

Frequently Asked Questions About a Commission of Inquiry

1.) Q.) Why do we need a Commission of Inquiry?

A.) We know that our country used torture as an interrogation technique. We don't, however, have a full understanding of who was tortured, what techniques were used, what criteria was used to select those techniques, why they were tortured, who tortured them, who authorized the use of torture, and what can be done to ensure that we never torture again. No committee of Congress and no investigating attorney has the necessary resources or jurisdiction to answer these questions in a comprehensive manner. Only a Commission of Inquiry, provided with sufficient resources and empowered with the ability to subpoena documents and witnesses, will be able to piece together all of the information necessary to ensure that we, as a country are able both to acknowledge the extent of our mistakes and to take the appropriate steps to ensure that they are not repeated.

2.) Q.) Will the Commission prosecute people?

A.) No. The Commission's role is to establish the facts and to make recommendations about how we can prevent the future use of torture. The Department of Justice (DOJ) is responsible for carrying out criminal investigations. In 2008 NRCAT called on the DOJ to appoint a Special Prosecutor to investigate the use of torture. We still believe that is a good idea.

3.) Q.) Will the Commission's investigation delay criminal prosecutions and thereby cause them to run up against statute of limitations issues?

A.) No. Establishing a Commission will neither preclude nor require criminal prosecutions. Criminal investigations/prosecutions can proceed as soon as the DOJ determines that they are merited based on available evidence. NRCAT has called for criminal investigations into the use of torture, and we will continue to do so.

4.) Q.) How important is it that the Commission has the ability to subpoena documents and witnesses?

A.) Vital. Without this power the Commission may find itself unable to obtain testimony from high-level witnesses.

5.) Q.) Will the Commission release a public report on the results of its investigation?

A.) Yes. The American people need to know what was done in our name. We all bear some responsibility for the actions of our government – and knowing what our government has done is essential to exercising that responsibility.

6.) Q.) Is this really just an exercise in partisanship – i.e. a way to attack members of one political party?

A.) No! The Commission should exist only to determine the facts so that we can move forward. It should not engage in partisan attacks.

7.) Q.) Who should serve as members of the Commission?

A.) The Commission should be made up of respected Americans from a variety of backgrounds (military, intelligence, faith, business, judicial, and political). The Commission should be non-partisan (none of the Commission members should be currently serving in a major political office, nor should they be noted partisans), and each Commission member should be committed to the principle that the use of torture is unacceptable in all situations, without exception.

8.) Q.) What can I do?

A.) Three tasks:

- Endorse the statement by clicking [here](#)
- Send a form email to your Representative asking him or her to co-sponsor H.R. 104 – a bill that would create a commission to investigate detainee treatment and interrogation policies.
- Ask members of your congregation, your friends, and your family to endorse the statement. Click [here](#) for a petition version of the statement.