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Through censorship, the CIA often likes to pretend that we don't know the things we know. With Gina Haspel's nomination to head the agency, our tolerance for this habit will face a major test.

A little over a year ago, to defend themselves in a lawsuit brought by three victims of torture in CIA black sites, James Mitchell and John "Bruce" Jessen issued a subpoena to depose "Gina Doe, former Chief of Staff to Jose Rodriguez when he served as the Chief of the CIA's Clandestine Service and former Deputy to Jose Rodriguez when he served as Director of the CIA's Counterterrorism Center." The two contract psychologists needed "Doe's" deposition, they argued, because she was effectively their boss: her testimony could support their claim that everything they did to prisoners in the CIA's interrogation chambers was "under the plenary and direct control of the CIA" and "within the scope of properly delegated authority."

It didn't take long for "Gina Doe" to become Gina Haspel in court documents.

In February 2017, two months after that subpoena was issued, President Trump appointed Haspel Deputy Director of the CIA, and the subsequent flood of reporting about Haspel's clandestine career so clearly linked her to the black site torture program that the court dropped the thin veil of pseudonymity. Still angling to have the court compel her testimony, Mitchell and Jessen could now be more direct in their court filings, linking Haspel by name to one of their most notorious "enhanced interrogations."

"As recently reported in the press," their attorneys wrote, "Haspel ran the black site at which Abu Zubaydah was detained and interrogated. She would have been personally involved in the communications between CIA Headquarters and Defendants concerning that interrogation." She had "direct, first-hand knowledge of the extent of Defendants' involvement in the development of interrogation efforts," and was "in a position to confirm that Defendants never engaged in any interrogation activities that had not been previously and specifically approved in advance by the CIA on a case-by-case basis."

Haspel was never required to share with the court her knowledge about Mitchell and Jessen's "interrogation activities," or her own. Claiming "state secrets" privilege, government lawyers successfully argued that the CIA had never officially acknowledged that she had a role in the secret detention and interrogation program, and "to confirm or deny that fact would itself disclose classified information." Mitchell and Jessen, who would eventually reach a settlement with the torture victims, cried foul in court, arguing that they were being left holding the bag for the agency's Rendition, Detention, and Interrogation program.

No sympathy is due Mitchell and Jessen, who designed, promoted, and profited obscenely from the harebrained brutality that they and dozens of men and women employed by the CIA visited on prisoners in secret dungeons scattered around the globe. But Mitchell and Jessen were not the ones who sent a CIA [cable](#) on July 15, 2002 from the CIA's black site in Thailand titled "Additional Operational and Security Considerations for the Next Phase of Abu Zubaydah Interrogation." In the form it was produced for the court in the lawsuit, the cable is entirely redacted except for two passages:

If subject develops a serious medical condition which may involve a host of conditions including a heart attack or another catastrophic type of condition, all efforts will be made to ensure that proper medical care will be provided to subject. In the event that subject dies we need to be prepared to act accordingly keeping in mind the liaison equities involving our hosts. If subject dies, we plan on seeking [redacted] assistance for cremation of the subject

Several redacted lines later, it continues:

Regardless which option we follow, however, and especially in light of the planned psychological pressure techniques to be implemented, we need to get reasonable assurances that subject will remain in isolation and incommunicado for the remainder of his life.

Though this is all the CIA allowed the court to see, we have additional information about the contents of that 4-page cable. The Senate Intelligence Committee, in the executive summary of its still largely suppressed report on the CIA torture program, records that this same cable "stated that only the Detention Site Green chief of Base would be allowed to interrupt or stop an

interrogation in process, and that the chief of Base would be the final decision-making authority as to whether the CIA's interrogation techniques applied to Abu Zubaydah would be discontinued."

There has been no official confirmation of Haspel's role as chief of base, and Mitchell has now gone on the record to say Haspel was not there at the time of the water-boarding of Abu Zabaydah. However, reporting by the New York Times indicates she did assume that role a few months later, towards the end of 2002, and would have played this direct supervisory role in the interrogation of Abd al-Rahim al-Nashiri.

According to an internal 2004 report from the CIA Inspector General, "psychologist/interrogators immediately began his questioning using Enhanced Interrogation Techniques." On the 12th day of interrogation "psychologists administered two applications of the waterboard to al-Nashiri", the report said.

Three years later, Gina Haspel, personally signed the order to destroy the videotapes of the Thai black site interrogations.

When President Trump appointed Haspel Deputy Director of the agency last year, Senators Ron Wyden (D-Ore.) and Martin Heinrich (D-N.V.) [wrote](#) to outgoing CIA Director Mike Pompeo demanding that he declassify information about Gina Haspel's background in the agency. That letter included this surreal passage:

As you are aware, on February 2, 2017, we sent a classified letter to the President making this request and specifically describing the nature of the information to be declassified. Since then, at least two senior CIA officials have made public statements about Ms. Haspel's background. Former Acting Director Michael Morrell has written that Ms. Haspel drafted a cable directing that CIA interrogation videos be destroyed, and former Director of the National Clandestine Service John Bennett has spoken about her role in the CIA's Detention and Interrogation Program. We have nonetheless received no response to our letter, which we are resending to you through classified channels.

In the coming weeks, Wyden, Heinrich, and their colleagues on Senate Intelligence Committee

will have a chance to ask Haspel about her black site past directly during her confirmation hearings. They will not be in the mood to entertain the fiction that there is not an evidence room full of exhibits of the CIA's torture program, many of them bearing Gina Haspel's fingerprints. And we shouldn't either.