

# SHORTER RIZZO TO RODRIGUEZ: WELL, IF YOU'RE NOT GOING TO TESTIFY, I WILL SCREW YOU

Remember how I suggested that this passage from Pincus' love letter to Bob Bennett and his client Jose Rodriguez might be targeted to (among others) Porter Goss and John Rizzo?

"In 2003 the leadership of intelligence committees were told about the CIA's intent to destroy the tapes. In 2005, CIA lawyers again advised the National Clandestine Service that they had the authority to destroy the tapes and it was legal to do so. It is unfortunate," Bennett continued, "that under the pressure of a Congressional and criminal investigation, history is now being revised, and some people are running for cover."

Well, here's what Rizzo had to say to that.

"I told the truth," Rizzo said in a brief appearance before reporters.

Which doesn't sound like it was all too helpful for Rodriguez' little story.

A congressional official who spoke on condition of anonymity because of the ongoing investigation said the document trail the committee is following strongly suggests Rodriguez knew destruction would be against the advice and wishes of his superiors.

"If you look at the documents, you get very close to a direct order (not to destroy the tapes) without it being,

'Jose, you're not going to do this,'" the official said.

Another committee official said the guidance to maintain the tapes might have been even more direct.

"The line we got today was you are not going to destroy these, but it does not say you would be breaking the law if you destroy these," the second official said.

The first official said the committee will try to determine whether any CIA officials suggested "with a wink and a nod" that the tapes should be destroyed, and whether Rodriguez was being forced to take the blame.

Rizzo told the committee that CIA lawyers wrote a memo that said destroying the tapes would be legal. Rizzo advised against it. Then-CIA Director Porter Goss also recommended against the tapes' destruction, said the official, information confirmed by several former intelligence officials who spoke on condition of anonymity because of an ongoing Justice Department criminal investigation into the matter.

Not that I trust either Rizzo or Goss, because I don't—I just think they're working the press than Rodriguez, even with Bob Bennett's expert assistance. But it does seem clear that Rodriguez didn't even hold up his end of the bargain that Rizzo and Goss struck with him.

At the meeting it was decided that Rizzo would inform White House counsel Harriet Miers, Rodriguez would tell the leaders of the intelligence committees on Capitol Hill, and Goss would inform the director of national intelligence, according to former intelligence officials.

But intelligence committee leaders said they were not informed until more than a year later.

That seems like a great way to piss off Congress—though I’m not convinced that Goss told DNI Negroponte either, from the sounds of Negroponte’s apparent leaking about the letter he sent to Goss. And while we’re talking about secrets people were keeping, if Rizzo was tasked to tell Harriet after the tapes were destroyed, it sure seems like he would have met with her beforehand to discuss the terror tapes, too, as I speculated earlier.

At this point, I’m really unimpressed that HPSCI has made no noises about subpoenaing Goss. Yeah, I know he’s a former colleague. Does that mean he’s immune from your oversight? Because he sure seems like someone who was at the center of destroying tapes that everyone told him not to destroy. And it sure seems like he was ignoring a great deal of direction when he let Rodriguez destroy the tapes.