

## REPRODUCTION / FACSIMILE

March 10, 2009

Rep. G. K. Butterfield  
U. S. House of Representatives  
413 Cannon House Office Building  
Washington, DC 20515

Rep. Brad Miller  
U. S. House of Representatives  
1127 Longworth Building  
Washington, DC 20515

Rep. David Price  
U. S. House of Representatives  
2162 Rayburn Building  
Washington, DC 20515

Rep. Mel Watt  
U. S. House of Representatives  
2304 Rayburn HOB  
Washington, DC 20515

Dear Representatives Butterfield, Miller, Price and Watt:

On January 18, 2007, seventeen state representatives and five state senators wrote to North Carolina Attorney General Cooper, requesting that the State Bureau of Investigation examine credible allegations that Aero Contractors conspired to commit federal crimes and then provided material support to the commission of those crimes on property owned by the State of North Carolina and also by Johnston County or the Johnston County Airport Authority. [1]

On March 20, 2007, Attorney General Cooper responded to Representative Luebke of the North Carolina House of Representatives. He stated that it would be preferable to refer the matter to the Federal Bureau of Investigation of the United States, and in fact that is what he did. Mr. Cooper gave three reasons for referring the request for an investigation: the state's utilization and allocation of limited resources

must be considered; the expertise of the federal government would be helpful; and the federal government had better law enforcement tools at its disposal.

To date, the FBI has not conducted any investigation of this matter. In a letter to Representative Watt dated May 1, 2008, the FBI's Assistant Director for Congressional Affairs, Robert Powers, stated that the agency was still awaiting instructions on the referral from the United States Department of Justice.

Almost two years have passed since North Carolina 's initial referral of our request to the FBI. Obviously, the previous administration did not feel any compulsion to investigate allegations of participation in a conspiracy by their own contractors to kidnap and commit torture. However, the United States of America now has new leadership in the executive branch. An executive order has been issued that states that the U.S. will not torture, and the U.S. is setting up a task force to determine what limits should be placed on the CIA to ensure that the U.S. will not kidnap human beings and transport them to third countries for the purpose of being tortured.

The victims of torture, however, have not been granted justice by our government (federal, state, or local) either in the criminal arena or the civil arena. No criminal investigation has been initiated, and the state secrets doctrine is still being utilized by the Obama Administration to prevent plaintiffs from obtaining redress through the civil justice system.

We urge you to write to the Department of Justice and ask for a full and transparent investigation of Aero Contractors and its participation in transporting kidnapped individuals to third countries for the purpose of being tortured in order to obtain information. As you are aware, there is substantial evidence in the public record that Aero in fact participated in the kidnapping and transport to third countries of Khaled el-Masri, Binyam Mohamed, Ahmed Agiza, Mohammed El - Zary, and many other persons. The rule of law at a minimum demands an investigation.

President Obama has stated that torture is not the American way. He has expressed an interest in complying with international law and standards set forth in the Convention Against Torture and other international treaties, with our own federal statute against torture, and with the basic

natural law -- articulated at the Nuremberg Trials -- that we have an obligation to not participate in heinous conduct. All this suggests the Department of Justice may now be more open in its response to a request for investigation.

Several well-known legal advisors are urging state prosecutions as well as federal prosecutions. While it may be debatable whether or not a specific individual participating in conspiracy should be prosecuted, such a decision cannot be made until a full and fair investigation is undertaken so that the citizens of North Carolina can understand what happened and what has been supported with their tax dollars provided to Global TransPark and the Johnston County Airport.

We thank you for your commitment to the rule of law and human rights.

Sincerely,

Rep. Pricey Harrison, 57th District

Rep. Earl Jones, 60th District

Rep. Paul Luebke, 30th District