



ROSE: Tell me what brought you to this story and brought you to this extraordinary charge that the CIA is out of control and contains a criminal element.

REP. TORRICELLI: Well, first, Charlie, I am very indebted to people of good conscience in the Administration who had learned about the deaths of these individuals and complicity by intelligence agencies, a failure to be frank with the American people or the families of the victims, and came forward to tell me the story in the hope that I would raise it with the President. Which is exactly what I did.

Over a series of several days, I heard from a number of people in the Administration who told me that as Jennifer sat outside the White House, having a hunger strike, that indeed there was knowledge about the death of her husband; and more than that, death of -- the death of another American, Michael Devine.

ROSE: Knowledge by whom?

REP. TORRICELLI: By the intelligence community.

ROSE: So the CIA watched a woman sit outside the White House in protest for information about her husband, who she assumed was alive in a Guatemalan prison somewhere, and they knew that he was dead and had been killed by Guatemalan authorities.

REP. TORRICELLI: People in the agency have known for three years. People at other levels of government, in different agencies of government, have come to know over a period of time. It appears to me that State Department officials were informed sometime in the fall.

ROSE: How do they explain not stepping forward, since you had an American citizen so aggrieved?

REP. TORRICELLI: In the world in which they live, no matter how terrible that an American was murdered, or in this case the husband of an American, to reveal the truth would, in their minds, compromise other sources of information within Guatemala and embarrass the agency. And it is my principal complaint with the Central Intelligence Agency that the loyalty of many of its members is to the agency before it is to the United States or our government. I think here is another example of a bad choice.

The loyalty was to the American citizen. A person was murdered. The responsibility of the agency, regardless of its contractual obligations with the Guatemalan military officer, was to help bring that person to justice and solve the crime and aggrieve [sic] the family.

ROSE: You said -- tell me what the reaction has been of the CIA today, since this story appeared on the front page of the New York Times.

REP. TORRICELLI: Well, what I think is the most hysterical statement I've ever heard come out of the Central Intelligence Agency. They called me irresponsible, that it was unfair to hard-working people in the Central Intelligence Agency. What they didn't do was dispute any facts. Indeed, nobody's disputed any facts.

This has been known for three years. These people were murdered. They were murdered by a man who had a contractual relationship with the Central Intelligence Agency. And these families have gone years, and now months, with a variety of people knowing the truth who failed to speak it.

They can call me anything they want. They can say anything they want. I haven't seen anybody convince me, or even attempt to convince anybody else, that those facts aren't accurate.

ROSE: But that's exactly what they said, didn't it, that your conclusions were false and irresponsible?

REP. TORRICELLI: They said that they did not have knowledge at the time of the murders. Well, indeed, I did not say their knowledge was contemporaneous, simply that they had knowledge for three years. They did not deny that the individual who I said was involved with these murderers was not [sic] a CIA contract employee. And their charge that somehow I was hurting the good name of the hard-working people of the Central Intelligence Agency, the conclusion is exactly the opposite. It's people who operate outside the law and forget where their real loyalties should lie who are an offense to the good people of the Central Intelligence Agency, not the fact that someone would come forward consistent with the law.

I think they forget that when a crime has been committed, a murder has been committed, there is a legal obligation to come forward and help solve that crime. To remain silent when you have material evidence is at least complicitious; and potentially, if there are actions to cover up the knowledge, a conspiracy. It is a crime.

ROSE: Let me just stay with a couple of points about this. Because what we have here is a Guatemalan colonel who you have accused of being -- and who is said to have killed the husband of Jennifer Harbury. And also you have the murder of a man named Devine, who ran an inn in the rainforest. And the killer, it is said, was the same man, and he was in the employ of the CIA.

What do we mean by that? That they paid him occasionally for information, in the same way that they pay people around the world for information?

REP. TORRICELLI: He was periodically receiving payments from the Central Intelligence Agency.

ROSE: Now what -- is anything wrong with that on its face?

REP. TORRICELLI: I don't argue with the concept that the intelligence community in the United States should keep relationships, especially in the Third World, but generally across the board, to get good information when it's important to the security of the United States. Inevitably, that requires relationships with people who are somewhat unsavory. They're the ones with the information.

My argument in this case is that there was no vital interest of the United States in the Guatemalan civil war. Who won or lost was not of great consequence to the United States.

The individual with whom there was a contract was known to be involved in gross violations of human rights. Inevitably, this was going to lead to an embarrassment for the United States and to the CIA. The contract shouldn't have been signed, to begin with. There shouldn't have been an American involvement in the civil war, to begin with. Whatever our government needed to know about activities in Guatemala was available through open sources, through the State Department.

