

## **Military Resistance 10E9**

**COURAGEOUS SOLDIERS JOIN REVOLT AGAINST THE TYRANT ASSAD  
AND HIS GOVERNMENT OF MASS MURDERERS**



Syrian soldiers who defected to join the Free Syrian Army are seen in front of their armoured military vehicle at Khalidieh in Homs May 12, 2012. REUTERS/Thair al-Khalidi/Shaaam News Network/Handout

**WHINING ABOUT  
“NATO” NOTHING BUT  
A BULLSHIT  
SMOKESCREEN:**

**“President Obama Has Made Skillful Use Of NATO, To Make It Appear That He Is Not A Go-It-Alone Cowboy”**

**“Dignitaries On Hand From The More Than 50 Countries That Have Done Washington’s Bidding In Afghanistan”**

**“Obama Has Drawn Closely To His Side The Old Imperialists Of Europe, Who Looted And Pillaged The Earth For Five Hundred Years”**

**“The Nexus Of War In The World Is Wall Street, And The Pentagon Is Its Servant – As Is The White House”**

05/16/2012 By Glen Ford, executive editor Black Agenda Report [Excerpts]

If anyone has doubts about what it means here at home when the U.S. seeks to militarily dominate the world, take a trip to Chicago, this week.

There, you’ll see the Chicago police, the second largest force in the country, reinforced by cops from Philadelphia, Milwaukee, and Charlotte, North Carolina, and backed up by two high decibel noise machines that were first used against American civilians in Pittsburgh to blow out the eardrums of protesters, back in 2009. Overall security for the NATO summit meeting is overseen by the FBI and the Secret Service, who in recent months have been given unprecedented police state powers, thanks to President Obama and a bipartisan Congress.

With dignitaries on hand from the more than 50 countries that have done Washington’s bidding in Afghanistan, there will be lots of opportunities for the feds to invoke their new

powers to put demonstrators in prison for up to ten years if they set foot on property containing any person under the protection of the Secret Service.

That could include huge chunks of the city. And, of course, who knows what kinds of plots the FBI is conjuring up through its squads of agent provocateurs embedded in the ranks of demonstrators.

Thanks to the preventive detention without trial legislation signed into law by President Obama this past New Year's Eve, every American has lost her Constitutional right to due process of law.

The Chicago police claim they don't plan to turn the eardrum-busting sound cannons on full volume against the demonstrators – just loud enough to convey “messages” to the crowd. The protesters are sending their own message, one that has become far more popular and general than could have been imagined, a year ago.

Since the emergence of the Occupy movement, last October, millions of Americans have come to understand what Latin American peasants have always known: that the nexus of war in the world is Wall Street, and the Pentagon is its servant – as is the White House and most of the Congress and the U.S. Supreme Court.

War is waged for the purpose of global economic subjugation and, therefore, peace can only be won by dethroning the financial bad guys: the Lords of Capital. So, much of the peace movement now sees itself as an expression of the 99 Percent, against the warlike and greedy 1 Percent.

Once that lesson is learned, it cannot be shouted out by police sound-blasters.

President Obama has made skillful use of NATO, to make it appear that he is not a go-it-alone cowboy, like George Bush.

Obama has drawn closely to his side the old imperialists of Europe, who looted and pillaged the earth for five hundred years, establishing the planetary racial hierarchy that has only recently begun to crumble.

The Black man in the White House is seen, ironically, as the last best hope of the old colonial racial order and the rule of capital.

The Global One Percent can only be maintained in power by the U.S. war machine.

Ultimately, the world needs only one thing from the American people: that they dismantle the machine.

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# **AFGHANISTAN WAR REPORTS**

## **Family, Friends Mourn Yuba City Soldier Killed In Afghanistan**

May 11, 2012 By Nancy Pasternack, The Appeal-Democrat

He had planned to pop the question as soon as he returned home from Afghanistan.

But U.S. Army Spc. Chase S. Marta, 24, will not be returning home.

Marta, a 2006 Yuba City High School graduate, was one of three soldiers killed Monday in Ghazni province when his unit was hit by an improvised explosive device, according to the U.S. Defense Department.

He had been part of the storied 82nd Airborne Division, headquartered in Fort Bragg, N.C., assigned to the 73rd Cavalry Regiment, 1st Brigade Combat Team.

Marta enlisted in October 2010 and had been in-country for only six weeks, according to family members.

"I am proud of him," said his mother, Karyn Stone. On Wednesday, she stood in the dining room of the north Yuba City home where her two children had grown up. "His friends were all here earlier. I just wanted him to walk through the door."

Circumstances of the incident that killed Stone's son, as well as Sgt. Jacob M. Schwallie, 22, of Clarksville, Tenn., and Pfc. Dustin D. Gross of Jeffersonville, Ky., have not yet been made public by defense officials.

Family members had been gearing up for the wedding of Chase Marta's sister, Taylor Marta — scheduled for Memorial Day weekend — when they received the news about Chase.

Still stunned, they gathered to talk about the man they said they will miss very deeply.

Marta had been recently promoted from the rank of private first-class to specialist, but hadn't yet told his family. He hadn't let on either about his plan to propose marriage to his girlfriend, Taylor Silva, also of Yuba City.

Silva learned about it from her mother.

"He was funny that way," Stone said. "He was a private person."

He had been proud of his recently acquired airborne status, and was happy to be deployed, his family members said.

"But he wasn't one of these people you could have imagined saying, 'I wanna go fight,'" said his sister, Taylor Marta, 27.

