

HELGERSON AND CHENEY

It's going to be a busy day for me, but one thing I'm hoping to do is nick down to Borders (hey, this branch is unionized, and Borders is local to Ann Arbor) to buy Jane Mayer's new book. If for no other reason than to find out more about the meeting between John Helgerson, the CIA Inspector General, and Dick Cheney.

One of the lingering mysteries in Washington has been what happened to the CIA internal probe into homicides involving the program. You note that CIA Inspector General (IG) John Helgerson undertook a study and initially concluded, just as the Red Cross and most legal authorities in the United States and around the world, that the program was illegal and raised serious war crimes issues. Helgerson was summoned repeatedly to meet privately with Vice President Cheney, the man who provided the impetus for the program, and it appears as a result of these meetings the IG's report was simply shut down. Would those probes have brought into question the Justice Department's specific approval of torture techniques used by the CIA—approval that involved not just John Yoo, but much more specifically Michael Chertoff and Alice Fisher, the two figures who ran the criminal division?

The fact that John Helgerson—the inspector general at the CIA who is supposed to act as an independent watchdog—was called in by Cheney to discuss his tough report in 2004 is definitely surprising news. Asked for comment, Helgerson through the CIA spokesman denied he felt pressured in any way by Cheney. But others I interviewed have described the IG's

office to me as extremely politicized. They have also suggested it was very unusual that the Vice President interjected himself into the work of the IG. Fred Hitz, who had the same post in previous administrations, told me that no vice president had ever met with him. He thought it highly unusual.

Helgerson's 2004 report had been described to me as very disturbing, the size of two Manhattan phone books, and full of terrible descriptions of mistreatment. The confirmation that Helgerson was called in to talk with Cheney about it proves that—as early as then—the **Vice President's office was fully aware that there were allegations of serious wrongdoing in The Program.**

We know that in addition, the IG investigated several alleged homicides involving CIA detainees, and that Helgerson's office forwarded several to the Justice Department for further consideration and potential prosecution. The only case so far that has been prosecuted in the criminal courts is that involving David Passaro—a low-level CIA contractor, not a full official in the Agency. **Why have there been no charges filed?** It's a question to which one would expect that Congress and the public would like some answers. Sources suggested to me that, as you imply, it is highly uncomfortable for top Bush Justice officials to prosecute these cases because, inevitably, it means shining a light on what those same officials sanctioned. **Chertoff's role in particular seems ripe for investigation. Alice Fisher's role also seems of interest.** Much remains to be uncovered.
[my emphasis]

This report Mayer and Horton are discussing is the same one that I talked about repeatedly in

my tracking of the torture tape disappearance.

A classified report issued last year by the Central Intelligence Agency's inspector general warned that interrogation procedures approved by the C.I.A. after the Sept. 11 attacks might violate some provisions of the international Convention Against Torture, current and former intelligence officials say.

[snip]

The report, by John L. Helgerson, the C.I.A.'s inspector general, did not conclude that the techniques constituted torture, which is also prohibited under American law, the officials said. But Mr. Helgerson did find, the officials said, that the techniques appeared to constitute cruel, inhuman and degrading treatment under the convention.

In that context, I was mostly interested in the remarkable coincidence of timing. The report was first done on May 7, 2004—almost the same time as Gonzales, Bellinger, and David Addington had a briefing at which the destruction of the torture tapes was discussed. And Doug Jehl had published the most comprehensive account of the IG report (that is, before Mayer's book came out) on November 9, 2005, within days of when the torture tapes were destroyed. In short, I have argued in the past, that IG report and the leaks about it in November probably had as much to do with the torture tape destruction as Dana Priest's article on the black sites.

And now we learn that Cheney was harassing Helgerson in 2004, around the same time as Cheney's counsel was discussing destroying the torture tapes. That's rather curious timing, don't you think?