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President Obama's nominee to run the CIA, John Brennan, forcefully defended Obama's counterterrorism policies, including the increased use of armed drones and the targeted killings of American citizens during his confirmation hearing Thursday. "None of the central questions that should have been asked of John Brennan were asked in an effective way," says Jeremy Scahill, author of the forthcoming book, "Dirty Wars." "In the cases where people like Sen. Angus King or Sen. Ron Wyden would ask a real question, for instance, about whether or not the CIA has the right to kill U.S. citizens on U.S. soil, the questions were very good. Brennan would then offer up a non-answer. And then there'd be almost no follow-up." Scahill went on to say, "[Brennan] has served for more than four years as the assassination czar, and it basically looked like they were discussing purchasing a used car on Capitol Hill. I mean, it was total kabuki oversight. And that's a devastating commentary on where things stand.

[Jeremy Scahill](#), producer and writer of the documentary film, *Dirty Wars: The World is a Battlefield*, which premiered last month at the Sundance Film Festival. He is national security correspondent for *The Nation*, author of *Blackwater: The Rise of the World's Most Powerful Mercenary Army*, and the forthcoming book, *Dirty Wars*.

JUAN GONZÁLEZ: During his confirmation hearing Thursday, President Obama's nominee to run the CIA, John Brennan, forcefully defended the president's counterterrorism policies, including the increased use of armed drones and the targeted killings of American citizens. He also refused to say that waterboarding was a form of torture, and he admitted that he did not try to stop waterboarding while he was a top CIA official under President George W. Bush.

Four years ago, Brennan was a rumored pick for the CIA job when Obama was first elected, but he was forced to withdraw from consideration amid protests over his public support for the CIA's policies of so-called "enhanced interrogation techniques" and extraordinary rendition program.

AMY GOODMAN: The start of Brennan's confirmation hearing had to be temporarily halted following repeated interruptions by protesters. Members of the group **CODE PINK** began standing up one by one to condemn Brennan's role in the drone war, much to the chagrin of Senate Intelligence Committee Chair Dianne Feinstein.

JOHN BRENNAN: Chairman Feinstein, Vice Chairman Chambliss, members of the committee, I am honored to appear—

ANN WRIGHT: [inaudible]

JOHN BRENNAN: —before you today as the—

SEN. DIANNE FEINSTEIN: All right.

JOHN BRENNAN: —president's nominee to—

SEN. DIANNE FEINSTEIN: Would you halt please? We'll ask the police to please remove this woman.

ANN WRIGHT: ...no children, no women. We cannot—

SEN. DIANNE FEINSTEIN: Thank you very much.

ANN WRIGHT: [inaudible] the sort of thing going on [inaudible]. But we cannot [inaudible]—

SEN. DIANNE FEINSTEIN: Please remove—

ANN WRIGHT: —torture. It's jeopardizing U.S. soldiers. It's not defending them.

JUAN GONZÁLEZ: That CODEPINK protester interrupting John Brennan was retired Army colonel and former diplomat Ann Wright, who oversaw the reopening of the U.S. embassy in Afghanistan in 2001 as deputy chief of mission. When she interrupted Brennan, she was wearing a sign around her neck with the name of Tariq Aziz, a 16-year-old Pakistani boy who was killed in a U.S. drone strike in 2011. The sign she held up read, "Brennan equals drone killing." Ann Wright and seven others were arrested. John Brennan later addressed the protesters as he defended the drone program.

JOHN BRENNAN: I think there is a misimpression on the part of some American people, who believe that we take strikes to punish terrorists for past transgressions. Nothing could be further from the truth. We only take such actions as a last resort to save lives when there's no other alternative to taking an action that's going to mitigate that threat. So, we need to make sure that there is understanding, and the people that were standing up here today, I think they really have a misunderstanding of what we do as a government and the care that we take and the agony that we go through to make sure that we do not have any collateral injuries or deaths. And as the chairman said earlier, the need to be able to go out and say that publicly and openly, I think, is critically important, because people are reacting to a lot of falsehoods that

are out there.