"He just wanted to do something right and noble," she said.

Friends and family members remembered Chase as an enthusiastic cook who insisted on teaching them how to prepare sushi.

His mother said he was a stickler for following rules, something she teased him about.

"He drove like a little old man," Stone said.

But she recalled seeing a truly tender-hearted side of her son early in his life, when he caught his first fish. "He couldn't stand to watch it gasping for air. He put it back in the water," she said.

Close friends and family members took photographs at the Sacramento Airport before the soldier boarded a plane to return to Fort Bragg after his last visit home at Christmas.

It was the last time they would see him alive.

"We had just shaved his head the night before," said Benjamin Wachman, Chase Marta's closest friend since childhood.

The two had been on the Yuba City High swim team together. "He was like my brother," Wachman said.

Wachman said he never feared for his friend's safety.

"Living so close to Beale (Air Force Base), we've known so many people who have come back and are just fine," he said.

Before his enlistment, Chase Marta had been a student at CSU Channel Islands and Butte College.

"But he wasn't super in-love with school," said Taylor Marta. "He found his niche in the Army. He wanted to do that more than anything else."

Stone said her son finished first in his basic training at Fort Benning, Ga.

"He was a smart kid. He could have picked any profession he wanted," she said.

Chase Marta's decision to join the Army, after considering the other military branches, surprised Stone.

"He was kind of a war history buff, and he especially loved the history of the Army," she said.

An outspoken critic of the war in Afghanistan, Stone said she nonetheless accepted her son's choice right away.

"I am totally against the war, but totally for the armed forces," Stone said. The military "is what keeps us free."

Taylor Marta said that like Wachman, she had never given a second thought to the danger her brother was facing during his deployment.

"You think that everything's going to be fine," she said. "This is just the kind of thing you hear in the news."

**POLITICIANS CAN'T BE COUNTED ON TO HALT  
THE BLOODSHED**

**THE TROOPS HAVE THE POWER TO STOP THE  
WAR**

## **Pissing In The Wind:**

**“In An Interview One Day Earlier,  
The Governor Played Down The  
Security Problems In Ghazni”**

**“As The Event Broke Up And The  
Governor, A Polish General And  
Others Headed For Their Helicopters,  
The Insurgents Landed Four Mortar  
Rounds Nearby”**

**“Local Residents Predicted The  
Insurgents Would Soon Return”**

May 17, 2012 By CAROL GIACOMO, The New York Times Company [Excerpts]

Zana Khan, Afghanistan

Stability in Afghanistan will depend in part on the success of Musa Khan Akbarzada, the governor of Ghazni Province, near the border with Pakistan.

Ahead of this weekend's NATO summit meeting, NATO invited a group of journalists to travel to Afghanistan where we met with Mr. Akbarzada and saw some of his efforts to make Ghazni's government more responsive and lessen the Taliban's appeal and power.

That same week, Mr. Akbarzada appeared at a community meeting, or shura, in the remote Zana Khan area. He spoke to several hundred men and boys about the importance of education for both girls and boys — citing the Prophet Muhammad's "order that learning is necessary for women and men."

The audience listened quietly, and, at the end, soldiers distributed blankets, shoes and books.

**In an interview one day earlier, the governor played down the security problems in Ghazni.**

**But the shura only took place because 250 members of the Afghan Army and police, with backup from 100 Polish soldiers, had just completed an operation that routed the Taliban from Zana Khan and three other villages.**

**Polish and American commanders said the fighting was heavy and praised the Afghans' performance.**

Even then, the meeting looked like an armed camp, guarded by scores of Afghan, Polish and American troops and heavy vehicles.

And as the event broke up and the governor, a Polish general and others headed for their helicopters, the insurgents landed four mortar rounds nearby.

Afghan and Polish forces fired back with machine guns and artillery until the Taliban positions were silenced.

But coalition forces had already cleared the village several times before and local residents predicted the insurgents would soon return.

**IF YOU DON'T LIKE THE RESISTANCE  
END THE OCCUPATION**

**Survivors Recall Horror Of Night  
Army Staff Sgt. Robert Bales  
Slaughtered Afghan Villagers:**

# “The Story That Rafiullah And Naim Recently Told A McClatchy Reporter Is The First Public Account By Survivors In Their Village Of The Events Of March 11”



A young Afghan villager named Sadiqullah was wounded in his right ear when he was shot allegedly by U.S. Staff Sgt. Robert Bales at the home of his father, Haji Mohammad Naim. Photo: Jon Stephenson / MCT

05.16.12 By Jon Stephenson, McClatchy Newspapers [Excerpts]

KANDAHAR, Afghanistan -- It was early in the morning, perhaps 2 a.m., when gunfire awoke 14-year-old Rafiullah.

He looked outside the house he'd been sleeping in with his grandmother, an aunt, two cousins and his sister, and he saw a man with a weapon walk to a shed that housed the family cow and open fire, shooting the animal dead.

"I told the women inside our room: 'Let's run! Let's get out of here,'" recalled Rafiullah, who like many Afghans goes by only one name.

In the next compound, a short distance from the house where Rafiullah had been sleeping, Haji Mohammad Naim awoke to the sound of dogs barking wildly in the street.

"Then there was shooting, and the dogs stopped barking," said Naim, who's in his 50s. Shortly afterward, there was pandemonium at Naim's front door as Rafiullah and a



handful of terrified women and children poured into his yard, seeking shelter. Minutes later, another woman and a young girl emerged from the darkness.

