

State Secrets and Deceit: Obama Embraces CIA Torture

By [Tom Burghardt](#)

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As predictably as night follows day, the Obama regime defended the CIA's practice of "extraordinary rendition" (kidnapping) of suspected "terrorists" to third countries where they are subject to "enhanced interrogation" (torture) by allied security services.

Binyam Mohamed and four other victims have charged that they were brutalized after being "disappeared" by CIA operatives and secretly flown to Egypt, Morocco, Afghanistan and eastern European CIA "black sites."

On Monday, Assistant U.S. Attorney Douglas N. Letter argued before a three-judge panel of the Ninth Circuit Court of Appeals in San Francisco that the "change" administration would press ahead with the Bush regime's odious invocation of the state secrets privilege to suppress a lawsuit brought by torture victims against Boeing subsidiary, San Jose, California-based Jeppesen DataPlan.

In a thinly-veiled threat to the Ninth Circuit, Letter [told](#) the Court according to the San Francisco Chronicle, "Judges shouldn't play with fire."

Claiming that allowing the suit to go forward would irreparably harm "national security," Letter argued that once they examine the government's classified evidence "you will see that this case cannot be litigated."

In a truly Orwellian twist that further compromises American credibility and the Obama administration, The Guardian [reported](#) February 11 that "US defence officials are preventing Barack Obama from seeing evidence that a former British resident held in Guantánamo Bay has been tortured."

Clive Stafford Smith, the director of the legal charity Reprieve, which represents Ethiopian-born Binyam Mohamed, sent Obama evidence of what he called "truly mediaeval" abuse but substantial parts were blanked out so the president could not read it.

In the [letter](#) to the president, Stafford Smith urges him to order the disclosure of the evidence.

Stafford Smith tells Obama he should be aware of the "bizarre reality" of the situation. "You, as commander in chief, are being denied access to material that would help prove that crimes have been committed by US personnel. This decision is being made by the very people who you command." (Richard Norton-Taylor and Ian Cobain, "Binyam Mohamed torture evidence 'hidden

from Obama’,” The Guardian, February 11, 2009)

The censoring of Stafford Smith’s evidential letter by U.S. defense officials might have been done, according to The Guardian “to protect the president from criminal liability or political embarrassment.” In any event it now appears Obama, by casting his lot with war criminals, kidnappers and torturers has every reason to be concerned with his own criminal liability.

These latest revelations follow on the heels of repeated threats by “U.S. intelligence officials” that they would “stop sharing intelligence” with the UK if evidence relating to Mohamed’s torture were disclosed. Indeed, Mohamed’s U.S.-appointed military lawyer, Lieutenant Colonel Yvonne Bradley, told a news conference on February 10 that Mohamed’s treatment “would make waterboarding seem like child’s play.”

At Monday’s hearing in San Francisco The New York Times reports, undercutting arguments that the president is “distracted” by the economic meltdown, that when [asked](#) by Judge Mary M. Schroeder, “Is there anything material that has happened” in a sly reference to Obama’s November election, Letter replied, “No, your honor.”

Judge Schroeder asked, “The change in administration has no bearing?”

Once more, he said, “No, Your Honor.” The position he was taking in court on behalf of the government had been “thoroughly vetted with the appropriate officials within the new administration,” and “these are the authorized positions,” he said. (John Schwartz, “Obama Backs Off a Reversal on Secrets,” The New York Times, February 10, 2009)

And indeed they are, demonstrating once again the continuity-and consensus-amongst ruling class elites when it comes to the defense of repressive national security policies. Represented by the American Civil Liberties Union, Anthony D. Romero, ACLU Executive Director [said](#):

Eric Holder’s Justice Department stood up in court today and said that it would continue the Bush policy of invoking state secrets to hide the reprehensible history of torture, rendition and the most grievous human rights violations committed by the American government. This is not change. This is definitely more of the same. Candidate Obama ran on a platform that would reform the abuse of state secrets, but President Obama’s Justice Department has disappointingly reneged on that important civil liberties issue. If this is a harbinger of things to come, it will be a long and arduous road to give us back an America we can be proud of again. (“Justice Department Stands Behind Bush Secrecy in Extraordinary Rendition Case,” American Civil Liberties Union, Press Release, February 9, 2009)

As ACLU staff attorney Ben Wizner, who argued the case for the plaintiffs, [told](#) Glenn Greenwald about Jeppesen DataPlan’s role in the CIA’s “rendition” program:

They were essentially the CIA’s torture travel agents. They were the one who arranged all the overflight rights for the CIA civilian planes to be able to fly from country to country. They handled the security and the logistics. They filed dummy flight plans to try to trick air traffic controllers into not being able to track where the actual flights were going. And we know they knew what they

were doing because we have a witness in our case, someone who's given us a sworn declaration, who was an employee of Jeppesen DataPlan, and who was present when senior officials of the company were openly boasting about their role in the torture flights, and about how much money they made from them because the CIA spared no expense.

