

# DICK CHENEY, THE “NOT AVAILABLE” BRIEFER?

I'm going to make a wildarsed guess and suggest that when the CIA lists "not available" in a series of 2005 torture briefings to Republicans in Congress, they really mean "Dick Cheney attended, but we don't want to tell you that."

At least, that seems to be the case for a briefing of John McCain the CIA describes as taking place in "late October 2005." As I pointed out earlier, that briefing appears to have been an attempt—partly successful—on the part of the Bush Administration to convince McCain to water down the Detainee Treatment Act that had passed the Senate earlier that month.

As it turns out, whereas the CIA can't seem to come up with details about that briefing (such as the date or the briefer), the WaPo covered a McCain meeting with Dick Cheney and then-CIA Director Porter Goss not long after it happened.

The Bush administration has proposed exempting employees of the Central Intelligence Agency from a legislative measure endorsed earlier this month by 90 members of the Senate that would bar cruel and degrading treatment of any prisoners in U.S. custody.

The proposal, which two sources said Vice President Cheney handed last Thursday [October 20] to Sen. John McCain (R-Ariz.) in the company of CIA Director Porter J. Goss, states that the measure barring inhumane treatment shall not apply to counterterrorism operations conducted abroad or to operations conducted by "an element of the United States government" other than the Defense Department.

[snip]

Cheney's proposal is drafted in such a way that the exemption from the rule barring ill treatment could require a presidential finding that "such operations are vital to the protection of the United States or its citizens from terrorist attack." But the precise applicability of this section is not clear, and none of those involved in last week's discussions would discuss it openly yesterday.

McCain, the principal sponsor of the legislation, rejected the proposed exemption at the meeting with Cheney, according to a government source who spoke without authorization and on the condition of anonymity.

I guess maybe the CIA needs an introduction to the Google so it can refer to the public record to flesh out its briefing list?

If this was, in fact, McCain's briefing, it might explain why McCain has imagined great heroism on his part in his one briefing on torture. It's not that McCain got the briefing and decided to pass the DTA (as he suggested). Rather, he objected to watering down the DTA entirely, and instead acquiesced, eventually, to just watering it down legally. Or perhaps he counts one of Cheney's earlier attempts to gut the DTA as his heroic stand against torture?

In any case, perhaps the CIA is also protecting Porter Goss with this "Not Available" BS (all but one of the "Not Available" briefings appear under his tenure, and only three of the briefings that occurred under his tenure list briefers, none of them Goss himself). But in the case of the McCain briefing, both the vagueness about the date of the briefing and the positions of the briefers may be hiding an attempt on Dick Cheney and Porter Goss' part to persuade McCain to water down his anti-torture amendment.