“She was screaming and crying,” Naim said of the woman. “She said, ‘My husband has been martyred,’ ” meaning that he’d been killed.

Suddenly a silhouette appeared, moving rapidly behind a bright light. Naim thought that U.S. forces were raiding his village, and he expected a squad of soldiers to arrive. Instead, he saw just one man.

“He got closer, and then he started shooting at me,” Naim said.

**The story that Rafiullah and Naim recently told a McClatchy reporter is the first public account by survivors in their village of the events of March 11, when a man whom U.S. officials have identified as Army Staff Sgt. Robert Bales allegedly shot and killed 17 people in two Afghan villages.**

The accounts by Rafiullah and Naim, both of whom were wounded in the rampage, offer new details.

How valuable Naim’s and Rafiullah’s testimony would be in a U.S. military court is unclear. Both said they didn’t see the shooter’s face clearly enough to identify him, and both are uncertain about the exact time, noting that no one in the houses had a watch. Officials haven’t divulged which village they think was attacked first.

But the survivors’ accounts lend an urgency that’s been lacking in the official version of events, and they convey the brutality and the seeming randomness of what took place in those early morning hours.

Before the shooting ended in Alkozai, Rafiullah’s grandmother was dead, his sister was critically wounded, three other people had been killed and five others were wounded in three adjacent houses. Most of the victims were related by blood or marriage.

Naim said he felt rooted to the ground as the shooter bore down on him. Bullets whizzed through the night. The gunfire seemed to come at him in bursts, perhaps as many as 10 shots altogether, Naim recalled, some fired from just feet away.

Two struck him in the upper left side of his chest and one ripped skin from the left side of his jaw. Then everything went black.

The shooter stepped past Naim’s unconscious body and entered his home, confronting Rafiullah and his relatives who’d taken refuge in the main room. With them were around a dozen of Naim’s family members, roused by the gunfire but still half-asleep.

Terror unfolded in the crowded space, the frightened faces of women and children illuminated only by a light that Rafiullah said appeared to be affixed to an assault rifle. The shooter drove everyone before him, herding and hunting his victims like animals.

Spotting Rafiullah, he seized one of the boy’s arms. Rafiullah said his grandmother seized his other arm, to try to stop the soldier from dragging him away. The soldier turned on her.

“He shot my grandmother, he wounded my sister Zardana and wounded me,” Rafiullah said. “He opened fire on Naim’s son, Sadiqullah, and also opened fire on Naim’s daughter. Then the soldier left.”

Help for the wounded eventually arrived, although Rafiullah – like Naim – had fallen unconscious, and was unable later to say how long it took to get there. The survivors were rushed, by a relative who’d borrowed a car, to a nearby U.S.-Afghan base, then flown by helicopter to a U.S. military hospital at Kandahar airfield.

Rafiullah, who had a gunshot wound to each leg, found himself in a bed next to Naim’s son, Sadiqullah, who’d received a bullet wound to his right earlobe.

Rafiullah told McClatchy that Afghanistan’s president, Hamid Karzai, phoned him in the aftermath of the attack and U.S. authorities later interviewed him while he was in the hospital. “Two times they talked to me,” he said.

A day or two after the massacre, he also spoke to the man Karzai had appointed as his chief investigator into the killings, Gen. Sher Mohammad Karimi, the Afghan army chief .

“To all of them I said the same thing,” Rafiullah said. “I saw only one shooter.”

Curiously, Karimi later backed the “multiple attacker” theory, which was also advanced by Karzai, although Karimi subsequently acknowledged in an interview with McClatchy that Rafiullah and Sadiqullah had told him otherwise.

Naim, who said he regained consciousness four days after the attack, also told McClatchy that U.S. investigators had interviewed him in the hospital. But he said their Afghan counterparts hadn’t interviewed him, despite him being one of a handful of adults to survive the shootings.

**A tall man with a graying beard and gnarled face, who gave his age as “between 50 and 60,” Naim said he felt abandoned by the Afghan government after the massacre. No government official had been to see him or to ask about his welfare.**

**“They care only about themselves,” he said.**

**The only official contact he’d had since his discharge from the hospital was when he was summoned, still wounded, to Kandahar city and interrogated by an officer from Afghanistan’s much-feared intelligence service, the National Directorate of Security.**

**“That man was a bastard,” Naim said. “He accused me of having laid IEDs” – improvised explosive devices, or homemade bombs – “before the massacre to target the American forces.”**

Naim said he’d previously seen Taliban members placing such devices near his home in Alkozai, but that he’d told them not to, as he and his family might be targeted in response. Like many civilians in southern Afghanistan, he felt he was caught in a

struggle between the insurgents and U.S.-led forces. Sadiqullah had been wounded earlier by shrapnel from an American mortar round that had landed near his home.

Sadiqullah underwent surgery at the U.S. military hospital in Kandahar after that attack, too, and his wound had barely healed by the night of the massacre.

Rafiullah has largely recovered from the physical wounds. Naim said he needed ongoing medical treatment for his own wounds. He walks with difficulty and has lost strength in his hands. "I can hardly pick up this plastic bag," he said.

Zardana, Rafiullah's sister, is the victim most in need of specialized care. Shot in the head, she remains partially paralyzed in the U.S. base hospital.

