



U.S. Department of Justice

Office of Legal Counsel

Washington, D.C. 20530

November 3, 2011

Matt Ehling
Public Record Media, LLC
2375 University Ave. W., Suite 200
St. Paul, MN 55114

Dear Mr. Ehling:

This responds to your Freedom of Information Act request dated October 11, 2011

The first item in your request seeks “[a]ny and all legal opinions and/or memoranda produced by your office between January 1, 2007 and October 1, 2011 that deal with the use of lethal force by the United States against United States person Anwar al-Awlaki, or against any United States person using a substantially similar name, or against any United States person using the name “Anwar al-Awlaki” as a pseudonym.” Pursuant to FOIA Exemptions One, Three and Five, 5 U.S.C. § 552(b)(1), (3) and (5), the Office of Legal Counsel neither confirms nor denies the existence of the documents described in this item. We cannot do so because the very fact of the existence or nonexistence of such documents is itself classified, protected from disclosure by statute, and privileged.

We have identified several documents that are responsive to the remaining items in your request. We are withholding these documents pursuant to FOIA Exemption One, 5 U.S.C. § 552(b)(1), which protects classified information; Exemption Three, *id.*, § 552(b)(3), which protects information specifically exempted from disclosure by statute; and Exemption Five, *id.*, § 552(b)(5), which protects information that is privileged. The documents are protected by the deliberative process and attorney-client privileges.

I am required by statute and regulation to inform you that you have the right to file an administrative appeal. Any administrative appeal must be received within 60 days of the date of this letter by the Office of Information Policy, United States Department of Justice, Flag Building, Suite 570, Washington, D.C. 20530-0001 Both the letter and the envelope should be clearly marked “Freedom of Information Act Appeal.”

Sincerely,

A handwritten signature in black ink that reads "Paul P. Colborn".

Paul P. Colborn
Special Counsel