

GOVERNMENT APPEARS TO BE TRYING TO HIDE 3 OTHER OLC MEMOS IN THE AWLAKI MEMO

The Government is trying to quasi appeal the 2nd Circuit's order to turn over information on the Awlaki killing (in part, it appears, to claim the CIA was not involved in the killing after all!). It appears to be hiding a number of references to other OLC memos (and one memorandum that may not be from OLC and another to OLC). Among the other things it lists that the 2nd Circuit said should be released but which the government would like censored are the following:

- *the citation to and description of an OLC memorandum cited at page [redacted]*
- *the citation to and description of an OLC memorandum cited at pages [redacted]*
- *a citation to a memorandum to OLC at page [redacted]*
- *the citation and description of a memorandum at page [redacted]*

[snip]

- *the citation to and description of an OLC memorandum at pages 16 nn. 14 & 16*

Admittedly it's possible the three references to the memos are to the same memo, but from the syntax it doesn't sound like it. The thing is, the government gets to hide OLC memos by claiming they weren't finalized. But if the government is citing them in a finalized memo, then it is relying on them. Then they're finalized, aren't they?