

CIA memo cites 40 Congressional briefings on torture

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A memo released Wednesday by Director of National Intelligence Dennis Blair lists 40 separate briefings beginning in September 2002 in which leading members of Congress were briefed by the CIA on the agency's use of "enhanced interrogation techniques"—in plain words, torture.

Before the revelations about the employment of such methods as waterboarding appeared in the media, none of these legislators, including leading Democrats, objected to or publicly protested against what amounted to war crimes.

Blair's release of the document compiled by the CIA came in response to a request from Representative Pete Hoekstra of Michigan, the top Republican on the House intelligence committee. In a letter to Hoekstra, Blair stated that the memo "provides a straightforward account of the extent of interaction with the Congress on this issue."

Much of the media attention has focused on the role of House Speaker Nancy Pelosi (Democrat, California), who as the ranking Democrat on the House intelligence committee was, together with Republican Representative Porter Goss, who went on to become director of the CIA, one of the first members of Congress to be briefed on the CIA's torture tactics.

The memo's description of the briefing reads: "Briefing on EITs [enhanced interrogation techniques] on Abu Zubaydah, background on authorities, and a description of the particular EITs that have been employed."

Zubaydah, captured by the CIA in Pakistan in March 2002, was one of the first "high-value" detainees subjected to waterboarding and other forms of torture. While the Bush administration grossly inflated Zubaydah's importance, the torture methods served to extract from him a false statement that Iraq was training Al Qaeda terrorists in the use of chemical weapons. The Bush administration had ordered the torture in large part to obtain such a phony confession in order to bolster its key pretext for launching its war of aggression against Iraq.

The memo's description of this initial briefing of Pelosi and Goss contradicts Pelosi's own account. Just last month, she claimed that the CIA "did not brief us that these enhanced interrogations were being used," but merely informed the two intelligence committee leaders about "an array of interrogations that they might have at their disposal."

This claim is hardly credible. Why would the CIA brief two leading members of Congress on methods of torture in the

abstract? And if they had done so, why didn't Pelosi ask them whether these "techniques" were in fact being used on detainees captured on the "global war on terrorism"?

Other briefings listed in the memo included one in February 2003 in which Republican Senator Pat Roberts and Democratic Senator John Rockefeller had the EITs "described in considerable detail," including "how the water board was used."

In briefings held in September 2003, Roberts and Rockefeller, as well as Republican Congressman Goss and Pelosi's successor on the House intelligence panel, California Democratic Congresswoman Jane Harmon, were given slide shows in which "non-enhanced and enhanced interrogation techniques were named, described and compared on the same slide."

Subsequent briefings, which included Senator Harry Reid, now the Democratic Senate Majority Leader, and the other Democratic members of the Senate Select Committee on Intelligence—Senators Carl Levin, Dianne Feinstein, Evan Bayh, Barbara Mikulski and Russ Feingold—heard presentations on "waterboarding, diet manipulation, nudity, walling and stomach slap."

The content of the memo is hardly a revelation. In December 2007, the *Washington Post* reported that in 2002 briefings Pelosi and three other members of Congress were "given a virtual tour of the CIA's overseas detention sites and the harsh techniques interrogators had devised to make prisoners talk," including waterboarding. The *Post* added that while leading Democrats subsequently denounced waterboarding as torture, "on that day, no objections were raised. Instead, at least two lawmakers in the room asked the CIA to push harder."

The patent aim of the congressional Republicans in requesting the public release of the record of these briefings is to intimidate Democrats into dropping the issue of torture, by threatening to focus public attention on Democratic complicity in the implementation of the criminal methods introduced under the Bush administration.

The issue has divided Washington since President Barack Obama last month released Justice Department memos authorizing the use of these illegal methods, while simultaneously announcing a blanket amnesty for those in the CIA who carried them out.