**Her uncle, Juma Khan, said U.S. officials had yet to follow through on a pledge to get her more sophisticated care in the United States.**

**"If the Americans can't organize these simple things, they should return Zardana to us so the world can see her condition," he said. "If America can't help us, we will ask the international community for help."**

## **DO YOU HAVE A FRIEND OR RELATIVE IN MILITARY SERVICE?**

**Forward Military Resistance along, or send us the address if you wish and we'll send it regularly.**

**Whether in Afghanistan or at a base in the USA, this is extra important for your service friend, too often cut off from access to encouraging news of growing resistance to the wars and economic injustice, inside the armed services and at home.**

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**"The Detention Facility That The U.S. Built In Afghanistan Is State-Of-The-Art'  
"Except For All Of The Faulty Hinges On The Cell Doors"**

**“Or The Locks That Are, In The Words Of A New Report From The Defense Department’s Inspector General, ‘Incapable Of Locking Either Manually Or Electronically’”**



Detainees at Afghanistan's largest U.S.-built prison were able to literally kick through their poorly constructed cells, according to a new Pentagon report. Photo: Defense Department Inspector General



Senior U.S. military officers tour the detention facility in Parwan, April 2012. Photo: U.S. Army

May 17, 2012 By Spencer Ackerman, Wired

**The detention facility that the U.S. built in Afghanistan is state-of-the-art. Except for all of the faulty hinges on the cell doors.**

**Or the locks that are, in the words of a new report from the Defense Department's inspector general, "incapable of locking either manually or electronically."**

**Or the construction that's deemed "not up to the standard suitable for a detention facility."**

**The worst part? U.S. military commanders have known about these flaws since the prison opened its doors.**

Built in 2009, the Detention Facility in Parwan is a sprawling campus of 14 buildings, capable of housing — once a planned expansion is completed — some 2,000 detainees.

The U.S. spent \$60 million to construct it, to demonstrate the professionalization of detention operations after years of scandals in Iraq and Afghanistan.

**What the U.S. military didn't reveal was that it has known from the start that the building has serious engineering flaws — flaws that lead to security liabilities.**

And all of this was the result of lackadaisical oversight of contractors hired by the U.S. Army Corps of Engineers.

**The magnetic sensors and electronic locks on the "access doors" that prevent detainees from traveling between cell blocks, are "defective" and had to be removed, according to a report the Defense Department's inspector general released on Thursday.**

**That removal caused the electronic systems integrating and remotely controlling the doors to be "ineffective."**

"The integration system was supposed to monitor the status of all doors with electronic locks and magnetic sensors, thereby electronically monitoring the status of all detainees entering and exiting the secured areas," the inspector general found.

"The lack of a final functional test on the building integration system was considered a deficiency when the building was accepted. However, engineers noted during their inspection in July 2010 that the integration system was still not functioning.

"Instead of ensuring that the doors had magnetic sensors and locks so that the Integration System would work properly, a soldier was required to stand and guard the door, as a means of securing the rooms."

The doors themselves are shoddily built, too. The hinges on them were "incorrect," according to the inspector general.

**"The poorly constructed cell doors allowed detainees to damage the doors easily by repeated kicking," the report states.**

There are also problems with the fire-prevention and sewage systems that the inspector general says pose a “health and safety risk” to detainees.

The damage was not limited to minor areas of the prison, either.

“The construction quality was not up to the standard suitable for a detention facility,” the report concludes, “and ... the quality of construction of greatest interest was the areas where the detainees spent most of their time such as detention cells and the recreation yard.”

No detainee appears to have escaped as a result of the construction woes. But that may be a matter of time. Afghan detainees have been able to literally tunnel out of another prison in the country — twice. And while the leadership of the prison reports that it doesn’t have problems with the cells anymore, other construction problems with the prison persist:

“The access doors are still in disrepair and will be replaced as soon as new prison grade doors arrive in theater from the United States.”

Except that the U.S. won’t run the Parwan prison for much longer.

**The Afghans signed a deal with NATO in March to take control of it by September.**

**That means Afghan troops, less capable on average than their U.S. counterparts, will soon be in charge of hundreds of detainees in a giant prison with chronic security vulnerabilities.**

That prison isn’t in an isolated area. It’s on the outskirts of Bagram airfield, one of the U.S.’ major bases, housing over 10,000 U.S. troops. Bagram is about an hour’s drive from the capital city of Kabul.

The Army basically pled nolo contendere to the Pentagon inspector general.

While picking at nits, a senior Army Corps of Engineers official wrote to the inspector general on April 2 that his department “concur[s] with all but one” of the recommendations in the report — some of which are as simple as urging “continuous oversight” on the facility.

These days, Parwan is infamous for being the site where U.S. troops accidentally burned Korans, a February debacle that caused days of countrywide rioting.

**Needless to say, it wasn’t supposed to be this way. I took a tour of the detention facility in August 2010, and officials boasted of the sophisticated security systems that would allow guards to humanely and firmly monitor and control detainee activity.**

**But this is the legacy that a decade’s worth of U.S. detention operations will leave in Afghanistan: locks that don’t lock.**



And across Afghanistan, even as U.S. troops withdraw from the country, the U.S. is still building jails.

