



General Michael Hayden on the War on Terror (12/6/17)

- 00:00:20 Alice M. Greenwald: Good evening. My name is Alice Greenwald. I'm president and C.E.O. of the 9/11 Memorial & Museum, and it is my privilege to welcome you here this evening. As always, we are so pleased to see our museum members in the audience and to extend this welcome to those tuning in to our live web broadcast at 911memorial.org/live. I also want to welcome our trustee board member Andy Senchak, who is also co-chair of our education committee, the oversight committee for the kinds of public programs you are going to experience this evening.
- 00:01:02 To say we live in precarious times is an understatement. This memorial and museum stand in witness and in testament to one of the most profound ruptures in national and global security in the history of our country. The threats to our safety and societal foundations seem to proliferate daily. As we confront the unthinkable specter of nuclear aggression, an erosion of confidence in verifiable facts, vulnerability to external interference in our elections, and the reality that despite the truly heroic efforts of our law enforcement and intelligence agencies, we are still not immune from terror striking the homeland.
- 00:01:49 Just five weeks ago, only blocks from where are you now sitting, our neighborhood and our city were once again rocked by unimaginable violence. On that beautiful fall afternoon, we were reminded again of the fragility of life and how, in the blink of an eye, innocent lives can be taken in an unconscionable act of indiscriminate murder.
- 00:02:15 This new normal brings with it uncertainty, fear, and grief. But it also calls forth voices of clarity and leadership. One of those voices belongs to our

speaker this evening, an authority in many of the areas that matter most right now: geopolitics, intelligence, and cybersecurity.

- 00:02:41 General Michael Hayden was director of the National Security Agency on 9/11, a position he held from 1999 to 2005. As a U.S. Air Force four-star general, he became the highest-ranking military intelligence officer in the country when he assumed the role of first principal deputy director of national intelligence in April 2005, followed by his service as director of the Central Intelligence Agency from 2006 to 2009.
- 00:03:13 General Hayden worked under the Clinton, Bush, and Obama presidential administrations, and is the first person in history to have led both the NSA and the C.I.A. The general's leadership in these organizations coincided with the momentous change in the landscape of global security, counterterrorism, and the growing cyber challenge.
- 00:03:36 He could not have been better prepared for his roles, having served also as commander of the Air Intelligence Agency and director of the Joint Command and Control Warfare Center, and having also held senior staff positions at the Pentagon, the U.S. European Command, the National Security Council, and the U.S. Embassy in Bulgaria.
- 00:03:58 He is currently a principal at the Chertoff Group and a distinguished visiting professor at the George Mason University Schar School of Policy and Government. In addition to all of that, he is also the author of "Playing at the Edge: American Intelligence in the Age of Terror," a "New York Times" bestseller that was selected as one of the 100 most notable books of 2016.
- 00:04:25 Tonight, General Hayden joins the museum's growing roster of distinguished guests, which has included, among others, former Secretary of State Henry Kissinger, former C.I.A. director John Brennan, and current FBI director Christopher Wray, to discuss the current moment in national security and how it has been shaped as a result of 9/11.

00:04:49 We are deeply honored to have General Hayden with us tonight, and I want to thank him sincerely for sharing his time and insights with us. We are also very grateful to the David Berg Foundation for supporting the museum's 2017-2018 public program season.

Please join me in welcoming General Michael Hayden in conversation.

(applause)

He will be in conversation with the museum's executive vice president and deputy director for museum programs, Clifford Chanin. Thank you.

00:05:26 Clifford Chanin: Thank you, Alice.

(applause)

I was worried. I was cut off in the applause for your enthusiasm for the general. General Hayden, thank you.

General Michael Hayden: Thank you.

Clifford Chanin: Let me add my thanks to Alice, and I want to ask you, you were running one of America's principal intelligence agencies on 9/11, and I'd like to know that story. But first, tell us, as the man who was running it, what NSA does.

00:05:51 General Michael Hayden: Sure.

Clifford Chanin: And what it was doing at that time, and then how you swung into action, your response to what happened.

General Michael Hayden: Yeah, the entire American intelligence, American espionage enterprise is, frankly, designed to get information other people would deny us. You know the bumper stickers, "We steal secrets," all right?

00:06:12 Now, we divide up how we steal, and that's how we're organized. All right? So C.I.A. steals through human sources. NGA... If you want to know the alphabet soup, ask in the Q&A-- NGA takes pictures. NSA, the National Security Agency, participates in communications for which it is not the intended recipient, is the best way I can put it.

(laughter)

00:06:37 General Michael Hayden: All right? And so-- in essence, it eavesdrops. Now, in a traditional... In a traditional, passive sense, you know, you hit the button on the radio, you send out waves, the waves propagate, you put an antenna up. If you've got the gear, you've got the kit, you can get the signal, you can turn the signal into something intelligible to the human ear.

00:07:03 In the modern era, that enterprise also includes, rather than just kind of passive catching something someone decides to toss, in the modern, computerized, interconnected, globalized, worldwide-web world, NSA is also authorized to break and enter into adversary networks and to pull information out that they may never have intended to transmit, all right? But, in essence, it's the electronic communications arm of the American espionage enterprise.

00:07:38 Clifford Chanin: So 9/11 comes. I believe you were at work early that morning.

General Michael Hayden: Yep.

Clifford Chanin: Take us through the day.

General Michael Hayden: Sure-- hard to come to work early. 9/11 was a Tuesday, Monday Night Football. It was the opening of the Denver Broncos stadium, their new stadium in Denver, and I remember staying up and watching the game. Came in. I had a haircut appointment at 7:00. We have a barbershop inside NSA. It's on the far side of our headquarters complex. I walked through there, got a quick haircut, came back.

00:08:08 Just because it was on the way, I stopped into our operations center, kind of the brain of the global SIGINT-- Signals Intelligence Enterprise. "What's going on?" Quick briefing—nothing exceptional, all right? Just what's going on in the world. Back into the office and started working off the day's schedule.

00:08:28 A little after 9:00, my executive assistant came in and said a plane hit the World Trade Center. And, like most who were not in New York, it was, you know, the image was, sport plane, small plane, how did that happen? Looks like a clear day. Went back to work. The executive assistant came in a second time and said a plane hit the other tower. At which point, you know, anybody who does this for a living says, "Al Qaeda."

00:08:53 And so, I said, "Get the head of security up here right away." And, as he came up-- a great fellow named Kemp, Kemp Ensor-- as he came up and was coming in one door in my office, my executive assistant was coming in the other and said there are reports of explosions on the Mall, that's the Washington Mall. That's a garble of the plane hitting, hitting the Pentagon. My security chief hasn't spoken a word yet. I said, "Kemp, all nonessential personnel out of here now." And he silently turned, went out, and we began to get nonessential personnel out of NSA headquarters.

00:09:32 NSA is big. It's actually-- it's actually an American intelligence agency that's declassified its population. It's 35,000 people, comprises the National Security Agency. About half of them work at Fort Meade.

Clifford Chanin: Just outside of Washington.

General Michael Hayden Just out... yeah. It's closer to Baltimore than Washington. It's outside of both beltways, all right?

