



Written by [Joe Wolverton, II, J.D.](#) on June 29, 2012

## Government Won't Divulge Details of Drone Program

Although the Obama administration has been a bit more forthcoming lately in its admission of its policy of using drones to kill enemies by remote control, there is still an official reluctance to let too much information reach the public.

In the last year or so, [the American Civil Liberties Union \(ACLU\) and a group of reporters have filed Freedom of Information Act \(FOIA\) petitions](#) requesting that the federal government provide greater access to operational details of the drone program and the legal arguments forwarded by the Obama administration in justifying not only the use of the drones, but their use in the killing of thousands in Pakistan alone.



The first round of these FOIA requests was answered with a Glomar response. As I have written previously, in such a maneuver, the agency that is the subject of the FOIA inquiry “neither confirms nor denies” the existence of the material requested.

Named for [a ship built by the Central Intelligence Agency \(CIA\)](#) to covertly recover a sunken Soviet submarine, a Glomar response typically is given in two scenarios.

First, where a refusal to forward the documents would have the effect of admitting that they actually exist, thus compromising national security.

Second, law enforcement agencies will give a Glomar response when producing the requested information would stigmatize a person named in the documents being sought.

After being rebuffed in this way by the government, the ACLU (and the *New York Times*) [filed suit](#) claiming that the requirements that justify a Glomar response were not met, as the Obama administration had already admitted to using the drones and to the deaths caused by them, including the “inadvertent” deaths of many civilians.

Last week, lawyers for the President and the Justice Department [filed a motion for summary judgment](#) arguing that the suits were barred by exemptions to the Freedom of Information Act which protected certain types of information that pertained to national security.

The government argues:

The Executive Branch has determined that, while the government can acknowledge the existence of some documents responsive to the FOIA requests that form the basis of this lawsuit, for the most part it cannot provide public details regarding the classified documents that are withheld; even to describe the numbers and details of most of the documents would reveal information that could damage the government's counterterrorism efforts.

This reasoning amounts to little more than a restatement of its earlier Glomar response and



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demonstrates once again this administration's rock-ribbed determination to act in secret and to defend that secrecy from anyone who would dare attempt to reveal the scope and severity of the acts being carried out in the name of the United States.

As readers are aware, the use of these drones has become a hot political issue among constitutionalists and other friends of liberty.

Furthermore, in recent weeks the use of the drones to hunt and kill suspected terrorists believed to be hiding in the mountainous region of the Pakistan-Afghanistan border has caused tension in the relationship between the United States and Pakistan — its erstwhile ally in the “War on Terror.”

It seems that not a day passes without reports of “militants” being killed by remote control. Drones patrol Pakistan using high-powered optics to find and fire on those considered enemies by the men with the joysticks.

A couple of weeks ago, for example, an American drone attack killed at least three of these suspected belligerents in northwest Pakistan, a region described by American intelligence and military officers as a “hotbed” of Taliban and al-Qaeda operatives.

Hissing through the pre-dawn silence, two missiles were fired from the drone into a market in Miranshah, the administrative headquarters of the North Waziristan agency of the tribal region of Pakistan. Miranshah is located along the banks of the Tochi River in a wide valley between the foothills of the Hindu Kush mountains. It is just a few miles from the border with Afghanistan.

In an article chronicling the bombing, AFP quoted a local official of the Pakistani government: “A US drone fired two missiles on the first floor of a shop in the main market and at least three militants were killed.”

That same week, sources in Peshawar confirmed the death of four “insurgents” within the Federally Administered Tribal Areas of Pakistan (FATA) bringing the two-day total of known dead by drone in Pakistan to seven.

As *The New American* has reported, the number of American drone strikes in Pakistan has increased significantly in the last 30 days and is likely to continue that crescendo in light of the failure of the two allies to reach an agreement on the end to Islamabad's blockade of crucial mountain passes that could choke the removal of NATO forces and materiel from Afghanistan scheduled to be completed by December 2014.

Readers may recall a similar fatal drone attack earlier this month when Hellfire missiles fired from American drones killed over a dozen people at a “militant hideout” in Hesokhel, a village located in the North Waziristan region near Miranshah.

South Waziristan was abuzz with the unmanned aerial vehicles earlier this month, as well, as U.S.-controlled Predator drones launched four Hellfire missiles that killed nine men branded as militants living in a village near Wacha Dana. A statement made to CNN by a local government official confirmed the body count.

That brings the total number of suspected terrorists confirmed killed by American drones in June to about 30.

Of course, these numbers of dead by drone, as harrowing to the conscience and humiliating to the Constitution as they are, likely do not include the women, children, or other non-militants, as President Obama is known to prefer disregarding such collateral murders when counting up the bodies left



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behind by his beloved drone program.

Although Pakistan has demanded that the United States cease the drone attacks within its sovereign borders, the Obama administration has ignored this request; in fact the number of drones in the air, missiles fired by them, and the body count all continue increasing exponentially under orders issued by Barack Obama.

Recently, in response to the United States' refusal to apologize for the death of 24 Pakistani soldiers who were killed last November in an American drone airstrike, Pakistan has shut down the well-worn NATO supply trail that runs through some of the roughest terrain in the country, as well as booting the U.S. and its Predator drones off an airbase in the southwest region of the country.

According to a report published by [The New America Foundation](#), American drones have killed nearly 3,000 people in Pakistan since 2004.

Finally, there is [word out of Turkey](#) that drone fever may be catching as Ankara has requested that the Obama administration sell it a few Predator drones for use in its war against the Kurdistan Workers' Party (PKK).

Reports originating in Turkey indicate that the Turkish government's use of the drones to search for and destroy "militants" is following the path laid out by Washington. Unfortunately, that includes the realization that the drone airstrikes will cause "collateral damage" and that civilian deaths are not as easily accepted by the people.

Last December, for example, the armed forces of Turkey killed 35 Kurdish villagers mistakenly identified as PKK militants. The attack that resulted in the murder of those villagers was approved by Ankara after intelligence data gathered by an American drone on loan to Turkey reported the convoy of vehicles.

For now, to the chagrin of Turkey and other nations, the Obama administration has adhered to its own unofficial policy of refusing to approve any sale of arms that includes a request for armed drones.

*Photo: An MQ-9 Reaper drone aircraft*



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