

# **DURHAM'S PREVIOUS RUN-IN WITH TRIBALISM**

My favorite new detail on John Durham is the one that describes him negotiating the “tribal political and law enforcement interests” of Boston.

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# **MUKASEY'S STATEMENT**

The most interesting detail from Mukasey's statement is that the USA for ED VA, Chuck Rosenberg, asked to be recused from the investigation into the CIA.

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# **9/11 COMMISSION DECRIES OBSTRUCTION**

Thomas Kean and Lee Hamilton start the New Year by going aggressively after the Administration for obstructing the 9/11 Commission's investigation.

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# **MARY MCCARTHY AND THE TERROR TAPES**

Remember Mary McCarthy, who was fired from the CIA for allegedly leaking details on European black sites to Dana Priest? This post looks at what details of her firing might reveal about the destruction of the terror tapes.

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## **THE CIA SOLIDIFIES ITS TERROR TAPES STORY-OR TRIES TO**

Mark Mazzetti and Scott Shane have done good reporting on the terror tape story. But their latest installment reads like an attempt on the part of the CIA to get its story straight. While it appears to present a nice coherent narrative people with CIA officers acting rationally, it raises more questions than answers.

One thing it does appear to support, though, is that the tapes were destroyed, in addition to an effort to prevent the tapes from coming out as Congress was trying to outlaw torture, because they were trying to protect the European ally on whose soil the torture took place.

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## **WHY THE SUDDEN VETO OF MILITARY PAY RAISES?**

Digby and Steve Benen are right. Bush's impending veto of the military spending bill is just weird. It's weird in that Bush has had months to push a very compliant Congress to write the bill precisely as he wants. And it's weird because the stated reason for the impending veto doesn't make any sense.

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# THE TERROR-OR MAYBE SOMETHING ELSE-PRESIDENCY

I just finished Jack Goldsmith's *The Terror Presidency*. As I've been reading, I've been focusing primarily on the insight it might offer onto the Terror Tape Destruction. But I appreciated Goldsmith's book, too, for the way that reading an intelligent and sincere conservative helps me to see my disagreements with conservatives more clearly.

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## THE "OTHER" PROVISION OF THE RECORDS ACT

It appears the fluid and constantly evolving rationalization of the Bush Administration for their destruction of the torture tapes may be starting to congeal in an operative theory relying, at least in significant part, on a provision of the Federal Records Act allowing destruction of certain records located outside of the United States during wartime. Does it hold up?

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## TORTUROUS LOGIC

I agree with Jeff. Given the news that the torture tapes never entered the US, given Porter Goss' apparent command not to destroy the torture tapes "in Washington," and given the terms of the Federal Records Act, I think the

CIA and the Administration stretched logic with each and every request for the torture tapes so as to claim they never were required to hand over the tapes.

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## **BUT THE TAPES WEREN'T IN WASHINGTON**

The LAT has a story suggesting Jose Rodriguez destroyed the torture tapes against Porter Goss' wishes, and that Goss simply didn't punish him for the act. But two details suggest an entirely different story: that Goss gave Rodriguez very clear instructions that the tapes should not be destroyed in the US, but should be destroyed in the country they were stored in.