00:09:52 And so, nonessential depart. I mean, it was hard to count, but we figured between 5,000 and 7,000 remained, 8,000 to 10,000 then, then left. I then decided to decamp—you see those iconic pictures when you're watching your old Will Smith movies, "Enemy of the State," and you've got those tall buildings. That's where the directors' offices are.

00:10:19 And I directed everybody who was staying out of the tall buildings. And we have a long, low-rider building that's our original ops building-- it's only three stories high. And I said, "Move everybody who's essential into those spaces." I went there because that's where the ops center was, where I'd visited in the morning. And so, I spent the rest of the day at the operations center.

00:10:42 George Tenet called me at about 10:30, maybe a little later, quarter of 11:00. George-- I'm sorry, George was the DCI. He was the director of Central Intelligence. He said, "What do you got?" I said, "George, I got celebratory gunfire on the Al Qaeda network." In other words, we were hearing them high-fiving one another with the success of the attack. And he just said, "Yeah, yeah, we know," and hung up.

00:11:08 At which point, we began to slew the American SIGINT enterprise, which your tax dollars built, and it's really big. And, I mean, we were, we were dropping other requirements off left and right. I mean, prior to 9/11, terrorism was important, but there were a lot of other things going on in the world. You had to divide up your resources. About 10:00 in the morning, I'm throwing things out and bringing everything we have to bear, frankly, on Afghanistan, and anything else in the Al Qaeda, Al Qaeda network. It was what's technically called T.W.A.A.-- threat, warning,

attack, assessment. Is there more coming? What happened? So we were trying to gather that.

00:11:51 About dusk, one of my officers reminded me that our counterterrorism shop was still in the high-rises. Now, you have to understand, I mean, Fort Meade looks like it's a headquarters, and it is, but it's also the largest field station in the whole enterprise.

00:12:10 And, so, when I say "the counterterrorism shop," I mean people with headsets on, all right? Who were listening to conversations being cued up by this global enterprise. And because of the nature of the day, the nature of the attack, the nature of the mission, we could not afford to have them decamp from where they were and relocate, because we would lose hours of coverage. You know, it would just lie dormant and would not be listened to. And so we had to leave them in the high-rises.

00:12:41 Clifford Chanin: The point you make in the book is that many, perhaps most of them, were Arab-Americans because of the language facility.

General Michael Hayden: Yeah, oh, yeah. So I went up and got there just about dusk-- and if you remember the day, it was spectacular along the eastern seaboard, it was absolutely just a gorgeous day. And I walked in, it was just about sunset. Now, that... that's about an eight-story building. That's probably about the sixth floor. If it had been much higher, if it had been much higher, I could have seen Fort McHenry, okay? Which was the last instance of America being bombarded in the 48.

00:13:19 And I walked in, and as you said, they're Arab-Americans. So, now, they've got... They've got a mission impact, all right? Because their job is to stop that. They're suffering, as the nation is suffering, because of what happened. And then, since they are Arab-American, there's probably more going on inside them, as well. And, you know, there's nothing dramatic here, I mean, there are no speeches to be made. You know, you walk through, hand on shoulder, nod, press on, stay... It was-- it was genuinely presencing, was all that I could offer.

00:13:56 And then, as I got into the room, though, there was one other thing I need to share with you. Remember, I said if we were a little bit higher, I could see Fort McHenry. Of course, we weren't and I didn't. We were tacking up blackout curtains. The logistics force was there. And I had the thought, "I'm in eastern Maryland "in the 21st century, "and we are tacking up blackout curtains. It's going to be different here tomorrow."

00:14:20 Clifford Chanin: You had spent a career in military, military intelligence, but does the gear shift for you? You are now at war in a way that had not been the case, going back, perhaps, to Vietnam. What is the internal assessment you're making of where we are and what we need to be doing?

General Michael Hayden: Yeah, so, what happens is, you know, NSA is a big enterprise-- 35,000 people, global, big budget, balancing that mission with this mission, that requirement. I mean, we were trying to retool. Remember, I said up there with the catcher's mitt, catching the signals that were going out, or commuting to the target, getting into the network, pulling it off the computer?

00:14:58 Well, we were over here. We knew our future was over here. And so we needed to take money we would normally spend to keep doing the traditional "just catch the signals in the air" and reinvest in everything we needed to become this new enterprise because we all changed how we communicated.

00:15:16 And every time I would try to save a dime over here by pulling off mission, I get a phone call from a secretary of state or something, saying, "You can't, you can't ease your coverage up on Nigerian organized crime. Don't you know how important that is?" And so, we had to... So the afternoon of 9/11? Just, I just did it. I just started, started moving things. And you all were very generous, all right?

00:15:41 No, seriously. I mean, we got the largesse of your tax dollars after 9/11. I'll use the C.I.A. figure, because it's easier to explain. I became the director of C.I.A. in 2006, okay? On the day I became director, I had two dollars to spend for every one dollar George Tenet had on September 10. All right? So we had clarity. I had license to go to this place, do this mission, and we had a lot more resources.

00:16:13 And frankly... How to put this to make it sound right? We're good at going to war. You have the most magnificent armed forces on the planet, and when the president says, "Go do that," we know how to do that. And we actually did some remarkable things... I know you want to talk about how we, how we integrated our kind of electronic magic with the fire and movement of U.S. forces on the ground.

00:16:45 Clifford Chanin: You write that Afghanistan is an intelligence-driven war.

General Michael Hayden: Yeah.

Clifford Chanin: That, of course, intelligence is always central to military operations, but it was different this time because the need for intelligence on the front lines in an active, responsive way seems to be the only way to find these people...

General Michael Hayden: Yeah.

Clifford Chanin: ...Who are wandering around without uniforms and without really being able to be traced in a specific way.

00:17:07 General Michael Hayden: Yeah, yeah. The overly simplified way of thinking about this, during the Cold War, remember the Russians and massive tank armies in Eastern Europe-- and those of you with military experience in Europe, remember the Fulda Gap you had to defend against penetrations, and that was the American Army's task and so on?

Yeah, the mantra then was, "These guys are easy to find. I can see a tank army." Hard to stop.

00:17:35 Al Qaeda was the reverse. Easy to stop, if you could find them. And so, this became an absolutely intelligence-driven war.

Clifford Chanin: And practically, what did that mean? How did that become implemented in terms of the extension of U.S. forces into these operating areas, first in Afghanistan, but the same, ultimately, would be the case in Iraq.

00:17:58 General Michael Hayden Iraq, yeah-- so a couple of things. So the normal rhythm you kind of read about or you see on TV is, the intel guys prepare the thing for the operations guys, okay? The intel guy goes in there and says, "Here's this, here's that, here's the front line of troops, Here's the terrain, and okay, big guy, go do your stuff," all right?

In this war, very often, we would conduct operations, we would actually just go do something, right? In order to tickle the enemy, to make the enemy communicate, all right?

00:18:35 When the enemy doesn't know what you're doing and you surprise them, they lose discipline, and they begin to fear for their own well-being. And I don't just mean personal safety. I mean for the well-being of their force. And the human instinct, when under threat, is to talk, is to communicate.

00:18:56 And so I was down in Tampa talking to Charlie Holland. Charlie was a good friend of mine. Charlie was a four-star commander of U.S. Special Operations Command, and we're having dinner at his house in Tampa. And Charlie is a good enough friend, that he didn't mind at, by the time we got to dessert, to kind of pound the table, "Mike, Mike, Mike! I need actionable intelligence, actionable intelligence, actionable intelligence."

