

NATIONAL PRESS CLUB NEWSMAKER RETIRED GENERALS

SUBJECT: RETIRED GENERALS TO DISCUSS GUANTANAMO AND HANDLING OF TERRORIST SUSPECTS ON EVE OF ONE YEAR ANNIVERSARY OF EXECUTIVE ORDERS ON JANUARY 21 AT 2 PM

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TEJINDER SINGH: Good afternoon gentlemen-- ladies and gentlemen. And, welcome to the National Press Club. We are delighted to have four Generals here, General David M. Maddox, Lieutenant General Harry E. Soyster, Major General William Nash, and Brigadier General James Cullen.

We will let the Generals speak first, and then you are welcome to ask questions. The journalists have, obviously, a reference when asking the questions. Please state your name and your organization you're representing before asking the questions.

And, you are welcome to the National Press Club. And, please visit our website, NPC.org for further information. And, I welcome you on behalf of 3,500 members worldwide. And, I will hand over, now, the mic to the Generals.

GENERAL DAVID MADDOX: I want to thank the National Press Club Newsmaker Committee, and particularly its Chairman, Tejinder Singh, for the opportunity to speak to you today. Generals Soyster, Nash, and Cullen and I are part of a group of retired Generals and Admirals, several dozen of which were formed over concern about the treatment of enemy prisoners in U.S. custody, after learning about the abuses at Abu Ghraib and Guantanamo.

We came together because we felt responsible to ensure that our nation's interrogation and detention policies comply with the Geneva Convention and reflect our values, our laws, and our security interests.

The group of retired Generals and Admirals worked through Human Rights First, the non-profit, non-partisan organization based in New York and here in Washington. The co-chairs of our group are retired Marine Corps General Charles Krulak, who was Commandant of the Marine Corps and retired Marine Corps General Joe Hoar, who is the Commander-in-Chief U.S. Central Command.

Collectively, members of our group have served in every one of our nation's wars since 1941 and have encountered every kind of enemy. We know, from experience, that torture does not provide reliable intelligence. And, acting on information derived through such abuse is dangerous-- to our troops and to our nation.

We also know that we need to close Guantanamo Prison Facility and bring terrorists to justice. Doing so will make America more secure on the battlefield, in the skies, and on our soil. One year ago tomorrow, 16 members of our group stood in the Oval Office behind the President of the United States as he signed three Executive Orders: to end torture by establishing a single standard of treatment for all prisoners in U.S. custody; to end CIA's secret prisons; and to close Guantanamo Bay Prison Facility.

That was not the first time that we had met with the President. During the Presidential campaigns, members of our group met in both New Hampshire and in Iowa with the candidates from both parties. And, it's since that initial timeframe that we established what our views were in talking to all of those candidates.

We're pleased that the President made clear, after the failed attempt to bring down the airliner bound for Detroit, that shutting down Guantanamo remains a priority and is critical to our long-term strategy for defeating Al Qaeda. The President and his National Security Team are undeterred by those who seek to spread a message of fear and retreat. They know well that closing Guantanamo is vital to our national security.

Our group of retired Generals and Admirals is deeply troubled by the recent public debate over this set of issues. Misinformation abounds, as some have taken to the airwaves to tell us that we must abandon the rules of law, the very principles and values we have cherished since the founding of our nation, the values that makes America America.

General Krulak and General Hoar wrote last week, in the *Philadelphia Enquirer*, "Those who advocate jettisoning these values would have us believe that we must destroy America in order to save America. The attempted airline bombing on Christmas day provided an excuse for some who oppose Guantanamo to renew their call to keep it open. Some say the suspected bomber should be prosecuted by military commission rather than federal court, and that he and other terrorist suspects should not be afforded the right to lawyers and a fair trial. We're quite alarmed to hear some trying to make a case that this

individual should be subjected to torture as the first order of business, in hopes that he might provide actionable intelligence information.”

There are still 198 detainees in Guantanamo. We must bring those that we can to justice as soon as possible, in federal courts. Where we lack evidence against others, we must move swiftly to repatriate them to their own countries or to third nations to face charges or go through programs, to convert them, so that they will no longer be terrorists.

For the last several years, members of our group have signed joint letters to Congress, authored op-eds, issued joint statements, met with editorial boards, spoken at public events, met with members of the Presidential Transition Team, testified before Congress, held briefings on Capitol Hill, and met with senior administrative officials. We're not going away.

We feel strongly a responsibility to ensure that our nation is safe and secure, and that the values generations of Americans have fought hard to protect remain intact. Our group continues to take steps to educate the public and to meet with elected officials, other policymakers, and those who will assume office.

