

**TESTIMONY OF SECRETARY OF DEFENSE DONALD H. RUMSFELD
BEFORE THE SENATE AND HOUSE ARMED SERVICES COMMITTEES
MAY 7, 2004**

Mr. Chairman, members of the Committee -- Thank you for the opportunity to testify today.

In recent days, there has been a good deal of discussion about who bears responsibility for the terrible activities that took place at Abu Ghraib. These events occurred on my watch. As Secretary of Defense, I am accountable for them. I take full responsibility. It is my obligation to evaluate what happened, to make sure those who have committed wrongdoing are brought to justice, and to make changes as needed to see that it doesn't happen again.

I feel terrible about what happened to these Iraqi detainees. They are human beings. They were in U.S. custody. Our country had an obligation to treat them right. We didn't do that. That was wrong.

To those Iraqis who were mistreated by members of U.S. armed forces, I offer my deepest apology. It was un-American. And it was inconsistent with the values of our nation.

Further, I deeply regret the damage that has been done:

- First, to the reputation of the honorable men and women of our armed forces who are courageously, skillfully and responsibly defending our freedom across the globe. They are truly wonderful human beings, and their families and loved ones can be enormously proud of them.
- Second, to the President, the Congress and the American people. I wish we had been able to convey to them the gravity of this as before we saw it in the media;
- Third, to the Iraqi people, whose trust in our coalition has been shaken; and finally
- To the reputation of our country.

The photographic depictions of U.S. military personnel that the public has seen have unquestionably offended and outraged everyone in the Department of Defense.

If you could have seen the anguished expressions on the faces of those of us in the Department upon seeing the photos, you would know how we feel today.

We take this seriously. It should not have happened. Any wrongdoers need to be punished, procedures evaluated, and problems corrected.

It's important for the American people and the world to know that while these terrible acts were perpetrated by a small number of the U.S. military, they were also brought to light by the honorable and responsible actions of other military personnel. There are many who did their duty professionally and we should mention that as well:

- First the soldier, Specialist Joseph Darby, who alerted the appropriate authorities that abuses of detainees were occurring. My thanks and appreciation to him for his courage and his values.

- Second, those in the military chain of command who acted promptly upon learning of those activities by initiating a series of investigations -- criminal and administrative -- to ensure that the abuses were stopped, that the responsible chain of command was relieved and replaced, and that the Uniform Code of Military Justice was followed;
- Third, units singled out for praise in General Taguba's Report for the care they provided detainees in their custody and their intolerance of abuses by others.
- And finally, the CENTCOM chain of command for taking action and publicly announcing to the world that investigations of abuse were underway.

The American people and members of the committee deserve an accounting of what has happened and what's being done to fix it.

Gathered today are the senior military officials with responsibility in the care and treatment of detainees.

The responsibility for training falls to the U.S. Army. The responsibility for the actions and conduct of forces in Iraq falls to the combatant commander. And the ultimate responsibility for the department rests with me.

Each of us has had a strong interest in getting the facts out to the American people.

We want you to know the facts. I want you to have all the documentation and the data you require. If some material is classified, we will ensure members get an opportunity to see it privately.

Having said that, all the facts that may be of interest are not yet in hand. In addition to the Taguba Report, there are other investigations underway. We will make the results of these investigations available to you. But because all the facts are not in hand, there will be corrections and clarifications to the record as more information is learned. If we have something to add later, we'll do so. If we find something that we've said that needs to be corrected, we'll correct it.

From the other witnesses here, you will be told the sequence of events and investigations that have taken place since these activities first came to light.

What I want to do is to inform you of the measures underway to remedy some of the damage done and to improve our performance in the future.

Before I do that, let me make one further note: As members of this Committee are aware, each of us at this table is either in the chain of command or has senior responsibilities in the Department. This means that anything we say publicly could have an impact on legal proceedings against those accused of wrongdoing in this matter. Our responsibility at this hearing, and in our public comments, is to conduct ourselves consistent with that well known fact. So please understand that if some of our responses are measured, it is to ensure that pending cases are not jeopardized by seeming to exert "command influence" and that the rights of any accused are protected.

Now let me tell you the measures we are taking to deal with this issue.

When this incident came to light and was reported within the Chain of Command, we took several immediate actions. These will be discussed in detail by others here today, but let me highlight them.

