

TORTURE AND TAPING TIMELINE

I'm just doing this because it's like crack for Looseheadprop and she had a bad day yesterday. Lucky I had a lot of this lying around in a drawer somewhere.

Note, all the stuff on photographing detainees comes from this post, which is worth reading because I suspect it may become relevant to this discussion.

January 20, 2002: Bybee to Abu Gonzales memo specifying that common article 3 of the Geneva Convention does not apply to "an armed conflict between a nation-state and a transnational terrorist organization."

Late 2001 to early 2002: Ibn Sheikh al-Libi captured. After being tortured, al-Libi made up stories about Al Qaeda ties to Iraq.

January 2002: Supplemental Public Affairs Guidance on Detainees affirms Geneva Convention wrt *media* photographs.

March 2002: Abu Zubaydah taken into custody.

June 25, 2002: Moussaoui arraigned.

August 1, 2002: "Bybee Memo" (written by John Yoo) describes torture as that which is equivalent to :the pain accompanying serious physical injury, such as organ failure, impairment of bodily function, or even death."

September 11, 2002: Ramzi bin al-Shibh captured.

November 22, 2002: Abd al-Rahim al-Nashiri captured.

January 2003: Leonie Brinkema grants Moussaoui right to interview Ramzi Bin-

al-Shibh by video.

February 2003: CIA **claims** to have informed Intell leadership of torture tapes' destruction; though SSCI has no records.

March 2003: Public Affairs Guidance for Media Coverage of EPWs and Detainees allows photos (within guidelines) but prohibits photographs of custody operations or interviews.

September 10, 2003: Government **refuses** to let Moussaoui question Al Qaeda witnesses.

April 28, 2004: Hamdi and Padilla argued before SCOTUS. Paul Clement assures the Court that we don't torture. 60 Minutes breaks **Abu Ghraib** story and proves he's wrong.

March 2, 2004: Padilla interrogation. The tape of the interrogation would later disappear.

May 10 2004: Sy Hersh's **Abu Ghraib** story.

June 3, 2004: Tenet resigns as DCI.

June 8, 2004: WaPo reports details of Bybee Memo.

June 17, 2004: Jack Goldsmith announces his resignation.

June 22, 2004: In an off-the-record briefing, Comey, Goldsmith, and Philbin renounce Bybee Memo.

June 24, 2004: Ted Olson announces his resignation, citing frustration that he did not learn of memos justifying legal decisions.

June 28, 2004: Hamdi decision.

September 22, 2004: Porter Goss becomes DCI.

November 2004: Steven Kappes resigns ; Jose Rodriguez replaces him as Deputy Director of CIA for Operations. Rodriguez is reported to be the person who ordered the terror tapes' destruction.

December 30, 2004: Daniel Levin writes new torture memo (he's the guy who waterboarded himself so he could prove it was torture).

January 2005: Abu Gonzales renounces the Bybee Memo, sort of.

February 3, 2005: Gonzales confirmed.

February 4, 2005: Acting Assistant Attorney General of the OLC Daniel Levin writes to DOD General Counsel Haynes reminding him again of both Goldsmith's opinion and Philbin's testimony. He informs Haynes that the March 2003 Yoo memo has been formally withdrawn.

February 14, 2005: Gonzales sworn in.

April 20, 2005: DOJ announces Comey's resignation.

April 22, 2005: Moussaoui pleads guilty.

May 2005: Jello Jay Rockefeller writes to CIA IG requesting terror tape investigation materials; he doesn't receive them.

May 10, 2005: DOJ produces two memos allowing CIA to torture

May 25, 2005: Flanigan nominated for DAG

May 30, 2005: DOJ produces another memo superseding the two May 10 ones

July 2, 2005: Public Affairs Guidance for High Value Individual Capture permits photographing high value detainees (within guidelines).

July 21, 2005: House passes revised

version of PATRIOT Act.

July 30, 2005: Senate passes revised version of PATRIOT Act.

July 21, 2005: Cheney **attempts** to persuade McCain and others not to restrict detention policies.

The Bush administration in recent days has been lobbying to block legislation supported by Republican senators that would bar the U.S. military from engaging in "cruel, inhuman or degrading treatment" of detainees, from hiding prisoners from the Red Cross, and from using interrogation methods not authorized by a new Army field manual.

August 1, 2005: 101st Airborne Division Detention SOP states that "detainees will not be photographed, humiliated or placed in positions with sexual overtones." Division General Order Number 1 (not clear if this is part of the SOP or not) prohibits soldiers taking photographs of detainees unless conducted pursuant to official duties, which include, intelligence gathering and official investigations." [my emphasis]

August 15, 2005: Comey's Farewell Address.

May 2005: Jello Jay Rockefeller **writes** to Porter Goss requesting terror tape investigation materials; he doesn't receive them.

October 5, 2005: McCain proposes anti-torture amendment to military funding bill. The amendment prohibits degrading treatment of prisoners.

October 7, 2005: Tim Flanigan withdraws

from consideration for DAG.

October 20, 2005: The week before the House and Senate meet to resolve the bill, Cheney makes a **third attempt** to convince McCain not to restrict the use of torture, which McCain again rejects.

October 22, 2005: USCENTCOM Policy Prohibiting Photographing or Filming Detainees ... or Posting Visual Images Depicting Human Casualties prohibits photographing or filming detainees as well as the possession, distribution, transfer or position ... of visual images depicting detainees." [my emphasis]

November, unknown day: CIA destroys terror tapes from High Value Al Qaeda Detainees.

November 1, 2005: Dana Priest **reveals** the use of black sites in Europe.

November 3, 2005: Leonie Brinkema inquires whether govt has video or audio tapes of interrogations.

November 7, 2005: Detention Operations at Multinational Corps-Iraq prohibits coalition and Iraqi forces from photographing detainees.

November 14, 2005: Govt tells Brinkema it has no audio or video tapes.

November 22, 2005: DOJ **brings charges** against Padilla, avoiding an imminent hearing on the case before SCOTUS.

December 13, 2005: The Army **approves** new Field Manual, which seems to push the limits intended by McCain's amendment.

December 14, 2005: PATRIOT Act reauthorization comes out of conference.

December 16, 2005: Risen and Lichtblau's first story on the NSA domestic spy program. Cheney provides emergency

briefings on program. PATRIOT Act reauthorization defeated in Senate.

December 19, 2005: The House passes the Conference Report on McCain torture bill.

December 20, 2005: The Administration writes the document clarifying its policy on photographing detainees.

December 21, 2005: The Senate passes the Conference Report on McCain torture bill.

December 22, 2005: House passes one month extension of PATRIOT Act

December 30, 2005: President Bush signs the Appropriations Bill, issuing a **signing statement** "interpreting" the McCain amendment.

May 4, 2006: Moussaoui sentenced to life in prison.

May 5, 2006: Porter Goss resigns as DCI; General Michael Hayden replaces him.

July 24, 2006: Steven Kappes returns to CIA as Deputy Director.

October 17, 2006: The Military Commissions Act signed into law.

November 2006: CIA **claims** SSCI was informed the Al Qaeda torture tapes were destroyed; SSCI claims it has no records to back that claim.

March 9, 2007: Padilla attorneys reveal March 2, 2004 tape missing.

September 30, 2007: Jose Rodriguez (purported to be the person that ordered the destruction of the tapes) retires.

November 9, 2007: CIA admits to Brinkema it did have audio and video tapes of Al Qaeda detainees.

December 6, 2007: NYT reports that CIA

1 destroyed tapes.