AMY GOODMAN: Well, for more, we're joined via *Democracy Now!* videostream by Jeremy Scahill, producer and writer of the documentary, *Dirty Wars: The World is a Battlefield*, which premiered last month at the Sundance Film Festival. His book, *Dirty Wars*, goes on sale in April. He's national security correspondent for *The Nation*, author of *Blackwater: The Rise of the World's Most Powerful Mercenary Army* and *Democracy Now!* correspondent.

Jeremy, welcome to *Democracy Now!* Your assessment of what it is that John Brennan said yesterday and the questions he was asked?

JEREMY SCAHILL: Well, you know, if you—if you look at what happened yesterday at the Senate Intelligence Committee, I mean, this is kabuki oversight. This was basically a show that was produced by the White House in conjunction with Senator Feinstein's office. I mean, the reality was—is that none of the central questions that should have been asked of John Brennan were asked in an effective way. In the cases where people like Senator Angus King or Senator Ron Wyden would ask a real question, for instance, about whether or not the CIA asserts the right to kill U.S. citizens on U.S. soil, the questions were very good. Brennan would then offer up a non-answer.

AMY GOODMAN: Well, let's—

JEREMY SCAHILL: And then there'd be almost no follow-up.

AMY GOODMAN: Jeremy, let's go to Democratic Senator Ron Wyden's questioning of John Brennan Thursday. He has led the push for the White House to explain its rationale—Senator

Wyden has—for targeting U.S. citizens.

SEN. RON WYDEN: Let me ask you several other questions with respect to the president's authority to kill Americans. I've asked you how much evidence the president needs to decide that a particular American can be lawfully killed and whether the administration believes that the president can use this authority inside the United States. In my judgment, both the Congress and the public need to understand the answers to these kind of fundamental questions. What do you think needs to be done to ensure that members of the public understand more about when the government thinks it's allowed to kill them, particularly with respect to those two issues, the question of evidence and the authority to use this power within the United States?

JOHN BRENNAN: I have been a strong proponent of trying to be as open as possible with these programs, as far as our explaining what we're doing. What we need to do is optimize transparency on these issues, but at the same time optimize secrecy and the protection of our national security. I don't think that it's one or the other. It's trying to optimize both of them. And so, what we need to do is make sure we explain to the American people what are the thresholds for action, what are the procedures, the practices, the processes, the approvals, the reviews. The Office of Legal Counsel advice establishes the legal boundaries within which we can operate. It doesn't mean that we operate at those out of boundaries. And, in fact, I think the American people will be quite pleased to know that we've been very disciplined, very judicious, and we only use these authorities and these capabilities as a last resort.

AMY GOODMAN: That was John Brennan answering Senator Wyden's question. He's been the chief critic. President Obama, two days ago, called Senator Wyden, because a group of them had said they would stop the hearing if information wasn't provided about the legal basis for drone strikes. When Wyden yesterday attempted to get that information, he raised in the hearing that he wasn't able to. Jeremy Scahill?

JEREMY SCAHILL: Well, you know, if you listen to John Brennan, I mean, it's like he's talking about buying a used car and what, you know, sort of little gadgets and whistles it has on it. He used "optimize"? Ron Wyden was asking him about whether—about the extent of the CIA's lethal authority against U.S. citizens, on U.S. soil and abroad. And, see, the problem is that while some questions were asked that are central questions, there was almost no follow-up. People wouldn't push—senators wouldn't push Brennan back when he would float things that were nonsensical or just gibberish, you know, or using terms like "we need to optimize this, we

need to optimize that." There was no sense that—I mean, remember, this is a guy who is, for all practical purposes, President Obama's hit man or assassination czar. This guy has been at the center of a secret process where the White House is deciding who lives and who dies around the world every day, and yet the conversation that took place was as though they were, you know, sort of talking about whether or not they're going to add a wing onto a school in Idaho or something, when they were talking about life-and-death issues for people, not only U.S. citizens, but around the world.

