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*Treasury Department Assistant Secretary for Terrorist Financing Marshall Billingslea speaks during an Organization of American States meeting on state corruption and human rights violations in Venezuela at the organization's headquarters on March 1. (Chip Somodevilla/Getty Images)*

President Trump's decision to nominate an official involved in the Pentagon's post-9/11 use of harsh interrogation techniques to the State Department's top human rights post has sparked a standoff in the Senate that has extended a nearly three-year vacancy in a key diplomatic position.

Trump's nomination in January of Marshall Billingslea as undersecretary of state for civilian security, democracy and human rights raised immediate alarms among the activists and former government officials who believe his confirmation would send a dismal message about the United States' commitment to human rights abroad. A [September confirmation hearing](#) has

intensified those concerns, with several officials accusing Billingslea of improperly minimizing his role in the interrogation debate inside of the George W. Bush administration.

From 2002 to 2003, Billingslea served as the Pentagon's point man on military detainees housed at Guantánamo Bay under Defense Secretary Donald H. Rumsfeld. In that position, according to a [2008 Senate report](#), he played a role in promoting interrogation techniques that Congress later banned as torture — including the use of hoods or blindfolds, sleep deprivation, prolonged standing, the shaving of beards, the removal of clothing and the use of military dogs to intimidate detainees.

“To put it mildly, I believe that Mr. Billingslea is one of the worst possible candidates for this critical senior leadership role overseeing human rights policy for the Department of State,” wrote Thomas J. Romig, a retired major general who at the time in question served as judge advocate general of the Army, in a recent letter to the Senate Foreign Relations Committee.

The Trump administration and key congressional Republicans have stood by the nomination, however, arguing that Billingslea's role in the approval of the torture techniques has been overstated and that he has been an aggressive and effective advocate in [his current position](#) as the Treasury Department's assistant secretary for terrorist financing — a position that, in light of the State Department vacancy, has effectively made him the top U.S. official traveling the world opposing corruption and promoting human rights.

Among those vouching for Billingslea is Juan Guaidó, the leader of [the Venezuelan opposition](#) to President Nicolás Maduro, who praised Billingslea in a September letter to the Senate for leading the U.S. effort to sanction members of the Maduro regime.

“Marshall has been on the front lines fighting against human rights abuses and corruption around the world,” Treasury Secretary Steven Mnuchin said in a statement. “From leading the charge against hunger profiteers in Venezuela, to thwarting Hizballah's exploitation of Lebanon and calling to account systemic corruption in South Sudan, Marshall has been instrumental in advancing human rights globally and is more than equipped to continue this charge . . . at the State Department.”

But the nomination remains in limbo. Following the Sept. 19 hearing, in which Billingslea faced

sharp questioning about his record and repeatedly denied being an “advocate for torture,” Sen. Robert Menendez (D-N.J.) accused Billingslea of having “misrepresented his role” on interrogation policy and called on the Pentagon to declassify and release additional records related to his tenure as principal deputy assistant secretary of defense.

The concerns have been bipartisan: Sen. Rand Paul (R-Ky.) also expressed misgivings about Billingslea’s Pentagon record at the hearing and has joined Democrats in requesting more documents. If party lines otherwise hold in the closely divided Foreign Relations Committee, Paul could block the panel from favorably advancing the nomination to the Senate floor.

Paul said in a recent interview that he has asked the Trump administration for any documentation from Billingslea’s time in the Pentagon showing “where he was arguing against widening the ability to do torture.”

“I haven’t seen any of that yet, and unless I do, I’m very troubled,” he said.

The Foreign Relations Committee [has not moved forward](#) with Billingslea’s nomination since the hearing. In a brief interview earlier this month, Chairman James E. Risch (R-Idaho) said he supported Billingslea’s confirmation but declined to say when he plans to move forward with it.

“I think that he’s laid out exactly what the situation was, and everybody has to vote on it the way they think is appropriate,” he said.

The post of undersecretary for civilian security, democracy and human rights has been vacant since Trump took office in 2017. It was established during the Obama administration to consolidate various State Department bureaus with the intention of creating a voice in the top echelon of the Foggy Bottom bureaucracy to promote those interests alongside, and occasionally against, the more transactional concerns that hold sway elsewhere in the foreign policymaking bureaucracy.

