

## 'Leak-Gate' Escalates: All Roads Lead to Cheney

by Edward Spannaus

By all indications, recent developments in the Justice Department's investigation into the illegal disclosure of the identity of CIA undercover operative Valerie Plame, are very bad news for Dick Cheney.

Still more bad news for the Vice President hit on Jan. 8, when the Carnegie Endowment for International Peace released its report, "WMD in Iraq," which found that "Administration officials systematically misrepresented the threat from Iraq's WMD [weapons of mass destruction] and ballistic missile programs." In presenting the report in a Washington press conference, the principal author cited statements by Vice President Cheney in August and September 2002, and in March 2003—on Saddam Hussein's alleged efforts to acquire nuclear weapons—and noted that in March 2003, Cheney had attacked the International Atomic Energy Agency (IAEA) after it had found that Saddam did not have a nuclear program.

The Carnegie report also cited "the Vice President's repeated visits to CIA headquarters," and the creation of a special intelligence unit in the Pentagon—referring to the Office of Special Plans—as key components of the pressure put on intelligence analysts to shape their estimates to conform to the Administration's political objectives in Iraq.

### White House Stone-Walling

On Dec. 30, Deputy U.S. Attorney General James Comey announced that Attorney General John Ashcroft had recused himself from any role in the Plame leak investigation. Comey also announced that he had appointed Patrick J. Fitzgerald as special counsel, with complete independent power and authority to conduct the leak probe. Then, right after New Year's, it was revealed that the FBI had asked a number of White House officials to sign waivers which would release journalists from any confidentiality agreements regarding discussions involving Valerie Plame. As the White House stone-

walled, pressure built on top White House officials to order their subordinates to sign the waivers, which would facilitate the FBI's probe of the illegal leak.

Special Counsel Fitzgerald is, by all accounts, a hard-driving, hard-nosed career prosecutor, who had been appointed to be the U.S. Attorney in Chicago in 2001, after having worked in the Southern District of New York (Manhattan) since 1988, prosecuting organized crime, drug-trafficking, and terrorism cases.

The predominant view among legal experts and intelligence community sources consulted by *EIR*, is that Fitzgerald would not have accepted the assignment unless he saw a good chance of pinning another scalp to his office wall; that is to say, that he would not have taken on the case, just in order to shut it down.

### An Unanticipated Break

The conclusion that many observers drew from these dramatic developments, was that something big had come up in the investigation, which required Ashcroft to disqualify himself. "What I can tell you is that the investigation has been moving along very, very quickly; has been worked very, very hard and very, very well," Comey himself stated, "and it reached a point where we simply thought these judgments were appropriate."

Well-placed sources told *EIR* that what triggered these events, was a significant break in the investigation, leading directly into the Office of the Vice President. As one former top intelligence officer put it: "All roads lead to Dick Cheney's office. A major investigative break occurred in the months-long FBI probe, a break that no one in the White House anticipated. That's why Ashcroft had to step aside."

One source said that a name which is coming up prominently in the investigation, is that of John Hannah, the deputy

director of Cheney's national security staff, who works directly under Lewis "Scooter" Libby. Hannah formerly worked for the Washington Institute for Near East Policy, the semi-official think-tank of the official Israel lobby in the United States, AIPAC (American Israel Public Affairs Committee). Another name which has reportedly come up is that of Richard Perle, the former chairman of the Defense Policy Board, and a leading Cheneyac.

An American intelligence official told *EIR* that the targeting of former Ambassador Joseph Wilson and his wife Valerie Plame was initiated in Cheney's office, in March 2003—shortly after UN Security Council testimony by IAEA Director Dr. Mohamed ElBaradei, in which the IAEA Director had revealed that Niger government documents purporting to show that Iraq was seeking to purchase uranium ore ("yellowcake"), were fraudulent.

