



# FOREIGN POLICY ASSOCIATION

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**FPA 2009 Annual Dinner  
May 27, 2009**

*Featuring:*

**Senator Carl Levin (D), Michigan**

SENATOR CARL LEVIN: —Thank you, Tim, for that introduction, and my thanks to the Foreign Policy Association for inviting me to be here tonight. It is an honor to speak to the members of an organization who have added so much to our nations foreign policy debate over the years.

In thinking about how I might try to live up to that tradition, I set out to sum up lessons learned from the war in Iraq and how we were back on track, focusing on the right enemy al Qaeda and the Taliban in the right place Afghanistan and Pakistan. I had planned to lay before you tonight a vision of a world inspired by a young American president who summons us to look beyond party and politics, to work together here at home, and to engage our allies around the world to confront the threat of religious extremists preaching fanatic intolerance. The power of President Obamas message dramatized in Prague and Berlin when multitudes showed up to cheer him holds the promise of regaining the good will of people around the world. The Presidents decision to end torture, to close Guantanamo, to talk to our enemies, and to reduce the threat of nuclear annihilation shows the world that America is willing not only to lead but to listen.

But then last week, a voice from the recent past reemerged, claiming that America can do what we please, preaching unilateralism again, and embracing the arrogance that for too many years alienated our friends and set back efforts to achieve common goals. Former Vice President Cheneys world view, which so dominated the Bush years and which so dishonored our nation, gained a little

traction last week enough to persuade me to address it head on here tonight.

I do so as Chairman of the Senate Armed Services Committee, which recently completed an eighteen month investigation into the abuse of detainees in U.S. custody and produced a 200 page bipartisan report which gives the lie to Mr. Cheneys claims. I do so because if the abusive interrogation techniques that he champions the face of which were the pictures of abuse at Abu Ghraib if they are once more seen as representative of America, our security will be severely set back.

When former Vice President Cheney said last week that what happened at Abu Ghraib was the work of a few sadistic prison guards acting on their own, he bore false witness. And when he said last week there was no link between the techniques used at Abu Ghraib and those approved for use in the CIAs secret prisons, he again strayed from the truth. The seeds of Abu Ghraibs rotten fruit were sown by civilians at the highest levels of our government.

On September 16, 2001, Vice President Cheney suggested that the United States turn to the dark side, his words, in our response to 9/11. Not long after that, White House Counsel Gonzales called provisions of the Geneva Conventions quaint, and President Bush determined that provisions of the Conventions did not apply to detainees captured in the Afghanistan war. Senior administration officials followed the President and Vice Presidents lead. Our recent bipartisan Senate Armed Services Committee report determined the following: Senior officials in the United States government solicited information on how to use aggressive [interrogation] techniques, redefined the law to create the appearance of legality, and authorized their use against detainees.

The aggressive interrogation techniques which our government authorized for both the CIA and the military were derived from a Defense Department training program called SERE which stands for Survival Evasion Resistance Escape. This program was developed to train our troops how to resist abusive interrogations (torture) by enemies who refuse to follow the Geneva Conventions. Many techniques used in the SERE training program are based on abusive tactics which were used by the Chinese Communists during the Korean War. For them, their purpose was not to elicit accurate information it was to force confessions out of U.S. soldiers to be used for propaganda purposes.

Under highly controlled settings, U.S military personnel in SERE training are

subjected to techniques like waterboarding, being slammed against a wall, confinement in small boxes, stress positions, forced nudity, and sleep deprivation. SERE training techniques are legitimate tools for training our people. They prepare our forces, who might fall into the hands of an abusive enemy, to survive by giving them just a small taste of what might confront them. The techniques were never intended to be used against detainees in our custody. But they were used and it was officials at the highest level of our government who authorized them.

In 2002, with Mr. Cheney's and the National Security Council's (NSC) blessing, SERE techniques were approved for use by the CIA in interrogating detainees. Our bipartisan Committee report found that on December 2, 2002, techniques that we saw in photos at Abu Ghraib including nudity, stress positions, and dogs were formally approved by Secretary of Defense Rumsfeld for use by Department of Defense personnel against detainees at Guantanamo. Our report showed, in about 20 pages of detail, how the Secretary of Defense's 2002 authorization of the aggressive techniques at Guantanamo led to their use in Afghanistan and in Iraq, including at Abu Ghraib.

Now, the Chinese Communists during the Korean War may not have cared if the confessions that they elicited for propaganda purposes were false, but it should matter to us. If American troops are going to risk their lives acting on leads gained from these interrogations, we better be certain that the information is accurate and reliable.

We cannot have that level of confidence from information obtained from abusive interrogation practices. In a May 2007 letter to his troops in Iraq, General Petraeus said the following: Some may argue that we would be more effective if we sanctioned torture or other expedient methods to obtain information from the enemy. They would be wrong he said. Beyond the basic fact that such actions are illegal, history shows that they also are frequently neither useful nor necessary. Certainly, extreme physical action can make someone talk; however, what the individual says may be of questionable value.

And before the interrogation techniques were approved for Guantanamo in December 2002, a senior Army psychologist warned against their use. And this is what he said: If individuals are put under enough discomfort, i.e. pain, they will eventually do whatever it takes to stop the pain. This will increase the amount of information they tell the interrogator, but it does not mean the information is accurate. In fact, it usually decreases the reliability of the information because the person will say whatever he believes will stop the pain.

The risks of relying on information obtained from the use of harsh techniques cannot be overstated. We went to war based on false information. In February 2003, former Secretary of State Powell stood before the United Nations and made the case for war with Iraq. Secretary Powell described intelligence claiming that Iraq had provided chemical or biological weapons training for al-Qaeda. The claim was an ominous one. Where did it come from?

