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## The Big Chill

by LAURA ROZEN

[posted online on July 14, 2005]

A chill has taken hold lately among both government officials and the US media. It comes in the wake of a US district court's decision to jail a *New York Times* reporter for refusing to reveal to a grand jury her sources in the Bush Administration and the FBI investigation of a Pentagon Iran analyst for leaking classified information to former officials with the pro-Israel lobby group AIPAC. As a result, those who engage in what have long been standard Washington practices--reporters ferreting out information from government sources, those sources confiding in policy associates, lobbyists and reporters--have become increasingly inhibited in carrying out their jobs.

Even as a press frenzy surrounds a grand jury investigation of whether top presidential advisor Karl Rove leaked a CIA officer's identity to the press, unease in the Washington policy and journalistic communities is also evident. In the wake of *Times* reporter Judith Miller's jailing and in fear of government prosecution, the *Cleveland Plain Dealer* has decided, on the advice of its lawyers, not to publish two major articles based on leaked government information. At a recent gathering in a suburban Maryland living room, the conversation among a handful of foreign policy experts and reporters was about the sense of fear and clampdown. One government expert was convinced office phone conversations were regularly monitored by higher-ups, and reporters noted that senior government sources, intimidated by the Franklin investigation, have become more tight-lipped.

While the Franklin/AIPAC investigation is often described as a counterintelligence case, it too is really about government leaks, and the Bush Administration's determination to plug them. On September 9, 2001, the *New York Times* published a story by then-State Department correspondent Jane Perlez, who reported a major shift in what had been the Bush Administration's rejection of the Clinton Administration's deep engagement in trying to broker a peace settlement between Israelis and Palestinians. Perlez reported that after months of refusing to meet with Yasir Arafat, George W. Bush would grant the

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Palestinian leader his first audience with the new US President at an upcoming UN General Assembly gathering in New York "if progress were made in high-level talks between the Palestinians and the Israelis."

That meeting between Bush and Arafat never happened. Two days after the Times story appeared, Al Qaeda terrorists crashed planes into the World Trade Center, the Pentagon and a field in Pennsylvania, killing almost 3,000 people. In the aftermath of those attacks, few people recalled that for a brief moment in the late summer of 2001, the Bush Administration had considered meeting with Arafat and deepening its political involvement in the Israeli-Palestinian conflict.

Everyone forgot, except the FBI. According to a recent report by the Jewish Telegraphic Agency, it was that September 2001 news article, based on leaks of sensitive Administration deliberations, that prompted then-National Security Adviser Condoleezza Rice to demand an FBI leak investigation that has since taken on a dramatic life of its own. Most recently, the investigation has led to the federal grand jury indictment, unsealed last month, of Pentagon Iran desk officer Larry Franklin on charges involving conspiracy to disclose classified national defense information to unauthorized recipients. It is expected to lead to indictments, under the Espionage Act, of two recently dismissed employees of the American Israel Public Affairs Committee for engaging in a conspiracy to receive and pass on to other unauthorized recipients what they knew to be classified information. They are AIPAC's former director of foreign policy research, Steve Rosen, and his deputy, Iran specialist Keith Weissman. Among those the FBI reportedly wants to interview as a potential witness in its investigation is a Washington Post journalist who was allegedly briefed on some of the classified information by the former AIPAC officials--information those officials had allegedly received from Franklin in an FBI-arranged sting. In addition, Franklin, Rosen and Weissman are all alleged to have relayed classified national defense information to an Israeli Embassy official. It is this latter connection that has raised talk of espionage.

How does an investigation of a leak to the news media turn into an indictment that alleges a conspiracy to disclose US national security information illegally to, among others, a foreign official, with more indictments expected? The evidence available in the Franklin indictment and other sources does not seem to show the intention to commit espionage on behalf of Israel so much as the desire to cultivate Washington alliances that Franklin, Rosen and Weissman considered useful in the promotion of their own policy positions in the US government. As with most administrations, in the Bush Administration leaks have been employed by bureaucratic warriors on all sides of the heated Mideast policy debates to influence sensitive deliberations and take stabs at their opponents. It's worth noting that President Bush's top political adviser, Karl Rove, has been revealed as a suspect in a federal grand jury investigation (the same one in which Times reporter Miller has been jailed) of the circumstances by which a CIA officer's identity was leaked to Washington reporters in an apparent Administration effort to discredit her husband, Joseph Wilson, a former diplomat critical of the President's Iraq War policy.

In interviewing several sources knowledgeable about the investigation, what emerges is a complex portrait of Washington Mideast policy-making at a critical time, in the aftermath of the September 11 attacks, when there were near-constant interagency battles over the direction of US policy, not just on the Israeli-Palestinian conflict but toward Iran and Iranian-backed forces in Iraq as well. What also emerges is a more detailed picture of the modus operandi of a brilliant and, some say, ruthless bureaucratic infighter at the country's premiere Mideast lobbying group, who was emboldened by his long relationships with figures in and around the Bush Administration and the Washington scene to behave almost as an unofficial diplomatic entity in his own right.

The fact that that brilliant player, Steve Rosen, could become the target of a counterintelligence investigation during this Republican Administration is rich in irony. Several former Rosen associates describe him as a genius at political strategy and subterfuge, the Karl Rove of Jewish-American politics, who helped engineer the lobby group's shift to the right on the American political spectrum; helped broker a strategic alliance between the pro-Israel lobby and Republican far-right legislators, including Senator Jesse Helms, in the 1980s; and who marshaled his organization's resources to conduct de facto intelligence operations of his own.

As former associates and AIPAC officials describe it, those operations were replete with enemies' lists of journalists and public figures. Rosen sent AIPAC interns as spies to take notes on the political views of other members of the small world of Jewish community political activism. One former AIPAC intern told *The Nation* that he was sent by Rosen to Arab-American conferences disguised as a WASP-y, pro-Palestinian liberal to find out which US Congressional candidates the attending groups were supporting. Former associates recite a list of AIPAC officials with Democratic staff connections on Capitol Hill who were purged from the organization in part, they allege, because of Rosen's strategic efforts to move AIPAC decisively to the right. (Sources close to Rosen say that he wasn't acting on his own in any of these endeavors, but as part of the organization. A source close to AIPAC downplays these activities and suggests that many of them ended years ago.)

Rosen's "entire goal was to shift the organization away from a heavy reliance on Democrats and switch it to Republicans," says M.J. Rosenberg, director of the Washington office of the Israel Policy Forum and the former editor of an AIPAC weekly newsletter who overlapped with Rosen at the organization in the early 1980s. "Why? Because he thought, maybe correctly, that the wave of the future was the right wing of the Republican Party."

While such alleged efforts have made Rosen an object of controversy among some more left leaning members of the politically-active Washington Jewish policy community, even those who are not his fans do not believe Rosen is a spy. They describe a man motivated not so much by concern for Israel as a quest for behind-the-scenes power in Washington. "Steve Rosen doesn't give a damn about Israel," a Jewish community activist who requested anonymity explained. "These are game players. For them, it's all about the game."

For Rosen, that game became focused on Iran some time ago, in the early 1990s. According to former AIPAC sources, the reasons included a request by then-Israeli Prime Minister Yitzhak Rabin that AIPAC to stay out of delicate US-Israel negotiations over the Mideast peace process.

"From...when Rabin came in, Steve's mandate has been to go after Iran, largely because Rabin didn't want him messing around with the peace process," says one veteran lobbyist who requested anonymity. "Steve took it and ran with it beyond anyone's expectations. So what comes out of it is that you have a [US] Iran policy that AIPAC is driving. And this went well into the last [Clinton] Administration.

"Then along comes a new Administration that is made up of the same neocons that were promoting the [hawkish] Iran policy," the veteran lobbyist continued, "but this Administration was divided down the center.... On the one hand, you have the neocons...on the other side, you have Powell and Richard Armitage and the State department [and the CIA], who want to try to open up a dialogue. One is for confrontation, and one is for dialogue.... So the neocons, the Iran hawks, know that they have got a natural ally...at other think tanks around town who feel the same way they do.... They also have AIPAC, which has made [Iran] its number-one issue.... My guess is that they went to AIPAC and the others with the same message: 'You have friends we don't have. Help us to persuade them to see it our way.'"

Persuading political heavyweights to see things his way was what Rosen was all about. Sources tell *The Nation* that Rosen has a long history of cultivating executive branch sources [see Rozen, "Hall of Mirrors," posted here in May], milking them for information, boasting about his access to AIPAC's funders and leadership, and engaging in strategic press leaks as a regular part of his efforts to influence policy and engage in bureaucratic warfare.

Indeed, the unsealed twenty-page Franklin indictment offers a fascinating peek into the government's view of the Pentagon analyst and the AIPAC officials cultivating one another, presumably attempting to tip the Bush Administration toward a harder line against Iran. For the AIPAC officials, Franklin--who often appears frustrated at bureaucratic obstacles to this harder line--seems to have offered grumbling and insights on the bitter interagency Iran policy debates inside the Administration. For Franklin, the AIPAC officials must have seemed like sympathetic political sophisticates, freed from the tyranny of working in the government bureaucracy but with impressive influence among high-level officials in the White House and key members of Congress. Indeed, in a fascinating reversal of the ordinary official-lobbyist relationship, it appears from the indictment that Franklin thought Rosen could bypass the bureaucracy and take Franklin's information straight to the White House, and possibly "put in a good word for him" to get a job at the National Security Council.

But the Franklin indictment raises a key question: What exactly is the nature of the conspiracy the government believes it has uncovered? The kind of information the AIPAC officials seemed most interested in wasn't intelligence but policy information:

who in the bureaucracy was arguing which position on Iran, who were the obstacles to the adoption of hard-line policies and the like.

"I don't think anyone's spying for anyone," says a Jewish community activist, no fan of Rosen's, who asked not to be named. "Rosen is not working for Israel, because he was working for a separate sovereign entity [AIPAC]. Franklin just wanted to be a policy nerd, to advocate for a policy he thought wasn't getting enough attention."

But there are seeming anomalies to this benign interpretation of the relationship to be found in the Franklin indictment as well. The most interesting and surprising part of the indictment describes fourteen meetings between Franklin and an "FO" (foreign officer), widely reported to be Israeli Embassy political officer Naor Gilon. They met in the open, at the Pentagon Officers' Athletic Club and Washington-area coffee shops and restaurants, between 2002 and 2004. The last part of the indictment asserts that at some point Franklin disclosed to Gilon "classified United States government information relating to a weapons test conducted by a Middle Eastern country," presumably Iran. It is hard to discount such an unauthorized disclosure to a foreign government official as an ordinary leak.

