

ATTACHMENT A

For the time period January 20, 2001 to the present, provide:

1. Copies of the following documents:
 - (A) Memorandum for Timothy E. Flannigan, Deputy Counsel to the President, from John Yoo, Deputy Assistant Attorney General, Office of Legal Counsel, Re: The President's authority to conduct military operations against terrorists and nations supporting them (Sept. 25, 2001);
 - (B) Memorandum for Alberto Gonzales, Counsel to the President, from Patrick F. Philbin, Deputy Assistant Attorney General, Office of Legal Counsel, Re: Legality of the use of military commissions to try terrorists (Nov. 6, 2001);
 - (C) Memorandum for William J. Haynes, General Counsel, Department of Defense, from John Yoo, Deputy Assistant Attorney General, and Patrick F. Philbin, Deputy Assistant Attorney General, Re: Possible habeas jurisdiction over aliens held in Guantanamo Bay (Dec. 28, 2001);
 - (D) Draft Memorandum for William J. Haynes, General Counsel, Department of Defense, from John Yoo, Deputy Assistant Attorney General, and Robert J. Delahunty, Special Counsel, Office of Legal Counsel, Re: Application of treaties and laws to al Qaeda and Taliban detainees (January 9, 2002), and any final version of this Draft Memorandum;
 - (E) Memorandum from William Howard Taft IV, Department of State Office of Legal Advisor, Re: Response to the January 9 Yoo/Delahunty memo (Jan. 11, 2002);
 - (F) Memorandum for Alberto Gonzales, Counsel to the President from Jay S. Bybee, Assistant Attorney General, Re: Application of treaties and laws to al Qaeda and Taliban detainees (Jan. 22, 2002);
 - (G) Draft Memorandum for the President from Alberto Gonzales, Counsel to the President, Re: Decision re application of the Geneva Convention on Prisoners of War to the conflict with al Qaeda and the Taliban (Jan. 25, 2002), and any final version of this Draft Memorandum;

- (H) 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);
- (I) Memorandum for John Yoo, Deputy Assistant Attorney General, Office of Legal Counsel, from James C. Ho, Attorney-Advisor, Office of Legal Counsel, Re: Possible interpretations of Common Article 3 of the 1949 Geneva Convention Relative to the Treatment of Prisoners of War (Feb. 1, 2002);
- (J) Memorandum for Alberto Gonzales, Counsel to the President, from William Howard Taft IV, Department of State Office of Legal Advisor, Re: Comments on your paper on the Geneva Convention (Feb. 2, 2002);
- (K) Memorandum for Daniel J. Bryant, Assistant Attorney General, Office of Legal Counsel, from Patrick F. Philbin, Deputy Assistant Attorney General, Office of Legal Counsel, Re: Swift Justice Authorization Act (Apr. 8, 2002);
- (L) Memorandum for Alberto Gonzales, Counsel to the President, from Jay S. Bybee, Assistant Attorney General, Re: Standards of conduct for interrogation under 18 U.S.C. §§ 2340 – 2340A (Aug. 1, 2002);
- (M) Draft Memorandum for Defense Secretary Rumsfeld from Working Group appointed by William Haynes II, General Counsel, Department of Defense, Re: Detainee interrogations in the global war on terrorism: Assessment of legal, historical, policy, and operational considerations (Mar. 6, 2003), and any final version of this Draft Memorandum;
- (N) Memorandum for General James T. Hill from Defense Secretary Rumsfeld, Re: Coercive interrogation techniques that can be used with approval of the Defense Secretary (Apr. 2003);
- (O) Memorandum from CJTF-7, Re: Applicability of Army Field Manual 34-52 and sensory deprivation (Sept. 10, 2003);
- (P) Directive of Lt. General Ricardo Sanchez entitled “Interrogation and Counter-Resistance Policy” (Sept. 12, 2003);
- (Q) Memorandum from CJTF-7 on interrogations (Sept. 28, 2003);
- (R) Memorandum for MI personnel at Abu Ghraib, Re: Interrogation rules of engagement (Oct. 9, 2003);

- (S) Memorandum for Commander of MI Brigade from Lt. General Ricardo Sanchez, Re: Order giving military intelligence control over almost every aspect of prison conditions at Abu Ghraib with the explicit aim of manipulating the detainees' "emotions and weaknesses" (Oct. 12, 2003);
- (T) Memoranda for Review and Appeal Board at Abu Ghraib from Detainee Assessment Branch (Nov. 1, 2003 through Jan. 31, 2004);
- (U) Memorandum for MP and MI personnel at Abu Ghraib from Colonel Marc Warren, the top legal adviser to Lt. General Ricardo Sanchez, Re: New plan to restrict Red Cross access to Abu Ghraib (Jan. 2, 2004);
- (V) Memorandum for Superiors from Maj. General Antonio Taguba, Re: Results of investigation into the 800th MP Brigade's actions in Abu Ghraib (Mar. 12, 2004);
- (W) Memorandum from the Department of Justice, Re: Liability of interrogators under the Convention Against Torture and the Anti-Torture Act when a prisoner is not in U.S. custody.
- (X) Review, study, or investigation report by LTC Chamberlain, Re: State of prisons in Iraq (addressing the high proportion of innocent people in the prisons and the lack of release procedures for detained Iraqis).

If the above-description of any document listed above is not exactly correct, the listing should be considered to refer to any document of similar date, authorship, subject matter or title.

