

Libby Authorized To Leak By Cheney, Others

By Greg Mitchell
EditorandPublisher.com
2-10-6

NEW YORK -- Lewis "Scooter" Libby testified to a federal grand jury that he had been "authorized" by his boss, Vice President Dick Cheney, and other White House "superiors" in the summer of 2003 to disclose classified information to journalists to defend the Bush administration's use of prewar intelligence, according to an article posted today by the National Journal.

Reporter Murray Waas writes that this information comes from attorneys familiar with the matter, and from recently released court records. Waas has broken several stories on the Plame/CIA leak case in recent weeks for the nonpartisan National Journal.

"Libby specifically claimed that in one instance he had been authorized to divulge portions of a then-still highly classified National Intelligence Estimate regarding Saddam Hussein's purported efforts to develop nuclear weapons," Waas writes, according to correspondence recently filed in federal court by special prosecutor Patrick J. Fitzgerald.

"Beyond what was stated in the court paper, say people with firsthand knowledge of the matter, Libby also indicated what he will offer as a broad defense during his upcoming criminal trial: that Vice President Cheney and other senior Bush administration officials had earlier encouraged and authorized him to share classified information with journalists to build public support for going to war. Later, after the war began in 2003, Cheney authorized Libby to release additional classified information, including details of the NIE, to defend the administration's use of prewar intelligence in making the case for war.

"Libby testified to the grand jury that he had been authorized to share parts of the NIE with journalists in the summer of 2003 as part of an effort to rebut charges then being made by former U.S. Ambassador Joseph Wilson that the Bush administration had misrepresented intelligence information to make a public case for war. "

One of those journalists was former New York Times reporter Judith

Miller. She has written that at a July 8, 2003, meeting with Libby he offered some details from the then-classified NIE. Libby apparently is now saying he was authorized to give her that information.

This raises the issue of whether the vice president knew Libby was meeting Miller that day.

Besides sharing details of the NIE with reporters during the effort to rebut claims by Wilson, "Libby is also accused of telling journalists that Wilson's wife, Valerie Plame, had worked for the CIA," Waas observes. "Libby and other Bush administration officials believed that if Plame played a role in the selection of her husband for the Niger mission, that fact might discredit him."

A federal grand jury indicted Libby on October 28, 2005, on five counts of making false statements, perjury, and obstruction of justice, alleging that he concealed his role in leaking information about Plame.

In a January 23 letter, Fitzgerald wrote to Libby's attorneys: "Mr. Libby testified in the grand jury that he had contact with reporters in which he disclosed the content of the National Intelligence Estimate (NIE) in the course of his interaction with reporters in June and July 2003. We also note that it is our understanding that Mr. Libby testified that he was authorized to disclose information about the NIE to the press by his superiors."

The public correspondence does not mention the identities of the "superiors" who authorized the leaking of the classified information, "but people with firsthand knowledge of the matter identified one of them as Cheney," Waas states. Libby also testified that he worked closely with then-Deputy National Security Adviser Stephen Hadley and White House Deputy Chief of Staff Karl Rove in deciding what information to leak to the press to build public support for the war.

In the correspondence, which emerged last week, Fitzgerald also asserted that Libby testified that he had met with Judith Miller on July 8, 2003, with the "purpose" of intending "to transmit information" to her "concerning the NIE."

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