

# ONCE AGAIN, CONGRESS READS STUFF IT SHOULD HAVE RECEIVED FROM THE ADMINISTRATION IN NYT

Remember the excuse an anonymous ~~Administration~~ source Senator gave to explain why the Administration was not sharing some of the OLC memos on drone killing with the intelligence committees that by law oversee them?

Because the agreements with Pakistan and Yemen were too sensitive.

A senator who sits on the Intelligence Committee and has read some of the memos also said that the still-unreleased memos contain secret protocols with the governments of Yemen and Pakistan on how targeted killings should be conducted. Information about these pacts, however, were not in the OLC opinions the senator has been allowed to see.

In a preview of his new book, Mark Mazzetti describes what is surely in one of them: the “side payment” strikes – targeting Pakistan’s enemies, not our own – we carried out so as to gain access to Pakistani airspace so we could target others.

Mr. [Nek] Muhammad [a Pakistani Taliban ally] and his followers had been killed by the C.I.A., the first time it had deployed a Predator drone in Pakistan to carry out a “targeted killing.” The target was not a top operative of Al Qaeda, but a Pakistani ally of the Taliban who led a tribal rebellion and was marked by Pakistan as an enemy of the state. In a secret deal, the C.I.A. had agreed to kill him in

exchange for access to airspace it had long sought so it could use drones to hunt down its own enemies.

[snip]

Pakistani officials had, for several years, balked at the idea of allowing armed C.I.A. Predators to roam their skies. They considered drone flights a violation of sovereignty, and worried that they would invite further criticism of Mr. Musharraf as being Washington's lackey. But Mr. Muhammad's rise to power forced them to reconsider.

The C.I.A. had been monitoring the rise of Mr. Muhammad, but officials considered him to be more Pakistan's problem than America's. In Washington, officials were watching with growing alarm the gathering of Qaeda operatives in the tribal areas, and George J. Tenet, the C.I.A. director, authorized officers in the agency's Islamabad station to push Pakistani officials to allow armed drones. Negotiations were handled primarily by the Islamabad station.

As the battles raged in South Waziristan, the station chief in Islamabad paid a visit to Gen. Ehsan ul Haq, the ISI chief, and made an offer: If the C.I.A. killed Mr. Muhammad, would the ISI allow regular armed drone flights over the tribal areas?

In secret negotiations, the terms of the bargain were set. Pakistani intelligence officials insisted that they be allowed to approve each drone strike, giving them tight control over the list of targets.

[snip]

The ISI and the C.I.A. agreed that all drone flights in Pakistan would operate

under the C.I.A.'s covert action authority – meaning that the United States would never acknowledge the missile strikes and that Pakistan would either take credit for the individual killings or remain silent.

So in the name of the war on al Qaeda we're killing non-al Qaeda so as to win the ability to kill al Qaeda.

And the Administration didn't want to explain all that to the intelligence committees.