

APPENDIX

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WASHINGTON, DC 20515-8216

November 2, 1989

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MAJORITY—225-3061
MINORITY—225-9000

The Honorable Richard L. Thornburgh
Attorney General
U.S. Department of Justice
Washington, D.C. 20530

Dear Mr. Attorney General:

The Subcommittee, which has oversight responsibility for the Federal Bureau of Investigation, has long had an interest in issues of anti-terrorism, including FBI activities under extra-territorial jurisdiction. We understand that your Office of Legal Counsel this summer prepared a legal opinion on the authority of the FBI to override customary or other international law in the course of extraterritorial law enforcement activities. To assist the Subcommittee in reviewing this issue and preparing for an upcoming hearing, we would like a copy of the recent opinion and the 1980 one that it reportedly supersedes.

It is my understanding that the opinion is unclassified and that it does not discuss on-going investigations or litigation. Therefore, I can see no damage that would result from disclosure.

Having the opinion in advance of the hearing would greatly facilitate the testimony of the Department's witness. It would save the Subcommittee from fishing around with questions about the scope of the opinion. And it would certainly correct any misimpressions about the effect of the opinion that may have resulted from press accounts.

I thank you for your attention to this request. I would like to hear from you on this request before our hearing.

With kindest regards.

Sincerely,



Don Edwards
Chairman
Subcommittee on Civil and
Constitutional Rights

DE:jdw

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