For example, earlier today, Generals Hoar and Krulak sent a letter to Senator-elect from Massachusetts, Scott Brown, requesting a private meeting with members of our group. We look forward to a productive discussion with him and others on these vital national security matters as we continue to make our nation safer and secure.

We're pleased that President Obama put these issues at the top of his agenda by signing the three Executive Orders that I mentioned on his second full day in office. That'll be one year tomorrow. It is now one year later, and 33 members of our group today signed a letter to the President to reiterate our strong support for shutting down Guantanamo, for rejecting torture, and for bringing terrorism suspects to justice in federal courts.

We told him that setting the deadline for closing Guantanamo by January 22, 2010 was the right thing to do. Deadlines are set for a reason. They force action. Without them, goals just simply are not met. We told him that we thought the deadline, even though the deadline will not be met, we appreciate the significant progress that his administration has made toward closing this facility, and that his actions are bringing us closer to the day when we can deprive the enemy this very effective recruiting tool.

And, we told that, by taking action in his first days in office, he made it clear, from the outset, that ending torture and closing Guantanamo were among his highest priorities. We told him they must remain so until the job is done.

Although there have been some setbacks in meeting the initial timeframe for closing Guantanamo, we're confident that the President's commitment remains unwavering. We're pleased to see the President make clear, after the failed attempt to

bring down the airliner bound for Detroit, that shutting down Guantanamo remains a priority and is critical to our long-term strategy of defeating Al Qaeda.

We are concerned about the 198 prisoners who are still in Guantanamo and taking the action to get them tried in federal court. Where we lack the evidence, we must move swiftly to repatriate them to their own countries or take programs to successfully and safely reintegrate them back into society. Holding detainees indefinitely, without charges, subvert our values and is not in our national interest. We must drive the number of detainees held at Guantanamo down to zero.

I now have the privilege of continuing this discussion with our three highly respected retired Generals, each of whom possess special expertise in the areas of intelligence, to war fighting, and to U.S. and military law. I'll be followed by General Soyster, who clearly has a background in the intelligence community.

LT. GENERAL HARRY SOYSTER: I'd also like to thank the National Press Club for the opportunity to speak today and present our positions. And, also just like to say hello to the students that are here. Tell you what, an opportunity to watch democracy in action in our great nation.

The hysteria that is permeating in the public debate around how the United States should deal with terrorism suspects is not only unwarranted, it is dangerous. It's dangerous to us. Grippled by fear, some are calling for the return to the use of torture techniques against terrorism suspects in hopes of garnering useful intelligence.

While President Obama signed the Executive Order a year ago that put our nation's policies back on track, we know we will still have to work to educate the public about what works and what doesn't work, and eliciting useful intelligence information from terror suspects, and even what constitutes torture.

Putting aside the moral issues for a moment, there are many reasons that torture is a hindrance rather than a help to our intelligence gathering and counterintelligence strategies. Torture does not work. That doesn't mean that it never works. It doesn't mean you can give an aspirin to someone with severe migraine headaches-- and it does help. But, it's usually not the treatment.

And, in this case, it's very clear, torture does not work in terms of eliciting the kind of information that you can convert into actionable intelligence. And, in fact, the abuse of techniques very often result in unreliable information. And the last thing we want is to be acting on unreliable information.

Those who think our first order of business with the Christmas day bomber should have been to torture him to gain intelligence about plots are very misguided. And, quite frankly, extremely naïve. The Christmas day bombing suspect talked freely without the use of such techniques. Our professional interrogators routinely gained valuable

information from the likes of the Christmas bomber, utilizing tried and true techniques without resorting to torture.

I know this from experience. I know this. I've talked to numerous professional interrogators who span, as General Maddox mentioned, from World War Two to the current situation, from all the services, from the FBI, from CIA. And, these are the experienced guys who faced the people in the orange suits. And their opinion is, torture is the last resort. Because, if you need to do that, you're not making any progress, and you better re-evaluate.

Intelligence gathering requires us to think with our heads and understand what will motivate others to talk. If the father of the Christmas day bomber believed that America would torture his son, would he have turned him in? We need more fathers, mothers, brothers, sisters, cousins and aunts to trust in American justice and come forward with the tips, the intelligence that we need to thwart those who seek to do us harm.

While some will retort that, if Al Qaeda captures our troops, will they afford them the same treatment? Well, I don't expect, and I don't think others expect Al Qaeda to act honorably. But, it is other nations, including our allies, that will be impacted by our actions. How can we seek the help of other nations to act, to aid in release of our sons and daughters if they are captured, if we are devoid of the moral authority to do so? And, if we forego the rule of law, even by exception, in the case of those who are not U.S. citizens, how can we expect other nations to treat Americans in their legal systems?