It's a classic example of having too many people and too much money, so you invent missions that are not required.

ROSE: Is this an isolated incident, do you think, in terms of CIA contact with this particular individual of unsavory character, perhaps, providing information about things that we could have acquired otherwise? Or is it simply endemic of what is happening throughout, say, the Third World, or certainly Latin America?

REP. TORRICELLI: I think this is endemic, Charlie. This is a pattern we've seen in other countries that many of us have been disturbed about for a period of time. This does not take away from the fact that there's a real need for information in Iran and Iraq and North Korea and a variety of other countries with narcoterrorists. And we should do everything we can by whatever means to get that information. But what troubled me, as a member of the committee, is we're not getting the quality of information we should get in those cases, and yet we see the intelligence community involved in a civil war in Guatemala where there is simply no stake for the United States.

ROSE: Well, how was the CIA involved in the civil war?

REP. TORRICELLI: We were involved in the civil war when we were giving money to an intelligence officer in the Guatemalan military to get information from him. And in his own mind, he's furthering the interests of the agency as he's committing these brutal crimes.

And inevitably, this has a cost for the United States. You think this isn't -- that this is lost upon the Mayan Indians or the combatants or even the people of Guatemala, that even those in their own country they've sought to distance themselves from, believing that he is a problem in their own society, and now they wake up one morning to find out that the United States has been involved with this individual and paying him money.

ROSE: Now, what if the CIA was paying some members of the Mayan revolutionaries to get information that they might have that would provide part of the information bank that the CIA has about what's going on in the CIA [sic], and perhaps one of those revolutionaries had involved himself in terrorist activities? Would that make a difference, that we were paying money to that person in order to get more information about what was going on in that country?

REP. TORRICELLI: I would apply the same standards, unless someone could establish for me that there was an American interest.

ROSE: Right.

REP. TORRICELLI: That an American life was in jeopardy, narcotics trade, something that we needed to learn. I don't see where that threshold was passed in this case.

ROSE: One last question. Has the President responded to you, to your letter?

REP. TORRICELLI: The President has not responded, Charlie. Though I noted the White House Press Secretary today was taking a dim view of all of this. And I would hope the Clinton Administration would not feel defensive. This information was held during the Bush Administration. There is real evidence that when the White House became aware of some of these facts they went to the Guatemalans, demanded that this colonel be interrogated and to get information. When the Guatemalans would not comply, the Guatemalan military refused, President Clinton canceled military training for the Guatemalan military.

Bill Clinton doesn't have anything to apologize for. It's clear to me that some people in the Administration had this information for too long and didn't act, but that certainly isn't true with the President.

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ROSE: And what should happen to those people, those people who may have misled Jennifer Harbury and those people who may have misled others about their knowledge of what in fact had happened to her husband or other individuals?

REP. TORRICELLI: I think people who work in this government, who met with Jennifer and looked her in the eye and told her they didn't know anything, the people who knew that our Justice Department should have been seeking to apprehend someone who killed an American citizen, should stop at the end of the day and think about what they're doing and who they're working for.

There's a lot of people in this town today who talk about a new, honest government, being frank with the American people. Well, that isn't just about budgets and numbers. It's also about life and death and truth in the Federal Government. This is truth. And the CIA and the President's Press Secretary can criticize me all they want. The fact is, if I hadn't been in an intelligence briefing and learned these things, Jennifer would be outside the White House today on her hunger strike.

People have to think about the first obligation. Their first obligation is not to any agency; it's to the American people. That's why we're all here.

ROSE: Congressman Torricelli, thank you for joining me.

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ROSE: Joining us now from Washington is Jennifer Harbury. She is a graduate of Harvard Law School. She has been engaged in a hunger strike to protest what she considered to be the imprisonment by Guatemalan authorities of her husband, Efraim Bamaca. She found out in the last 24 hours that in fact he had been killed by Guatemalan authorities. She joins us now to talk about that and to talk about the implications of this and what she might do.

I thank you for joining us.

JENNIFER HARBURY: Thank you very much for inviting me.

ROSE: How did you find out about this horrible news?

HARBURY: Congressman Torricelli, on Tuesday, told me he'd like to speak to me immediately. So I went to his office on Wednesday, yesterday, and he sat me down and he gave me the news.

ROSE: Tell us about the man, as much as you know, that has been identified as your husband's killer.

HARBURY: His name is...

ROSE: Murderer.

HARBURY: ...Colonel Julio Alpirez. He's a graduate of the School of the Americas. I don't know how old he is. The witness saw him bending over my husband in July of 1992. Everaldo (?) was strapped to a table. There was an unidentified gas tank next to the bed. He was gruesomely swollen, his entire body. One arm and leg were completely bandaged. Alpirez turned to the witness and screamed, "Get out of here. If you ever talk about this, I'll kill you too."

