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Under Obama, an emerging global apparatus for drone killing

By [Greg Miller](#), Published: December 27

The Obama administration's counterterrorism accomplishments are most apparent in what it has been able to dismantle, including CIA prisons and entire tiers of al-Qaeda's leadership. But what the administration has assembled, hidden from public view, may be equally consequential.

In the space of three years, the administration has built an extensive apparatus for using drones to carry out targeted killings of suspected terrorists and stealth surveillance of other adversaries. The apparatus involves dozens of secret facilities, including two operational hubs on the East Coast, virtual Air Force cockpits in the Southwest and [clandestine bases in at least six countries](#) on two continents.

Other commanders in chief have presided over wars with far higher casualty counts. But no president has ever relied so extensively on the secret killing of individuals to advance the nation's security goals.

The rapid expansion of the drone program has blurred long-standing boundaries between the CIA and the military. Lethal operations are increasingly assembled a la carte, piecing together personnel and equipment in ways that allow the White House to toggle between separate legal authorities that govern the use of lethal force.

In Yemen, for instance, the CIA and the military's Joint Special Operations Command pursue the same adversary with nearly identical aircraft. But they alternate taking the lead on strikes to exploit their separate authorities, and they maintain separate kill lists that overlap but don't match. [CIA and military](#)

[strikes this fall](#) killed three U.S. citizens, two of whom were suspected al-Qaeda operatives.

The convergence of military and intelligence resources has created blind spots in congressional oversight. Intelligence committees are briefed on CIA operations, and JSOC reports to armed services panels. As a result, no committee has a complete, unobstructed view.

With a year to go in President Obama's first term, his administration can point to undeniable results: Osama bin Laden is dead, the core al-Qaeda network is near defeat, and members of its regional affiliates scan the sky for metallic glints.

Those results, delivered with unprecedented precision from aircraft that put no American pilots at risk, may help explain why the drone campaign has never attracted as much scrutiny as the detention or interrogation programs of the George W. Bush era. Although human rights advocates and others are increasingly critical of the drone program, the level of public debate remains muted.

Senior Democrats barely blink at the idea that a president from their party has assembled such a highly efficient machine for the targeted killing of suspected terrorists. It is a measure of the extent to which the drone campaign has become an awkward open secret in Washington that even those inclined to express misgivings can only allude to a program that, officially, they are not allowed to discuss.

Sen. Dianne Feinstein (D-Calif.), chairman of the Select Committee on Intelligence, described the program with a mixture of awe and concern. Its expansion under Obama was almost inevitable, she said, because of the technology's growing sophistication. But the pace of its development, she said, makes it hard to predict how it might come to be used.

"What this does is it takes a lot of Americans out of harm's way . . . without having to send in a special ops team or drop a 500-pound bomb," Feinstein said in an interview in which she was careful to avoid explicit confirmation that the programs exist. "But I worry about how this develops. I'm worried because of what increased technology will make it capable of doing."

Another reason for the lack of extensive debate is secrecy. [The White House has refused to divulge details](#) about the structure of the drone program or, with rare exceptions, who has been killed. White House and CIA officials declined to speak for attribution for this article.

Drone war's evolution

Inside the White House, according to officials who would discuss the drone program only on the condition of anonymity, the drone is seen as a critical tool whose evolution was accelerating even before Obama was elected. Senior administration officials said the escalating number of strikes has created a perception that the drone is driving counterterrorism policy, when the reverse is true.

"People think we start with the drone and go from there, but that's not it at all," said a senior administration official involved with the program. "We're not constructing a campaign around the drone. We're not seeking to create some worldwide basing network so we have drone capabilities in every corner of the globe."

Nevertheless, for a president who campaigned against the alleged counterterrorism excesses of his predecessor, Obama has emphatically embraced the post-Sept. 11 era's signature counterterrorism tool.

When Obama was sworn into office in 2009, the nation's clandestine drone war was confined to a single

country, Pakistan, where 44 strikes over five years had left about 400 people dead, [according to the New America Foundation](#). The number of strikes has since soared to nearly 240, and the number of those killed, according to conservative estimates, has more than quadrupled.

The number of strikes in Pakistan has declined this year, partly because the CIA has occasionally suspended them to ease tensions at moments of crisis. One lull followed the arrest of an American agency contractor who killed two Pakistani men; another came after the U.S. commando raid that killed bin Laden. The CIA's most recent period of restraint followed U.S. military airstrikes last month that inadvertently killed 24 Pakistani soldiers along the Afghan border. At the same time, U.S. officials have said that the number of "high-value" [al-Qaeda targets in Pakistan has dwindled to two](#).

