

Classified *Ex Parte* Index of Office of Legal Counsel Documents
ACLU FOIA 12-013

Doc. No(s).	Date(s)	From	To	Title/Subject	Description	Exemptions
1						b(1), b(3), b(5)
2						b(1), b(3), b(5)
3						b(1), b(3), b(5)
4	2/19/2010	David J. Barron, Acting Assistant Attorney General, OLC	The Attorney General	Lethal Operations Against Shaykh Anwar Aulaqi	Classified legal memorandum from OLC to the Attorney General providing legal advice regarding legal authority to use lethal force directed against Shaykh Anwar Aulaqi, a U.S. citizen.	b(1), b(3), b(5)

All redactions pursuant to Second Circuit Order of August 11, 2014

Doc. No(s).	Date(s)	From	To	Title/Subject	Description	Exemptions
5	7/16/2010	David J. Barron, Acting Assistant Attorney General, OLC	The Attorney General	Applicability of Federal Criminal Laws and the Constitution to Contemplated Lethal Operations Against Shaykh Anwar al-Aulaqi	Classified legal memorandum from OLC to the Attorney General providing legal advice regarding the application of U.S. federal criminal law and the Constitution in connection with the use of lethal force directed against Shaykh Anwar Aulaqi, a U.S. citizen.	b(1), b(3), b(5)
6	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	b(1), b(3), b(5)
7	[REDACTED]	[REDACTED]	[REDACTED]	Analysis of 18 U.S.C. § 1119	Classified legal memorandum [REDACTED] to OLC containing legal deliberations regarding the appropriate legal analysis of the application of U.S. federal criminal law in connection with the use of lethal force directed against a U.S. citizen.	
8	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	b(1), b(3), b(5)
9	5/25/2011	The Department of Justice		Legality of a Lethal Operation by the Central Intelligence Agency Against a U.S. Citizen	Classified legal analysis regarding the legal basis for the CIA to use lethal force against a U.S. citizen abroad in certain circumstances.	b(1), b(3), b(5)

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Doc. No(s).	Date(s)	From	To	Title/Subject	Description	Exemptions
10-15						b(1), b(3), b(5)
16						
17-29						b(1), b(3), b(5)
30-39						b(1), b(3), b(5)

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40-45	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	b(1), b(3), b(5)
46	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
47-49	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	b(1), b(3), b(5)
50	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Internal OLC draft insert to draft legal analysis of the legal basis for the CIA to use lethal force against a U.S. citizen abroad in certain circumstances.	b(1), b(3), b(5)

Doc. No(s)	Date(s)	From	To	Title/Subject	Description	Exemptions
51-56						b(1), b(3), b(5)
57					Classified factual information relating to Anwar al-Aulaqi and Al-Qa'ida in the Arabian Peninsula (AQAP), provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)
58					Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)
59					Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)

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60					Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)
61					Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)
62					Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)
63					Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)

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64					Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)
65					Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)
66					Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)
67						b(1), b(3), b(5)

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Doc. No(s).	Date(s)	From	To	Title/Subject	Description	Exemptions
68					Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)
69					Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)
70					Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)
71					Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)

Doc. No(s).	Date(s)	From	To	Title/Subject	Description	Exemptions
72						b(1), b(3), b(5)
73					Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)
74				Al-Qa'ida in the Arabian Peninsula	Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)
75				Request for Views on Legality of Targeting for Lethal Action United States Citizen, Shaykh Anwar Aulaqi	Classified and confidential attorney-client communication requesting legal advice from the Attorney General and conveying factual information relevant to interagency request for legal advice and relied upon in the preparation of Documents 4 & 5.	b(1), b(3), b(5)
76					Classified and confidential attorney-client communication conveying factual information relevant to interagency request for legal advice and relied upon in the preparation of Documents 4 & 5.	b(1), b(3), b(5)

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Doc. No(s).	Date(s)	From	To	Title/Subject	Description	Exemptions
77					Classified and confidential attorney-client communication conveying factual information relevant to interagency request for legal advice and relied upon in the preparation of Documents 4 & 5.	b(1), b(3), b(5)
78					Classified and confidential attorney-client communication conveying factual information relevant to interagency request for legal advice and relied upon in the preparation of Documents 4 & 5.	b(1), b(3), b(5)
79					Classified and confidential attorney-client communication conveying factual information relevant to interagency request for legal advice and relied upon in the preparation of Documents 4 & 5.	b(1), b(3), b(5)
80					Classified and confidential attorney-client communication conveying factual information relevant to interagency request for legal advice and relied upon in the preparation of Documents 4 & 5.	b(1), b(3), b(5)
81					Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)

