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by [Dan Nguyen](#) and [Christopher Weaver](#) , ProPublica - January 28, 2009 7:00 am EST

The Bush administration's controversial policies on detentions, interrogations and warrantless wiretapping were underpinned by legal memoranda. While some of those memos have been released (primarily as a result of [ACLU lawsuits](#)), the former administration [kept far more memos secret than has been previously understood](#) . At least three dozen by our count.

The decision to release them [now lies with President Obama](#) . To help inform the debate—and inject an extra dose of accountability—we're posting the [first comprehensive list of the secret memos](#) . (The ACLU first compiled a list, which ProPublica verified and expanded on.)

Note: Our list is quite inclusive, but we have chosen to leave off some documents, such as early drafts of later memos.

Click on the headline of each entry to see more information. Or mouse over the timeline and click on a box to jump to the corresponding entry. We'll update the list if and when more memos are released.

[Read about the authors behind the memos.](#)

Date	Authors	Title	Subject
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9/25/01 John C. Yoo , Deputy Assistant Attorney General, OLC
[authority to use military force abroad and in U.S.](#)
[Made public by the Department of Justice](#)

9/25/01 Deputy Assistant Attorney General, OLC
[scope of electronic surveillance](#)
[Made public by the Department of Justice on March 2, 2009](#)

10/04/01 Deputy Assistant Attorney General, OLC
[Legal authority for intelligence methods](#) This memo
[Declaration of Deputy Assistant Attorney General Steven Bradbury in ACLU, et. al v. DOJ, Oct. 18, 2007 \(p. 22\)](#)

10/23/01 John C. Yoo , Deputy Assistant Attorney General, OLC
[Fourth Amendment doesn't apply to military operations abroad or in U.S.](#)
[Made public by the Department of Justice on March 2, 2009](#)

11/02/01 Deputy Assistant Attorney General, OLC
[Legal authority for communications intelligence program](#) This memo is a response to a specific request
[Declaration of Deputy Assistant Attorney General Steven Bradbury in ACLU, et. al v. DOJ, Oct. 18, 2007 \(p. 22\)](#)

11/05/01 John C. Yoo , Deputy Assistant Attorney General, OLC
[General's authority to approve warrantless wiretapping](#)
[Made public by the Department of Justice](#)

11/06/01 Patrick F. Philbin , Deputy Assistant Attorney General, OLC
[The General's authority to create war crimes tribunals](#)
[Made public by the Department of Justice.](#)

11/20/01 John C. Yoo , Deputy Assistant Attorney General, OLC
[Laws and treaties regarding treatment of prisoners](#)
[Declaration of Deputy Assistant Attorney General Steven Bradbury in ACLU, et. al v. Dept. of Defense, June 7, 2007 \(p. 180\)](#)

12/21/01 John C. Yoo , Deputy Assistant Attorney General, OLC
[Cyberattacks against American terrorists](#)
[Cited in the Interrogation Memo \(p. 23\)](#)

1/9/02 Deputy Assistant Attorney General, OLC
[Legal authority of warrantless wiretapping program](#) This memo contains a legal review by the
[Declaration of Deputy Assistant Attorney General Steven Bradbury in ACLU, et. al v. DOJ, Oct. 18, 2007 \(p. 9\)](#)

1/11/02 Jay S. Bybee , Assistant Attorney General, OLC
[Administration's power to interpret international law](#)

[Declaration of Deputy Assistant Attorney General Steven Bradbury in ACLU, et. al v. Dept. of Defense, June 7, 2007 \(p. 178\)](#)

1/14/02 John C. Yoo , Deputy Assistant Attorney General, OLC , Sp
[The War Crimes Act's application to American interrogators](#)
[Subject of request by House Judiciary Committee](#)
[cited in the Interrogation Memo \(p. 34\)](#)
[Link to this entry](#)

1/22/02 Jay S. Bybee , Assistant Attorney General, OLC , De
[RE: Application of Treaties and Laws to al Qaeda and Taliban Detainees](#)
[Made public](#)
[Link to this entry](#)

1/24/02 John C. Yoo , Deputy Assistant Attorney General, OLC This
[under international law](#)
[Declaration of Deputy Assistant Attorney General Steven Bradbury in ACLU, et. al v. Dept. of Defense, June 7, 2007 \(p. 177\)](#)
[Link to this entry](#)

1/24/02 John C. Yoo , Deputy Assistant Attorney General, OLC
[interpreting the Geneva Conventions](#)
[Declaration of Deputy Assistant Attorney General Steven Bradbury in ACLU, et. al v. Dept. of Defense, June 7, 2007 \(p. 177\)](#)
[Link to this entry](#)