Administration officials said the expansion of the program under Obama has largely been driven by the timeline of the drone's development. Remotely piloted aircraft were used during the Clinton and Bush administrations, but only in recent years have they become advanced and abundant enough to be deployed on such a large scale.

The number of drone aircraft has exploded in the past three years. A recent [study by the Congressional Budget Office](#) counted 775 Predators, Reapers and other medium- and long-range drones in the U.S. inventory, with hundreds more in the pipeline.

About 30 of those aircraft have been allocated to the CIA, officials said. But the agency has a separate category that doesn't show up in any public accounting, a fleet of stealth drones that were developed and acquired under a highly compartmentalized CIA program created after the Sept. 11 attacks. The RQ-170 model that recently crashed in Iran exposed the agency's use of stealth drones to spy on that country's nuclear program, but the planes have also been used in other countries.

The escalation of the lethal drone campaign under Obama was driven to an extent by early counterterrorism decisions. Shuttering the CIA's detention program and halting transfers to Guantanamo Bay left few options beyond drone strikes or detention by often unreliable allies.

Key members of Obama's national security team came into office more inclined to endorse drone strikes than were their counterparts under Bush, current and former officials said.

Secretary of State Hillary Rodham Clinton, former CIA director and current Defense Secretary Leon E. Panetta, and counterterrorism adviser John O. Brennan seemed always ready to step on the accelerator, said a former official who served in both administrations and was supportive of the program. Current administration officials did not dispute the former official's characterization of the internal dynamics.

The only member of Obama's team known to have formally raised objections to the expanding drone campaign is Dennis Blair, who served as director of national intelligence.

During a National Security Council meeting in November 2009, Blair sought to override the agenda and force a debate on the use of drones, according to two participants.

Blair has since articulated his concerns publicly, calling for a suspension of unilateral drone strikes in Pakistan, which he argues damage relations with that country and kill mainly mid-level militants. But he now speaks as a private citizen. His opinion contributed to his isolation from Obama's inner circle, and he was fired last year.

Obama himself was "oddly passive in this world," the former official said, tending to defer on drone

policy to senior aides whose instincts often dovetailed with the institutional agendas of the CIA and JSOC.

The senior administration official disputed that characterization, saying that Obama doesn't weigh in on every operation but has been deeply involved in setting the criteria for strikes and emphasizing the need to minimize collateral damage.

"Everything about our counterterrorism operations is about carrying out the guidance that he's given," the official said. "I don't think you could have the president any more involved."

Yemen convergence

Yemen has emerged as a crucible of convergence, the only country where both the CIA and JSOC are known to fly armed drones and carry out strikes. The attacks are aimed at al-Qaeda in the Arabian Peninsula, a Yemen-based affiliate that has eclipsed the terrorist network's core as the most worrisome security threat.

From separate "ops centers" at Langley and Fort Bragg, N.C., the agency and JSOC share intelligence and coordinate attacks, even as operations unfold. U.S. officials said the CIA recently intervened in a planned JSOC strike in Yemen, urging its military counterpart to hold its fire because the intended target was not where the missile was aimed. Subsequent intelligence confirmed the agency's concerns, officials said.

But seams in the collaboration still show.

After locating Anwar al-Awlaki in Yemen this fall, the CIA quickly assembled a fleet of armed drones to track the alleged al-Qaeda leader until it could take a shot.

The agency moved armed Predators from Pakistan to Yemen temporarily, and assumed control of others from JSOC's arsenal, to expand surveillance of Awlaki, a U.S.-born cleric connected to terrorism plots, including the attempted bombing of a Detroit-bound airliner on Christmas Day 2009.

The choreography of the strike, which involved four drones, was intricate. Two Predators pointed lasers at Awlaki's vehicle, and a third circled to make sure that no civilians wandered into the cross hairs. Reaper drones, which are larger than Predators and can carry more missiles, have become the main shooters in most strikes.

On Sept. 30, Awlaki was killed in a missile strike carried out by the CIA under Title 50 authorities — which govern covert intelligence operations — even though officials said it was initially unclear whether an agency or JSOC drone had delivered the fatal blow. A second U.S. citizen, an al-Qaeda propagandist who had lived in North Carolina, was among those killed.

The execution was nearly flawless, officials said. Nevertheless, when a similar strike was conducted just two weeks later, the entire protocol had changed. The second attack, which killed Awlaki's 16-year-old son, was carried out by JSOC under Title 10 authorities that apply to the use of military force.

When pressed on why the CIA had not pulled the trigger, U.S. officials said it was because the main target of the Oct. 14 attack, an Egyptian named Ibrahim al-Banna, was not on the agency's kill list. The Awlaki teenager, [a U.S. citizen with no history of involvement with al-Qaeda](#), was an unintended casualty.

