

MAJID KHAN TO ACCEPT PLEA DEAL

The WaPo confirms what a lot of people have been speculating: Majid Khan will accept a plea deal.

In recent days, Khan, a Pakistani citizen who was a legal U.S. resident, was moved out of the top-security Camp 7, which houses the high-value detainees, in anticipation of an arraignment next week at which he will enter a guilty plea, said the officials, speaking on the condition of anonymity in advance of the hearing.

Khan has agreed, if requested, to testify at military commission trials in the next four years, and he would then be eligible to be transferred to Pakistan at some point after that, the officials said. Khan has a wife and daughter in Pakistan.

The officials would not specify the amount of time Khan would serve if he fulfilled his obligations under the agreement.

What I haven't seen anyone explain, however, is why the government has suddenly offered Khan a plea deal. It suggests they either can't build a case against him themselves—a possibility given that they're charging him for an assassination attempt that apparently involved no bomb—or that they've decided they don't have enough untainted evidence against Khalid Sheikh Mohammed and the other 9/11 plotters without someone like Khan testifying. It further suggests they don't want to rely on Khan's own testimony given in custody, probably because that, too, is tainted.

Though they must not be close to trying the 9/11 plotters, given that Khan will have to stick around for four years to testify, if needed.

But I'll make a prediction. I bet Khan will do less time—for his empty suicide vest and for couriering money for terrorist plots—than Amine el-Khalifi, the guy with a similarly empty suicide vest who thought he was going to strike the Capital last week. If that's true, it won't be clear whether to blame it on the torture or the inadequate military commissions.