And I said, "I got it, Charlie. "Let me give you another model here, all right? "You give me a little more action, I'll give you a lot more intelligence." And that was flipping the model.

00:19:30

Clifford Chanin Right, so that if they're quiet, you can't track them.

General Michael Hayden: Right, and if they're quiet, you know, if they're quiet, if they're not stressed, all right? They can send it by courier. They can wait for the next face-to-face. But if they're stressed, you got to communicate. Now it's, you know, I made that sound more predictive than it really is in real life. But they trend to communicate when under stress.

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Clifford Chanin: And in practical terms, this meant taking people, some of whom came to your agencies, whether NSA or C.I.A., from the military, so they had that kind of experience.

General Michael Hayden: Oh, yeah.

Clifford Chanin: But some were civilians, and yet they were moved into frontline positions, at least at command centers, so they could really be there to coordinate these information shifts.

General Michael Hayden: Yeah, so you have to understand, NSA is about half military, half civilian, okay? So it's kind of got this dual personality all along. And it is technically what is called a combat support agency. In other words, the Department of Defense should expect you to support folks in combat. That's just part of your task.

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The British counterpart, GCHQ-- not a familiar name to most Americans, but it's the British equivalent of NSA-- they're technically not a combat support agency. And so they feed most of their stuff up to the ministry of

foreign affairs, whereas NSA does both State Department and the Department of Defense.

00:20:52 What we discovered is that if you're in the message file, I mean, if you're just kind of there and you're doing your thing, and I file a report and you send it forward, you're not in a fight, all right? And so it became very clear to us that we could not do what it is we did and succeed if we were only what we would call "in garrison." We had to be forward.

00:21:20 So-- in a very non-doctrinal way-- because, after all, the first letter in National Security Agency, "N," means "national," all right? And so its instinct is, it's supposed to be, in essence, looking more up than down. Because of the nature of the war, we started sending our forces forward-- our forces, all right? We began to integrate our people into American combat elements, so that in essence, we weren't creating reports anymore. In essence, we're in live chat. Saying, "He's over there. He's about 300 meters to your left." And then we would bring friendly fire at them.

00:22:02 Clifford Chanin: Now, there was a cost to this. You report in your book-- I don't know at what point this was accurate till, it may have grown since-- but NSA lost 23 cryptologists in combat operations.

General Michael Hayden: Yeah, yeah.

Clifford Chanin: So this is literally the front line. This is not, you're not speaking metaphorically.

General Michael Hayden: No, no, not metaphorically. We integrated with our forces. And... this is probably more than you ever wanted to know about the SIGINT enterprise, but, you know, the tactical units have their own kit, too, all right? I mean, they... they've got their own radios. They can intercept very short-range, very immediate, battlefield-focused.

00:22:39 And the task now was, how could we integrate what they were doing with their organic ability to intercept communications with our national ability? And there are lots of organizational classification barriers between doing that. And, again, back to, "Okay, we got clarity. We know what we're going to go do." We broke all the way through those barriers. We actually had Marines in the forward line tuning overhead assets, because they needed to hear what's beyond the next ridgeline.

00:23:12 And similarly, I had people back in garrison-- most of these folks were in Fort Gordon, Georgia-- tuning Marine Corps antennas on Humvees that were in the forward line of advance in Iraq or Afghanistan.

Clifford Chanin: Now, this is a transformation.

General Michael Hayden: Yeah.

Clifford Chanin: This is not something that is going to change, I don't think...

General Michael Hayden: No.

Clifford Chanin: ...as future combat operations, whether it's in relation to the war on terror or other operations, this is really a transformation in military capacities and in a military approach, is it not?

00:23:42 General Michael Hayden: Yeah. Fundamentally, if you're an adversary of the United States and you emanate on a battlefield, you're going to die.

Clifford Chanin: "Emanate" meaning send off a signal.

General Michael Hayden: Yeah.

Clifford Chanin: Yeah. Let me come to... In fact, I think the book is extremely well-titled, "Playing to the Edge," and you make, in relation to a number of very important historical incidents that you're involved with here, you make the point that the intelligence community wants rules to follow and needs someone to set the rules. Now, the debate about how those rules are set...

00:24:20

General Michael Hayden: Right.

Clifford Chanin: Where they're set...

General Michael Hayden: Where they are, right.

Clifford Chanin: Is something that the intelligence community may disagree with, whether it's Congress or the American public, but you don't want to be running around without guidance about what to do. You want to be within the law. And, but you're willing to go, what your lawyers tell you is the edge of the law. Talk about, please, how the intelligence community shapes itself in relation to the limits that are set for it.

General Michael Hayden: Sure, wow, there's a lot in there.

Clifford Chanin: Yeah.

00:24:49

General Michael Hayden: So we follow law and policy of the United States. In the book, there's a chapter there called "Espionage, Bureaucracy, and Family Life," okay? Yeah, it's kind of a hodgepodge chapter. And I try to explain the human dimension of the espionage enterprise-- the bureaucratic burdens, the stresses on families.

- 00:25:15 And I-- three times in the chapter, I quote an American songwriter who worked a few blocks from here routinely, Bob Dylan, and "Beautiful Sweet Marie," and his "Blonde on Blonde" double platinum album from the mid-1960s, and there's a line in "Beautiful Sweet Marie" that says, "When you're operating outside the law, you really got to be honest," okay?
- 00:25:41 Now, I quickly add, C.I.A., NSA does not operate outside the law. Or, at least not outside of American law, okay? Is the way I put it. So, I mean, look, this is an enterprise that's conducted in the shadows, all right? And that's just the way... It's just the reality you have to accept. But it is not without bounds, all right? Playing to the edge means there are edges. And we really need to come back to that question before we're done. And we need clarity from the people we serve as to what are the edges they define for us.
- 00:26:21 And that usually comes through the American political process, which is very contentious. I mean, you go back to the "Federalist Papers," it's supposed to be contentious-- coequal branches of government, competing, the lines between them not quite clear. So in here, for example, it's just not where the lines are. It gets, who's got the controlling hand on the pen for where the lines are? Is it Article II, the president of the United States, or is it Article I, the Congress of the United States?
- 00:26:51 And so you've got all these dynamics going on. All we want is, "Just tell us what the lines are. Just tell us where our limits are." And then, and then, when the operational environment requires it, we will play all the way up to those limits, because why, why wouldn't we? You mentioned lawyers, right?
- Clifford Chanin: Yeah.
- 00:27:10 General Michael Hayden And my best lawyer once described to me the difference between a lawyer for NSA or C.I.A. and a civilian lawyer. A civilian lawyer is designed to protect his client. A civilian lawyer will tell

you, "Well, that's probably legal, but you really should be playing back a little bit here because you don't want to make yourself vulnerable." You know, a civilian lawyer is kind of built-in cautious to make sure you're not in any legal jeopardy.

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My lawyer-- Bob Dietz is his name-- Bob would say, "That is an immoral position for the lawyer of the National Security Agency or the Central Intelligence Agency to take", because his client is not the director. His client is the American people. And his job is to get you as close to that line as he can legally get you to that line. Because you realize, if I play back from the line, I may be protecting me, or more nobly, I'm protecting my agency, but I'm not protecting you.

