

Air Force chief hits shabby indictments

by Leo Scanlon

In matter-of-fact testimony on March 8, Assistant Secretary of the Air Force for Acquisition, John J. Welch, Jr., told the House Armed Services Committee that there is little, if any, substance to the conspiracy theories advanced by U.S. Attorney Henry Hudson in his "Ill Wind" persecution of the Defense Department.

Welch explained that he is "somewhat frustrated that very little information has been made available to the Air Force on the Ill Wind investigation, even after a substantial period of time. Since the existence of Ill Wind became public early last summer, he said, we have received only a few documents relating to Air Force programs, thus inhibiting the services' efforts to correct whatever faults led to the problems, whatever they were!

Welch took the wind out of one of the favorite conspiracy theories of the Pentagon bashers, the allegations that the "Best and Final Offer" bidding process is rife with duplicity and fraud conducted by high-ranking officials such as indicted Air Force program officer Dr. Victor Cohen. "We found no hard data supporting this allegation," he stated flatly. He went on to analyze each of the major allegations in the Cohen indictment (the only information the Air Force has received about the probe). Welch found that allegations of improper influence over contract negotiations in six of the cases cited in the Ill Wind papers were unfounded.

Welch then analyzed the most complex charge leveled at Dr. Cohen, that he passed a bid information from one company to a competitor company through the consultants who allegedly were paying him off. This charge is the basis of the allegations that high Pentagon officials were "selling influence" and so on. But the information which was allegedly "passed" was being openly circulated at a conference attended by all three parties, and was of no value to the company which is alleged to have bought it!

The obvious point to be raised is that any honest investigation would have done what Welch did, and come to substantially the same conclusions. As was shown in the infamous FBI report on John Tower, gossip and derogatory information are the stock in trade of federal investigators these days, and the Ill Wind indictments reflect that. The other purpose this method serves is to give the aura of criminality to the minor infractions the Air Force discovered in its analysis. For example, it is possible that in one incident, Cohen released information which benefited a particular consultant

(there is no indication that this is the only way the consultant could have gotten the information), and that in one other matter it is possible that Dr. Cohen acted improperly with respect to consultants from Teledyne Corp. who have otherwise been indicted on separate matters, mostly involving their personal financial indiscretions—not on charges of contract tampering. These minor matters would have no standing without the lies fabricated in the indictment and fed to the media.

The pattern of broad, never-to-be-proven allegations followed by specific, minor financial charges, accompanied by plea agreements, was apparent in the "guilty" pleas entered by James G. Neal, Charles F. Gardner (frequently named in the disproven allegations against Dr. Cohen), and Keith F. Brooke, on March 8, in Alexandria. Brooke, an accountant, pleaded guilty to a tax charge unrelated to the Pentagon, and the other two pleaded guilty to charges of conspiring to submit false billing statements, and to use the proceeds to finance bribery and illegal campaign contributions. The campaign contributions (relatively small amounts) were made to the Bill Chappell campaign committee and the Dyson for Congress campaign committee, on behalf of Sperry/Unisys, a large defense contractor which is also the former employer of Frank Carlucci, Secretary of Defense at the time of Hudson's raid on the Pentagon. The "bribery" charge is a construct which rests on the theory that former Navy official Melvyn Paisley sold his condominium to companies owned by the named consultants, at a price above market value. Paisley's attorney has denied the flimsy allegation.

Hudson's extortion racket

None of these charges has anything to do with actual defense contracting. The consultants named, and several large defense firms like Hazeltine and one division of Teledyne are now suspended from the defense procurement process, which means they are prohibited from bidding on new military contracts. To end that costly ban, the companies must win new approval from Pentagon officials, who may go easier on a firm offering a cooperative guilty plea than on one opting for a courtroom fight.

"What happens on suspension or debarment is oftentimes more important than what happens in the courtroom," a top defense lawyer told a Washington publication. It is clear that the crude reality expressed in that statement sums up the strategy of the Ill Wind investigation. The guilty pleas which have been entered in this matter, mean nothing more than that the victims believe they don't stand a chance in the "rocket docket courtroom" in Alexandria, Virginia, or that their employers are afraid to fund a legal defense. Inexorably, this blackmail and extortion technique wrings guilty pleas from independent consultants and tightens the noose around the Defense Department officials who will eventually have to defend themselves before a jury which has seen their associates admit to "guilt."