



Department of Justice, Peace and Human Development

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January 30, 2008

Dear Senator:

As Chairman of the Committee on International Policy of the United States Conference of Catholic Bishops, I am writing regarding proposed legislation in HR 2082, the Intelligence Authorization Act, to prohibit torture as an interrogation technique. I urge you to make sure that the United States continues to insist upon the highest ethical standards and fully complies with U.S. commitments to observe international law in its treatment of detainees, whether here in the United States or abroad.

Earlier, our Conference of Bishops encouraged Congress to adopt provisions in the FY2006 Defense Appropriations Act prescribing uniform standards for the interrogation of persons under the detention of the Department of Defense and prohibiting cruel, inhuman and degrading treatment or punishment of persons under the custody or control of the United States government. Now we want to support provisions in HR 2082 in order to expand the prohibition against torture to all U.S. government agencies and their agents.

Experts have told us that the U.S. Army Field Manual, as revised and published in September 2006, includes specific wording that explicitly bans morally questionable interrogation practices. While the Conference is not in a position to assess its specific provisions, we understand that the Field Manual provides a standard that requires humane treatment during interrogation. In particular, we note one guiding principle in the revised Army Field Manual that echoes the Golden Rule: "If in attempting to determine if a contemplated approach or technique should be considered prohibited and therefore should not be included in an interrogation plan, consider. . . if the proposed approach or technique were used by the enemy against one of your fellow soldiers, would you believe the soldier had been abused?"

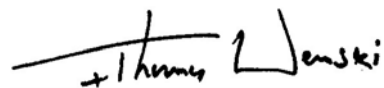
Adherence to the Golden Rule would allow the United States to answer the profound moral question of how we should treat detainees and regain the moral high ground. This issue has a major impact on human dignity and on the way the United States is viewed abroad. As you know, the United States has long supported Common Article 3 of the Geneva Conventions, which prohibits "cruel treatment and torture" as well as "outrages upon personal dignity, in particular humiliating and degrading treatment..." Our own troops and citizens benefit from the protections of this standard. We are opposed to any proposed or adopted legislation or other actions that would appear to once again decriminalize torture and abusive conduct. We believe any legislation adopted by the Congress must be unambiguous in rejecting torture and cruel treatment as dangerous, unreliable and illegal.

While we recognize that combating terrorism remains a top priority for Congress and the Administration, we also recognize that any report of prisoner mistreatment by military or civilian agents of the United States or its allies could seriously undermine U.S. efforts to defeat terrorism. More importantly, prisoner mistreatment compromises human dignity. Our nation must not embrace a morality based on an attitude that “desperate times call for desperate measures” or “the end justifies the means.” A respect for the dignity of every person, ally or enemy, must serve as the foundation of security, justice and peace. There can be no compromise on the moral imperative to protect the basic human rights of any individual incarcerated for any reason. The inherent justice of our cause and the perceived necessities involved in confronting terrorism must not lead to a weakening or disregard of U.S. or international law.

In a time of terrorism and fear, our individual and collective obligations to respect dignity and human rights, even of our worst enemies, gains added importance. Reaffirming the standards contained in Common Article 3 of the Geneva Conventions would reflect the conviction that our nation must treat its prisoners as we would expect our enemies to treat our own military personnel or citizens. We urge you to support proposed legislative language in HR 2082 that would definitively implement America’s commitment to Common Article 3 and expand the application of standards of humane treatment during interrogation, as exemplified in the revised Army Field Manual, to all U.S. government agencies and their agents. Preserving the strong U.S. commitment to humane and ethical treatment of detainees would continue your efforts to restore the moral credibility of the United States at a crucial time.

Thank you for your consideration of our views on the just treatment of prisoners and detainees.

Sincerely yours,

A handwritten signature in black ink that reads "Bishop Thomas G. Wenski". The signature is written in a cursive style with a large, sweeping initial "B" and "W".

Bishop Thomas G. Wenski
Bishop of Orlando
Chairman, Committee on International Policy