And I would tell you, as a former Commanding Officer and Commanding General, as General Maddox mentioned, getting this number down to zero, if we can't get it down to zero, if we hold people forever, how do I stand in front of my troops and say, "I want to tell you something, son. If you're captured, might as well write your last letter home. Because you're going to be there forever. We believe that, we enforce it under law, and we keep people forever. So, I can tell you, we can't ask for you to get home. Bye-bye, son," I'd have a very difficult time doing that as a Commanding Officer.

I'd much rather stand up and say, "We uphold justice. We want others to do it. And, we will do everything we can, under international law, to get you-- get you home." So, that's my view as a soldier.

Terrorism is a serious problem that must be confronted with all our strength, persistence. As General Maddox said, we're not going away, and ingenuity. The central strategy of the terrorist enemy is to sow fear. And, in doing so, caused us to change who we are. We must resist rash and reckless over-reactions that subvert our laws, our values and, ultimately undermine our own security.

A key feature of our strategy is to defeat this enemy, must be to deprive it of its recuperative power. Past abuses and the continued detention of prisoners at Guantanamo have been a propaganda bonanza for Al Qaeda. As a result, our troops face more recruits

on the battlefield, and we face more of the likes of the recent terrorism that we saw in the U.S. We must end this cycle.

At the same time, we must project our own values, both as an alternative to Al Qaeda's hateful ideology, and so that those with information about terrorist plots will more likely come forward to alert authorities. Thank you, again, for the opportunity to be here. And I will call on my colleague-- And, we've done a lot of this together-- General Bill Nash.

MAJOR GENERAL WILLIAM NASH: Thank you, sir. And my thanks to all of you and to the National Press Club. I, too, want to say a few words about fear, and then I'm going to talk about dots(?). And then, I'm going to talk about a wonderful expression which is important to me. It's called "extra judicial."

A year ago, before we went into the Oval Office to witness the signing of those Executives Orders, we sat in a conference room next to the office and had a discussion with the President and the Vice-President and a number of his staff about the Executive Orders he was about to sign and about the issue.

And, at that time, President Obama, his second day in office, brought up the fact that he already recognized the pressures on the President of the United States as he sat in the Oval Office, that he could only-- and these are almost his exact words-- could only imagine the pressures on George Bush immediately following 9/11.

And he said to us, at that time, "If there is another incident, there will be pressure to revert to the policies of old." And, he rightly predicted the reaction that occurred-- has occurred over the December incident of the airliner en route to Detroit. And, we promised him, and he committed to us, that we would not succumb to the fear that was generated through another incident, and that we would maintain our posture in doing the right thing. Or, in the words of a Cadet Prayer I learned a long time ago, "to choose the harder right." And, I think that's very important.

And, in the Home of the Brave, we cannot be afraid of these people. They are not warriors, they are criminals. Now, there are some soldiers, some warriors on the battlefields of Afghanistan that we fight that are very serious militant-- with very serious military capacity.

But the people that put bombs in their drawers or their shoes, or try to do damage to the United States, they are not warriors. They shouldn't be honored with the term "warrior." They're criminals, and worse. And so, we should not be afraid of them. We should deal with them. And, we should deal with them in a total way of our government.

The other thing we shouldn't be afraid of is our laws, our courts and our jails, okay. The American people cannot be afraid of our own laws, our own police, our own courts, and our own jails. And, that's why it's very important to ensure that we act to our values.

This is associated with the dots I want to talk about. There's been a lot of talk in this town of late, and around the country, about connecting dots. Well, let me connect some dots for you on why we feel so strongly about that. The dots that say that the number one recruiting tool for forces operating against the United States gained through interrogation of enemy detainees and enemy prisoners has been Abu Ghraib and Guantanamo.

But, worse than that, I'm more concerned about the fact that Guantanamo and Abu Ghraib and the associated processes make it harder for us to gain allies, to gain the fathers that will turn in their son, to gain allies that will cooperate with us in the pursuit of the whole war on these terrorists, on Al Qaeda, and the like. And so, I would just say to you that there's a direct relationship between how we behave and how people react to our behavior, especially in light of our values.

And, I would just conclude, with an observation that was used up on one of the hearings yesterday, one of the Senators talked in favor of extra-judicial interrogation and processes in dealing with these people. And, I would just argue with you that, for a country, a nation that believes in the rule of law, believes in justice, the use of extra-judicial methods is the moral equivalent of destroying the village in order to save it. And, we cannot allow ourselves to do that.

Now, for you young folks, that expression is from the Vietnam era, of destroying village in order to save them. But, that's how you can quickly wrap yourself around the issues of your behavior being misguided because of fear. Thank you. I'm sorry. But, we have to include a lawyer in this panel. And so, Jim Cullen will talk to you now.