1/26/02 Jay S. Bybee , Assistant Attorney General, OLC
[interpreting the Geneva Conventions](#)
[Declaration of Deputy Assistant Attorney General Steven Bradbury in ACLU, et. al v. Dept. of Defense, June 7, 2007 \(p. 145\)](#)
[Link to this entry](#)

2/1/02 James C. Ho , Attorney-Advisor, OLC [The Geneva](#)
[Convention and terrorist groups](#)
[Subject of subpoena by Sen. Leahy](#)
[cited in the Interrogation Memo \(p. 49\)](#)
[Link to this entry](#)

2/7/02 Jay S. Bybee , Assistant Attorney General, OLC [POW's for](#)
[Taliban fighters](#) This memo
[Made public by the Senate Judiciary Committee](#)

2/7/02 George W. Bush , President [Humane](#)
[Treatment of al Qaeda and Taliban Detainees](#)
[Made public by the White House](#)

3/5/02 Joan L Larsen , Deputy Assistant Attorney General, OLC
[Habeas corpus relief for detainees](#)
[Declaration of Deputy Assistant Attorney General Steven Bradbury in ACLU, et. al v. Dept. of Defense, June 7, 2007 \(p. 174\)](#)

3/13/02 Jay S. Bybee , Assistant Attorney General, OLC
[President's Power as Commander in Chief to Transfer Captured Terrorists to the Control and Custody of Foreign Nations](#)
[Made public by the Department of Justice on March 2, 2009](#)

4/8/02 Patrick F. Philbin , Deputy Assistant Attorney General, OLC
[commissions not covered by Swift Justice law](#)
[Made public by the Department of Justice on March 2, 2009](#)

6/13/02 Jay S. Bybee , Assistant Attorney General, OLC
[Trial, OLC](#)
[board foreign ships at sea](#)
[Subject of request by House Judiciary Committee cited in the Interrogation Memo \(p. 5\)](#)

6/27/02 John C. Yoo , Deputy Assistant Attorney General, OLC
[By General, OLC](#)
[authority to detain U.S. citizens](#)
[Made public by the Department of Justice on March 2, 2009](#)

7/22/02 John C. Yoo , Deputy Assistant Attorney General, OLC
[By General, OLC](#)
[Against Torture has limited application in the U.S.](#)
[Subject of request by House Judiciary Committee](#)

8/1/02 Jay S. Bybee , Assistant Attorney General, OLC
[Date, OLC](#)
[whether a specific interrogation was torture](#)
[A heavily redacted version of the memo was made public by the ACLU, but it's substance remains secret](#)

8/1/02 John C. Yoo , Deputy Assistant Attorney General, OLC
[By General, OLC](#)
[prosecuted only if there was 'specific intent' to harm](#)
[Made public](#)

8/1/02 Jay S. Bybee , Assistant Attorney General, OLC
[By General, OLC](#)
[Made public by the Washington Post](#) [Practices torture](#) This memo

10/11/02 Deputy Assistant Attorney General, OLC
[Legal, OLC](#)
[communications intelligence activities](#) This is one of several memos dealing with
[Declaration of Deputy Assistant Attorney General Steven Bradbury in ACLU, et. al v. DOJ, Oct. 18, 2007 \(p. 22\)](#)

2/7/03 John C. Yoo , Deputy Assistant Attorney General, OLC
[By General, OLC](#)
[American Bar Association's criticism of detention policy](#)

[Declaration of Deputy Assistant Attorney General Steven Bradbury in ACLU, et. al v. Dept. of Defense, June 7, 2007 \(p. 146\)](#)

2/25/03 Deputy Assistant Attorney General OLC [Legal review of intelligence collected](#) This memo addressed the
[Declaration of Deputy Assistant Attorney General Steven Bradbury in ACLU, et. al v. DOJ, Oct. 18, 2007 \(p. 21\)](#)

3/14/03 John C. Yoo, Deputy Assistant Attorney General OLC
[doesn't apply at Gitmo and other offshore prisons](#)
[Made public by the ACLU](#)

6/1/03 The White House [Approval of CIA interrogation techniques](#) A brief memo
[Reported in the Washington Post](#)

9/8/03 Sheldon Bradshaw, Deputy Assistant Attorney General OLC
[draft legislation](#) This memo addressed the
[Declaration of Deputy Assistant Attorney General Steven Bradbury in ACLU, et. al v. Dept. of Defense, June 7, 2007 \(p. 170\)](#)

11/18/03 Jack L. Goldsmith, III, Assistant Attorney General OLC
[Interpretation of the Geneva Convention](#) , Sp
[Declaration of Deputy Assistant Attorney General Steven Bradbury in ACLU, et. al v. Dept. of Defense, June 7, 2007 \(p. 169\)](#)