Another intriguing issue: The indictment describes Franklin's returning from one of his meetings with Gilon in May 2003 and drafting an "Action Memo to his supervisors, incorporating suggestions made by the FO during the meeting." This suggests the FBI may be interested not only in alleged leaks from Franklin to unauthorized recipients but in the possibility of Franklin's feeding information from those officials back into the system, in an effort to influence US policy toward Iran. This raises the question of whether the government thinks the nature of the conspiracy was not only a matter of unauthorized leaks but also a coordinated effort by Franklin and perhaps his alleged co-conspirators to shape the US policy environment in a kind of agent-of-influence scenario. The US Attorney's office declined to comment on the case.

*The Nation* has learned that among the documents the FBI has in its possession is a memo written by Rosen in 1983, soon after he joined AIPAC, to his then-boss describing his having been informed about the contents of a classified draft of a White House position paper concerning the Middle East and telling his boss that their inside knowledge of the draft might enable the group to influence the final document. The significance would seem to be an effort by the FBI to establish a pattern of Rosen's accessing classified information to which he was not authorized, not just from Franklin but over many years. Rosen's attorneys declined to comment on the allegation.

Stephen Green, a Vermont state legislator and former UN official who in the 1980s pursued independent scholarship critical of Israeli-US relations including by requesting through the Freedom of Information Act (FOIA) State Department documentation on counterintelligence probes, says the FBI's concerns about Rosen pre-date the September 2001 news leak incident. Green says in meetings with FBI investigators last year, "I was told by investigators that his name has showed up in wiretaps more than once over time,"

Green told *The Nation*. What's more, Green says, he believes the FBI considers Franklin only a little fish useful to getting Rosen.

Former FBI attorney Harvey Rishikof says that both theories, that this investigation is about leaking, or that it is motivated by graver counter-intelligence concerns, could be true. "They are not necessarily opposing theories," Rishikof told *The Nation*. "If you are worried about counterintelligence issues, and counterintelligence issues are also related to leak issues, so that individuals are using strategic leaks basically for counterintelligence purposes, you then link up the two threads...If you were the government, the leaks then become the method by which you are able to shut down what appears to be a counterintelligence problem."

The full picture of the government's case against Rosen will not emerge until an indictment is handed down, assuming there even is one. It is not even clear how he originally appeared on the FBI's radar screen. But if prosecutors focus on Rosen's alleged long-term cultivation of executive branch sources, who might have improperly shared with him privileged information about US national security deliberations, it's a twist on what we understand as a typical spy story, because such behavior, at least in its unclassified form, is the very currency of the capital: Washington lobbyists cultivating inside sources and trading information with them to influence policy.

Whether it was the FBI's intention or not, one result of the Franklin/AIPAC investigation, along with the jailing of Miller in the Wilson investigation, has been the fortressing of the executive branch; the danger is that this could enable the Bush Administration to shape policies with even less consultation from the public and Congress.

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## The silence of the Jewish leaders

By Shmuel Rosner

Last week, an indictment was issued against Steve Rosen and Keith-Weissman, two former AIPAC employees. They are charged with passing classified security information, received during their work at the Jewish lobby, to various people, including employees of the Israeli Embassy in Washington. This charge sheet raises troubling questions. But is this the whole story? Is this why Rosen was under surveillance for six years?

Commentators, reporters, legal experts and various organizations have already begun delving into the material. Lucy Dalglish, executive director of the Reporters Committee for Freedom of the Press, was quoted in a short article in The New York Times as saying she was concerned about the chilling effect such an investigation will have on journalists. The same word was used by Laura Rosen in The Nation, a radical left institution which cannot be accused of instinctive sympathy for AIPAC, under the headline "The Big Chill."

They both appear to believe that the investigation serves the interests of the Bush administration, which is stricter on leaks than its predecessors. If one buys this explanation, the meaning is simple: Rosen and Weissman are the victims through whom a message is being delivered. Anyone who tries to get information will have to face Federal investigators. Bad news for media representatives, lobbyists and members of research institutes.

The investigation is also bad news for the Jewish community. Dozens of people, most of them Jews, have already been questioned. There were those who felt anger, particularly when asked questions such as, "Does AIPAC have dual loyalties?" or "Why do Jews actually have to act on behalf of Israel?" They told their friends they were asked "strange questions." Some of them called one Jewish organization or another in order to ask, "Why don't you say something? Why don't you make your voice heard?"

They are still waiting. Jewish leaders are keeping silent - but not because they have nothing to say. On the contrary, in private

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conversations in the U.S. and Jerusalem they have a great deal to say about the investigation. For example: "The motives behind it are not pure. Even if I did not always like the organization [AIPAC], I don't feel comfortable with this inquiry;" or "The FBI's motives are anti-Semitic. It is no coincidence that they made problems for [former ambassador to Israel] Martin Indyk because of a computer he took out of the office, and [the former national security adviser] Sandy Berger about documents. They suspect all the Jews;" or "There is nothing to this affair. It is total nonsense. Someone decided to latch onto AIPAC to take them down a peg or two;" or "There are people who don't like the idea that an organization connected with Israel has so much power and influence. They anyway consider the Jews' loyalty as questionable. They are going to try people for something that is done in Washington every day."

This is how leaders on the right and left, Orthodox and Reform, heads of communities and organizations put it. Dozens of conversations revealed almost identical opinions. It is amazing: In private conversations they will talk, but in public they keep mum. No persecution, no anti-Semitism and no exaggeration.

Jewish leaders believe that enmity toward Israel or toward Jews has made someone go crazy. But they remain quiet because this enmity paralyzes them. It leads Jews to wonder whether it is worthwhile to get involved in a public debate that will end in sensitive questions of dual loyalty. A debate that those who hate Israel would be happy to see and use to sow doubt and suspicion and to incite. The media and the Internet are already full of stupid or bad people who are eager to use the affair to lambast "the Jewish/Israeli/neo-Conservative lobby."

Those who wish Rosen well are prepared to e-mail anyone who requests it an article by Prof. Aaron Kirschenbaum, "The Bystander's Duty to Rescue in Jewish Law." The charges against Rosen include using classified information in order to warn the Israeli embassy about Iranian agents who might abduct Israeli soldiers in Iraq. Is there any Jewish leader who would get information of this kind and keep silent? It's a difficult question. The answer cannot always be explained easily to the public.

Therefore it is possible that the decision to remain silent makes sense from a tactical point of view. Perhaps, as one of those who is keeping quiet told Haaretz, it is best to "let the legal authorities do their job" in the hope that the pair will be exonerated. Perhaps, as one expert lobbyist proposed, "There are tacit ways to deal with matters like this," or perhaps, "We have to wait until the facts are completely clear."

Only it would have been much easier to believe all of these explanations if those who express them did not already have firm opinions about the investigation, without waiting for the "facts" and without relying on "the legal system." A reasonable opinion, considering the flimsy nature of the charges.

If I'm not mistaken, it was law professor Alan Dershowitz who said that Jews in America are not "guests in someone else's house," but their silence about the AIPAC affair sometimes seems like the silence of a guest. Even if it is justified for reasons of caution or etiquette, even if it can be understood, it nevertheless makes one feel somewhat uneasy.

Some of the Jewish leaders admit to this. But only in private:

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**KRAMARSIC, BRETT M. (WF) (FBI)**

**From:** BRIDGES, TRACEY J. (WF) (FBI)  
**Sent:** Friday, August 12, 2005 8:09 AM  
**To:** PAULLING, SCOTT M. (WF) (FBI); LOEFFERT, JANICE S. (WF) (FBI); O'DONNELL, THOMAS J. (NY) (FBI); PORATH, ROBERT J. (WF) (FBI); FORTIN, BRIAN G. (WF) (FBI); LURIE, ERIC S. (WF) (FBI); MARKLEY, JAMES S. (WF) (FBI); DOUGLAS, STEPHANIE (WF) (FBI); MCDERMOTT, WILLIAM R. (WF) (FBI); KRAMARSIC, BRETT M. (WF) (FBI)  
**Subject:** FW: WOO HOO for you guys...

## Two Ex-AIPAC Staffers Indicted

JewishTimes.com

Ron Kampeas and Matthew E. Berger

August 11, 2005

**ALEXANDRIA, VA -- The indictment of two former officials of the American Israel Public Affairs Committee suggests that the government wants to prove an extensive pattern of trading classified information.**

Paul McNulty, the U.S. attorney for eastern Virginia who handed down the indictment here Aug. 4, decisively counted out the pro-Israel lobby as a target in the inquiry. Still, the broad scope of the charges -- stretching back more years and covering a broader array of U.S. and Israeli officials than was previously known -- is sure to send a chill through Washington's lobbying community. The indictment charges Steve Rosen, AIPAC's former policy director, and Keith Weissman, its former Iran analyst, with "conspiracy to communicate national defense information to people not entitled to receive it," which carries a maximum sentence of 10 years in prison. Rosen is also charged with actual communication of national defense information, also punishable by 10 years in prison.

  
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The charges against the former AIPAC staffers do not rise to the level of espionage, which the defendants and their supporters had feared. Weissman and Rosen are expected to appear in an Alexandria, Va., federal court on Aug. 16. Attorneys for Rosen and Weissman expressed confidence that they would handily beat the charges. "The charges in the indictment announced today are entirely unjustified," said a statement from Rosen's attorney, Abbe Lowell. "For 23 years, Dr. Steve Rosen has been a passionate advocate for America's national interests in the Middle East. He regrets that the government has moved ahead with this indictment but looks forward to being

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vindicated at trial." Weissman's lawyer, John Nassikas, said he looked forward to challenging the charges "vigorously in court."

AIPAC announced last Friday that it had hired former Justice Department officials who now work for Howrey LLP, a major Washington-based law firm that consults with organizations engaged in lobbying, to review its lobbying practices. "The conduct of Rosen and Weissman was clearly not part of their job," an AIPAC official said. "However, we made a decision that the events of the last year warranted an internal review of policies and procedures related to information collection and dissemination." "The goal is to ensure that nothing like this can ever happen again," the official said. Previously disclosed government documents have focused only on activity dating back to 2003.

Those documents outlined interactions with only one midlevel government official, former Pentagon Iran analyst Larry Franklin, who has already been indicted in the case, and one Israeli diplomat, political officer Naor Gilon, who ended a three-year tour of duty in early August. The indictment lists charges involving incidents dating back to 1999, four years before the AIPAC staffers met Franklin. The charges are related to information on Iran and terrorist attacks in Central Asia and Saudi Arabia that was allegedly exchanged with three U.S. government officials and three staffers at Israel's Embassy in Washington. A source close to the defense said one of the U.S. officials involved, who has not been indicted, was recently appointed to a senior Bush administration post.

