



COMMITTEE COMMENTARY

Since September 11, 2001, Americans have faced, for the first time in our history, a direct threat to our domestic safety by organized foreign terrorists. Airing on the 5th anniversary of 9/11, *The Price of Security* is an extraordinary television production by the Discovery Network and journalist Ted Koppel of the challenges our nation now faces. Devoting three hours of prime-time TV to *The Price of Security*, Discovery splits the presentation between an incisive 90-minute documentary, combining footage retelling the story of 9/11 with in-depth analysis of its policy aftermath, and equal time for a live town meeting presenting varied perspectives from former and current Bush administration officials and critics. Demonstrating again why he is television's premiere interviewer, Koppel conducts probing and revelatory interviews with government lawyers, senior policy makers, and others. *The Price of Security* also examines the legal status of the detainees at Guantanamo, the question of when proper interrogation techniques become illegal torture, the "rendition" of suspects to overseas prisons to exact torture and information, and the use of technology to gather information from individuals in the pursuit of the war on terror. The program provides a forum for offering differing views on the cost/benefit equation of these measures. *The Price of Security* concludes that one of the most important issues confronting Americans today is finding the proper balance between national security and civil liberties. Robust national debate and discussion about these matters is crucial to developing appropriate public policies and laws. Discovery Networks' outstanding presentation has greatly advanced the national conversation essential to public understanding.

Koppel on Discovery: The Price of Security

Discovery Networks, U.S.
Silver Spring, Maryland
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EXCERPT

JOHN YOO (Office of Legal Counsel): The memo wasn't written as a public relations document. It was never meant to be publicly distributed. And so it was not the most diplomatically effective document. I do think it was trying to be clear so that people who actually have to fight the war on terrorism could understand what the laws meant and didn't mean.

TED KOPPEL: What was your view of Mr. Yoo's interpretation?

ALBERTO MORA (Senior Navy Lawyer): I thought it was extreme. I thought it lacked calibration.

KOPPEL: Alberto Mora was the Navy's top lawyer at the Pentagon at this time.

MORA: I thought it did not give due regard to our separation of powers, the doctrine and construct of our Constitution, and I thought that, if applied, it would lead to inevitable constitutional crises and political turmoil.

KOPPEL: After the torture memo was leaked to the press, reporters asked the president if he would sanction torture in a so-called ticking time bomb scenario.

REPORTER (at press conference): Would you authorize the use of any means necessary to get that information and to save those lives?

PRESIDENT BUSH: Jonathan, what I've authorized is that we stay within U.S. law.

YOO: I think of the law as setting the boundaries of the playing field. There are other people and other agencies whose job it is to make the policies to decide on the plays to run. The Justice Department's job and the job of the law is to say here are the limits, here are the boundaries within which you can play the game.

KOPPEL: The Justice Department withdrew John Yoo's memo on torture in 2004. The new memo reads, "Torture is abhorrent to American law and values."

KOPPEL (to Mora): I remember your saying something like, "In the event of a ticking bomb, I might be prepared to torture someone who had the relevant information but." What was the but?

MORA: In an extreme circumstance, I might be willing to do that myself, but I would not be prepared to have our country change our values or our system of laws to permit me as an official to do that.

KOPPEL: So the but is—you'd have to pay the consequences.

MORA: You'd have to pay the consequences. My thinking was that I might do that, I might inflict the cruelty in order to prevent, say, an atomic bomb to be detonated in the United States, but I knew that my career would be destroyed and that I would be prosecuted as an officer. I may have defenses. But fundamentally I would have committed a crime.



The Price of Security is available on DVD for \$21.95 from the Discovery Channel Store at shopping.discovery.com.