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And so, in this case, the moral compulsion is to go all the way to the limit-- not randomly, not haphazardly, not casually-- but when the circumstances demand it, you go all the way to the edge.

Clifford Chanin: Though the most salient example, and this does not cover your time at C.I.A., but you write about it at length in the book, is the enhanced interrogation of a certain number of captives from the battlefield. They're being held in third-country sites, ultimately to Guantanamo.

00:28:50

But coming more specifically to what were called "enhanced interrogation techniques." Take us through the limits, as you saw them, in relation to that, or as the C.I.A. defined them, and the line as it was drawn by C.I.A. authorities, because, obviously, that line was challenged in the society at large.

00:29:12

General Michael Hayden Yeah, it became debatable. This is a long story, so I'll try to be efficient, but this is an important story. So, right, I kind of inherited this program. You'll probably get to electronic surveillance sooner or later. I started all those, all right? That was me. But when... that's NSA stuff. When I got to C.I.A., this was already under way and already been made public by "The Washington Post." It was very contentious. But very briefly, all right?

00:29:37 Just so we have the same set of facts. C.I.A. held, depending on how you book them, about 100 to 120 Al Qaeda, what we call "HVTs," high value targets, all right? People we thought knew a lot. Not Snuffy down here in the Al Qaeda lower ranks, people we thought had life-saving information. Now, again, depending on how you book them, and it's not because we lost some of them.

00:30:04 It's just, you know, was that our prisoner or was that really the Pakistanis' prisoner? How long do we hold them? Do we book them over here, book them over here? So, 100 to 120, all right? We got several fairly high-ranking, or at least fairly knowledgeable people, early on. Abu Zubaydah, all right, is the first one.

Clifford Chanin: One of the most important and senior figures in the organization at that point.

00:30:28 General Michael Hayden: Yeah, yeah, actually, it's... you know, that's been challenged, that we had that wrong. He wasn't that senior. He may not have been. But he seemed to know a lot. It's a little bit like, "So whose phone do you want to listen to, the chief executive officer or his secretary?" Okay? Abu Zubaydah was kind of like the secretary.

Clifford Chanin: (laughing): I've never had to ask myself that question.

(laughter)

00:30:53 General Michael Hayden: So keep in mind when this is happening. This is 2002, all right? We're not sure of the threat Al Qaeda poses to us. We don't have a lot of physical penetrations of Al Qaeda. I'm still trying to build up the signals intelligence intercept of Al Qaeda communications. We seem to be under great threat. There's no one here saying-- well, and let me tell you a line I've never used-- "That 9/11 thing, Hayden, don't overreact to that," all right?

00:31:24 Clifford Chanin: Yeah, yeah.

General Michael Hayden: Never got that. And so, George Tenet makes the decision that we've got some high-value detainees whom we believe have life-saving information for us, and they're not telling us. And we don't have the time to work this through with patience, counseling, tea, and hummus, all right? We got to get this stuff.

So George makes the decision to apply "enhanced interrogation techniques." There were a total of 13. All of them, the reason George chose these is that they had been used in the training of tens of thousands of American airmen, and therefore, we had a body of knowledge with regard to the short-and long-term physical and psychological effects of the techniques.

00:32:08 And therefore, we felt we could present them to the Department of Justice, and they could make a decision that, yeah, based on the effects, these would not constitute torture under American responsibilities, under international law. And so we applied these techniques, a total of 13.

They start way low, all right? One was grabbing somebody by the chin. That was one. Grabbing them by the lapels, that's another one. Slapping them in the face is a third. Hitting them in the stomach with the back of your hand is the fourth.

00:32:40 And then you, you progressed. Up at the high end, up at the high end, you had diet manipulation, which was, frankly, 1,200 calories a day of liquid Ensure, okay? Well, I mean, we're trying to break down resistance, okay? Sleep deprivation that went long, very long. And then waterboarding. Waterboarding was conducted on three detainees, okay? The last detainee to be waterboarded was March of 2003. George Bush took waterboarding off the table, all right? By the time I become director, we hadn't used it for three years.

00:33:19 So... The agency is absolutely convinced that it got information through using these techniques that would not have otherwise been available, certainly in any, any timely manner, all right? Now, the... I mean, that's really on the edge. These are really difficult decisions. But it was judged, given the totality of circumstances in which we found ourselves in '02, '03, '04, that this was the correct course of action. And we did build up a great body of knowledge, again, of things we would not otherwise, otherwise have known.

00:34:01 Clifford Chanin: So, and I've heard this from other folks associated with the intelligence community, you share the conviction that there was valuable intelligence drawn from these techniques.

General Michael Hayden: Yeah. No, I mean, the body of... The record is overwhelming in that regard. You really have to start from a dark place to begin to say, "Oh, no, that's not good, that's not good." I mean, the people who did it, all right, tell me, "Oh, no, we..." Look, a couple of points. We never asked somebody a question we didn't know the answer to while we were using these techniques. I mean, this is not a scene from "24" where you say, "Tell me where the bomb is. Tell me where the bomb is," all right?

00:34:40 This was trying to get somebody who was in a zone of defiance into a zone of relative cooperation. All right? It's... you know, never got over, "Where do I enlist?" All right? But you got them out of the zone of telling you nothing to a zone in which you could actually... And then, after that, you just interviewed them. The average amount of time for... Oh, yeah, I said 100 to 120.

Clifford Chanin: Yep.

00:35:09 General Michael Hayden: A third, a third-- if I haven't mentioned that, I need to mention that-- a third had enhanced interrogations techniques. We're talking about 35 or 40 people, okay? And the average amount of

time from defiance to "let's talk" was about a week to ten days. And after that, it was just conversation, all right? And so we felt we built up, in essence, an encyclopedic body of knowledge. "Tell me again about that meeting in Kandahar." "Now, now, now when the sheikh arrived, was it a white S.U.V., or was it dark?"

00:35:42 I mean, seriously, we're building up this, this encyclopedic knowledge, so that later in the war, when you're trying to piece something together, all right? Like, "I wonder if he's using a courier because he doesn't seem to be communicating. Do we have anything in this vast body of knowledge that talks about someone who could act as a courier for Osama Bin Laden?"

00:36:09 And so we built this all up. Now, look, I got it in '06. I had different circumstances than George did. I knew more about Al Qaeda. I knew more about the level of threat. I had more human penetrations of the network. I was not as desperate for information as George was.

00:36:28 So my presentation to the president was, "We can step back." We went from 13 techniques to six. We went from indefinite detain... detention to about 60 days' detention. I asked, the president agreed. He made the program public so we could get more political understanding. You know, we could have Americans go up or down about it. And the grand argument we get is, "I don't want my country doing that, and you didn't get anything useful, anyway."

00:36:56 And my response... And by the way, Barack Obama's C.I.A.'s response is, "That first sentence, "'I don't want my country doing that,' all that says is, 'We share common values.' The back sentence, 'You didn't get anything, that's not yours. That's ours.'" And our body of knowledge was, 'We got it.'" So the sentence you got to say is, "I don't want you doing it and I don't care if you got that information." Which is, which is a moral...

00:37:27 Clifford Chanin: Which is a legitimate position.

