

United States Senate

WASHINGTON, DC 20510

April 30, 2014

Senator Harry Reid
Majority Leader
United States Senate
Washington, DC 20510

Dear Senator Reid,

I am writing to convey my objection to floor consideration of the nomination of Professor David Barron to the United States Court of Appeals for the First Circuit.

On April 21, 2014, the United States Court of Appeals for the Second Circuit ordered that the Department of Justice disclose a redacted version of the Office of Legal Counsel memorandum that authorized the targeted killing of Anwar al-Awlaki. David Barron was one of the principal writers of this memorandum. He has spoken openly about his role in crafting the Administration's legal position that it can kill Americans abroad without due process.

The constitutionality of this policy has been the subject of intense debate in our country since it's implementation. Until now, the American people have been unable to scrutinize the Administration's legal basis for this policy. The disclosure of this document will not only clarify that debate it will also allow the Senate to gain critical insight into David Barron's judicial philosophy.

It would be irresponsible for the Senate to move forward on this nomination until the Department of Justice has complied with the court order to disclose this document, which will highlight Barron's views on international law, the Fifth Amendment and it's guarantee of due process, and the civil liberties of our nation's citizens.

Accordingly, I will object to any unanimous consent agreement, or the waiver of any rule, with respect to the Barron nomination until my concerns have been satisfied. Please contact me if you decide to proceed on this nomination.

Sincerely,



Rand Paul, M.D.
United States Senator