

TARGETING AL-AWLAKI

There's actually what I think is a big scoop in this weird David Ignatius column on debates over whether we can target Anwar al-Awlaki. The scoop? The Yemeni government approached the US in October asking for help targeting al-Awlaki.

Last October, the Yemeni government came to the CIA with a request: Could the agency collect intelligence that might help target the network of a U.S.-born al-Qaeda recruiter named Anwar al-Aulaqi?

Now, one aspect of the weirdness of this article is that Ignatius doesn't state clearly what the Yemeni government wanted.

He later suggests the request was not to "collect intelligence" but rather to capture al-Awlaki. But even in the same breath, he admits that that presumed "capture" might also mean "kill."

The CIA concluded that it could not assist the Yemenis in locating Aulaqi for a possible capture operation. The primary reason was that the agency lacked specific evidence that he threatened the lives of Americans – which is the threshold for any capture-or-kill operation against a U.S. citizen. The Yemenis also wanted U.S. Special Forces' help on the ground in pursuing Aulaqi; that, too, was refused.

The rest of Ignatius' column engages in some hindsight reflection about what a shame it is that CIA and/or JSOC couldn't help collect intelligence or maybe capture an American citizen or maybe kill him in the process of capturing him back in October, before Nidal Hasan launched his attack at Fort Hood. And to Ignatius' credit, he ultimately does come down on the side of having actual evidence against

Americans before the government can kill them.

In retrospect, it seems clear that the available information should have triggered closer scrutiny of both Hasan and Aulaqi. We'll never know whether such action could have deterred Hasan. As for Aulaqi, officials now say he is on the U.S. target list.

Finally, does it make sense to require NSC permission before a potentially lethal operation against a U.S. citizen such as Aulaqi? My answer would be yes. The higher threshold that was in place in 2009 was appropriate then and still is: Use of lethal force always needs careful controls – especially when it involves Americans.

But there are two things Ignatius doesn't really deal with in this column.

First, we were already "collecting information" from al-Awlaki. We appear to have had legal FISA wiretap on him going back some years. So, particularly given that our government has sold both warranted and bulk wiretapping as the fail safe prevention for terrorism, we really need to know why it is that CIA even entertained an information collection-I mean capture-I mean kill operation against al-Awlaki when, presumably, our existing no-kill information collection hadn't collected even enough information to indict him.

Furthermore, even while Ignatius reviews al-Awlaki's history to show how much suspicion the government has had about him, going back a decade, and even while he quotes a "US official" admitting we had nothing on him until November, if then...

A U.S. official familiar with the case responds: "Aulaqi didn't go operational until November. It wasn't a case of missed intelligence, not at all. The Yemenis didn't even think he had assumed

an operational role.”

Ignatius doesn't come out and note that until December, until the rumored but still not officially public testimony from the underwear bomber claiming al-Awlaki was “one of his trainers for this mission” (the claim that al-Awlaki was also involved in training, rather than blessing an attack, may also be new to Ignatius' column, in which case no wonder Abdulmutallab's attack was so incompetent, if he had a cleric doing his training).

I applaud Ignatius' refusal to accept the premise he seems to have been fed, that al-Awlaki should have been targeted back in October when, lacking any operational intelligence against him, the Yemeni government asked us to kill an American citizen.

But at least part of this discussion needs to be about how someone could have allegedly moved from dangerous but protected speech to operational activities without all our close monitoring of him noticing.