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November 9, 2007

The Honorable Michael Mukasey
Attorney General of the United States
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

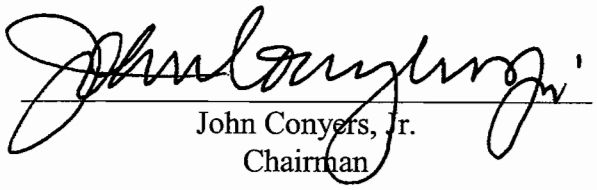
Dear Mr. Attorney General:

As you begin your important duties as our nation's Attorney General, we write to follow up on our October 4, 2007, letter to your predecessor requesting two 2005 Department of Justice secret legal opinions authorizing the use of "painful physical and psychological tactics" on terrorism suspects that were first exposed in the October 4th New York Times story "Secret U.S. Endorsement of Severe Interrogations." Since that October 4th letter, both the government's own November 5, 2007, pleading in ACLU v. Department of Defense and media reports have revealed that, despite initial reports referring to two legal opinions, the Department actually issued *three* secret legal opinions on this subject in May 2005.

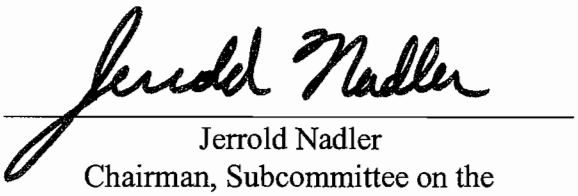
As we noted in our earlier letter, both the alleged content of these opinions and the fact that they have been kept secret from Congress are extremely disturbing. Committee staff has spoken with Department and White House staff about our October 4 request, but no specific response to that request has yet been received. In light of these new developments, we request that you promptly confirm the existence and dates of the three secret legal opinions, as already stated in court papers filed by the Department, and that there are no other secret legal opinions on this subject. We also ask that you seek to expedite the production of all three of these opinions to the Committee. As yesterday's Judiciary Subcommittee hearing demonstrated, the issue of torture and cruel, inhuman, and degrading interrogation remains a serious concern of the Committee and the American people, and it is crucial that the Committee be fully informed of the facts as it continues to consider this troubling issue.

Please direct responses and any questions to the staff at the House Judiciary Committee, 2138 Rayburn House Office Building, Washington, DC 20515 (tel: 202-225-3951; fax 202-225-7680). Thank you for your cooperation.

Sincerely,



John Conyers, Jr.
Chairman



Jerrold Nadler
Chairman, Subcommittee on the
Constitution, Civil Right and Civil Liberties

cc: Hon. Lamar S. Smith
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Hon. Brian Benczkowski
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