

# DENNIS BLAIR AND DRONE TARGETING

On February 3, 2010, in a public House Intelligence Committee hearing, Ranking House Intelligence member Pete Hoesktra asked then-Director of National Intelligence Dennis Blair about the “framework” that might be used to target a US citizen.

So there is a framework and a policy for what’s hypothetically a radical born cleric ... who’s living outside of the United States, there’s a clear path as to when this person may be engaging in free speech overseas and when he may have moved into recruitment or when he may have moved into actual coordinating and carrying out or coordinating attacks against the United States?

In response, Blair gave one of the most detailed statements any serving Administration figure has uttered about the process used to target Americans.

Director of National Intelligence Dennis C. Blair said in each case a decision to use lethal force against a U.S. citizen must get special permission.

“We take direct actions against terrorists in the intelligence community,” he said. “If we think that direct action will involve killing an American, we get specific permission to do that.”

He also said there are criteria that must be met to authorize the killing of a U.S. citizen that include “whether that American is involved in a group that is trying to attack us, whether that American is a threat to other Americans. Those are the factors involved.”

[snip]

Mr. Blair responded that he would rather not discuss the details of this criteria in open session, but he assured: "We don't target people for free speech. We target them for taking action that threatens Americans or has resulted in it."

He added, "The reason I went this far in open session is I just don't want other Americans who are watching to think that we are careless about endangering ... lives at all. But we especially are not careless about endangering American lives, as we try to carry out the policies to protect most of the country and I think we ought to go into details in closed session."

Viewed from this distance, the conversation is particularly ironic. As a Gang of Four member, Hoekstra presumably received a detailed review of the attempt to kill Anwar al-Awlaki on December 24, 2009.

Yet, it is largely because of Hoekstra's attempt to politicize the Nidel Hasan attack that we now know that the Intelligence Community believed, on the day Awlaki was targeted, that he was not operational. Even on the day this exchange occurred, it is not clear Umar Farouk Abdulmutallab had yet changed his initial confession to implicate Awlaki.

So while the NSA had found messages between the UndieBomber and Awlaki to indicate they communicated, and while the US had intelligence warning of an imminent attack that led us to target a clan of Bedouins even while Abdulmutallab was on his way to Detroit, even when this exchange occurred it's not clear we had clear evidence implicating Awlaki in the UndieBomb attempt.

Two months later, Awlaki reportedly would be added to the CIA's kill list, presumably based

on the plea agreement based representations of Abdulmutallab. The following month, in May 2010, Blair would be ousted, ostensibly because of his failure to prevent the UndieBomb attack, though that explanation didn't make any sense, for a number of reasons. And only after that—in early June 2010—would the Administration finally get around to finalizing the OLC memo that ostensibly okayed the targeting of Awlaki, though the memo clearly did not cover the circumstances of that first attempt.

I find all that rather interesting background, considering Blair's increasingly assertive calls for the Administration to be more transparent in its discussions of drones.

Blair – who was dismissed by President Obama in May 2010 after a falling-out over intelligence matters – said the administration should make public some details of how and why it decides that some terrorists should be targeted. “The United States is a democracy, we want our people to know how we use military force and that we use it in ways the United States is proud of,” Blair said. “There’s been far too little debate” about this form of killing.

The drone strikes are reviewed, after they have taken place, by the House and Senate intelligence committees, so there is some oversight of the process by which targets are selected and people killed. But Blair said he doubted the White House would allow the public insight into the drone program. “They’ve made the cold-blooded calculation that it’s better to hunker down and take the criticism than to take the debate public – which I think in the long run is essential,” he said.

He's the guy who went on the record saying “special permission” was needed to target an American—with the understand that permission

came from the President. And he now describes a refusal to explain the drone targeting “hunkering down.”