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To The Rosen/Weissman Files
From A.D. Lowell
Cc P. Friedman, N. Lewin, J. Campbell
Date October 4, 2004 (last revised September 1, 2004)
Subject AIPAC Inquiry Background Facts - **REVISED**

THIS MEMORANDUM IS AN ATTEMPT TO SET OUT CERTAIN FACTS BASED ON MY OWN INVESTIGATIONS AND WORK AND IMPRESSIONS. IT DOES NOT CONTAIN THE VERBATIM STATEMENTS OF ANY PERSON. IT IS NOT INTENDED TO BE COMPLETE AND IT WILL BE CHANGED FROM TIME TO TIME. THERE MAY VERY WELL BE INACCURACIES IN IT.

Steve Rosen

SR met Larry Franklin at DoD sometime in 2003. He is not sure that he was introduced alone or with Keith Weissman at the first meeting. It may have been at an Israeli Independence Day or other reception or function. Whoever introduced him (the introduction may have been made by Mike Macovsky) said LF was someone he should know. LF was a fairly low level policy person at DoD who worked on the "Iran desk." He reported to William Luti in Near East policy, who reported to Peter Rodman, an Assistant Secretary for Mideast affairs, who reported to Doug Feith.

LF is a slight bit kooky and odd; he lives in West Virginia and commutes to the Pentagon 80 miles every day. From the onset of the introduction, LF has been outspoken and candid about the inner workings and gyrations in the DoD.

At the first meeting SR probably said or LF said why we don't get together sometime. SR may have had some sort of introduction lunch before the lunch concerning the Iran policy. He may not have. The first meeting would have been one he set up following the

reception. If there was a second meeting, he is not sure how it got set up. He has little recall of the first introduction lunch, if there was one.

On June 9, 2003, there was probably a second meeting. SR probably asked KW to set up the meeting as they had not yet had a substantive meeting or it had been some time. Both SR and KW met LF for lunch at the Tivoli Restaurant in Roslyn. LF said he was very frustrated because he had been working for six months with various allies on a report concerning a tougher policy towards Iran. He said the policy memorandum had gotten to the "Deputies" level and had gotten stuck there. He said various deputies were now on board with a tougher policy, but it was stuck at Condoleezza Rice's office. He basically asked if SR and KW could do anything to get the policy unjammed at the White House level. He wanted help in dislodging jam at the higher levels of U.S. government and wanted AIPAC's help there. He may even have mentioned Condi Rice. There was no mention of using Israelis at all.

SR was surprised to hear this because he had not heard about it before from people who he spoke with that were higher up. He recalls only that there was something in the policy about engagement and something about destabilization. He recalled that LF was big on touting his contacts with and the efficacy of the Iranian dissidents and that AIPAC and SR were not huge supporters of this approach.

He did not give SR the document and SR does not recall seeing any document. There were no real specifics discussed. SR's only recall might be that there was something about "black action" or covert action to destabilize the Iranian regime.

SR came back and told Howard Kohr, AIPAC's Executive Director. He did not tell HK the source. SR was excited about the information and amused in a way because he had heard something he did not know from a fourth level DoD official and it was of interest. They discussed what could be done. There was not unanimity in AIPAC as to the right course to take with Iran. HK told SR that he [HK] would look into it. SR did not know what if anything HK did or did not do. [SR has been at AIPAC for over 20 years; KW reports to SR; HK used to report to SR as well and SR helped HK become E.D.]. SR does not always tell HK or anyone else where he gets his information. HK does not tell SR what he does in follow up.

In addition to talking to HK, SR also mentioned it to Israelis he spoke with regularly. These included Rafi Barak (the No. 2, DCM) who he meets weekly for breakfast and talks to regularly. SR told RB this information at one of their breakfasts at the Bread & Chocolate they meet at. He may have also told Ron Prossor (No. 3, who preceded Naor Gilon). They too said they would look into it. SR thought the document being discussed was a little unusual because it was going to such high levels. Later, SR recalls that the

Israelis came back to him and said they had confirmed that this policy dispute existed and the policy was stuck or bogged down. Nothing more came of that.

