CONGRESS AND KILLING OVERSIGHT: ERIC HOLDER V. RON WYDEN

Eric Holder today said that giving “appropriate members of Congress” information on the “legal framework” of its operations where “lethal force is used against United States citizens” is a key part of robust oversight.

> That is not to say that the Executive Branch has – or should ever have – the ability to target any such individuals without robust oversight. Which is why, in keeping with the law and our constitutional system of checks and balances, the Executive Branch regularly informs the appropriate members of Congress about our counterterrorism activities, including the legal framework, and would of course follow the same practice where lethal force is used against United States citizens.

Well, then, there simply hasn’t been robust oversight over the Anwar al-Awlaki killing.

As of a month ago—four months after Awlaki was killed—the Senate Intelligence Committee had not been provided with the legal framework for Awlaki’s kill. This, in spite of the fact that SSCI member Ron Wyden had been requesting that framework for over five months **before** Awlaki was killed.

I said when Wyden made that clear that it showed there had not been adequate oversight of the killing. By his words—if not his deeds—Holder effectively made the same argument.