

HOW MANY OF THE SEVEN MISSING OLC OPINIONS AUTHORIZE TARGETED KILLING IN UNKNOWN COUNTRIES?

Dianne Feinstein has released a statement trying to pretend the Senate Intelligence Committee's post-killing review constitutes enough oversight of the drone program. In it, she reveals that the Committee is still waiting on 5 OLC memos on targeted killing.

Since 2010 the committee has asked for copies of all the legal opinions written by the Office of Legal Counsel (OLC) at the Department of Justice on targeted killing. I have sent three letters, each joined by Vice Chairman Kit Bond or Vice Chairman Saxby Chambliss, requesting these opinions.

In 2012, the committee included a legislative provision in its annual authorization bill to require the executive branch to provide OLC opinions. Unfortunately that provision was removed prior to final passage of the bill. Until last week, the committee had been provided access to only two of the nine OLC opinions that we believe to exist on targeted killings.

Last week, senators on the committee were finally allowed to review two OLC opinions on the legal authority to strike U.S. citizens. We have reiterated our request for all nine OLC opinions—and any other relevant documents—in order to fully evaluate the executive branch's legal reasoning, and to broaden access to the opinions to appropriate members of the committee

staff.

~~So there are 9 total. The Committee had already seen 2. It got 2 more last Thursday. Leaving 5 memos on targeted killing — purportedly not related to US persons.~~

Update: Charlie Savage asked for clarification on the number. There are 11 total. The Committee is still waiting on 7.

If they don't relate to US persons, then why is the Administration so squeamish about releasing them?

Remember, per Ron Wyden, the Administration still hadn't provided the committee a list of all the countries it has used its lethal counterterrorism authorities.

So it's hiding where it is using targeted killings in that form. How many specific OLC memos authorize the use of targeted killings in countries not imagined to be part of the scope of the current war on terror?

Update: I've changed the title to reflect the likelihood that we're using targeted killing in some countries we're not operating drones.