The third thing SR ~~did~~ was to mention it perhaps to Glen Kessler at *The Washington Post*; SR has lots of good media contacts and part of his job is to get information and to get information, he sometimes gives information. SR may often be a source for mid-East stories in the *Post* and *New York Times*. There was an article that the *Post* did on this policy dispute after SR spoke to them on June 15, 2003 written by Michael Dobbs. SR does not think he was the source for this because Dobb's story did not have the part he can recall telling Kessler (e.g., that the policy was approved at the "Deputies" level and was stuck). He also recalled the article was more specific and had other things that SR did not know.

SR and KW then decided to see if they could find out more about the issue and SR asked KW to call and set up another meeting with LF. The meeting occurred on June 26, 2003 at the same public restaurant. The two tried to find out more information. However, all LF seemed interesting in doing was to talk about how horrible Iran had been. He showed them a single page of a document that listed horrible acts by the government of Iran. The page was not marked "classified." He did not offer to give it to them SR was especially interested in probing about the policy dispute and was frustrated by LF's desire to dwell on Iran. SR may have even left the meeting early. It turns out the June 26 meeting was recorded.

SR can recall no further follow up. Neither SR nor KW reported back to LF on what they did.

SR may not have had direct contact with LF again.

A few weeks ago at the end of July (probably 7/21/04), however, KW mentioned that he was going to see LF. SR does not know how it came about. KW had a meeting (lunch or out of office coffee) with LF without SR. When he came back, KW told SR, he had something to tell him. KW was upset because he said he heard something where lives were on the line or at risk. He said he had heard from LF that the Iranians were planning real trouble in Iraq. Specifically, KW was told that they were doing three things: (1) something with the oil fields, (2) sending their best intelligence officers to Baghdad, and (3) doing surveillance of Israelis in Northern Iraq for kidnapping and killing; that they were setting up a sleeper system to do this. SR recalls KW telling this to him in this order. SR said that it seemed that Iran was preparing for total war and KW said that seemed the case. They discussed that they had a moral obligation to warn someone.

The backdrop for this conversation was that SR was already aware of stories that said Israelis were operating in Northern Iraq and that was of interest to SR because among other reasons SR was close to the Turks who were quite upset with Israelis being there. He also was aware of the Seymour Hersh story.

SR also thought that LF aggrandized himself in the past and this may be inflated a lot. In fact, by 2004, SR thought LF was a flake and had stopped keeping up with him, encouraging KW to do so as part of his rounds from time to time.

LF said that he picked this up from intelligence (may have mentioned CIA) and conveyed it to his superiors but he believed they were preoccupied and not listening. LF wanted SR's and KW's help in getting this information to higher ups in the U.S. administration. Again, LF was saying he wanted to get this to the White House (not Israel).

SR then undertook three initiatives: (1) He told AIPAC Executive Director HK and they all agreed that Howard should pass it along to the White House; SR is not sure if Elliot Abrams, President Bush's Special Assistant for Middle East Affairs (who worked with Condi Rice and who Howard knew well) was specifically mentioned; HK said something like he heard what they said and SR thought that Howard sent an e-mail to EA; (2) SR (and perhaps HK as well) passed on the substance to either Rafi Barak (the DCM at the Israel Embassy) or Naor Gilon (the No. 3 there); this may have been done in person or on the telephone; SR may have had one of his meetings with RB the next day and did it then; he may have called that same day with KW; they did not tell the Israelis the source or the nature (confidential, classified, etc.), but did convey the three pieces of information; (3) SR passed on the substance of the information to Glen Kessler at *The Washington Post* again without identifying the source; he may have passed on the parts about the oil field and the operatives and not the Israeli threat. No article occurred over the report.

In early August, SR received a call from an FBI agent asking if he could meet. He said they were doing a routine security check on LF. SR recalls that LF was up for some new position and so he did not think this odd. Two FBI agents, one woman and one man, showed up the same day and met SR in his AIPAC office. They asked regular security questions (drinking, drugs, etc.). SR asked why the FBI was doing the check when it was usually done by security agency personnel. He recalls now that their answer was sort of a stumble. The session lasted less than 30 minutes and some question also asked whether LF could be trusted or did he misuse classified information and SR said he could be and that he did not.

