



April 7, 2017

Donald McGahn II
White House Counsel
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

Re: Legal Opinion for April 6, 2017 Military Action

Dear Mr. McGahn,

We write to request that you publicly disclose the legal opinion justifying the President's authority to order military strikes against the Syrian regime on April 6, 2017.

We are all horrified by the atrocities that have been committed against the people of Syria for far too long. But however the United States responds to these brutal acts must be rooted in domestic and international law.

As you know, our founders wisely wrote into the Constitution a separation of powers precisely to prevent any President from unilaterally wielding the might of the world's greatest military or marching the nation to war without the input of the American people.

Over many decades, Presidents of both parties have pushed the limits of their powers, but any President taking military action must root it in sound legal authority derived from the Constitution or Congress.

The American people are entitled to know what justification President Trump used, and to understand that justification immediately in order to hold a proper democratic deliberation about the exercise of this awesome power and what may come next.

There is no reason why releasing this legal opinion would reveal classified information since the President has already said what the purpose of the mission was and what it was in response to. And because the operation is already complete, there is no risk that release of the legal opinion justifying it would interfere with an active operation.

It is therefore incumbent upon the White House to share the legal authority and rationale, including who provided the legal advice and who was consulted, because that is only way

in a democracy for citizens and other branches of government to assess the actions that have been undertaken on our behalf.

As we expect the President will comply with the War Powers Resolution and notify Congress of his military actions by the evening of April 8, 2017, 48 hours after these strikes were launched, we request that the legal opinion be made public by that time as well in order to allow Congress to consider it as they consider how to exercise their co-equal role in this serious matter.

On the very anniversary of America's entry into World War I, we cannot become a nation in which one man wields the most powerful weapons ever known outside of any legal constraints.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Ian Bassin', with a stylized, flowing script.

Ian Bassin
Executive Director