Obama has since informed Democratic leaders in Congress that he is opposed to any independent investigation of the torture carried out under the Bush administration, while publicly stating that the matter is in the hands of his Attorney General Eric Holder. The administration and the majority of the Democratic leadership

in Congress have also deferred to an inquiry being conducted by the Senate intelligence committee, which will not be completed until the end of the year. The probe will be conducted behind closed doors, and it is uncertain how much of its findings will be made public.

In an appearance on Capitol Hill Thursday, Attorney General Holder dealt with the issue of the torture memos. His testimony before the Senate Appropriations Committee came just a day after the *New York Times* reported that a draft report issued by the Justice Department's Office of Professional Responsibility had concluded that the government attorneys who wrote memos declaring specific methods of torture to be legal were guilty only of poor judgment and should not be criminally prosecuted. Holder, however, claimed not to have read the document.

Republican Senators Lamar Alexander of Tennessee and Richard Shelby of Alabama pointedly questioned Holder about the implications for the Democrats themselves of any serious investigation into the question of torture.

"What about members of Congress who were informed of them or knew about them or approved them or encouraged them, wouldn't they also be appropriate parts of such an investigation?" asked Alexander.

Holder responded: "Our desire is not to do anything that would be perceived as political, as partisan. We do want to look forward to the extent that we can do that." He added, however, that where "we see violations of those laws, we'll take the appropriate actions."

Shelby turned to the CIA's rendition program, in which suspects are kidnapped off the street and transported to secret prisons abroad for interrogation and torture.

"Didn't that happen during the Clinton administration?" he asked. Holder acknowledged that rendition had been employed under the former Democratic president.

"How many did you approve?" he continued, referring to Holder's role at the Clinton Justice Department. Holder responded that he would have to consult his records.

The Obama administration has specifically defended rendition as a practice that the CIA will continue using, effectively "disappearing" those who it deems a threat to the US government, transporting them to foreign prisons to be held indefinitely, denied the right to either be charged with a crime and placed on trial or be released.

The Republican campaign is based on the well-founded charge that the Democrats were complicit in the introduction of torture as a policy of the US government and therefore are in no position to hold former officials of the Bush administration accountable.

The media has largely adopted this standpoint, casting the issue as one based primarily on partisan politics. As the *New York Times* put it, the Republicans are "mounting an aggressive pushback on several fronts."

The *Washington Post* commented: "The issue of what Pelosi knew and when she knew it has become a tussle on Capitol Hill. Republicans have accused her of knowing for years about the interrogation techniques CIA agents were using and of objecting only when the tactics became public and antiwar activists protested."

The Democrats' complicity in the systematic use of torture by the US government does not make the practice any less criminal. It merely shows that the entire political establishment—Congress, both major parties, the mass media and the corporate and financial elite—is implicated in the crimes of aggressive war and torture and the attacks on democratic rights that developed under the Bush administration.

No doubt the Democrats' complicity in torture and other crimes is a major factor in the reluctance of the Obama administration and the congressional leadership to pursue any serious investigation, much less prosecution, of those responsible.

However, this is not merely a matter of what Pelosi and others did and didn't do in briefings held over the last seven years. The Obama administration is itself dependent upon a national security apparatus that has changed little in terms of its personnel since the Bush administration. The Democrats fear any confrontation with these elements, and their cowardice in relation to the CIA and the military has strengthened the Republican right, which has launched a political offensive in the name of national security.

Moreover, just as the Obama administration is continuing the aggressive wars launched by the Bush administration—and escalating the one in Afghanistan—it has no intention of relinquishing the extraordinary powers that the Bush administration arrogated to itself under the pretext of fighting terrorism. Thus, it has gone into court repeatedly to quash legal challenges to policies ranging from domestic spying to extraordinary rendition and torture.

The further exposure of the Democrats' complicity in torture and other crimes of the Bush administration make it clear that they and the Obama administration have no intention of carrying out a serious attempt to hold those responsible for these crimes accountable, and that any investigation they do initiate will be a whitewash.



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