The source, who asked not to be identified, would not name the official. The indictment for the first time acknowledges that the FBI used Franklin in a sting operation against Rosen and Weissman. It includes five charges against Franklin in addition to those against the two former AIPAC staffers. In indicting all three with "conspiracy to communicate national defense information to persons not entitled to receive it," McNulty made it clear that the target was much broader: those in Washington who trade in classified information. "Those entrusted with safeguarding our nation's secrets must remain faithful to that trust," McNulty said. "Those not authorized to receive classified information must resist the temptation to acquire it, no matter what their motivation may be."

The charges against the two former AIPAC staffers do not rise to the level of the crime committed by Jonathan Pollard, who plead guilty in 1986 to spying for Israel. Pollard plead guilty to a single count of conspiracy to deliver national defense information to aid a foreign government, which is punishable by life imprisonment. The indictment against Rosen and Weissman does not anywhere allege that Israeli officials ever solicited the information, nor does it say that Israel compensated them for the information. McNulty suggested he

would argue that the intent was critical. He described Franklin, Rosen and Weissman as "individuals who put their own interests and views of American foreign policy ahead of America's national security." Lowell, Rosen's attorney, described the charges as a "misguided attempt to criminalize the public's right to participate in the political process."

The indictment includes a laundry list of contacts Rosen and Weissman had with U.S. government officials and Israeli Embassy officials. It notes that Rosen had security clearance when he was an official at the Pentagon-allied Rand Corporation think tank in the late 1970s and early 1980s, apparently to underscore that Rosen would have known the implications of receiving classified information. The indictment also lists conversations Rosen allegedly had with an Israeli diplomat in 1999 about terrorist acts in Central Asia that Rosen allegedly described as "an extremely sensitive piece of intelligence." It does not name the official. Also outlined is a conversation that Weissman had in 1999 with the same official about a 1996 attack on U.S. troops in Saudi Arabia, in which Weissman discussed what he allegedly called a "secret FBI, classified FBI report."

In 2000, the indictment alleges, Rosen relayed classified information from a U.S. government official to the media. The information, according to the indictment, concerned U.S. strategy in the Middle East. In 2002, Rosen relayed information about the terrorist group Al-Qaida from another government official -- the official a defense source says was recently promoted to a senior government position -- to other AIPAC officials, the indictment alleges. In March 2003, Rosen and Weissman allegedly received classified information from Franklin on U.S. policy on Iran and relayed it to another Israeli diplomat. He also allegedly disclosed the information to a "senior fellow at a Washington, D.C., think tank" and to the media, the indictment said.

In June of the same year, Franklin allegedly relayed to Weissman and Rosen classified information about Iranian activity in Iraq, newly occupied by a U.S.-led force. By July 2004, the indictment said, the government had co-opted Franklin and used him to set up Weissman and Rosen in a sting. In that operation, Franklin allegedly warned Weissman that Iranian agents planned to kidnap, torture and kill U.S. and Israeli agents in northern Iraq. The indictment alleges that Franklin made clear that the information was "highly classified."

According to well-placed sources, Weissman relayed this information to Rosen, who relayed it to Gilon at the Israeli Embassy; Glenn Kessler, the State Department correspondent at The Washington Post; and Howard Kohr, AIPAC's executive director, identified in the indictment as "another AIPAC employee." McNulty made it clear that neither AIPAC nor any of its other

employees were targets. "We have no basis for charging anyone else for unlawful disclosure of classified information," he said. "And I might add also that AIPAC as an organization has expressed its concern on several occasions with the allegations against Rosen and Weissman, and, in fact, after we brought some of the evidence that we had to AIPAC's attention, it did the right thing by dismissing these two individuals."

McNulty would not comment on what prompted the initial investigation into the AIPAC officials, but sources close to the defense believe Israeli officials in Washington were being monitored in 1999. AIPAC fired Rosen and Weissman this past April, eight months after the FBI probe came to light. "AIPAC dismissed Rosen and Weissman because they engaged in conduct that was not part of their jobs and because this conduct did not comport in any way with standards that AIPAC expects of its employees," spokesman Patrick Dorton told JTA on Aug. 4, repeating the group's previous position. "AIPAC could not condone or tolerate the conduct of the two employees under any circumstances. The organization does not seek, use or request anything but legally obtained, appropriate information as part of its work."

A source close to AIPAC said the group is not concerned that the indictment identifies two occasions -- in 2002 concerning the Al-Qaida information and in 2004 concerning the sting -- when Rosen allegedly shared information with AIPAC staffers. "There was no indication by Steve Rosen within AIPAC that he was" obtaining classified information, said the source, who asked not to be identified. AIPAC has already scaled back its lobbying of the executive branch of government -- something the indictment pointedly notes was Rosen's expertise. Kohr, the group's executive director, has said that AIPAC is instituting changes in how it operates as a result of the investigation, without providing details. Israeli officials have confirmed to JTA that the FBI is seeking an interview with Gilon. It is not clear if the FBI also wants to talk with the two other Israeli Embassy officials cited in the indictment; they are not named.

"It's premature to comment on the substance of the affidavit since we've just received it," an Israeli official said. "We're fully confident in the professional conduct of our diplomats who fully conduct themselves in accordance with diplomatic practice. We have seen no information that would suggest anything to the contrary." The FBI raided AIPAC's offices on Aug. 27, 2004, the first time the investigation was made public. One major question likely to come up during the trial is why the two U.S. government officials listed in the indictment as leaking the information are not facing trial. "They should be going after all the guys who gave the information," said Malcolm Hoenlein, the executive vice president of the Conference of Presidents of Major American Jewish Organizations. Soliciting classified information is hardly unusual in Washington, Hoenlein said. "Reporters do it every single day."

BEHIND THE HEADLINES

**New revelations in AIPAC case  
raise questions about FBI motives**

By Matthew E. Berger

WASHINGTON, Aug. 18 (JTA) — New revelations in the case against two former American Israel Public Affairs Committee staffers raise questions about why FBI investigators have been focused on the pro-Israel lobby.

The New York Times reported Thursday that David Satterfield, the No. 2 man at the U.S. mission in Baghdad, was one of two government officials who allegedly gave classified information to Steve Rosen, AIPAC's former director of foreign policy issues, but he wasn't named in the indictment handed down against Rosen and two others earlier this month.

Satterfield allegedly spoke with Rosen on several occasions in 2002 — when Satterfield was the deputy assistant secretary of state for Near Eastern affairs — and shared classified information. At one point, Rosen allegedly relayed the secret information in a memorandum to other AIPAC staffers.

The fact that Satterfield is not a target of the case and was allowed to take a sensitive position in Iraq has raised questions about the severity of the information allegedly given to AIPAC officials, as well as about the government's motives for targeting Rosen and Keith Weissman, a former AIPAC Iran analyst, neither of whom had classified access.

The defendants and AIPAC supporters see the new revelations as evidence that federal prosecutors are targeting the powerful pro-Israel lobby for simply conducting the normal Washington practice of trading sensitive information. Officials inside and outside government privately acknowledge that classified information routinely changes hands among influential people in the foreign policy community and that the exchanges often are advantageous to diplomats.

"If, in fact, Satterfield passed on classified information that other people should not have had, then they should all be guilty of the same thing," said Malcolm Hoenlein, the executive vice chairman of the Conference of Presidents of Major American Jewish Organizations. "The fact that Satterfield hasn't been prosecuted suggests that's not the case."

Rosen and Weissman both pleaded not guilty Tuesday to a charge of conspiracy to communicate national defense information. Rosen also is charged with communicating national defense information to people not entitled to receive it.

Larry Franklin, a Pentagon Iran analyst, has been charged with five similar counts, including conspiracy to communicate classified information to a foreign agent. Franklin, who also pleaded not guilty, is accused of passing classified information to Rosen and Weissman from 2002 through last year.

Observers say the case is likely to create a chill among lobbyists and others

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who seek to garner foreign-policy information from the government.

The second U.S. government official, who allegedly met with Rosen and Weissman in 2000, remains anonymous but reportedly has left government service. Their identification is seen as central to the government's case that the AIPAC staffers followed a pattern of seeking classified information and disseminating it to journalists and officials at the Israeli Embassy in Washington. A spokeswoman for Paul McNulty, the U.S. attorney for the Eastern District of Virginia, would not comment.

Attorneys for Rosen and Weissman, who are collaborating on their defense, will likely use the same information to show that sharing documents and other information was normal practice between government officials and AIPAC.

Leaders of other pro-Israel groups say State Department and other government aides handling the Middle East portfolio frequently share information.

"When we discuss issues, it's an exchange. It's not one-sided," Hoenlein said. "What people forget is they benefit from these exchanges too, because they learn things from us."

Those who have worked with Rosen say a large part of his task was capturing sensitive material and that numerous government officials aided his pursuits over the years.

Tom Dine, a former AIPAC executive director, said Rosen had claimed in a 1983 memo, shortly after joining the pro-Israel lobby, that he received a classified review of U.S. policy in the Middle East.

Dine, who recently left his post as president of Radio Free Europe to head the San Francisco Jewish federation, told the New York Jewish Week that he was shown the document by FBI investigators.

"Everybody knew that Steve was quite capable of luring important information, which was exceedingly useful to the mission of the office," said Neal Sher, another former AIPAC executive director. "It was understood by the people in the organization, both professional and lay."

But they say Rosen's work mirrored what was being done throughout Washington.

"The trafficking in sensitive information, some of which might have been classified, is the norm in many instances," said Sher, a former federal prosecutor. "While I don't recall ever being specifically told that info they passed on to me was classified, I would not have been shocked if that was done."

A spokesman for AIPAC denied any wrongdoing by the organization.

"AIPAC does not seek, use or request anything but legally obtained information as part of its work," Patrick Dorton said. "All AIPAC employees

are expected and required to uphold this standard."

