

**UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK**

AMNESTY INTERNATIONAL USA, CENTER
FOR CONSTITUTIONAL RIGHTS, INC. and
WASHINGTON SQUARE LEGAL SERVICES,
INC.,

Plaintiffs,

v.

CENTRAL INTELLIGENCE AGENCY,
DEPARTMENT OF DEFENSE, DEPARTMENT
OF HOMELAND SECURITY, DEPARTMENT
OF JUSTICE, DEPARTMENT OF STATE, AND
THEIR COMPONENTS

Defendants.

CIVIL ACTION DOCKET No. []

COMPLAINT

PRELIMINARY STATEMENT

1. This is an action under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552 *et seq.*, for injunctive and other appropriate relief, and seeking the immediate processing and release of agency records requested by Plaintiffs from Defendants Central Intelligence Agency (“CIA”), Department of Defense (“DOD”), Department of Homeland Security (“DHS”), Department of Justice (“DOJ”), Department of State (“DOS”), and their components.
2. Since 2001, the United States Government has orchestrated the rendition and secret detention of individuals in connection with the “War on Terror.”
3. Rendition and secret detention typically involve the apprehension of individuals by local security forces, often with the help of U.S. agents, followed by stripping, handcuffing, shackling, blindfolding, and hooding of the detainees in preparation for flights by which they are transferred

to foreign destinations such as Syria, Jordan or Egypt for detention and interrogation, sent to secret U.S. facilities, or a combination of both. Detention in both foreign destinations and secret U.S. facilities involves interrogation techniques such as sleep deprivation, prolonged solitary confinement and sensory manipulation.

4. The use of both rendition and secret detention has been officially acknowledged at the highest levels of the United States Government. On December 5, 2005, Secretary of State Condoleezza Rice stated that the United States uses “rendition” to transport terrorism suspects to third countries for interrogation, detention or to bring individuals “to justice.” On September 6, 2006, President George W. Bush acknowledged that “a small number of suspected terrorist leaders and operatives captured during the war have been held and questioned outside the United States, in a separate program...” and revealed that this program had been reviewed and approved by the CIA and DOJ.

5. Amnesty International USA (“Amnesty”), the Center for Constitutional Rights, Inc. (“CCR”) and Washington Square Legal Services, Inc. (“WSLS”) (collectively “Plaintiffs”) have submitted FOIA requests (“Plaintiffs’ Requests”) to Defendants seeking records concerning rendition and secret detention of individuals in the “War on Terror.”^{1/} Plaintiffs’ Requests seek records related to evaluations and authorizations, policies and procedures, identities of individuals and locations, activities of private contractors and non-governmental actors, and treatment of, and injuries sustained by, individuals transferred or detained.

^{1/} The CCR submitted a FOIA request in December 2004. Amnesty and WSLS submitted two FOIA requests in April 2006. Due to the similarity of the CCR Request and the Amnesty and WSLS Requests, CCR, Amnesty and WSLS (collectively “Plaintiffs”) join in this single action for injunctive relief. The CCR Request to DOD Office of Freedom of Information/Security Review is attached as Exhibit A. CCR also filed identical requests with the CIA, DOD and its components, DOJ and its components, and DOS. Amnesty’s and WSLS’ Requests to the CIA are attached as Exhibits B and C. Amnesty and WSLS also filed identical requests with DOD and its components, DHS and its components, DOJ and its components, and DOS.

