airlines Flight number 11;

Marwan al-Shehhi, Fayez Ahmed, Ahmed Algamdi, Hamza Algamdi and Mohald Alshehri, the hijackers of United Airlines Flight 175; Khalid al-Midhar, Nawaq Alhamzi, Hani Hanjour, Salem Alhamzi and Majed Moqed, the hijackers of American Airlines Flight 77; and Ziad Jarrah, Ahmed Alhaznawi, Saeed Alghamdi, Ahmed Alnami, the hijackers of United Airlines Flight number 93.

For those who continue to doubt al Qaeda's role in the murders of September 11th, our indictment offers 30 pages of chilling allegations of al Qaeda's campaign of terror. It lists four counts against Moussaoui -- pardon me, it lists six counts against Moussaoui, four of which authorize the maximum penalty, upon conviction, of death. The indictment issued today charges that al Qaeda conspired to commit acts of terrorism, conspired to commit aircraft piracy, conspired to destroy aircraft, conspired to use weapons of mass destruction, conspired to murder United States employees, and conspired to destroy property.

As the indictment sets forth, the United States alleges that Moussaoui engaged in the same preparation for murder as the 19 co-conspirators who carried out the September 11th hijackings. The indictment specifies that Moussaoui, like the 19 hijackers who killed themselves in the name of terror on September the 11th, trained at an al Qaeda-affiliated camp in Afghanistan. It alleges that Moussaoui, like the others, received flight training in the United States. It alleges that Moussaoui, like the others, received funding from sources in Germany and the Middle East. It alleges that Moussaoui, like his co-conspirator, Mohammed Atta, made inquiries with a crop-dusting company and had in his possession a computer disk containing information related to the aerial application of pesticides.

The indictment issued today is a chronicle of evil, a carefully documented year-by-year, month-by-month, day-by-day account of a terrorist conspiracy that gathered both force and intensity in the weeks before September the 11th. Zacarias Moussaoui is alleged to have been an active participant in this conspiracy, alongside the 19 terrorists who carried it out. Moussaoui is charged with undergoing the same training, receiving the same funding, and pledging the

same commitment to kill Americans as the hijackers.

The indictment describes how Moussaoui worked in concert with unindicted co-conspirators Moustaffa Ahmed al-Hawasawi (sp) and Ramzi Binalshibh, who are fugitives, to carry about the September 11th attacks.

When Binalshibh was refused entry into the United States, he is alleged to have acted as a financier and facilitator of terrorism, transferring funds to Moussaoui and other terrorists from his position in Hamburg, Germany.

Al-Hawasawi (sp) is alleged to have been another source of funding for the September 11th plot. The indictment charges that al-Hawasawi (sp) moved funds to Binalshibh in Germany who, in turn, wired money to Moussaoui for flight training in the United States. Moussaoui is charged as an active conspirator in the al Qaeda terrorist machine that to this day threatens the civilized world.

The indictment alleges -- it alleges that these terrorists provided training camps and military and intelligence training in Afghanistan, in Pakistan, in Sudan and other areas for use of al Qaeda and its affiliated groups, including the Egyptian Islamic Jihad. The charges also allege that the terrorists gave financial support on behalf of al Qaeda, including purchasing land for training camps, purchasing communications and electronics equipment, and transporting currency and weapons to members of al Qaeda and its associated terrorist organizations.

The acts of war on September 11th were an attack on all of America. In response, we have assembled a team of investigators and prosecutors who are among America's brightest and best. This indictment is the culmination of literally thousands of hours of effort on the part of these dedicated men and women. I commend the men and women of the Federal Bureau of Investigation. Led by Director Bob Mueller, these individuals have worked beyond fatigue; they have worked seven days a week, 24 hours a day, to identify, track down and disrupt terrorist networks.

I congratulate Deputy Attorney General Larry Thompson, and Assistant Attorney General Michael Chertoff, both former U.S. attorneys, distinguished for targeting and bringing down criminal enterprises. I commend them for their equally extraordinary work in this investigation bringing us to this moment.

Today's indictment is the product of a national prosecution effort undertaken by the Department of Justice September 11 Task Force. Although these charges are brought in the Eastern District of Virginia, prosecutors from the Southern District of New York, together with prosecutors from the Eastern District of Virginia, and the Criminal Division of the Department of Justice here in Washington, have led the September 11th Task Force and will comprise the prosecution team.

I congratulate Paul McNulty, the U.S. attorney for the Eastern District of Virginia, and Mary Jo White, U.S. attorney for the Southern District of New York. Under Mary Jo White's leadership, her office secured the conviction of four al Qaeda terrorists who were sentenced to life in prison without the possibility of parole for their participation in the August 1998 bombing of two American embassies in Africa.

Other terrorism cases are currently pending in the Southern District of New York. Today's indictment is being brought in Virginia in recognition of the fact that we are engaged in a national struggle against terrorism and that we will investigate and prosecute the terrorist networks on multiple legal fronts, and that the September 11th attack struck at one of the most important institutions of government, the United States Pentagon.