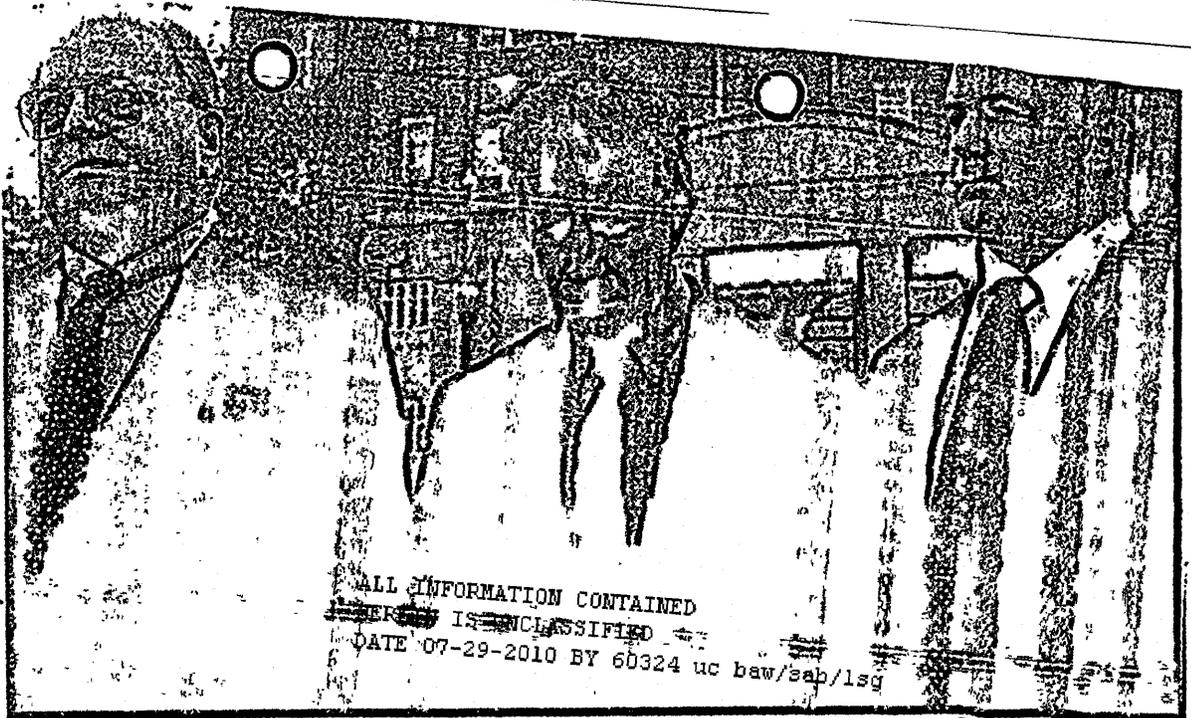
Satterfield is not considered a subject of the government's probe, and he reportedly was cleared by the Justice Department for his Iraq post.

State Department spokesman Sean McCormack said he could not comment on an ongoing investigation.

"I will say, though, that David Satterfield is an outstanding public servant, he is a distinguished Foreign Service officer and diplomat, and that he has worked on behalf of the American people for a number of years," McCormack said Thursday.

A State Department official said it was within Satterfield's portfolio to work with policy groups such as AIPAC. As the deputy assistant secretary for Near Eastern affairs, Satterfield led the State Department group dealing with the Israeli-Palestinian conflict, as well as other regional issues on AIPAC's agenda.

"It wasn't out of the normal at all for a deputy assistant secretary, as he was, to be meeting with AIPAC on a regular basis," said the official, who spoke on condition of anonymity. "Our office tries to meet with interested people of all groups, and it's supposed to be an informational exchange."



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Greg Mills/The New York Times

Lawrence A. Franklin, center, with his lawyers, Plato Cacheris, left, and John Hundley in Alexandria, Va., after admitting yesterday that he had passed secret information to pro-Israeli lobbyists and an Israeli official.

## Pentagon Analyst Admits Sharing Secret Data

By ERIC LICHTBLAU

ALEXANDRIA, Va., Oct. 5 — A senior Defense Department analyst admitted Wednesday that he shared secret military information with two pro-Israeli lobbyists and an Israeli official in an effort to create a "back-channel" to the Bush administration on Middle East policy.

The analyst, Lawrence A. Franklin, pleaded guilty in federal court here to three criminal counts for improperly retaining and disclosing classified information, and he gave the first account of his motives and thinking in establishing secret liaisons with people outside the government.

The offenses carry a maximum of 25 years in prison, but as part of a plea agreement, prosecutors are expected to recommend leniency for Mr. Franklin in return for his cooperation in a continuing investigation in the January trial of the two lobbyists, Steven J. Rosen and Keith Weissman.

The lobbyists were dismissed last year by the American Israel Public Affairs Committee, or Aipac, after the investigation became public.

Mr. Franklin, 58, said in entering his guilty pleas that he had shared with the lobbyists "my frustrations with a particular policy" during repeated meetings from 2002 to 2004. He did not divulge the particular policy, but officials in the case said he was referring to the Bush adminis-

tration's dealings with Iran.

Some of the more hawkish officials in the administration have pushed for a harder line in confronting Iran about its nuclear ambitions, but the administration has been deeply divided about how to engage with the country.

Mr. Franklin worked for a time as a senior analyst on Iran under Douglas Feith, a former under secretary at the Pentagon. Mr. Franklin said in court that he believed the Aipac lobbyists had access and influence at the National Security Council, which coordinates policy issues for the president and was deeply involved in setting the administration's course on Iran.

He said he hoped the lobbyists could help influence policy by passing on information that he knew was classified. "I asked them to use their contacts to get this information backchannels to people at the N.S.C.," he said.

Mr. Franklin was also applying for a position at the N.S.C. in early 2003 and asked Mr. Rosen to "put in a good word" for him, according to a filing on Wednesday by prosecutors as part of the plea agreement. Mr. Rosen said, "I'll see what I can do."

In addition to his contacts with the lobbyists, Mr. Franklin admitted meeting with an official with the Israeli Embassy and passing on classified information regarding weapons tests in the Middle East, military ac-

tivities in Iraq and other issues.

Mr. Franklin said he assumed that such "tidbits" were already known to Israel, and he said that the Israeli official "gave me far more information than I gave him."

Prosecutors said Mr. Franklin knew that the classified information he shared "could be used to the injury of the United States or to the advantage of a foreign nation." But Mr. Franklin said, "It was never my intent to harm the United States."

He said he did not even consider one of the documents cited by prosecutors to have been classified, but when he started to discuss the document in open court — referring to a one-page fax with a "list of murders," apparently in Iran — lawyers from both sides jumped up to cut him off. The judge, T. S. Ellis, agreed at the urging of prosecutors to put Mr. Franklin's reference to the list under seal in the court record.

Mr. Franklin will lose his government pension, but his wife will be allowed to keep her survivor's benefits from the government in the deal, officials said.

Mr. Franklin has been financially struggling since his arrest last year, and he told the court he has been working as a waiter and bartender at a pub, and as a valet at a racetrack and has also been teaching courses on Asian history and terrorism at Shepherd University near his home in West Virginia.

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# NATIONAL NEWS

## Defense Analyst Guilty in Israeli Espionage Case

By JERRY MARKON  
Washington Post Staff Writer



Lawrence Franklin, left, with attorney John Richards, after pleading guilty to giving classified information to Israel.

Franklin entered his plea, he disclosed that some of the material he gave the lobbyists related to Iran. His attorneys stopped him from speaking further, and prosecutors immediately accused Franklin of revealing classified information in court.

Franklin said he passed the information because he was "frustrated" with the direction of U.S. policy and thought he could influence it by having them relay the data through "back channels" to officials on the National Security Council. He said he never intended to harm the United States, "not even for a second," and that he received far more information from Gilon than he gave. "I knew in my heart that his government already had the information," he said.

Franklin, 58, a specialist on Iran, pleaded guilty to two conspiracy counts and a third charge of possessing classified documents. As part of the plea agreement, Franklin has agreed to cooperate in the larger fed-

eral investigation.

Legal experts called the plea a major development in the long-running investigation of whether U.S. secrets were passed to the Israeli government. Franklin said he disclosed classified data to two former employees of the American Israel Public Affairs Committee. Those employees, Steven J. Rosen and Keith Weissman, have been charged in what prosecutors said was a broad conspiracy to obtain and illegally pass classified information to foreign officials and news reporters.

Franklin probably will become the star witness against Rosen and Weissman. "This is not good news for the other defendants or for AIPAC," said Michael Greenberger, a former Justice Department official who heads the Center for Health and Homeland Security at the University of Maryland.

Prosecutors have said they have no immediate plans to charge anyone else, but Franklin's cooperation could change that, said Preston Burton, a Washington defense lawyer with long experience in espionage cases.

"Espionage debriefings are exhaustive and meticulous," said Burton, who is a former law partner of a Franklin attorney, Flato Cacheris, but is not involved in the Franklin case.

Also uncertain is how yesterday's developments will affect U.S. ties with Israel. The case has complicated relations between the two countries, which are close allies, and angered many supporters of the American Israel committee, which is considered one of Washington's most influential lobbying organizations.

Gilon is a career Israeli foreign service officer who spent three years in Washington focusing on weapons pro-

liferation issues. His recall to Israel was unrelated to the investigation, Siegel said, and he is awaiting a new foreign posting.

One of Rosen's attorneys, Abba Lowell, said Franklin's plea "has no impact on our case because a government employee's actions in dealing with classified information is simply not the same as a private person; whether that person is a reporter or a lobbyist."

Rosen, 63, of Silver Spring, is charged with two counts related to unlawful disclosure of national defense information obtained from Franklin and other unidentified government officials since 1999 on topics including Iran, Saudi Arabia and al Qaeda. Rosen was the American Israel committee's director of foreign policy issues and was instrumental in making the committee a formidable political force.

Weissman, 53, of Bethesda, faces one count of conspiracy to illegally communicate national defense information. His attorneys did not return calls late last night. American Israel Public Affairs Committee officials declined comment.

Franklin pleaded guilty to two counts of conspiring to communicate secret information and a third charge of keeping numerous classified documents at his West Virginia home. He said he took the documents home to keep up his expertise and prepare for "point-blank questions" from his bosses, including Defense Secretary Donald H. Rumsfeld.

The Defense Department suspended Franklin, who said in court that he works as a waiter and bartender and at a racetrack. He faces up to 25 years in prison at his sentencing Jan. 20.

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**Kramarsic, Brett M.**

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**From:** Strzok, Peter P. II  
**Sent:** Friday, October 07, 2005 7:48 AM  
**To:** Porath, Robert J.; Kramarsic, Brett M.

Did you see this on JTA? Need to start calling Reilly "That's Classified!" instead.

**Former Pentagon man pleads guilty,  
will testify against ex-AIPAC officials  
By Ron Kampeas**

ALEXANDRIA, Va., Oct. 6 (JTA) — Lawrence Franklin's plea-bargain pledge to cooperate with the U.S. government in its case against two former AIPAC officials was put to the test as soon as it was made.

