

UNCLASSIFIED

file: JERC - (659)
Detainees ()

L Press Guidance
June 24, 2004

RELEASED IN FULL

STATE DEPARTMENT LEGAL MEMOS ON DETAINEES

Question: WILL THE DEPARTMENT CONFIRM/RELEASE THE LEGAL ADVISER'S JAN 11 LETTER TO JUSTICE ON DETAINEES? ARE THERE ANY OTHER MEMOS OR DOCUMENTS THAT WERE LEFT OUT OF THE GONZALES PACKAGE AND WILL YOU RELEASE THEM AS WELL?

Answer:

--WE CAN CONFIRM THAT IN JANUARY 2002, THERE WAS A VIGOROUS EXCHANGE OF VIEWS AMONG THE RELEVANT DEPARTMENTS. THE ISSUES WERE FULLY DEBATED, AND ULTIMATELY PRESENTED TO THE PRESIDENT FOR HIS DECISION.

--ON FEBRUARY 7, 2002, THE PRESIDENT MADE HIS DECISIONS AND ALL OF US IN THE ADMINISTRATION SUPPORTED THE PRESIDENT'S DECISIONS.

-- THE WHITE HOUSE HAS NOW RELEASED DOCUMENTS ON WHICH THE PRESIDENT RELIED IN THAT DECISION. OTHER DOCUMENTS REFLECTING THE DELIBERATIVE PROCESS WITHIN THE ADMINISTRATION HAVE NOT BEEN RELEASED.

Question: WAS THE DEPARTMENT IN FACT EXCLUDED FROM THE "DEFINITION OF TORTURE" POLICY DEBATE AFTER IT EXPRESSED DISSENTING VIEWS?

Answer:

--THE DEPARTMENT OF STATE WAS NOT INVOLVED IN THE PREPARATION OF THE SUBSEQUENT MEMORANDA BY THE DEPARTMENTS OF JUSTICE AND DEFENSE ON THE ISSUE OF TORTURE IN CONNECTION WITH THE INTERROGATION OF DETAINEES.

--THERE WERE NO MEMORANDA FROM THE STATE DEPARTMENT'S OFFICE OF THE LEGAL ADVISER IN THE COURSE OF THOSE DELIBERATIONS.

Question: IS THE DEPARTMENT NOW BEING BROUGHT BACK INTO THE LOOP AS THE ADMINISTRATION REWRITES ITS OPINION ON TORTURE?

ANSWER:

--DISCUSSIONS ARE UNDERWAY ON NEXT STEPS.

UNCLASSIFIED

Drafted: L/PM JADolan

6/24/04

Cleared: L – WHTaft –ok

L – JThessin - ok

L/NP – ECummings - ok

DOS-001858

UNCLASSIFIED