We were able, with the help of an investigative journalist and other documentary evidence, to link Jeppesen to an number of very specific CIA rendition flights, involving these five torture victims who were flown to countries like Egypt, Morocco, to CIA sites in Afghanistan and eastern Europe. ("ACLU's Ben Wizner on immediate Obama tests," Salon, January 30, 2009)

That Jeppesen employee, Sean Belcher, a technical writer hired by the firm in 2006, [told](#) the San Francisco Chronicle,

...he attended a breakfast for new employees on Aug. 11, 2006, and heard a welcoming speech from Bob Overby, a company director. While describing Jeppesen's work, Belcher said, Overby told the employees, "We do all the extraordinary rendition flights." Later, he said, Overby added that these were "the torture flights," and explained, "Let's face it, some of these flights end up this way."

Belcher also quoted Overby as saying that the flights paid well and that the government spared no expense. Belcher said he quit his job five days later. (Bob Egelko, "Ex-San Jose aviation firm worker says exec talked of torture flights," San Francisco Chronicle, December 15, 2007)

As the CIA's booking agent, Jeppesen worked with tiny charter airlines that were no more than CIA corporate cut-outs. As investigative journalists Trevor Paglen and A. C. Thompson [documented](#),

A curious quirk of the CIA's fleet of aircraft is that they are civilian, rather than military, planes. Owing to U.S. law and the CIA's status as a civilian agency, the planes are owned by front-companies and operated by a handful of aviation charter companies. One of the consequence of this is that each of these civilian companies leave a long and voluminous paper trail...

As we look more closely at the corporate documents and aviation filings we've gotten hold of, a landscape begins to emerge. This particular landscape isn't "over there," on the many battlefields of the "war on terror." Rather, the landscape we see depicted in these documents is stealthily and subtly woven into the fabric of everyday life in the United States. (Torture Taxi: On the Trail of the CIA's Rendition Flights, Hoboken, NJ: Melville House Publishing, 2006, pp. 45-46)

Indeed, once the charter companies were selected by the CIA, Jeppesen handled the logistical and navigational details, designed flight plans, obtained flight clearance to fly over other countries, ground-crew arrangements, even hotel reservations for the pilots and the other facilitators of human rights abuse. As Boeing says on its [website](#), "From Aachen to Zhengzhou, King Airs to 747s, Jeppesen has done it all." And Jeppesen DataPlan, in an Orwellian burst of chutzpah, [declared](#):

Trust. The key ingredient in any International Trip Planning relationship. Just

like the trust pilots place in Jeppesen's Worldwide Instrument Charting, you can count on caring, professional people who work with you personally to ensure your needs are met.

How precisely were Binyam Mohamed's "needs" met? According to the [complaint](#) filed in 2007 by the ACLU, after being abducted in Pakistan the Ethiopian national was secretly flown to Morocco. Once there,

Mr. Mohamed was subjected to severe physical and psychological torture. He was routinely beaten, suffering broken bones and, on occasion, loss of consciousness due to the beatings. His clothes were cut off with a scalpel and the same scalpel was then used to make incisions on his body, including his penis. A hot stinging liquid was then poured into open wounds on his penis where he had been cut. He was frequently threatened with rape, electrocution, and death.

Mr. Mohamed was handcuffed, fitted with earphones, and forced to listen to extremely loud music day and night, sometimes interrupting his sleep for forty-eight hours at a time. He was placed in a damp, moldy room with open sewage for a month at a time. He believed his food to be drugged, but when he refused to eat he was forcibly hooked up to two different IVs. These IVs alternated pumping different substances into his body, the combination of which forced him to undergo painful withdrawal symptoms. (IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NORTHERN CALIFORNIA, Division of San Jose; BINYAM MOHAMED, ABOU ELKASSIM BRITEL, AHMED AGIZA, Plaintiffs, v. JEPPESEN DATAPLAN, INC., Civil Action No. 2798, COMPLAINT, DEMAND FOR JURY TRIAL, p. 18)

And what of Jeppesen's collusive behavior with the CIA? The complaint avers,

In return for undisclosed fees, Jeppesen has played a critical role in the successful implementation of the extraordinary rendition program. It has furnished essential flight and logistical support to aircraft used by the CIA to transfer terror suspects to secret detention and interrogation facilities in countries such as Morocco and Egypt where, according to the U.S. Department of State, the use of torture is "routine," as well as to U.S.-run detention facilities overseas, where the United States government maintains that the safeguards of U.S. law do not apply. ...

