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## AIPAC on Trial: Them or US

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Chapter 5 from the book, "THE POWER OF ISRAEL IN THE USA" by James Petras

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In August 2004, the FBI and the US Justice Department counter-intelligence bureau announced that they were investigating a top Pentagon analyst suspected of spying for Israel and handing over highly confidential documents on US policy toward Iran to AIPAC which in turn handed them over to the Israeli Embassy. The FBI had been covertly investigating senior Pentagon analyst, Larry Franklin and AIPAC leaders, Steven Rosen and Keith Weissman for several years prior to their indictment for spying. On August 29, 2005 the Israeli Embassy predictably hotly denied the spy allegation. On the same day Larry Franklin was publicly named as a spy suspect. Franklin worked closely with Michael Ledeen and Douglas Feith, then Undersecretary for Defense in the Pentagon, in fabricating the case for war with Iraq. Franklin was the senior analyst on Iran, which is at the top of AIPAC's list of targets for war.

As the investigation proceeded toward formal charges of espionage, the pro-Israeli think tanks and 'Zioncon' ideologues joined in a two-prong response. On the one hand some questioned whether "handing over documents" was a crime at all, claiming it involved "routine exchanges of ideas" and lobbying. On the other hand, Israeli officials and media denied any Israeli connection with Franklin, minimizing his importance in policy-making circles, while others vouched for his integrity.

The FBI investigation of the Washington spy network deepened and included the interrogation of two senior members of Feith's Office of Special Plans, William Luti and Harold Rhode. The OSP was responsible for feeding bogus intelligence leading to the US attack of Iraq. The leading FBI investigator, Dave Szady, stated that the FBI investigation involved wiretaps, undercover surveillance and photography that document the passing of classified information from Franklin to the men at AIPAC and on to the Israelis.

The Franklin-AIPAC-Israeli investigation was more than a spy case, it involved the future of US-Middle East relations and more specifically whether the 'Zioncons' would be able to push the US into a military confrontation with Iran. Franklin was a top Pentagon analyst on Iran, with access to all the executive branch deliberations on Iran. AIPAC lobbying and information gathering was aggressively directed toward pushing the Israeli agenda on a US-Iranian confrontation against strong opposition in the State Department, CIA, military intelligence and field commanders.

Franklin's arrest on May 4, 2005 and the subsequent arrest of AIPAC foreign policy research director Steve Rosen and Iran specialist and deputy director for foreign policy, Keith Weissman on August 4, 2005 was a direct blow to the Israeli-AIPAC war agenda for the US. The FBI investigation proceeded with caution accumulating detailed intelligence over several years. Prudence was dictated by the tremendous political influence that AIPAC and its allies among the Conference of the Presidents of Major Jewish Organizations wield in Congress, the media and among Fundamentalist Christians and which could be brought to bear when the accused spies were brought to trial.

The first blow was struck on August 29, 2004, when CBS publicized the FBI investigation just when Franklin confessed to have passed highly confidential documents to a member of the Israeli government and began cooperating with federal agents. He was prepared to lead authorities to his contacts inside the Israeli government. Subsequently Franklin



stopped cooperating. The Anti-Defamation League's (a leading Jewish pro-Israeli lobby) Abe Foxman called for a special prosecutor to investigate "leaks" of the FBI investigation, because they were "tarnishing" Israel's image (called "magna chutzpah"). Then Attorney General Ashcroft intervened to try to apply the brakes to the investigation, which spread into the 'Zioncon' nest in the Pentagon: Feith, Wolfowitz, Perle, and Rubin were "interviewed" by the FBI. Zioncon, Michael Rubin, former Pentagon specialist on Iran and resident "scholar" at the American Enterprise Institute, blasted Bush for "inaction in the spy affair" and called the investigation an "anti-Semitic witch hunt" (Forward Sept. 10, 2004). AIPAC launched a massive campaign against the spy probe and in support of its activities and leaders. As a result scores of leading Congress members from both parties vouched for AIPAC's integrity and pledged their confidence and support of AIPAC.

Never in the history of the United States had so many leading Congress members from both parties pledged their support for an organization under suspicion of spying, based only on information supplied by the suspect and in total ignorance of the federal prosecutor's case. Contrary to the bipartisan Congressional support for AIPAC, a poll of likely voters found that 61% believed that AIPAC should be asked to register as an agent of a foreign power and lose its tax exempt status. Only 12% disagreed. Among American Jews, 59% were not sure, while 15% strongly agreed and 15% strongly disagreed (Zogby International, Sept. 25, 2004). Clearly many Americans have serious doubts about the loyalty and nature of AIPAC activities, contrary to their elected representatives. The federal spy investigation proceeded despite Executive and Congressional opposition, knowing that it had the backing of the great majority of US citizens.

