



DEPARTMENT OF THE TREASURY
WASHINGTON, D.C. 20220

Case No. SDGT-1432

Anthony D. Romero
American Civil Liberties Union
125 Broad Street, 18th Floor
New York, NY 10004-2400

Vincent Warren
Center for Constitutional Rights
666 Broadway, 7th Floor
New York, NY 10012

Dear Mr. Romero and Mr. Warren:

This responds to the matters raised in the July 23, 2010 letter from the American Civil Liberties Union (“ACLU”) and the Center for Constitutional Rights (“CCR”) to the Office of Foreign Assets Control (“OFAC”) seeking a specific license to the extent necessary “to continue to provide legal services, on a *pro bono* basis, to Nasser Al Aulaqi, the father of Anwar Al Aulaqi, as representative of the interests of Anwar Al-Aulaqi.” Your application indicates that the *pro bono* representation will include the provision of legal advice concerning the legality of certain purported U.S. government action regarding Anwar al-Aulaqi, as well as the possible filing of a lawsuit in a U.S. court challenging said action and hiring experts and others (and paying their fees) in connection with such litigation and representation.

The Treasury Department has long had in place a general license that broadly authorizes the provision of *pro bono* legal services to or on behalf of specially designated global terrorists (“SDGTs”) such as Anwar al-Aulaqi. This general license allows U.S. persons to provide legal advice and services to or on behalf of the SDGT with respect to any criminal, civil, or administrative proceedings brought against the SDGT, as well as any proceedings initiated on behalf of the SDGT to challenge the SDGT’s detention or the imposition of sanctions against the SDGT. See 31 C.F.R. Part 594, Global Terrorism Sanctions Regulations (“GTSR”) at § 594.506. These legal services are authorized without any requirement that the individual contact OFAC or apply to OFAC for a license.

As referenced above, section 594.506 of the GTSR authorizes the provision of certain legal services to persons whose property or property interests have been blocked pursuant to the GTSR. Such legal services and their related administrative costs and expenses, including the retention and payment of experts, could therefore be provided *pro bono*. Services provided to or on behalf of SDGTs outside the scope of general licenses need to be specifically licensed; therefore, we are enclosing License No. SDGT-1432 in the event the ACLU and CCR “continue to provide legal services, on a *pro bono* basis, to Nasser Al Aulaqi, the father of Anwar Al Aulaqi, as representative of the interests of Anwar Al-Aulaqi” that are beyond the scope of those generally licensed in its initiation and conduct of a lawsuit regarding certain purported U.S. government action pertaining to Anwar al-Aulaqi.

Sincerely,

for *Clara David*
Andrea Gacki

Assistant Director for Licensing
Office of Foreign Assets Control

8/4/10
Date

Enclosure



Global Terrorism Sanctions Regulations

LICENSE

(Granted under the authority of 50 U.S.C. §§ 1701 *et seq.*, 50 U.S.C. § 1601 *et seq.*, 22 U.S.C. § 287c, Executive Order 13224, as amended, and 31 C.F.R. Parts 501 and 594.)

To: American Civil Liberties Union	Center for Constitutional Rights
125 Broad Street, 18th Floor	666 Broadway, 7th Floor
New York, NY 10004-2400	New York, NY 10012
Attn.: Anthony D. Romero	Attn.: Vincent Warren

1. Based on your July 23, 2010 letter to the Office of Foreign Assets Control (the "Application"), and information otherwise available to the Office of Foreign Assets Control, the transactions and activities delineated on the reverse hereof are hereby authorized.
2. This License is granted upon the statements and representations made in the Application, or otherwise filed with or made to the Treasury Department as a supplement to the Application, and is subject to the condition, among others, that the Licensee(s) complies with all regulations, rulings, orders and instructions issued by the Secretary of the Treasury under the authority of the International Emergency Economic Powers Act (50 U.S.C. §§ 1701 *et seq.*), the National Emergencies Act (50 U.S.C. §§ 1601 *et seq.*), section 5 of the United Nations Participation Act of 1945, as amended (22 U.S.C. § 287c), Executive Order (E.O.) 13224 of September 23, 2001, as amended, and the terms of this License.
3. The Licensee(s) shall furnish and make available for inspection any relevant information, records, or reports requested by the Secretary of the Treasury or any other duly authorized officer or agency.
4. **This License expires on August 31, 2012**, is not transferable, and is subject to E.O. 13224, as amended, the provisions of 31 C.F.R. Parts 501 and 594, and any rulings issued pursuant thereto. This License may be revoked or modified at any time at the discretion of the Secretary of the Treasury. If this License was issued as a result of willful misrepresentation, it may, at the discretion of the Secretary of the Treasury, be declared void from the date of its issuance or from any other date.
5. This License does not excuse compliance with any law or regulation administered by the Office of Foreign Assets Control or another agency (including reporting requirements) applicable to the transactions herein licensed, nor does it release the Licensee(s) or third parties from civil or criminal liability for violation of any such law or regulation.

Issued on behalf of the Secretary of the Treasury:

OFFICE OF FOREIGN ASSETS CONTROL

By *Cara David*
for **Andrea Gacki**
Assistant Director for Licensing

8/4/10
Date

SECTION I – AUTHORIZATION: Subject to the conditions and limitations set forth herein, and to the extent authorization is necessary, the American Civil Liberties Union, the American Civil Liberties Union Foundation, Inc. and its local American Civil Liberties Union affiliates, and the Center for Constitutional Rights (collectively, the “Licensees”) are authorized “to continue to provide legal services, on a *pro bono* basis, to Nasser Al Aulahi, the father of Anwar Al Aulahi, as representative of the interests of Anwar Al-Aulahi,” as described in the Application.

SECTION II – WARNING: (a) This License does not authorize the transfer of any blocked property, the debiting of any blocked account, the entry of any judgment or order that effects a transfer of blocked property, or the execution of any judgment against property blocked pursuant to any Executive order or Chapter V of Title 31 of the C.F.R.

(b) The authorization set forth in this License applies only to laws and regulations administered by OFAC, and should not be interpreted to excuse the Licensees or the authorized transactions from compliance with other laws, regulations, orders or rulings to which they may be subject.

(c) Nothing in this License authorizes the provision of services other than for the purposes delineated in Section I above.

(d) Nothing in this License shall be construed as an acknowledgment about the subject matter jurisdiction of a court to entertain any claims in legal proceedings.

SECTION III – RECORDKEEPING AND REPORTING REQUIREMENTS: (a) The Licensees are subject to the recordkeeping and reporting requirements of, *inter alia*, 31 C.F.R. §§ 501.601 and 501.602, including the requirement to maintain full and accurate records concerning the transactions undertaken pursuant to this License for a period of five years from the date of each transaction.

(b) See 31 C.F.R. § 501.605 for additional requirements regarding reports to OFAC, courts, and other adjudicators on litigation, arbitrations, and dispute resolution proceedings.

SECTION IV – PRECEDENTIAL EFFECT: The authorization contained in this License is limited to the facts and circumstances specific to the Application.