General Michael Hayden: It's a legitimate position, but it's not one you would expect these institutions to take whom you have licensed to do certain things on your behalf.

Clifford Chanin: But the edges did come in.

General Michael Hayden: Yeah, oh, yeah.

Clifford Chanin: Whether voluntarily or not. You are very critical of Congress and its sort of wavering in its willingness to do things. I want to read two quotes from the book. I will start with one.

"In the end, the Congress of the United States had no impact on the shape of the C.I.A. interrogation program going forward. Congress lacked the courage or the consensus to stop it, endorse it, or amend it. We finally simply informed them that we would seek legal authority from the Justice Department to use six techniques."

General Michael Hayden: Six.

00:38:07

Clifford Chanin: And that was pretty much the end...

General Michael Hayden: That's the downshifting I did, all right? So in addition to the president making a speech, in addition to shrinking the techniques, in addition to shrinking the time of detention, we kind of went full monty to all members of the intelligence committees. That was probably a tactical mistake done early that they only brief what's called the "Gang of Eight," you know, the very, very limited number of Congress.

We should have briefed more members of the... Frankly, I'll just be very, very candid with you. The rule of thumb is, if you're doing something on

the edge, if you're doing something controversial, tell as many people in Congress as possible. They generally don't leak, actually.

00:38:45 Most leaks come from the Executive Branch. Tell Congress what you're doing if it's really edgy, if it's really forward-leaning. And, frankly, I'll be very candid with you, dare them to tell you not to do it when everyone's scared and no one knows what the future's going to be. They want to be heroic about this, be heroic then. Don't be heroic six years later when these things have worked, everyone's feeling good about life, and now they get to go, "Tsk-tsk, tut-tut."

00:39:13 Clifford Chanin: You write, "Most American intelligence professionals are well-acquainted with the broad cultural rhythm connecting American espionage practitioners and American political elites. The latter group gets to criticize the former for not doing enough when it feels in danger, while reserving the right to criticize it for doing too much as soon as it has been made to feel safe again."

General Michael Hayden: Yep, and that's kind of the drill.

Clifford Chanin: That's, that's very pleasant, I would imagine.

General Michael Hayden (laughing): No.

Clifford Chanin: How do you know which side of the phase you're in, though?

00:39:40 General Michael Hayden: Well, yeah, right. Look, I don't want to make light of the moral dilemma that these techniques caused, all right? These are very aggressive. You can probably tell I'm personally comfortable with this, but I know a lot of good people who are not, and I have deep regard for their views. But, you know, this is not one you could pass on.

You had to make a choice. And the agency made a choice. And I, frankly, endorsed it, because even when I changed them, it wasn't because I thought George was wrong. I just simply said, "George had his circumstances. I have mine."

00:40:12

Clifford Chanin: Let's talk about another historical intelligence incident. This is back to when you were at NSA, and it's not the surveillance, although we may have time to come to that. But, I mean, people talk all the time about the intelligence failure in relation to weapons of mass destruction in Iraq.

General Michael Hayden: Yeah.

Clifford Chanin: In that, NSA was part of the intelligence community in that.

General Michael Hayden: Part of it, yeah.

00:40:32

Clifford Chanin: How can you explain that? Because you write that in terms of your time at NSA and subsequently at C.I.A., speaking to colleagues there, there was no pressure, you say, to skew the intelligence towards a finding that there was a weapons of mass destruction program in Iraq. And, yet, it was completely wrong.

General Michael Hayden: Yep.

Clifford Chanin: How do you explain that?

00:40:53

General Michael Hayden: So lots of dynamics here. So there were two broad theories of the case that the Bush administration really wanted to have, which is different from saying, they're dishonest, all right? I mean, I'm simply saying, they had two positions, and there were members of

the administration who thought both were true. One was, Iraq had weapons of mass destruction, right? The other one was that there was an operational relationship between Iraq and Al Qaeda, all right?

00:41:19 We believed the first, we did not believe the second. And we pushed back against the second, frankly, heroically. We said, "No, that is not true, and if you-- if you say it, we can't back you up," which is actually a pretty strong statement to a political leader. When you say, "If asked, we're going to say, 'No, that's all wrong.'" That really puts a cap on it. So, I mean, if we were just caving, we'd have caved on both, all right? "No, that's wrong. That's not true-- don't say it." This one we actually believed.

00:41:48 Now, we were wrong, and looking back, you know, "Oy, what were you thinking?" In terms of, "Why did you believe that?" But think of the circumstances now. Number one, after Gulf War one, and we finally got U.N. inspectors into Iraq, they were much further along in their nuclear program than C.I.A. had estimated. Now, as much as I've talked to you about these organizations, they're still bureaucracies. And you know how bureaucracies respond to making a mistake. They trend back in the other direction. So that was one reality.

00:42:22 The second, Saddam Hussein, for his own purposes, wanted the neighborhood to think he did have these weapons because of his kind of eternal competition with the Shia Persians across the Shatt al-Arab in Iran. And so he was-- I mean, we captured people, who said, "Well, I thought he had them." I mean, his generals, all right?

00:42:45 So you had, number one, you had us overcompensating for underestimating. Second, you had Saddam leading the neighborhood on as if he did have them. Third, we really did have limited sourcing, all right? And there are unarguable tradecraft issues with how we vetted or did not vet the sources. In other words, how much did we challenge our own assumptions?

00:43:10 So let me give you-- I'm in, I'm doing signals intelligence, remember the intercept stuff? Communications. I'm in NSA. I am in the room as one of the principals when we voted to, on the National Intelligence Estimate, with regard to Iraqi weapons of mass destruction. I had had a personal conversation with Condi Rice, who was, at that time, the national security adviser. Secretary Rice and I go back to her being an intern and my being a lieutenant colonel on the Air staff. So we've got time together.

00:43:42 And we were marching towards war. I'm in the White House for one reason or another, and she kind of, "Hey, Mike, what do you got? I mean, does he really have them?" And I said, "Condi, I-- I got a room full of information that he's got a WMD program." I had to add, though, "It's all circumstantial." Okay? "None of it's conclusive in its own right." Now, hold that thought, "It's all circumstantial."

00:44:13 We're going to fast-forward the video here, and now we're in 2011. We got a different president, and we're wondering if that tall guy in that compound in Abbottabad is who we think it is, okay? And President Obama has a pretty good relationship with Michael Morell. You've seen Michael on, he's a CBS commentator-- a really bright guy. He was my number three. He later became Leon's number two.

Clifford Chanin: At C.I.A.

00:44:37 General Michael Hayden: At C.I.A., I'm sorry. And he was acting director twice, all right? So a very well-credentialed guy. And President Obama... "Michael, in their hearts, what do people at the agency think? Is that Osama Bin Laden in the picture?" I mean, this is a big deal. We're going to go ahead and launch the Starfleet into Pakistan without telling the Pakistanis, right? And there are 100 ways this could go wrong. And so the president, "Is that really him?"

00:45:05 And Michael tells the story that he answers, "Mr. President, there are a range of views at the agency. They range from 50/50 to 90/10 that that tall guy's Bin Laden." And the president kind of responds, "That's not really very useful, Michael."

(laughter)

General Michael Hayden: And Michael says, "Well, let me give you a little background. Anybody who touched the Iraq WMD thing? They're 50/50."

