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THE CONSTITUTION PROJECT



Safeguarding Liberty, Justice & the Rule of Law

FOR IMMEDIATE RELEASE - June 16, 2015

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TCP Lauds Passage of McCain-Feinstein Amendment Strengthening Torture Ban *Implements key recommendation from TCP Task Force*

WASHINGTON, D.C. -- Virginia Sloan, president of The Constitution Project, a bipartisan legal watchdog group, offered the following comment in response to the passage of McCain-Feinstein amendment to the FY 2016 National Defense Authorization Act strengthening the ban on torture:

"An overwhelming bipartisan majority of the Senate just sent a message, loud and clear, to the world over that the United States repudiates torture. Respect for basic human dignity is a core constitutional principle. Senators of all political stripes reaffirmed that principle today, and TCP applauds them for it."

In 2005, the Senate voted overwhelmingly to pass the Detainee Treatment Act, which requires that all interrogations conducted by Defense Department personnel, or in a Defense Department facility, adhere to the Army Field Manual on Interrogation and the specific interrogation techniques it sets out. The McCain amendment takes the next critical step by applying that legal requirement across the board to all U.S. government interrogations outside a law enforcement context. The amendment also mandates a review of the interrogation manual to make certain that it contains only safe, lawful and effective interrogation techniques, and requires that the manual and any revisions to it remain public. Finally, the amendment ensures that the International Committee of the Red Cross be notified of, and be given prompt access to, all detainees in U.S. custody or control no matter where they are being held.

In April 2013, The Constitution Project [Task Force on Detainee Treatment](#) -- a bipartisan, blue ribbon panel -- issued a [comprehensive report](#) following two years of investigation into the treatment of suspected terrorists across the Clinton, Bush, and Obama administrations. Members of the task force made a series of recommendations aimed at safeguarding against a return to government-sanctioned torture and abuse in the face of a future crisis, including the need for U.S. intelligence professionals and service members in harm's way to have clear orders on the treatment of detainees. This amendment strongly and clearly reiterates the Task Force's recommendations.

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Created out of the belief that we must cast aside the labels that divide us in order to keep our democracy strong, The Constitution Project brings together policy experts and legal practitioners from across the political spectrum to foster consensus-based solutions to the most difficult constitutional challenges of our time through scholarship, advocacy, policy reform and public education initiatives. Established in 1997, TCP is based in Washington, D.C.

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