In December 2004, the FBI subpoenaed 4 senior staffers at AIPAC to appear before a grand jury and searched the Washington office of the pro-Israel lobby seeking additional files on Rosen and Weissman.

AIPAC continued to deny any wrongdoing, stating: "Neither AIPAC nor any member of our staff has broken any law. We believe any court of law or grand jury will conclude that AIPAC employees have always acted legally, properly and appropriately" (AIPAC December 1, 2004). Nevertheless a few months into the investigation and with the arrest of the two top leaders, AIPAC terminated their employment and after a few months cut off paying their legal defense bills. Likewise Israel's categorical denials of espionage, evaporated, as video and transcripts of their intelligence operative receiving classified documents surfaced.

A Grand Jury was convoked in early 2005. As the FBI's spy investigation extended into AIPAC-Pentagon's inner recesses, self-confessed spy Franklin's superiors Paul Wolfowitz and Douglas Feith announced their sudden resignation from the number 2 and 3 positions in the Pentagon, most likely reflecting a deal with the Justice Department to free themselves from further investigations into their ties with Israeli intelligence and Franklin. In February 2005, Bush announced that former convicted felon, defender of Central American death squads and long-term Zionist fanatic, Elliott Abrams, would be in charge of Middle East policy in the National Security Council. Abrams would serve as a channel for directing Israeli policies to the White House and as day-to-day source of the most essential policy decisions and discussions. Apparently Abrams was smart enough to keep his distance from the Franklin/Feith and AIPAC/Embassy operations and deal directly with Ariel Sharon and his Chief of Staff, Dov Weinglass. In April 2005, AIPAC dismissed Rosen and Weissman, saying their activities did not comport with the organizations standards. On May 4, Franklin was arrested on charges of illegally disclosing highly classified information to two employees of a pro-Israel lobbying group. On June 13, 2005 an expanded indictment explicitly named AIPAC and a "foreign country" (Israel) and its Mossad agent, Naor Gilon, who had, in the meantime, fled to Israel.

Despite AIPAC being named in a major espionage indictment involving Steve Rosen, head of its foreign policy department and Keith Weissman, head of its Iran desk, US Secretary of State, Condoleezza Rice gave the keynote address at AIPAC's convention (May 22-24, 2005). Leaders from Congress and the Republican and Democratic parties also spoke, declaring their unconditional support for AIPAC, Israel and Ariel Sharon. The list included Senator Hillary Clinton, Senate Majority Leader Bill Frist (Republican) and Senate Democratic leader Harry Reid. Based on previous year's attendance, more than half of the US Senate and one-third of US Congress members were in attendance.

Clearly AIPAC, with 60,000 wealthy members and \$60 million annual budget, had more influence on the political behavior of the US executive, political parties and elected representatives than a federal indictment implicating its leaders for espionage on behalf of Israel. Could there be a basis for charging our political leaders as "accomplices after the fact"... of espionage, if the AIPAC leaders are convicted?

On August 4, 2005 Paul McNulty of the Justice Department formally indicted AIPAC leaders Steven Rosen and Keith Weissman of receiving and passing highly confidential

documents via the Israeli embassy to the State of Israel. Their trial is set for April 25, 2006. Franklin's trial was set to begin on January 2, 2006 but has been postponed. Franklin has been co-operating with the FBI and Justice Department in its investigations of AIPAC and the Pentagon's 'Israel Firsters' in the run up to the invasion of Iraq and the further plans to attack Iran. The indictments are based on a prolonged investigation. AIPAC was targeted for investigation as early as 2001, while the indictment of Rosen and Weissman cites illegal activities beginning in April 1999.

### **The Spy Trial: A Political Bombshell**

After Rosen and Weissman came under intensive federal investigation as co-conspirators in the Franklin spy case, AIPAC decided to cut its losses and cover its backside by throwing them overboard: AIPAC fired them on March 2005, arguing that their "conduct was not part of their job, and beneath the standards required of AIPAC employees" (Forward, December 23, 2005). In effect AIPAC was making Rosen and Weissman the "fall guys" in order to shake off a deeper Federal probe of AIPAC's activities. Moreover AIPAC stopped payments to Rosen's and Weissman's lawyers sticking them with almost a half-million dollars in legal fees. AIPAC does not intend to pay the fees before the trial is over – not for lack of funds (they raised over \$60 million in 2005 and are tax-exempt) but for political reasons. AIPAC wants to see how the trial goes: if they are acquitted, it will be safe to pay their lawyers. But if they are found guilty AIPAC will refuse to pay (citing the organization's by-law technicalities) in order to avoid being implicated with convicted spies. AIPAC leaders are putting their organizational interests and their capacity to promote Israeli interests in Congress and the media over loyalty to their former officials.

