
From: Brett Max Kaufman <[REDACTED]>
Sent: Wednesday, January 08, 2014 5:14 PM
To: Hostetler, Kelley Brooke (OLC)
Cc: Aminfar, Amin (OLC)
Subject: RE: FOIA Request 14-002

Dear Ms. Hostetler:

Thank you very much for confirming the terms of our agreement. I am also documenting our earlier clarification, when we spoke by telephone on December 11, 2013, that the language in category #1 requesting “[a]ny and all records pertaining to the legal basis in domestic, foreign, and international law upon which the government may use lethal force against individuals or groups” is intended to cover records about any use of lethal force and is not limited to the use of force pursuant to the AUMF only.

Best,
Brett M. Kaufman

Brett Max Kaufman

National Security Fellow / Attorney | National Security Project
American Civil Liberties Union
125 Broad Street—18th Floor
New York, New York 10004
[REDACTED]

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From: Hostetler, Kelley Brooke (OLC) [[mailto:\[REDACTED\]](mailto:[REDACTED])]
Sent: Monday, January 06, 2014 03:46 PM
To: Brett Max Kaufman
Cc: Aminfar, Amin (OLC)
Subject: FOIA Request 14-002

Dear Mr. Kaufman:

I am writing to confirm the ACLU’s agreement to narrow the scope of its FOIA Request dated October 15, 2013, FOIA Tracking No. 14-002, in the following four respects:

First, the ACLU has agreed to limit its request to documents dated September 11, 2001 or later. Second, the ACLU has agreed to limit its request for documents dated prior to November 14, 2011 to those that constitute final legal advice. Third, the ACLU has agreed to limit its request to the Office of Legal Counsel (OLC) to documents responsive to categories 1 and 2 in the ACLU’s original request. Finally, the ACLU has agreed to exclude communications that are purely internal OLC communications.

Sincerely,
Kelley Brooke Hostetler
Attorney-Adviser
Office of Legal Counsel