

WILL SENATORS FILIBUSTER CHUCK HAGEL'S NOMINATION TO GET THE TARGETED KILLING MEMO?

Eleven Senators just sent President Obama a letter asking nicely, for at least the 12th time, the targeted killing memo. They remind him of his promise of transparency and oversight.

In your speech at the National Archives in May 2009, you stated that “Whenever we cannot release certain information to the public for valid national security reasons, I will insist that there is oversight of my actions – by Congress or by the courts.” We applaud this principled commitment to the Constitutional system of checks and balances, and hope that you will help us obtain the documents that we need to conduct the oversight that you have called for. The executive branch’s cooperation on this matter will help avoid an unnecessary confrontation that could affect the Senate’s consideration of nominees for national security positions.

And asks – yet again – for “any and all memos.”

Specifically, we ask that you direct the Justice Department to provide Congress, specifically the Judiciary and Intelligence Committees, with any and all legal opinions that lay out the executive branch’s official understanding of the President’s authority to deliberately kill American citizens.

But perhaps the most important part of this letter is that it refers not just to John Brennan's nomination, but to "senior national security positions."

As the Senate considers a number of nominees for senior national security positions, we ask that you ensure that Congress is provided with the secret legal opinions outlining your authority to authorize the killing of Americans in the course of counterterrorism operations.

There are just 11 Senators on this list:

- Ron Wyden (D-Ore.)
- Mike Lee (R-Utah)
- Mark Udall (D-Colo.)
- Chuck Grassley (R-Iowa)
- Jeff Merkley (D-Ore.)
- Susan Collins (R-Maine)
- Dick Durbin (Ill.)
- Patrick Leahy (D-Vt.)
- Tom Udall (D-N.M.)
- Mark Begich (D-Alaska)
- Al Franken (D-Minn.)

And just three of these – Wyden, Mark Udall, and Collins – are on the Intelligence Committee. That's not enough to block Brennan's confirmation.

But it may be enough to block Hagel's confirmation, given all the other Republicans who are opposing him.