(laughter)

00:45:40 General Michael Hayden : "Anybody who's done nothing but Al Qaeda, 90/10." At which point, I'm imagining the president's kind of going, "Ahh." Michael won't let it sit there. Michael leans forward, "Mr. President, one more thing. Every stitch of evidence we have that that man is Osama Bin Laden is circumstantial. And, frankly, Mr. President, we had more circumstantial evidence that Saddam Hussein had weapons of mass destruction than we have evidence that that guy's Osama Bin Laden." Now, that's the nature of the job.

00:46:16 Clifford Chanin: Can you give us, I mean, there's security and classification issues here, but can you give us some specifics about the nature of the circumstantial evidence on WMDs?

General Michael Hayden: Sure, sure. I had-- for example, I had intercepts that we played up the street here at the U.N., Secretary Powell making that big speech. I actually had a clear three, three intercepts of Iraqis talking about chemicals, all right? And they played them. Secretary Powell played them. And they're coming over the loudspeaker, and the Security Council, and the slide is showing the English, so you see what they're saying, and so on.

00:46:53 Next morning, the "Post" here runs, runs a headline, "Smoking Intercepts," all right? And I'm thinking, "They weren't really all that convincing." (laughing) I mean, they were-- no, I'm serious. The impression was, "Oh, that's it, we got 'em." They were talking-- it wasn't like, you know, "Give me the inventory, the number of, of how much VX

you've got and don't forget to give me the totals for the sarin, too." I mean, we never got that. But it was these kind of oblique, indirect conversations. It's that kind of thing that we had.

00:47:27

There was also-- there was also this incredible Iraqi secrecy around the elements of what we thought were the program, which, again, raises suspicion that, you know, why would they be going to such ends?

There's a subplot here. There was a debate about aluminum tubes that they were buying, all right? Really expensive, really finely crafted. We thought, "Well, and the only thing that makes sense that they would be so tight on the technical details of the tube is, they got to be using these in a centrifuge.

00:48:03

Nothing else explains it." Now, that's circumstantial, right? They didn't say, "Hope the tubes come for the centrifuge. We're really ready to spin here," you know?

(laughter)

So we had to impute meaning to these different things. And, again, given our lens, we lowballed it. He seemed to be acting like he had them. We viewed it through that lens. One final point on this, I don't want to... If you read it--- by the way, three clicks, you can read this National Intelligence Estimate online. Just go "Iraq, WMD, N.I.E.," and you can read it, all right?

00:48:38

In retrospect, someone who was in the room and raised his hand saying, "I support," okay, it's not so much we were wrong. We were, all right? Read the language. There is a false sense of confidence in the prose. The prose is more confident in the conclusions than we were. And then that, again, it was just, that was just a human mistake. If you read that casually, you know... Frankly, not many people in Congress read it, but those who did read it casually, it was, "Oh, whoa, man, these guys..."

Okay, that's that," and off it goes. It betrayed a confidence in our conclusions that even we didn't have, and that was, that was a big lesson learned for us.

00:49:20

Clifford Chanin: Let me shift a little bit because, as many will know here, that you've also been commenting on current events with some frequency. But the intelligence community really has a principal client in mind when it goes about its business, by and large, and that is the president of the United States.

General Michael Hayden: Yeah.

Clifford Chanin: And we're in a situation now where, most recently, the president referred to the FBI as being in tatters...

00:49:50

General Michael Hayden: The leaders of the intelligence community as being political hacks.

Clifford Chanin: Political hacks, and conducting a witch hunt. What is the impact of that, first within the intelligence community itself, and secondly, on the president's ability to actually get and process information?

General Michael Hayden: So there are a whole bunch of challenges here. So yeah, it's a little long. But this is a better way of handling it. So there is always-- there is always a challenge briefing a president, all right? Let me just-- there's always a challenge from the intel guy briefing the decision maker.

00:50:27

But let's just amp it up. Let's just talk about briefing the president, all right? But you got to get in the room. You've got to be in the room with the president. But you come into the room through a... It's a metaphor, all right? You come through-- you come into the room through a different

door, all right? The intel guy's door is marked "facts," okay? The president's door is marked "vision." The one you voted for? Fact, vision. Intel, world as it is. President, world as we want it to be.

00:51:02 Fact, vision, as is, to be. Inherently inductive, data, data, data, data, generalized conclusions, test the hypothesis-- inductive. Absolutely deductive. First principles-- again, the ones you voted for. How do I apply them to this circumstance? Fact, vision, as is, to be, inductive, deductive-- inherently pessimistic, okay?

00:51:33 Bob Gates, who was DCI before he was SecDef, fondly says, "When a C.I.A. analyst stops "to smell the flowers, she looks around for the hearse," okay?

(laughter)

General Michael Hayden Fact, vision, as is, want to be, inductive, deductive, inherently pessimistic, inherently optimistic, otherwise he would not have interviewed with you for the job, okay? And so there is this permanent tension, because you, intel guy, have got to get into the head of the vision guy. But you can't become him. You got, you got to keep your tether to your door. Otherwise, you have no right to be in the room. You have nothing else to offer than you're the fact-based, inductive, world-as-it-is, modestly pessimistic human being.

00:52:19 And so you've got to get into the head of the client without leaving your identity, okay? That is always a challenge. It was probably easiest in the history of C.I.A. talking to George H.W. Bush, 41, because he used to come into the room through the other door. He used to be the DCI. If Secretary Clinton had been elected, I think this would have been a fairly light lift, as well, because she had kind of been acculturated to this as four years as secretary of state.

00:52:52 I can imagine, you know, going in there for that first briefing... "Oh, hey, guys, where were we?" I mean, kind of picking it up. We always knew that this was going to be an above-average lift if Donald Trump were elected president of the United States.

(laughter)

General Michael Hayden Okay? Because all this stuff over here, God gave him three extra doses, okay?

(laughter)

00:53:14 General Michael Hayden: All right? This, purely descriptive. It's not judgmental. I mean, you accept the person as God made him. Inherently intuitive, right? Very transactional. Always, you know-- Michael Gerson, used to be George W. Bush's speechwriter, now writes for "The Washington Post," says, "Donald Trump lives in the eternal now. There is no past. There are no future consequences. It's all now." So we always knew, "Ooh, going to be a little above-average here, getting into head of this president."

00:53:48 Particularly one who really doesn't read, who is a visual learner, has no depth in foreign affairs, because that's not what he did with his life, and, frankly, is fairly disinterested in historical matter. I mean, I think it's just all public record. Now, it's going to be hard. It is an American tragedy that the first time we had to go have this conversation with President Trump, we had to do it on a subject that a lot of America was using to challenge his legitimacy as president of the United States.

00:54:21 Got this big step function, I got this heavy lift, and the first thing we go to talk to this guy about is, how the Russians fooled with the election, okay? That is a perfect storm, and it has created an incredible deficit in the intel-policymaker relationship.

Clifford Chanin: What's the impact within the community of all this?

00:54:42 General Michael Hayden: So... (sighs) The president has an a priori view of how the world works, all right? Very confident in his own-- almost preternaturally confident in his own intuition. And, before we get too judgmental, that's the one that got him elected president when all the experts said, "That ain't gonna happen." So, you know, all right?

