would, according to the Director of the CIA, shut down the most valuable intelligence collection program the CIA has, a program that has protected our homeland and our troops abroad from terrorist attacks. Because it was adopted, I couldn't sign the conference report that I and my colleagues worked so hard to enact.

Another consequence of that vote was it caused the conference report to languish in the Senate for more than 2 months now. Shortly after the passage of the conference report, the administration released a statement of administration policy and—certainly not to my surprise—at the top of their list of objectionable provisions was the limitation on interrogation techniques provisions. We have heard some misstatements on this floor about interrogation and the techniques used. Frankly, I share some of the same concerns raised by the administration with respect to this provision. Statements made about the interrogation program of the CIA are not accurate. They have been blown totally out of context, and they deserve a response. This section, if it were enacted in law—and it will not be—would prevent the intelligence community from conducting the interrogation of senior al-Qaida terrorists to obtain intelligence needed to protect the country from attack.

During its consideration of the Detainee Treatment Act of 2005, Congress wisely decided that while the Army Field Manual was a good standard for military interrogators who number in the tens of thousands, with limited supervision and limited training, it was not the standard that should be used by the CIA.

CIA interrogators are highly trained, operate under tremendous oversight and rules and supervision in interrogating those top hardened terrorist leaders, who have information on how the system operates and who the major players are. They do not outsource this job to contractors such as Blackwater or others. It is my understanding if they use contractors, it is former interrogators who are brought back in because of their experience. They are subject to the supervision of the CIA, with multiple layers of supervision and oversight by video cameras. It is highly irresponsible to say the CIA has outsourced torture. We do not do torture.

Now, a lot of people say we have lost a lot because of our inhumane treatment. They are referring to Abu Ghraib. We all agree that what was done at Abu Ghraib was inhuman and degrading. But it was not done by anybody in the intelligence field or for intelligence purposes. It was done by renegade troops who have been prosecuted, punished, and imprisoned for the violations of basic decency. Yes, that has hurt us worldwide, but that is not the standard which is allowable, permissible, or acceptable by any of our interrogators.

Mention has been made of eight techniques that are banned in the Army Field Manual. I agree, those techniques that are banned in the Army Field Manual should be banned. Those are not techniques that should be used. The Army Field Manual was meant for the Army in limiting the number of techniques that can be used. It applies to them only for the Army, for the Army's use. There are quite a number of techniques that fall within the same category that are not torture, inhuman, degrading, or cruel. If they are not included in the Army Field Manual, then they would not be permitted to be used, if this were made law, by the CIA, the FBI, or anybody else.

But to apply the Army Field Manual—it says you can only use these interrogation techniques if you get authorization from ''the first 0–6 in the interrogator's chain-of-command''—well, that would mean the CIA would have to go over to the Army and say: Do you have an 0–6 who can come over and look over the shoulders of our interrogators? Well, you do not have to worry about that because the CIA program would be ending.

It allows the Army to set the interrogation standards for the entire intelligence community. It is important that my colleagues recognize this interrogation provision is not an antitorture provision. The previous speakers have said we need to pass this law to outlaw torture. It is outlawed. The law prohibits the United States from using torture. This provision prevents the intelligence community from engaging in other lawful interrogation techniques that fall outside the scope of the Army Field Manual.

Why is that important? Because everything in the Army Field Manual has been published in the al-Qaida manuals. The top officials of al-Qaida know those techniques better than the interrogators know them. They know how to resist them, and they are ineffective.

Now, some on the other side of the aisle would like to frame this provision as being about waterboarding. It is not.

The Attorney General has publicly stated that the CIA no longer uses waterboarding. The technique is not one of the approved techniques. The Director of the CIA has publicly stated that there were only three individuals waterboarded and the technique has not been used since 2003. It was used in the crisis right after 2001, when tremendous amounts of valuable information were gained from the three individuals waterboarded.

What we are talking about here is not waterboarding. Some of my colleagues have said that the EITs are not effective—enhanced interrogation techniques. Well, that is absolutely not true. That is precisely the opposite of what the CIA Director has told us in our classified hearings and explained it.

Now, the CIA Director has said they have held less than 100 people in their custody, and less than one-third of those have been submitted to enhanced interrogation techniques.

These are the hardened terrorists who have the most information that is needed to protect our troops, our allies abroad, and those of us here at home.

Those techniques—which are different from but no harsher than the techniques that are in the Army Field Manual—are unknown to the detainees. Those detainees on whom the EITs—not including waterboarding—have been used have produced the most productive information and intelligence. Literally thousands upon thousands of the most important intelligent collections have come from the cooperating detainees who did not know what was going to happen to them, even though no torture, cruel, inhuman, or degrading techniques were used on them.

Many of the techniques that are used—and I have reviewed them—are far less coercive or strenuous than what we apply to our military volunteers: young men and women of America who join the Marines, the SEALs, the Special Operations Forces, or pilots who go through the survival, evasion, resistance, and escape training, or the SERE training. We do not even use the most strenuous of those techniques on our detainees.

Those who say we do not want our enemies to use any more harsh techniques than we use on them—well, good luck. You have seen Abu Musab al-Zarqawi beheading people. Those are not techniques that anybody would suggest. A beheading probably eliminates a source of further information.

But the problem is, the techniques that are used would be banned. The techniques—that are not cruel, that are not inhuman, that are used on our own voluntary military enlistees—are prohibited because they are not included in the Army Field Manual. One good reason they are not is because we do not want to publicize them or they would no longer be effective in use against those high-value detainees who will not cooperate otherwise. I cannot support a bill that contains that provision.

So here we are on the floor—the farthest we have gotten in 3 years. It looks as though history is going to repeat itself. No wonder congressional ratings are at an all-time low. I believe our inability to work in a bipartisan fashion on a consistent basis may be harming us. Yesterday's success with the FISA Amendments Act is a model example of what can be accomplished when we work together. For the most part, the committee's work on the Intel bill followed that model, although we were unable to protect the bipartisan compromise in the end.

As the vice chairman of the Senate Intelligence Committee, I have invested a very significant amount of time and effort to provide meaningful