

**Opening Statement by
Chairman John Conyers, Jr.
Hearing on From the Department of Justice to Guantanamo Bay:
Administration Lawyers and Administration Interrogation Rules,
Part V
Before the Committee on the Judiciary
Thursday, July 17, 2008, at 10:00 a.m.
2141 Rayburn House Office Building**

In recent months, our Constitution Subcommittee has conducted a vigorous and detailed investigation of the Administration's interrogation policy and the extreme legal theories that allowed it. Today, that investigation comes to the full Committee with a remarkable opportunity to hear from our former Attorney General and our other distinguished witnesses. Let me make three short observations as we begin.

First, while the former Attorney General and I will disagree about many of the issues that come before the Congress, on this one I am hopeful that we share some important common ground.

I was impressed, for example, to learn that when Jack Goldsmith determined that the John Yoo interrogation memos needed to be withdrawn, Mr. Ashcroft supported his judgment. That could not have been an easy decision to make and it is one that has done our nation a great deal of good. The well known story of Mr. Ashcroft's support, even from his hospital bed, for his Deputy Jim Comey's actions on the secret warrantless surveillance program also shows an Attorney General trying to uphold the rule of law.

Second, while our narrow subject today is interrogation rules, our overall inquiry is about exactly that - the rule of law. In prior hearings, the Subcommittee heard very disturbing testimony, including claims of Presidential power so extreme that virtually no act was out of bounds if the President thought it necessary. John Yoo would not even rule out burying a suspect alive if the President so desired. That is not the rule of law - it is the rule of one man.

The Subcommittee also heard very troubling testimony about how dissenting views were handled on this issue. Daniel Levin, former head of the Office of Legal counsel under Attorney General Ashcroft, described being forced out of the Office of Legal Counsel by Alberto Gonzales while he was drafting legal opinions that would have imposed some constraints on the use of harsh interrogation methods. I have great concern about an Administration that responds to legal advice it does not like by firing the lawyer providing it and

getting one who will tell them what they want to hear, as may have happened in this case.

Third, while one goal of this hearing is to continue to develop the important historical facts on the interrogation issue, I am also grateful for the opportunity to hear from all of our witnesses on what has happened to the rule of law under this Administration and what they think is the best way forward on this issue. After years of confusing and misleading rhetoric, false promises, and horribly damaging revelations, what are the most important steps we can take to restore some concrete meaning to the promise that "America does not torture" and that "America respects the rule of law"?