The statements were based on what turned out to be the false claims of a detainee named Ibn al-Shaykh al-Libi. And it has since been reliably reported that al-Libi made his claims only after he was subjected to the harshest interrogation techniques. What made it even worse, by the way, is that at the same time Bush administration officials were trumpeting al Libis claims to the world, our own Defense Intelligence Agency (DIA) believed that he was lying.

Not only does harsh or abusive treatment decrease the reliability of the information obtained, it actually can increase the resistance to cooperation. When I visited Afghanistan last year, a senior intelligence officer told me that treating detainees harshly is actually a roadblock to getting intelligence from detainees. Heres why. Al Qaeda, he said, and Taliban terrorists are taught to expect Americans to abuse them. Theyre recruited based on false propoganda that says that the United States is out to destroy Islam. Treating detainees harshly only reinforces their distorted view and increases their resistance to cooperation.

President Obama has taken important steps to reverse the previous administrations ill-advised policies. He ordered an end to abusive interrogations. He closed the CIAs secret prisons. And he has committed to shutting down Guantanamo prison.

Now Mr. Cheney claimed last week that President Obamas decisions have made us less secure and that abusive interrogation techniques worked. Mr. Cheney has said that the use of abusive techniques prevented the violent death of thousands, if not hundreds of thousands, of innocent lives. Mr. Cheneys claims are directly contrary to the judgment of our FBI Director, Robert Mueller, that no attacks on America were disrupted due to intelligence obtained through the use of those techniques.

Mr. Cheney has also claimed that the release of classified documents would prove his view that the techniques worked. But those classified documents say nothing about numbers of lives saved, nor do the documents connect acquisition of valuable intelligence to the use of the abusive techniques. I hope that the

documents are declassified so that people can judge for themselves what is fact and what is fiction.

Mr. Cheney has made other false statements. For instance, his claim that the techniques used on detainees were the same exact procedures used on our own people in the SERE training regime. That could not be farther from the truth. A report by the CIA Inspector General said that the CIA's Office of Medical Services judged that the SERE waterboard experience is totally different from the CIA's usage. And the reason is absolutely clear. SERE training is administered to our own people in highly controlled settings and can be terminated at any time by the student during the training. Khalid Sheikh Mohammed was waterboarded 183 times in one month.

Waterboarding one of our own personnel even once over their objection would be a felony. It is a colossal misrepresentation for Mr. Cheney to claim that the techniques we use in SERE training are exactly the same, his words, as those used against detainees. The abuse of detainees in our custody has alienated our allies. It has fueled al Qaeda's propaganda. And it has served as a recruitment tool for terrorists. At a Senate Armed Services Committee hearing last year, former Navy General Counsel Alberto Mora testified that there are serving U.S. flag-rank officers who maintain that the first and second identifiable causes of U.S. combat deaths in Iraq as judged by their effectiveness in recruiting insurgent fighters into combat are, respectively the symbols of Abu Ghraib and Guantanamo.

The vivid reports of U.S. personnel abusing detainees have also contributed to the decline of America's standing in the world. Since the world embraced us after 9/11, its support for us has been dramatically diminished. And that should set off alarm bells for all of us, because we need the good will of people around the world for our own security and to deal with the greatest threats that we face.

The bottom line in this debate was articulated by the Director of National Intelligence, Dennis Blair, who said recently that, the damage [that coercive techniques] have done to our interests far outweighed whatever benefit they gave us.

Mr. Cheney's support of abusive techniques dishonors our nation and the men and women who wear our nation's uniform. Listen to what a Captain in the 82nd Airborne Division wrote about the abuse of detainees that he had witnessed in Iraq and Afghanistan. In a letter to Senator McCain, he posed what he called the most

important question that this generation will answer, Do we sacrifice our ideals in order to preserve security? That Army Captain said in his extraordinarily eloquent words and in his own way that he would rather die fighting than give up even the smallest part of that idea that is America.

Finally, the assertion by Mr. Cheney that the abuse of detainees in U.S. custody at Abu Ghraib were the actions of a few sadistic prison guards acting on their own is not only false, it is a shameful attempt to avoid accountability for those who were the most responsible those senior civilian officials who, in the words of our bipartisan Armed Services Committee report solicited information on how to use aggressive techniques, redefined the law to create the appearance of legality, and authorized their use against detainees.

Until now, mainly lower ranking military personnel have been left to take the rap for the abuses at Abu Ghraib and elsewhere. I believe it is dishonorable and a failure of leadership to lay the sins of Abu Ghraib solely at their doorstep. The buck, to date, has stopped far below where it belongs.

Now, the question of whether, and if so, how, to hold senior-level officials accountable for policies utilizing abuse of detainees is not for me, or Mr. Cheney, or even President Obama to answer. It is a legal matter for the Department of Justice to review, away from partisanship and politics. And that's why I have urged our new Attorney General to appoint independent experts such as a few retired federal judges to review the mass of material which exists and to make recommendations about whether and if so, how, officials should be held accountable. This approach would take the question out of politics and help assure a thorough and sober assessment of this chapter in our history.

Completing such an assessment is necessary if we are to regain what we have lost. For only then can we credibly object to the use of abusive tactics on our own troops when they are captured and to violations of human rights in other countries. Only then can we stem the tide of propaganda that our enemies use to recruit followers to their terrorist cause. Only then can we restore America's image as a country that not only espouses ideals of human rights, but lives by them. That is how we win back hearts and minds and rally the people of the world to the great causes that face mankind.

Thank you.