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August 8, 2007

Steven Bradbury
Acting Assistant Attorney General for the Office of Legal Counsel
Office of Legal Counsel, Department of Justice
Washington, D.C. 20530

Dear Mr. Bradbury:

I appreciated our recent discussion regarding the legal authorities that derive from and pertain to the President's recent Executive Order interpreting the Geneva Conventions. Your clarifications were helpful, and I think a more detailed explanation would be useful to me as I continue to examine this issue.

Specifically, could you please explain the scope of this order in more detail? Exactly when might it apply, and when might it not apply? You may also recall that I was interested in the interpretation of the phrase "humane treatment". Could you please explain the meaning of this phrase, as interpreted by the Office of Legal Counsel? Under what circumstances might the meaning of this phrase vary? Are there instances in which the identity of a detainee, or the type of information that the detainee is assessed to possess, can help determine what sort of treatment would be considered humane? To what extent does the totality of circumstances, including the detainee's identity and access to information, affect determinations about what sort of treatment is appropriate? Please answer all of these questions as they apply to the phrase "humane treatment", as well as the phrase "cruel, inhuman and degrading treatment".

I would appreciate a response no later than September 5th. Thank you for your assistance on this matter.

Sincerely,

Ron Wyden

United States Senator