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## **REALLY BAD PLACE TO BE: ALL HOME NOW**



U.S. soldiers from 5-20 infantry Regiment attached to 82nd Airborne walk on patrol in Zharay district in Kandahar province, April 26, 2012. REUTERS/Baz Ratner

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## **MILITARY NEWS**

# **“Antipsychotics Mixed With Antidepressants And Other Psychiatric Drugs Have Been Killing Hundreds, Of Soldiers And Veterans, At Home And Abroad”**

5/18/12 By Fred A. Baughman Jr., Md, Neurology And Child Neurology (Board Certified);  
Fellow, American Academy Of Neurology & Stan White, father of deceased soldiers  
Andrew (dead in bed at home) and Robert White (dead in combat in Iraq)

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Regarding Military taking steps to limit the use of antipsychotics for PTSD, (David Sell, Philadelphia Inquirer, 5/13/12), we are told the Pentagon admits to “suspicions” that the problem might be the “overprescribing” of antipsychotics when, in fact, antipsychotics mixed with antidepressants and other psychiatric drugs have been killing hundreds, of soldiers and veterans, at home and abroad. Maybe more.

In a February 7, 2008 interview with the Chicago Tribune, Lt. Gen. Eric B. Schoomaker, the Army's recently departed Surgeon General, said there has been "a series, a sequence of deaths" in the new "warrior transition units" (WTUs).

On April 13, 2009, I wrote the Office of the Surgeon General (OTSG) pressing Schoomaker about his "series, sequence of deaths" statement and the existence of an analysis of these deaths said to be forthcoming. On April 17, 2009, the OTSG responded: "The assessment is still pending and has not been released yet." Nor has such a disclosure ever been released.

Andrew White, son of Stan and Shirley White was one of four soldiers from the Charleston, WV area, seemingly OK at bedtime only to be found dead in bed hours later.

These are not “overdoses” with central nervous system (CNS) depressant drugs causing steadily deepening coma leading to respiratory depression and death, as the Surgeon General, the Inspector General of the Veterans Administration, and the whole of the Pentagon would have us believe, blaming the victims.

Rather, these are “sudden unexpected deaths,” a.k.a. sudden cardiac deaths with most of the deceased having been seen alive and apparently well within the preceding 12 hours. Some, in fact, were seen as recently as 2-3 hours previously when they had laid down to take a nap.

**Googling “soldier found dead, “dead in barracks,” “dead in bed,” etc. we have uncovered 314 such deaths of mostly males in their 20s—probable sudden cardiac deaths. Three hundred and fourteen! And we find more each time we return to the grim task.**

Sicouri & Antezelevitch (Expert Opinion. Drug Saf. (2008) 7 (2):181-194.) conclude: “A number of antipsychotic and antidepressant drugs are known to increase the risk of ventricular arrhythmias and sudden cardiac death.

“Antipsychotics can increase cardiac risk even at low doses whereas antidepressants do it generally at high doses or in the setting of drug combinations.”

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**“The U.S. Navy Vessel USS Essex  
Managed To Glide Into San Diego Bay  
On Thursday, 24 Hours After Colliding**



# With A Tanker When The Aging Warship's Steering Apparently Failed”

May 17, 2012 By JULIE WATSON, Associated Press

SAN DIEGO — Sporting crumpled catwalks and smashed lifeboats, the U.S. Navy vessel USS Essex managed to glide into San Diego Bay on Thursday, 24 hours after colliding with a tanker when the aging warship's steering apparently failed.

Families of the crew aboard the "Iron Gator" waved homemade flags in celebration as the 21-year-old amphibious assault ship — which officials say needs to be overhauled — came into view through the morning's thick marine layer.

Wednesday's midmorning crash 120 miles off the coast of Southern California resulted in no injuries or fuel spills. The 844-foot-long Essex, which looks like a small aircraft carrier, was carrying 982 crew members. The tanker, the 677-foot USNS Yukon, was carrying 82.

"To me, it felt like a minor earthquake," said Navy photographer Duke Richardson from Jersey City, N.J., who was in a photo lab on the Essex when it struck the Yukon.

He said some of the "newbies" on board were in a "state of shock" and let out some interesting "four-letter words" when the boat jolted and the collision alarms sounded.

Someone yelled "Man Down! Man Down!" the standard call to get emergency responders in place. No one was struck or fell. It was all over in less than a minute.

Officials showed reporters Thursday where the Yukon bumped into the Essex.

The warship looked like it had been in a super-sized fender bender at sea:

Its starboard aircraft elevator was scraped and dented, and its railing bowed back the wrong way. A small section of catwalks were crumpled, and capsules holding lifeboats were smashed. Some of the guardrails were split open.

Joe Derie, a retired Coast Guard officer who specializes in marine accident investigations, said the costliest repair could be to the aircraft elevator, depending on the damage.

"That's where the big bucks could be," he said.

The Yukon arrived Wednesday afternoon at the Navy base in Coronado, Calif. Lt. Beth Teach said it suffered structural damage to its flight deck, lifeboats and davits, the arm-like structures that raise and lower small boats out of the water.

Officials were investigating what caused the steering to malfunction as the Essex lined up next to the Yukon to position itself to be refueled. They said they couldn't say how fast the ships were moving at the time of the crash because the investigation was under way.

The standard speed for ships lining up to refuel at sea is about 13 knots, or 15 mph. No lines or hoses had been connected because the two vessels were just approaching each other.

Navy officials said it was the Essex's first collision.

The vessel was returning from a 12-year stint in Japan to its homeport of San Diego and was scheduled for maintenance.

The Essex is in definite need of maintenance after being stationed so long in Sasebo, Japan, as command ship for the Navy's Expeditionary Strike Group 7, officials said. It will be in the shipyard for a year to get needed upgrades and repairs.

"This ship's overdue," said ship spokesman Joe Kane. "It's like any machine or your car, you got to bring it in."

