



U.S. Department of Justice

Office of Legal Counsel

Washington, D.C. 20530

November 14, 2011

Nathan Freed Wessler
American Civil Liberties Union Foundation
125 Broad Street, 18th Floor
New York, NY 10004

Dear Mr. Wessler:

This responds to your Freedom of Information Act request dated October 19, 2011, in which you seek, "records pertaining to the legal authority and factual basis for the targeted killing of Anwar al-Awlaki and two other U.S. citizens by the United States Government," as more specifically set forth in separately numbered paragraphs at pages 5 and 6 of your request.

Pursuant to FOIA Exemptions One, Three and Five, 5 U.S.C. § 552(b)(1), (3) and (5), the Office of Legal Counsel neither confirms nor denies the existence of the documents described in your request. We cannot do so because the very fact of the existence or nonexistence of such documents is itself classified, protected from disclosure by statute, and privileged.

I am required by statute and regulation to inform you that you have the right to file an administrative appeal. Any administrative appeal must be received within 60 days of the date of this letter by the Office of Information Policy, United States Department of Justice, Flag Building, Suite 570, Washington, D.C. 20530-0001. Both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,

A handwritten signature in black ink that reads "Paul P. Colborn". The signature is fluid and cursive, with a long, sweeping underline.

Paul P. Colborn
Special Counsel