For three months now, the families of victims of September 11th have waited for the killers of their loved ones to pay the price for their crimes. We will shortly be making available a website and a 1- 800 number for victims and victims' families to follow the progress of this prosecution.

The indictment of Zacarias Moussaoui is an important step in securing justice for the victims of September 11th.

Today, 7,000 miles from the field of battle in Afghanistan, another victory is taking shape in the war on terrorism. The values of freedom and justice that terrorists hate and sought to extinguish on September 11th have been vindicated as justice is served. America and the civilized world are united in defense of liberty and in the pursuit of justice. The United States will comfort and care for those victimized by terrorism. The United States will pursue and punish those who perpetrate terrorism. We will be relentless and resolute. We will not forget. And we will prevail.

Thank you. Bob.

MR. MUELLER: Thank you, Mr. Attorney General. And good afternoon all. This morning, people across the country and around the world remembered and honored those who lost their lives, those who saved lives, and those whose lives were changed forever by the tragic events of September 11th. The indictment we are announcing today is an important step in the process of bringing justice to those we believe to be connected to these violent and vicious attacks on America.

Zacarias Moussaoui first came to our attention on August 15th when we at the FBI received information about the suspicious circumstances of his flight training. The FBI working with the INS was enabled -- was able to assure that Moussaoui was detained on the following day on visa violation charges, and he remained in custody since -- and has remained in custody since August 16th.

The FBI continued to investigate Moussaoui after his detention. And as we have uncovered information on the September 11th attacks, and as is alleged in the indictment, Moussaoui followed many of the same patterns and took many of the same steps as the other -- as the 19 hijackers.

As the indictment charges, Moussaoui was present at an al Qaeda-based terrorist training camp in Afghanistan three years ago. He attended flight school and took commercial

flight training courses. He purchased flight deck videos from an Ohio flight store, just as Mohammed Atta and the other hijackers had done before him. He purchased knives and protective equipment. He looked into Global Positioning System technology. And like Atta, he also researched crop dusting.

The indictment also alleges that Moussaoui was linked to Ramzi Binalshibh, an associate of Atta who tried unsuccessfully to get into the United States on four separate occasions.

As the indictment charges, at the time of Binalshibh's last failed attempt to enter the United States, Moussaoui was contacting flight schools and making arrangements to have a legitimate presence in the United States.

In February of 2001, Moussaoui arrived in the United States, opened a bank account with \$32,000 in cash and immediately enrolled in a flight school. And as also charged in the indictment, in early August 2001, Moussaoui received \$14,000 from Germany, sent to him by Binalshibh. Lastly, on August 10th, as the indictment alleges, he paid for flight lessons with \$6,300 in cash.

I want to thank all those who contributed to today's indictment, including our partners here in the United States, as well as our partners overseas, whose cooperation and investigative skills were invaluable. And with the help of our partners here in the United States and overseas, we will continue to investigate to ensure that justice is done. Thank you.

ATTY GEN. ASHCROFT: Yes.

Q Mr. Attorney General, is Mr. Moussaoui cooperating? And can you tell us, since he followed the same patterns, but Mr. Mueller has told us that he wasn't the 20th hijacker, do you believe that he was going to be involved in a second wave of attacks and additional hijackings?

ATTY GEN. ASHCROFT: Very frankly, I'm not going to be

commenting on the evidence. I'm just -- the indictment is substantial. I believe you have a copy of it, and it speaks for itself. Thank you.

Yes, sir?

Q Will you be seeking the death penalty in this case, sir?

ATTY GEN. ASHCROFT: The Department of Justice has a procedure for evaluating indictments that have been returned by grand juries where there are death-eligible offenses. That procedure involves a program of evaluation and recommendations. That will be conducted expeditiously, but the procedures will be followed, and a determination will be made subsequent to that procedure having been completed.

Yes, sir?

Q Could you tell us about your decision to bring these prosecutions in Virginia, rather than in New York? The U.S. attorney's office there has been bringing these prosecutions for some years and developed some expertise in these kinds of cases, and of course, most of the victims were in New York. Why did you decide to bring this in Virginia?

ATTY GEN. ASHCROFT: Well, this is first an assault on the United States of America, as well as the entirety of the civilized world. You know dozens and dozens of nations lost lives in the various sites. The crimes here were committed from Maine and Massachusetts to New Jersey, New York, Pennsylvania, Virginia. This is a national matter. We have focused the national investigative effort here in Washington, D.C., under the direction of the FBI, and of course with the deputy attorney general and then Assistant Attorney General Michael Chertoff. We have taken expertise from around the country to assemble the prosecution team, as well as the investigative resources. And it's with that in mind that the proximity to this investigation would make the best sense for us to bring this case, using these resources, here in this setting.

Yes?