KW called SR from vacation or otherwise and said he too had been asked to do a security check. SR thought it odd that both were asked but did not think more of it than that.

Friday morning, August 27, at 7:25 AM, someone knocked on SR's door at home. It was a few FBI agents, one of whom was one who had done the security check of LF some weeks before. He said they were still working on the LF matter but that things had taken a more serious turn. They said it was now clear that LF was leaking classified information and it was a criminal act. They said they wanted to know what classified information LF gave SR. Either the FBI mentioned that they had asked during the security clearance or SR mentioned that at the earlier meeting, SR had said he did not receive any. The FBI said to SR that he was lying. The conversation then started to get less friendly. SR said that he was not an attorney and wanted to talk to one. The FBI said they really wanted him to cooperate. He said he felt uncomfortable without talking to an attorney. The FBI then said their advice was to get one and get one before 10:00 AM. The FBI said that they knew SR was lying because they monitored a meeting with an Israeli Embassy official when he (SR) passed the information on. They said something about KW getting the information and SR passing it on. SR said he did not want to continue the meeting. The FBI then gave their cards and cell number and said that he should call by 10:00 AM.

SR then called RB at the Embassy using SR's home phone and said they needed to meet at the usual place (B&C at Chevy Chase Circle). RB was there when SR got there. SR suggested they walk and they went around the corner. SR told RB what happened. When they got back to the store and SR went in, he saw that one of the FBI agents who was there at his house was there waiting for him in the parking lot. This was a female agent. She said they wanted to talk. He said that he told them already he wanted an attorney and she said to hurry up and get on before 10:00 AM.

SR also called KW before he met with RB and said they needed to talk and meet. KW said he had the kids and SR told him to hurry up and meet him at work.

SR went home and got ready for work and called Phil Friedman and came to the office. He met with PF and KW at AIPAC offices. PF and HK told them both to go home. Shortly before they did so, CBS called with the story.

Keith Weissman

KW has been with AIPAC since 1993, working under SR. Before that he was at the Mideast Insight, the Center for Mideast Research, and a college professor in Chicago.

At AIPAC, he is Senior Mideast Analyst and now Deputy Director for Foreign Policy Issues. He does the same work and still reports to SR.

He first met LF a few years ago at the Washington Institute for Near East Policy at some forum. He was not sure who introduced them, perhaps Harold Rhode. He thinks this might have even been before the Bush Administration. He recalls the introduction as being this is LF, the DIA guy on Iran (so it was before LF went to the Pentagon).

KW said that they should get together.

KW thought their first meeting was about two years ago. KW had decided to call LF from time to time as he would with any contact. They arranged lunch. KW thinks he asked SR if he wanted to come along and he is not sure he did.

They lunched at Tivoli in Roslyn. He said LF was a little odd or kooky and always was a little paranoid as if he was in physical danger. The conversation was very general about what they all did and over general issues about Iran. LF also bragged that he had his own contacts in Israel. KW realized LF had been to Israel more than he had and knew more people there and in the government.

KW saw LF perhaps five times in total. They learned they were both from NY and liked the Yankees. There probably was a meeting in late 2002 or early 2003 because KW mentioned he was going to spring training. Nothing special occurred at this lunch.

KW did not write memos to the file about these or any LF contacts.

One time KW invited LF and his son to come with KW and his kids to an Orioles/Yankees game. LF met him at the stadium. This would be in June or July 2003. LF paid for the tickets by reimbursing KW. At the lunches, usually at the Tivoli, KW paid. Nothing else was ever exchanged. This was in the spring or summer of 2003.

At about the same time, KW set up a lunch for he and SR with LF. They met at the Tivoli on June 9. At this lunch, LF was upset about the state of policy disputes on the policy towards Iran. LF had always said that US policy was not tough enough on Iran and that Iran was the real enemy to the US and Israel. He pushed for tougher policy. Ironically, KW did not agree with this position.

