

**Inquiry Into Interrogations Unlikely**  
**Hayden: Obama Does Not Wish to Investigate Waterboarding**

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President-elect Barack Obama has privately signaled to top U.S. intelligence officials that he has no plans to launch a legal inquiry into the CIA's past use of waterboarding and other harsh interrogation techniques, agency director Michael V. Hayden said yesterday.

Obama learned key details of the CIA's interrogation practices in a closed-door meeting last month, and afterward made clear that he was more interested in protecting the country from terrorist attacks than investigating the past, the outgoing CIA director said.

"He's looking forward," Hayden said, "and that's very appropriate."

The retired Air Force general made the comment at a farewell news conference at which he strongly defended the agency's role in the controversial program -- a role that he said was accepted "out of duty, and not with enthusiasm."

He also highlighted what he described as "remarkable" CIA successes in recent months in disrupting al-Qaeda's operations in the Middle East and South Asia, while also warning of serious challenges awaiting his successor. The list of threats ranged from the prospect of a nuclear-armed Iran -- perhaps within Obama's term -- to the risk of a Mumbai-style terrorist attack on a U.S. city.

Hayden also said the agency is largely responsible for al-Qaeda's failure to launch a major terrorist strike on U.S. soil in the eight years since Sept. 11, 2001.

"That's 2,710 days in which we were not attacked," he said. CIA employees "should take credit for that."

Hayden, appointed CIA director in May 2006, was not involved in the decisions to detain terrorism suspects in secret prisons or to use waterboarding and other coercive measures in interrogating detainees. Yet the controversy over the practices shadowed his tenure and complicated Obama's search for Hayden's replacement. Since the November election, prominent Democratic lawmakers and several human rights groups have pressed Obama for a criminal investigation, saying the interrogation methods were illegal acts of torture.

While strongly condemning the practices during his campaign, Obama has publicly signaled a reluctance to launch a formal inquiry that could, in the view of some advisers, undermine the agency's effectiveness at a time when it is helping wage two foreign wars. In a televised interview Sunday on ABC's "This Week," Obama said his "orientation's going to be to move forward."

"When it comes to national security, what we have to focus on is getting things right in the future, as opposed to looking at what we got wrong in the past," he said.

Obama expressed a similar view to Hayden and Director of National Intelligence Mike McConnell in a two-hour private meeting last month in Chicago, Hayden said. While declining to discuss details, Hayden said the talks covered "all the covert actions of the agency," including interrogations.

"What the president-elect said on Sunday is what he said to me privately," Hayden said.

Hayden said the most controversial parts of the CIA's counterterrorism program -- waterboarding and secret detentions, both of which have reportedly been halted -- were carried out at the time by CIA officers acting under orders, with explicit assurances by top Bush administration lawyers that their actions were legal.

The Bush administration has argued that the programs yielded valuable information about al-Qaeda operatives and plans. But Hayden argued that, regardless of how people view the program today, it would be a mistake for one administration to try to prosecute spies for carrying covert actions authorized by a different White House.

"I have no right to ask a guy to bet his kids' college education on who's going to win the next off-year election," Hayden said. "You can't do this to these people."

Once Obama is sworn in as president, the CIA will automatically follow the new administration's lead on how terrorism suspects would be treated, he said. But Hayden, wading into a long-simmering controversy over the limits of the CIA's detainee program, cautioned against forcing the agency to adopt the Defense Department's rule book for conducting interrogations. A narrow list of interrogation practices designed for battlefield interrogations are not sufficiently flexible for use in dealing with hardened international terrorists, he said.

Hayden said his nominated successor, Leon Panetta, would inherit a CIA on the "right trajectory": an agency that has learned from past mistakes, improved morale and transformed itself in key areas. He pointed to the agency's recent successes against al-Qaeda in Iraq and along the Afghanistan-Pakistan border as emblematic of the CIA's improved use of technology, informants and analysis. The agency has killed at least eight senior al-Qaeda leaders in airstrikes in Pakistan since July.

"The number of terrorists taken off the battlefield is a remarkable and telling achievement, and that has to be sustained," he said.

Hayden expressed confidence in his successor but declined to say specifically what advice he might offer him. If he were to leave a note in his desk for Panetta, the message would probably be similar to the one left for Hayden by his predecessor, Porter J. Goss.

That note, Hayden said, contained a single line: "Good luck."