

~~TOP SECRET~~ [REDACTED]

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U.S. Department of Justice

Office of Legal Counsel

Office of the Principal Deputy Assistant Attorney General

Washington, D.C. 20530

July 24, 2007

[REDACTED]
Associate General Counsel
Central Intelligence Agency

Dear [REDACTED]

We are in receipt of your July 24, 2007, letter regarding the interrogation of [REDACTED]. Therein, you informed us that as of 0200 E.D.T., July 25, 2007, [REDACTED] will have been subjected to a [REDACTED] technique, as that technique is described in CIA guidelines. This Office has concluded that a [REDACTED] application of the [REDACTED] technique [REDACTED] complies with applicable legal requirements. See Memorandum for John A. Rizzo, Acting General Counsel, Central Intelligence Agency, *Application of the War Crimes Act, the Detainee Treatment Act, and Common Article 3 of the Geneva Convention to Certain Techniques that May Be Used by the CIA in the Interrogation of High Value Detainees* (July 20, 2007). In that opinion, we recognized that the CIA contemplated applying the technique for up to [REDACTED]. We advised, however, that "should the CIA determine that it would be necessary for the Director of the CIA to approve an extension [REDACTED] with respect to a particular detainee, this Office would provide additional guidance on the application of legal standards to the facts of that particular case." *Id.* at 8 n.7. Under CIA guidelines, the Director would approve [REDACTED] after seeking guidance from this Office as to the legality of such an additional period, considering the current physical and psychological condition of the detainee and the need for such an extension. You now request such legal guidance with regard to a [REDACTED] until 0200 E.D.T., July 26, 2007, with regard to [REDACTED].

As set forth below, we conclude that the requested [REDACTED] of applying [REDACTED] would comply with all applicable legal standards, including the federal anti-torture statute, the War Crimes Act, the Detainee Treatment Act, and Common Article 3 of the Geneva Conventions, as interpreted by the President in Executive

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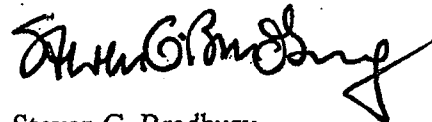
Order 13440 (July 20, 2007). You have informed us that medical and psychological personnel have examined [REDACTED] and determined him to be mentally alert. He has exhibited no symptoms of "psychopathology," including hallucinations. See July 24, 2007 CIA Medical and Psychological Assessment. According to the information that you have provided, he is not suffering from any other psychological conditions that would implicate applicable legal constraints. He has not developed symptoms of [REDACTED] much less clinically significant [REDACTED] that may warrant termination of the technique.

[REDACTED] His vital signs are within normal parameters.

In addition, you have informed us of the important need for continuing the technique. [REDACTED] remains resolute in resisting interrogation, and CIA professionals believe him to be adhering to an organized resistance plan and to be testing the limits of the CIA's interrogation techniques. Because of [REDACTED] strategy, CIA professionals have stated that continuing the [REDACTED] is "imperative" to the success of the interrogation. The CIA continues to believe that [REDACTED]

Based on your report, [REDACTED] does not appear to be suffering from the physical and psychological conditions that would implicate any of the applicable legal constraints. The continuation of the technique, based on the information you have provided us, also would be in close service of an important governmental need. We understand that CIA personnel will administer the technique under the procedures and safeguards described in this Office's July 20, 2007 opinion. Specifically, we understand that the technique will be discontinued within the period of the [REDACTED] if any of the psychological or medical contraindications are observed through regular psychological and medical monitoring, as described in the July 20 opinion.

Please let us know if we may be of further assistance.



Steven G. Bradbury
Principal Deputy Assistant Attorney General