At this lunch, LF said that he was working on some memorandum to the White House on Iran. KW did not recall what it was called. He does recall it was a draft or in the draft stage. He said it was DoD's contribution to some larger policy paper. KW does not recall a reference to a "Deputies" level or any reference to Condi Rice. He did know that it was well out there that the administration was having fights over policy and that Rice was at the top of the dispute.

LF was concerned that people at the NSC would not take it seriously. KW understood that LF wanted help in getting the high-ups in the White House to see it. KW recalls there were no specifics on how to get tough on Iran and no specifics as to what the disputes were. He recalled only something about political destabilization, something that all media were reporting as well. LF did not say the information or document or anything was trouble or sensitive or anything else.

After the lunch, KW went to the office. He and SR talked about the lunch. KW did not do any follow up that he can recall; he did not talk with others at AIPAC or the Israelis or the media or anyone else. It is SR who follows up on these things. However he and SR discussed that it would be good to find out more about the policies at issue. SR asked KW to set up another meeting. KW called LF to do so.

They three met again on June 26, 2003 at the same place. During the meeting, KW thinks they discussed a policy paper and LF may have had a document with him. LF only showed KW a single page which had a list of horrors that Iran had done in the world. KW thinks that LF called it the "J'Accuse" list. KW did not recognize this as a special document and the information on it was well known. In fact, KW knew more than the piece of paper listed. The paper was computer typed and he saw only one page. The page had been copied a lot and it was not a good copy. It was not marked secret or classified in any way. It was such an elementary list, that KW probably suggested more things he knew that Iran had done wrong.

KW recalls that they could not get any more specifics because LF was interested mostly in the list of Iranian horrors. He thinks SR may have left before he (KW) did. He does not recall any follow up.

It turns out the June 26 meeting was taped.

He had no contact with LF from that time in 2003 until fairly recently. In June or early July, KW realized it had been a long time. They got together on July 9, 2004 for lunch at the Tivoli. SR did not come because by 2004 he decided LF was a flake and wanted nothing to do with him. There was nothing special at this meeting. KW has no recall of any specific topic other than general discussions about Iran. It was completely uneventful.

Right before July 21, LF called KW on KW's cell and said that he wanted to get together because he had something to tell him. KW suggested lunch but was pressed for time because KW was going on vacation. LF said he could not do lunch because he was in Persian language training. LF suggested coffee after training. KW suggested the bar at

the Tivoli and LF suggested Pentagon City instead. He suggested the Patisserie at Nordstrom's. On July 21 at 3:00 PM they met at the Patisserie at Pentagon City.

KW did not go with SR. LF seemed more nervous than usual but he was always that way. He said he had some information which he may have said was sensitive. He said he was not sure it was going to the right people. He was very agitated and pissed off and said that he did not care anymore who he had to talk with or whether he needed to get a new job. KW asked LF what LF wanted KW to do. LF said he wanted him to get the information to the White House because what Iran was planning to do was so serious and outrageous. He said no one would call them on it. He also said that he thought the White House would not tell the information concerning Israeli lives being in danger to Israel. He said he had received some information from American intelligence sources about serious actions Iran was taking in Iraq. LF said that, like before, he was concerned no one at the White House was taking this seriously. He also stated that Israeli and American lives were at stake. KW recalls that LF said it was sensitive information of confidential (and he might have even said it was classified). What KW does recall is that LF said you could be hurt or in trouble if he told KW. KW felt that LF meant physically hurt because LF was always paranoid about that. So, he blew off the warning in that context.

This is the meeting that apparently the FBI has taped (they played a part for KW when they visited him; this may also mean that LF is cooperating and was wired).

They discussed a Seymour Hersh *New Yorker* article about Israelis operating in Iraq, and LF said that his source said that Iranian operatives were going there to kill the Israelis. He wanted to make sure someone in the White House took this seriously. KW is not sure he mentioned that he wanted the Israelis warned as well

He also said that the Iranian were recalling Arab-speaking agents and sending them to Southern Iraq to target Shiite workers at oil fields to destabilize the industry.