"It was unclassified and it is unclassified," Franklin, a former Pentagon analyst, insisted in court Wednesday, describing a document that the government maintains is classified. The document is central to one of the conspiracy charges against Steve Rosen, the former foreign policy chief of the American Israel Public Affairs Committee.

Guilty pleas usually are remorseful, sedate affairs. But Franklin appeared defiant and agitated Wednesday as he pleaded guilty as part of a deal that may leave him with a reduced sentence and part of his government pension.

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Franklin's prickliness could prove another setback for the U.S. government in a case that the presiding judge already has suggested could be dismissed because of questions about access to evidence.

Franklin's performance unsettled prosecutors, who will attempt to prove that Rosen and Keith Weissman, AIPAC's former Iran analyst, conspired with Franklin to communicate secret information. The case goes to trial Jan. 2.

The argument over the faxed document furnished the most dramatic encounter Wednesday.

"It was a list of murders," Franklin began to explain to U.S. District Judge T.S. Ellis when Thomas Reilly, a youthful, red-headed lawyer from the Justice Department, leapt from his seat, shouting, "Your Honor, that's classified!"

Ellis agreed to seal that portion of the hearing. JTA has learned that the fax was a list of terrorist incidents believed to have been backed by Iran.

Reilly 10/10/05

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There were other elements of Franklin's plea that suggest he is not ready to cooperate to the fullest extent. The government says Franklin leaked information to the AIPAC employees because he thought it could advance his career, but Franklin says his motivation was "frustration with policy" on Iran at the Pentagon.

Franklin said he believed Rosen and Weissman were better connected than he and would be able to relay his concerns to officials at the White House's National Security Council.

He did not explicitly mention in court that Iran was his concern. But JTA has learned that Franklin thought his superiors at the Pentagon were overly distracted by the Iraq war in 2003 — when he established contact with Rosen and Weissman — and weren't paying enough attention to Iran.

The penal code criminalizes relaying information that "could be used to the injury of the United States or to the advantage of any foreign nation." Franklin's testimony would not be much use to the prosecution if he believed Rosen and Weissman simply were relaying information from the Pentagon to the White House, sources close to the defense of Rosen and Weissman said.

"I was convinced they would relay this information back-channel to friends on the NSC," he said.

In any case, the section of the penal code that deals with civilians who obtain and relay classified information rarely, if ever, has been used in a prosecution, partly because it runs up against First Amendment protections for journalists and lobbyists, who frequently deal with secrets.

A spokesman for Abbe Lowell, Rosen's lawyer, said Franklin's guilty plea "has no impact on our case because a government employee's actions in dealing with classified information is simply not the same as a private person, whether that person is a reporter or a lobbyist."

The essence of Franklin's guilty plea seemed to be only that he knew the recipients were unauthorized to receive the information. Beyond that, he insisted, he had no criminal intent.

Admitting guilt to another charge, relaying information to Naor Gilon, the chief political officer at the Israeli Embassy in Washington, Franklin said that he wasn't giving away anything that the Israeli didn't already know.

"I knew in my heart that his government had this information," Franklin said. "He gave me far more information than I gave him."

Franklin turned prosecutors' heads when he named Gilon, the first

10/11/2005

public confirmation that the foreign country hinted at in indictments is Israel. Indictments refer to a "foreign official."

The suggestion that Franklin was mining Gilon for information, and not the other way around, turns on its head the hype around the case when it first was revealed in late August 2004, after the FBI raided AIPAC's offices. At the time, CBS described Franklin as an "Israeli spy."

Asked about his client's outburst, Franklin's lawyer, Plato Cacheris, said only that it was "gratuitous."

But Franklin's claim reinforced an argument put forward by Israel — that Gilon was not soliciting anything untoward in the eight or nine meetings he had with Franklin beginning in 2002.

"We have full confidence in our diplomats, who are dedicated professionals and conduct themselves in accordance with established diplomatic practice," said David Siegel, an embassy spokesman. "Israel is a close ally of the United States, and we exchange information on a formalized basis on these issues. There would be no reason for any wrongdoing on the part of our diplomats."

Franklin also pleaded guilty to removing classified documents from the authorized area, which encompasses Maryland, Virginia and Washington, when he brought material to his home in West Virginia.

He sounded another defensive note in explaining the circumstances: He brought the material home on June 30, 2004, he said, to bone up for the sort of tough questions he often faced from Defense Secretary Donald Rumsfeld and Rumsfeld's then-deputy, Paul Wolfowitz.

Franklin, who has five children and an ill wife, said he is in dire circumstances, parking cars at a horse-race track, waiting tables and tending bar to make ends meet. Keeping part of his government pension for his wife was key to Franklin's agreement to plead guilty, Cacheris told JTA.

Franklin pleaded guilty to three different charges, one having to do with his alleged dealings with the former AIPAC officials; one having to do with Gilon; and one for taking classified documents home.

The language of the plea agreement suggests that the government will argue for a soft sentence, agreeing to Franklin's preferred minimum-security facility and allowing for concurrent sentencing. But it conditions its recommendations on Franklin being "reasonably available for debriefing and pre-trial conferences."

The prosecution asked for sentencing to be postponed until Jan. 20, more than two weeks after the trial against Rosen and Weissman

begins, suggesting that government leniency will be proportional to Franklin's performance.

Franklin is a star witness, but he's not all the government has up its sleeve. The charges against Rosen and Weissman, apparently based on wiretapped conversations, allege that the two former AIPAC staffers shared classified information with fellow AIPAC staffers, the media and foreign government officials.

Two other U.S. government officials who allegedly supplied Rosen and Weissman with information have not been charged. They are David Satterfield, then deputy assistant secretary of state for Near Eastern affairs and now the No. 2 man at the U.S. Embassy in Baghdad, and Kenneth Pollack, a Clinton-era National Security Council staffer who is now an analyst at the Brookings Institution.

The problem with the wiretap evidence lies in the government's refusal to share much of it or even to say exactly how much it has. In a recent filing, the government said that even the quantity of the material should remain classified.

In a Sept. 19 hearing, Ellis suggested to prosecutor Kevin DiGregori that his failure to share the defendants' wiretapped conversations with the defense team could lead to the case being dismissed.

"I am having a hard time, Mr. DiGregori, getting over the fact that the defendants can't hear their own statements, and whether that is so fundamental that if it doesn't happen, this case will have to be dismissed," Ellis said.

DiGregori said the government might indeed prefer to see the case dismissed rather than turn over the material.

AIPAC fired Rosen and Weissman in April but is paying for their defense because of provisions in its bylaws. AIPAC had no comment, nor did lawyers for Weissman.

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From: [Redacted]  
Sent: Saturday, October 15, 2005 11:33 AM  
To: [Redacted]

Subject: Fw: [Fwd: LexisNexis(R) Email Request (1822:65913757)]

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Sent from my BlackBerry Wireless Handheld

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-----Original Message-----

From: [Redacted]  
To: [Redacted]  
Sent: Sat Oct 15 08:34:54 2005  
Subject: [Fwd: LexisNexis(R) Email Request (1822:65913757)]

[Redacted]

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October 10, 2005

SECTION: Pg. 13

LENGTH: 2968 words

HEADLINE: Low Clearance

BYLINE: by eli lake

HIGHLIGHT:

Trouble for journalists.

BODY:

Eli Lake is a reporter for The New York Sun.

In January 2006, a court in Northern Virginia will hear a case in which, for the first time, the federal government has charged two private citizens with leaking state secrets. CBS News first reported the highly classified investigation that led to this prosecution on the eve of the Republican National Convention. On August 27, 2004, Lesley Stahl told her viewers that, in a "full-fledged espionage investigation," the FBI would soon "roll up" a "suspected mole" who had funneled Pentagon policy deliberations concerning Iran to Israel. At the heart of the probe, CBS said, was one of Washington's most powerful lobbying groups, the American Israel Public Affairs Committee (aipac). Within three days, the lobbyists involved were identified as aipac's director of foreign policy, Steve Rosen, and an Iran specialist named Keith Weissman; the mole was outed as Lawrence Franklin, an Iran analyst at the Defense Department.

But weeks and then months passed, and there were no arrests. Franklin, after initially being put on leave (and taking a job parking cars at a nearby restaurant), returned briefly to his desk at the Pentagon; and, until April, Rosen and Weissman were still writing memos, meeting journalists and government officials, and going about their daily business at aipac. When the indictments from the federal government finally came down this summer, none of these men were charged with spying.

Instead, all three were indicted for conspiring "to communicate national defense information ... [to] persons not entitled to receive it." To the lay reader, that may simply sound like espionage-lite. After all, some of the people not entitled to receive



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the national defense information in this case were Israeli diplomats. But, in fact, a prosecution of this kind is unprecedented. Far from alleging the two aipac officials were foreign agents, U.S. Attorney Paul McNulty is contending that the lobbyists are legally no different than the government officials they lobbied, holding Rosen and Weissman to the same rules for protecting secrets as Franklin or any other bureaucrat with a security clearance. The indictment even says that, because Rosen long ago held a security clearance when he worked as an analyst for the Rand Corporation, he was duty-bound to protect any classified information he came across after the clearance expired--on July 6, 1982. "Steve Rosen and Keith Weissman repeatedly sought and received sensitive information, both classified and unclassified, and then passed it on to others in order to advance their policy agenda and professional standing," the U.S. attorney said at a press conference announcing the indictment.

But, if it's illegal for Rosen and Weissman to seek and receive "classified information," then many investigative journalists are also criminals--not to mention former government officials who write for scholarly journals or the scores of men and women who petition the federal government on defense and foreign policy. In fact, the leaking of classified information is routine in Washington, where such data is traded as a kind of currency. And, while most administrations have tried to crack down on leaks, they have almost always shied away from going after those who receive them--until now. At a time when a growing amount of information is being classified, the prosecution of Rosen and Weissman threatens to have a chilling effect--not on the ability of foreign agents to influence U.S. policy, but on the ability of the American public to understand it.

Since the inception of the national security state, the intelligence community has worried that our free press is a security risk. In an interview in 1954 with U.S. News and World Report, under the headline "we tell the russians too much," CIA Director Allen Dulles remarked, "I would give a good deal if I could know as much about the Soviet Union as the Soviet Union can learn about us merely by reading the press."