2. Without limiting the foregoing, copies of any and all documents, records or memoranda produced by or for Defense Secretary Rumsfeld, Alberto Gonzales, William Haynes, William Howard Taft IV, or any other senior Administration official, and in the possession of the Department of Justice, describing, referring or relating in whole or in part to the treatment or interrogation of prisoners of war, enemy combatants, and individuals held in the custody or under the physical control of the U.S. Government or an agent of the U.S. Government in connection with the investigation of international terrorism, other than transcripts or descriptions of, or notes taken during, specific interrogations.
3. Without limiting the foregoing, copies of any and all rules, procedures or guidelines referring or relating to the treatment or interrogation of prisoners of war, enemy combatants, and individuals held in the custody or under the

physical control of the U.S. Government or an agent of the U.S. Government in connection with the investigation of international terrorism.

4. Copies of any and all orders, directives, instructions, findings, or other writings signed by President George W. Bush personally or on his behalf, or issued by him, regarding, referring or relating to the treatment or interrogation of prisoners of war, enemy combatants, or individuals held in the custody or under the physical control of the U.S. Government or an agent of the U.S. Government in connection with the investigation of international terrorism, or so signed or issued by anyone purporting to be acting under his authority, under a delegation or re-delegation from him, or in execution or pursuit of powers entrusted by him.
5. A copy of the “authorization” referred to by President Bush during a June 11, 2004, press conference in response to this question: “Mr. President, the Justice Department issued an advisory opinion last year declaring that as Commander-in-Chief you have the authority to order any kind of interrogation techniques that are necessary to pursue the war on terror ... [D]id you issue any such authorization at any time?” The President answered: “No, the authorization I issued ... was that anything we did would conform to U.S. law and would be consistent with international treaty obligations.”
6. Copies of any and all Presidential directives, or any documents, records or memoranda described in paragraphs 1 - 5 above, that were in the possession of Attorney General Ashcroft, or in the possession of any assistant or aide that accompanied Attorney General Ashcroft, during the Senate Judiciary Committee hearing on June 8, 2004.
7. Copies of any and all orders, directives, or authorizations, from Lt. General Ricardo Sanchez approving interrogation plans for any individuals held in the custody or under the physical control of the U.S. Government or an agent of the U.S. Government in Iraq.
8. Copies of any and all orders, directives, authorizations or memoranda from Defense Secretary Donald Rumsfeld to Maj. General Geoffrey Miller approving the use of interrogation techniques at Guantanamo Bay.
9. Copies of any and all memoranda from military lawyers, including officers of the JAG Corps, that provide analysis of interrogation procedures, including a February 5, 2003, classified memo regarding the detention policies at Guantanamo Bay.
10. All records of meetings regarding, referring or relating to the treatment or interrogation of prisoners of war, enemy combatants, and individuals held in the custody or under the physical control of the U.S. Government or an agent of the U.S. Government in connection with the investigation of international terrorism, including but not limited to any meeting or meetings at which representatives of the Department of Justice, the Department of Defense, the State Department or the White House were present.

11. For all responsive documents to paragraphs 1 – 9 above, provide copies of any and all cover letters, transmittal sheets and any other documents or records describing or indicating to whom such responsive documents were sent, mailed, circulated or delivered, together with a list of all persons, groups of persons, and/or entities to whom such responsive documents were sent, mailed, circulated, or delivered.
12. For all responsive documents to paragraphs 1 – 9 above, provide copies of any and all incoming, requesting, instructional, or other documents, including documents reflecting oral conversations, which gave rise to such responsive documents.
13. For all responsive documents to paragraphs 1 – 9 above, provide a list of each person who directed the preparation of, contributed to, worked on, reviewed or approved them.
14. For all responsive documents to paragraphs 1 – 9 above, provide copies of all documents received or possessed at any time by the Department of Justice that respond to, refer to, derive from, or otherwise use the research, findings, opinions or recommendations in such responsive documents.
15. For all responsive documents to paragraphs 1 – 9 above, provide copies of all documents referring or relating in whole or in part to the classification of such responsive documents.

For purposes of this subpoena the following definitions and instructions shall apply:

- (A) The word “copy” or “copies” of all responsive documents includes all versions, now or at any time received in any form by or in the possession of the Department, including “red-line” versions; draft versions, any and all attachments, and any copies reflecting handwritten annotations (indicating by whom the annotations were made). To the extent there are responsive items with different dates, all copies should be provided.
- (B) If any portion of any responsive document is produced with redactions, provide the basis for such redactions. The redaction should be made without changing the format, pagination, or appearance of the unredacted material.
- (C) If any responsive document is withheld, provide the basis for withholding the document.

- (D) If a document is classified, in whole or in part, provide the classified version separately and, if a document is only partly classified, provide an unclassified version. For each document, provide any records, documents or memoranda that refer or relate to how the document, or any portion thereof, is classified, when it was classified, and for what purpose it was classified.
- (E) The term “document”, “record” or “memorandum” includes in whatever form and by whatever means the item may have been created or stored, including any electrical, electronic, or magnetic form (such as any information on an electronic or magnetic storage device, including floppy diskettes, hard disks, ZIP disks, CD-ROMs, optical discs, backup tapes, printer buffers, smart cards, memory calculators, pagers, personal digital assistants such as Palm Pilot computers, as well as printouts or readouts from any magnetic storage device); any handmade form (such as handwriting); any mechanical form (such as printing or typing); and any photographic form (such as microfilm, microfiche, prints, slides, negatives, videotapes, motion pictures, photocopies).
- (F) The term “document,” “record” or “memorandum” includes any phone logs, calendars, daytimers or similar items in which the author describes, relates, or refers to any matter discussed in paragraphs 1 – 15 above.