

The CIA inspector general in 2004 found that there was no conclusive proof that waterboarding or other harsh interrogation techniques helped the Bush administration thwart any "specific imminent attacks," according to recently declassified Justice Department memos.

That undercuts assertions by former vice president Dick Cheney and other former Bush administration officials that the use of harsh interrogation tactics including waterboarding, which is widely considered torture, was justified because it headed off terrorist attacks.

The risks and effectiveness of waterboarding and other enhanced techniques are at the center of an increasingly heated debate over how thoroughly to investigate the CIA's secret detention and interrogation programs.

"It is difficult to quantify with confidence and precision the effectiveness of the program," Steven G. Bradbury, then the Justice Department's principal deputy assistant attorney general, wrote in a May 30, 2005, memo to CIA General Counsel John Rizzo, one of four released last week by the Obama administration.

"As the IG Report notes, it is difficult to determine conclusively whether interrogations provided information critical to interdicting specific imminent attacks. And because the CIA has used enhanced techniques sparingly, 'there is limited data on which to assess their individual effectiveness'," Bradbury wrote, quoting the IG report.

Nevertheless, Bradbury concluded in his May 2005 memos that the program had been effective, although the still secret reports by Inspector General John Helgerson had been disseminated a full year earlier.

Helgerson also concluded that waterboarding was riskier than officials claimed and reported that the CIA's Office of Medical Services thought that the risk to the health of some prisoners outweighed any potential intelligence benefit, according to the memos.

The IG's report is among several indications that the Bush administration's use of abusive interrogation methods was less productive than some former administration officials have claimed.

Even some of those in the military who developed the techniques warned that the information they produced was "less reliable" than that gained by traditional psychological measures, and that using them would produce an "intolerable public and political backlash when discovered," according to a Senate Armed Services Committee report released on Tuesday.

President Bush told a September 2006 news conference that one plot, to attack a Los Angeles office tower, was "derailed" in early 2002 — before the harsh CIA interrogation measures were approved, contrary to those who claim that waterboarding revealed it.

Last December, FBI Director Robert Mueller told Vanity Fair magazine that he didn't believe that intelligence gleaned from abusive interrogation techniques had disrupted any attacks on America.

The New York Times first reported Helgerson's inspector general's report in November 2005, but details of its contents have remained secret. A version of the report that the CIA turned over to the ACLU in May 2008 in response to a lawsuit consisted primarily of heavy black lines and notations of sections that had been redacted.

A CIA spokesman said Friday that he knew of no plans to release a more complete version.

Jameel Jaffer, the director of the ACLU's National Security Project, said the declassification of the Helgerson report is the subject of a court case before the 2nd U.S. Circuit Court of Appeals.

"We hope that we'll be able to negotiate a less redacted version of that report," Jaffer said, adding that the release of the Justice Department memos has increased pressure for more revelations.

"It's a crucial document," he said. "It will shed light on what kind of measures the CIA was using before August 2002" and whether they exceeded limits imposed by the Justice Department lawyers.

Two of the memos declassified last week, however, cite the IG report at least 34 times, often quoting it verbatim. Those citations provide the first glimpse of the spy agency's inspector general's analysis of the interrogation program.

The Bradbury memos that cite the inspector general's report reveal that officials at CIA headquarters insisted on the repeated waterboarding of Abu Zubaydah, the first prisoner to undergo the technique, even after the interrogators on the scene sought to discontinue the technique.

"According to the IG Report, the CIA, at least initially, could not always distinguish detainees who had information but were successfully resisting interrogation from those who did not actually have information," Bradbury wrote in his May 30, 2005, memo. "On at least one occasion, this may have resulted in what might be deemed in retrospect to have been the unnecessary use of enhanced techniques.

"On that occasion," Bradbury continued, "although the on-scene interrogation team judged Zubaydah to be compliant, elements within CIA Headquarters still believed he was withholding information . . . . At the direction of CIA headquarters, interrogators therefore used the waterboard one more time on Zubaydah."