Last year, a piece of equipment aboard the Essex failed due to general wear and tear, and the ship was unable to participate in an exercise called Cobra Gold, said Cmdr. Ron Steiner, spokesman for the 7th Fleet.

**Steiner said the Navy's Pacific ships adhere to rigorous maintenance standards but scheduled maintenance periods have been interrupted by events.**

Last year, Amphibious Force 7th Fleet ships participated in 17 scheduled bilateral exercises and also helped with the recovery efforts in the aftermath of the Japan earthquake.

The Essex was traveling with a new crew that came aboard for the 17-day trip to California. The ship recently underwent a crew swap with another amphibious assault ship, the Bonhomme Richard, as part of a standard procedure in the Navy to keep its ships operating.

The Yukon, which was launched in 1993, has been involved in at least two previous collisions, including on Feb. 27, 2000, when it collided with a 135-foot civilian cargo ship while trying to enter Dubai's Jebel Ali port in the United Arab Emirates. The Yukon sustained minor damage.

Less than five months later, it was hit by the USS Denver during refueling off the coast of Hawaii. Both ships sustained heavy damage.

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## DANGER: POLITICIANS AT WORK



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## **Federal Judge Preliminarily Enjoins Enforcement Of The Traitor Obama’s Law That Journalists Can Be Sent To “Indefinite Or Prolonged Military Detention” For “Associational And Expressive Activities”**

May 16, 2012 By Glenn Greenwald, Salon.com [Excerpts]

**A federal district judge today, the newly-appointed Katherine Forrest of the Southern District of New York, issued an amazing ruling: one which preliminarily enjoins enforcement of the highly controversial indefinite provisions of the National Defense Authorization Act, enacted by Congress and signed into law by President Obama last December.**

This afternoon’s ruling came as part of a lawsuit brought by seven dissident plaintiffs — including Chris Hedges, Dan Ellsberg, Noam Chomsky, and Birgitta Jonsdottir — alleging that the NDAA violates “both their free speech and associational rights

guaranteed by the First Amendment as well as due process rights guaranteed by the Fifth Amendment of the United States Constitution.”

The ruling was a sweeping victory for the plaintiffs, as it rejected each of the Obama DOJ’s three arguments: (1) because none of the plaintiffs has yet been indefinitely detained, they lack “standing” to challenge the statute; (2) even if they have standing, the lack of imminent enforcement against them renders injunctive relief unnecessary; and (3) the NDAA creates no new detention powers beyond what the 2001 AUMF already provides.

As for the DOJ’s first argument — lack of standing — the court found that the plaintiffs are already suffering substantial injury from the reasonable fear that they could be indefinitely detained under section 1021 of the NDAA as a result of their constitutionally protected activities.

As the court explained (h/t Charles Michael):

**“In support of their motion, Plaintiffs assert that § 1021 already has impacted their associational and expressive activities—and would continue to impact them, and that § 1021 is vague to such an extent that it provokes fear that certain of their associational and expressive activities could subject them to indefinite or prolonged military detention.”**

The court found that the plaintiffs have “shown an actual fear that their expressive and associational activities” could subject them to indefinite detention under the law, and “each of them has put forward uncontroverted evidence of concrete — non-hypothetical — ways in which the presence of the legislation has already impacted those expressive and associational activities” (as but one example, Hedges presented evidence that his “prior journalistic activities relating to certain organizations such as al-Qaeda and the Taliban” proves “he has a realistic fear that those activities will subject him to detention under § 1021”).

Thus, concluded the court, these plaintiffs have the right to challenge the constitutionality of the statute notwithstanding the fact that they have not yet been detained under it; that’s because its broad, menacing detention powers are already harming them and the exercise of their constitutional rights.

Significantly, the court here repeatedly told the DOJ that it could preclude standing for the plaintiffs if they were willing to state clearly that none of the journalistic and free speech conduct that the plaintiffs engage in could subject them to indefinite detention. But the Government refused to make any such representation. Thus, concluded the court, “plaintiffs have stated a more than plausible claim that the statute inappropriately encroaches on their rights under the First Amendment.”

**Independently, the court found that plaintiffs are likely to succeed on their claim that the NDAA violates their Fifth Amendment due process rights because the statute is so vague that it is virtually impossible to know what conduct could subject one to indefinite detention.**

**Specifically, the court focused on the NDAA's authorization to indefinitely detain not only Al Qaeda members, but also members of so-called "associated forces" and/or anyone who "substantially supports" such forces, and noted:**

"Plaintiffs have shown a likelihood of success on their vagueness challenge. The terms upon which they focused at the hearing relate to who is a "covered person." In that regard, plaintiffs took issue with the lack of definition and clarity regarding who constitutes an "associated forces," and what it means to "substantially" or "directly" "support" such forces or, al-Qaeda or the Taliban. . . .

"The Government was unable to define precisely what "direct" or "substantial" "support" means. . . . Thus, an individual could run the risk of substantially supporting or directly supporting an associated force without even being aware that he or she was doing so."

Perhaps most importantly, the court categorically rejected the central defense of this odious bill from the Obama administration and its defenders: namely, that it did nothing more than the 2001 AUMF already did and thus did not really expand the Government's power of indefinite detention.

The court cited three reasons why the NDAA clearly expands the Government's detention power over the 2001 AUMF (all of which I previously cited when denouncing this bill).