Nonetheless, the federal government has traditionally respected an implicit First Amendment right of publishers and private citizens to determine the public's right to know about national security. Without journalists' ability to disclose secret information, the executive branch would be the sole arbiter of what information the public could have about its government's foreign policy. And, when the public is kept in the dark, it's hard to combat excesses. For example, it's unlikely that the Pentagon would have taken steps to correct abuses in its detention facilities had "60 Minutes II" not obtained photographs of naked prisoners stacked in a pyramid at Abu Ghraib. Had U.S. law been similar to the British Official Secrets Act, which gives 10 Downing Street the authority to prosecute journalists for disclosing classified material, it's unlikely the public would know about the network of contractors responsible for the rendition of terrorists to nations that torture prisoners or the internal debates within the Bush administration regarding the application of the Geneva Convention. To be sure, there are cases in which the press could do great harm to national security, such as publishing the details of how we keep surveillance on our enemies. But, as any reporter who covers these matters will tell you, most of the time journalists negotiate an agreement--without the threat of prosecution--on how to report sensitive material in a way that minimizes harm to intelligence-gathering and military operations. "We've all held back information when a responsible government official makes a compelling case that it's going to cause some damage," says Newsweek reporter Michael Isikoff.

And, while every administration has made internal efforts to go after leakers, criminal prosecutions have been extremely rare. In the two major anti-leaking cases involving classified secrets brought in the last 35 years, both leakers were prosecuted for slipping government property to reporters. In the case of Daniel Ellsberg, it was a classified history of the deliberations of three administrations regarding Vietnam known as the Pentagon Papers; in the case of Samuel Morison (the only successful anti-leaking prosecution), it was classified aerial photographs of a Soviet naval aircraft carrier, which he provided to Jane's Defence Weekly. No one has ever been prosecuted--as Rosen and Weissman currently are--for conveying national security information orally, with no documents involved.

Steve Pomerantz, the former chief of counterterrorism for the FBI, says that his division--which, in the early '90s, also investigated classified disclosure cases--never got very far in their investigations. "If you look at this as a conspiracy, then there are two parties: the leaker and the reporter," he says.

"As a matter of practice, we never went near the reporters," Custom that Pomerantz contends made it nearly impossible to catch the leakers. "I never remember in my time a successful prosecution of a leak case," he says.

But, in recent years, there has been mounting pressure from both federal officials and Congress to end this custom. The reason is articles like one published by The Washington Times on August 21, 1998. The story was a profile of Osama bin Laden, following President Clinton's missile strikes on the Al Shifa chemicals factory in Khartoum and a training compound in Afghanistan. Near the bottom of the dispatch, reporter Martin Sieff wrote that bin Laden "keeps in touch with the world via computers and satellite phones." This may sound like an innocuous detail, but, according to the 9/11 Commission Report, Al Qaeda's leadership stopped using their satellite phones almost immediately after the story was published, thus eliminating the possibility of using satellite signals to locate and assassinate them. As former Clinton National Security Council officials Steve Simon and Daniel Benjamin wrote in their book, *The Age of Sacred Terror*, "When bin Laden stopped using the phone and let his aides do the calling, the United States lost its best chance to find him."

Troubled by the Times report and other similar incidents, Senator Richard Shelby attempted to change the nation's espionage laws in 2000, when he was the chairman of the Senate Select Committee on Intelligence. Shelby wanted to expand the category of "national defense information" to include anything from classified diplomatic discussions to more technical intelligence. President Clinton vetoed the original version of the Intelligence Authorization Act in order to block the Shelby proposal. Pentagon spokesman Kenneth Bacon said at the time that the Shelby measure would be "disastrous for journalists." The next year, with a new administration in the White House, Shelby again tried to change the espionage law, but eventually dropped the idea after Attorney General John Ashcroft promised, as he put it in a letter to Congress on October 15, 2002, to review the "current protections against the unauthorized disclosure of classified material." It is from this review that the seeds of the Rosen and Weissman indictment were sown.

Beginning in 2001, after the September 11 attacks, a group of top intelligence professionals began examining the legal authority to go after leakers. The review, commissioned by Ashcroft, ultimately concluded that the current espionage law was adequate. But, at the same time, Ashcroft implemented a policy of aggressively targeting anonymous sources who show up in newspapers touting national secrets. As he wrote to Congress in 2002, the fact "that only a single non-espionage case of an unauthorized disclosure of classified information has been prosecuted in over 50 years provides compelling justification that fundamental improvements are necessary and we must entertain new approaches to deter, identify, and punish those who engage in the practice of unauthorized disclosures of classified information."

Ironically, Shelby himself was among the first snared in the Justice Department's new anti-leaking dragnet. In the summer of 2004, the FBI recommended that the Senate Ethics Committee investigate Shelby for leaking two National Security Agency (NSA) intercepts received before the September 11 attacks to Fox News and CNN in 2002. These were the famous messages that warned, "The match begins tomorrow" and "Tomorrow is zero hour."

But the senator from Alabama was not the only one. According to a government source, the Pentagon's National Criminal Investigative division began probes in 2002--with FBI guidance--to determine who leaked secret war plans to The New York Times and The Washington Post in June 2002. At the State Department, diplomatic security launched an investigation into David Wurmser, an aide to John Bolton, for leaking a letter from Secretary of State Colin Powell to the Pentagon objecting to the Syria Accountability Act. The letter ended up being the basis for a story in The Jerusalem Post. And the White House knows all too well the problems it faces from special prosecutor Patrick Fitzgerald, who has yet to bring charges against the official who told journalist Robert Novak that Valerie Plame was a CIA officer. Fitzgerald has already sent New York Times reporter Judith Miller to jail for not revealing her source for a story about Plame that she never ended up writing. But McNulty's novel prosecution of Rosen and Weissman in many ways provides the legal test case for Ashcroft's new get-tough policy.

From the indictment, it appears that the two aipac officials came to the attention of the FBI at least as far back as 1999, when both lobbyists showed up in intercepted phone conversations and meetings with Israeli embassy officials. The FBI has never said publicly why it began monitoring the lobbyists' activities, but the reason may have to do with the hunt for an Israeli spy code-named

"Mega." In 1997, The Washington Post was leaked a story alleging that the NSA had intercepted a communication from an Israeli intelligence officer in Washington to his superior in Tel Aviv. The Israeli agent was reportedly relaying a request from the Israeli ambassador to use a source called Mega to procure a copy of a letter detailing what assurances then-Secretary of State Warren Christopher had offered Yasir Arafat in light of the withdrawal of Israeli troops from Hebron.

According to sources inside and outside the government, the Israeli embassy has been watched by the FBI ever since the NSA intercepted the Mega message in January 1997. It may well turn out that, as the FBI was watching the Israelis to learn more about Mega, they stumbled upon these two lobbyists who regularly met with Israeli diplomats and suspected they were part of the plot.

Franklin's lawyer, Plato Cacheris, says that the FBI asked his client in 2004 to cooperate in what he was told was an espionage investigation. Franklin agreed in July 2004 to wear a wire and to tell Weissman about an Iranian plot to target Americans and Israelis in Iraq. "From my knowledge of FBI procedure, this was either an espionage case or an intelligence case," Pomerantz said--a contention supported by interviews with three other government officials.

But the two were never charged with espionage. And, as the indictment shows, the activities the prosecutors contend constitute a criminal conspiracy hardly look like spying. To start, Rosen and Weissman made no efforts to hide their meetings with American and Israeli officials. They met with Franklin in Arlington, Virginia, restaurants. Franklin met with Israeli diplomat Naor Gilon at the Pentagon Officers' Athletic Club. In many instances, Rosen and Weissman discussed their meetings with Franklin on the phone.

Instead, what Rosen's and Weissman's moves look like is lobbying. For example, on June 11, 1999, Weissman had a conversation with an Israeli embassy official identified in the indictment as "Foreign Official 1." During that conversation, Weissman tells the foreign official that he has piqued the interest of a reporter regarding a classified FBI report on the terrorist bombing of a U.S. military complex in Saudi Arabia known as Khobar Towers. On December 12, 2000, Rosen interested a reporter in Iraq policy options shared with him and Weissman by an American government official. (The Jewish Telegraphic Agency last month identified that official as former National Security Council Middle East analyst Kenneth Pollack.) When Franklin finally enters the picture, he attempts to enlist Rosen's help in obtaining a job at the National Security Council and presses him to warn the White House about Iran's nefarious intentions against American soldiers in Iraq.

"If there is a conviction in this case, anyone who talks to anyone in government could be liable if he discusses the substance of the conversation with any foreign national or a reporter," says Morris Amitay, a former executive director of aipac. (The current leadership of aipac has taken a very different view of the prosecution. Following the August 4 indictment, aipac spokesman Patrick Dorton said, "Aipac dismissed Rosen and Weissman, because they engaged in conduct that was not part of their jobs, and because this conduct did not comport in any way with the standards that aipac expects of its employees.")

The potential chilling effect the Rosen and Weissman prosecution may have on the press, government watchdog groups, and lobbyists has brought the two former aipac officials plenty of allies. Kate Martin, director of the Center for National Security Studies, a civil liberties group, says, "The truly unprecedented and shocking point of this prosecution is that the government claims that the effort to obtain information for publication is itself a crime." And Steve Aftergood, an intelligence expert at the Federation of American Scientists, notes that "very few people outside of government will ever get their hands on classified documents. But everyone who reads the newspaper is in possession of classified information."

And, arguably, the ability of the press to seek out and publish classified information is more important now than ever before. Last year, the National Archives Information Security Oversight Office, which tracks the proliferation of classified information, said that government agencies reported 15,645,237 decisions to classify material, a 10 percent increase from the year before. It's hard to believe that the Justice Department or the FBI can or should protect that many secrets.

There are those who argue that the war on terrorism necessitates more secrecy than past

conflicts. Representative Peter Hoekstra, the chairman of the House Select Committee on Intelligence, says he is so concerned about recent leaks that he plans to hold hearings, beginning this month, on whether it's necessary to revise the espionage statute to give the Justice Department more authority to prosecute leakers. But Hoekstra also wants to revise the way information is classified to curb what he calls "excessive overclassification."

Until that happens, leaks arguably serve a vital function in U.S. democracy--helping to ensure that the public can make informed decisions about national security policy. As Max Frankel, the former executive editor of The New York Times, put it in 1971, during the Nixon administration's case against the paper for printing the Pentagon Papers, "[P]ractically everything that our Government does, plans, thinks, hears and contemplates in the realms of foreign policy is stamped and treated as secret--and then unraveled by that same Government, by the Congress and by the press in one continuing round of professional and social contacts and cooperative and competitive exchanges of information." The question--to be decided by a Virginia jury next year--is whether that unraveling will continue any longer.

