

8 YEARS AGO TODAY, KSM WAS PROBABLY BEING WATERBOARDED FOR THE 179TH TIME

I don't really know precisely what days in March 2003 the CIA's contractors waterboarded Khalid Sheikh Mohammed a total of 183 times.

But I thought about the rough timing when Dafna Linzer tweeted about this Steven Aftergood post, noting the report in the Senate Intelligence Committee's review of what they did last Congress said they still weren't done with their torture review.

It is nearly a decade since the Central Intelligence Agency embarked on its controversial post-9/11 program of prisoner detention and interrogation, which included "enhanced" procedures that would later be repudiated and that were widely regarded as torture. But even now, an accurate and complete account of that episode remains unavailable.

It is more than two years since the Senate Intelligence Committee belatedly began "a study of the CIA's detention and interrogation program." The Committee reported (pdf) this month that "the CIA has made available to the Committee over 4 million pages of CIA records relating to its detention and interrogation program."

Yet the Committee said that its two year old review of the nearly decade-old program is still not complete: "The review has continued toward the goal of presenting to the Committee, in the [current] 112th Congress, the results of the review of the extensive documentary record that has been provided to the

Committee.” There was no mention of presenting the results of the review to the public.

It seems to me we’re never going to see that report until after the 8 year statute of limitations on torture expire for everything described in the report that clearly exceeded John Yoo’s expansive interpretation of what constitutes torture. And we’re sure as hell not going to get a report on the death threats they illegally used with Abd al Rahim al-Nashiri just as DOD is about to charge him in a military commission.

But they might have to “keep working” on it for a couple more years: I’m betting the government used water “dousing” in 2004 in an illegal manner, too.

It’s a brand new kind of job security for government workers, the kind of “work” they have to do to make sure the statutes of limitation expire on the crimes they’re investigating while they’re investigating them.