In interviews, senior U.S. officials acknowledged that the two kill lists don't match, but offered conflicting explanations as to why.

Three senior U.S. officials said the lists vary because of the divergent legal authorities. JSOC's list is longer, the officials said, because the post-Sept. 11, 2001, Authorization for Use of Military Force, as well as a separate executive order, gave JSOC latitude to hunt broadly defined groups of al-Qaeda fighters, even outside conventional war zones. The CIA's lethal-action authorities, based in a presidential "finding" that has been modified since Sept. 11, were described as more narrow.

But others directly involved in the drone campaign offered a simpler explanation: Because the CIA had only recently resumed armed drone flights over Yemen, the agency hadn't had as much time as JSOC to compile its kill list. Over time, officials said, the agency would catch up.

The administration official who discussed the drone program declined to address the discrepancies in the kill lists, except to say: "We are aiming and striving for alignment. That is an ideal to be achieved."

Divided oversight

Such disparities often elude Congress, where the structure of oversight committees has failed to keep pace with the way military and intelligence operations have converged.

Within 24 hours of every CIA drone strike, a classified fax machine lights up in the secure spaces of the Senate intelligence committee, spitting out a report on the location, target and result.

The outdated procedure reflects the agency's effort to comply with Title 50 requirements that Congress be provided with timely, written notification of covert action overseas. There is no comparable requirement in Title 10, and the Senate Armed Services Committee can go days before learning the details of JSOC strikes.

Neither panel is in a position to compare the CIA and JSOC kill lists or even arrive at a comprehensive understanding of the rules by which each is assembled.

The senior administration official said the gap is inadvertent. "It's certainly not something where the goal is to evade oversight," the official said. A senior Senate aide involved in reviewing military drone strikes said that the blind spot reflects a failure by Congress to adapt but that "we will eventually catch up."

The disclosure of these operations is generally limited to relevant committees in the House and Senate and sometimes only to their leaders. Those briefed must abide by restrictions that prevent them from discussing what they have learned with those who lack the requisite security clearances. The vast majority of lawmakers receive scant information about the administration's drone program.

The Senate intelligence committee, which is wrapping up a years-long investigation of the Bush-era interrogation program, has not initiated such an examination of armed drones. But officials said their oversight of the program has been augmented significantly in the past couple of years, with senior staff members now making frequent and sometimes unannounced visits to the CIA "ops center," reviewing the intelligence involved in errant strikes, and visiting counterterrorism operations sites overseas.

Feinstein acknowledged concern with emerging blind spots.

“Whenever this is used, particularly in a lethal manner, there ought to be careful oversight, and that ought to be by civilians,” Feinstein said. “What we have is a very unique battlefield weapon. You can’t stop the technology from improving, so you better start thinking about how you monitor it.”

Increasing reach

The return of armed CIA Predators to Yemen — after carrying out a single strike there in 2002 — was part of a significant expansion of the drones’ geographic reach.

Over the past year, the agency has erected a secret drone base on the Arabian Peninsula. [The U.S. military began flying Predators and Reapers from bases in Seychelles and Ethiopia](#), in addition to JSOC’s long-standing drone base in Djibouti.

Senior administration officials said the sprawling program comprises distinct campaigns, each calibrated according to where and against whom the aircraft and other counterterrorism weapons are used.

In Pakistan, the CIA has carried out 239 strikes since Obama was sworn in, and the agency continues to have wide latitude to launch attacks.

In Yemen, there have been about 15 strikes since Obama took office, although it is not clear how many were carried out by drones because the U.S. military has also used conventional aircraft and cruise missiles.

Somalia, where the militant group al-Shabab is based, is surrounded by American drone installations. And officials said that JSOC has repeatedly lobbied for authority to strike al-Shabab training camps that have attracted some Somali Americans.

But the administration has allowed only a handful of strikes, out of concern that a broader campaign could turn al-Shabab from a regional menace into an adversary determined to carry out attacks on U.S. soil.

The plans are constantly being adjusted, officials said, with the White House holding strategy sessions on Pakistan, Yemen and Somalia two or three times a month. Administration officials point to the varied approach as evidence of its restraint.

“Somalia would be the easiest place to go in in an indiscriminating way and do drone strikes because there’s no host government to get” angry, the senior administration official said. “But that’s certainly not the way we’re approaching it.”

Drone strikes could resume, however, if factions of al-Shabab’s leadership succeed in expanding the group’s agenda.

“That’s an ongoing calculation because there’s an ongoing debate inside the senior leadership of al-Shabab,” the senior administration official said. “It certainly would not bother us if potential terrorists took note of the fact that we tend to go after those who go after us.”

Staff researcher Julie Tate contributed to this report.

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