LOAD-DATE: September 29, 2005

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**From:** [Redacted]  
**Sent:** [Redacted]  
**To:** [Redacted]  
**Subject:** Media Advisory - U.S. v. Franklin  
**Attachments:** 0155.pdf

January 20, 2006

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**Media Advisory  
United States v. Franklin**

A \$10,000 fine imposed this morning on Lawrence Franklin at his sentencing hearing has been vacated because he had previously agreed to forfeit his government pension, according to an order issued this afternoon by U.S. District Judge T.S. Ellis, III, in Alexandria, Virginia. A copy of the order is attached.

The other aspects of the sentence imposed this morning by Judge Ellis on Mr. Franklin – 151 months in prison and three years of supervised release – remain in effect. He will begin serving the sentence on a date to be determined, after he cooperates with prosecutors. He remains free on an unsecured bond of \$100,000.

Mr. Franklin, a former employee of the U.S. Department of Defense, was sentenced in U.S. District Court for the Eastern District of Virginia after pleading guilty on October 5 to three charges: conspiracy to communicate national defense information, conspiracy to communicate classified information to an agent of a foreign government, and unlawful retention of national defense information.

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If you have questions about this media advisory, please contact [Redacted] the court's public information officer, at [Redacted]

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From: [Redacted]

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Sent: Friday, January 20, 2006 2:57 PM

To: [Redacted]

Subject: JPost

ONLINE EDITION  
**JERUSALEM POST**

## Israel: Franklin's trial won't affect us

Nathan Guttman, THE JERUSALEM POST

Oct. 8, 2005

Israel alleged that it would not be affected by Lawrence Franklin's plea bargain or by the fact that the names of Israeli diplomats were mentioned in court. Israeli diplomatic sources said Thursday that Naor Gilon, the former political officer at the Israeli embassy in Washington, who was in contact with convicted Pentagon analyst Franklin, had no idea that the information he got from Franklin was classified.

"We are not responsible for what is said to us by American officials", said the diplomatic source, "even if an American official did something he was not authorized to do, we had no way of knowing that."

Mark Regev, the Foreign Ministry spokesman, said in response to the incident that "the Israel embassy staff in Washington conduct themselves in a completely professional manner in accordance with all international conventions, and no one serious has made any allegations to the contrary."

Naor Gilon met between eight and twelve times with Larry Franklin and discussed with him issues regarding Iran's nuclear program and the internal political situation in Iran. Israeli sources described these meetings as routine and common practice for any diplomat. (X) BMC

Franklin himself, in a court hearing Wednesday in which he pleaded guilty to three counts of communicating classified information and holding documents at his home, said he "knew in his heart" that the Israelis already possessed all the information he was giving Gilon. Franklin added that he received more information from the Israeli diplomat than he had given him.

In a short formal reaction to the Franklin plea bargain, David Siegel, spokesman for the Israeli embassy, said, "we have full confidence in our diplomats who are dedicated professionals who conduct themselves in full accordance with established diplomatic practices".

Israel and the US have not reached yet an understanding concerning the method in which Gilon and two other Israeli diplomats from the embassy will be interviewed by investigators probing the case. Israeli suggested that the US relay its questions to the Israelis and will get in return written answers, but there was yet to be an American response to this offer.

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While Israel was mentioned only in passing and court documentation showed it was not accused of any wrongdoing, the prosecutors focused on two former officials at the pro-Israel lobby. The trials of Steve Rosen, former AIPAC director of policy, and Keith Weissman, former Iran analyst at the lobby, were slated to begin on January 3rd.

Abbe Lowell, the attorney representing Rosen in the case, said Wednesday that he was not surprised by the fact that Franklin, who was under great pressure struck a deal with the prosecution. "It has no impact on our case because a government employee's actions in dealing with classified information are simply not the same as a private person, whether that person is a reporter or a lobbyist", said Lowell in a written statement following Franklin's court appearance.

Defense and Foreign Affairs Committee chairman Yuval Steinitz said Thursday that Israel had not 'activated' Franklin, and that Israel was not spying in the United States. He stressed that any conviction was in no way an accusation of Israeli involvement in spying.

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From: [Redacted]

Sent: Wednesday, January 25, 2006 10:30 AM

To: [Redacted]

Subject: JTA article



Matthew E. Berger

Lawrence Franklin, left, leaves a courthouse in 2005 with his attorney, John Richards.

#### FOCUS ON ISSUES

## Sentence in Franklin case sends chill through free-speech community

By Ron Kampeas

WASHINGTON, Jan. 23 (JTA) — It was surprising enough that the judge quadrupled the prosecution's recommended sentence for Lawrence Franklin, from three years to more than 12.

But the true bombshell at the sentencing of the former Pentagon analyst, who is at the center of the case involving pro-Israel lobbyists and classified information, came as lawyers were shutting their briefcases last Friday.

That's when U.S. District Judge T.S. Ellis III told the courtroom in Alexandria, Va., that he believed civilians are just as liable as government employees under laws governing the dissemination of classified information.

"Persons who have unauthorized possession, who come into unauthorized possession of classified information, must abide by the law," Ellis said. "That applies to academics, lawyers, journalists, professors, whatever."

It was difficult to assess whether Ellis was thinking out loud or was pronouncing his judicial philosophy. The judge earned a reputation as a voluble off-the-cuff philosopher when he adjudicated the case of John Walker Lindh, the "American Taliban."

But if those are Ellis' jury instructions in April, when two former staffers of the American Israel Public Affairs Committee go on trial, the implications could have major consequences — not just for Steve Rosen and Keith Weissman, but for how Americans consider national security questions.

Defense lawyers for Rosen and Weissman have joined a free speech watchdog in casting the case as a major First Amendment battle.

"The implications of this prosecution to news gatherers and others who work in First Amendment cases cannot be overstated," lawyers for the former AIPAC staffers wrote in a brief earlier this month supporting an application from the Reporters Committee for the Freedom of the Press to file an amicus

brief.

The case is believed to be the first in U.S. history to apply a World War I-era statute that criminalizes the dissemination of classified information by U.S. civilians.

Franklin pleaded guilty to a similar statute barring government employees from leaking classified information. That statute rarely has been prosecuted; before Franklin, the last successful prosecution experts can recall was in the 1980s.

JTA has learned that the defense team for Rosen and Weissman last week filed a brief by Viet Dinh, the former assistant attorney general who was the principal drafter of the USA Patriot Act, arguing that federal prosecutors in this case were interpreting classified information protections much too broadly.

Dinh confirmed to JTA in a brief phone conversation that he had signed the brief, which is classified.

Franklin, a mid-level Iran analyst at the Pentagon, admitted to leaking information to Rosen and Weissman in 2003 because he wanted his concerns about the Iranian threat to reach the White House.

His Pentagon colleagues were focused on Iraq, and Franklin believed AIPAC could get his theories a hearing at the White House's National Security Council. He also leaked information to Naor Gilon, the former chief political officer at the Israeli Embassy.

By the summer of 2004, government agents co-opted Franklin into setting up Rosen and Weissman. He allegedly leaked classified information to Weissman about purported Iranian plans to kill Israeli and American agents in northern Iraq.

Weissman and Rosen allegedly relayed that information to AIPAC colleagues, the media and Gilon. AIPAC fired the two men in March 2005. In sentencing Franklin, Ellis described the former Pentagon analyst's motives as "laudable," but said his motives were beside the point.

"It doesn't matter that you think you were really helping," Ellis said. "That arrogates to yourself the decision whether to adhere to a statute passed by Congress, and we can't have that in this country."

Those views could be bad news for Rosen and Weissman, who hoped to rest part of their defense on an altruistic desire to save lives.

More to the point, it suggests Ellis believes government statutes are sacrosanct, however little they have been used. That's what concerns free-speech advocates.

"These provisions of the Espionage Act are widely recognized in the legal literature as incoherent," said Steven Aftergood, who heads the government secrecy project for the Federation of American Scientists, a nuclear watchdog that relies heavily on leaks for its information.

"We do not arrest and charge every reporter who comes into possession of classified information. We do not arrest people who receive leaks of classified information, we never have," he said. "For the judge to suggest otherwise is quite shocking."

Lucy Dalglish, the Reporters Committee executive director, described the case as "terribly important."

"If we had a situation where journalists can be punished for receiving information, hello police state," she said.

At the Herzliya Conference in Israel — an annual gathering for top Western security officials that Franklin once attended — participants said the case was a central behind-the-scenes topic of discussion, and they girded themselves for the consequences of the Rosen and Weissman trial.

Malcolm Hoenlein, executive vice chairman of the Conference of Presidents of Major American Jewish Organizations, told the Jerusalem Post that the climate in Washington was "unacceptable."

That "two patriotic American citizens who are working for Jewish organizations who did nothing to violate American security should have to stand trial and be subject to the public scrutiny and public humiliation, frankly I find very disturbing, and a matter that we all have to look at in a much more

serious way," Hoenlein said.

Franklin's sentence seemed exceptionally tough, given the prosecution's tentative agreement to recommend a three-year sentence if Franklin cooperated in the case against Rosen and Weissman.

Ellis' sentence — abiding by strict government sentencing guidelines — was mainly a technicality, since Franklin is not going to go to jail until his cooperation with the prosecution is complete. Prosecutors said they would exercise their prerogative to consider freeing Ellis from applying government sentencing guidelines.

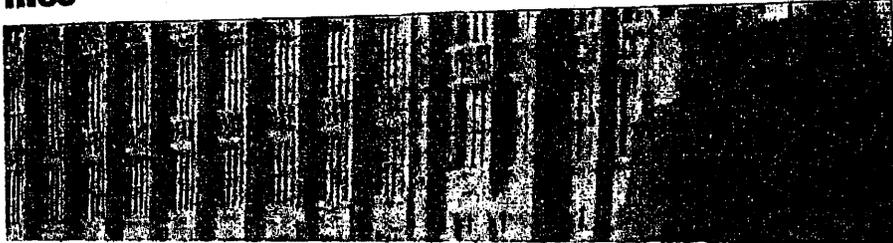
In that case, Ellis is likely to apply the three-year deal prosecutors worked out with Plato Cacheris, Franklin's lawyer.

# Washington Post

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SATURDAY, JANUARY 21, 2006

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## Va. Leaders Push Increase In Taxes, Fees To Aid Roads

### NATIONAL NEWS

THE WASHINGTON POST

## ... for Passing Government Secrets

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... The Middle Eastern country was not  
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... fore being recalled last summer. Israeli of-  
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... Franklin is expected to testify against  
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... which is scheduled for April.

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... Weissman, of Bethesda, faces one count  
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... The FBI monitored a series of meetings  
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... sion at the Pentagon City mall in Arlington  
... in July 2004, Franklin warned Weissman  
... that Iranian agents were planning attacks  
... against U.S. soldiers and Israeli agents in  
... Iraq, sources said.



