

Steven C. Markoff

14450 Sunset Blvd., Pacific Palisades, CA 90272

July 27, 2021

Special Agent in Charge John Brown
San Diego Field Office
10385 Vista Sorrento Parkway
San Diego, CA 92121

*Sample
Sent to
56 FBI
offices*

Dear Special Agent in Charge Brown,

Re: **George W. Bush Approving and Admitting to Approving Torture**

My goal in sending this letter is to interest you in what I believe are crimes of George W. Bush so that your office or another FBI office will take a serious look at the facts set out in my July 7, 2021, letter to FBI Director Christopher Wray and in my book, **The Case Against George W. Bush**.

Not having an impartial investigation of Bush, especially when it seems that he committed criminal negligence in regard to 9/11, approved waterboarding of prisoners and lied to our Congress and the American people as a means to bring our country into an unnecessary war with Iraq—a war where 4,000 Americans and over 500,000 others died, many women and children—can only embolden future presidents to believe that they too could operate with impunity and above our laws.

Attached to this letter, please find a copy of that letter to FBI Director Wray and its two attachments. In addition, I have included a copy of the cover and back cover of my book on George W. Bush.

I would be happy to answer any questions you may have, and to send you a hardcopy or PDF of my book.

Very truly yours,

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Steven C. Markoff

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FBI Director Christopher Wray
FBI Headquarters
935 Pennsylvania Avenue, NW
Washington, D.C. 20535-0001

July 7, 2021

Page 1 of 3

Dear FBI Director Wray,

Re: George W. Bush Approving and Admitting to Approving Torture

This letter is a follow up to my letter to Attorney General Merrick B. Garland dated April 27, 2021, and the DOJ response dated June 23, 2021 (both are attached).

I'm writing to request that your office at least investigate George W. Bush for his role in waterboarding while he was president. If you find sufficient evidence that he approved and/or directed waterboarding, it would seem that he should be charged for those actions.

Below is some information that shows George W. Bush personally authorized the use of waterboarding; five cases that demonstrate that waterboarding has been considered a crime in the US since at least 1922; the Detainee Treatment Act of 2005; lastly, a searchable database for "Bush + torture."

1. George W. Bush admitted that he approved the torture of people in the aftermath of 9/11.

- "Asked by The Times [of London] if he [former President George W. Bush] personally authorized the use of waterboarding—effectively drowning the suspect by pouring water on to his face—against the al-Qaeda suspect Khalid Sheikh Mohammed, Mr. Bush said: 'Damn right!'"

—Jenny Booth and Ben Macintyre, "Bush waterboarding claims queried by ex minister," The Times of London, thetimes.co.uk, November 9, 2010

2. The following cases show how our justice system has treated waterboarding in the recent past.

- In the 1922 Mississippi murder case, *White v. State* (129 Miss. 182, 91 So. 903, 24 A.L.R. 699 (Miss. 1922)), defendant Gerrard White, a young African-American male, appealed his murder conviction in the state of Mississippi. He based his appeal upon

the argument that his original confession was coerced through the use of the "water cure."

- In another Mississippi case, the 1926 murder conviction in *Fisher v. State* (110 So. 361; Miss. 1926) was reversed in the Mississippi Supreme Court and sent back for a new trial because the appellant's confession had been coerced by the "water cure"
- In 1947, the United States prosecuted the use of waterboarding by the Japanese against a United States civilian, wrote *The Washington Post's* Walter Pincus ["Waterboarding Historically Controversial," October 5, 2006]: "in 1947, the United States charged a Japanese officer, Yukio Asano, with war crimes for carrying out another form of waterboarding on a U.S. civilian. The subject was strapped on a stretcher that was tilted so that his feet were in the air and head near the floor, and small amounts of water were poured over his face, leaving him gasping for air until he agreed to talk. 'Asano was sentenced to 15 years of hard labor,' Sen. Edward M. Kennedy (D-Mass.) told his colleagues [in 2006] during the debate on military commissions legislation. 'We punished people with 15 years of hard labor when waterboarding was used against Americans in World War II,' he said."
- In 1948, relying on the third Geneva Convention in 1929, the 1946–1948 International Military Tribunal for the Far East convicted twenty-five Japanese leaders of war crimes and crimes against humanity, specifically including torture by waterboarding, referred to as the "water treatment," as published on WashingtonPost.com [Evan Wallach, "Waterboarding Used to Be a Crime," November 4, 2007]... "After Japan surrendered, the United States organized and participated in the International Military Tribunal for the Far East, generally called the Tokyo War Crimes Trials. Leading members of Japan's military and government elite were charged, among their many other crimes, with torturing Allied military personnel and civilians. The principal proof upon which their torture convictions were based was conduct that we would now call waterboarding."
- In 1983, another instance of waterboarding in the United States came to light in a report by National Public Radio. That year, James Parker (Texas Sheriff for San Jacinto County) and three of his deputies were charged by the Department of Justice for their use of "water torture" on prisoners, and convicted and sentenced to four years in prison. (*United States of America v. Carl Lee*, 744 F.2d 1124 (5th Cir. 1984).

The five cases above are discussed in my recently published book, "The Case Against George W. Bush." I would be happy to send your office a PDF of the work, that could be shared with others.

3. The Detainee Treatment Act of 2005

The Detainee Treatment Act of 2005 may be relevant. George W. Bush signed the Act which states, in part, "No individual in the custody or under the physical control of the United States Government, regardless of nationality or physical location, shall be subject to cruel, inhuman, or degrading treatment or punishment."