BRIGADIER GENERAL JAMES CULLEN: I usually don't mention my profession in polite company like this. But, since the cat was let out of the bag, I have also another admission to make. And that is, that I'm from New York. I would hope that the-- I would love to hear what the students think about these issues afterward. I would only ask you to keep in mind that charity is an undervalued virtue.

I am from New York. I've lost good friends, both at the World Trade Center and in Baghdad. We know that terrorism is real. But, overreacting to a threat by undermining and compromising our justice system doesn't do anything to remove that threat. It feeds the threat.

Our judicial system can handle the characters like we encountered on Christmas day. Some misleadingly assert that once suspects are "lawyered up"-- and I love that phrase. I like to sell my clients on the need for more "lawyering up"-- it's impossible to get information.

And, some of these same critics suggest that the military offers a Stalin-error alternative in which interrogation techniques, enhanced interrogation techniques, aka

torture, is available to interrogators. And secondly, no lawyers are present. Such suggestions slander the military and are grossly inaccurate.

Anyone familiar with the justice system in the military or outside the military knows that defense counsel regularly encourage clients to cooperate with prosecutors, especially when their client was so dumb as to get caught red-handed. And, this process is generally referred to as “Let’s make a deal.”

Now, the defense counsel, when his client got caught red-handed, usually has nothing to deal with. And the prosecutor will rarely offer any deal worth anything. But, where the client has information about especially in the intelligence area, about his training, his sourcing, the logistics, the connection, the people, the training camps, now defense counsel has a little bit to bargain with.

Prosecutors always try to trade upwards. When they have a low-level drug seller, they try to get to a middle-level drug seller. And, when they got a mid-level guy, they try to get to the top-level guy as the price of “Let’s make a deal.” Terrorists are no different. In fact, there’s a lot of similarities between major drug defendants and terrorists, in terms of how the cases are approached.

And, we certainly have obtained, from terrorists in the past, information about sleeper cells here in the United States, training camps in Afghanistan, and higher level suspects. We need to look, also, quantitatively and qualitatively, perhaps, at the comparisons between trials in the civilian courts for these terrorist suspects and trials before military commissions.

Since 9/11, there have been approximately 214 terrorism suspects brought for trial, for disposition. And, of the cases that have been completed, we have 195 convictions. That’s approximately a 90% conviction rate. During that same time, when we had-- and the number is a little bit open to question-- approximately 800 people glide through Guantanamo or still guests of the nation at Guantanamo, three have been convicted. Two of them were out in less than a year.

Now, if I’m an American taxpayer looking at a return on my investment, I look at the 90% return rate I have on the federal courts, and I look at the infinitesimally small return rate that I have in the military commissions, pretty easy decision as to which way I want to go.

Even with some of the very significant reforms that were made in the military commission system in legislation last October, where a new act came in to govern the proceedings, we still have to acknowledge we’re dealing with a badly damaged brand, as the marketing people would say. And, that’s as a result of some of the features of the military commission system that were first put in place in November, 2001 by the prior administration.

With the reforms we have now, I would assert that fair trials can occur before a military commission, although there are still some worrisome features of the commissions. But, nevertheless, a conviction before those commissions will never gain the credibility or acceptance in the world as a conviction will obtain before our federal courts.

The sentences in the federal courts have been long. These people, in many instances, will not see daylight again. And, several of them are kept in the super max prison out in Colorado. No one has ever escaped from the super max prison. In fact, no terrorist ever has escaped from any of our federal prisons.

There's another controversy we hear about also. And that is, where do we bring these people to trial? And, being from New York, I know there was a lot of controversy about the decision to bring the five people associated with the 9/11 attacks to New York. I think it was the perfectly appropriate thing to do.

Bringing somebody back to the scene of the crime has been the traditional thing we do. There is a symbolism there that's very important. The World War Two generation knew the importance of that symbolism when they brought the high-ranking Nazis to trial at Nierenberg, because Nierenberg was so associated with the rise of the terrorists of that era, the Nazi party. I think they made the right decision at Nierenberg. And, I think the right decision was made in bringing these guys up to New York for trial once they're ready to proceed.

I'd like to finish, now, and open it up to questions. And General Maddox, I think, will determine which one of us will get up here and try to answer your questions. Thank you very much.

TEJINDER SINGH: Thank you very much. Please state your name and organization when you put your question. Yes.

Q: My name is Paul Vandis(?). I'm with the Federal Judicial Center. There was a lot of discussion in the previous administration about the FISA(?) Court, and the suggestion that somehow it had become outdated by modern technology. And, I was wondering if any of you had any feeling about the utility of it or what could be done about it, what role it should play in all of this.