Bradbury wrote that CIA headquarters dispatched officials to observe that waterboarding session. After that session, "these officials reported that enhanced techniques were no longer needed," Bradbury wrote, citing the IG report.

Bradbury's May 2005 memos authorized both waterboarding and a technique called "walling," in which a prisoner is pushed against a plywood wall, but stressed that the Justice Department was doing so only so long as interrogators stuck to the procedures the CIA had outlined to the Justice Department. "Our analysis assumes adherence to these descriptions and limitations," Bradbury noted in the May 10, 2005, memo.

The memos, however, also suggest that interrogators went beyond what the Justice Department initially authorized in an Aug. 1, 2002, memo by then-Assistant Attorney General Jay S. Bybee.

Quoting IG Helgeson's report, then-deputy assistant attorney general Bradbury noted that in addition to waterboarding Abu Zubaydah at least 83 times and Khalid Sheikh Mohammed 183 times, some prisoners had been subjected to walling "20 to 30 times consecutively."

"We previously concluded that the use of the waterboard did not constitute torture," Bradbury wrote in a May 10, 2005 memo. "We must reexamine the issue, however, because the technique, as it would be used, could involve more applications in longer sessions (and possibly using different methods) than we earlier considered."

As for walling, Bradbury wrote in the same May 10 memo that the Justice Department's initial 2002 authorization of walling "did not describe the walling technique as involving the number of repetitions that we understand may be applied."

Despite the information from the IG's report, Bradbury subsequently concluded that the techniques weren't torture.

Among the other details in the IG's report revealed in the Justice Department memos:

\_ Contrary to Bush administration's insistence that waterboarding carried few risks and that medical concerns were a priority, the CIA didn't initially seek the help of medical professionals in setting up or carrying out the procedure.

"OMS (the CIA's Office of Medical Services) was neither consulted nor involved in the initial analysis of the risk and benefits of (enhanced interrogation techniques)," Bradbury wrote in his May 10, 2005, memo, quoting from the IG's report.

\_ The Bush administration erred by depending on a military training program, Survival, Evasion, Resistance, Escape, (SERE) to assess the risks that a suspected terrorist might face when being waterboarded.

"Individuals undergoing SERE training are obviously in a very different situation from detainees undergoing interrogation; SERE trainees know it is part of a training program," Bradbury wrote, borrowing from the IG report's conclusion.

\_ Waterboarding terrorist suspects also differed substantially from its limited use in the SERE program.

Quoting from the IG report, Bradbury wrote, "The waterboard technique . . . was different from the technique described in the DOJ opinion and used in the SERE training . . . At the SERE school . . . the subject's airflow is disrupted by the firm application of a damp cloth over the air passages; the interrogator applies a small amount of water to the cloth in a controlled manner. By contrast, the Agency interrogator . . . applied large volumes of water to a cloth that covered the detainee's mouth and nose."

Bradbury said the inspector general reported: "OMS contends that the expertise of the SERE psychologist/interrogators on the waterboard was probably misrepresented at the time, as the SERE waterboard experience is so different from the subsequent Agency usage as to make it almost irrelevant."

After the medical services office became involved in the possible use of waterboarding — a step that didn't occur until after the inspector general's report was issued, according to the memos — the technique wasn't used again.

Waterboarding was rejected in the case of a prisoner who was believed to be a courier between Osama bin Laden and Abu Musab al Zarqawi, a Jordanian terrorist in Iraq, because the suspected courier was obese and complained of chest pressure, even though the CIA thought he might have critical information about plans to disrupt the 2004 U.S. presidential election, according to the memos.

The OMS issued guidelines in December 2004 setting out that the use of the waterboard required the presence of a physician," Bradbury wrote. Those guidelines, however, were issued more than a year and a half after the last known CIA use of waterboarding.

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