First, "by its terms, the AUMF is tied directly and only to those involved in the events of 9/11," whereas the NDAA "has a non-specific definition of 'covered person' that reaches beyond those involved in the 9/11 attacks by its very terms."

Second, "the individuals or groups at issue in the AUMF are also more specific than those at issue in § 1021" of the NDAA; that's because the AUMF covered those "directly involved in the 9/11 attacks while those in § 1021 (of the NDAA) are specific groups and 'associated forces'." Moreover, "the Government has not provided a concrete, cognizable set of organizations or individuals that constitute 'associated forces,' lending further indefiniteness to § 1021."

Third, the AUMF is much more specific about how one is guilty of "supporting" the covered Terrorist groups, while the NDAA is incredibly broad and un-specific in that regard, thus leading the court to believe that even legitimate activities could subject a person to indefinite detention.

**The court also decisively rejected the argument that President Obama's signing statement – expressing limits on how he intends to exercise the NDAA's detention powers — solves any of these problems.**

That's because, said the court, the signing statement "does not state that § 1021 of the NDAA will not be applied to otherwise-protected First Amendment speech nor does it give concrete definitions to the vague terms used in the statute."

The court concluded by taking note of what is indeed the extraordinary nature of her ruling, but explained it this way:

“This Court is acutely aware that preliminarily enjoining an act of Congress must be done with great caution. However, it is the responsibility of our judicial system to protect the public from acts of Congress which infringe upon constitutional rights.”

This is an extraordinary and encouraging decision.

**All the usual caveats apply: this is only a preliminary injunction (though the court made it clear that she believes plaintiffs will ultimately prevail). It will certainly be appealed and can be reversed.**

**There are still other authorities (including the AUMF) which the DOJ can use to assert the power of indefinite detention.**

UPDATE: I really should mention the rest of the plaintiffs who brought this lawsuit beyond the four well-known ones I named above, because each deserves immense credit for doing this. Alexa O'Brien is an independent journalist who writes for WL Central, regarding WikiLeaks, Guantanamo and other issues, and founded a website to work on America's corrupted elections, U.S. Day of Rage. Kai Wargalla is a British activist who founded Occupy London and has done extensive work in advocating for WikiLeaks. Jennifer Bolen, who along with Hedges spearheaded the organization of this lawsuit, is an activist with Revolution Truth who did substantial work to defeat the NDAA.

Though I knew a fair amount about it as it proceeded, I hadn't written about this lawsuit before, largely because I did not expect it to succeed; I anticipated that it would be dismissed on “standing” grounds, the favored tactic (along with the State Secrets privilege) for both the Bush and Obama DOJ's to persuade federal courts not to even adjudicate constitutional challenges to the War on Terror powers.

Serious kudos to all of the plaintiffs and lawyers here who persevered in what I'm certain they knew would be an uphill battle.

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**Corrupt Congressional Piece Of  
Shit Gets Insanely Overpriced  
DoD Contract Awarded To  
People Who Give Him Lots Of  
Money:  
“And At A Time When The  
Pentagon Is Facing Billions Of**

# **Dollars In Cutbacks — Which Include Shrinking The Army” War Profiteers Get \$17,000 Each For Drip Pans On Army Craft: “A Similar Pan From Another Company Costs A Small Fraction Of The Price: About \$2,500”**

**And at a time when the Pentagon is facing billions of dollars in cutbacks — which include shrinking the Army, trimming back purchases of fighter jets and retiring warships — the eye-catching price tag for a small part has provoked sharp criticism.**

May 18, 2012 By ERIC LICHTBLAU, New York Times [Excerpts]

WASHINGTON — In the 1980s, the military had its infamous \$800 toilet seat.

Today, it has a \$17,000 drip pan.

Thanks to a powerful Kentucky congressman who has steered tens of millions of federal dollars to his district, the Army has bought about \$6.5 million worth of the “leakproof” drip pans in the last three years to catch transmission fluid on Black Hawk helicopters.

And it might want more from the Kentucky company that makes the pans, even though a similar pan from another company costs a small fraction of the price: about \$2,500.

And at a time when the Pentagon is facing billions of dollars in cutbacks — which include shrinking the Army, trimming back purchases of fighter jets and retiring warships — the eye-catching price tag for a small part has provoked sharp criticism.

The Kentucky company, Phoenix Products, got the job to produce the pans after Representative Harold Rogers, a Republican who is now the chairman of the House Appropriations Committee, added an earmark to a 2009 spending bill. While the earmark came before restrictions were placed on such provisions for for-profit companies, its outlays have continued for the last three years.

**The company’s owners are political contributors to the congressman, who has been called the “Prince of Pork” by The Lexington Herald-Leader for his history of delivering federal contracts to donors and others back home.**

Military officials have said the pans work well, and Mr. Rogers defended them.

“It’s important that Congress do what it can to provide our military with the best resources to ensure their safety and advance our missions abroad, while also saving taxpayer dollars wherever possible,” Mr. Rogers said in a statement. “These dripping pans help accomplish both of these goals.”

**But Bob Skillen, the chief engineer at a small manufacturer called VX Aerospace, which has a plant in North Carolina, said he was shocked to see what the Army was spending for the Black Hawk drip pans.**

**He designs drip pans that his company sells to the military for a different helicopter, the UH-46, for about \$2,500 per pan, or about one-eighth the price that his Kentucky competitor charges.**

The pans attach beneath the roof of the helicopter to catch leaking transmission fluid before it can seep into the cabin.