There was no discussion at all of the so-called signature strikes—the idea that the U.S. is targeting people whose identities it doesn't know, whose actual involvement in terror plots is actually unknown. There was no discussion of the fact that the Obama administration authorized operations that killed three U.S. citizens in a two-week period in 2011, one of whom was a 16-year-old boy who was sitting and having dinner with his cousins in Yemen. No discussion of the case of Samir Khan, a Pakistani American who was killed alongside Anwar Awlaki. His family had met with the FBI prior to his death. The FBI told his family that Samir Khan was not indicted, that Samir Khan was not accused of a crime, and yet you have three U.S. citizens being killed.

When Anwar Awlaki's name was raised during the course of the hearing, it was one of the most disgusting displays of a show trial or a faux trial that I've ever seen. Dianne Feinstein and John Brennan set out to put Anwar Awlaki on trial, posthumously, without presenting any evidence and to issue a guilty verdict. The whole thing was a show. And I believe that—

AMY GOODMAN: Jeremy, let's go to Senate Intelligence Committee Chair Dianne Feinstein asking Brennan to talk about Anwar Awlaki, what you're describing, the American citizen who was assassinated in Yemen in a drone strike in 2011.

SEN. DIANNE FEINSTEIN: Could I ask you some questions about him?

JOHN BRENNAN: You're the chairman.

SEN. DIANNE FEINSTEIN: You don't have to answer. Did he have a connection to Umar Farouk Abdulmutallab, who would attempt to explode a device on one of our planes over Detroit?

JOHN BRENNAN: Yes, he did.

SEN. DIANNE FEINSTEIN: Can you tell us what that connection was?

JOHN BRENNAN: I would prefer not to at this time, Senator. I'm not prepared to.

SEN. DIANNE FEINSTEIN: OK. Did he have a connection to the Fort Hood attack?

JOHN BRENNAN: That is a—al-Qaeda in the Arabian Peninsula has a variety of means of communicating and inciting individuals, whether that be websites or emails or other types of things. And so, there are a number of occasions where individuals, including Mr. Awlaki, has been in touch with individuals. And so, Senator, again, I'm not prepared to address the specifics of these, but suffice it to say—

SEN. DIANNE FEINSTEIN: Well, I'll just ask you a couple of questions. You don't—did Faisal Shahzad, who pled guilty to the 2010 Times Square car bombing attempt, tell interrogators in 2010 that he was inspired by al-Awlaki?

JOHN BRENNAN: I believe that's correct, yes.

SEN. DIANNE FEINSTEIN: Last October, Awlaki, did he have a direct role in supervising and directing AQAP's failed attempt, well, to bring down two United States cargo aircraft by detonating explosives concealed inside two packages, as a matter of fact, inside a computer printer cartridge?

JOHN BRENNAN: Mm-hmm. Mr. Awlaki—

SEN. DIANNE FEINSTEIN: Dubai?

JOHN BRENNAN: —was involved in overseeing a number of these activities, yes.

AMY GOODMAN: That's John Brennan answering Senator Feinstein's questions. Jeremy Scahill, continue.

JEREMY SCAHILL: All right. I mean, see, what you're seeing there—first of all, let's remember, the Obama administration never sought an indictment against Anwar Awlaki, that we know of. He was never charged with a crime, that we know of. And he was executed on orders from the president of the United States in September of 2011. The issue here is not who Anwar Awlaki was or what we think of Anwar Awlaki. The issue here is the Constitution. The issue here is due process.

And what we saw, I believe—I believe that Senator Feinstein's office coordinated this moment with the White House to put on this show trial because of the deadly serious questions surrounding the killing of a U.S. citizen without due process. And what we saw play out there was absolute theater, where you had Anwar Awlaki being posthumously tried, with no evidence. And what came after the clip you just played is Feinstein and Brennan agreeing, quite happily, that Anwar Awlaki was a bad man and that it was justified to take him out and kill him. There was no question about the fact that two weeks later they killed Anwar Awlaki's 16-year-old son, who no one has ever alleged had any ties whatsoever to terrorism or any

militant organization. His only connection was his lineage, who his father was. So, you know, there was something really insidious that happened there, and I think it really is patronizing of the sensibility of the American people to engage in something like that, with one of the most powerful lawmakers on Capitol Hill essentially conspiring with the White House and its nominee to be the CIA to retroactively justify the killing of a U.S. citizen who was never charged with a crime.

