



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

May 20, 2014

The Honorable Charles E. Grassley
Ranking Member
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Senator Grassley:

This responds to your letter of January 31, 2014, in which you express concern about the Department of Justice's review of proposed Executive Orders for form and legality and request that the Department's Office of Legal Counsel ("OLC") "publicly disclose its opinions, analyses and conclusions concerning the lawfulness of all Executive Orders proposed to be issued by the President."

We wish to assure you that this Administration takes very seriously the President's constitutional duty to "take Care that the Laws be faithfully executed." As you know, the Department, and in particular OLC, assists the President in his discharge of this important duty by providing confidential, predecisional advice on questions of law. Among other things, OLC assists the President's discharge of his "take Care" responsibility by advising him as to the form and legality of proposed Executive Orders.

We appreciate your understanding that Executive Branch institutional interests, including the need to protect the confidentiality of attorney-client communications and internal predecisional Executive Branch deliberations, preclude us from disclosing the content of all such advice documents. However, if you have questions concerning the legality of particular Executive Orders, we are happy to work with the Administration to accommodate your interest in understanding the legal basis for such orders to the fullest extent possible.

We hope this information is helpful. Please do not hesitate to contact this office if we may provide further assistance regarding this or any other matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter J. Kadzik".

Peter J. Kadzik
Principal Deputy Assistant Attorney General

cc: The Honorable Patrick J. Leahy
Chairman