

CIA & FOGGO: IT'S HARD ON SPY PIMPS OUT THERE

It's getting hard out there on the pimps and cons in the CIA, first Director Goss goes down the tubes, and now his right hand man Foggo is headed to the slammer.

As reported Monday, Dusty Foggo has copped an incredibly lenient plea to one count of simple wire fraud. Foggo, formerly Number Three man in the Bush CIA, under Director Porter Goss who also resigned in disgrace, had been charged with 28 counts of sordid and sundry fraud, conflict of interest, bribery aiding and abetting, and false statements, all primarily related to the Duke Cunningham and Brent Wilkes criminal convictions.

Just how did Foggo get such a sweetheart deal?

It must have been the evidence that Foggo created a new deputy director of administration position and hired his mistress to fill it, the weekly poker games at Washington hotels with Congressmen such "Duke" Cunningham, lobbyists, House intelligence committee staff members and prostitutes. Or maybe Foggo's assistance to childhood friend, Brent Wilkes, one of two defense contractors bribing House intelligence committee member Cunningham with tens of thousands of dollars in antiques, travel, fancy meals, house payments, and hookers in exchange for earmarks steering more than \$100 million worth of government contracts to Wilkes' San Diego-based firm, right?

As the always excellent Laura Rozen details in an article just out in Mother Jones:

No, what truly worried Agency brass were the darker secrets their former top logistics officer was threatening to spill had his case gone to trial as scheduled on November 3. They included

the massive contracts Foggo was discussing with Wilkes, estimated by one source at over \$300 million dollars. "Wilkes was working on several other huge deals when the hammer fell," a source familiar with Foggo's discussions with Wilkes told me. What kinds of deals? According to the source, they included creating and running a secret plane network

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The "classified air support contract" and its implied purposes for renditions are among the truly damaging national security secrets, along with the methods the CIA uses to create front companies and dole out black contracts, that the CIA and **Bush White House would have been anxious not to have exposed, especially in a trial set to take place the day before the election in a suburban DC courtroom within a ten-minute drive of the entire national security press corps.** (Emphasis added)

Now, most people covering the Foggo case, including Laura, attribute Foggo's wildly successful plea deal to a strong "graymail defense", especially in light of the fact that Foggo threatened "to expose the cover of virtually every CIA employee with whom he interacted and to divulge to the world some of our country's most sensitive programs—even though this information has absolutely nothing to do with the charges he faces".

But it's not graymail behind Foggo's plea, it is CYA. A true graymail defense is where:

The defendant claims that classified records are necessary to the defense. The goal of the defense team is to request so many classified documents that the federal government says "no." At that point, the defense tries to convince a judge that they cannot get a fair trial without these records; the

goal is to have the case or charges dismissed.

Congress enacted the Classified Information Procedures Act (CIPA) to permit defendants to deal with secret information germane to their trial in sealed court hearings; so anything germane to Foggo's case could have been handled thusly. And the rest, such as Foggo's brazen and scurrilous threat to reveal every fellow CIA agent and contact he knew, and all the programs, well that is the epitome of extortion via threat of treason; simply make a record of the threat and throw his rear in solitary. If he makes one single overt act on the threat, prosecute him for treason outright, which is punishable by death.

There were tried and true ways to legally deal with Foggo and his treasonous threats. No, it was that Cheney, Bush, Mukasey and the other grifters, pimps and lackeys they populated our government and intelligence service with didn't want the public reminded of their secret torture airlines, corruption, dishonesty and perfidy right before the election. Gee, who could have predicted that? Must be hard on those pimps out there these days.