JUAN GONZÁLEZ: Jeremy—

JEREMY SCAHILL: I'm not—go ahead.

JUAN GONZÁLEZ: Jeremy, I'd like to move to another aspect of the hearing, because in a few cases, some of the Republican members asked somewhat tougher questions of Brennan, and especially Saxby Chambliss, questioned him about the whole—the whole issue of high-value targets and how effective this program had been. Here's a clip from that exchange.

SEN. SAXBY CHAMBLISS: How many high-value targets have been captured during your service with the administration?

JOHN BRENNAN: There have been a number of individuals who have been captured, arrested, detained, interrogated, debriefed and put away by our partners overseas, which is, we have given them the capacity now, we have provided them the intelligence. And unlike in the immediate aftermath of 9/11, when a lot of these countries were both unwilling and unable to do it, we have given them that opportunity. And so, that's where we're working with our partners.

SEN. SAXBY CHAMBLISS: How many high-value targets have been arrested and detained, interrogated by the United States during your four years with the administration?

JOHN BRENNAN: I'll be happy to get that information to you, Senator, in terms of those high-value targets that have been captured with U.S. intelligence support.

SEN. SAXBY CHAMBLISS: I submit to you the answer to that is one. And it's Warsame, who was put on a ship for 60 days and interrogated.

JUAN GONZÁLEZ: That was Saxby Chambliss. However, Dianne Feinstein had a little different take in terms of what had happened in terms of the high-value targets. This is what she said at a certain point in the hearing.

SEN. ANGUS KING: Having the executive being the prosecutor, the judge, the jury and the executioner, all in one, is very contrary to the traditions and the laws of this country, and particularly in a situation where there is time. If—a soldier on a battlefield doesn't have time to go to court. But if you're planning a strike over a matter of days, weeks or months, there is an opportunity to at least go to some outside-of-the-executive-branch body, like the FISA court, in a confidential and top-secret way, make the case that this American citizen is an enemy combatant.

JOHN BRENNAN: Senator, I think it's certainly worthy of discussion. Our tradition, our judicial tradition, is that a court of law is used to determine one's guilt or innocence for past actions, which is very different from the decisions that are made on the battlefield as well as actions that are taken against terrorists, because none of those actions are to determine past guilt for those actions that they took. The decisions that are made are to take action so that we prevent a future action, so we protect American lives. That is an inherently executive branch function.

JUAN GONZÁLEZ: That was Angus King, Senator Angus King, questioning Brennan, not Dianne Feinstein. But, Jeremy, your response to those two clips?

JEREMY SCAHILL: Yeah, I mean, first of all, Senator Angus King did a very good job of raising some of these issues. I mean, he's new to the Senate and didn't get the memo that you

don't talk to—to White House officials that way, so it was actually kind of a relief within the hearing when King started to ask these questions.

You know, Juan, though, you brought up the issue of the Republicans asking tougher questions. I mean, in general, what we saw the Republicans doing was engaging in a partisan theater of their own, where, you know, they made the whole issue about White House leaks, for the most part. They were talking about, you know, Benghazi, which is sort of the second coming of 9/11 to the—to a lot of the Republicans on Capitol Hill and this sort of Watergate-type scandal. But I think there's something—while the Republicans did ask some good questions, there's something that's just fundamentally dishonest and full of hypocrisy with the GOP line on this. You know, they've been hammering, since the Department Justice white paper came out a couple of days ago, that sort of outlines some of the legal basis for—or, purported to outline the legal basis for targeting U.S. citizens—they've been hammering away on the Obama administration and saying, you know, "How is it that Obama is able to essentially conduct these killing operations around the world with very little protest?" The reality is that, you know, when George Bush was president, he was doing these very same actions and engaged in a widespread targeted killing operation, and he was running secret prisons around the world, and they were torturing people, and they were using waterboarding and other techniques, and the Republicans are sort of portraying it as though: "Well, in the good old days of the Bush administration, we would actually arrest people, and we would ask them questions, and now Obama is just running around the world bumping them off." Well, there's some nugget of truth to the idea that the Obama administration seems to prefer to just kill people rather than take them into custody. But the idea that the Republicans have a moral ground to stand on with this is absolutely laughable. I mean, these guys were Murder Inc. for two straight administrations, where members of Congress just participated in rubber stamping these operations, particularly the Republican members of Congress. So, you know, I take what they say with a grain of salt.