Despite the ElBaradei testimony, Vice President Cheney went on NBC television on March 16, 2003—as cited above—falsely to claim that Iraq had an advanced nuclear weapons program; to denounce the IAEA; and to assert that Saddam had links to the terrorists who carried out the 9/11 attacks.

According to the source, Cheney and Libby knew about Joe Wilson's role in discrediting the Niger uranium hoax. Wilson had conducted a fact-finding mission to Niger in February 2002, on behalf of the CIA; his assignment resulted from an intelligence inquiry made by Vice President Cheney. Cheney and Libby subsequently denied that they had received a report-back on the Wilson mission, even though it was Cheney who had "tasked" the Agency to probe the Niger allegations, which had been first been reported to senior Administration officials in December 2001, according to intelligence sources.

While Wilson's name did not surface in the Niger scandal until his own op-ed appeared in the *New York Times*—just days before Novak's July 14 column disclosed his wife's CIA status—Wilson had made a series of calls to State Department and CIA officials right after President Bush's January 2003 State of the Union address, in which Bush had referred to the alleged Iraqi efforts to get uranium in Africa for nuclear weapons.

The author of those now-infamous "16 words" in the President's speech was later identified as Dr. Robert Joseph, chief National Security Council staffer on WMD. Joseph has been posted to the National Security Council upon the recommendation of Richard Perle; and intelligence community sources say Joseph is part of the "shadow NSC" apparatus which is run out of Cheney's office by Libby.

These sources have reported to EIRNS that the "Get Joe Wilson" effort coming out of Office of the Vice President also involved members of the Defense Policy Board, who reportedly participated in leaking Valerie Plame's CIA status to a half-dozen Washington journalists, besides Novak.

The confidentiality waivers which the FBI is asking various White House officials to sign, state that it is the desire of

the person signing that "no member of the news media assert any privilege or refuse to answer any questions" about the Plame leak. The submission of the waivers began about a month ago, according to NBC. White House political advisor Karl Rove is one of those who has been asked to sign such a waiver; the *New York Times* says it is not known whether Rove or others have signed.

### **What the White House Should Have Done**

The waivers would give Federal investigators new tools in questioning reporters, such as Novak and others, who were illegally given information on condition that the source of the information not be identified. The use of such a waiver form is seen as precondition for calling reporters before a grand jury, and then asking a judge to hold them in contempt of court if they refuse to testify—which they most likely would.

Administration officials have been quoted in the press as saying that they cannot compel anyone to sign a confidentiality waiver, nor can they take any action against an employee who refuses. That itself is an indication of an ongoing coverup—as is the failure of the White House to investigate the Plame leak as soon as it was known to have occurred.

Congressional sources have pointed out to this news service that there are administrative procedures in place—under Executive Order 13292, signed and issued by President Bush on March 25, 2003—by which an Executive Branch agency is not only authorized, but obligated to conduct its own investigation of any unauthorized disclosure of classified information. This is what should have happened immediately; there was no need to wait for the Justice Department and FBI to launch an investigation.

Following are the relevant provisions of EO 13292:

- Section 4.1 requires that every employee with access to classified information sign a non-disclosure agreement, and undergo training "on the criminal, civil, and administrative sanctions that may be imposed on an individual who fails to protect classified information from unauthorized disclosure."
- Section 5.4 requires that agency heads designate a person to administer each agency's handling of classified information, and to implement the provisions of this Executive Order—which would mean investigating any breach of non-disclosure requirements.
- Section 5.5 states that any employee who "knowingly, willfully, or negligently" makes an unauthorized disclosure of classified information, shall be subject to sanctions which can include suspension without pay or removal from his position, and denial of access to classified information. Furthermore, this section states: "The agency head or senior agency official *shall* take appropriate and prompt corrective action when a violation or infraction" of these non-disclosure requirements occurs.

Thus, the failure of the White House to follow these procedures, as soon as the Plame leak occurred last July, is *prima facie* evidence that a coverup was already under way in the White House.