He also said a senior revolutionary guard official of Iran was transferred from Afghanistan to Baghdad to coordinate operations. He gave the man's name.

The meeting lasted about an hour and KW returned by about 4:30 PM. No notes were taken; no documents were given; no documents were shown. KW went right back to the office and told SR. He told SR that it was from intelligence sources but did not tell SR what LF had said about getting hurt or being in trouble. KW thinks they went right to see HK. HK said they needed to get the information to the White House. HK asked them to write it down on an e-mail that KW thought HK would pass on to EA. KW sent HK an email that day and does not know what HK did with it.

SR said they needed to call the Israelis to ask them to watch out; SR called RB on the speakerphone and told him the substance of what he was told on the issue. He did not identify the source but said it was reliable and well placed or serious source in American intelligence. RB said he would pass it on.

KW told a watered down version to Quos Talabani son of the head of Kurdistan and working at the Patriotic Union of Kurdistan a few days later when the two were also talking about the Hersh article in the *Times*.

KW went on vacation July 24 and was away until August 7 in Boston and the cape. On July 30 he got a call on his cell phone. He was inside a New Balance factory outlet and his wife took the call. When he got out she said the FBI had called and wanted to talk with him. She was concerned and asked what it was about. He said he was sure it was about a security check to something. He called the agent right back. The agent was Tom O'Donnell. The agent said he was in the Boston area working the convention and wanted to see him that day. KW said he was on vacation and it could wait till he got back.

KW called SR and SR said he too had been called (it is not clear if SR had been interviewed yet). SR said there was nothing to worry about because these security checks are common. SR put KW at ease because KW's wife, an attorney, had suggested he call an attorney before talking to the FBI again.

The agent and other came to AIPAC on August 9 at 3:00 PM and they talked. KW joked and asked what he had done wrong. O'Donnell said nothing and that they were there to do a periodic security check of LF. They said they were doing a security check on LF who KW recalled was up for another job. They asked the standard questions – does he drink, does he use drugs, is he a security threat, does he pass on classified information. KW said no to all. It now appears that one question – would he ever disseminate classified information – was a set-up. Later, the FBI agents used that question to tell both KW and SR that they had lied to them before. The interview on August 9 took about fifteen minutes.

KW thought about the exchange and thought LF might be in trouble. On August 17, KW was at a session hearing John Bolton at the Hudson Institute and he ran into Harold Rhode. He asked HR if LF was in trouble and HR said it was not clear.

About a week later, on August 25, KW called LF to see if he was OK. He asked if LF wanted to get together. LF said yes, that he was taking his daughter to college (American University) on Friday, August 27, 2004 and he could have coffee after he dropped her off. They agreed to meet at 11:30 AM at the coffee shop at AIPAC's building.

On Friday, August 27, KW got a call from SR at about 8:00 AM. SR said they had to meet. KW said that he had the kids and needed to get them dropped off. SR told him they needed to consult with an attorney and that they should meet at the office. He went to the office and met with PF. KW told SR that he had a meeting planned with LF. SR said he had to cancel it. KW called LF's office and left a message he could not meet. When he left the office and went home, he was visited by agent O'Donnell and another agent about a half hour later.

O'Donnell said that he had a window of opportunity to talk to them before it got serious. He told KW that they knew he was a decent guy and a guy who wanted to protect his family and that the agents wanted to talk to him to help and would meet him anywhere and anytime.

The agents then asked him to listen to what they had brought and played for him a few seconds of a tape. They said it was of him and LF and it was a part where LF told KW that he [KW] could be hurt or in trouble for what he would tell him. The agents then said to KW that he had lied to them on August 9 when they asked if LF would ever disseminate classified information. They asked what he thought now. He said he thinks he told the agents that he was not sure but that he wanted to talk to an attorney.

5. Mr. Franklin Requests Another Meeting In July

Mr. Franklin called Mr. Weissman less than two weeks after their July meeting to set up another meeting. This call was surprising because they had just met, nothing significant had been discussed, and their prior meetings had been so infrequent that they had not met since at least December 31, 2003.