JAMES CULLEN: I would reject the notion that the FISA Court has outlived its utility. I think it's demonstrated that it is more than able to handle any issues of national security that come before the court. Now, there was criticism that the FISA Court appeared, in the view of some, to be rubber-stamping requests for warrants and wiretaps and all of that.

I don't think I'm in a position-- and few other people are in a position to know exactly what was submitted to the court. But, they were certainly aggressive in granting to the various enforcement agencies the means necessary to investigate the crimes that

were alleged, and giving the FBI and others the means to go out there and see what was happening. So, I don't think that we would, in any way, criticize how the FISA Court has been operating. We have full confidence in them.

Q: What's a FISA Court?

JAMES CULLEN: Foreign Intelligence Security Act-- Surveillance Act, thank you.

HARRY SOYSTER: And, I would just comment, as the former Director of the Defense Intelligence Agency-- I would say, as the former Director of the Defense Intelligence Agency, that I welcomed intelligence oversight, whether it was from the Congress, whether it was from the courts, whatever it was. Because I wanted to make sure that I was, in fact, following the law, and doing the things that were proper. I didn't find that that was a hindrance to accomplishing my mission.

TEJINDER SINGH: Okay, I'll come in with a question. General, you mentioned torture is the last resort. And, you are not making any moves and not making real moves. What is the limit that you feel that the torture should be applied?

HARRY SOYSTER: Well, the torture techniques are very clear, now. There are those that are authorized in the army field manual, which was adopted across all our intelligence agencies as the standard. And, in terms of what constitutes torture, for me it's very easy. Would you want-- The question is, again, answer to the soldier, would you want your own soldiers subject to that?

Someone who advocates-- says, "Water boarding is okay, not torture," if their son is captured and he's water boarded, he thinks that's fine. I don't. I don't want my soldiers to do it. So, it's very easy. But, it's outlined in great detail, now, in the army field manual, which is adopted for the use of all agencies.

And I'm not sure, when I answered it as the last resort, I meant it really would be the last resort. I don't know when you would use it because it doesn't-- it doesn't work. And, it's not-- I would not enlist it as one of my resorts. But the question was-- And so, torture, again, doesn't work.

And, when you use it-- In fact, the interrogators I've spoken to said, for instance, the ticking time bomb bit. Their basic answer was, "If you want the bomb to go off, torture the guy you think has the information."

JAMES CULLEN: Just very minor p.s. on the water boarding issue. This is just for the history folks in the room. In the Philippine Insurrection, which we fought in the late 1890s, we court-martialed an American General, Jacob Smith, because he engaged in water boarding, among other outrages. He was convicted at that court martial. And, President Teddy Roosevelt personally endorsed and upheld his conviction.

In World War Two, there was an American bomber raid in 1942 on the Japanese capital of Tokyo, led by the famous then-Lieutenant Colonel Jimmy Doolittle. It was a desperate gamble. It was really meant to have more of a psychological impact. It was actually very little damage done in the raid.

One of his lieutenants was shot down. Several of the planes ran out of fuel. One of the lieutenants was captured. And, he was water boarded by his Japanese captors. We managed to track those people down after the war. And, we tried them for torture, and they were convicted.

So, it's been very clear, in our military tradition, that water boarding is torture, there's no doubt about that. This is not to be-- Some people, I think, make the mistake of drawing a parallel between the training, the voluntary training exercise, that some of our folks, particularly pilots and special forces people undergo in so-called sear(?) training.

And, it's very different when you're undergoing a practice experience where, at any point, as you're being-- as it's being demonstrated what water boarding is, as you're put on the board, and you're tilted out, and they start pouring water on you, you put up your hand and it stops immediately. And, you have medical personnel there.

And rarely does anybody last more than 20 seconds, even with a strong gulp there ahead of time. That's not the same as being water boarded where you don't have control over the circumstances. So, in the military, we're very clear that water boarding is torture. Thank you.

Q: Hi. My name is Ryan Riley. I'm a reporter with Meanjustice.com. It's a legal news website that covers the Justice Department. And, I wanted to ask if any of you had met with Attorney General Eric Holder to speak about the decision to try Khalid Sheik Mohammad in New York, and if you think that decision has helped rekindle the debate more recently. And also, I wanted to see what you would say to the former DOJ officials who have come out against prosecuting Khalid Sheik Mohammad in New York. Thanks.

JAMES CULLEN: Just, we have met with the Attorney General and some other senior officials, probably two months ago, something like that, just to reinforce our support for the decision to try suspected terrorism defendants in the federal courts. I personally support, very much, the decision to bring these guys to New York for the very symbolic reasons that I mentioned before.