“The very fact that there hasn’t been an undersecretary arguing for these positions has allowed for them to lose out in many a policy debate thus far,” said Rob Berschinski, who

served as a deputy assistant secretary of state and now serves as senior vice president of policy for Human Rights First, a group opposing Billingslea's confirmation. "From the human rights community, people are very interested in having that position filled, but only with somebody whose background would allow them to speak authoritatively on the issues."

Billingslea and his allies have argued that his work in the Treasury Department has made him singularly qualified for the more senior State Department position, pointing to his extensive global travels promoting anticorruption and human rights issues and his work to impose financial sanctions on members of rogue regimes.

The conservative foreign policy establishment has praised his work targeting the regimes in Venezuela and Iran with sanctions, as well as people associated with abuses in Myanmar, Nicaragua and other countries. They have also defended him against attacks on his Pentagon record and noted that Billingslea's Treasury nomination was supported by the late senator John McCain (R-Ariz.), the preeminent congressional voice criticizing the Bush administration's use of torture.

"In my years knowing Marshall, I have found him to be open-minded, a person of immense integrity, committed to human rights of all people, dedicated to upholding our laws and thoroughly devoted to the values Americans hold dear," said Toby Dershowitz, a senior vice president at the Foundation for Defense of Democracies. "Political disagreements are legitimate and part of America's tradition. But I have found the other objections some have put forth to be unfounded."

To human rights advocates, Billingslea's record at Treasury is beside the point: If named to the State Department post, they argue, he will simply lack the credibility to advocate for his portfolio inside the Trump administration and abroad.

"The senior most U.S. official responsible for human rights policy should be disqualified if they have a pro-torture background — that is not a high bar," Berschinski said. "He's not going to have any credibility walking into a foreign ministry in Beijing or Riyadh or Cairo. He'll get the exact same message: Who are you to lecture me?"

At his confirmation hearing, Sen. Ben Cardin (D-Md.) asked Billingslea how he would handle

just that scenario, where he was confronted on his credibility by a foreign counterpart who raised his torture record.

Billingslea said he would “advocate for and respect” Congress’s 2015 decision to ban torture techniques across the government.

“We have to talk to our counterparts about the fact that we are a nation of law, and we learn from our mistakes, and we evolve,” he said. “And therefore, we will expect that other countries understand this and learn with us on these matters.”

But Billingslea’s other claims at the hearing, suggesting he was merely a bureaucratic functionary relaying decisions up the chain of command, only intensified the criticism from officials he dealt with at the time. Romig, in his letter, said Billingslea “went out of his way to advocate for using abusive interrogation techniques against detainees in our custody . . . despite being told that his positions were wrong, counterproductive, and unlawful by a group of senior military lawyers.”

Mark Fallon, a former senior Naval Criminal Investigative Service official who opposed the use of torture techniques as a leader of an investigative task force at Guantánamo, said the decisions Billingslea supported contributed to the difficulty of bringing its detainees to justice and closing the facility for good.

“Marshall Billingslea was our biggest obstacle within the Pentagon trying to dissuade policymakers from going down a road that we believed was illegal, immoral and ineffective and would derail the ability to bring forth justice,” he said. “So it’s disingenuous for him to claim that he was some type of passive participant.”

The lead investigator for the 2008 Senate Armed Services Committee report, Joseph M. Bryan, also disputed Billingslea’s claim that he “never supported torture nor anything resembling torture” in a letter sent to the Foreign Relations panel the day after the hearing.

“The record established in the [2008 Senate] investigation does not support that assessment,”

Bryan wrote, adding that Billingslea recommended “interrogation techniques that included, among other measures, hooding detainees, slapping them, and threatening to transfer them to a third country that the detainee was likely to fear would subject him to torture or death.”

Benjamin Haas, an attorney for Human Rights First who has advocated against Billingslea’s nomination, said the post-hearing outcry should give the Senate pause.

“As if Mr. Billingslea’s pro-torture record isn’t bad enough, it’s shocking that he also brazenly misled the Senate,” Haas said. “On this basis, senators should nix Mr. Billingslea’s nomination.”

*Tom Hamburger contributed to this report.*