

SHELDON WHITEHOUSE: “NO FURTHER ACTIONABLE INTELLIGENCE WAS OBTAINED” FROM ABU ZUBAYDAH BY WATERBOARDING

Sheldon Whitehouse gave a barnburner of a [speech](#) last night, in which he described how egregious Dick Cheney’s lies about torture have been.

The speech goes further than [President Obama’s](#) and [Russ Feingold’s](#) and [Carl Levin’s](#) calls on Cheney’s lies in two ways. First, those other calls focused on whether the documents Cheney wants declassified actually say what he claims they say; Whitehouse focused on whether Cheney’s more basic claims about torture are true. And second, Whitehouse here focuses not on whether we needed waterboarding to get intelligence (Obama, for example, said, “the public reports and the public justifications for these techniques – which is that we got information from these individuals that were subjected to these techniques – doesn’t answer the core question, which is: Could we have gotten that same information without resorting to these techniques?”), but whether we actually got any useful intelligence from the methods at all.

Whitehouse says that no further actionable intelligence was gained through the torture used on Abu Zubaydah after he was turned over to the CIA contractors for good. [Note: this transcript is my own—I found the Congressional Record copy after I did this. I’ve edited in response to [Andersonblogs’ comment](#) to take out ellipses and put in emphasis.]

So for a third time he was returned to

the FBI and CIA agents, again for professional interrogation, but by now he had been so compromised by the techniques that were applied to him that even they were unsuccessful in getting further information. And as best as I have been able to determine, for the remaining sessions of 83 waterboardings that have been disclosed as being associated with his interrogation, no further actionable intelligence was obtained. And yet the story has been exactly the opposite. The story over and over has been that once you get these guys out of the hands of the FBI and military "amateurs" and into the hands of these "trained CIA professionals" who can use these tougher techniques, that's when you get the information. In this case at least, the exact opposite was the truth. And this was a case cited by the Vice President by name.

From that, Whitehouse makes appeals to his colleagues not to believe they've been told, just as Bob Graham appealed to his colleagues not to believe what they'd been told about the Iraq intelligence.

I want my colleagues and the American public to know that, measured against the information I've been able to gain access to, the story-line that we have been led to believe, the story-line about waterboarding that we have been sold, is false in every one of its dimensions, and I ask that my colleagues be patient and be prepared to listen to the evidence when all is said and done before they wrap themselves in that storyline.

One more point about this. Whitehouse (and Feingold, and possibly Levin) are speaking as people who have been involved in SSCII's apparently meticulous review both of what was

done to these detainees and what intelligence we got from that torture. Whitehouse's statement—his list of the kinds of questions the SSCI is asking and his description of the difficulties Senators have in declassifying important information—suggest these views come at least partly out of that SSCI review.

At the heart of all these falsehoods lies a particular and specific problem: The "declassifiers" in the U.S. Government are all in the executive branch. No Senator can declassify, and the procedure for the Senate as an institution to declassify something is so cumbersome that it has never been used. Certain executive branch officials, on the other hand, are at liberty to divulge classified information. When it comes out of their mouth, it is declassified because they are declassified. Its very utterance by those requisite officials is a declassification. What an institutional advantage. The executive branch can use, and has used, that one-sided advantage to spread assertions that either aren't true at all or may be technically true but only on a strained, narrow interpretation that is omitted, leaving a false impression, or that sometimes simply supports one side of an argument that has two sides—but the other side is one they don't want to face up to and don't declassify.

This suggests Whitehouse has learned something, probably in that SSCI review, that totally debunks the claims that the Bush Administration made, but which he is prevented from revealing.

It sort of makes you wonder—particularly with his statement that he hopes and believes Obama will be better—whether this speech wasn't designed to pressure Obama to make this information available now?

Update: thanks to RH, here's the full speech via
CSPAN: