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Obama's New Year's Resolution: More Drone Strikes

By Spencer Ackerman

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Air Force technicians perform maintenance on a Predator drone in Iraq, November 2007. Photo: U.S. Air Force

It's barely three days into 2013, and the Obama administration's lethal campaign of drone strikes has resumed in earnest. Missiles fired by remotely piloted planes struck targets in Pakistan and Yemen three times in the past several hours, killing several people, including two prominent militant commanders.

In Pakistan's South Waziristan province, at least 4 MQ-1 Predators or MQ-9 Reapers operated by the CIA killed a Pakistani Taliban commander, Maulvi Nazir, according to media reports that cite unnamed Pakistani intelligence officials. Nazir had struck a detente with the Pakistani government but, according to drone watcher Bill Roggio at the *Long War Journal*, maintained ties to al-Qaida and attacked U.S. troops in Afghanistan. The drones fired on Nazir's vehicle, killing him and at least five others.

A separate drone strike on a different vehicle in North Waziristan shortly thereafter brought the death toll to 15, CNN reports. *The New York Times* reports that the identities of those killed in the second attack "were not immediately known." Thousands of miles away and several hours later, a drone strike in Yemen killed Moqbel Ebad Al Zawbah, a "leading al-Qaida figure," and two of his allies, al-Jazeera English tweeted.

Welcome to 2013, yet another year of the drone. Senior Obama officials recently signposted the indefinite character of the drone campaign: Defense Secretary Leon Panetta heralded further strikes "in areas beyond the reach of effective security and governance," as he put it in a November speech, even beyond Pakistan and Yemen, probably into destabilized African countries. Those strikes kill an untold number of civilians.

And just as the U.S. drone campaign persists, so does the veil of secrecy surrounding it. As my colleague David Kravets reports, a federal judge has denied an effort by *The New York Times* and the American Civil Liberties Union to disclose the secret memoranda that the administration uses as the legal rationale for the drone strikes. Although Judge Colleen McMahon of the U.S. Southern District Court of New York declared that the government possessed wide legal latitude to keep the memos secret, her Wednesday ruling also expressed discomfort with the legality of some of the strikes, especially the September 2011 Yemen attack that killed al-Qaida propagandist and U.S. citizen Anwar al-Awlaki.

McMahon considered Awlaki's affiliation with al-Qaida to be treasonous on its face. Nevertheless, she wrote, "the Founders contemplated that traitors would be dealt with by the courts of law, not by unilateral action of the Executive."

A bipartisan majority in Congress has shown little desire to exercise public oversight of the drone campaign, much less rein it in. Secrecy-watcher Steve Aftergood of the Federation of American Scientists notes that the Senate Select Committee on Intelligence, one of two congressional panels that oversees the CIA, held only one unclassified hearing in 2012. In response, Danger Room pal Marcy Wheeler argues that a helpful start to 2013 would involve holding a hearing on the civilian toll inflicted by the drone program — a topic of much speculation, debate and controversy but also practically no official disclosure or reckoning.

"[C]ontinuing to rest the drone program's legitimacy on repeated public calls to 'trust me' actually undermines its legitimacy," Wheeler writes. It remains to be seen if that or other aspects of the global, lethal drone effort will concern the Obama administration, Congress or the courts in 2013.