“It’s not a supercomplex part,” said Mr. Skillen, an aerospace engineer who used to work for the Navy.

“As a taxpayer, I’m just like, this isn’t right.”

He took his concerns to members of Congress, to military contracting officials and, finally, to a government watchdog group, the nonpartisan Citizens for Responsibility and Ethics in Washington.

**The group requested documents from the government under the Freedom of Information Act last year to learn more about the contract.**

**The Army turned over some information but said it did not have any specifications or designs for the drip pans that might explain the price. That was considered proprietary information held by Phoenix Products.**

Melanie Sloan, who leads the Washington group, said she was troubled by the secrecy surrounding what seemed to be a routine parts order.

**“How is it possible that the government can’t say why it ended up with a drip pan that was this much money?” she asked in an interview.**

A Congressional aide said that Mr. Rogers inserted the earmark after Army officials went to him with concerns about fluids that were leaking into the cabins of Black Hawks, splattering not only crew members but also wounded soldiers being airlifted to hospitals.

**“The Army came to the boss and said this is an issue,” said the aide, who spoke on the condition of anonymity in discussing internal communications.**

**The Army, however, said it was simply following a budget directive from Congress. “Congress mandated a leakproof transmission drip pan,” said Dov Schwartz, an Army spokesman.**

**The contract was awarded without competitive bids because Phoenix was the only company deemed “approved and certified” for the work, he said.**



As of October, the Army had bought 374 drip pans from Phoenix Products at an average cost of \$17,000 — discounted from the company's usual price of \$19,000, Mr. Schwartz said.

He said the Army might get more pans if financing is approved.

Tom Wilson, who owns Phoenix Products, defended his company's pans as better constructed and more durable than others on the market.

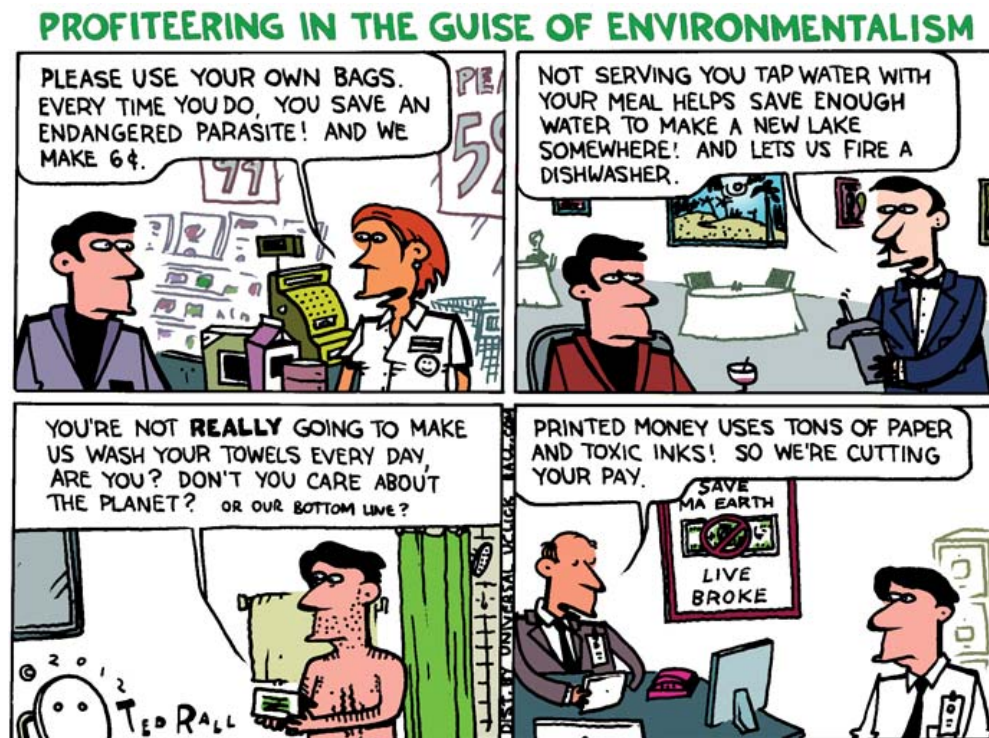
**Asked what made them so costly, he declined to discuss specifics, saying that disclosure of the company's custom design could help competitors or even aid America's enemies.**

**Mr. Wilson and his wife, Peggy, who is the president of the company, have been frequent contributors to Mr. Rogers's political committee, as well as to Republican groups. The company has paid at least \$600,000 since 2005 to a Washington lobbying firm, Martin Fisher Thompson & Associates, to represent its interests on federal contracting issues, records show.**

**Mr. Rogers, in turn, has been a strong supporter of the manufacturer. He has directed more than \$17 million in work orders for Phoenix Products since 2000.**

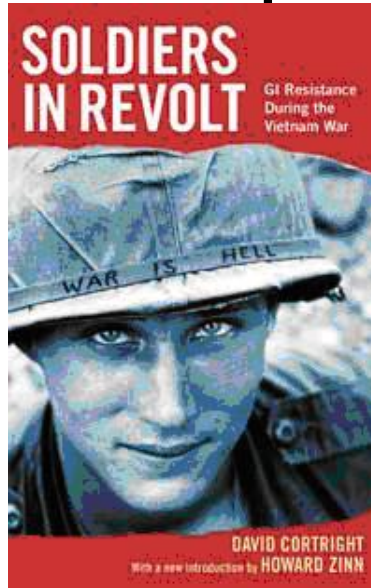
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