

DICK CHENEY'S FOGGY MEMORY ON BUSH'S PLAUSIBLE DENIABILITY FOR TORTURE

One of just three issues this Playboy interview [marginally SFW] with Dick Cheney pressed him on (the other two being whether Bush misjudged Putin and whether Cheney's father loved him) was whether President Bush had been briefed on the torture program.

James Rosen starts by asking whether Bush was briefed on the actual methods.

You have become publicly identified with the so-called enhanced interrogation techniques that CIA officers used when questioning suspected terrorists. Your critics call those techniques torture. To your knowledge, was President Bush briefed about the actual methods that were to be employed?

I believe he was.

It would have been useful had Rosen actually read the SSCI Torture Report, because even that explains that Bush was briefed – in 2006. “[T]he president expressed concern,” the report noted, “about the ‘image of a detainee, chained to the ceiling, clothed in a diaper, and forced to go to the bathroom on himself.’”

Rosen then presents the disagreement between John Rizzo and George Tenet, who have said Bush wasn't briefed, and the President himself. Cheney responds by describing a specific, undated briefing in Condi's office.

We ask because in *Decision Points*, the former president's 2010 memoir, he recalls having been briefed on the EITs. Yet former CIA general counsel John Rizzo, in his 2014 memoir, *Company Man*,

disputes that and says that he contacted former CIA director George Tenet about it, after reading the president's book, and that Tenet backs him up in the belief that Bush was not briefed.

No, I'm certain Bush was briefed. I also recall a session where the entire National Security Council was briefed. The meeting took place in Condi Rice's office—I don't think Colin Powell was there, but I think he was briefed separately—where we went down through the specific techniques that were being authorized.

Rather than pointing out that Cheney doesn't even say Bush was at that briefing in Condi's office (or asking for a date, which I suspect is the real secret both Bush and the CIA are trying to keep), Rosen simply asks why Cheney is certain. He then raises James Risen's account of Bush being given plausible deniability, which Cheney quickly turns into an assessment of whether Risen has credibility rather than providing more details on when and how Bush was briefed.

Why do you say you're certain Bush was briefed?

Well, partly because he said he was. I don't have any doubt about that. I mean, he was included in the process. I mean, that's not the kind of thing that we would have done without his approval.

To that point, New York Times reporter James Risen wrote in *State of War: The Secret History of the CIA and the Bush Administration*, published in 2006, "Cheney made certain to protect the president from personal involvement in the internal debates on the handling of prisoners. It is not clear whether Tenet was told by Cheney or other White House officials not to brief Bush or whether he made that decision on his own. Cheney and senior White House officials knew

that Bush was purposely not being briefed. It appears that there was a secret agreement among very senior administration officials to insulate Bush and to give him deniability.”

I don’t have much confidence in Risen.

That’s not the question. Is what he alleges here true or false?

That we tried to have deniability for the president?

Yes.

I can’t think of a time when we ever operated that way. We just didn’t. The president needed to know what we were doing and sign off on the thing. It’s like the terrorist surveillance program. You know, one of the main things I did there was to take Tenet and National Security Agency director Michael Hayden in hand and get the president’s approval for what we were doing, and there’s a classic example why I don’t believe something like this. The president wanted personal knowledge of what was going on, and he wanted to personally sign off on the program every 30 to 45 days. To suggest that somehow we ran a system that protected the president from knowledge about the enhanced interrogation techniques, I just—I don’t think it’s true. I don’t believe it.

I find Cheney’s invocation of the dragnet really, really interesting. After all, even according to Bush’s memoir, he didn’t know key details about the dragnet. Cheney told him it was going to expire on March 10 that day. Moreover, when Jim Comey briefed him the following day, he learned of problems that Cheney and others had kept from Bush.

Thus, Cheney’s invocation of the dragnet is actually a documented example of Bush *not* being adequately briefed.

Plus, it's interesting given the timing. If I had to guess at this point, I would say that Bush was likely briefed on details of torture in 2004, in the wake of the Abu Ghraib scandal, not 2006. Indeed, that may explain the 7 week delay between the time Tenet asked for reaffirmation of torture approval and when it actually got fully approved – not to mention Tenet's still inadequately explained resignation (in Tenet's memoir, he says it was because of the "Slam Dunk" comment attributed to him in Bob Woodward's book many weeks earlier).

Which brings us back to Cheney invoking a vaguely remembered briefing, this one in the Oval Office.

But can you say as a fact "I know that's not true," rather than having to surmise?

I can remember sitting in the Oval Office with deputy national security advisor Stephen Hadley and others—I think others were in there—where we talked about the techniques. And one of the things that was emphasized was the fact that the techniques were drawn from that set of practices we used in training our own people. I mean, we were not trying to hide it from the president. With all due respect, I just don't give any credence to what Risen says there.

Cheney's got nothing – or at least nothing he's willing to share. And certainly nothing to document Bush being briefed before torture started.

Which is, again, what I suspect to be the issue: Bush was briefed, maybe even before the 2006 briefing the Torture Report documents. But not before the bulk of the torture happened.