- General Sanchez launched a criminal investigation immediately.
- He then asked for an administrative review of procedures at the Abu Ghraib facility. That is the so-called Taguba Report.

These two investigations have resulted thus far in criminal or administrative actions against at least 12 individuals, including the relief of the prison chain of command and criminal referrals of several soldiers directly involved in abuse.

- The Army also launched an Inspector General Review of detainee operations throughout Afghanistan and Iraq. That review continues.
- The Army has initiated an investigation of Reserve training with respect to military intelligence and police functions.
- General Sanchez also asked for an Army Intelligence review of the circumstances discussed in General Taguba's report and that is ongoing.
- And, I also asked the Navy Inspector General to review procedures at Guantanamo and the Charleston Naval Brig.

As these investigations mature, we will endeavor to keep you informed. But there is more to be done.

First, to ensure we have a handle on the scope of this catastrophe, I will be announcing today the appointment of several senior former officials who are being asked to examine the pace, breadth, and thoroughness of the existing investigations, and to determine whether additional investigations need to be initiated. They are being asked to report their findings within 45 days of taking up their duties. I am confident these distinguished individuals will provide a full and fair assessment of what has been done thus far – and recommend whether further steps may be necessary.

I will encourage them to meet with members of Congress to keep them apprised of their progress. I look forward to their suggestions and recommendations.

Second, we need to review our habits and procedures. One of the things we've tried to do since September 11th is to get the Department to adjust its habits and procedures at a time of war, and in the information age. For the past three years, we have looked for areas where adjustments were needed, and regrettably, we have now found another one.

Let me be clear. I failed to identify the catastrophic damage that the allegations of abuse could do to our operations in the theater, to the safety of our troops in the field, the cause to which we are committed. When these allegations first surfaced, I failed to recognize how important it was to elevate a matter of such gravity to the highest levels, including leaders in Congress. Nor did we anticipate that a classified investigation report that had not yet been delivered to the senior levels of the Department would be given to the media. That was my failing.

In the future, we will take whatever steps are necessary to elevate to the appropriate levels charges of this magnitude.

Third, I am seeking a way to provide appropriate compensation to those detainees who suffered grievous and brutal abuse and cruelty at the hands of a few members of the U.S. military. It is the right thing to do. I'm told we have the ability to do so. And so we will – one way or another.

One of the great strengths of our nation is its ability to recognize failures, deal with them, and to strive to make things better. Indeed, the openness with which these problems are being dealt is one of the strengths of our free society. Democracies are imperfect, because they are made up of human beings who are, by our nature, imperfect. Of course, we wish that every person in our government and our Armed Forces would conduct themselves in accordance with the highest standards of ethics. But the reality is some do not.

One mistake we have made during our initial investigation into these charges, for example, was failing to sufficiently call to your attention the information made public in the CENTCOM press release regarding the investigations they had initiated back in January. We also failed to sufficiently call your attention and brief you on the preliminary findings of the criminal investigation announced on March 20 by General Kimmitt. I am advised the Army has had periodic meetings to inform Congressional staffs.

There are indications that the information provided was penetrating at some level, however. On January 20th, for example, CNN reported that a CID investigation was being conducted into allegations of detainee abuse at Abu Ghraib, and mentioned the possible existence of photographs taken of detainees.

Nonetheless, I know that we did not fully brief you on this subject along the way and we should have done so.

I wish we would have known more sooner and been able to tell you more sooner. But we didn't. For that, I apologize.

We need to discuss a better way to keep you informed about matters of such gravity in the future.

The fact that abuses take place – in the military, in law enforcement, and in our society – is not surprising. But the standard by which our country and our government should be judged is not by whether abuses take place, but rather how our nation deals with them. We are dealing with them forthrightly. These incidents are being investigated and any found to have committed crimes or misconduct will receive the appropriate justice. Most of the time, at least, the system works.

None of this is meant to diminish the gravity of the recent situation at Abu Ghraib. To the contrary, that is precisely why these abuses are so damaging -- because they can be used by the enemies of our country to undermine our mission and spread the false impression that such conduct is the rule and not the exception – when, in fact, the opposite is true.

Which is why it is so important that we investigate them publicly and openly, and hold people accountable in similar fashion. And that is exactly what we are doing.

QUESTIONS:

When we first were told about these activities and saw those photographs, I and everyone at this table was as shocked and stunned as you were.

