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Is Obama Continuing the Bush-Cheney Assassination Program?

By [Jeremy Scahill](#)

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In June, CIA Director Leon Panetta allegedly informed members of the House Intelligence Committee of the existence of a secret Bush-era program implemented in the days after 9/11 that, until last month, had been hidden from lawmakers. The concealment of the plan, Panetta alleged, happened at the orders of then-vice president Dick Cheney.

Now, the *New York Times* is [reporting](#) that this secret program that had "been hidden from lawmakers" by Cheney was a plan "to dispatch small teams overseas to kill senior Qaeda terrorists." The *Wall Street Journal*, which originally [reported](#) on the plan, reported that the paramilitary teams were to implement a "2001 presidential legal pronouncement, known as a finding, which authorized the CIA to pursue such efforts."

The plan, the *Times* says, never was carried out because "Officials at the spy agency over the years ran into myriad logistical, legal, and diplomatic obstacles." Instead, the Bush administration "sought an alternative to killing terror suspects with missiles fired from drone aircraft or seizing them overseas and imprisoning them in secret CIA jails."

The House Intelligence Committee is now reportedly preparing an investigation into this program and the Senate may follow suit. "We were kept in the dark. That's something that should never, ever happen again," said Senate Intelligence Committee Chairman Dianne Feinstein. Withholding this information from Congress "is a big problem, because the law is very clear."

There are several important issues raised by this unfolding story. First, while the *Times* claims the program was never implemented, the program sounds very similar to what Pulitzer

Prize-winning journalist Sy Hersh [described](#) in March as an "executive assassination ring" run by Dick Cheney that operated throughout the Bush years:

"Congress has no oversight of it. It's an executive assassination ring essentially, and it's been going on and on and on. Just today in the Times there was a story that its leaders, a three star admiral named [William H.] McRaven, ordered a stop to it because there were so many collateral deaths.

"Under President Bush's authority, they've been going into countries, not talking to the ambassador or the CIA station chief, and finding people on a list and executing them and leaving. That's been going on, in the name of all of us."

Hersh's description sounds remarkably similar to that offered by the *Times* and the *Wall Street Journal*. While the House and Senate should certainly investigate this program – and lying to Congress, misleading it, or concealing from it such programs is likely illegal – it is also important to guarantee that it has actually stopped. But another pressing issue for the Congress is investigating the Obama administration's adoption of this secret program's central components. As the *Times* noted, the major reason – beyond logistical hurdles – that the program was not implemented (if that is even true) was that the Bush administration began increasing its use of weaponized drones to conduct Israeli-style targeted assassinations (often, these drones kill many more civilians than so-called "targets"). These drone attacks, coupled with the use of extraordinary rendition and secret prisons, became the official program for "eliminating" specific individuals labeled "high value" targets by the administration.

The Obama administration has not only continued the Bush policy of using drones to carry out targeted assassinations, it has also continued the use of prisons where people are held indefinitely without charge or access to the International Committee of the Red Cross. Under Obama, Bagram air base in Afghanistan is expanding and, at present, hundreds of prisoners are held there without charges. In essence, the Obama administration is doing exactly what this secret CIA program sought to do, albeit out in the open.

Beyond the Cheney assassination program, what is really worthy of congressional investigation right now is the legality of Obama's current policy of assassination. In 1976, President Gerald Ford issued an executive order banning assassinations. "No employee of the United States government shall engage in, or conspire to engage in, political assassination," states [Executive Order 11905](#).

White House lawyers – with their seemingly infinite legal creativity – would likely say that the drone strikes are not assassinations, but rather part of war, that putting poison in a cigar of a foreign leader is different from launching missiles at a funeral where an "enemy" is believed to be among the mourners. While the implications of the U.S. assassinating heads of state or foreign officials are grave, it could be argued that, on some levels, the drone attacks are worse in the sense that they kill many more civilians. Moreover, these drone attacks largely take place in Pakistan, which is a sovereign nation. There is no legal or congressional declaration of war against Pakistan.

It is long past due that the Congress investigate this U.S. government assassination program. The politically inconvenient truth, however, is this: An actual investigation would require the Democrats pounding Cheney over his concealment of an assassination program (that

allegedly was not implemented) to focus their investigation on how President Obama actually implemented and expanded that very program.