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In Court Filings, Cheney Aide Says Bush Approved Leak

By THE ASSOCIATED PRESS

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WASHINGTON (AP) -- Vice President Dick Cheney's former top aide told prosecutors President Bush authorized the leak of sensitive intelligence information about Iraq, according to court papers filed by prosecutors in the CIA leak case.

Before his indictment, I. Lewis Libby testified to the grand jury investigating the CIA leak that Cheney told him to pass on information and that it was Bush who authorized the disclosure, the court papers say. According to the documents, the authorization led to the July 8, 2003, conversation between Libby and New York Times reporter Judith Miller.

There was no indication in the filing that either Bush or Cheney authorized Libby to disclose Valerie Plame's CIA identity.

But the disclosure in documents filed Wednesday means that the president and the vice president put Libby in play as a secret provider of information to reporters about prewar intelligence on Iraq.

Bush's political foes jumped on the revelation about Libby's testimony.

"The fact that the president was willing to reveal classified information for political gain and put interests of his political party ahead of Americas security shows that he can no longer be trusted to keep America safe," Democratic National Committee Chairman Howard Dean said.

Libby's testimony also puts the president and the vice president in the awkward position of authorizing leaks -- a practice both men have long said they abhor, so much so that the administration has put in motion criminal investigations to hunt down leakers.

The most recent instance is the administration's launching of a probe into who disclosed to The New York Times the existence of the warrantless domestic surveillance program authorized by Bush shortly

after the Sept. 11 attacks.

The authorization involving intelligence information came as the Bush administration faced mounting criticism about its failure to find weapons of mass destruction in Iraq, the main reason the president and his aides had given for going to war.

Libby's participation in a critical conversation with Miller on July 8, 2003 "occurred only after the vice president advised defendant that the president specifically had authorized defendant to disclose certain information in the National Intelligence Estimate," the papers by Special Counsel Patrick Fitzgerald stated. The filing did not specify the "certain information."

"Defendant testified that the circumstances of his conversation with reporter Miller -- getting approval from the president through the vice president to discuss material that would be classified but for that approval -- were unique in his recollection," the papers added.

Libby is asking for voluminous amounts of classified information from the government in order to defend himself against five counts of perjury, obstruction and lying to the FBI in the Plame affair.

He is accused of making false statements about how he learned of Plame's CIA employment and what he told reporters about it.

Her CIA status was publicly disclosed eight days after her husband, former U.S. Ambassador Joseph Wilson, accused the Bush administration of twisting prewar intelligence to exaggerate the Iraqi threat from weapons of mass destruction.

In 2002, Wilson had been dispatched to Africa by the CIA to check out intelligence that Iraq had an agreement to acquire uranium yellowcake from Niger, and Wilson had concluded that there was no such arrangement.

Libby says he needs extensive classified files from the government to demonstrate that Plame's CIA connection was a peripheral matter that he never focused on, and that the role of Wilson's wife was a small piece in a building public controversy over the failure to find WMD in Iraq.

Fitzgerald said in the new court filing that Libby's requests for information go too far and the prosecutor cited Libby's own statements to investigators in an attempt to limit the amount of information the government must turn over to Cheney's former chief of staff for his criminal defense.

According to Miller's grand jury testimony, Libby told her about Plame's CIA status in the July 8, 2003 conversation that took place shortly after the White House aide -- according to the new court filing -- was authorized by Bush through Cheney to disclose sensitive intelligence about Iraq and WMD contained in a National Intelligence Estimate.

The court filing was first disclosed by The New York Sun.

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