In providing its services to the CIA, Jeppesen knew or reasonably should have known that Plaintiffs would be subjected to forced disappearance, detention, and torture in countries where such practices are routine. Indeed, according to published reports, Jeppesen had actual knowledge of the consequences of its activities. (Complaint, op. cit., pp. 3-4)

As long time readers of Antifascist Calling are well aware, once Jeppesen DataPlan had "done it all" to deliver Mohamed into the hands of his torturers in Morocco, he was subsequently "rendered" to Bagram Airbase in Afghanistan and then on to Guantánamo where he was subjected to the full panoply of behavior modification techniques that evolved from the CIA's [MKULTRA](#) "mind control" program of the 1950s-1970s.

Reporting last September, I [documented](#) how CIA and U.S. military psychologists, under the ever-vigilant tutelage of contractors Drs. Bruce Jessen and James Mitchell, did the heavy-lifting to tailor a regime of psychological assault on prisoners under the control of the CIA

and the Pentagon.

Drawing their “inspiration” from torture manuals written decades apart, the CIA’s “[KUBARK Counterintelligence Interrogation](#),” Military Intelligence’s “[Human Resource Exploitation Manual-1983](#),” and “reversed-engineered” techniques culled from the military’s Survival, Evasion, Resistance, Escape program known as SERE, interrogators implemented a repulsive torture regime under orders from the highest levels of the Bush administration, as ABC News [revealed](#) last April.

The “refined” methods described in KUBARK and HRE included: forced drugging, hooding, sexual humiliation, extended sensory deprivation, prolonged interrogation, environmental and dietary manipulation, beatings, stress positions and other methods of “self-inflicted pain.” CIA officers and their Military Intelligence doppelgängers, at the urging of White House masters, systematically committed war crimes on defenseless prisoners in their custody. These are the closely-guarded state secrets the Obama regime seeks to conceal.

Currently incarcerated at the Guantánamo Bay torture facility and gravely ill due to a prolonged hunger strike the U.S. government is preparing to release Mohamed, having failed to produce a shred of evidence linking him to any “terrorist” activity whatsoever.

The kid-gloves approach to a Boeing subsidiary shouldn’t surprise anyone. According to [Washington Technology](#), Boeing clocked-in at number two on their “Top 100” list of “prime government contractors,” pulling down some \$9,706,621,413 in state largess.

A major corporate grifter, for decades Boeing has feathered its nest (and that of its well-paid executives) by feeding at the trough of taxpayer-financed handouts. According to [The Seattle Times](#), CEO James McNerney “earned” some \$19 million in total compensation in 2007.

However, Boeing’s shady dealings have also resulted in huge fines for corporate malfeasance. As the Project on Government Oversight’s [Federal Contractor Misconduct Database](#) documents, since 1995 Boeing has paid some \$1.6 billion in fines to the federal government, private citizens, states and counties in judgments levied against the defense giant.

According to [POGO](#), these range from Arms Export Control violations, defective pricing, discriminatory practices against employees, the manufacturing of defective parts, Anti-Trust Law violations and the illegal discharge of radioactive and toxic chemical waste into the environment. Sounds like business as usual to me!

“Less than three weeks after the inauguration,” as the World Socialist Web Site [points out](#), “it is becoming ever more apparent that the new administration has been brought into office to defend the same social and class interests as the previous one, is utilizing similar methods and relying on the same personnel within the national security apparatus responsible for the criminal activities of the past eight years.”

And with a “reconfigured” National Security Council on the horizon according to [The Washington Post](#), one endowed with ever-more sweeping powers to set “strategy across a wide spectrum of international and domestic issues,” who pray tell will be heading up those efforts? Why none other than John O. Brennan, of course!

Obama's first choice to head the CIA, Brennan has a dual role within the administration: as NSC Director James L. Jones' top adviser and as the president's resident counterterrorism and homeland security "expert."

As I [reported](#) shortly after the election in November, Brennan was a former president and CEO of The Analysis Corporation ([TAC](#)). During the 1990s, TAC developed the government's first terrorist database and in 2003 it morphed into the Terrorist Identities Datamart Environment ([TIDE](#))-the "watch list people"-managed by the National Counterterrorism Center ([NCTC](#)) which Brennan directed for three years. How convenient!

However, Obama was forced to remove Brennan from consideration as CIA Director when it was revealed he was a leading advocate of the extraordinary rendition program and a staunch defender of the Company's "enhanced coercive interrogation techniques," the focus of the ACLU's lawsuit on behalf of Binyam Mohamed and other "war on terror" casualties.

In seeking to deny the victims their day in court, the Obama administration takes full possession of Bushist savagery. Now how's that for a dirty little (state) secret!

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