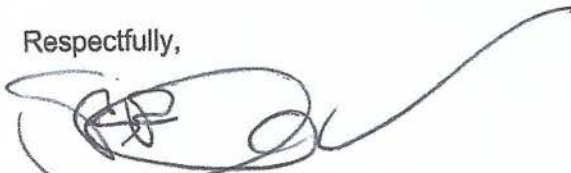
4. The free online searchable database (that I founded), <http://911plus.org> "Events Seemingly Related to 9/11 and Our Subsequent Invasion of Afghanistan and Iraq," contains over 7,800 sourced quotes. Some quotes are redundant, but many should be educational.

If your office types in "Bush + torture" on that searchable database, that search should yield 268 sourced quotes.

Further, a quick look at recent history will show substantial additional evidence that George W. Bush and his administration tortured and had people tortured in various ways at various locations.

In summary, waterboarding has been a form of torture in our past and anyone who commits such acts should be prosecuted, whether that person be an average citizen, a VIP, celebrity or a former president of the United States.

Respectfully,



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Attachments:

- SM letter to Attorney General Merrick B. Garland dated April 27, 2021.
- Copy of response letter dated June 23, 2021, from the DOJ – Reference number SB301651370. (The two lines in the letter are creases because the letter arrived folded.)

Steven C. Markoff

14450 Sunset Blvd., Pacific Palisades, CA 90272

Attorney General Merrick B. Garland
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

April 27, 2021

Page 1 of 2

Dear Attorney General Garland,

Re: The Case Against George W. Bush

I'm writing to bring to your attention my well-documented and sourced book in which I accuse George W. Bush of three crimes:

1. Criminal negligence, because Bush turned a blind eye to the extensive intel he received (beginning even before taking office) that we would be attacked by Al-Qaeda while falsely telling the American people the danger to our country was Saddam Hussein and his WMD. The carnage and damage from Bush not attempting to deal with those threats came to fruition when we were attacked by Al-Qaeda on 9/11.
2. Torture, because Bush, in contravention of US and international law, approved if not boasted about torturing captives and secretly sending some off to other countries to be tortured.
3. Misleading our country into unnecessarily attacking Iraq in 2003: The estimated deaths from that war exceeded 500,000, many of them women and children. The destruction of other lives, including returning wounded vets and families torn asunder, was incalculable.

Richard A. Clarke, the former counter-terrorism expert, wrote the book's Foreword.

After reading the accusations above, told through almost 600 sourced quotes from over 100 published books and reports, I ask you:

How can the DOJ not at least look into prosecuting George W. Bush, an admitted torturer and a man who lied to our country to start an unnecessary war that caused the death of over 500,000, many of them women and children?

To: Attorney General Merrick B. Garland

April 27, 2021

Re: The Case Against George W. Bush

Page 2 of 2

I would of course be happy to send you a PDF (to send around) or a copy of my book.
Additional information can be found at <https://thecaseagainstgeorgewbush.org>

Best,

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U.S. Department of Justice

Criminal Division

Washington, DC 20530-0001

6/23/2021

Steven C. Markoff
14450 Sunset Blvd.
Pacific Palisades, CA 90272-3937

Dear Mr. Markoff:

Thank you for your letter dated April 27, 2021, to the Attorney General. We regret the delay in response to your inquiry.

If you believe that this matter may constitute federal criminal activity, you should contact the Federal Bureau of Investigation (FBI), the investigative arm of the Department of Justice. The FBI will determine whether a federal investigation may be warranted. If appropriate, the FBI will refer the matter to a United States Attorney for a final determination regarding legal action.

Again, thank you for writing the Attorney General. We hope this information is helpful.

Sincerely,

Correspondence Management Staff
Office of Administration

Reference Number: SB301651370

For further correspondence please email criminal.division@usdoj.gov. Should you wish to speak to a representative please call (202) 353-4641 and provide the reference number.

WANT

George W. Bush



THE CASE AGAINST GEORGE W. BUSH

STEVEN C. MARKOFF

FOREWORD BY RICHARD A. CLARKE

THE CASE AGAINST GEORGE W. BUSH

STEVEN C. MARKOFF

From the Foreword by Richard A. Clarke

FOR SOME AMERICANS, GEORGE W. Bush looks good by comparison to the incumbent, Donald Trump. In his post-presidency, Bush has devoted himself to worthy causes and acted in a bipartisan manner. The 43rd president should, however, be judged not by comparison to America's worst president, nor by what Bush may have done after leaving office. He should be evaluated for his actions in office, his nonfeasance, misfeasance, and malfeasance.

This volume from Steven Markoff provides the evidence for such an evaluation. You can judge for yourself. For me, there is little doubt. I, unfortunately, witnessed Bush and his administration make many of their most cataclysmic decisions. I was in the room when some of them occurred.

When in December 2000 the Supreme Court of the United States decided on a five to four vote that George W. Bush would become the 43rd president, I was a special assistant to the president for national security and national coordinator for security and counterterrorism for President William J. Clinton. I anticipated leaving the White House on January 20, 2001, when the Clinton presidency ended; however, I was asked by the incoming administration to stay on for an unspecified period because, as it was explained to me, there was no one on Bush's incoming team who knew much about terrorism or wanted my job.

Departing Clinton administration officials stressed to the newly arriving Bush team, and to Bush himself, the importance and urgency of dealing with the Al-Qaeda terrorist threat. Indeed, the Clinton administration had developed an extensive series of further steps to combat Al-Qaeda that it would have taken if it had continued in office, or indeed, had Vice President Gore assumed office in 2001. Within days of Bush's inauguration, I asked for an urgent meeting at Cabinet level to review both the threat and the plan to ratchet up the measures against Al-Qaeda.

No such meeting occurred until a week before 9/11. That meeting was inconclusive.

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