

# Veteran Intelligence Professionals Challenge CIA's "Rebuttal" on Torture

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*MEMORANDUM FOR: The President*

*FROM: Veteran Intelligence Professionals for Sanity (VIPS)*

*SUBJECT: Veteran Intelligence Professionals Challenge CIA's "Rebuttal" on Torture*

Former CIA leaders responsible for allowing torture to become part of the 21st Century legacy of the CIA are trying to rehabilitate their tarnished reputations with the release of a new book, *Rebuttal: The CIA Responds to the Senate Intelligence Committee's Study of Its Detention and Interrogation Program*. They are pushing the lie that the only allegations against them are from a partisan report issued by Democrats from the Senate Intelligence Committee.



We recall the answer of General John Kimmons, the former Deputy Director of Operations for the Joint Chiefs of Staff, who was asked if good intelligence could be obtained from abusive practices. He replied: "I am absolutely convinced the answer to your first question is no. No good intelligence is going to come from abusive practices. I think history tells us that. I think the empirical evidence of the last five years, hard years, tell us that."

But the allegation that the CIA leaders were negligent and guilty was not the work of an isolated group of partisan Democrat Senators. The Senate Intelligence report on torture enjoyed bipartisan support. Senator John McCain, for example, whose own encounter with torture in North Vietnamese prisons scarred him physically and emotionally, embraced and endorsed the work of Senator Feinstein. It was only a small group of intransigent Republicans, led by Saxby Chambliss, who obstructed the work of the Senate Intel Committee.

Indeed, some of us witnessed firsthand during the administration of President George W.

Bush that the Senate Select Committee on Intelligence and the House Permanent Select Committee on Intelligence were virtually paralyzed from conducting any meaningful oversight of the CIA and the U.S. Intelligence Community by the Republican members of these committees. Instead, they pursued the clear objective of protecting the Bush administration from any criticism for engaging in torture during the “War on Terror.”

It is curious that our former colleagues stridently denounce the work of the Senate Intelligence Committee but are mute with respect to an equally damning report from the CIA’s own inspector general, John Helgerson, in 2004.

Helgerson’s report, “[Counterterrorism Detention and Interrogation Activities \(September 2001-October 2003\)](#),” was published on May 7, 2004, and classified Top Secret. That report alone is damning of the CIA leadership and it is important to remind all about the specifics of those conclusions. According to the CIA’s own inspector general:

-The Agency’s detention and interrogation of terrorists has provided intelligence that has enabled the identification and apprehension of other terrorists and warned of terrorist plots planned in the United States and around the world. . . . The effectiveness of particular interrogation techniques in eliciting information that might not otherwise have been obtained cannot be so easily measured however.

-In addition, some Agency officials are aware of interrogation activities that were outside or beyond the scope of the written DOJ opinion. Officers are concerned that future public revelation of the CTC Program is inevitable and will seriously damage Agency officers’ personal reputations, as well as the reputation and effectiveness of the Agency itself.

-By distinction the Agency-especially in the early months of the Program-failed to provide adequate staffing, guidance, and support to those involved with the detention and interrogation of detainees . . .

-The Agency failed to issue in a timely manner comprehensive written guidelines for detention and interrogation activities. . . .Such written guidance as does exist . . . is inadequate.

-During the interrogation of two detainees, the waterboard was used in a manner inconsistent with the written DOJ legal opinion of 1 August 2002.

-Agency officers report that reliance on analytical assessments that were unsupported by credible intelligence may have resulted in the application of EITs without justification.

The CIA’s Inspector General makes it very clear that there was a failure by the CIA leaders, who include Director of Central Intelligence George Tenet, Deputy Director of Central Intelligence John McLaughlin, Counter Terrorism Center Chief Cofer Black, Counter Terrorism Center Chief Jose Rodriguez and the Director Directorate of Operations James L. Pavitt. Lack of proper guidance and oversight created fertile soil for subsequent abuses and these men were guilty of failing to properly do their jobs.

We do not have to rely solely on the report of the CIA’s Inspector General. In addition, the Report by the Senate Armed Services Committee on Detainee Treatment reached the same

conclusions about the origins, evils, harm to U.S. policy and intelligence collection of “enhanced interrogation,” a euphemism for “torture” first used by Nazi Germany during World War II.

Indeed, *all* independent analyses of the enhanced interrogation program have concluded it constituted torture, was ineffective, and contrary to all American laws, ideals, and intelligence practices. [Background [here](#), [here](#) and [here](#).] We also have the testimony and record of Ali Soufan, an Arabic-speaking FBI Agent, who was involved with several interrogations before torture was used and who achieved substantive results without violating international law.

