

NYT NEGLECTS TO MENTION FOGGO AND THE TORTURE TAPES

There's a keystone to understanding the story from David Johnston (who frequently regurgitates highly motivated leaks) and Mark Mazzetti (CIA's guy at NYT) on Dusty Foggo's role in setting up the black sites run by the CIA: Foggo's testimony in the torture tape investigation. Early this year, remember, DOJ and CIA told the ACLU that they couldn't FOIA information pertaining to the disappearing torture tapes because John Durham's investigation of their destruction was ongoing and would be for perhaps two more months.

And then, just as Dusty Foggo was about to go to jail, John Durham said he needed to interview Foggo. And since then, as far as we know, Durham's investigation continues, now four months beyond when he thought he'd finish up. As recently as a month or so ago, Durham was flying people back from remote locations to appear before the grand jury. While we can't be sure, it does seem likely that Foggo's testimony provided new information that has sustained it.

And, thanks to Johnston and Mazzetti, we now know why Foggo would have something pertinent to say about the torture tapes—because he was the guy who set up the black sites.

In March 2003, two C.I.A. officials surprised Kyle D. Foggo, then the chief of the agency's main European supply base, with an unusual request. They wanted his help building secret prisons to hold some of the world's most threatening terrorists.

[snip]

"It was too sensitive to be handled by headquarters," he said in an interview. "I was proud to help my nation."

With that, Mr. Foggo went on to oversee construction of three detention centers, each built to house about a half-dozen detainees, according to former intelligence officials and others briefed on the matter.

[snip]

Early in the fight against Al Qaeda, agency officials relied heavily on American allies to help detain people suspected of terrorism in makeshift facilities in countries like Thailand. But by the time two C.I.A. officials met with Mr. Foggo in 2003, that arrangement was under threat, according to people briefed on the situation. In Thailand, for example, local officials were said to be growing uneasy about a black site outside Bangkok code-named Cat's Eye. (The agency would eventually change the code name for the Thai prison, fearing it would appear racially insensitive.) The C.I.A. wanted its own, more permanent detention centers.

So sometime after Abu Zubaydah and Rahim al-Nashiri were taped being tortured, after the taping was stopped, and almost precisely when Khalid Sheikh Mohammed was being waterboarded, "two CIA officials" (the detail is repeated twice in the story) came to Foggo and asked him to set up black sites around the world.

And, Foggo's helpfulness on this task appears to be one of the reasons why Foggo was promoted.

Mr. Foggo's success in Frankfurt, including his work on the prisons, won him a promotion back in Washington. In November 2004, he was named the C.I.A.'s executive director, in effect its day-to-day administrative chief.

Of note, Foggo was promoted at a time when Porter Goss was DCI and Jose Rodriguez (who was

head of counter-terrorism when Foggo took on the task of setting up the black sites and therefore a superb candidate to be one of the two people who asked him to do so) was Deputy Director of Operations.

And then, in 2005—the same year that Jose Rodriguez would have the torture tapes destroyed and Porter Goss would unexplicably fail to stop him from doing so—Foggo went to the black sites with John Rizzo and others.

In 2005, before he came under investigation, Mr. Foggo and other officials, including John Rizzo, the agency's top lawyer, paid a rare visit to some of the prison sites, assuring C.I.A. employees that their activities were legal, according to former intelligence officials.

John Rizzo, btw, was pressuring others at CIA to make sure that Foggo's mistress kept a job as a CIA lawyer she was not doing competently.

So let's see:

2002: Torture tapes made

2003: Foggo recruited to set up black sites

2004: Foggo promoted unexplicably after some politicized firings

2005: Foggo and Rizzo and others visit the black sites to calm the host countries

2005: Dana Priest does a story exposing the black sites and, within days, the torture tapes are destroyed

It's all beginning to make some sense now.

Oh, and one more thing. In an affidavit submitted in support of Foggo's sentencing that would otherwise serve no purpose in the severity of Foggo's sentencing, Porter Goss claimed he

didn't know that Foggo was an ethical and counterintelligence nightmare when he promoted him in 2004. But, Laura Rozen reported, that claim was an out and out lie.

A former US intelligence source thought that Brent "nine fingers" Bassett was the Goss staffer who recommended the hire of Foggo as ExDir.

He said that Goss lied in his testimony, that he was not aware about the problems with Foggo when he hired him for executive director. He said that a major fight had broken out between Goss staffer Patrick Murray and then associate deputy director of operations Michael Sulick about the Foggo hiring.

"Murray told ADDO/Counterintelligence Mary Margaret that if Dusty's background got out to the press, they would know who to come looking for. Mary Margaret tried to warn them that Dusty Foggo had a problematic counterintelligence file. Sulick defended Mary Margaret. Goss told [deputy director of operations Steve] Kappes he had to fire Sulick." After that, Kappes and Sulick quit. "Goss bears major responsibility here," the former intelligence official says. It was finally the "White House that demanded that Goss fire Dusty and he refused." So they both got fired. [my emphasis]

Oh boy. Things are getting clearer and clearer.

So Goss—installed at CIA to be Cheney's mole—fired the people who were trying to prevent him from promoting Foggo. The next year, Foggo was traveling with other high level CIA people to calm the torture site hosts. That same year, the torture tapes were destroyed. Then the following year, Foggo became a problem in the Cunningham aftermath. And Foggo and Goss got fired as a result. And, at the one time Goss had an opportunity to make a statement about his

role in all this, he allegedly lied about knowing Foggo and all his problems (and, of course, all the skills that led people to ask him to set up the black sites in the first place).

Interesting. Very very interesting.