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## Libby: Bush Authorized Plamegate Leak

*Indicted ex-Cheney aide told grand jury of White House approval*

APRIL 6--A former top aide to Vice President Dick Cheney told a federal grand jury that President George W. Bush authorized him to leak information from a classified intelligence report to a New York Times reporter. Details of I. Lewis "Scooter" Libby's testimony were included in a court filing made yesterday by Special Counsel Patrick Fitzgerald, who is prosecuting Libby for perjury, obstruction of justice, and making false statements in connection with the probe into the leaking of CIA agent Valerie Plame's identity. According to Fitzgerald's filing, an excerpt of which you'll find below, Libby, 55, testified in 2003 that he provided reporter Judith Miller with information from a classified National



Intelligence Estimate after being told by Cheney that Bush "specifically had authorized" him to "disclose certain information in the NIE." Libby also testified that Cheney specifically directed him to speak to other reporters about information in the classified NIE (which addressed Iraq's purported weapons of mass destruction programs) as well as a cable authored by Plame's husband, former ambassador Joseph Wilson. The leaking of the classified material was apparently done in an effort to counter claims made by Wilson regarding the White House's justification for invading Iraq. The Fitzgerald filing also notes that Libby told grand jurors that he conferred with David Addington, Cheney's counsel, about the leak directive and that Addington told him "that Presidential authorization to publicly disclose a document amounted to a declassification of the document." While both Bush and Cheney have been interviewed by Fitzgerald, it is unknown whether they confirmed or disputed Libby's assertion that he was authorized to disclose findings in classified reports. Libby, Cheney's former chief of staff, resigned his White House post last October following his indictment on five felony counts. (7 pages)

Plamegate aficionados: [Click here](#) for PDF of entire 39-page Fitzgerald filing

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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA            )  
  )  
  )        CR. NO 05-394 (RBW)  
  )  
  )  
  )  
I. LEWIS LIBBY,                         )  
    also known as "Scooter Libby"    )

**GOVERNMENT’S RESPONSE TO DEFENDANT’S  
THIRD MOTION TO COMPEL DISCOVERY**

The UNITED STATES OF AMERICA, by PATRICK J. FITZGERALD, SPECIAL COUNSEL, respectfully submits the following response to the “Third Motion of I. Lewis Libby to Compel Discovery Under Rule 16 and *Brady*.”

**INTRODUCTION**

On October 28, 2005, a federal grand jury returned a five-count indictment charging defendant I. Lewis “Scooter” Libby with obstruction of justice, perjury, and making false statements to federal investigators, in violation of 18 U.S.C. §§ 1503, 1623 and 1001, in connection with an investigation concerning leaks to reporters of classified information regarding the employment of Valerie Plame Wilson.

To date, the government has provided defendant with approximately 12,300 pages of classified and unclassified discovery, including the entire set of documents produced to the Office of Special Counsel by the Office of the Vice President, a large quantity of classified and unclassified documents from several other government agencies, and certain grand jury testimony and documents provided by reporters. The government currently is in the process of obtaining from the Office of the Vice President and producing to defendant an estimated 1,400 pages of additional handwritten notes prepared during the period May 6, 2003 through March 24, 2004, pursuant to the Court’s

