

THE DIANNE FEINSTEIN- JOSE RODRIGUEZ GRUDGE MATCH

It cannot be sheer coincidence that Dianne Feinstein released two letters to acting CIA Director Michael Morell just hours before WaPo published yet another fact-free defense of torture from Jose Rodriguez.

In addition to demanding proof for assertions Morell made—after DiFi sent her first letter—in a letter to CIA employees about *Zero Dark Thirty*...

In your December 21, 2012, statement to CIA employees regarding the film, *Zero Dark Thirty*, you state that “the film creates the strong impression that enhanced interrogation techniques” were “the key to finding Bin Ladin” and that this impression “is false.” However, you went on to refer to multiple streams of intelligence that led CIA analysts to conclude that Bin Ladin was hiding in Abbottabad and stated that “Some came from detainees subjected to enhanced techniques, but there were many other sources as well. And, importantly, whether enhanced interrogation techniques were the only timely and effective way to obtain information from those detainees, as the film suggests, is a matter of debate that cannot and never will be definitively resolved.”

DiFi also noted (in her first letter) that the false assertions in the film tracked public claims made by Michael Hayden and Rodriguez.

As you know, the film depicts CIA officers repeatedly torturing detainees. The film then credits CIA detainees subjected to coercive interrogation techniques as providing critical lead

information on the courier that led to the UBL compound. While this information is incorrect, it is consistent with public statements made by former Director of the CIA Counterterrorism Center, Jose Rodriguez, and former CIA Director Michael Hayden.

DiFi sent her first letter December 19. Morell made his incorrect claims two days later. Then DiFi demanded he back his claims on Monday.

Then here we are, on Thursday, with Rodriguez both denying the brutal aspects of the torture depicted in the movie resemble what the CIA did, while claiming (as DiFi predicted) that torture was central to finding Osama bin Laden.

I guess this is why the name of Jane Harman—who may have been terrible on a number of points but pushed back on the Bush Administration's torture regime—got floated in the last few days as CIA Director, instead of Morell, who had previously been a lock?

In addition to preventing Morell from officially directing the CIA, DiFi does have another way to respond to this insubordination: to release her long report showing that torture not only didn't work, but did resemble the brutal scenes in the movie.

Mind you, she's going to face an increasingly fierce battle over classification. Does CIA retain primary classification authority for the program—in which case they'll fight her? Or does Obama—and will the CIA's godfather, John Brennan, allow the report to be released?

In any case, this seems a clear moment when DiFi's authority (indeed, when Congress' authority) on an issue on which she has been productive, is being challenged head on.

We shall see whether the Congressional overseer or the torturer wins this battle.