

Former Cheney aide sentenced to two-and-a-half years in prison

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Vice President Cheney's former chief of staff, Lewis "Scooter" Libby, was sentenced to 30 months in prison Tuesday for lying to investigators during the inquiry into the leaking of the name of CIA operative Valerie Plame. Libby, who was convicted March 6 on four counts of obstruction of justice, perjury and lying to the FBI, is the highest-ranking government official to be sentenced to prison since the Iran-Contra scandal of the 1980s.

Federal Judge Reggie Walton indicated that he saw no reason to let Libby remain free pending an appeal. However, the judge said he would accept written arguments on the issue and rule by next week on whether to order Libby to begin his sentence right away. Under federal sentencing guidelines, Libby would have to serve at least 80 percent of his sentence, or two years behind bars.

In issuing his sentence, Judge Walton rejected appeals for leniency from defense attorneys who said Libby should be set free on probation because the "public humiliation" he had suffered was enough punishment and because his conviction meant he could never serve in government again. In addition, several former high-level officials—including Defense Secretary Donald Rumsfeld, former deputy defense secretary Paul Wolfowitz, former CIA Director James Woolsey, former US Ambassador to the United Nations John Bolton and former Secretary of State Henry Kissinger—sent letters urging the judge to consider Libby's long years of "exceptional service."

In handing down the sentence, the judge declared, "People who occupy these types of positions, where they have the welfare and security of nation in their hands, have a special obligation to not do anything that might create a problem." He added that it was "important that people who occupy positions of

responsibility know that if they are going to step over the line . . . there are consequences."

Walton's sentence—which came close to the prosecution's demand for three years in jail—is widely seen as a blow to the Bush administration. The nearly four-year inquiry by special prosecutor Patrick Fitzgerald has embroiled the White House and the office of the Vice President Dick Cheney, focusing on allegations that top officials deliberately leaked Plame's identity to right-wing journalist Robert Novak, who made it public in his syndicated column.

The purpose was to punish her husband, former ambassador Joseph Wilson, who publicly challenged the administration's lies about Iraq's supposed nuclear weapons program. Wilson visited the northern African country of Niger, where he had once served as a US diplomat, to investigate claims that Saddam Hussein was seeking to purchase uranium ore. The 2002 trip, commissioned by the CIA, found no grounds for those claims, but the White House nonetheless incorporated the false charge into Bush's 2003 State of the Union address.

While Libby's attorney initially suggested, in his opening remarks at the jury trial, that Libby was taking the fall for higher-level Bush administration officials—a clear reference to chief White House political aide Karl Rove and Cheney himself—the defense never introduced any evidence and did not pursue the claim of scapegoating. It is more than likely that Libby has received assurances of a presidential pardon provided that he maintains his silence.

If Libby is sent to prison next week, this deal will be put to the test. Already, the ultra-right media and the neo-conservative circles out of which Libby emerged have begun clamoring for an immediate presidential pardon, condemning the White House for its professed

unwillingness to act while the judicial process is under way.

The *Wall Street Journal* published a bitter editorial June 1, denouncing the Libby prosecution as the “criminalization of political differences,” a term that is remarkably ironic given the *Journal*’s leading role in the right-wing campaign to impeach President Bill Clinton. “It would be a blot on the Bush Presidency if Mr. Libby serves a day in prison for a political dispute over Iraq that became a criminal investigation largely due to the incompetence of so many in the Bush Administration,” the newspaper declared.

Similar calls have come from prospective Republican presidential candidate and former US senator Fred Thompson, and from many former officials of Republican administrations over the past three decades.

If Judge Walton agrees to delay Libby’s reporting to prison until after his appeals are exhausted, a process that could take years, the White House would be off the hook. In that context, it is worth pointing out that the judge is a long-time Republican who was placed on the federal bench by Bush in 2001.

Last month, Walton was one of a handful of federal district court judges selected by Supreme Court Chief Justice John Roberts to serve on the secret court that approves wiretaps and other forms of police-state spying under the Federal Intelligence Surveillance Act. The appointment to the FISA court suggests that Walton enjoys the confidence of the intelligence agencies, who have been deeply involved in the struggle over the Libby case.

From the beginning, the Plame investigation has been the focal point of a subterranean struggle within the American state apparatus, a product of the growing debacle produced by the US invasion and occupation of Iraq. CIA officials publicly demanded that those who leaked Plame’s identity be held accountable, and under that pressure the Justice Department selected Fitzgerald, the US Attorney in Chicago, as a special prosecutor.

Wilson himself, a career State Department official, only went public with his criticisms of Bush in July 2003, when it had become clear that the US faced mounting resistance in Iraq and that no trace of the promised weapons of mass destruction, the main pretext for the war, could be found.



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