And, it's also the traditional thing to do. You normally do bring a defendant to the-- as close to the scene of the crime as you can get them. And, there's a lot of logistical reasons for that. But, I think, in this case, the symbolism is more important than ever. We bring the guy back to where the crime was committed.

Q: Gentlemen, thank you for coming out. My name is William Hubbard. I'm a student at American University with international law organizations. I'm also a Marine, currently serve in the Reserves. I was wondering what, if General Nash, you could make

a more clear distinction on the difference between a warrior and what a criminal is, if you wouldn't mind elaborating on that.

WILLIAM NASH: Well, we've gotten-- The nature of the challenge to the nation today, the United States, is a mix of a variety of threats that, at one end, are some reasonably organized military formations, okay. Even-- Even those, though, are not in the traditional standard European/Western-type military, or even Asian-organized military. And, at the other end, there are criminals that are-- that are acting upon it.

There is, also, a psychological aspect of this to where many of the-- many-- most of the people that threaten America see themselves as a Jihadist warrior, okay, using, in my view, misinterpreting what the Koran says about Jihad and fighting for Islam. And so, to treat them in such a way as they are honorable warriors in a professional military sense, I think, does a disservice to our military, and gives them credit, far more credit than they deserve.

Now, a fellow that puts explosives in his drawers and goes on an airplane to kill 2-300 people, meets no criteria for warrior that I know of, okay. And certainly, to equate him to the Marines and to the soldiers and sailors and airmen that serve our nation is absurd. And so, I think you need to distinguish between that and treat them for what they are, okay, attempted mass murders, okay. That more closely is defined by the term "criminal" than it is "warrior."

And so, I think that the decision, in my personal view, the decision to prosecute him under the laws of the United States are perfectly appropriate. And, I want a nice public trial. And then, I want to lock his ass up for a long time. Does that explain it? Okay.

Q: Yes. My name is Mattias(?) Forna(?) from ZDF German Television. Let me ask you a very simple question. Why are you so focused on closing the detention center at Guantanamo Bay? Because they're the examples of tortures we are discussing here, they happen in CIA presence, as far as I'm informed. Khadid Sheik Mohammad was transferred to Guantanamo Bay after he had been water boarded. So, where's the connection between closing Guantanamo and the torturous issue?

WILLIAM NASH: First of all, both issues were addressed by the President on his second day in office. That is, to stop the use of torture and to close Guantanamo. Did the CIA have secret prisons? And, did they use torture techniques? The answer to that question is yes they did. That was stopped on the 22nd day of February last year by the President of the United States. And also, to take one of the primary means of recruiting enemies against the United States off the table.

We talk about some numbers-- 778 is used. But, somewhere around 800 prisoners have been in Guantanamo. Guantanamo has produced many times that-- not by prisoners there, but by the use of Guantanamo as a symbol to recruit people against us. And so, getting it off the table is one of the things we feel very strongly about. But, equal with

that, we are totally opposed to the use of torture. And, both actions were initiated by the President a year ago.

Unfortunately, we aren't where we would like to be on getting Guantanamo closed. Although, having said that, at the time the President signed those Executive Orders, the number in Guantanamo was somewhere around 250. It's now at 198, and action has been planned to get that number down to around 70.

Now, where we're coming from, is we'd like the number to be zero. But, we've made-- If two-thirds of them are essentially going to be off the books, that's a lot of progress.

And I'm going to jump on my friend's home country. Because, in addition to the recruiting tool that both torture-- the issue of torture and the issue of Guantanamo is evident. But also, it's made it more difficult for our traditional friends to help us. And the political circumstances in Germany, because of the issues of torture, and because of the issues of Guantanamo, have made it very difficult for the German government to give the public support to the United States efforts in a variety of actions associated with the war on terror.

And so, it both creates more enemies, but it also neutralizes, at best neutralizes our friends. And, I think that's what's the genius about what the President did so early in office.

HARRY SOYSTER: I think that was a good question. But let me ask you, can you name of the locations for the CIA torture, which did take place?

Q: If I can name them?

HARRY SOYSTER: Yeah.

Q: No I can't.

HARRY SOYSTER: But, what name does ring with you?

Q: No I don't-- I want the symbol.

HARRY SOYSTER: Yeah. But, I think that's very important, because that's-- In fact, Osama bin Laden, himself, has used that in one of his speeches. So, it is a symbol-- That's what we have to close and get done with. Doesn't mean that there hasn't been torture in other places. But, the symbol--

I was recently in Europe. And, when somebody, in casual conversations at hotels and so forth, whatever came up, the question was always about Guantanamo. And so, that's why we need to get rid of it. Other places, yep, torture took place there. You don't know their names. I don't either. So, we can't flash them up.

