

CIA FINALLY DECLASSIFIES “GLOVES COME OFF” MEMORANDUM OF NOTIFICATION REFERENCE

**Guidelines on Interrogations Conducted Pursuant to the
Presidential Memorandum of Notification of 17 September 2001**

Back in 2012, I wrote a series of posts on the Obama Administration's extraordinary efforts to censor this title. (post 1, post 2, post 3, post 4, post 5, post 6, post 7, post 8)

The title was part of some smart CYA on the part of George Tenet. When things started to go south with the torture program in 2003, he wrote this document, ostensibly putting order to the torture program, but also making it clear the whole thing operated on Presidential authority. (The document, which should have been released to David Passaro in his criminal trial for torturing a detainee who subsequently died, was withheld, which prevented him from pointing out anything he did, he did with Presidential approval, so Tenet's CYA didn't help him at all.)

The judge in ACLU's lawsuit to liberate torture documents, Alvin Hellerstein, decided the language should not be censored, and ordered the government release it. Then National Security Advisor Jim Jones wrote a secret declaration stating that it could not be disclosed. All the while, ACLU thought they were fighting to release a description of waterboarding, when in fact Hellerstein was trying to force the Administration to release the single detail that torture had been done on the President's order.

But the Second Circuit overruled Hellerstein, declaring these 8 words a source and method (for

the record, I guessed exactly what was behind the redaction so their secret was only useful for legal challenges).

That the torture program operated pursuant to a Finding (that is, as a covert op) had long been known thanks to blabby CIA types like John Rizzo. But it was formally declassified as part of the Torture Report. It got released today as part of a Jason Leopold lawsuit.

So there you have it. "Presidential Memorandum of Notification of 17 September 2001." A secret Obama fought to the circuit court, now public for all the world to see.

It doesn't feel so momentous, does it?