Meanwhile, they called a doctor to make sure they didn't accidentally kill my husband. They were trying to break him for his information. They did not wish to kill him. And in fact the witness saw him a few days later.

Apparently, Colonel Julio Alpirez is the one who ordered the execution of my husband. He was also on payroll as a contract CIA contact.

ROSE: Your assumption was and your hope was that your husband would be alive because they needed to keep him alive to get as much information...

HARBURY: That's correct. I was very hopeful. I don't know if they panicked because Santiago, the witness, saw him being tortured. They had told all the other prisoners he had already been killed. Perhaps they panicked. Perhaps they realized they could never break him. He never did speak under torture. He never spoke at all. In all those months that he was being horribly tortured, he never spoke.

ROSE: How do you know that?

HARBURY: Because things he would have talked about, many people would have been killed. The radio, the shortwave radio station would have gone down. He knows where the commanders live. There would have been a bloodbath if he had started talking. There was nothing he didn't know.

ROSE: Will the Guatemalans let you come back into the country?

HARBURY: That's a good question. When IMET (?) funding was cut about 12 days ago, the response of the army, instead of saying, "All right. We'll resolve the case. You're right. We'll follow the law now," they had banner headlines that I was a subversive, that I admitted in my book I was a gunrunner -- I challenge you to find that quote in my book -- that it was all a hoax and that they didn't even know if my husband was involved in the combat.

In other words, "We don't care what OAS says. We don't care what the U.S. Ambassador says. We don't care what the CIA says. We don't care what the United Nations says. Go away. Give us the money and go away. We'll kill anybody we want."

And basically, that set of newspaper headlines was a death threat against me. They're telling me if I return to prosecute people, like Colonel Alpirez, that were named by the eyewitness, they'll shoot me.

So much for justice in Guatemala.

ROSE: Then why will you go back?

HARBURY: Because I need to find my husband's body and I will put these people in prison. If they continue to get away with murder, they will continue to commit murder. There are 150,000 civilians dead in Guatemala at their hands, 440 Mayan villages wiped off the map. It has got to end.

ROSE: Do you believe, because you've been there, because this has been a commitment of yours to know as much as you can, to talk to as many people as you can, to enlist as much support as you can, all to free your husband and to find out information about him, that what we know about him and what we know about what happened to, I think, the young innkeeper in the rainforest, who was also killed by the same man, as the reports coming out today indicate, are we looking at just the tip of an iceberg here? Are we looking at an isolated incident, or do you expect we will uncover a lot more cases of a CIA connection to people like the man who murdered your husband?

HARBURY: I have no doubt but that we are looking at the tip of the iceberg. When I was living there, there were military attache people from the United States all over Guatemala. Doing what? There were U.S. helicopters in Guatemala. The joke used to be that if you want to turn someone in to the death squads, take them to the U.S. Embassy and apply for political asylum for them. They'll be dead immediately. There were all kinds of signs of intensive networking and intercommunications and interrelationships. Above all, the United States Embassy always lied for the army, always assisted them to cover up. No matter how obvious an assassination was, the embassy would say, "Well," you know, "we don't know. Maybe it was just a common crime. There's no evidence."

If you compare State Department reports over the last decade with Amnesty or America's Watch reports, you wouldn't know you were looking at the same country.

I'm hoping that my case is the key to the door. We'll open the door and we'll start getting the decency of truth for the



thousands and thousands of other women in Guatemala who have suffered exactly what I have suffered and still must go to bed at night wondering if their husbands are being tortured and suffering.

ROSE: One more question about the link between the CIA. I assume the CIA has a lot of informants and people that they pay for information.

HARBURY: That's correct.

ROSE: We would expect the CIA to do that.

HARBURY: Correct.

ROSE: But you are saying that the CIA was doing more here. And exactly what is it you believe they were doing?

HARBURY: The CIA had as its informants and were paying as its informants torturers and assassins and people who were committing genocide on a large basis.

ROSE: And they had to know about it.

HARBURY: I don't think we need those.

ROSE: And they had to know about it, in your judgment.

HARBURY: Absolutely. I have not the slightest doubt that they were not [sic] aware. That army is infamous. It's named the worst human rights violator in the Western Hemisphere and is called by all human rights groups to have committed genocide during this decade. You cannot set foot in Guatemala without knowing what the army is doing.

ROSE: Have you had any communication, have you received any communication from the Guatemalan authorities? Because you had met with some of them in your vigil for your husband. Have they communicated with you at all since you received the news that your husband had been murdered?

