

MARY MCCARTHY AND THE TERROR TAPES

In this post, I speculated that the torture tapes were destroyed to protect the European country on whose soil we conducted waterboarding. I say that for several reasons. First, in its description of how Bush was compartmented out of details of the program, it specifies that Bush didn't know the location of secret prisons.

The tapes documented a program so closely guarded that President Bush himself had agreed with the advice of intelligence officials that he not be told the locations of the secret C.I.A. prisons. [my emphasis]

Second, it suggests that after Dana Priest's story on the black sites, the detainees were moved to a new location.

Yet in November 2005, Congress already was moving to outlaw "cruel, inhuman and degrading" treatment of prisoners, and The Washington Post reported that some C.I.A. prisoners were being held in Eastern Europe. As the agency scrambled to move the prisoners to new locations, Mr. Rodriguez and his aides decided to use their own authority to destroy the tapes, officials said.

Couple that with the news that the tapes were always stored in the country where the interrogations took place, and it seems highly likely that one source of urgency behind the destruction of the tapes was to hide evidence of torture occurring within Europe.

Until their destruction, the tapes were stored in a safe in the C.I.A. station in the country where the interrogations took place, current and former officials

said. According to one former senior intelligence official, the tapes were never sent back to C.I.A. headquarters, despite what the official described as concern about keeping such highly classified material overseas.

This revelation made me think of Mary McCarthy, who was fired for allegedly serving as a source for Priest's story. At the very least, the way in which McCarthy was investigated and fired challenges some of the stories on the torture tapes. More importantly, it suggests she may have been fired because she's a witness to the fact that the CIA lied to Congress in the period leading up to the tapes' destruction.

First some background. McCarthy was Deputy Warning Office in 1991, and took over as Warning Officer in 1994. In 1996, she joined the Clinton White House to help review presidentially-approved clandestine operations. In that role, she got into some public squabbles with the Directorate of Operations, including with James Pavitt (who was head of Operations until 2004). After Bush became President, she moved around, first in a WH position, then in the Technology and Science Division. In Summer, 2004, CIA's IG John Helgorsen recruited McCarthy to oversee an investigation into wrong-doing in Iraq. Note, this article (from which I've gotten this chronology) suggests McCarthy was aware of the April 2004 IG investigation finding that the CIA's interrogation methods amount to cruel and inhuman treatment, but the timing suggests she didn't start as Deputy IG until after the report was done.

But that's significant nonetheless. Mary McCarthy, as the Deputy IG under Helgorsen, was at least knowledgeable about the report that finds the CIA has tortured detainees (though it doesn't use the term). That would suggest she learned of the torture (and the locations of the black sites) in the IG's office.

The CIA said in a statement last week

that omitted McCarthy's name that the officer was fired for discussing operational intelligence matters with journalists. Officials have said the journalists included Washington Post correspondent Dana Priest, who last week was awarded a Pulitzer Prize for national security reporting that included the revelation of secret, CIA-run prisons for suspected terrorists in Eastern Europe and elsewhere.

Indeed, the suggestion that she leaked something she learned as Deputy IG was perceived as all the more galling at the CIA.

Several former intelligence officials said they were particularly alarmed about McCarthy's alleged involvement in any leaks because of where she worked at the CIA. L. Britt Snyder III, who was CIA inspector general from 1997 to 2000, said if McCarthy leaked information while working in the IG office, "we would have considered that a fairly egregious sin." The IG, he said, "gets into everything, including personal things. That makes it a little different than other places."

Now, McCarthy denies leaking to Priest.

But McCarthy, in e-mails to friends, has denied leaking anything classified. She has not denied speaking to Priest but has said she was unaware that the CIA had secret prisons in Eastern Europe, the most attention-getting detail in Priest's articles last year. Her lawyer has said the same thing publicly.

And indeed, reports say that McCarthy failed a lie detector test; most reports admit that she never admitted to leaking information to Dana Priest. Though that didn't stop Jennifer Millerwise Dyck—then spokesperson for the CIA

and a former press flack for Dick Cheney—from claiming McCarthy had admitted to leaking to Priest.