### **Rosen and Weissman Strike Back**

Facing up to 10 years in federal prison, up against detailed, well-documented federal charges based on wiretaps, videos and the testimony of self-confessed spy and Pentagon contact Franklin, fired and denounced by their former colleagues and current leaders of AIPAC, Rosen and Weissman are striking back with unexpected vehemence.

The defense attorneys are expected to argue that receiving information from administration officials was something the two were paid and encouraged to do and something AIPAC routinely does (Forward, December 23, 2005). In other words, Rosen and Weissman will say that pumping top US government officials for confidential memos and handing them over to Israeli officials was a common practice among AIPAC operatives. To bolster their case of "just following AIPAC orders", Rosen and Weissman's defense lawyers will subpoena AIPAC officials to testify in court about their past access to confidential documents, their contacts with high-placed officials and their collaboration with Israeli Embassy officials. Such testimony could likely bring national and international exposure to AIPAC's role as a two way transmission belt to and from Israel.

If Rosen and Weissman succeed in tying AIPAC to their activities and if they are convicted, that opens up a much larger Federal investigation of AIPAC's role in aiding and abetting felonious behavior on behalf of the State of Israel.

In the almost two years since Rosen and Weissman came into the public limelight as spy suspects, AIPAC has successfully fended off adverse publicity by mobilizing leading politicians, party leaders and senior members of the Bush Administration to give public testimonials on its behalf. It successfully dumped Rosen and Weissman and pushed ahead with lining up the US Congress with Israel's pro-war agenda against Iran. And then out of the blue, Rosen and Weissman threaten to blow their cover "as just another influential lobby" working to promote US and Israeli mutual security interests.

Rosen and Weissman's defense will certainly bring out the fact that AIPAC at no point informed their employees about what the law states regarding the obtaining and handing over of highly confidential information to a foreign power. Weissman and Rosen will argue that they did not know that receiving confidential information from administration officials and handing it over to Israel was illegal since everybody was doing it. They will further argue that their alleged spy activity was not a 'rogue operation' carried on by them independently of the organization, but was known and approved by their superiors – citing AIPAC's employee procedures for reporting to superiors.

Rosen and Weissman are taking on biblical stature. According to one former AIPAC employee with connections to the organization's current leadership, Rosen and Weissman are perceived as acting "like Samson trying to bring the house down on everyone" (Forward, December 23, 2005).

"Everyone" that is involved in exploiting US wealth, power and military forces to serve Israel's expansionist interests' What started out as a small scale spy trial, no different from other recent cases, is growing into a major cause celebre, involving the most powerful

lobby influencing the entire direction of US Middle East policy. If Rosen and Weissman are convicted and they effectively make the case that they were following orders and informing AIPAC of their felonious activities, it is possible that it will drive away many wealthy Jewish donors and activists, and perhaps put some shame into the politicians who kow-tow and feed at the AIPAC trough. With a weakened AIPAC and its neo-con/'Zion-con' allies in the government wary of continuing to "liaison" with Israeli intelligence on Middle East policy, it is possible that a free and open debate based on US interests can take place. With a public debate relatively free of the constraints imposed by the Israel First lobbies and ideologues, perhaps the US public's opposition to Middle East Wars and occupations can become the dominant discourse in Congress if not the Executive. Perhaps the \$3 billion dollars plus annual foreign aid to Israel can be reallocated toward rebuilding all the industrially ravaged cities and towns of Michigan, Upstate New York and elsewhere. A move from Middle East militarism to a democratic foreign policy will not happen just because of a spy trial no matter how severe the sentence and no matter how deeply AIPAC is implicated, unless the American public is organized as a democratic majority capable of confronting party, congressional and executive leaders with the choice: You are either for America or for AIPAC. If the accused spies are convicted and AIPAC is implicated a clear choice will be posed to US politicians: Either standing up for a democratic foreign policy or further burying their heads in the slush money trough of agents of a foreign power and once more showing their backsides to the American people.

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