HARBURY: No. The last I heard, I was a subversive and a gunrunner and that I'd better not come back to Guatemala. That's the last I've heard from them. They don't plan to give back his body. They do not plan to say anything. They're sure if they hunker down long enough, our tax dollars will continue to support them and it will all blow over and they will be free to kill as usual in the future. That's what I have got to stop. I cannot let that happen. I will not let that happen.

ROSE: Other than Congressman Torricelli, what reception have you received in Washington since the news of your husband's death?

HARBURY: A number of Congress people have been extremely supportive. I certainly would want to thank Representatives Connie Morella, Mr. Richardson, Mr. Porter, Catherine Porter, his wife. They've been extremely supportive, as have many people on the Senate side. And Capitol Hill's been wonderful to me and I'd like to thank them.

ROSE: How about the President? How about the State Department? How about the CIA? How about those people who are part of the Executive Branch of the Government?

HARBURY: Haven't heard from them. They're telling the press that they told me all spring that he was dead. Actually, the exact words that I was told all spring was, "We don't think he's alive."

I would say, "Why not?"

They would say, "Because we can't find him alive through our secret sources."

And I would say, "Have you found him dead through your secret sources?"

"No."

"Have you heard of his grave? Do you know where his grave is?"

"No."

"Do you have evidence of an execution order?"

"No."

"Do you have any other evidence that you're hiding from me?"

"No."

So...

ROSE: Do you believe they were lying to you? Do you believe they had information from their sources to all those questions that you just repeated?

HARBURY: All spring they knew that he was killed by Alpirez and they did not tell me because they did not want it known that the CIA had on its payroll a known assassin of an American citizen.

ROSE: Who is "they"?

HARBURY: I believe the State Department and the CIA.

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ROSE: People that you talked to directly, or someone on your behalf talked to?

HARBURY: I spoke directly with the State Department and the U.S. Embassy for the last several years.

Now, I have not reviewed all of the documents. I must review them very, very carefully as soon as I receive them. I need to read them. I need to get all of my facts together. As soon as I do, I will take legal action.

ROSE: How old was your husband when he died?

HARBURY: Let's see. He was born in '57. So if he died in '92, he would have been 35. He would have just turned 35. He had a very difficult life, but he was a very valiant man, a very intelligent man, a very decent and simple man. He was born a peasant. He fought to stay a peasant, simple, decent, kind in his ways. He'd never get a swelled head. And he, above all, believed in standing by what his ethics were, what his ideals were. And I hope that I can stand by what his ethics and ideals were and make them bear fruit some day. That's the least I can do for him.

ROSE: After you got so much attention from a program that has as many viewers and as many people in Washington who watch it as 60 Minutes, with the profile of you, did it make any difference? Did the exposure of your effort have any difference and change of policy? Did it in any way lead to the news, in fact, access to information? Not the consequences in a prison in Guatemala, but access to information.

HARBURY: It got me the first bit of information, which was the demarche issued by the United States Ambassador saying, "We can confirm through our secret sources that he was captured alive by the army in 1992." In other words, he didn't run off with another woman. He wasn't on some propaganda stunt by the Auranchi (?). "He was lightly but not seriously wounded." In other words, if he's dead he was murdered by the army. "And we know he was a prisoner for some time, but have no further information after that."

That phrase was repeated over and over and over to me: "We have no further information after that." That obviously was not truthful.

That demarche would not have happened without the 60 Minutes report. And in addition, there was a groundswell of popular uproar to both the White House, Congress and Senate on my behalf. After hearing that program, people were very, very furious. And I think the voters have had a lot to do with the help I've received from Capitol Hill.

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ROSE: But you're saying that as of now, as of this evening at six o'clock, you have not heard from the White House or from the State Department with respect to either condolences or with respect to a renewed effort to help you get the body, the remains of your husband back.

HARBURY: I have only heard indirectly. I have only heard indirectly from the White House and the State Department that, "Yes, we did so tell you he was dead."

No, they didn't. They told me they thought he was dead because they couldn't find him alive and they had no other information. That's not quite the same thing.

ROSE: What about your hunger strike?

HARBURY: Yes.

ROSE: Will you continue? Does it end now?

HARBURY: I've decided to end it now so that I will have the strength to carry out all of the activities I just described.

ROSE: Jennifer Harbury, I thank you for taking time on what has to be a sad time for you; at the same time, a renewed effort to continue your efforts to change things in Guatemala and to also, most importantly, get the remains of your husband's body.

Thank you.

HARBURY: I will insist on that.

Thank you.

ROSE: Thank you very much.