

CIA ONCE AGAIN BURIES INFORMATION ON ABU ZUBAYDAH'S TORTURE

I have long pointed out the close connection between the CIA's OIG report on torture and the tapes of Abu Zubaydah's interrogation. The key dates are:

January 2003: CIA IG begins investigation into detainee interrogation.

February 10, 2003: Jane Harman writes a letter **recording** CIA Counsel Scott Muller drawing a connection between the torture tapes and the CIA IG investigation.

You discussed the fact that there is videotape of Abu Zubaydah following his capture that will be destroyed after the Inspector General finishes his inquiry

May 2003: CIA IG **reviews** the torture tapes at black site.

May 2004: CIA IG completes investigation, finding that CIA interrogation techniques are "cruel and inhumane."

May 2004: CIA and White House discuss destroying the tapes of Abu Zubaydah's interrogation.

November 9, 2005: Most complete report of IG investigation **appears**, revealing the "cruel and inhumane" conclusion.

Mid-November 2005: Torture tapes destroyed.

While there are surely other reasons why the CIA

destroyed the torture tape, one thing the destruction of the tapes did was to eliminate one key piece of evidence that led the CIA's own IG to conclude that the CIA's interrogation methods were cruel and inhumane.

Well, over the course of the DOJ's IG investigation into interrogation techniques, the CIA once again prevented investigators from accessing information—this time in the form of an interview of Abu Zubaydah—that would contribute to a conclusion that interrogation treatment was cruel and inhumane. In a footnote, DOJ's IG report reveals that it interviewed High-Value Detainees at Gitmo, but that CIA refused to let DOJ's IG to interview Abu Zubaydah.

When the OIG investigative team was preparing for its trip to GTMO in early 2007, we asked the DOD for permission to interview several detainees, including Zubaydah. The DOD agreed, stating that our interviews would not interfere with their attempts to obtain any intelligence from the detainees, including Zubaydah. However, the CIA Acting General Counsel [John Rizzo] objected to our interviewing Zubaydah. [three lines redacted]

In addition, the CIA Acting General Counsel asserted that the OIG had not persuaded him that the OIG had a "demonstrable and immediate need to interview Zubaydah at that time" given what the Acting General Counsel understood to be OIG's "investigative mandate." In addition, the CIA Acting General Counsel asserted that Zubaydah could make false allegations against CIA employees. We believe that none of these reasons were persuasive or warranted denying us access to Zubaydah. First, neither the FBI nor the DOD objected to our access to Zubaydah at that time. In addition, neither the FBI nor the DOD

stated that an OIG interview would interfere with their interviews of him. Second at GTMO we were given access to other high value detainees. Third, we did have a demonstrable and immediate need to interview Zubaydah at that time, as well as the other detainees who we were given access to, notwithstanding the CIA Acting General Counsel's position that we had not persuaded him. Finally, the fact that Zubaydah could make false allegations against CIA employees—as could other detainees—was not in our view a legitimate reason to object to our access to him. In sum, we believe that the CIA's reasons for objecting to OIG access to Zubaydah were unwarranted, and its lack of cooperation hampered our investigation.

For some reason—no doubt, because of what the CIA did to Abu Zubaydah—they remain intent on burying all evidence of the methods used in his interrogation.

The CIA has already admitted they waterboarded Abu Zubaydah. We have many reports that, since Zubaydah was already mentally disabled, those torture sessions netted nothing. So why are they still hiding the details of his torture so intently?