

The New York Times story today on the dropping of the government case against the AIPAC lobbyists Steven Rosen and Keith Weissman comes in separate parts, not entirely signaled by paragraph breaks or outward format. The report by Neil A. Lewis and David Johnston sets out to answer three questions. What was this investigation about? Who is pleased and who displeased by the reversal? And why was the case dropped at just this moment?

The last question is the easiest to answer. The Justice Department announced that the charges would be dropped two days before the opening of the 2009 AIPAC Convention. One may have noticed earlier that the Obama administration and the government of Israel play each other on a tight clock. Israel withdrew from its devastating assault on Gaza only hours before the inauguration of Barack Obama. The administration has let off the AIPAC lobbyists in time to be considered as sentimental encouragers and not spoilers of the mutual uplift that marks the annual AIPAC gathering.

About the contest within the Justice Department over the pursuit of the case, the Times reporters Lewis and Johnston finesse every point of actual information with aggregate nouns, omitted definite articles, and many unnamed sources. We are told that "F.B.I agents poured substantial resources into the case, and the decision to seek a dismissal infuriated many within the law enforcement agency." The FBI is itself part of the Justice Department, and its agents are likely to have been conversant, if anyone was, with the sort of evidence needed for a conviction, even under the difficult burden of proof required in this case by Judge T.S. Ellis III. We are told that Joseph Persichini, Jr., head of the bureau's DC office, was also disappointed by the decision to drop the charges. Whom does that leave satisfied? The final decision was made, say Lewis and Johnson, "solely by career prosecutors in Alexandria." So the Obama administration acted in obedience to the wish of "prosecutors," but it is left unclear whether this was the wish of all the prosecutors.

Nor were they the only persons present at the discussions. "While senior political appointees at the Justice Department did not direct subordinates to drop the case, they were heavily involved in the deliberations." Heavily involved. "David S. Kris," unnamed sources told the Times, "the newly appointed chief of the department's national security division, and Dana J. Boente, the interim United States attorney in Alexandria, had conferred regularly with prosecutors and ultimately decided to accept the recommendation to abandon the case. Attorney General Eric H. Holder Jr. was informed and raised no objections." A curious sequence of facts. Holder raised no objections to a decision which was arrived at by prosecutors with the help of two men -- a fresh appointee and an interim U.S. attorney -- whom he himself had sent into the discussion for some purpose. Let us assume he was not displeased with a result that his own men had sought, even against the wishes of the relevant office chief at the FBI.

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