

HOW DRONE STRIKES AGAINST AMERICAN CITIZENS ARE LIKE CLINTON'S BLOWJOB

The government has submitted its response in the ACLU/NYT suits for the authorization it used to kill three American citizens. I'm working on a more thorough response, but for the moment, I want to point to one detail that would be funny if it weren't so damned cynical.

To argue that the flood of sanctioned leaks and official declarations about targeted killing doesn't constitute official acknowledgment of their targeted killing program, the government says,

Plaintiffs incorrectly contend that the agencies have officially acknowledged three discrete "facts": (1) "the existence of the targeted killing program"⁶ (2) "the legal analysis supporting its use against U.S. citizens," and (3) "the killing of [Anwar] al-Awlaki." ACLU Opp. at 14.7 To the contrary, the government has acknowledged only that it possesses some responsive records reflecting a general U.S. government interest in the legal basis for the possible use of lethal force against U.S. citizens, and the process by which U.S. citizens could be designated for targeted lethal force.

To which they append this footnote:

Plaintiffs do not define, and it is otherwise unclear from their response, what is meant by "targeted killing program."

At one level, this cynical ploy is a refreshing

breath of honesty. After all, there are probably three or four drone killing programs—the Air Force’s use of drones for force protection in Afghanistan, the CIA’s use of drones to kill both identified and unidentified targets in Pakistan, JSOC’s use of drones to kill what used to be identified but now also include unidentified targets in Yemen and other counterterrorism theaters, and CIA’s use of drones to kill both identified and unidentified targets around the world (but especially in Yemen).

These actions are not the same, and implicitly, the government is admitting what the barrage of sanctioned leaks over the last several months has led the press to forget: targeted strikes are not the same as signature strikes, and JSOC strikes are not the same as CIA strikes. And based on an implicit admission that their last several months of propaganda is a lie, they’re going to play dumb about what the ACLU is FOIAing.

Hey press corps: The government says you should stop treating all the uses of drones as targeted killings!

But of course, the reason why the press has done so is because the Administration has made great efforts to get the press to treat this all as one program—to which they even made a failed attempt to append a unified name, TADS. And when the Administration talks about its targeted killing program, they use that word—“targeted”—with great discipline.

For example, after John Brennan made the following explicit acknowledgement of the targeted killing program,

Yes, in full accordance with the law—and in order to prevent terrorist attacks on the United States and to save American lives—the United States Government conducts **targeted strikes** against specific al-Qa’ida terrorists, sometimes using remotely piloted aircraft, often

referred to publicly as drones. And I'm here today because President Obama has instructed us to be more open with the American people about these efforts. [my emphasis]

He went on to use that magic word, "targeted," 20 more times in his speech. And he used it again yesterday, in his speech on Yemen.

Likewise, discussion of Yemeni and American counterterrorism efforts tend to focus almost exclusively on the use of one counterterrorism tool in particular—**targeted strikes**.

[snip]

Of course, attention has often focused on one counterterrorism tool in particular—**targeted strikes**, sometimes using remotely piloted aircraft, often referred to publicly as drones. In June, the Obama Administration declassified the fact that in Yemen our joint efforts have resulted in direct action against AQAP operatives and senior leaders. This spring, I addressed the subject of **targeted strikes** at length and why such strikes are legal, ethical, wise, and highly effective. Today, I'd simply say that all our CT efforts in Yemen are conducted in concert with the Yemeni government. When direct action is taken, every effort is made to avoid civilian casualties. And contrary to conventional wisdom, we see little evidence that these actions are generating widespread anti-American sentiment or recruits for AQAP. In fact, we see the opposite. Our Yemeni partners are more eager to work with us. Yemeni citizens who have been freed from the hellish grip of AQAP are more eager, not less, to work with the Yemeni government. In short, **targeted strikes** against the most senior and most dangerous AQAP terrorists are not the

problem; they're part of the solution.
[my emphasis]

Moreover, he spoke of targeted strikes in Yemen (where all the FOIAed deaths took place) **as one tool**, singular, obscuring the differences between the different uses of drone killing.

But according to the government, all that doesn't amount to admission of a targeted killing program—"golly, we keep using that term 'targeted' but we can't even imagine what 'targeted killing' means!" Because it's just too hard for powerful men to figure out the difference between fucking and a blowjob, I guess, if they can even figure out what the meaning of "is" is.

Update: Tom Junod revealed last week that one of his sources panicked about two months ago over his use of the word "program" in conjunction with the targeted killing program.

When I was preparing my article "The Lethal Presidency of Barack Obama" for publication, I had a conversation with a source from the intelligence agencies. A month before, he had spoken to me, on the record; now he was in a panic.

It wasn't that he had disclosed classified information; he hadn't. It was that, as he said, "everything had changed" in Washington, with the furor over the "leaks" that had resulted in the *New York Times'* two front-page stories on classified national-security programs, **the first** on targeted killing, **the second** on the Stuxnet computer virus. He had originally spoken to me when the Obama administration appeared to be on the verge of officially acknowledging a targeting program that had taken the lives of three American citizens, **including** that of Abdulrahman al-Awlaki, a 16-year-old who had never been accused of terrorism. He was

calling me back to ask that I change any quoted reference to “the program” – because mere use of the word “program” might be construed to represent, in itself, acknowledgement that a program exists; and because the administration was under intense pressure to revert back to the first rule of the targeted-killing program, which is that you never talk about the targeted-killing program.

I guess the source was right to be worried?