

Castle Praises Agreement Made on Military Tribunals -- September 22, 2006

Wilmington, DE -- Delaware Congressman Mike Castle, who was a leader of the House Republicans in the past week working to prevent President Bush's proposal on military tribunals and interrogation from coming to the House floor, praised the compromise reached between Congress and the Bush Administration. Castle sent a letter with Rep. Christopher Shays (R-CT) this past week urging the House Leadership to only consider Military Tribunal Legislation that fully adhered to the Geneva Convention.

"In the wake of the Supreme Court Decision in June and in anticipation of trying the fourteen terrorist suspects who were in secret CIA camps, it has been a high priority for Congress to define the limits of interrogation with regards to terrorist suspects as well as address the issue of classified evidence as part of military tribunals.

"Throughout the past week, I have been working with like-minded Republicans in the House to insist that the original Bush proposal not come to the floor because it undermines the Geneva Conventions. I am hopeful that the compromise announced yesterday on detainees and tribunals is one that can be supported across both parties.

"Within this agreement, the three main goals sought by Senators McCain, Warner and Graham were met; to preserve the Geneva Conventions, to allow the C.I.A. to continue interrogations, and to set up a program that would pass Court review. These provisions are extremely important so we are ensuring the protection of our American servicemen and women abroad. Yesterday's agreement allows us to move forward with an important program that allows us to detain and interrogate terror suspects in a lawful and effective manner, in compliance with the Geneva Convention torture prohibitions that allows us to still protect our Servicemen and women abroad. I am hopeful we are able to get this through the House and Senate in the five remaining days of Session so President Bush can sign this into law," Castle said.

A copy of the letter is attached below as well as articles that appeared in the New York Times, Washington Post and Congressional Quarterly this past week highlighting the work of the Congressman and his House colleagues to adhere to the Geneva Convention torture prohibitions.

Dear Majority Leader Boehner, Majority Whip Blunt, Chairman Hunter, Chairman Sensenbrenner and Chairman Hyde:

As Senate leaders and the White House discuss compromise language to establish tribunals for unlawful enemy combatants, we are writing to express our strong support for the principles outlined in S. 3901, the Military Commissions Act, as adopted by the Senate Armed Services Committee, and ask that any legislation considered by the House ensure the United States fully maintains its commitment to the Geneva Convention.

We believe that the approach taken by the Senate Armed Services Committee, and, in particular, its approach to Common Article 3 of the Geneva Conventions and revisions to the War Crimes Act, is vital to protecting American service members in the field both now and in the future. We strongly support President Bush's efforts to defeat terrorism and also believe these provisions will play a crucial role in winning that struggle. They will provide vital clarity about the values and standards by which America lives in contrast to our enemies. President Bush has said that America will stand firm on the non-negotiable demands of human dignity and will treat all detainees humanely. The Committee-adopted Military Commissions Act implements this pledge.

The Senate provisions are consistent with the newly issued U.S. Army Field Manual on Interrogation. The Field Manual makes it clear that abusive interrogation tactics are not necessary to obtain information. The Manual shows that such tactics are counterproductive and produce unreliable information. It also warns that using such tactics endanger U.S. forces. Indeed, in releasing the new Field Manual on September 6, 2006, Lt. General Kimmons, the Army Deputy Chief of Staff for Intelligence said: "I am absolutely convinced [that] no good intelligence is going to come from abusive practices. I think history tells us that. I think the empirical evidence of the last five years, hard years, tell us that." It is vital we not equivocate or waiver on our commitment to treating those in U.S. custody in the same manner we would expect our own citizens be treated.

regards,

Congressman Mike Castle (R-DE)

Congressman Christopher Shays (R-CT)

Congressman Jim Leach (R-IA)

Congressman Jim Walsh (R-NY)