BY KEVIN WOLF — ASSOCIATED PRESS

Lawrence A. Franklin has said he was frustrated with the direction of U.S. policy and thought he could influence it.

Franklin had faced a maximum sentence of 25 years in prison. Ellis said Franklin would not have to go to jail until he finished his cooperation with the government.

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Pentagon Analyst  
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a delight of visitors and Londoners thronging the riverbank. Experts said the last time a whale died that efforts to direct the 17-foot mammal toward the safety of the ocean would fail. Story, A13.

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# Md. Ban on Gay Marriage

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BY MICHAEL ROBINSON CHANZ — THE WASHINGTON POST

Lead plaintiffs in the lawsuit, Rita Deane, left, and Lisa Polyak of Baltimore, are savoring their victory but acknowledge that challenges lie ahead.

## ... a \$100 Million Question

### May End Support for U.S.-Funded Coca Eradication

"We're not doing anything these days," one soldier said, ignoring the mosquitoes alighting on his exposed forearms. "We're just waiting to hear what's going to happen next."  
It's the \$100 million question in Bolivia: What will become of the U.S.-financed program to eradicate coca, the plant used to make cocaine, now that the longtime head of the coca growers' union, Evo Morales, is about to become the country's president?  
Morales, 46, who will be inaugurated Sunday, said during his campaign that

he might withdraw Bolivia's support for the eradication program, a keystone of the U.S.-backed anti-drug and alternative crop development campaign here. He has hinted at decriminalizing the cultivation of coca, which is legally chewed as a stimulant and used in traditional medicines, and he has criticized regional U.S. anti-drug programs as false pretexts for establishing a military presence.  
But Morales has toned down his

See BOLIVIA, A14, Col. 1

NEW GOVERNMENT... for mass transit, increase highway construction by 90 percent and revive stalled road projects.  
The money would help build a connected network of carpool or express toll lanes on all of Northern Virginia's major highways, buy rail cars for Virginia Railway Express and Metro, widen Interstates 95 and 66, and fix traffic bottlenecks.  
"We don't need any more studies. We don't need an extended session," Kaine told reporters Friday after-

See VIRGINIA, A10, Col. 3

## Pentagon Analyst Given 12½ Years In Secrets Case

By JERRY MARKON  
Washington Post Staff Writer

A former Defense Department analyst was sentenced to more than 12 years in prison yesterday for passing government secrets to two employees of a pro-Israel lobbying group and to an Israeli government official in Washington.  
U.S. District Judge T.S. Ellis III said Lawrence A. Franklin did not intend to harm the United States when he gave the classified data to the employees of the American Israel Public Affairs Committee, or AIPAC, one of Washington's most influential lobbying organizations. When he pleaded guilty, Franklin, an Iran specialist, said he was frustrated with the direction of U.S. policy and thought he could influence it through "back channels."  
"I believe, I accept, your explanation that you didn't want to hurt the United States, that you are a loyal American," said Ellis, who added that Franklin was "concerned about certain threats to the United States" and thought he had to hand information about the threats to others to bring it to the attention of the National Security Council.  
But Franklin still must be punished, Ellis said, because he violated important laws governing the non-disclosure of secret information.  
"It doesn't matter that you think you were really helping," Ellis said as he sentenced Franklin to 151 months — 12½ years — in prison. "That arrogates to

See SECRETS, A6, Col. 1

### INSIDE



BY LOS RAMONDO — THE WASHINGTON POST

#### The 'Rogue' Writer

Osama bin Laden invited the world to read his book. For Washington's William Blum, it's

#### Cuba Can Play Ball

The 16-nation World Baseball Classic gets the help it needs to bring Fidel Castro's team to the tournament. SPORTS, E1

#### House vs. House

Six bedrooms or just one with four bunks? Two distinct views of the house of the future. Also, a big increase in first-time buyers putting no money down.

## Lessons Learned in Iraq Show Up in Army Classes

### Culture Shifts to Counterinsurgency

By THOMAS E. RICKS  
Washington Post Staff Writer

FORT LEAVENWORTH, Kan. — A fundamental change overtaking the Army is on display in classrooms across this base above the Missouri River. After decades of

### Iraqi Election Results

An alliance of Shiite religious parties won the most seats in Iraq's parliament but not enough to rule without coalition partners, the election commission said yesterday. WORLD, A12

275 total seats

Shiite religious coalition	Kurdish secular coalition	Sunni religious coalition	Shiite/Sunni secular coalition
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# Analyst Gets 12½ Years for Passing Government Secrets

SECRETS, From A1

reversed the decision whether to adhere to a statute passed by Congress, and we can't bow that in this country."

The sentence fell at the low end of the federal sentencing guidelines, which called for a term as long as 180 months. "It could have been tougher," said Michael Greenberg, a former Justice Department official who heads the Center for Health and Homeland Security at the University of Maryland.

The sentencing in U.S. District Court in Alexandria closed one chapter of a long-running investigation into an alleged conspiracy to obtain and illegally pass classified information to foreign officials and reporters. But with the case still shrouded in secrecy, yesterday's hearing cast no new light on the information Franklin provided, whether its transmission harmed the United States and whether anyone will be

charged other than the two lobbyists, who have been fired by AIPAC and are awaiting trial.

Assistant U.S. Attorney Kevin V. Di Gregory told Elio that Franklin had reason to believe that the information could be used against the United States. "When you disclose national defense information to people not entitled to receive it," he said, "the U.S. government loses control of that information and there is no way to know in whose hands it might fall."

Peter Cecheris, Franklin's attorney, emphasized that Franklin is "a longtime dedicated public servant" who has had "a long and distinguished career." Cecheris said that Franklin has been cooperating extensively with investigators and that he expects the government to file a motion later to reduce Franklin's sentence.

Franklin pleaded guilty in October to three counts: conspiracy to communicate national defense information, conspiracy

to communicate classified information to an agent of a foreign government, and unlawful retention of national defense information.

Court documents said Franklin provided classified data — including information about a Middle Eastern country's activities in Iraq and weapons tests conducted by a foreign country — to the lobbyists and to an unnamed "foreign official."

The Middle Eastern country was not named, but Franklin disclosed at his plea hearing that some of the material related to Iraq. He also said in court that the secret official was Naor Gilon, who was the political officer at the Israeli Embassy before being recalled last summer. Israeli officials have said they are cooperating in the investigation, and they denied any wrongdoing.

Franklin is expected to testify against the two former AIPAC lobbyists, Steven J. Rosen and Keith Weisman, at their trial,

which is scheduled for April.

Rosen, of Silver Spring, is charged with two counts related to unlawful disclosure of national defense information obtained from Franklin and other unidentified government officials on topics including Iran, Saudi Arabia and al Qaeda. Rosen was AIPAC's director of foreign policy issues and was instrumental in making the committee a formidable political force.

Weisman, of Bethesda, faces one count of conspiracy to illegally communicate national defense information.

The FBI conducted a series of meetings between Franklin and the former AIPAC officials dating back to early 2003, multiple sources familiar with the investigation have said. At one of those meetings, a session at the Pentagon City mall in Arlington in July 2004, Franklin warned Weisman that Israeli agents were planning attacks against U.S. soldiers and Israeli agents in Iraq, sources said.



Lawrence A. Franklin has said he was frustrated with the direction of U.S. policy and thought he could outmaneuver it.

Franklin had faced a maximum sentence of 25 years in prison. Elio and Franklin would not have to go to jail until he finished his cooperation with the government.

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Hoenlein: Franklin sentence 'disturbing'

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Hilary Leila Krieger, THE JERUSALEM POST Jan. 23, 2006  
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American Jewish leader Malcolm Hoenlein on Sunday blasted the sentence handed down two days earlier to the Pentagon analyst who admitted passing on classified information to Israeli diplomats and pro-Israel lobbyists.

Hoenlein, executive vice chairman of the Conference of Presidents of Major American Jewish Organizations, labeled the ruling "disturbing," a comment greeted by applause from the audience to whom he spoke about US-Israel relations at the Interdisciplinary Center's Herzliya Conference.

The former analyst, Larry Franklin, was sentenced to 12 years and seven months in prison for three counts of conspiring to communicate national defense information unlawfully. The sentence was part of a plea bargain between Franklin and the prosecution in which he agreed to testify against two staffers of the pro-Israel lobby American Israel Public Affairs Committee (AIPAC), Steve Rosen and Keith Weissman, whose trial begins in late April.

"The very fact that this kind of climate can exist in the capital of the United States is unacceptable," Hoenlein said of the sentencing as well as subtle anti-Semitism heard in the corridors of power.

He added, "[That] two patriotic American citizens who are working for Jewish organizations who did nothing to violate American security, should have to stand trial and be subject to the public scrutiny and public humiliation, frankly I find very disturbing and a matter that we all have to look at in a much more serious way."

Hoenlein also cautioned Israel about its attitude toward the Diaspora.

"There are more Jews in Tel Aviv than in New York and the majority of Jews will live here," he noted. "So there's no need to diminish the importance or the achievements of the Diaspora in order to emphasize the centrality and singular significance of Israel in all of our lives."

Hoenlein was preceded by Rabbi Yechiel Eckstein, who also had some words of criticism - of Diaspora Jewry.

He slammed Jewish leaders for making a "major strategic mistake" by criticizing growing ties between evangelical Christians and the State of Israel, arguing that evangelicals pose one of American Jewry's largest threats since their values are so different from that of American Jews.

"You don't need to accept their vision of America. But you don't need to make them the enemy," said Eckstein, president of the International Fellowship of Christians and Jews. "It is the height of irresponsibility for American Jewish leaders to jeopardize the critical support for Israel and the fight against radical Islam and growing anti-Semitism that evangelicals bring to the table." Eckstein warned Israel not to take the support of evangelicals for granted.

He did, however, praise Acting Prime Minister Ehud Olmert and former Prime Minister Binyamin Netanyahu for understanding the importance of this constituency.

Another speaker at the same session, American pollster Frank Luntz, also heaped accolades on Olmert. Concluding a lecture on how to use language effectively to get Israel's message across - "it is not what you say that matters in communication; it's what people hear" - he said that the former Jerusalem mayor had mastered his

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advice.

He played a short video clip of Olmert defending Israeli policies in heavily accented English on international TV.

"This is absolutely perfect communication to Americans," said Luntz, who is a consultant to the Israeli advocacy organization, The Israel Project. He described the clip as "some of the best communication of any Israeli spokesperson. Thank God he is where he is right now."