

Udall Urged to Disclose Full Torture Report

Sen. Mark Udall has called for the full release of the Senate Intelligence Committee's report on torture. However, as a still-sitting member of Congress, he has a constitutional protection to read most of the still-secret report on the Senate floor – and a group of intelligence veterans urges him to do just that.

MEMORANDUM FOR: Senator Mark Udall

FROM: Veteran Intelligence Professionals for Sanity (VIPS)

SUBJECT: Stopping Torture

We, the undersigned are veteran intelligence officers with a combined total of over 300 years of experience in intelligence work. We send you this open letter at what seems to be the last minute simply because we had been hoping we would not have to.

You seem on the verge of leaving the Senate without letting your fellow Americans know all they need to know about CIA torture. In the eight weeks since you lost your Senate seat you gave off signs that, during your last days in office, you would provide us with a fuller account of this sordid chapter in our country's history, exercising your right to immunity under the "Speech or Debate" clause in Article 1 of the Constitution.

Your rhetoric against torture and in defense of the Constitution has been strong, but we now sense a white flag beneath it. We fear you intend to silently steal away, and thus deny the American people their last best chance to learn what they need to know about the record of CIA torture.

We had been encouraged by your Dec. 10 speech on the Senate floor, in which you referred to the release of the Executive Summary of the Senate Intelligence Committee's Study on CIA torture the previous day and said: "My goal is to ensure the **full truth** comes out about this grim time in the history of the CIA and our nation, so that neither the CIA nor any future administration repeats the grievous mistake this important oversight work reveals." (our emphasis)

Very quickly, though, your goal became fuzzier. When Scott Raab of *Esquire Magazine* asked you right after your speech, "Do you think the remaining 6,000 or so pages will become public?" You answered: "I do. It's my fervent hope that they will be declassified. I will continue to call for the entire report to be

declassified. The details are important ... the entire report ought to be released."

With all due respect, Senator, exactly who do you think is going to do that, if not you? Was your "goal to ensure the **full truth** comes out" more rhetoric than reality? We are extremely disappointed at your apparent readiness to throw in the towel.

You had told Raab on Nov. 21, "What happened [the torture, lying, and cover-up] broke faith with the Constitution," adding, "There are some that would like this report [the Senate Intelligence Committee Study] never to see the light of day. There are some that are running out the clock." Clearly, you are on to their game. Are you going to let the clock run out, when what we actually need is a full-court press?

A Fine Floor Speech

You called, again, for CIA Director John Brennan to resign, while at the same time noting that President Obama has expressed full confidence in him and has "demonstrated that trust by making no effort at all to rein him in." In your words, the CIA keeps "posing impediments or obstacles" to full disclosure of its "barbaric program" of torture. And you made light of Obama's merely stating, "Hopefully, we don't do it again in the future."

"That's not good enough," you added, and of course you are right. Finally, you complain: "If there's no real leadership from the White House helping the public understand that the CIA's torture program wasn't necessary and didn't save lives or disrupt terrorist plots, then what's to stop the next White House and CIA director from supporting torture? ...

"The CIA has lied to its overseers and the public, destroyed and tried to hold back evidence, spied on the Senate, made false charges against our staff, and lied about torture and the results of torture. And no one has been held to account. ... There are right now people serving at high-level positions at the agency who approved, directed, or committed acts related to the CIA's detention and interrogation program."

QED as you have demonstrated there is no "real leadership" in the White House on this transcendently important issue.

Thus, it struck us as disingenuous to finish, as you do, with a glaring non sequitur. You call on our timid President to "purge his administration" of a CIA director in whom he says he has "full confidence," together with the torture alumni and alumnae still tenaciously protected by the same director.

Again, with all due respect, it seems equally disingenuous to appeal to this President to declassify and release the earlier review ordered by former CIA Director Leon Panetta, the conclusions of which directly refute several of Brennan's claims much less release the full 6,800-page study of which we are permitted only a heavily redacted "executive summary."

You even include Panetta's own observation that President Obama and Brennan both were unhappy with Panetta's initial agreement with the committee to allow staff access to operational cables and other sensitive documents about the torture program.

So where is the real leadership going to come from? Clearly, not from the White House. Russian President Putin is going to give Crimea to NATO before Obama does any of the things you suggested. And you know it.

So where could the initiative come from in these final days before the Senate changes hands? Frankly, Senator Udall, we had been counting on you rising to the challenge before this unique opportunity is lost, probably forever.

Where We Are Coming From

We are, frankly, at a loss to explain your hesitancy your lack of follow-through toward your stated goal "to ensure the full truth comes out ... so that neither the CIA nor any future administration repeats the grievous mistake [of torture]."

If you summon the courage to discharge what you no doubt realize is your duty, there is no way you will end up in jail. Indeed, this is precisely the kind of situation the Founders had in mind when they wrote the "Speech or Debate" clause into Article 1 of the Constitution.

Whatever it is that you fear, you might keep in mind that several of us who lack the immunity you enjoy have paid and continue to pay a heavy price for exposing lies, injustice, and abuses like torture. One of us the first to reveal that those grisly kinds of torture (aka "enhanced interrogation techniques") were approved at the highest level of government is in prison serving a 30-month sentence. A number of us have seen the inside of prisons for doing the right thing; and all of us know what it feels like to be shunned by former colleagues.