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Doc. No(s).	Date(s)	From	To	Title/Subject	Description	Exemptions
82	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Classified and confidential attorney-client communication conveying factual information relevant to interagency request for legal advice and relied upon in the preparation of Documents 4 & 5.	b(1), b(3), b(5)
83	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)
84	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	b(1), b(3), b(5)
85	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	b(1), b(3), b(5)
86	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	b(1), b(3), b(5)

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87					Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)
88					Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)
89					Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)
90					Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)
91					Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)

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Doc. No(s).	Date(s)	From	To	Title/Subject	Description	Exemptions
92					Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)
93					Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)
94						b(1), b(3), b(5)
95					Memorandum [redacted] to OLC providing additional classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)

Doc. No(s).	Date(s)	From	To	Title/Subject	Description	Exemptions
96					Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)
97					Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)
98					Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)
99					Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)
100					Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)

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Doc. No(s)	Date(s)	From	To	Title/Subject	Description	Exemptions
101						b(1), b(3), b(5)
102					Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)
103					Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)
104					Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)

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Doc. No(s).	Date(s)	From	To	Title/Subject	Description	Exemptions
105	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	b(1), b(3), b(5)
106	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	b(1), b(3), b(5)
107	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	b(1), b(3), b(5)

Doc. No(s).	Date(s)	From	To	Title/Subject	Description	Exemptions
108						b(1), b(3), b(5)
109						b(1), b(3), b(5)
110				The Evolution of Al-Qa'ida's Node in the Arabian Peninsula	Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)
111						b(1), b(3), b(5)

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Doc. No(s).	Date(s)	From	To	Title/Subject	Description	Exemptions
112						b(1), b(3), b(5)
113					Fax containing draft factual excerpt from draft of Document 5 provided for additional comment and input from interagency clients.	b(1), b(3), b(5)
114						b(1), b(3), b(5)
115						b(1), b(3), b(5)

Doc. No(s).	Date(s)	From	To	Title/Subject	Description	Exemptions
116					Fax ██████ to OLC providing comments on draft factual excerpt of draft of Document 5 and additional classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)
117				█████ Response on DOJ Questions	Classified factual information ██████ relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)
118					Classified factual information relating to Anwar al-Aulaqi and AQAP, provided in connection with a request for legal advice regarding the potential use of lethal force against Anwar al-Aulaqi.	b(1), b(3), b(5)
119						b(1), b(3), b(5)

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Doc. No(s).	Date(s)	From	To	Title/Subject	Description	Exemptions
120					Internal OLC outline of classified factual information provided in confidence in connection with interagency request for legal advice, prepared in connection with drafting legal advice.	b(1), b(3), b(5)
121				List of Verification Topics	Internal OLC outline of classified factual information provided in confidence in connection with interagency request for legal advice, prepared in connection with drafting legal advice.	b(1), b(3), b(5)
122				Add'l Follow-Up	Internal OLC outline of classified factual information provided in confidence in connection with interagency request for legal advice, prepared in connection with drafting legal advice.	b(1), b(3), b(5)
123					Unclassified open source media materials relating to the relationship between al Qaeda and AQAP provided as client communications in connection with the preparation of Documents 4 & 5.	b(5)
124					Unclassified open source media materials relating to the relationship between al Qaeda and AQAP provided as client communications in connection with the preparation of Documents 4 & 5.	b(5)
125					Unclassified open source media materials relating to the relationship between al Qaeda and AQAP provided as client communications in connection with the preparation of Documents 4 & 5.	b(5)

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Doc. No(s).	Date(s)	From	To	Title/Subject	Description	Exemptions
126					Unclassified open source media materials relating to the relationship between al Qaeda and AQAP provided as client communications in connection with the preparation of Documents 4 & 5.	b(5)
127					Unclassified open source media materials relating to the relationship between al Qaeda and AQAP provided as client communications in connection with the preparation of Documents 4 & 5.	b(5)
128					Unclassified open source media materials relating to the relationship between al Qaeda and AQAP provided as client communications in connection with the preparation of Documents 4 & 5.	b(5)
129				Open Source Center Current Developments	Unclassified open source media materials relating to the relationship between al Qaeda and AQAP provided as client communications in connection with the preparation of Documents 4 & 5.	b(5)
130					Unclassified open source media materials relating to the relationship between al Qaeda and AQAP provided as client communications in connection with the preparation of Documents 4 & 5.	b(5)
131				Applicability of 18 U.S.C. § 1119 to Proposed Lethal Operation Against Shaykh Anwar Aulaqi	Draft of Document 5.	b(1), b(3), b(5)