The sworn testimony of FBI Agent Ali Soufan, who is the only U.S. Government employee to testify under oath on these matters, completely contradicts the authors of *Rebuttal*:

In the middle of my interrogation of the high-ranking terrorist Abu Zubaydah at a black-site prison 12 years ago, my intelligence work wasn't just cut short for so-called enhanced interrogation techniques to begin. After I left the black site, those who took over left, too - for 47 days. For personal time and to 'confer with headquarters'.

For nearly the entire summer of 2002, Abu Zubaydah was kept in isolation. That was valuable lost time, and that doesn't square with claims about the 'ticking bomb scenarios' that were the basis for America's enhanced interrogation program, or with the commitment to getting life-saving, actionable intelligence from valuable detainees. The techniques were justified by those who said Zubaydah 'stopped all cooperation' around the time my fellow FBI agent and I left. If Zubaydah was in isolation the whole time, that's not really a surprise.

One of the hardest things we struggled to make sense of, back then, was why U.S. officials were authorizing harsh techniques when our interrogations were working and their harsh techniques weren't. The answer, as the long-awaited Senate Intelligence Committee Report now makes clear, is that the architects of the program were taking credit for our success, from the unmasking of Khalid Sheikh Mohammed as the mastermind of 9/11 to the uncovering of the 'dirty bomber' Jose Padilla. The claims made by government officials for years about the efficacy of 'enhanced interrogation', in secret memos and in public, are false. 'Enhanced interrogation' doesn't work.

The former CIA officers who have collaborated on this latest attempt to whitewash the historical record that they embraced and facilitated torture by Americans, are counting on the laziness of the press and the American public. As long as no one takes time to actually read the extensively footnoted and documented report by the Senate Intelligence Committee, then it is easy to buy into the fantasy that the CIA officers are simply victims of a political vendetta.

These officers are also counting on a segment of the American people - repeatedly identified in polling results - that continues to believe torture works. Such people have no proof that it works (because there is none that it works consistently and effectively), they simply believe it instinctively or because of people such as this book's authors' arguments to that effect.

That is why it is so important that the truth be told and this book and its arguments be debunked. Americans must learn the realities of torture - that it rarely if ever works, that it

dehumanizes the torturer as well as the tortured, that it *increases* the numbers and hostility of our opponents while providing no benefit, and that it seriously diminishes America's reputation in the world and thus its power. Torture is wrong and the men who wrote this book are wrong.

The book, *Rebuttal*, is a new incarnation of the lie extolling the efficacy of torture. In the immediate aftermath of the attacks on Sept. 11, 2001, a time of perceived crisis and palpable fear, the leaders of the CIA decided to ignore international and domestic law. They chose to discard the moral foundations of our Republic and, using the same justifications that authoritarian regimes have employed for attacking enemies, and embarked willingly on a course of action that embraced practices that in earlier times the United States had condemned and punished as a violation of U.S. laws and fundamental human rights.

As former intelligence officers, we are compelled by conscience to denounce the actions and words of our former colleagues. In their minds they have found a way to rationalize and justify torture. We say there is no excuse; there is no justification. The heart of good intelligence work — whether collection or analysis — is based in the pursuit of truth, not the fabrication of a lie.

It is to this end that we reiterate that no threat, no matter how grave, should serve to justify inhuman behavior and immoral conduct or torture conducted by Americans.

For the Steering Group, Veteran Intelligence Professionals for Sanity (VIPS)

Fulton Armstrong, National Intelligence Officer for Latin America (ret.)

William Binney, former Technical Director, World Geopolitical & Military Analysis, NSA; co-founder, SIGINT Automation Research Center (ret.)

Tony Camerino, former Air Force and Air Force Reserves, a senior interrogator in Iraq and author of *How to Break a Terrorist* under pseudonym Matthew Alexander

Thomas Drake, former Senior Executive, NSA

Daniel Ellsberg, former State Department and Defense Department Official (VIPS Associate)

Philip Giraldi, CIA, Operations Officer (ret.)

Matthew Hoh, former Capt., USMC, Iraq & Foreign Service Officer, Afghanistan (associate VIPS)

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Michael S. Kearns, Captain, USAF Intelligence Agency (Retired), ex Master SERE Instructor

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David MacMichael, National Intelligence Council (ret.)

James Marcinkowski, Attorney, former CIA Operations Officer

Ray McGovern, former US Army infantry/intelligence officer & CIA analyst (ret.)

Elizabeth Murray, Deputy National Intelligence Officer for Middle East (ret.)

Todd Pierce, MAJ, US Army Judge Advocate (ret.)

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