CIA spokeswoman Jennifer Millerwise Dyck, without naming McCarthy, denied that the firing was meant to suppress dissent. She said it was provoked solely by the officer's admission to CIA investigators to having provided classified information to the media. "You can't ignore an officer ignoring their secrecy agreement," Dyck said.

All of which raises the possibility (discussed publicly at the time) that McCarthy was fired as a scapegoat and political attack on a known Kerry supporter. Which makes it all the more interesting that Porter Goss personally oversaw the investigation, rather than having DOJ conduct the investigation.

Since Bush appointed a Republican ally and former lawmaker, Porter J. Goss, to replace George J. Tenet as the agency's chief in September 2005, Goss has repeatedly criticized the media for writing about sensitive intelligence matters and called for reporters to be forced to reveal their sources to grand juries. He personally oversaw the leak investigation that led to McCarthy's dismissal, rather than asking the Justice Department to do it — as previous directors had requested in similar probes.

Curiously, Goss' resignation (May 5) came just weeks after McCarthy's own April 20, 2006 firing.

So McCarthy was fired, allegedly for leaking details of the IG report finding the CIA used cruel and inhuman methods in its interrogation.

But here's what I find so interesting. McCarthy's own explanation for her dispute with

CIA brass points to her discomfort with lies the CIA was telling Congress—in 2005, earlier in the year before the torture tapes were destroyed.

A senior CIA official, meeting with Senate staff in a secure room of the Capitol last June, promised repeatedly that the agency did not violate or seek to violate an international treaty that bars cruel, inhumane or degrading treatment of detainees, during interrogations it conducted in the Middle East and elsewhere.

But another CIA officer – the agency's deputy inspector general, who for the previous year had been probing allegations of criminal mistreatment by the CIA and its contractors in Iraq and Afghanistan – was startled to hear what she considered an outright falsehood, according to people familiar with her account. It came during the discussion of legislation that would constrain the CIA's interrogations.

That CIA officer was Mary O. McCarthy, 61, who was fired on April 20 for allegedly sharing classified information with journalists, including Washington Post journalist Dana Priest. A CIA employee of two decades, McCarthy became convinced that "CIA people had lied" in that briefing, as one of her friends said later, not only because the agency had conducted abusive interrogations but also because its policies authorized treatment that she considered cruel, inhumane or degrading.

[snip]

In addition to CIA misrepresentations at the session last summer, McCarthy told the friends, a senior agency official failed to provide a full account of the CIA's detainee-treatment policy at a closed hearing of the House intelligence

committee in February 2005, under questioning by Rep. Jane Harman (Calif.), the senior Democrat.

McCarthy also told others she was offended that the CIA's general counsel had worked to secure a secret Justice Department opinion in 2004 authorizing the agency's creation of "ghost detainees" – prisoners removed from Iraq for secret interrogations without notice to the International Committee of the Red Cross – because the Geneva Conventions prohibit such practices. [my emphasis]

So whether or not McCarthy was one of Priest's sources (recall that Priest had about a million sources), she was also witness to the fact that someone had gone before both houses of Congress and lied about what kind of practices the CIA had engaged in. There are just a few candidates for who that official (or officials) might be. They include, at least, acting General Counsel John Rizzo, DCI Porter Goss, Director of Operations Jose Rodriguez, Director of Counter-Terrorism Robert Grenier (though he's unlikely, since he is rumored to have been opposed to torture).

In any case—you see where I'm going with this. Mary McCarthy says that someone came before two committees of Congress, right in the middle of debates on whether to outlaw torture for the CIA, and lied about what the CIA was and had been doing. And that person is likely to be one of the people closely involved in discussions about destroying the torture tapes that would have proved that he lied.

Gosh. It sure seems like before Congress decides why the torture tapes were destroyed, they ought to figure out whether they were evidence that someone lied to them in 2005, huh?