

# NV&GWVC

## Position Statement 2

The National Vietnam & Gulf War Veterans Coalition Counter-Terrorism Unit  
[www.veterans-coalition.org](http://www.veterans-coalition.org)

### Position Paper on Drones Targeting American Citizens

By Larry O' Daniel

Ever since "UBL died" and "Obama lied", this administration has had a record of smoke and mirrors unrivaled in the annals of American political history. The latest is the "wise" and "legal" and "ethical" drone strikes on Americans, and others associated with Al Qaeda and it's "associates."

#### DRONES

- 1 The Idea of Drones
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- 3 Is This Admin On the Cheap?

The Coalition has examined the sixteen page document "leaked" to NBC News justifying these drone strikes and finds several problems with this "document." First, it found justification for the much maligned operation(s) into Cambodia during the Vietnam era. Second, it found justification for enhanced interrogation, also much maligned. Third, but not finally, it found justification for the much maligned operation into Iraq. All justifications made by the very same political forces that maligned these operations in their different time frames.

To a degree, it found, also, justification for drone strikes against Al Qaeda and its allies. They were justifications for normal counter-insurgency operations, using these advanced weapons. However, missing was justification for going outside Executive Order 12333 banning assassinations as a national policy, outside the normal bounds of the rules of land warfare. The so called justifications showed that the Obama Administration is either contemplating or justifying a national policy of assassination against the terrorist network that belatedly the administration has acknowledged we are at war with.

Previously, most notably in Vietnam through the Phoenix Program, the legally accepted way to operate against a "terrorist" organization was to identify first the positions that were to be "targeted" (regardless of who held those positions) and previously made illegal by whatever appropriate means. Once the prior illegality had been established and decision made to dismantle the organization, priorities were set.

First would be recruit in place. Second would be to cause the target to defect to the legitimate side. Third would be to run an operation to capture the target.

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**Position Paper on Drones Targeting American Citizens (cont'd...)**  
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Fourth would be to run an operation and due to circumstances of the operation, the target is killed. The other priorities will not be discussed because of the nature of the new threat and the probability they have no relevance today.

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The document "leaked" shows none of these backgrounds and legalities. The bulk of the document deals with details not relevant to operations against American citizens in a terrorist organization. It lacks in details making these operations "legal" under the rules of land warfare. It stretches the outer boundaries of the rules of land warfare, almost to extinction. For example, "National Self Defense" (page 15) appears to be a huge stretch, if not outright violation of Executive Order 12333.

The rules on the "feasibility of capture" bear little relevance to what is known about operations, like the assassination of Usama Bin Laden and the drone assassination of Anwar al Awlaki. Bin Laden was unarmed and unresisting when shot and killed. This was a violation of "Further, under this framework, the United States would also be required to accept a surrender if it were feasible to do so..." (page 9). Rules of land warfare require an acceptance of an unresisting surrender. What happened to Bin Laden was also a violation of rules listed on page 14.

The Coalition is not against drone strikes, when necessary, regardless of the nationality involved. It is totally against the policy when it violates the rules of land warfare. In the case of Awlaki, printed stories of the strike show him under surveillance for at least 30 days with the strike occurring in the middle of nowhere. This implies a violation of the rules listed for capture. None of them were of relevance to the hit. The attack on Bin Laden carried more risk and was effectuated in a country that did not welcome it. The window of opportunity was sufficient, given the time element to effectuate a probable capture. The time frame in the Bin Laden raid was extraordinarily long and suggested a hesitation on even beginning the raid. The time frame on Awlaki suggests a decision was made to take him out regardless.

This "leak" has all the appearances of being a smoke screen to ease through the nominations of Brennan and Hagel, both of whom have given the impression of approving assassinations as policy. This is the real debate - does Executive Order 12333 still have the force of law or does the new imperial policy listed in the "leak" take precedence. Does international law take precedence or does the unilateralist policy of the Obama Administration take precedence.

## Position Paper on Drones Targeting American Citizens (cont'd...)

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Will the United States continue the departure from a sound counter-insurgency policy advocated by the best minds in the military or will it continue the now "controversial" and probably unsound policy of "whack a mole." The present policy has departing Secretaries Clinton and Panetta belatedly warning of a new resurgence of Al Qaeda because of the diversity of the adversary. This was known by the same military minds years before the Obama Administration. These belated warnings have all the appearance of "post-election" epiphanies. The same kind of realizations experienced in Fast and Furious, Benghazi, and "cover stories" of "resistance" on the part of Bin Laden. The "leak" has the same appearance. This is the value of truth, Mrs. Clinton. An administration either has it or not. This administration cannot be trusted because of the above listed instances.

Taking apart Al Qaeda requires intelligence and live persons, live captures. It cannot be done on the cheap. The "leak" does correctly state this war is going to be long and wide spread. The Obama administration is attempting to fight it on the cheap, meaning lost intelligence, as in the Bin Laden assassination.

The Coalition fears for the safety of present day warriors because of the strategy being used, not the nationality of the targets.

## NV&GWVC COUNTER-TERRORISM UNIT

The author, Larry J. O' Daniel is a former CPT, MI, USAR. A Special Operator, he is trained in Infantry, Intelligence, Counter-insurgency, Electronic Warfare, and Tactical Cover and Deception. He served as a field operative in the Vietnam Phoenix Program. He has helped jump start information sharing programs for Arizona (2002) and CENTCOM IRAQ (2004). He currently heads the Coalition POW Committee and is a member of the Counterinsurgency Committee.

For any questions, you may call 928-304-4670.



*The National Vietnam and Gulf War Veterans Coalition is a 250,000 member group made up of 70 Veteran and Veteran Advocacy Groups.*

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