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ONE HUNDRED THIRTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

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February 8, 2013

President Barack Obama
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear President Obama,

We write to request that members of the House Judiciary Committee be granted the opportunity to review all Justice Department legal opinions related to the use of lethal force to target specific terror suspects or the broader use of unmanned aerial aircraft ("drones") to conduct airstrikes against terrorist targets (so-called "signature strikes"). Earlier this week, you authorized the release of these memos to the House and Senate Intelligence Committees, indicating your administration recognizes the value of oversight by Congressional committees.

The House Judiciary Committee's jurisdiction in this area is clear: we are the congressional committee with responsibility over civil liberties, the Constitution, and criminal law enforcement, as well as oversight of the Justice Department. Irrespective of the role of the Intelligence Committees, our role and responsibility with regard to this matter is also well established through our longstanding participation in oversight of other national security programs, including those involving our surveillance agencies that have arisen in the wake of the 9.11 terrorist attacks. We believe that our authority and responsibility to review the legal justifications for the administration's drone program is beyond dispute.

In January 2009, you promised the American people that you would hold yourself to a new standard of openness. Specifically, you stated: "Information will not be withheld just because I say so. . . . Let me say it as simply as I can: Transparency and the rule of law will be the touchstones of this presidency."

This week, the confidential white paper that the Justice Department previously provided to this Committee in draft form, with the request that we not share it further, was leaked to the news media. That paper summarizes legal opinions generated by the Justice Department that provide the legal justification for the targeted killings of Americans overseas. As prior Judiciary

Committee requests have made clear, we appreciate your administration's providing the white paper. But that does not fully satisfy our requests or fulfill our ongoing need for information that allows us to conduct meaningful congressional oversight.

We therefore request that you direct the Justice Department to provide members of the House Judiciary Committee the opportunity to review all legal opinions relied upon by your administration related to the use of lethal force to target specific terror suspects or the broader use of signature strikes. Congress is perfectly equipped to confidentially handle sensitive information, and we are willing to discuss whatever safeguards you believe necessary to protect the information.

We are disappointed that three prior requests to review these memoranda by members of the Committee have gone unanswered. We hope that you will reaffirm your commitment to transparency and openness by accommodating our request to review these documents. We respectfully request that you direct the Justice Department to provide the requested documents to the Committee by close of business on Tuesday, February 12, 2013.

Thank you for your attention. We look forward to your timely response.

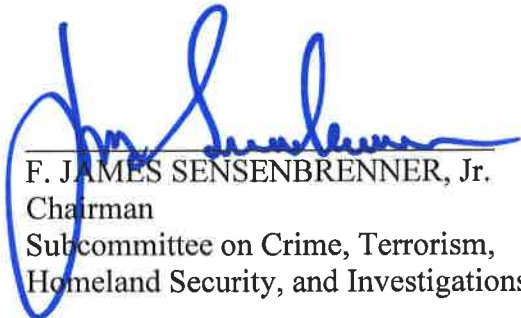


BOB GOODLATTE
Chairman

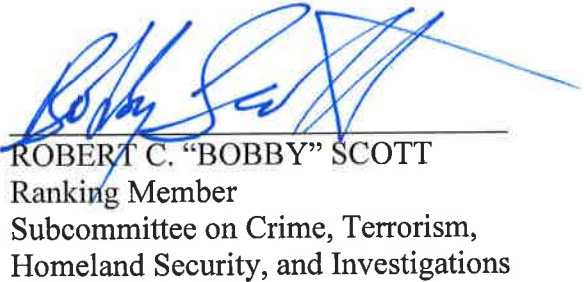
Sincerely,



JOHN CONYERS, Jr.
Ranking Member



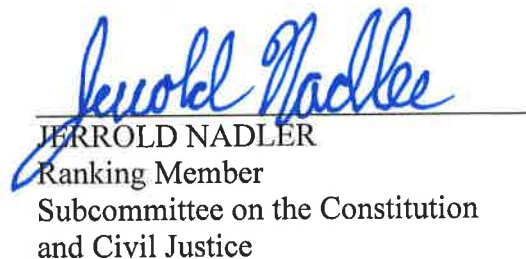
F. JAMES SENSENBRENNER, Jr.
Chairman
Subcommittee on Crime, Terrorism,
Homeland Security, and Investigations



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TRENT FRANKS
Chairman
Subcommittee on the Constitution
and Civil Justice



JERROLD NADLER
Ranking Member
Subcommittee on the Constitution
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