STATEMENT OF RDML JANE G. DALTON, JAGC, USN (RET.)
BEFORE THE COMMITTEE ON ARMED SERVICES, U.S. SENATE

JUNE 17, 2008

Mr. Chairman and distinguished members of the Committee, thank you for the opportunity to appear before the Committee today to discuss the matter of detainee interrogation policy.

From June 2000 until June 2003, it was my privilege to serve as Legal Counsel to the Chairman of the Joint Chiefs of Staff. During that time, I drew upon on my years of service as a career military lawyer studying and applying the laws of war to advise the Chairman and other senior Department of Defense officials on legal issues posed by the extraordinary security challenges confronting our nation following the terrorist attacks of September 11, 2001.

Those challenges called on lawyers at the Department, as never before, to provide legal advice to enable our nation's leaders to aggressively meet the unprecedented threat to homeland security without compromising our adherence to the rule of law and the United States' international treaty obligations. That we undertook this task at a time of war, and amidst a continuous stream of credible intelligence pointing to a substantial and resilient terrorist threat, made our work as lawyers all the more difficult.

Through it all, I did my best to provide clear, unvarnished legal advice without fear or favor of how my advice would be received.   Working within the structure of a military chain of command and the statutory organization of the Department of Defense, I also took those actions I deemed appropriate to follow up on issues that arose concerning the treatment of detainees.

I understand the importance of Congressional oversight of the Executive Branch in our constitutional system, and I appreciate the sensitivity of the matters under review. I hope that the Committee will fulfill its oversight role with wisdom, perspective, and fairness.

Thank you again for the opportunity to contribute to today's hearing, and I look forward to answering your questions.