

Withdrawal of Opinion on CIA Interrogations

A previous opinion of the Office of Legal Counsel concerning interrogations by the Central Intelligence Agency is withdrawn and no longer represents the views of the Office.

June 11, 2009

MEMORANDUM OPINION FOR THE ATTORNEY GENERAL

Sections 3(a) and 3(b) of Executive Order 13491, 3 C.F.R. 199 (2009 comp.), set forth restrictions on the use of interrogation methods. In section 3(c) of that order, the President further directed that “unless the Attorney General with appropriate consultation provides further guidance, officers, employees, and other agents of the United States Government may not, in conducting interrogations, rely upon any interpretation of the law governing interrogation . . . issued by the Department of Justice between September 11, 2001, and January 20, 2009.” We have previously noted that this direction encompasses, among other things, four opinions of the Office of Legal Counsel, which we withdrew on April 15, 2009. *See Withdrawal of Four Opinions on CIA Interrogations*, 33 Op. O.L.C. 191 (2009). We have now determined that it also encompasses another opinion of our Office. *See Memorandum for John A. Rizzo, Acting General Counsel, Central Intelligence Agency, from Steven G. Bradbury, Principal Deputy Assistant Attorney General, Office of Legal Counsel, Re: Application of the War Crimes Act, the Detainee Treatment Act, and Common Article 3 of the Geneva Conventions to Certain Techniques That May Be Used by the CIA in the Interrogation of High-Value al Qaeda Detainees* (July 20, 2007).

In connection with the consideration of this opinion for possible public release, the Office has now reviewed this additional opinion and has decided to withdraw it. It no longer represents the views of the Office of Legal Counsel.

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