And, they can't use those, with a blank sheet of paper, saying, "Here's something that's very bad. I just don't know where it is, what it is," as opposed to, "I know at Guantanamo there were 800"-- whatever the things-- some bad things went on at Guantanamo early as well. So, the symbol is very important in terms of its use by the enemy.

TEJINDER SINGH: I would like to just come back on that issue about the question that was put to the gentlemen from the German television. I have, just seven months ago, come from Brussels. I was there for 15-16 years in Europe. And, at the Council of Europe in Strasberg, there was a lot of talk about this identifying the prisoners in the prisons, and the horrendous(?) flights, and all that.

And, as you mentioned, this is closed. But, what changes in policy do you recommend today, looking back at the one year since President Obama came into office? All of you are welcome to comment. Because, what we see today, with hindsight and experience, what do you suggest to him to do better, so that one year from today, we are not again at the same point?

HARRY SOYSTER: Well, I think the action that got us into difficulty has been corrected by the clear proclamation against torture. And also, the law now, the rule, by using only field manual techniques, has made it very clear that torture is over. So hopefully, same thing won't come up again. I don't think there's much else that-- all the other things, the smaller things that are being done and so forth are already in place.

What we have to make sure is we don't have, now because we have the pants bomber, cause us to rethink and think that we can, again, resort to the techniques that got us in trouble. So the rules are out there. All we have to do, now, is enforce them.

DAVID MADDOX: I don't know that we need any additional policies beyond those that are on the table. I think the thing we do need is continued effort to get truth on the table. I mean, we keep reading statements like, "We can't try someone in federal court." And, God-forbid, we would have someone in one of our penitentiaries.

We have 355 convicted terrorists in our prisons today, 355 today, in our prisons. Now, I don't think they'd put up a sign, you know, "Welcome to our latest visitor." But, people don't seem to be worried about the 355 we have. But somehow, there's concern that, if we convict someone in federal court that is in Guantanamo today, and put them in a federal penitentiary, somehow the risk has gone up.

None of them-- none of the 355 have ever escaped, none. If a convicted terrorist is not an American, and he or she serves their sentence, they're deported. You hear this? They'll be in the local mall. I mean, I just-- I don't understand where these arguments come from. They're not true. But, people need to take them on.

I mean, "We can't try them in federal court." Again, I say, "Wait a minute. Wait a minute. Three hundred and fifty-five have been. Since 9/11, over 195 have been convicted and are in prison. But somehow, when we talk about Guantanamo, somehow convicting one of those individuals in federal court can't be done. And, if they were convicted, putting them in the federal penitentiary that exists today and hold people equally as dangerous, somehow increases the risk. Or, they're going to get out. Or, if they serve their term and are released, they're going to be in your neighborhood. None of that is true.

But, people make those statements. It's in the press. And, we just need to take on getting truth on the table as to what exactly are threats and risks. And, when it comes to the use of torture, not only doesn't it give you reliable information, you can get a prisoner to speak to you through torture. And, they will tell you whatever they believe will cause you to stop their torture. That doesn't make it true. But, it precludes you from using that evidence in a trial. So, the use of torture, on our part, doesn't serve us any good.

And, I come back to the same thing that General Soyster pointed out. I have two children that are in the military. I do not want to give my enemy a justification for their actions by stating that we do it too.

WILLIAM NASH: There's two other aspects. I would just say that there's an old Army saying that "Amateurs talk about strategy. Professionals talk about logistics." And, the fact of the matter is, there's a lot of logistics associated with what we've been talking about today, that's very important.

We got to get the money to get the prison up to shape, to move the prisoners, to do the trials, and all that. And, there's been some obstruction on the part of the legislative branch of our government. There's been some inefficiency on the executive branch of our government, bringing all that about. And, I think that's one area that specifically needs to be done. We need to get in the execution mode and have these things come about.

And I think, also-- and we've seen this both before and after the incident with the Detroit airplane-- that we got to get better at connecting dots, both before the fact and then after. Then, once something happens, we've got to have a process by which we, in fact, for the security and safety of the American public, have a process by which we get necessary information, which, by the way, was readily available and forthcoming from the character that tried to blow up the plane.

There is a question on how-- Did it go far enough? Did the discussion go far enough to learn all we could have learned before we made the decision to prosecute and, therefore, bring a lawyer in, etcetera, etcetera.

So, I think there are some processes there, and this high level interrogation group needs to come about. We had all thought, until yesterday, that it, in fact, existed. But, it hasn't been brought about. And, I come back to logistics. We've got some good policies

in place. We've done the strategy. Now, we need to do the work to bring it-- to make it a reality. And, I think that's our goal for the next year.

