

HARD MEASURES

How Aggressive CIA Actions After 9/11 Saved American Lives

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with Bill Harlow

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Immediately after KSM capture.....

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After a night's sleep our officers tried once again to get KSM to talk. While he gave up pretending to speak only Urdu, he didn't give up much else. When it came time for the officer who had granted KSM permission to sleep the night before to have another turn watching the portly prisoner, Mohammed surprised him by asking: "Will you be nice to me?" It was not exactly what he had expected to hear. "What do you mean?" he asked. "Are you going to yell at me?" KSM asked. "If I yelled at you last night, it was because I was frustrated," the Agency officer replied. KSM held out his beefy paw and shook the officer's hand.

KSM started to engage a little. Like other AQ officials, he would talk a bit about past deeds but would say nothing about future plans. He was asked about the location of bin Ladin and Zawahiri and how al-Qa'ida communicated with them. KSM remained silent. He was asked what operations the group was planning. KSM looked directly in the eyes of his inquisitor and simply said: "Soon you will know." It so happened that the officer in the cell with him had previously worked trying to find out who had brutally murdered *Wall Street Journal* reporter Danny Pearl. Since a document relating to Pearl had previously been found at the home where KSM was staying, our officer asked Mohammed to tell him about his involvement in the reporter's death. KSM wagged his finger at the American, paused, and then cryptically said: "Not now."

Within a few days we were able to spirit KSM out of Pakistan and take him to a black site. There the process began with him, just as it had with other recent senior detainees, to try to get him to voluntarily share the information we knew he had. From material found at the location of his capture we had indications that he had had recent contact with bin

Ladin and Zawahiri. From other detainees we knew that he was instrumental in coming up with the plans that led to 9/11. And from his own words when we asked what al-Qa'ida planned next we had his haunting words: "Soon you will know." With all that, we couldn't idly sit by and wait for a chance to bond with our detainee or for him to see the error of his ways and open up to us. So, after he refused to cooperate, the EITs were methodically implemented one by one in an effort to stave off another horrific attack on the United States or one of our allies.

AFTER HE BECAME COMPLIANT

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At the end of one debriefing session, the CIA officer who was questioning KSM got up to leave. He called her back and said, "There is something else you should know." He proceeded to tell her how he had personally decapitated *Wall Street Journal* reporter Daniel Pearl in early 2002. KSM spoke of the atrocity in a matter-of-fact tone. He provided considerable detail to back up his claim and clearly was not at all remorseful. The report of his confession rocketed back to Washington. There were many of us who were prepared to believe any evil deed was well within KSM's capacity. Some had had suspicions about his involvement ever since documents found in Pakistan seemed to connect him to the murder. Others thought, however, that it might just be a ploy. One of KSM's frequently stated goals was to be put on trial in New York. Shortly after he was captured he told Agency officers that he would talk only after he got to New York and met with his lawyer. It seemed to us that he was looking for a platform from which he could spout his hatred for all things American, and a trial would certainly present that opportunity. (It strikes me as more than a little ironic that several years later Attorney General Eric Holder almost granted KSM his wish.)

Back at CIA headquarters, analysts scrutinized once again the grisly videotape of Pearl's murder. Although the face of the person wielding the knife was covered, the person's hand, shown as he killed the reporter, did resemble KSM's. Closer examination of the video was required to study Pearl's executioner. Analysts in Washington asked that close-up photos of KSM's hand and arm be taken while he was holding a sack with a bowling ball in it to simulate the severed head held in the gruesome video. Those photos compared to the actual video showed that KSM was not lying to us. In a confession he later submitted for a potential tribunal in Guantanamo Bay, Cuba, KSM wrote: "I decapitated with blessed right hand the head of the American Jew, Daniel Pearl, in the city of Karachi, Pakistan," adding, "For those who would like to confirm, there are pictures of me on the internet holding his head."

Despite the popular misconception that Agency officers treated KSM cruelly during the three-plus years he was in our custody, the harsh treatment, which I believe to have been “necessary roughness,” lasted for only days. Later, CIA officers engaged with him on a familiar basis and actually joined KSM in his cell on occasion to watch movies—complete with popcorn. To avoid inflaming any sensitivities, movies shared with detainees were carefully selected and usually PG-rated at most. But no one was taken in by his moments of normalcy.

In many respects the CIA officer was right, but at least two of our people at the black site told me that KSM made an observation to them that would later prove eerily accurate. Talking about his interrogation and that of his colleagues, he said: “You know, someday your government is going to turn on you.”

General info:

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In fact, most of the detainees in CIA custody received *none* of the EITs. Only about thirty out of one hundred or so were subjected to any of the techniques. The techniques stopped as soon as the detainee became compliant and agreed to cooperate. And in virtually every case, they never again were subjected to EITs. Of these thirty detainees who received any EITs, only three—let me say that again, three—were ever waterboarded. Even for those three who went through most if not all of the EITs before being waterboarded, the entire time between first being asked if they wanted to cooperate and refusing, through the use of escalating procedures up to waterboarding, took a matter of as little as seven to at most less than thirty days.

Even for those critics who understood that the EITs were not applied for a lengthy period, there was often a lack of understanding of their continuing benefit. For example, following the death of Usama bin Ladin in May 2011, a National Security Council spokesman implied that EITs did not contribute to UBL’s demise because much of the intelligence on his whereabouts came long after the EITs stopped. Hello! That is the way it is supposed to work.

We never suggested that the EITs would be a panacea. Once detainees became compliant, that did not mean that they would tell us everything they knew. They would still try to protect their most cherished secrets. But they told us much, much more than they would have otherwise, and, often unwittingly, they gave us insights that unlocked the mysteries we wanted to unravel most. During one debriefing session, one of our people asked a

senior detainee, “What is it you fear most about these sessions?” After thinking for a moment, he responded: “I am afraid I might inadvertently tell you something which leads to the capture of the Sheikh” (Usama bin Ladin). Well, all right then, we have a place to start.

One of the most frustrating charges is the one that goes something like this: “Waterboarding must not work; otherwise you would not have had to do it to KSM 183 times and to Abu Zubaydah 83.” The charge is frustrating for a number of reasons, not the least of which is that the CIA’s own inspector general created the canard. It is a measure of the care and precision with which we conducted the program that Agency officers recorded every drip of water that was used in the waterboard process. In some of the fanciful simulations and animations used by the critics to illustrate the process, they show huge buckets of water or fully charged hoses being used. In fact the water was dispensed in short splashes from ordinary plastic water bottles. Each time the bottle was tipped counted as one application. So the “183 times” that we get credited/blamed for waterboarding KSM in fact involved only 183 splashes of water (applications).

According to a 2007 International Committee on the Red Cross report, which has been publicly released, Abu Zubaydah said he was subjected to waterboarding “during five sessions of ill-treatment [the ICRC’s word] that took place during an approximately one-week intense period of interrogation allegedly in Afghanistan in 2002. During each session, apart from one, the suffocation technique was applied once or twice, on one occasion it was applied three times.”

KSM is quoted in the ICRC report as saying that he, too, had been waterboarded only five times. In this instance, KSM was much closer to the truth than the CIA IG. My information is that each session lasted an average of less than 4.5 minutes.

Keep in mind that captured al-Qa’ida training manuals instruct their operatives to exaggerate any supposed abuse they might suffer at the hands of captors. In this case, the CIA IG did their work for them.