

ACLU FOIAS CIA FOR DOCUMENTS ON JUAN COLE

The ACLU has just FOIAed the CIA and Director of National Intelligence for any information on Juan Cole. It asks for,

e-mails, letters, faxes, or other correspondence, memoranda, contemporaneous notes of meetings or phone calls, reports or any other material relating to the gathering, collecting, copying, collating, generating or other use of information and material regarding Professor Cole,

The FOIA is addressed to CIA, Director of National Intelligence, and DOJ.

Now, far be it for me to tell ACLU how to FOIA—after all, they're the best in the business at wringing embarrassing documents out of the government.

But they might want to FOIA DOD, too.

You see, there's something that has been haunting me about this description from James Risen's story on this.

According to Mr. Carle, Mr. Low returned from a White House meeting one day and inquired who Juan Cole was, making clear that he wanted Mr. Carle to gather information on him. Mr. Carle recalled his boss saying, "The White House wants to get him." "What do you think we might know about him, or could find out that could discredit him?" Mr. Low continued, according to Mr. Carle.

Mr. Carle said that he warned that it would be illegal to spy on Americans and refused to get involved, but that Mr. Low seemed to ignore him.

That first request elicited, Carle told Amy Goodman, four paragraphs of information, one of which included derogatory information.

GLENN CARLE: Yes, that's correct. I was—the following day, I came to work and was asked to represent my office at the senior staff meeting, which is routine. And I did. And it was also routine that I take a memorandum of some sort up to the front office, I believe, for the White House. And I thought that I should know what I was doing for the morning, and I read the memo, and it was a memo on Professor Cole with four paragraphs, as I recall, only one of which was about inappropriate personal information. The other three struck me as innocuous. I don't remember specifically what they said, but one of the four.

Now maybe it's Carle's reference, also in the Democracy Now interview, to the Plame outing. But I can't help but think of how the White House got people across the national security community to reveal that Plame worked for the CIA: They kept asking for information on Wilson's trip, long after they had already gotten the information they purportedly needed. So, for example, the day after John Hannah briefed Cheney on the trip, Cheney asked someone at CIA for more information on the trip, using incorrect information that would need corrected (I suspect this request was made at a Deputies Committee meeting at the White House, and I think Libby is the one who formally made the request). Then, two days later and almost certainly after Cheney had been briefed personally by (he says) George Tenet as well as (records show) John McLaughlin, and almost certainly after Libby had gotten information from Marc Grossman on Plame's work at the CIA, Cheney and Libby called the CIA from a meeting with Cathie Martin, to ask for information they already knew. That call was ultimately how

Martin learned, from Bill Harlow, that Plame worked for the CIA.

You see, the White House kept asking for the same information they already knew so they could try to get the CIA to share that information in a way they could use it. Of course, along the way, they increased the circle of people who knew that information, which is one of the things that led to the leak of Plame's identity.

Now, this may not be what is happening here: an attempt to get CIA to take note of information about Cole the White House believed was derogatory.

But it would be worth checking to see whether likely co-participants in a meeting with National Intelligence Council's David Low or CIA's Deputy Director for intelligence, John A. Kringen also got similar requests—not least because DOD, with its CIPA program, would likely have been less squeamish about digging up dirt on Cole.

In any case, given the way the government responds to FOIAs, we'll probably learn more about this in 5 years or so.