00:55:08 And now... Here's another way of putting it, okay? We don't spend a lot of time predicting the future to the president, all right? That's really not our job. I mean, it's useful when we say, "We think he's going to go do that," all right? But, fundamentally, what it is we think we provide in a day-in and day-out basis is context-- the broad context within which something is happening, the broad context within which something needs to be understood, all right?

00:55:42 And President Trump does not function in terms of context. He just doesn't. I mean, I see no evidence... I've never met the man. I've never briefed him, certainly, but just in the public, what I can see. He doesn't deal in context. It's transactional, it's now. And context doesn't matter. So now you've got an enterprise whose whole purpose is to paint the complexity of life, to create the left- and right-hand boundaries of legitimate policy discussion with a client who would prefer to go with his instincts, who is inherently transactional, and is, I think, fair to say, just roughly disinterested in context.

00:56:23 And so now, what you've got is this dynamic of the community trying to do its job, fundamentally pulling a president who thinks he knows the answer already back to, "Had you thought about this? "Can I just-- a moment, Mr. President. Can I, can I...?" I mean, did you see the—you see the dynamic. Now, that's one... That's just kind of the transmission belt thing.

The other is the value thing, all right? And it does hurt when the president responded to that first dynamic I gave you, and what we had to

brief him on and the Russian thing. The president's methodology is not to argue the facts. Never.

00:57:07 The president's methodology is to devalue and delegitimize the person bringing the facts he does not like. And so what you've got, the bureau being attacked, intelligence being attacked, journalism being attacked. Not an argument on the facts, but an attack on the legitimacy of the fact-bearer. And that's hard. I don't envy Dan Coats, the DNI, or Mike Pompeo. Very good folks working very hard, and, frankly, trying to serve the man the people of the United States elected who carries the legitimate sovereignty of the American people.

00:57:47 And you've got this very real problem. My great fear, though, is because of this dynamic, attacking the legitimacy of the fact-bearer, be it press or science or law enforcement or intelligence, we may do damage to American institutions that may take a while to fix.

00:58:09 When the president-- recall, the president was in Vietnam, he met with Vladimir, and he said, "You know, Vladimir believes he didn't do what he did and..." Remember all that story? And, of course, the president didn't say it quite right on the airplane, and he kind of had to walk it back the next day a little bit. And he said, "Oh, no, I believe the intel guys, I believe the intel guys, especially since we got my... I got my guys in there now, so I really believe the intel guys." That is a nuclear detonation inside the American intelligence community, that the legitimacy of the American intelligence community depends upon the person of the political appointee placed at the top.

00:58:45 That is horribly corrosive, and could take a long time for the community to dig out from under, even after we've changed presidents.

Clifford Chanin: What is the implication for... I mean, there are serious things going on in the world-- the...

General Michael Hayden: Yeah.

00:59:00

Clifford Chanin: North Korea being, perhaps, the most salient. So one assumes that the intelligence community is going to do its best to provide the best information it has, but if it is not something that can connect with the predispositions or the predetermined views of the president, it's kind of a checkmate to the whole enterprise, is it not?

General Michael Hayden: Scary, huh?

(laughter)

Clifford Chanin: Well, I'll take that as a yes.

(laughter)

00:59:31

General Michael Hayden: So, I mean, just look at the record, all right? You can agree or disagree with the president's Afghanistan decision, but that was actually a decision made in regular order, all right?

When he gave that speech at Fort Myer, very early on in the speech, he said, "This is not where I began. This is not where my instincts were, and I generally follow my instincts." And then the next 20 minutes of the speech, he talked about what he was going to do in Afghanistan. Which, again, you can agree or disagree with, but that was pretty much where the institutions of government wanted him to land.

01:00:05

And oh, by the way, he told you about it in a 20-minute speech, not 140 characters, right? So check, that was good. The Iran thing, I think... This is decertifying the nuclear deal. I think it began with the president wanting to just rip it up.

Clifford Chanin: Yep.

General Michael Hayden: And I think the institutions of government walked it back a bit-- in essence, he gave a speech that kind of made it look sort of like maybe he was going to rip it up, but it actually didn't have that effect. Now, it had an effect, all right? It wasn't to rip up the agreement-- and that's dangerous, and set things in motion that we'll probably regret. But, again, it wasn't where he began. He got kind of pulled back.

01:00:48 The Korea thing scares me, all right? I will give you the judgment of everybody I know: These guys are never giving that stuff up. They'd be crazy to give that stuff up. They've been to the movies, it was a double feature. I don't know if you've seen it. The first one was about Muammar Gaddafi, okay? The second feature was about Saddam Hussein. And the short subject in between was the Ukraine. Remember, territorial guarantees in perpetuity if you give up your weapons?

01:01:12 So he knows what happens to you when you don't have this stuff. He's never giving them up. And H.R. McMaster is going out of his way in the last four weeks to say, "We will not accept a nuclear North Korea. Accept and deter is not going to be the..." Okay, so I got, "I ain't giving them up," and, "We can't let 'im have 'em." That's really scary. And I really do have great fear. The decision today on Jerusalem, there is no one in the American intelligence community who would say, "Well, that's a great idea, boss."

(laughter)

01:01:46 Clifford Chanin: Yeah, yeah. Let me ask about General Flynn. I mean, I don't know how well you knew him along the way, but you're certainly contemporaries and colleagues...

General Michael Hayden: Yeah, yeah. >>

Clifford Chanin: At the upper reaches of the intelligence service. How do you explain all this?

01:02:00 General Michael Hayden: I... anybody who knows Mike can't explain it. Mike had a wonderful record as a tactical intelligence officer. All that stuff I told you, the SIGINT and integration, and "He's 300 yards, 300 meters to your left, go get him." That's what Mike did. He was magnificent for Stanley McChrystal. I mean, he developed the JSOC-- Joint Special Operations Command-- rhythm, okay? Raid one, pocket litter, cell phones, database. Raid two, pocket litter, cell phones, database. Raid three-- we're not to midnight yet, all right?

01:02:29 I mean, it's... and Mike was the orchestrator of that for Stan McChrystal. They did wonderful things. He had never really served at the national level until he had a rocky time as director of the Defense Intelligence Agency, and he left... he was kind of pushed out because, you know, good people, tough decisions.

Mike left. I think he left mad, angry. And he just seemed to get wrapped up, after being in government, and in the campaign, and saying things that were intemperate at best, all right? And so it's a sadness. I mean, I don't know him that well. I hope he gets beyond this quickly.

01:03:11 I think he made an important personal and tactical decision to agree with Bob Mueller, in terms of the plea bargain, and we'll see where it goes forward. But it's, you can probably tell it's a little hard to talk about because he's done some really good things to keep you safe.

Clifford Chanin: I'm struck, I saw General Hertling on CNN the other night...

General Michael Hayden: He was pretty harsh.

01:03:34

Clifford Chanin: He was very harsh ,but he also expressed that pain, as well, that a general officer at that level has sort of a commitment to integrity that really cannot be compromised.

General Michael Hayden: Yeah.

Clifford Chanin: And he brought up...

General Michael Hayden: And Mark, and Mark was, in essence, saying, "When he does that, that's all of us."

Clifford Chanin: Yeah, yeah.

General Michael Hayden: And that was his point.