What Mr. Weissman did not know and what now appears to be true is that Mr. Franklin had either been cooperating with the prosecution and had been wearing a recording device or had been overheard at his earlier meetings. In fact, a portion of a recording of the meeting they had on July 21 was played for Mr. Weissman when the FBI visited him in the afternoon of August 27, 2004.

In setting up the meeting, Mr. Franklin told Mr. Weissman that he had something important to tell him. Mr. Weissman was about to leave on vacation and tried to put the meeting off. Mr. Franklin said it could not wait. He also said he could not have lunch because he was attending sessions in Persian language training but that he could meet Mr. Weissman later in the afternoon for coffee. They agreed to meet at a coffee bar at Nordstrom's in the shopping mall at Pentagon City, obviously another public place.

This meeting, apparently set up by the Justice Department and FBI to create the appearance of a criminal violation, was recorded. The information that Mr. Franklin orally communicated to Mr. Weissman was designed to make Mr. Weissman believe that some actions were needed immediately to avoid loss of lives.

When they met, Mr. Franklin seemed agitated. Mr. Weissman recalls that Mr. Franklin told him that he had information from an intelligence source and that what he had to tell Mr. Weissman involved people being killed or that lives being at stake. At some other point in the conversation, Mr. Franklin said that some of his information was sensitive or classified. Although Franklin may have referred to U.S. intelligence, Mr. Weissman was not sure whether Franklin's source was American or Franklin's own contacts with Iranian émigrés and dissidents like Manuchehr Ghorbanifar.

Still at another point, he said that Mr. Weissman could get hurt or be in trouble for what Mr. Franklin was going to tell him. Mr. Weissman took this to mean possible dangers from Iranian agents, a subject about which he considered Franklin to be somewhat paranoid. Mr. Weissman replied that he said he would tell what they discussed only to Mr. Rosen. Mr. Franklin, again said, as he had done at the June 2003 meeting, that he wanted help in getting this information to the right place and, as he had done before, intimating or actually stating that he meant the White House.

Mr. Weissman again understood that Mr. Franklin was enlisting help in getting information higher up in our own administration. Mr. Weissman does not recall the precise sequence of all Mr. Franklin's various statements described above. He knew from past experience that Mr. Franklin tended to exaggerate. He also knew that not all

intelligence information is classified or unobtainable from public and published sources. He saw that Mr. Franklin was agitated and understood that this information involved life-threatening actions against American forces in Iraq.

Shortly before this July meeting, an article appeared in The New Yorker by Seymour M. Hersh on June 21, 2004 entitled, "Annals of National Security, Plan B." In that article, Mr. Hersh reported that Israel has an intelligence presence in Iraqi Kurdistan for the purposes of monitoring Iranian nuclear and other developments. Mr. Weissman had read the article and it had been the topic of discussions among him, Mr. Rosen, and others at AIPAC.

Franklin also said that Iran had been sending Arab-speaking agents to Iraq gathered from Iran's other operations throughout the Arab world, some to get work at oil fields, with the aim of interrupting those operations. Franklin also said that a particular named individual in the Iranian Revolutionary Guards Quds force, Iran's primary vehicle for foreign destabilization, had been transferred to Baghdad to coordinate anti-U.S. operations. The information conveyed by Franklin to Mr. Weissman was, as demonstrated below, available from published non-classified sources.

The most important information conveyed to Mr. Weissman by Franklin at the meeting was that Americans and Israelis who were in Iraq had been targeted by Iranians for death, kidnapping and injury. Franklin also expressed his concern that the U.S. might not tell Israel the part of the information that concerned its own people. At no time during the meeting did Mr. Franklin give any document or material to Mr. Weissman. At no time did Mr. Franklin show Mr. Weissman any paper or material marked classified in any way. At no time did Mr. Franklin tell Mr. Weissman anything about U.S. operations, policies, directives, or plans. Mr. Franklin's information concerned only what Iranians were doing in Iraq, much of which already appeared in the media.