If I could just answer an unasked question, somebody earlier said, "Are you disappointed that it hadn't been closed in a year?" And, I'm no more so than President Obama. And, I know he's disappointed it about it. But, the reality of it, this stuff is real hard. And, as I used to tell folks, it took you a long time to screw it up. It's going to take me a while to fix it. And, that's kind of what he's working on right now.

So, I am very optimistic that, within the next year, when we gather again here next year, we'll have significant progress made. And, I look forward to talking to you then.

TEJINDER SINGH: Thank you. We have a few minutes. Any other questions? Yes, please.

Q: Hi, I'm Rachel Smith. I'm an international lawyer. And, I had a question regarding what to do with the detainees who we lack the evidence against. And, one of the suggestions was repatriate them to their own countries. But, what about the people that their countries won't take them back?

And then, there was a suggestion about programs to convert people so they won't be terrorists anymore. And, has there been any work towards creating programs like that? What would that look like? Would that be in their country after they're sent home? How would that be monitored?

TEJINDER SINGH: I'll just mention that, in Saudi Arabia, I have seen-- they have a facility where it's kind of a rehab facility, where they are giving them free-- You know, so that they make a changeover in there. How far it is successful, I have no idea.

JAMES CULLEN: Actually, the Saudi program has been quite successful. But I think a large part of the reason is that they insist-- that is, the Saudi authorities insist that the family be part of the rehab program. So, the person who is returned to Saudi Arabia doesn't see daylight until everybody signs on. Because they realize that this typically young person was recruited by people who manipulated him.

They want to make sure that the family is there as a supportive group to bring him into the rehab training. And, that rehab training is partially religious instruction, to show him where he was wrong in his interpretation. Sometimes it involves trade instruction. A lot of these young people held at Guantanamo have no trade skills at all. They have no education.

And, the reason that they were ripe for recruiting, for these Jihadist adventures, is simply there were no alternatives. You know, or somebody offered them a couple of bucks to be a cook or a driver at some Al Qaeda camp. We need, and the Saudis have been very good about this, giving the training, so when that person goes back into his or

her civilian life, they have some skills. They don't have to default back into living some illegal activity as the only alternative they have.

Now, apart from the Saudis, if we can't return somebody back to their country, either because there's a significant risk-- they're going to be tortured, or maybe the country doesn't want to take them back-- That brings up a separate issue-- The State Department has been using all its persuasive powers to get other countries to take those people back. And the Yemeni in particular have been resettled in a broad number of other countries.

There are some tougher ones, where either you can't persuade somebody else to take them, or there's no stability where they are. And, what do you do with those? Those are the tough ones. Many of the enemies fall into that category. But I think, there, we really need to look at those individuals, simply because we can't, you know, put them in a rowboat and row them into shore, and then say, "Sayonara." It doesn't mean that we can't start doing something proactively.

Can we borrow some of the Saudi expertise? Can we start doing something here? I don't know, personally, what skills are needed in Yemen. Is it a stone mason? Or, is it a carpenter? Electrician? But I think, while we're warehousing these people, we should be doing something proactively. So, whenever the disposition is made, that person goes back with some practical skills that means he has or she has some alternatives. I don't know what the status on that is, though, in terms of what we were doing there.

DAVID MADDOX: The point that you raised has been the critical issue. And, when we met with the President before he signed the Executive Orders, his concern was small number of people, where clearly they have committed acts of terrorism, and clearly we believe that, if they were released, they would immediately go back to doing the same kind of thing, but because we used torture, we're precluded from using that evidence to convict them.

And, that's when he directed that files of all 250 be gone through individually-- no grouping-- everyone as an individual. And, they went through all 250, reduced that number down. They've been going through the second time, to get that number. And, our objective is that number ought to be zero.

And so, you get to a dilemma. There is an individual that we cannot try because the evidence is not admissible in any court, whether it be a military commission or a federal court. What do we do with them? Do we just keep them in prison with no charges forever? And, I think there, at some point, has got to be a reasonable trade.

Keeping that individual without any charges, no legal action taken against them, generates how many more terrorists versus how much can that individual do if he or she were released. But, that's the dilemma. It's now-- We can account for that 250 being down somewhere, not that they're all released yet, but actions determine they will be, down to about 70.

And, it's now getting through the 70 and see if, in fact, we can't get that number of what we think the goal should be, that we're not holding any of them and not charging them for any of them. We're just storing them in a prison forever.

TEJINDER SINGH: Thank you very much. With that, we come to an end of this wonderful and fruitful discussion. And, please do visit NPC.org, our website. And, as we say here, it's adjourned. Thank you.

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