



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

February 7, 2005

The Honorable Carl Levin
United States Senate
Washington, DC 20510

Dear Senator Levin:

This responds to your letter to FBI Director Mueller, dated February 4, 2005, which requested the unredacted version of a classified three-page FBI document, dated May 10, 2004, regarding the interrogation of detainees at Guantanamo Bay.

We have carefully considered your request, but concluded that the unredacted document cannot be released in response to your request because it contains information covered by the Privacy Act, 5 U.S.C. 552a, as well as deliberative process material. We note, however, that the document is comprised of FBI messages that were not sent by or addressed to Judge Chertoff and it contains no reference to him by name or otherwise.

We hope that this information is helpful. We are sending an identical letter to Senator Lieberman, who joined in your letter to us. Please do not hesitate to contact me if you would like additional assistance regarding any other matter.

Sincerely,

William E. Moschella
Assistant Attorney General

cc: The Honorable Susan Collins
Chairman
Committee on Governmental Affairs
United States Senate
Washington, DC 20510