



U.S. Department of Justice

Office of Legal Counsel

Office of the Assistant Attorney General

Washington, D.C. 20530

June 23, 2004

Mr. Scott W. Muller
General Counsel
Central Intelligence Agency
Washington, D.C. 20505

Re: Status of [REDACTED]

Dear Scott:

You have asked whether [REDACTED] is a "protected person" and whether his [REDACTED] would violate the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, Aug. 12, 1949, 6 U.S.T. 3516, 754 U.N.T.S. 287. You have informed us that [REDACTED] and have provided additional information establishing that [REDACTED] is a terrorist operative who, at the time of capture, was fighting on behalf of the Zarqawi terrorist network.

This letter confirms our previous oral advice, based on the information you have provided, that [REDACTED] is not a "protected person" and that his [REDACTED] would not violate the Geneva Convention.

Sincerely,

Jack L. Goldsmith III
Assistant Attorney General

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