

THE DRONE ASSASSINATE AMERICANS OVERSEAS THAT WANT TO KILL AMERICANS OVERSEAS PLAN

Kimberly Dozier reports – based primarily on 4 US Officials (AKA members of Congress or their staffers) and one Senior Administration Official probably located near DOJ – that the Obama Administration is trying to decide whether to drone kill another American citizen with no due process again.

She obviously got the story because Mike Rogers wants to suggest Obama's increased caution of late, including his decision to shift drones from CIA to DOD control – has impeded this opportunity to off an American with no due process.

And many people discussing the story suggest this case follows the example of Anwar al-Awlaki.

But it appears not to, in at least one very important respect.

According to Dozier's description, this person is not targeting Americans in the US; he is targeting Americans overseas (given her descriptions, I'm guessing he's targeting Americans in Afghanistan from Pakistan, though it's possible he's in North Africa).

An American citizen who is a member of al-Qaida is **actively planning attacks against Americans overseas, U.S.** officials say, and the Obama administration is wrestling with whether to kill him with a drone strike and how to do so legally under its new stricter

targeting policy issued last year.

[snip]

Four U.S. officials said the American suspected terrorist is in a country that refuses U.S. military action on its soil and that has proved unable to go after him. And President Barack Obama's new policy says American suspected terrorists overseas can only be killed by the military, not the CIA, creating a policy conundrum for the White House.

Two of the officials described **the man as an al-Qaida facilitator who has been directly responsible for deadly attacks against U.S. citizens overseas and who continues to plan attacks against them that would use improvised explosive devices.**

But one U.S. official said the Defense Department was divided over whether the man is dangerous enough to merit the potential domestic fallout of killing an American without charging him with a crime or trying him, and the potential international fallout of such an operation in a country that has been resistant to U.S. action.

Another of the U.S. officials said the Pentagon did ultimately decide to recommend lethal action.

The officials said the suspected terrorist is well-guarded and in a fairly remote location, so any unilateral attempt by U.S. troops to capture him would be risky and even more politically explosive than a U.S. missile strike.

Say what you will about the quality of the evidence against Awlaki, they government at least claimed he was behind the UndieBomb and Toner Cartridge attacks, both targeted at

American civilians in the US.

Even in the case of Kamal Derwish (whom we killed in 2002 under our prior "sitting next to a baddie" standard), we believed he was training people domestically.

By all appearances, this person is targeting US service members. And if they're anywhere but Afghanistan (though I suspect they **are** in Afghanistan, especially given the reference to IEDs), they're operating with a somewhat dubious claim to legally approved military actions.

No US citizen has the right to join the other side in a war, which (if this is Afghanistan/Pakistan) seems to be what has happened. But using a drone to target an American operating in a sovereign country we pretend not to be at war with because he is targeting **military targets** is a different legal case than the one against Awlaki.

Sure, Awlaki started us down a slippery slope. But we appear to have slid further down that slope.