But at the end of the day, I mean, I can't say I was surprised at what happened on Capitol Hill, but it really was more or less a love fest between the most powerful senators, when it comes to intelligence operations in the U.S., and John Brennan, a man who could not get confirmed last time Obama tried to make him CIA director, because of very serious questions about his views on and role in the torture program under the Bush administration—has served for more than four years as the assassination czar, and it basically looked like they were discussing purchasing a used car on Capitol Hill. I mean, it was total kabuki oversight. And that's a devastating commentary on where things stand right now.

AMY GOODMAN: Finally, Jeremy, Senate Intelligence Committee Chair Dianne Feinstein, in her opening statement, asserting few civilians have died in U.S. drone strikes.

JEREMY SCAHILL: I would invite all—

AMY GOODMAN: We're going to—we're going to play a clip.

SEN. DIANNE FEINSTEIN: [I've ... been attempting to speak publicly] about the very low number of civilian casualties that result from such strikes; I have been limited in my ability to do so. But for the past several years, this committee has done significant oversight of the government's conduct of targeted strikes, and the figures we have obtained from the executive branch, which we have done our utmost to verify, confirm that the number of civilian casualties that have resulted from such strikes each year has typically been in the single digits.

AMY GOODMAN: Jeremy Scahill, your final comment?

JEREMY SCAHILL: Yeah. I would invite Senator Feinstein and other members of the Intelligence Committee to travel to Abyan province in Yemen, where I was a few months ago, and meet with the Bedouin villagers of al-Majalah, where more than 40 people were killed, several dozen of them women and children, their bodies shredded into meat with U.S. cluster bombs, and then come back and go on national television and talk about single digits. There were over 40 people killed in one strike alone. And you know what? That wasn't even a drone strike. That was a cruise missile strike. Everyone is talking about drones these days and obsessed with drones. The U.S. uses AC-130 gunships, night raids, Tomahawk cruise missile strikes. Some of the most devastating strikes were not even drone attacks.

So, you know, this Congress is totally asleep at the wheel when it comes to actually having any effective oversight. You know, they allowed John Brennan to say repeatedly, "Well, I'm not a lawyer," while simultaneously saying, "Everything we've done is perfectly legal." And then they say, "Well, what about torture?" And he goes, "Well, I'm not a lawyer, and that has legal implications." I mean, what kind of a show is this? I mean, what does this say about our society when this is the extent of the debate we can have when an administration in power has asserted the right to kill U.S. citizens and foreigners alike around the world without trial? I mean, it's devastating. It should be a very sobering moment for all of us.

AMY GOODMAN: Jeremy, the last bit of news that we read in headlines today about the U.S. news outlets—you complained about the Democratic senators working with the White House. What about U.S. news outlets facing criticism for revealing they complied with an Obama administration request to hide the location of a U.S. drone base in Saudi Arabia that had already been publicly reported?

JEREMY SCAHILL: Yeah, what's new? What's new? I mean, this has been going on—this has been going on forever in this country. I mean, look at how many times we had major powerful media outlets colluding with the Bush administration to either—you know, either facilitating administration propaganda, or as you've called it, sort of this conveyor belt of lies, or, on the other hand, concealing potentially illegal programs or actions that were being conducted by the Bush administration. I mean, this happened throughout the Bush era. And so, to have it right now with the Obama administration is just par for the course. I mean, this is how things are done in Washington.

AMY GOODMAN: Jeremy, we want to thank you for being with us. Jeremy Scahill, national security correspondent for *The Nation* magazine, he is also the narrator and subject of the new film, *Dirty Wars: The World is a Battlefield*, and is author of a forthcoming book by the same title.

This is *Democracy Now!* When we come back, the woman who has just returned from Pakistan who went to John Brennan's house, knocked on the door, and he answered, invited her in, and they had a conversation. She's the founder of CODEPINK, Medea Benjamin. Stay with us.