3/11/04 Jack L. Goldsmith, III, Assistant Attorney General OLC [Legal review of classified intelligence activities](#) This memo addressed the
[Declaration of Deputy Assistant Attorney General Steven Bradbury in ACLU, et. al v. DOJ, Oct. 18, 2007 \(p. 7\)](#)

3/12/04 Jack L. Goldsmith, III, Assistant Attorney General OLC [Memo on classified intelligence activities](#)
[Declaration of Deputy Assistant Attorney General Steven Bradbury in ACLU, et. al v. DOJ, Oct. 18, 2007 \(p. 7\)](#)

3/15/04 Jack L. Goldsmith, III, Assistant Attorney General OLC [Draft memo on classified intelligence activities](#)
[Declaration of Deputy Assistant Attorney General Steven Bradbury in ACLU, et. al v. DOJ, Oct. 18, 2007 \(p. 6\)](#)

3/16/04 James B. Comey, Acting Attorney General OLC [Legal guidance on classified intelligence activities](#)
[Declaration of Deputy Assistant Attorney General Steven Bradbury in ACLU, et. al v. DOJ, Oct. 18, 2007 \(p. 6\)](#)

3/18/04 Jack L. Goldsmith, III, Assistant Attorney General OLC [Executive Order on Geneva Convention for detainees in Iraq](#)

[Made public by the Department of Justice](#)

3/19/04 Jack L. Goldsmith, III , Assistant Attorney General, OLC
[Legal Opinion on the Condition of Protected Persons in Iraq](#)
[Made public by the Washington Post](#)

3/30/04 James B. Comey , Deputy Attorney General
[Briefing to Ashcroft on the warrantless wiretapping program](#)
[Declaration of Deputy Assistant Attorney General Steven Bradbury in ACLU, et. al v. DOJ, Oct. 18, 2007 \(p. 30\)](#)

5/18/04 Rene L. Lerner , Deputy Assistant Attorney General, OLC
[Legal advice on McCain anti-torture legislation](#)
[Declaration of Deputy Assistant Attorney General Steven Bradbury in ACLU, et. al v. Dept. of Defense, June 7, 2007 \(p. 185\)](#)

7/2/2004 White House [Approval of CIA interrogation techniques](#) This memo
[Made public by the Washington Post](#)

7/16/04 Assistant Attorney General, OLC [Memo on Evaluating a Supreme Court decision](#)
This memo evaluates the implications of a
[Declaration of Deputy Assistant Attorney General Steven Bradbury in ACLU, et. al v. DOJ, Oct. 18, 2007 \(p. 22\)](#)

8/9/04 Daniel Levin , Acting Assistant Attorney General, OLC
[Legal Opinion on CIA's use of classified intelligence activities](#)
[Declaration of Deputy Assistant Attorney General Steven Bradbury in ACLU, et. al v. DOJ, Oct. 18, 2007 \(p. 5\)](#)

12/06/04 Daniel Levin , Acting Assistant Attorney General, OLC
[Legal Opinion on CIA's review of prisoners' status](#)
[Declaration of Deputy Assistant Attorney General Steven Bradbury in ACLU, et. al v. Dept. of Defense, June 7, 2007 \(p. 183\)](#)

12/30/04 Daniel Levin , Acting Assistant Attorney General, OLC
[Legal Opinion on CIA's definition of torture](#)
[Made public by the Department of Justice](#) This memo

2/4/05 Daniel Levin , Acting Assistant Attorney General, OLC
[Legal Opinion on CIA's previous opinion concerning interrogation](#)
[Declaration of Deputy Assistant Attorney General Steven Bradbury in ACLU, et. al v. Dept. of Defense, June 7, 2007 \(p. 191\)](#)

5/10/05 Steven G. Bradbury , Principal Deputy Assistant Attorney General, OLC
[Legal Opinion on CIA's interrogation techniques](#)
[Memorandum of U.S. Attorney Michael J. Garcia in ACLU, et al. v. DOJ, 11/05/2007](#) Th

5/10/05 Steven G. Bradbury , Principal Deputy Assistant Attorney General, OLC
[interrogation techniques](#)
[Memorandum of U.S. Attorney Michael J. Garcia in ACLU, et al. v. DOJ, 11/05/2007](#)

5/30/05 Steven G. Bradbury , Principal Deputy Assistant Attorney General, OLC
[all CIA interrogations were legal](#)
[Memorandum of U.S. Attorney Michael J. Garcia in ACLU, et al. v. DOJ, 11/05/2007](#)