Q Mr. Attorney General? Bin Laden and others have been named as unindicted co-conspirators. That doesn't preclude indicting them somewhere down the line in the investigation, does it?

ATTY GEN. ASHCROFT: No, it does not in any way.

Yes? Front row.

Q Where is Moussaoui now?

ATTY GEN. ASHCROFT: He is being detained in the United States -- by the United States of America. And I'm not able to give you a specific address for that detention.

Sir?

Q Mr. Attorney General, the evidence is mounting against Osama bin Laden. We've heard about the tape that has yet to be released, and by your own account the evidence is pretty compelling. Why was he not indicted at this particular point?

ATTY GEN. ASHCROFT: Well, we have indicted the individual that we have in custody at this particular time. And I wouldn't -- other than that, I wouldn't draw any conclusions about the fact that others are unindicted.

Yes, sir?

Q You mentioned he followed the same patterns, but during the time that he was in this country, did he have any contact, direct contact with the other 19 involved?

ATTY GEN. ASHCROFT: I think the indictment lays out the broad outlines of the case very clearly. I would refer you to that, and then indicate that while it does that, there will be substantial and other additional evidence that will be presented at trial, but about which I will not comment at this time.

Q Mr. Attorney General, would you speak about the concern over the use of military tribunals against people -- foreign-born folks arrested in the United States?

ATTY GEN. ASHCROFT: I believe that the idea of having military commissions to try war criminals as a tool for the president of the United States is a good tool for him to have at his disposal.

This case merely indicates that my responsibility is to bring charges against those who commit crimes and are to be tried in the criminal justice system. We have done so in this instance. We believe that the indictment speaks clearly about the nature of this case.

Yes, in the back.

Q Mr. Attorney General, why was the indictment brought today, on the third anniversary?

ATTY GEN. ASHCROFT: We've been working, as I've commended, with these individuals for their outstanding effort and the organizations they represent, day and night to develop this. We believe that when the grand jury voted to bring forth these six counts in this indictment that it would appropriate to carry those counts immediately to the judge and to proceed.

Yes, sir.

Q Why was -- given that this man was in custody before September 11th, why was it not possible to learn enough from him to prevent these attacks?

ATTY GEN. ASHCROFT: I don't -- maybe the director of the FBI wants to make that statement. We learned enough to keep him in custody. And individuals who are uncooperative don't -- frequently don't become very substantial sources of information.

MR. MUELLER: I think, as I've indicated before, he was -- at the point in time after he was arrested on INS charges, we

obtained no further information from him. And consequently, while there was some information to follow up on, which we did follow up on, he was not cooperative at that time.

Q Mr. Director, was he the 20th hijacker or not? I mean, there is no information in the indictment that seems to clearly link him to the other 19 apart from his parallel activities.

MR. MUELLER: Well, I think if you parse the indictment you will see that Binalshibh attempted four times to come into the United States and was rejected on those four occasions. Subsequent to that fourth time he was rejected, you will see Mr. Moussaoui attempting to come in the United States. Those are the allegations in the indictment, and the indictment speaks for itself.

Q He's still not cooperating with you, though.

Q Mr. Director? In terms of the investigation, to follow up on his question, were there any patterns that were missed at the time? Was there a need for a broader investigation to see if other people may have been engaging in this type of training?

MR. MUELLER: Well, at the time the agents looked at his involvement with the flight school, they -- as I've indicated before, the agents in Minneapolis sought to do a FISA wire on a laptop, and the attorneys at the FBI believed there was insufficient probable cause, and he was being investigated -- his activities were being investigated when September 11th occurred.

Now, could we have done something else, perhaps, to avoid it in that investigation? Who can say? All I can tell you is that the agents on the scene attempted to follow up aggressively. The attorneys back at FBI determined that there was insufficient probable cause for a FISA, which appears to be an accurate decision. And September 11th happened.

STAFF: Last question please.

Q Director, is it your intention then to show that Binalshibh was going to come to the United States and hijack a plane with the other hijackers, but when he couldn't, Moussaoui was to take his place and do that? I mean, is that what you intend to prove?

ATTY GEN. ASHCROFT: The indictment is substantial. It alleges a very serious set of facts. There may be additional facts and evidence that are provided at the time of trial, but we will not go beyond the indictment today. The rules relating to statements we make limit us to staying within the indictment.

Yes.

Q Attorney General, last week, when you testified about the tribunals, you talked about you didn't want to see defendants with flamboyant defense attorneys and a long -- and people with, you know, a talk show of their own. Aren't you now going to see a very long, expensive trial, since Moussaoui will be afforded two defense lawyers since he's facing the death penalty?

ATTY GEN. ASHCROFT: We look forward to this trial and the presentation of the evidence, which is -- I think the indictments clearly indicated the direction in which we will move. And to go beyond the indictment now and try and describe the trial, it would not be appropriate for me to do that.

Thank you all very much. Thank you.

END.