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Navy secretly contracted jets used by CIA

By Seth Hettena

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SAN DIEGO (AP) — A branch of the U.S. Navy secretly contracted a 33-plane fleet that included two Gulfstream jets reportedly used to fly terror suspects to countries known to practice torture, according to documents obtained by The Associated Press.

At least 10 U.S. aviation companies were issued classified contracts in 2001 and 2002 by the obscure Navy Engineering Logistics Office for the "occasional airlift of USN (Navy) cargo worldwide," according to Defense Department documents the AP obtained through a Freedom of Information Act request.

Two of the companies -- Richmor Aviation Inc. and Premier Executive Transport Services Inc. -- chartered luxury Gulfstreams that flew terror suspects captured in Europe to Egypt, according to U.S. and European media reports. Once there, the men told family members, they were tortured. Authorities in Italy and Sweden have expressed outrage over flights they say were illegal and orchestrated by the U.S. government.

While the Gulfstreams came under scrutiny in 2001, what hasn't been disclosed is the Navy's role in contracting planes involved in operations the CIA terms "rendition" and what Italian prosecutors call kidnapping.

"A lot of us have been focusing on the role of the CIA but also suspecting that certain parts of the armed forces are involved," said Margaret Satterthwaite, a New York University School of Law researcher who has investigated renditions.

The Navy contracts involve more planes than previously reported -- other news outlets totaled 26 planes; the AP identified 33 planes.

Italian judges have issued arrest warrants for 19 purported CIA operatives who allegedly snatched a Muslim cleric from Milan in 2003 and flew him to Cairo, according to FAA records cited by the Chicago Tribune, aboard Richmor's Gulfstream IV. The jet belongs to a part-owner of the Boston Red Sox, who told The Boston Globe that the team's logo was covered when the CIA leased the plane. Another case involves two men taken from Sweden to Egypt in 2001 aboard Premier's Gulfstream V.

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Neither the CIA nor a Navy spokeswoman at the Pentagon would comment for this story. Officials at the Navy Engineering Logistics Office, or NELO, in Arlington, Va., didn't respond to messages requesting comment.

Joseph P. Duenas, counsel for the logistics office, declined to provide the contracts, saying they "involve national security information that is classified."

The secrecy surrounding the deals makes it unclear why NELO issued them, but one reason may be the office's anonymity -- the agency is so buried within the Pentagon bureaucracy that some career Navy officials have never heard of it.

John Hutson, a retired rear admiral who was the Navy's Judge Advocate General from 1997 to 2000 and is critical of the Bush administration's detainee policies, said he was not familiar with NELO. Told of its activities, Hutson said NELO employees could be held liable if they knew the planes would be used for renditions. Human rights lawyers allege rendition flights violate criminal law.

The office has been around since the mid-1970s, according to a former employee who spoke on condition of anonymity because NELO's activities are secret. NELO operates under different names: it's also known as the Navy's Office of Special Projects and its San Diego location is called the Navy Regional Plant Equipment Office.

None of those names is listed in the U.S. Government Manual, the official compilation of federal departments, agencies and offices. A man who answered the phone at NELO's Arlington office refused to give his name or the agency's address, suggesting it may be classified.

In court documents filed in the case of a fired Office of Special Projects whistleblower, government attorneys described the agency's principal function as "the conduct of foreign intelligence or counterintelligence activities."

The AP learned of the airplane contracts through a Freedom of Information Act request that focused on a different subject -- permits granted to all 10 aviation companies that let them land at any Navy base worldwide.

The permits list planes operated by the companies and a contract number issued by NELO. The numbers provide some details about the contracts, including when they were issued, but do not say when they expire. In the documents the AP reviewed, contracts were issued in 2001 and 2002 and were cited on landing permits issued in 2004. The NELO contract numbers

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also appear on permits issued in 2003 and 2004 that allowed seven of the companies to buy fuel at military bases worldwide.

The permits list 31 planes under NELO contract other than the two Gulfstreams. They include a small Cessna; three huge Lockheed Hercules cargo planes; a Gulfstream 1159a; a Lear Jet 35A; a DC-3; two Boeing 737s; and a 53-passenger DeHavilland DH-8 photographed by plane spotters in Afghanistan.

Ownership of the planes is shielded behind a maze of paperwork and elusive executives.

James J. Kershaw is listed as president of three of the companies, located in Massachusetts, Tennessee and North Carolina. Two other companies share the same vice president, Colleen Bornt. Extensive public record searches could not locate either of them.

Record searches also failed to turn up information on Leonard T. Bayard, whose firm bought Premier Executive Transport Services' Gulfstream. The address of Bayard's firm is the Portland, Ore., office of attorney Scott Caplan.

Asked if his client is a real person, Caplan replied: "No comment."