In the period since, a number of questions have been raised -- here in the Congress, in the media, and by the public. Let me respond to some of them.

Some have asked: Why weren't those charged with guarding prisoners properly trained?

If one looks at the behavior depicted in those photos, it is fair to ask: what kind of training could one possibly provide that would stop people from doing that? Either you learn that in life, or you don't. And if someone doesn't know that doing what is shown in those photos is wrong, cruel, brutal, indecent, and against American values, I am at a loss as to what kind of training could be provided to teach them.

The fact is, the vast majority of the people in the United States Armed Forces are decent, honorable individuals who know right from wrong, and conduct themselves in a manner that is in keeping with the spirit and values of our country. And there is only a very small minority who do not.

Some have asked: Hasn't a climate allowing for abuses to occur been created because of a decision to "disregard" the Geneva Convention?

No. Indeed, the U.S. Government recognized that the Geneva Conventions apply in Iraq, and the armed forces are obliged to follow them. DoD personnel are trained in the law of war, including the Geneva Conventions. Doctrine requires that they follow those rules and report, investigate, and take corrective action to remedy violations.

We did conclude that our war against al-Qaeda is not governed precisely by the Conventions, but nevertheless announced that detained individuals would be treated consistent with the principles of the Geneva Conventions.

Some have asked: Can we repair the damage done to our credibility in the region?

I hope so and I believe so. We have to trust that in the course of events the truth will eventually come out. And the truth is that the United States is a liberator, not a conqueror. Our people are devoted to freedom and democracy, not enslavement or oppression.

Every day, these men and women risk their lives to protect the Iraqi people and help them build a more hopeful future. They have liberated 25 million people; dismantled two terrorist regimes; and battled an enemy that shows no compassion or respect for innocent human life.

These men and women, and the families who love and support them, deserve better than to have their sacrifices on behalf of our country sullied by the despicable actions of a few. To that vast majority of our soldiers abroad, I extend my support and my appreciation for their truly outstanding service.

One final thought:

Today we'll have a full discussion of this terrible incident and I welcome that. But first, let's take a step back for a moment.

Within the constraints imposed on those of us in the chain of command, I want to say a few additional words.

First, beyond abuse of prisoners, we have seen photos that depict incidents of physical violence towards prisoners – acts that may be described as blatantly sadistic, cruel, and inhuman.

Second, the individuals who took the photos took many more.

The ramifications of these two facts are far reaching.

Congress and the American people and the rest of the world need to know this.

In addition, the photos give these incidents a vividness – indeed a horror – in the eyes of the world.

Mr. Chairman, that is why this hearing today is important. And why the actions we take in the days and weeks ahead are so important.

Because however terrible the setback, this is also an occasion to demonstrate to the world the difference between those who believe in democracy and human rights and those who believe in rule by the terrorist code.

We value human life; we believe in their right to individual freedom and the rule of law.

For those beliefs we send the men and women in the armed forces abroad – to protect that right for our own people and to give millions of others who aren't Americans the hope of a future of freedom.

Part of that mission -- part of what we believe in – is making sure that when wrongdoing or scandal occur that they are not covered up, but exposed, investigated, publicly disclosed – and the guilty brought to justice.

Mr. Chairman, I know you join me today in saying to the world: Judge us by our actions. Watch how Americans, watch how a democracy deals with wrongdoing and scandal and the pain of acknowledging and correcting our own mistakes and weaknesses.

And then after they have seen America in action -- then ask those who preach resentment and hatred of America if our behavior doesn't give the lie to the falsehood and slander they speak about our people and way of life. Ask them if the resolve of Americans in crisis and difficulty -- and, yes, the heartache of acknowledging the evil in our midst -- doesn't have meaning far beyond their code of hatred.

Above all, ask them if the willingness of Americans to acknowledge their own failures before humanity doesn't light the world as surely as the great ideas and beliefs that first made this nation a beacon of hope and liberty to all who strive to be free.

We know what the terrorists will do. We know they will try to exploit all that is bad to obscure all that is good. That is the nature of evil. And that is the nature of those who think they can kill innocent men, women and children to gratify their own cruel will to power.

We say to the enemies of humanity and freedom:

Do your worst.

Because we will strive to do our best

I thank you Mr. Chairman. My colleagues each have a brief statement.

##