Doc. No(s)	Date(s)	From	To	Title/Subject	Description	Exemptions
132					Insert for draft of Document 5.	b(1), b(3), b(5)
133				Applicability of Federal Criminal Laws and the Constitution to Proposed Lethal Operations Against Shaykh Anwar Aulaqi	Draft of Document 5.	b(1), b(3), b(5)
134				Applicability of 18 U.S.C. § 1119 to Proposed Lethal Operation Against Shaykh Anwar Aulaqi	Draft of Document 5.	b(1), b(3), b(5)
135				Applicability of 18 U.S.C. § 1119 to Proposed Lethal Operation Against Shaykh Anwar Aulaqi	Draft of Document 5.	b(1), b(3), b(5)
136					Document forwarding insert for draft of Document 5 for comment and interagency legal deliberations.	b(1), b(3), b(5)

Doc. No(s).	Date(s)	From	To	Title/Subject	Description	Exemptions
137				Applicability of Federal Criminal Laws and the Constitution to Proposed Lethal Operations Against Shaykh Anwar Aulaqi	Draft of Document 5.	b(1), b(3), b(5)
138					Document forwarding insert for draft of Document 5 for comment and interagency legal deliberations.	b(1), b(3), b(5)
139					Document forwarding insert for draft of Document 5 for comment and interagency legal deliberations.	b(1), b(3), b(5)
140					Insert for draft of Document 5.	b(1), b(3), b(5)
141				Applicability of Federal Criminal Laws and the Constitution to Contemplated Lethal Operations Against Shaykh Anwar Aulaqi	Draft of Document 5.	b(1), b(3), b(5)
142					Draft factual excerpt for draft of Document 5.	b(1), b(3), b(5)
143					Handwritten outline prepared in connection with the drafting of Document 5.	b(1), b(3), b(5)
144				Draft Talking Points on Legal Basis for Use of Force Against Al Qaeda	Internal outline of classified facts and legal analysis prepared in connection with the drafting of legal advice.	b(1), b(3), b(5)

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Doc. No(s).	Date(s)	From	To	Title/Subject	Description	Exemptions
145				Outline of Analysis: Possible Lethal Operation Against Anwar al-Aulaqi	Internal outline of classified facts and legal analysis prepared in connection with the drafting of legal advice. Document includes handwritten attorney notes.	b(1), b(3), b(5)
146				Outline of Analysis: Possible Lethal Operation Against Anwar al-Aulaqi	Draft of Document 86A with handwritten markings by an attorney.	b(1), b(3), b(5)
147				Outline of Analysis: Possible Lethal Operation Against Anwar al-Aulaqi	Draft of Document 86A with different handwritten markings by an attorney.	b(1), b(3), b(5)
148 - 237					Electronic drafts of Document 5.	b(1), b(3), b(5)
238 - 242					Electronic drafts of Document 4.	b(1), b(3), b(5)
243					Electronic draft of Document 120.	b(1), b(3), b(5)
244						b(1), b(3), b(5)
245						b(1), b(3), b(5)

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246	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	b(1), b(3), b(5)
247	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	b(1), b(3), b(5)
248	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	b(1), b(3), b(5)
249	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	b(1), b(3), b(5)
250	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	b(1), b(3), b(5)
251	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	b(1), b(3), b(5)

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252	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	b(1), b(3), b(5)
253	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	b(1), b(3), b(5)
254	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	b(1), b(3), b(5)
255	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	b(1), b(3), b(5)

Doc. No(s).	Date(s)	From	To	Title/Subject	Description	Exemptions
256	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	b(1), b(3), b(5)
257	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	b(1), b(3), b(5)
258	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	b(1), b(3), b(5)
259	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	b(1), b(3), b(5)

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260	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	b(1), b(3), b(5)
261	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	b(1), b(3), b(5)
262	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	b(1), b(3), b(5)

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263					[REDACTED]	b(1), b(3), b(5)
264					[REDACTED]	b(1), b(3), b(5)
265					[REDACTED]	b(1), b(3), b(5)
266					[REDACTED]	b(1), b(3), b(5)

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267						b(1), b(3), b(5)
268						b(1), b(3), b(5)
269					Handwritten attorney notes regarding legal deliberations in connection with the preparation of possible legal advice.	b(1), b(3), b(5)
270					Handwritten attorney notes regarding legal deliberations in connection with the preparation of possible legal advice.	b(1), b(3), b(5)
271						b(1), b(3), b(5)

[Remainder of Index Withheld Pursuant to Second Circuit Opinion of June 23, 2014]