I have been listening to my dear colleague from Illinois,

and I have to say what happened at Abu Ghraib was absolutely wrong.

Everybody knows that. What happened there has to be decried. We all

have to speak out about it. But the minute they found out about it,

they started the process of prosecuting the people who did this. It

appeared to be a small cadre of people, all of whom will likely receive

either severe reprimands or actual prosecution. In other words, the

system is working.

It should never have happened. We decry it. It was wrong. All the

screaming in the world by either side on this floor is not going to

make any difference. It happened, and we are all ashamed of it.

Having said that, if we listen to the arguments of the other side,

transparency is absolutely critical in all the things we do. Well, then

that means we ought to do away with the Intelligence Committee because

there are a lot of things that are not transparent to the American

people, especially when it involves national security, especially when

it involves our young people's lives while overseas, especially when it

involves all kinds of matters that are better left non-transparent.

I went on the Internet and I read every one of these documents that

was on the Internet. Most all of them were legal opinions. Now, one

might differ with legal opinions. I do not know any two lawyers who

agree on everything anyway, but if one reads those opinions they do

make sense. For somebody to say carte blanche that the Geneva

Conventions apply and should apply to everything, that flies in the

face of not only international law, it flies in the face of what is

happening in this situation.

This is not a normal situation. We are not fighting autonomous

countries right now. We are not fighting against organized enemies who

wear uniforms and fight conventional battles. We are not fighting the

normal course of battles that we have had through the years where we

have had to, as gentlemen, recognize the civil way of doing things. We

are fighting absolute terrorists who would destroy this country and

destroy every person involved in our overseas operations if they had a

chance, and they would do it by any means possible: biological,

chemical, weapons of mass destruction, nuclear, if necessary, if they

had the capacity to do it.

If we are so transparent that we tell them everything that is on our

minds, then we are putting our young people at risk.

Yes, my colleagues can find fault with the legal opinions. People do.

I might even agree or disagree on some of these legal opinions. But

they were well-reasoned opinions. I know some of the people who

actually rendered them. They are top notch authorities in these areas.

My colleagues might disagree with them, but they cannot necessarily

refute them.

I was in Guantanamo a few weeks ago. I went completely through that

camp. I was shown everything I wanted to see, and that meant just about

everything. I have read article after article about how terrible it is

at Guantanamo, how much they violated the law, all because of

conjecture. I have seen our colleagues on the other side, and I have

seen the media excoriate this administration because of all of these

bad things that have happened at Guantanamo.

Well, I went through Guantanamo, and it is a well-run camp with

incentives. Now, some of our colleagues do not even like incentives.

They will even criticize that because it is the Bush administration,

after all. Of course, I know our colleagues are not making this kind of

criticism because they want to find fault with the Bush administration

or cast blame on the Bush administration or make the Bush

administration look as if maybe it is not doing everything it should. I

know that could not possibly be in their minds. Or that they are

politicizing this because of the election that is going on. I know they

would not do a thing like that. I just know it. I just know it deep

within my soul.

My colleagues can differ with the legal opinions and they can

certainly condemn what happened at Abu Ghraib. But these things are not

happening at Guantanamo Bay. They did happen in Afghanistan, but in

those cases there are investigations and prosecutions on their way. I

do not think we have to be transparent about everything around here.

Transparency hurts our young men and women, too. It subjects them to

all kinds of ridiculous problems.

It is important for us to get to the bottom of these things. I think

it is important for us to have an overview, but I also think it is

important for us to be fair and not just try to score, yes, cheap

political points. Unfortunately, there is too much of that around here.

It has happened on both sides from time to time, but it has really been

happening this year. Every time it happens, I suggest we ought to stop

and think about our young men and women overseas, whether we are

helping them or hurting them. Some of these arguments are hurting them.

When I went to Guantanamo, I watched two interrogations, one with a

terrorist who was very uncooperative and another one who at first was

very uncooperative but because of work by some very effective people,

using very effective interrogation techniques--not torture, by the way,

not even close to torture--they have been able to obtain information

that has saved our boys' and girls' lives.

Interrogations have to go on and they are not patty-cake games. There

is no excuse for anything that even comes close to torture. And I

believe that other than isolated incidents--which are going to happen

in times of war, especially when we are fighting these type of

terrorists--I suggest that our people have abided by the Geneva

Conventions even though it is correct to say that in this type of a

situation the Geneva Conventions may not apply.

Personally, I believe we ought to apply them to everything because

there is a wide variety of interrogation techniques that are

permissible under the Geneva Conventions. I won't go through all of

those because I don't want to be transparent. Nor do I want some

techniques that are acceptable to be criticized by any colleagues from

any side to score cheap political points.

Frankly, I am getting a little tired of this desire to undermine

everything that is going on over in Iraq and Afghanistan. I think it is

time for us to get together and work in unison to try to help our young

men and women. Transparency sometimes happens to be the worst thing we

can do.

That doesn't mean we should not get to the bottom of these awful

things that have happened at Abu Ghraib. That doesn't mean we should

tolerate that type of irresponsible and criminal conduct. Of course we

should not. There is nobody in this body who disagrees on that, to my

knowledge; nobody. But to try to imply that the President of the United

States is responsible for these aberrational activities by a few is, I

think, irresponsible in and of itself and I think it is just too much

of this political world that we are in right now.

Madam President, I went through the camp itself down at Guantanamo.

It

was well run. There were people there who never were fed so well in

their lives. There were arrows, so they could pray in the correct

direction. There were Korans in every cell as far as I could see.

I saw many chessboards and checkerboards. I saw outdoor areas where

they could exercise. I saw a lot of things that were being done right.

I saw interrogations that were not staged for me, and I have to tell

you it was run right. Anybody who thinks these are patty-cake games,

that we must really hold and pet their hands, just isn't living in the

real world.

I agree and I concede and I hope our colleagues--everybody on both

sides agree there are certain things you can do within the parameters

of the Geneva Conventions and there are certain things you can't do.

But I guarantee if you went through everything that can be done in the

Geneva Conventions there would be some people who would be very upset

that those types of interrogation techniques could be used. I am not

going to go through them all because I know the more stressful ones

were not being used with the authority of our people. I think to imply

that they were is wrong.

Before I close, let me just take a moment to comment briefly on

statements made by my Democratic colleagues, attacking the President

and the administration for not being forthcoming in releasing

documents, notwithstanding the fact that they just declassified and

released approximately 260 pages of legal memoranda.

They attack the Attorney General for refusing to hand over three

documents when he testified before the Committee, but since then, we

have received those documents from the White House.

Now, even though they lost on this issue before the Judiciary

Committee, they are now trying to bring it up as an amendment on the

floor.

In fact, they want us to vote on a subpoena before the time set to

comply with the document request has passed. It is simply premature to

issue any subpoena at this time.

I urge my colleagues to vote against this amendment if the Senator

from Nevada decides to reintroduce it.

I yield the floor.