

**From:** Miller, Matthew A (SMO)  
**To:** Attorney General  
**Sent:** 5/4/2011 1:13:57 PM  
**Subject:** FW: Senate Judiciary Hearing Clips

Some early clips.

**Unrelated**

**Attorney general says he has serious concern about revenge attack over bin Laden's death**

Associated Press – Nedra Pickler

May 4, 2011 - UPDATED

WASHINGTON — Attorney General Eric Holder expressed serious concern Thursday about Americans' safety from possible revenge attacks for Osama bin Laden's death and expects the terrorist watch list will be expanded based on evidence collected in the al Qaida leader's home.

Holder also said the raid was "entirely lawful and consistent with our values."

Holder told the Senate Judiciary Committee in testimony Wednesday that he thinks bin Laden's death ultimately will make the United States safer. But meanwhile, he's trying to address the risk that terrorists will try to avenge his killing.

Holder said he held a conference call earlier this week with U.S. attorneys nationwide to go through steps he wants them to take to be on their toes. He did not specify what those steps are.

Holder also said officials from his department are working with intelligence officers to examine evidence collected from bin Laden's residence in Pakistan. He said he expects names will be added to the terrorist watch list and no-fly list because of it.

The attorney general agreed with Sen. Lindsay Graham, R-S.C., that there was a sound legal basis for the raid.

"Let me make something very clear: The operation in which Osama bin Laden was killed was lawful," Holder told the senators. The raid "was justified as an action of national self-defense" against "a lawful military target," he said.

White House officials earlier said the people who carried out the raid were prepared to take bin Laden alive if he was

willing to surrender but instead he resisted capture. Holder basically reiterated that.

“If he attempted to surrender, we obviously should have accepted that,” Holder said. “But there’s no indication he wanted that. It was a kill or capture mission. I’m proud of what they did. And I really want to emphasize what they did was entirely lawful and consistent with our values.”

Holder was under a second day of oversight questioning on Capitol Hill; Tuesday he was questioned by the House Judiciary Committee.

Iowa Sen. Chuck Grassley, the panel’s ranking Republican, questioned Holder about a chart he said was prepared by the Justice Department’s Bureau of Alcohol, Tobacco, Firearms and Explosives in response to a controversy over the efforts of U.S. agents who hunt gun traffickers along the U.S. border with Mexico.

The chart showed 15 people indicted in January were responsible for buying 1,318 guns from Arizona dealers after being identified as targets of Fast and Furious, the agency’s name for its anti-gun-trafficking program. The chart dated March 29 said only 250 of these weapons have been recovered in the United States.

Holder replied that he was seeing the document for the first time at the hearing so he could not answer questions about it.

Grassley and fellow GOP panel member Sen. Jeff Sessions of Alabama also criticized Holder for the decision not to prosecute one of Justice’s former attorneys who tipped off the media about the Bush administration’s warrantless eavesdropping program. They said they were disappointed to read news reports last week that Thomas Tamm will not be prosecuted for the leak that he acknowledged making to the New York Times and that then-President George W. Bush called a breach of national security.

“It just seems to me that it sends a very, very bad signal that leaking is OK and you aren’t going to get prosecuted for it,” Grassley said.

Holder said the decision was made by career attorneys in the department and he did not sign off on it and couldn’t comment on why Tamm wasn’t prosecuted.

### **Bin Laden killing was U.S. self-defense: Attorney General**

Reuters – Jeremy Pelofsky, James Vicini

May 4, 2011

WASHINGTON - The killing of al Qaeda leader Osama bin Laden by U.S. military forces was an act of national self-defense and he made no attempt to surrender, U.S. Attorney General Eric Holder said on Wednesday.

"It was justified as an act of national self-defense," Holder told the Senate Judiciary Committee, citing bin Laden's admission of being involved in the September 11, 2001 attacks in New York, Washington and Pennsylvania.

"If he had surrendered, attempted to surrender, I think we should obviously have accepted that, but there was no indication that he wanted to do that and therefore his killing was appropriate," he said.