

controversy than the Bush Administration's abuse of detainees, whether at Abu Ghraib prison in Iraq, Bagram prison in Afghanistan, Guantanamo, other secret detention facilities around the world, or through the use of "extraordinary rendition" whereby prisoners were secretly delivered to the custody of foreign security forces whose use of torture was well documented.

These policies and practices, conceived and supported at the highest levels of the Bush administration, justified by Department of Justice lawyers who made a mockery of the law, and steadfastly defended as recently as last week by former Vice President Cheney, were abhorrent. They were also dangerous. They violated our international legal obligations, caused grave harm to our reputation as a country devoted to the rule of law, endangered our service men and women who every day face the risk of capture and mistreatment by our enemies, and caused deep embarrassment among the American people who, for generations, have taken pride in the image of our country as a defender of human rights and the highest moral values.

Last Friday, these issues and concerns were eloquently addressed in a timely piece in *The Miami Herald* by two distinguished retired senior U.S. military officers, Charles C. Krulak, who was commandant of the Marine Corps from 1995 to 1999, and Joseph P. Hoar, who was commander in chief of U.S. Central Command from 1991 to 1994. I urge all Senators to read it, and ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the *Miami Herald*, Sept. 11, 2009]

FEAR WAS NO EXCUSE TO CONDONE TORTURE

(By Charles C. Krulak and Joseph P. Hoar)

In the fear that followed the Sept. 11, 2001, attacks, Americans were told that defeating Al Qaeda would require us to "take off the gloves." As a former commandant of the U.S. Marine Corps and a retired commander-in-chief of U.S. Central Command, we knew that was a recipe for disaster.

But we never imagined that we would feel duty-bound to publicly denounce a vice president of the United States, a man who has served our country for many years. In light of the irresponsible statements recently made by former Vice President Dick Cheney, however, we feel we must repudiate his dangerous ideas—and his scare tactics.

We have seen how ill-conceived policies that ignored military law on the treatment of enemy prisoners hindered our ability to defeat al Qaeda. We have seen American troops die at the hands of foreign fighters recruited with stories about tortured Muslim detainees at Guantánamo and Abu Ghraib. And yet Cheney and others who orchestrated America's disastrous trip to "the dark side" continue to assert—against all evidence—that torture "worked" and that our country is better off for having gone there.

In an interview with Fox News Sunday, Cheney applauded the "enhanced interrogation techniques"—what we used to call "war crimes" because they violated the Geneva Conventions, which the United States insti-

gated and has followed for 60 years. Cheney insisted the abusive techniques were "absolutely essential in saving thousands of American lives and preventing further attacks against the United States." He claimed they were "directly responsible for the fact that for eight years, we had no further mass casualty attacks against the United States. It was good policy . . . It worked very, very well."

Repeating these assertions doesn't make them true. We now see that the best intelligence, which led to the capture of Saddam Hussein and the elimination of Abu Musab al-Zarqawi, was produced by professional interrogations using non-coercive techniques. When the abuse began, prisoners told interrogators whatever they thought would make it stop.

Torture is as likely to produce lies as the truth. And it did.

What leaders say matters. So when it comes to light, as it did recently, that U.S. interrogators staged mock executions and held a whirling electric drill close to the body of a naked, hooded detainee, and the former vice president winks and nods, it matters.

The Bush administration had already degraded the rules of war by authorizing techniques that violated the Geneva Conventions and shocked the conscience of the world. Now Cheney has publicly condoned the abuse that went beyond even those weakened standards, leading us down a slippery slope of lawlessness. Rules about the humane treatment of prisoners exist precisely to deter those in the field from taking matters into their own hands. They protect our nation's honor.

To argue that honorable conduct is only required against an honorable enemy degrades the Americans who must carry out the orders. As military professionals, we know that complex situational ethics cannot be applied during the stress of combat. The rules must be firm and absolute; if torture is broached as a possibility, it will become a reality. Moral equivocation about abuse at the top of the chain of command travels through the ranks at warp speed.

On Aug. 24, the United States took an important step toward moral clarity and the rule of law when a special task force recommended that in the future, the Army interrogation manual should be the single standard for all agencies of the U.S. government.

The unanimous decision represents an unusual consensus among the defense, intelligence, law enforcement and homeland security agencies. Members of the task force had access to every scrap of intelligence, yet they drew the opposite conclusion from Cheney's. They concluded that far from making us safer, cruelty betrays American values and harms U.S. national security.

On this solemn day we pause to remember those who lost their lives on 9/11. As our leaders work to prevent terrorists from again striking on our soil, they should remember the fundamental precept of counter-insurgency we've relearned in Afghanistan and Iraq: Undermine the enemy's legitimacy while building our own. These wars will not be won on the battlefield. They will be won in the hearts of young men who decide not to sign up to be fighters and young women who decline to be suicide bombers. If Americans torture and it comes to light—as it inevitably will—it embitters and alienates the very people we need most.

Our current commander-in-chief understands this. The task force recommendations take us a step closer to restoring the rule of law and the standards of human dignity that made us who we are as a nation. Repudiating torture and other cruelty helps keep us from

being sent on fools' errands by bad intelligence. And in the end, that makes us all safer.

POLAND'S 70 YEAR JOURNEY

Mr. KERRY. Madam President, this month we commemorate an important anniversary: 70 years ago the Second World War began in Europe with a ruthless Nazi assault on Poland. Outnumbered and outgunned, Poland's defenders fought bravely, forced to surrender only through the overwhelming force of their enemies. Every American should remember the sacrifice made by the heroes of Poland, whose bravery was tragically often rewarded with a concentration camp or a bullet in the head in a dark forest. They were the first of many innocent victims, almost too many to count.

On an occasion like this it is important to honor the past, remind the present of the sacrifice of those who came before, and warn the future that the world should never allow the initiation of such catastrophic events again.

In September 1939, authoritarian paranoia and violence won out over trust and humanity, and in the end the world burned. Seventy years later, Poland and its democratic neighbors work together in Brussels to build a better Europe. We remember the importance of that hard-won cooperation on this 70th anniversary.

As Americans, let us appreciate this achievement, help extend the cooperation, and continue to assist in the preservation of democratic ideals.

**BASKETBALL HALL OF FAME
INDUCTEES**

Mr. HATCH. Madam President, I wish to speak about a matter of great prominence to the people of my State. This past Friday, in Springfield, MA, Jerry Sloan and John Stockton were inducted into the Naismith Memorial Basketball Hall of Fame. This is a well-deserved honor, and I wanted to take a few moments to congratulate them both.

As any fan of professional basketball can tell you, the Energy Solutions Arena in Salt Lake City is widely considered one of the most difficult places for visiting teams to play. Some have tried to blame this on the city's high elevation, but, if you have ever been to a game there, you know very well that it is because of the Jazz fans.

You see, due to its relatively small population, Utah has only one major sports franchise—the Jazz. And there were times when people thought that this small market would not be able to sustain even a single NBA team. But for more than two decades the Jazz have enjoyed one of the most loyal and supportive fan bases of any team in professional sports. This is due in no small part to the careers of both John Stockton and Jerry Sloan.

John Stockton grew up in Spokane, WA, and played basketball at both