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LEGISLATIVE AFFAIRS

July 23, 2004

The Honorable Colin L. Powell
Secretary of State
Washington, DC 20520

Dear Mr. Secretary:

In an interview last month (*Fox News Sunday*, June 13, 2004), you stated, "I am deeply troubled by what happened at Abu Ghraib. I'm devastated by it." In this same interview you also noted, "What I have to do now is let the Congress perform its oversight role." I write today to request your assistance in that regard.

I understand that there are several memoranda written by Department officials related to the inter-agency discussions about the scope of U.S. obligations under the Geneva Conventions and the Convention Against Torture. These include:

- Memorandum from William H. Taft, IV, Department of State, Office of the Legal Adviser, Re: Response to the January 9 Yoo/Delahunty memo (Jan. 11, 2002);
- Memorandum for Alberto Gonzales, Counsel to the President, from Secretary of State Colin Powell, Re: Response to the Gonzales draft memo of January 25, 2002 (Jan. 26, 2002); and
- Memorandum for Alberto Gonzales, Counsel to the President, from William H. Taft, IV, Department of State, Office of the Legal Adviser, Re: Comments on your paper on the Geneva Convention (Feb. 2, 2002).

None of these documents, nor any other State Department documents, were part of the group of documents released by the White House on June 22. Furthermore, in a July 1 letter to the Judiciary Committee, Attorney General Ashcroft refused to turn over any documents written by the Department of State, stating that the request for State Department documents should be directed to you.

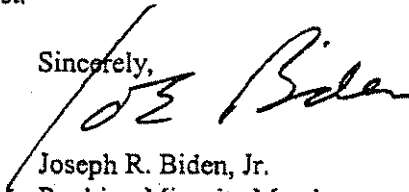
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The Secretary of State
July 23, 2004
Page Two

So that the Congress may have a better understanding of the government deliberations on the interrogation standards applicable to detainees held by the U.S. government, I request that you provide the Committee on Foreign Relations with copies of these three documents, and any ~~other legal memoranda prepared after September 11, 2001, that interpret U.S. obligations for the~~ treatment of prisoners of war or detainees under the Geneva Conventions, the Convention Against Torture, and the International Covenant on Civil and Political Rights.

Thank you for your attention to this request.

Sincerely,



Joseph R. Biden, Jr.
Ranking Minority Member

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