Also important, despite our many years of service as senior intelligence officers and our solid record for accuracy, we are effectively banned from the so-called "mainstream media," which continues to prefer the role of security-state accomplice in disparaging, for example, the findings of the Senate Intelligence Committee Study. (Never mind that the study is based on indisputably original CIA cables and other documents.) In contrast, you are not

banned from the media yet. You have a few more days; you need to use them.

In your "Additional Views" on the Senate committee Study released on Dec. 9, you applaud Sen. Dianne Feinstein "for seeing this project to completion." But wait. You are surely aware (1) that the project remains far from complete; and (2) that if you or one of your Senate colleagues do not move tout suite to release the full Study together with the earlier review commissioned by Panetta, the "project" will not be brought to "completion" any time soon unless a courageous whistleblower runs great risk and does what you can do with impunity.

Moreover, releasing the report, as you have the authority to do under the Constitution, would publicly demonstrate that at least one legal method of whistleblowing does exist. So when such truly illegal actions occur, even at the most senior levels, there is a way of righting wrongs.

You are correct to call the committee Study "one of the most significant examples of oversight in the history of the U.S. Senate." We imagine that the strong support you and Sen. Ron Wyden gave Sen. Feinstein helped make it so. And we join you both in applauding Sen. Feinstein's tenacity in getting the Study's 500-page executive summary released. John Brennan used every conceivable ruse to slow-roll and eviscerate the summary, but Sen. Feinstein faced him down. She achieved all she could, given the circumstances. But the project remains far from "completion."

In your "Additional Views" you note that, as a new member of the intelligence committee four years ago, you were "deeply disturbed to learn specifics about the flaws in the [torture] program, the misrepresentations, the brutality." You add that you wrote the President letters about this in May, June, and July of this year. Surely the lack of response told you something. Please not another letter to Obama. You need to go beyond letters.

Your Turn

Now it's your turn, Senator Udall. Put Constitution and conscience into play, together with the immunity you enjoy. You can and, in our view, your oath to the Constitution dictates that you must rise to the occasion and find a way to release the entire 6,800-page Study, including CIA's comments (but not redacted to a fare-thee-well). You need to put this at the very top of your job jar now, before it is too late.

The American people are owed the truth. As you have noted more than once, they are not likely to get it from Brennan or the President for that matter. Nor will it come from the mainstream media with their customary "on-the-one-hand-and-then-on-the-other" approach to journalism. Polling data on the widespread

acceptance of using torture “to keep us safe” is a direct result of that kind of coverage as well as of the artful crafting of words and phrases in the questions asked in those surveys.

The comments of the many of the TV talking-torture heads seem almost designed to discourage viewers from reading the damning executive summary itself. Who wants to read such abhorrent stuff at Christmastime, anyway?

If those who approved and conducted torture are not held accountable, torture is a virtual certainty for the future. In that sense, you are quite right in saying that the Committee staff has done “seminal” work. The seeds have been sown for reining in an executive agency acting lawlessly; or, alternatively, for endorsing, out of fear, the practice of torture in the future.

John Brennan, those who were in the CIA chain of command for torture, and the co-opted lawyers and faux-psychologists who lent their needed skills to the enterprise may be a bit nervous over the next few days until you are safely gone. But there is little sign they actually expect you to rise to the challenge.

Indeed, Brennan and Co. seem intent on advertising their power and impunity by recently leaking the latest demonstration of lack of accountability. Surprise, surprise: the panel appointed by Brennan to investigate Brennan and his people for hacking into Senate Intelligence Committee computers has reportedly decided to hold no one accountable, including Brennan himself, who initially lied about it. Now we learn that he apparently authorized the hacking in the first place, so everyone involved receives a stay-out-of-jail-free card. Smug impunity needs to be challenged using your immunity.

Finally, Senator Udall, history books will record the release of the highly redacted summary of the five-year-in-the-making Senate report on torture. It will also record whether or not the Senate rose even if only in the form of a single, un-intimidated man, to expose truly and in fullness what was done in the name of the American people. Our history is replete with such individual acts of courage by Americans who put country before self. Will you join them?

For the Steering Group, Veteran Intelligence Professionals for Sanity (VIPS)

William Binney, former Technical Director, World Geopolitical & Military Analysis, NSA; co-founder, SIGINT Automation Research Center (ret.)

Thomas Drake, Defense Intelligence Senior Executive Service, NSA (resigned)

Daniel Ellsberg, former State Dept. & Defense Dept. Official (VIPS Associate)

Mike Gravel, former Senator from Alaska; former Army intelligence officer

Larry Johnson, CIA analyst & State Department/counterterrorism, (ret.)

John Kiriakou, former CIA counterterrorism operations officer; federal prison, Loretto, Pennsylvania

Edward Loomis, former Chief, SIGINT Automation Research Center, NSA

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Elizabeth Murray, Deputy National Intelligence Officer for Middle East (ret.)

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