

Larry Franklin Admits Guilt in AIPAC Spy Case

by Michele Steinberg

A trove of documents sits in the Federal Court building in Alexandria, Virginia, concerning the multi-count indictments against Lawrence Anthony Franklin, Steven J. Rosen, and Keith Weissman, for the illegal passing of national security secrets of the United States to agents of the government of Israel. These records—which have gone unreported by the American media, include indictments, motions, judge’s rulings, and, as of Oct. 5, 2005, the “Plea Agreement” and “Statement of Facts” voluntarily agreed to by Larry Franklin, the first to be found guilty in this broad-ranging investigation. Selected excerpts from these Oct. 5 documents appear below, in the first print publication outside of the court records. The originals can be viewed on the website of U.S. Attorney Paul J. McNulty, for the Eastern District of Virginia. Mr. McNulty has now been nominated by George W. Bush to be Deputy Attorney General in the Department of Justice. Some have expressed concern that this was a “kick upstairs,” to remove McNulty, so that the trial of top AIPAC officials will be stopped, and that there will be no further investigation into Franklin’s neo-con cohorts at the Defense Dept.

However, in his new post, McNulty will have oversight of this criminal case, as well as over other prosecutions that are feared by the White House, including the investigation of top Republican lobbyist and political financier, Jack Abramoff, other cases related to leaking the identity of covert CIA agent Valerie Plame Wilson, and the falsification of intelligence about Iraq.

“Statement of Facts” voluntarily agreed to by Franklin in United States of America v. Lawrence Anthony Franklin, Defendant.

Should this matter proceed to trial, the United States would prove the following beyond a reasonable doubt:

1. From in or about August 2002 to on or about June 30, 2004, [Franklin] unlawfully, knowingly, and willfully conspired with Steven J. Rosen, Keith Weissman, and others, to communicate national defense information to persons not entitled to receive it. . . . During this same time frame, Franklin also unlawfully conspired with an agent and representative of a foreign government to communicate classified information, in violation of Title 50, United States Code, Section 783 and Title 18, United States Code, Section 371.

2. At all times during this time period, Franklin was employed by the U.S. government at the Dept. of Defense (DoD) in the office of the Secretary of Defense (OSD), International Security Affairs (ISA), Office of near East and South Asia, Office of Northern Gulf Affairs, Iran desk . . . [with] a Top Secret security clearance with access to Sensitive Compartmented Information (SCI).

3. On Aug. 5, 2002, co-conspirator Steven J. Rosen, Director of Foreign Policy Issues for the American Israel Public Affairs Committee (AIPAC) in Washington, D.C., called . . . DoD Employee A at the Pentagon and asked for the name of someone in OSD ISA with an expertise on Iran and was given the name of . . . Franklin.

4. On Aug. 15, 2002, Steven Rosen called Franklin. . . and said he would like to meet.

5. On Aug. 15, 2002, defendant Franklin met at a restaurant in Washington, D.C. with a Foreign Official (FO) [Naor Gilon—ed.] who was stationed . . . at the embassy of a foreign country [Israel—ed.]. The FO explained to Franklin that he was the “policy” person at the embassy and he would be the appropriate person with whom the defendant should talk. . . .

9. On Jan. 30, 2003, Franklin and the FO met near the FO’s embassy in Washington, D.C. The subject . . . was a Middle Eastern country’s nuclear program.

10. On Feb. 7, 2003, Franklin and a DoD employee (DoD employee B) agreed to meet with Rosen and Keith Weissman [also a co-conspirator, who was Senior Middle East Analyst in the Foreign Policy Issues department at AIPAC—ed.].

11. On Feb. 12, 2003, Franklin, DoD Employee B, Rosen and Weissman met . . . in Arlington, Virginia, whereupon Franklin disclosed to Rosen and Weissman national defense information relating to a classified draft internal U.S. government policy concerning a Middle Eastern country. . . . As Franklin well knew, he was not authorized to disclose this national defense information to Rosen and Weissman. The defendant also had reason to believe that his *unlawful disclosure of this information could be used to the injury of the United States* . . . [emphasis added].

15. On March 12, 2003, Franklin called Rosen from his office in the Pentagon and left a message saying that he was trying to fax a document . . . and wanted to make sure Rosen was present to receive it.

16. On March 13, 2003, Franklin spoke with Rosen and

was provided with Rosen’s home fax number. . . . Franklin told Rosen that he preferred to send the fax to Rosen’s residence.

17. On March 17, 2003, Franklin faxed, from the Pentagon to Rosen’s office fax machine, a document he had typed himself [which] contained national defense information which appeared in the classified appendix to the classified draft internal policy document . . . discussed with Rosen and Weissman on Feb. 12, 2003.

18. On May 2, 2003, Franklin met with the FO [Israeli Official—ed.] at the Pentagon Officer’s Athletic Club. . . .

19. On May 23, 2003, Franklin again met the FO [Israeli official—ed.]. . . at the POAC. . . . The two discussed . . . a Middle Eastern country and its nuclear program and the views held by Europe and certain U.S. government agencies with regard to that issue. *Following this meeting the defendant drafted an Action Memo to his supervisors, incorporating suggesting made by the FO during the meeting.* . . .

[Other meetings and discussions with the AIPAC officials occurred on June 3, June 24, and on June 26, 2003, where Rosen and Weissman received “highly classified” information from Franklin. Other meetings and discussions between Franklin and the Israeli official from Washington, a second Israeli official from Washington, and a retired Israeli intelligence official, introduced by the first Israeli official, took place on Oct. 24, 2003, and Feb. 13 and Feb. 20, 2004—ed.]

29. On June 8, 2004, Franklin and the FO [Israeli official—ed.] met. . . . The defendant provided the FO with classified information . . . from a classified U.S. government document related to a Middle Eastern country’s activities in Iraq. As Franklin well knew, he was not authorized to disclose this classified information. . . .

30. On June 30, 2004, Franklin met the FO [Israeli official—ed.] and another official from the FO’s country [Israel—ed.] at the Pentagon. . . .

31. Between December 2003 and June 2004, at an unknown location, Franklin disclosed to the FO [Israeli official—ed.] classified U.S. government information relating to a weapons test conducted by a Middle Eastern country. As Franklin well knew, he was not authorized to disclose this classified information. . . .

33. The government would prove that Franklin knew that when he disclosed classified information to Rosen and Weissman, they would use this information . . . to promote a particular foreign policy agenda.

34. At all times during the above-described incidents, defendant Franklin acted unlawfully and knowingly and not by mistake or other innocent reason.”

At the end of the document, Franklin’s signature appears, attesting to the statement, “I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.”