

① TO DO - Examples of  
Intell or GTMO

McCain

How can the Administration seriously oppose a law banning CID in interrogations?

① ~~Not~~  
② Cant cut  
as legs  
but  
↓  
No T.

Doesn't this make us look terrible with our allies that you claim in your speech are so vital to the War on Terror?

Doesn't this make us look terrible with the Muslim community across the world, whose hearts and minds we must win in order to succeed in the War on Terror, as you pointed out in your speech?

Is the VP driving this issue? Do you disagree with him? How about others in the Administration?

Do you consider our Geneva obligations to avoid CID to apply to foreign nationals held abroad? Didn't you say at your confirmation hearing that you thought our obligations to avoid CID don't apply to aliens abroad?

Graham

Why deny detainees access to the courts if you're so confident our procedures are sound and defensible?

Wouldn't it enhance our credibility and prestige in the world to allow judicial review?

Doesn't holding detainees without charges indefinitely hurt our moral standing in the world? With our allies? With the Muslim community? Isn't this inconsistent with our effort to win hearts and minds?

X ① Need -  
bad  
② Intell.  
③ Process  
④ Battle

How can we square our policy of holding detainees indefinitely when the UK is debating the propriety of holding suspects for just a few days or weeks before presenting criminal charges?

How can you defend the DoD procedures you outline when they don't even provide access to counsel, or any right to see classified evidence used against the individual?

① Mac Process  
② Classified  
Info ->  
Release?

How can you defend continuing to hold NLECs for years even after they've been found NOT to be enemy combatants? (Uighurs)

③ K0 Unit  
Sink P.

Are the reports true that you and others prevailed over the VP in agreeing to a deal with Sen. Graham?

~~④~~

Wouldn't the Graham legislation make the McCain prohibitions on CID nearly impossible to enforce in courts?

GTMO/AbuGharib/Torture Memos

Do you agree or disagree w/ the Bybee Memo that the torture statute only covers physical injuries that result in death or organ failure? Or psychological pain that results in the infliction of lasting harms like post traumatic stress disorder?

Do you agree with the Yoo Memo to Haynes that grave breaches under Geneva include only death or severe physical injury?

Do you agree with the SEC DEF that there's nothing wrong with requiring detainees to stand for 18 hours in stress positions?

What do you think about water boarding? Have you approved it?

Shouldn't we apply Geneva protections and the Army Field Manual to our enemies in order to ensure protection of our own troops? In order to ensure our moral standing in the world?

X Couldn't be clearer  
Leges est -

Doesn't it undermine our efforts to convince the world that they should take human rights seriously when we interpret our obligations so narrowly?

Isn't all human life worth the same protection?

Is there a link between the torture memos coming out and then the atrocities at GTMO and Abu Gharib?

Did they create a "climate" or "tone at the top" in which you should've foreseen that torture would be applied?

How many detainees have died in US custody during or as a result of interrogations? Are you willing to say "none"? Why not?

Have the aggressive interrogation techniques employed by the Admin yielded any valuable intelligence? Have they ever stopped a terrorist incident? Examples?

X  
① Yes  
② Rlussy.  
③ Tellyn  
Patrol -  
Abu Ali,  
Oregon -

Don't the experts in this field agree that torture doesn't yield useful intelligence? If so, why are we pushing the envelope in this area?

Why won't the USG release all of the photos of misconduct at Abu Gharib?

What assurances do you obtain before sending a detainee back to his home country? Do we just allow home governments to "do our torture for us"?

④ Press R

Black Sites

Do we use them?

What legal protections exist to ensure against torture or CID there?

Doesn't the use of such places – without any examination by courts, the ICRC, or others - undermine our moral authority in the war on terror? Doesn't it jeopardize our standing with allies? With the Muslim community?

Patriot Act

Why should we allow personal records from libraries, bookstores, doctor's offices, business, and other entities that are not connected to an international terrorist or spy to be obtained using either a secret order under the Foreign Intelligence Surveillance Act (FISA) or a "national security letter" (NSL) issued by an FBI official without any court oversight X

Why should we allow secret FISA orders and NSLs to bar a recipient from telling anyone (other than the recipient's lawyer) that records have been obtained? Isn't that a violation of the 1A? X

How can we say that "sneak and peek" search warrants are appropriate even cases having nothing to do with terrorism?

Why should we make so many changes permanent, when the Admin keeps telling us we are winning the war on terrorism? X

How can we endorse a death penalty provision even where the defendant had no intent to kill or to act in reckless disregard of human life (Sect 214)? Or reduce the number of jurors from 12? How do you square that with the 8A?

Padilla

Why did you wait so long to indict him?

Why didn't you indict him on the dirty bomb plot?

Isn't this -- and your speech -- a recognition that the criminal justice is the right way to go in combating terrorism at home? And that such a tactic can be quite successful? X

Were you afraid of the Supreme Court review and just trying to hide from court scrutiny? X

Why is the Administration generally so distrustful of courts reviewing its conduct in the War on Terror? X

~~1~~ Mix of Intellig

(2)

## Iraq

What's the time table for withdrawal?

Why hasn't the Admin put in more troops?

What is "victory" in Iraq?

In your speech, you say we work well with our allies in the War on Terror. But why didn't we do a better job of working with our allies in the most important front – Iraq?

Defend the Admin's view on WMDs.

What are the true capabilities of the Iraqi police? Is DOJ doing anything to assist them? Same for Iraqi judiciary.

## Miscellaneous

There were many raised threat alerts prior to the election, but few since then. What assurances do we have that they are not being used for political ends? x

What is the status of the Rove investigation? Any comment on Libby's indictment? Is there a shakeup in the works at the WH?

Status of Abramoff investigation? Comment on Cunningham plea?