

A GUIDE TO JOHN RIZZO'S LIES, FOR LAZY JOURNALISTS

By my count, John Rizzo completes his first lie in his purported "memoir," *Company Man*, at the 64th word:

55: Zubaydah
56: was
57: a
58: senior
59: figure
60: in
61: the
62: Al
63: Qaeda
64: hierarchy

Zubaydah complained in his diary (see page 84) before he was captured in 2002 that he was being called Osama bin Laden's heir when he wasn't even a member of al Qaeda. And in his Combatant Status Review Board hearing in 2007 (see page 27), Zubaydah described his interrogators admitting he wasn't Al Qaeda's number 3, not even a partner. And in a 2009 habeas document the government calls Zubaydah an Al Qaeda affiliate, not a member (see 35 to 36 and related requests).

And yet Rizzo tells this lie right in the first paragraph of his book.

Granted, I'm more sympathetic to this lie than many of Rizzo's other lies. I understand why he must continue telling it.

Back in 2002, Rizzo told John Yoo that Abu Zubaydah was a top al Qaeda figure during the

drafting of the August 1, 2002 Bybee Memo authorizing torture. And based on that information, Yoo wrote,

As we understand it, Zubaydah is one of the highest ranking members of the al Qaeda terrorist organization, with which the United States is currently engaged in an international armed conflict following the attacks on the World Trade Center and the Pentagon on September 11, 2001.

[snip]

Our advice is based upon the following facts, which you have provided to us. We also understand that you do not have any facts in your possession contrary to the facts outlined here, and this opinion is limited to these facts. If these facts were to change, this advice would not necessarily apply.

[snip]

Zubaydah, though only 31, rose quickly from very low level mujahedin to third or fourth man in al Qaeda. He has served as Usama Bin Laden's senior lieutenant.

If Rizzo were to admit that the representations he made to Yoo back in 2002 were false, then the legal sanction CIA got to conduct torture would crumble.

And unlike a lot of the lies CIA – and John Rizzo in particular – told DOJ during the life of the torture program, I'm not absolutely certain CIA knew this one to be a lie when they told it. CIA (and FBI) definitely believed Zubaydah was a high ranking al Qaeda figure when they caught him. In his CSRT, Zubaydah describes admitting he was al Qaeda's number 3 under torture. Though it's not clear whether that was the torture that took place before or after the memo authorizing that torture got written, raising the possibility that CIA presented lies

Zubaydah told under torture to DOJ to get authorization for the torture they had already committed. But by the time of the memo, CIA had also had 4 months to to read Zubaydah's diaries, which make such matters clear (and had it in their possession, so that by itself should invalidate the memo). So they should have and probably did know, but I think it marginally conceivable they did not.

Still, that doesn't excuse journalists who have these facts available to them yet treat Rizzo as an honest interlocutor, as James Rosen is only the latest in a long line of journalists to do.

So as a service to those journalists who aren't doing the basic work they need to do on this story, I thought I'd make a list of the documented lies Rizzo tells just in the first 10 pages of his "memoir." These don't include items that may be errors or lies. These don't include everything that I have strong reason to believe is a lie or that we know to be lies but don't yet have official documentation to prove it. They include only the lies that are disproven by CIA and other official documents that have been in the public domain for years.

These lies, like Rizzo's lie about Abu Zubaydah's role in 9/11, also serve important purposes in the false narrative the torturers have told.

I've gone through this exercise (I'm contemplating a much longer analysis of all the lies Rizzo told, but it makes me nauseous thinking about it) to point out that any journalist who treats him as an honest interlocutor, accepting his answers – he made some of the same claims to Rosen as he made here – as credible without real challenge is just acting as a CIA propagandist.

Don't take my word for it – take the CIA's word, as many of Rizzo's claims are disproven by CIA's own documents!

Update, April 21: Ben Wittes, in his review of this tract: "Rizzo is just being honest." To be

fair, Wittes appears to have meant it to describe Rizzo's unvarying viewpoint, always serving his loyalty to the CIA. But in a review that doesn't mention Rizzo's serial lies, it's embarrassing.

(1) Abu Zubaydah was not CIA's first significant "catch." Ibn Sheikh al-Libi was, though the CIA outsourced his torture to the Egyptians.

(3) Correspondence describes tapes of Abu Zubaydah's torture in April 2002, not July 2002, as Rizzo claims. (see PDF 1)

(3-4) Obviously, CIA had another option besides torture: to let the FBI continue interrogating Zubaydah. Even if you don't believe FBI had the success they claim to have had, they were an alternative that Rizzo makes no mention of.

(4) The first torture memo was not the August 1, 2002 one. Yoo wrote a shorter fax on July 13, 2002, which (according to the OPR Report) is actually the memo CTC's lawyers relied on for their guidance to the torturers.

(5) Jose Rodriguez did not decide to destroy the tapes in October; he decided on September 5, the day after first briefing Nancy Pelosi on torture (without having told her they had already engaged in it).

(5) CIA did not follow the guidelines laid out in the Bybee memo for waterboarding, as CIA's IG determined in 2004, and at least by the time the CIA IG reviewed the tapes, there was a great deal censored via damage, turning off the camera, or taping over of the content. (see PDF 42 and this post)

(6) The Gang of Eight was not briefed in 2002; only the Gang of Four (the Intelligence Committee heads) was. According to CIA's own records, only one Congressional leader got a timely briefing, Bill Frist in 2004 (though Pelosi was briefed as HPSCI Ranking Member in 2002).

(8) John McPherson did not review the tapes after Christmas, 2002; he reviewed them about a month earlier. (see this post and linked underlying documents)

(8) Jay Rockefeller was not briefed in January 2003; only a staffer of his was. See this post for all the lies they told Pat Roberts in that briefing.

(9) While John Helgerson did not write about techniques that had not been authorized, he did describe that the waterboard as performed did not follow the guidelines given by DOJ. (see PDF 42) Rizzo also doesn't note Helgerson's observations about the tampering done to the tapes, which may have hidden unauthorized techniques.

(10) It is false that the 9/11 Commission Report relied heavily on Abu Zubaydah's interrogations. They are cited just 10 times, and at least one of those was not corroborated.