

THE NEGROPONTE WARNING

One more tiny detail from the torture tape FOIA.

Document 27, dated July 28, 2005, and titled, "DNI News" is described as "a one-page email with a CIA attorney's opinion, conveyed to his client, regarding the DNI's position [sic] the destruction of the videotapes."

We know a little bit about what the email might say from this Isikoff-Hosenball story from when the House Intelligence Committee was investigating the destruction.

In the summer of 2005, then CIA director Porter Goss met with then national intelligence director John Negroponte to discuss a highly sensitive matter: what to do about the existence of videotapes documenting the use of controversial interrogation methods, apparently including waterboarding, on two key Al Qaeda suspects. The tapes were eventually destroyed, and congressional investigators are now trying to piece together an extensive paper trail documenting how and why it happened.

One crucial document they'll surely want to examine: a memo written after the meeting between Goss and Negroponte, which records that Negroponte strongly advised against destroying the tapes, according to two people close to the investigation, who asked for anonymity when discussing a sensitive matter. The memo is so far the only known documentation that a senior intel official warned that the tapes should not be destroyed. Spokespeople for the CIA and the intel czar's office declined to comment, citing ongoing investigations.

The "news" referred to in the subject line of this email must be John Negroponte's opposition to destroying the torture tapes.

Interestingly, even though the description says this included a CIA attorney's recommendation, this is one of the few documents in this Vaughn Index for which CIA hasn't claimed some kind of attorney product privilege (though they do claim a deliberative privilege). The reference to the attorney's recommendation is even more interesting given that two CIA lawyers told Jose Rodriguez it was alright to destroy the torture tapes. Was one of these two lawyers the lawyer who knew of Negroponte's opposition to destroying the torture tapes?