The Washington Post

Dissidents' Detainee Bill May Face Filibuster

Frist Warns GOP Opponents of Bush's Proposal They Must Accept Two Key Provisions

By Charles Babington and Jonathan Weisman

Washington Post Staff Writers

Wednesday, September 20, 2006; A04 Senate Majority Leader Bill Frist signaled yesterday that he and other White House allies will filibuster a bill dealing with the interrogation and prosecution of detainees if they cannot persuade a rival group of Republicans to rewrite key provisions opposed by President Bush. Frist's chief of staff, Eric M. Ueland, called the dissidents' bill "dead." With Congress scheduled to adjourn in nine days, delaying tactics such as a filibuster could kill the drive to enact detainee legislation before the Nov. 7 elections, a White House priority. Bush faced still more problems in the House, where GOP moderates Christopher Shays (Conn.), Michael N. Castle (Del.), Jim Leach (Iowa) and James T. Walsh (N.Y.) publicly threw their support behind the bill opposed by the White House. The four Republicans told Majority Leader John A. Boehner (R-Ohio) that any House bill must maintain the dissidents' principles. On another front, legislation to authorize Bush's warrantless wiretapping program may be in more jeopardy. Frist said yesterday that he referred the warrantless surveillance matter to the Senate Select Committee on Intelligence for further review and would not bring it up for Senate consideration until next week. Yesterday's actions significantly dimmed prospects that Congress can complete its national security agenda before adjournment. Frist (R-Tenn.) acknowledged that a majority of the 100 senators back the rival group on military commissions but that there are not enough to block a filibuster, which requires a super-majority of 60. Senate and administration negotiators talked throughout the day, but no real progress was apparent. "It could all come together in a matter of hours, or it could drag out for another week or so," said John Ulyot, spokesman for Armed Services Committee Chairman John W. Warner (R-Va.). The sharp rhetoric of last week was replaced yesterday by softer language from both the Bush administration and the three Republican senators leading the opposition to its proposals: Warner, John McCain (Ariz.) and Lindsey O. Graham (S.C.). But Frist struck a more jarring tone, telling reporters that the trio's bill is unacceptable despite its majority support. For a bill to pass, Frist said, "it's got to preserve our intelligence programs," including the CIA's aggressive interrogation techniques, and it must "protect classified information from terrorists." He said that "the president's bill achieves those two goals" but that "the Warner-McCain-Graham bill falls short." The disagreement centers on the Geneva Conventions, which say wartime detainees must be "treated humanely." Bush backs language saying the United States complies so long as CIA interrogators abide by a 2005 law barring "cruel, inhuman, or degrading" treatment of captives. Warner and his allies say they are concerned that Bush's approach would invite nations to interpret the Geneva Conventions in lax ways that could lead to abusive treatment of captured U.S. troops. The Warner contingent also opposes Bush's bid to allow detainees to be convicted on secret evidence they are not allowed to see. Yesterday, Warner said negotiators were considering revising the federal War Crimes Act to clarify acceptable interrogation methods by nonmilitary officials. His bill embraces a similar approach, which would sidestep direct references to the Geneva Conventions' meaning. It was unclear whether the White House would accept such language. Frist also surprised senators yesterday on the warrantless wiretapping issue, sending surveillance legislation already approved by the Senate Judiciary Committee to the intelligence committee for further review. With one week left to consider the bill on the Senate floor, Sen. Olympia J. Snowe (R-Maine), an intelligence committee member, said passage before the election would be "extremely ambitious." The intelligence committee is considered hostile to legislation worked out between Senate Judiciary Committee Chairman Arlen Specter (R-Pa.) and the White House. That bill would allow but not order the administration to submit its warrantless surveillance program to a secret national security court for constitutional review. The program involves monitoring overseas phone calls and e-mails of some Americans when one party is suspected of links to terrorism. Three Republicans on the intelligence

committee -- Snowe, Sen. Mike DeWine (Ohio) and Sen. Chuck Hagel (Neb.) -- have co-authored competing legislation that would give Congress considerably more oversight of the program. Two House committees will draft National Security Agency eavesdropping bills this week that would take still another tack on surveillance, but those measures also face resistance, acknowledged Rep. Heather A. Wilson (R-N.M.), the primary author of the measures.

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