Clifford Chanin: Yeah, and I assume it feels that way to you, as well.

General Michael Hayden: Yeah.

Clifford Chanin: Let's see if we have a question or two from the floor. I didn't have an upbeat close to that particular session.

01:04:02

(laughter)

Clifford Chanin: Back there.

Man: Hi, General. How does the Muslim ban affect the policy for the U.S.?

General Michael Hayden: That's great, thank you. Okay, that's, that's a good one. So the courts upheld the ban, ban 3.0, right? Which is far softer, far more general, and so on. 1.0 is based on a misreading of Islam, a misreading of history, and a misreading of the threat to the United States of America.

01:04:40 Back to this, "I know how this works. My instincts are strong. I'm going with my instincts," all right? The president during the campaign pictured for us an apocalyptic threat from refugees, which the data does not support, and an absolutely dystopian vetting system, which the data does not support.

And then in day three, I think, of the administration, they shove this executive order out the door... Cards face up, I have signed every amicus curiae brief anyone who's put in front of me, in order... In front of the court as a view as to, "This is a bad idea," right?

01:05:25 And it's a bad idea because number one, the specific data is wrong, all right? I mean, I could never get you to zero in terms of absolute guarantees of safety for anyone entering the country. But the description during the campaign was just horrible. By the way, you have not heard any intelligence professional in any way, shape, or form, say this was a good idea. You have not. I don't care how much TV you watch. None of my tribe has been out there supporting this, okay? At best, they've maintained their silence.

01:05: 58 And it's not just that it's not needed. It's that it's dangerous, because when we... Particularly 1.0, all right? Which was-- it really was a Muslim ban, all right? It lives the narrative of Al Qaeda and ISIS, and that narrative is that there is undying enmity between the West and Islam and there can be no peace. And so when the candidate says, "They hate us, all of them. Well, most of them, most of them hate us," all right?

01:06:33 I mean, that's out of the Al Qaeda-ISIS playbook, that this is a clash of civilizations. And I think most people in my profession will tell you this is not a clash between civilizations. This is a clash within a civilization. That

this is a struggle within Islam, and I'll pull you back a bit in history, not significantly different than Christendom's struggle in the 17th century, Thirty Years' War, Peace of Westphalia, the place, the position of faith and reason inside how we deal with ourselves. And Islam is going through that struggle now, and the parallels are overwhelming.

01:07:13 And I get it, San Bernardino was intentional, Orlando was intentional, Brussels was intentional, Paris was intentional. But, fundamentally, those attacks were spillage from what is overwhelmingly a Muslim-on-Muslim struggle. 95% of the deaths in this thing are Islamic.

01:07:32 And when we create the Muslim ban based upon the false premises, based upon the belief, "They hate us, they all hate us-- we shouldn't let any of these people in the country," we reinforce the side within this Islamic civil war, right, that we want to lose. And so, it was beyond not necessary. It actually-- by the way, you, go online and find the amicus curiae briefs. Look at the people who signed it. They're all like me, right? They're people who have done this for... You know, no softies out here, all right? People who have done hard things like...

01:08:10 Look, I've authorized sleep deprivation. I've actively participated in meetings where it's, "Yeah, kill him." Right? No, we're not soft on this. This is just wrong. It was... and just look at the people who listed it. So there is an example, all right, where instinct, campaign rhetoric, a priori assumptions, got turned into action, with none of the ameliorating, moderating effects of the fact-based inductive guys.

01:08:41 Clifford Chanin: One more. Maybe we'll go...

General Michael Hayden: Sure, that's too long an answer, but it was important.

Clifford Chanin: This one here. Please, just wait, please, wait for the mic. Just, if you'd stand up, and if you would make it a short question, because we're coming to the end of the program.

Man: General Hayden, as the DIRNSA, how concerned are you when you have a personal email server operated by a government employee with 3,000 pieces of classified email to include gamma subs, and there be no prosecution?

01:09:14

General Michael Hayden: Who are you referring to?

(laughter)

General Michael Hayden : Look, I...

Clifford Chanin: This is a Hillary Clinton question.

General Michael Hayden: Oh, oh, oh, oh.

Clifford Chanin: That's okay, no, I figured you knew it, but not necessarily everybody was in the depth.

General Michael Hayden: There's no justifying it, all right? I don't know. I'm out of government, I don't go back for briefings, so I can sit here and talk candidly to you folks and not figure out, "Where did I learn that, and can I say that publicly," or so on.

01:09:39

So let me just tell you the things I would say, all right? Number one, there is not an intelligence service worth its salt on this planet that did not have access to that server, all right? It's kind of, like, "Duh," all right? What I can't understand is why the folks around her, the permanent folks, many

of whom I know at State, let this go. I mean, at some point, you know, somebody's got to say, "Madam Secretary, a private moment, perhaps."
(laughs)

01:10:08 And then you go there and you stop it. And so, I mean, I've got no view on the legal process and all that. But it... there is no explaining doing, doing that. And, oh, by the way, the defense cannot be, cannot be, "Well, it was just unclassified."

01:10:27 Number one, you've made a case, it wasn't just unclassified. But let's just assume for a minute that it truly was unclassified. I would move Heaven and Earth to have access to Sergei Lavrov's unclassified family email network, all right? I mean, it doesn't have to be classified as secret to be really interesting to folks like us, so it was just irresponsible.

Clifford Chanin: Well, as you can see, there is a lot to talk about, and I hope we'll have a chance to bring you back here to talk about it again. But I did want to say, in terms of the book, and you've really captured your voice in the book, and you've put it on display for us...

01:11:18 General Michael Hayden: If you get the DVD, it is my voice, or the CD.

(laughter)

Clifford Chanin: But it really captures in all kinds of really difficult circumstances, the way in which intelligence professionals think about really difficult issues. And you've captured that, and I think, done a great service to us all in doing that.

(applause starts)

General Michael Hayden: Can I then just, oop, oop, oop...

Clifford Chanin: Please.

01:11:29 General Michael Hayden: So one of the points I try to make is, I try to humanize your intelligence enterprise. And what I wanted to describe... You kind of suggested it, so thank you, that's very kind. What I... one of the best things I've felt about the book is, I've had folks come to me and say, "I see myself in there"—people within the community. "I gave my book to my parents. They finally said, 'Ah, I know... I understand.'"

01:11:58 You need to know that these people work in the shadows for you, all right? That they are not alien beings. They went to the same high schools, same colleges, they go to the same churches. I get asked by a lot of people, "What kind of people work for C.I.A.?" And my answer is, "Well, they're like your friends and neighbors. "And if you live where I do, they're kind of your friends and neighbors," all right?

01:12:18 I mean, my wife, Jeanine, is here with me. We go watch our granddaughter play soccer on a Sunday afternoon in northern Virginia and go, "Okay, I know him. I know her, I know him." I mean... And they share your values. They are just required to apply our values, our shared values, in circumstances you will never face and probably about which you will never learn. and so one of the purposes of the book was to communicate that message as best I could.

01:12:52 It doesn't mean you have to agree with anything or everything. It's just they are... They are who we are as a nation, okay? The way a nation spies is as reflective of the values of the nation as much as its art or its poetry. And I just wanted to share that with you.

Clifford Chanin: Thank you. Please join me in thanking General Hayden.

(applause)