

# Who Started the Leak?

by Paul Wolf, 6 October 2003

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## Introduction

1. What I Didn't Find in Africa
2. Mama Mia, What a Con!
3. Woodward book full of leaks.
4. Why Leakers Rarely Do Time

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## Introduction

Let's not forget who started the leak. Re-read Ambassador Wilson's article below and then think about this: Didn't Wilson realize that going public about his CIA affiliation would jeopardize his wife's secret work? Assuming, that is, that Plame was doing undercover work related to the yellowcake scandal in Niger, which seems to be the consensus of the leaks.

If her operation was blown, doesn't Ambassador Wilson bear at least some of the responsibility? Novak's pointing out that Wilson's wife was an "operative" -- as he said in his first article -- certainly worsened the leak, but if Plame's operation was "burned" it was by Joseph Wilson not Robert Novak.

Doesn't Mr. Wilson have a secrecy agreement with the CIA? Why wasn't it enforced? Others are facing potential criminal prosecution and his wife allegedly said she would chew off her right arm before talking to reporters.

A fundamental question here is whether Wilson is doing this on his own behalf as a whistle blower, or whether the Agency approves of what he is doing. You would have to look at how the CIA has handled the matter to determine whether they tacitly approved of the conduct. He is still on the airwaves, that's one indication.

MSNBC suggests a devious idea, attributed to anonymous intelligence officials -- who else! -- to include Bob Woodward's book "Bush at War" in the leak investigation. The theory being, presumably, that George Tenet, CIA Director and star of the book, would be above whatever leak laws may exist. Since the CIA Director originally classified the material, he also has the authority to declassify it, and would not have broken any law. Woodward's other sources, on the other hand, do not enjoy the same privilege. Woodward explains how it works in the introduction to the book:

In addition, I interviewed more than 100 people involved in the decision making and execution of the war [in Afghanistan], including President Bush, key war cabinet members, the White House Staff, and officials currently serving at various levels of the Defense and State Departments and the CIA. . . . Most of the interviews were conducted on background -- meaning I could use the information but the sources would not be identified by name in this book. . . . This is not a sanitized version, and the censors, if we had them in the United States -- thank God we don't -- would no doubt draw the line at a different, more restrictive place than I have."

It was a different war, and not really related to the Plame investigation. But highly relevant to show how journalists make a living in Washington DC.

- Paul

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### **What I Didn't Find in Africa**

by Joseph C. Wilson 4th, *The New York Times*, 6 July 2003

WASHINGTON -- Did the Bush administration manipulate intelligence about Saddam Hussein's weapons programs to justify an invasion of Iraq?

Based on my experience with the administration in the months leading up to the war, I have little choice but to conclude that some of the intelligence related to Iraq's nuclear weapons program was twisted to exaggerate the Iraqi threat.

For 23 years, from 1976 to 1998, I was a career foreign service officer and ambassador. In 1990, as chargé d'affaires in Baghdad, I was the last American diplomat to meet with Saddam Hussein. (I was also a forceful advocate for his removal from Kuwait.) After Iraq, I was President George H. W. Bush's ambassador to Gabon and São Tomé and Príncipe; under President Bill Clinton, I helped direct Africa policy for the National Security Council.

It was my experience in Africa that led me to play a small role in the effort to verify information about Africa's suspected link to Iraq's nonconventional weapons programs. Those news stories about that unnamed former envoy who went to Niger? That's me.

In February 2002, I was informed by officials at the Central Intelligence Agency that Vice President Dick Cheney's office had questions about a particular intelligence report. While I never saw the report, I was told that it referred to a memorandum of agreement that documented the sale of uranium yellowcake -- a form of lightly processed ore -- by Niger to Iraq in the late 1990's. The agency officials asked if I would travel to Niger to check out the story so they could provide a response to the vice president's office.

After consulting with the State Department's African Affairs Bureau (and through it with Barbro Owens-Kirkpatrick, the United States ambassador to Niger), I agreed to make the trip. The mission I undertook was discreet but by no means secret. While the C.I.A. paid my expenses (my time was offered pro bono), I made it abundantly clear to everyone I met that I was acting on behalf of the United States government.

In late February 2002, I arrived in Niger's capital, Niamey, where I had been a diplomat in the mid-70's and visited as a National Security Council official in the late 90's. The city was much as I remembered it. Seasonal winds had clogged the air with dust and sand. Through

the haze, I could see camel caravans crossing the Niger River (over the John F. Kennedy bridge), the setting sun behind them. Most people had wrapped scarves around their faces to protect against the grit, leaving only their eyes visible.

The next morning, I met with Ambassador Owens-Kirkpatrick at the embassy. For reasons that are understandable, the embassy staff has always kept a close eye on Niger's uranium business. I was not surprised, then, when the ambassador told me that she knew about the allegations of uranium sales to Iraq -- and that she felt she had already debunked them in her reports to Washington. Nevertheless, she and I agreed that my time would be best spent interviewing people who had been in government when the deal supposedly took place, which was before her arrival.

I spent the next eight days drinking sweet mint tea and meeting with dozens of people: current government officials, former government officials, people associated with the country's uranium business. It did not take long to conclude that it was highly doubtful that any such transaction had ever taken place.

Given the structure of the consortiums that operated the mines, it would be exceedingly difficult for Niger to transfer uranium to Iraq. Niger's uranium business consists of two mines, Somair and Cominak, which are run by French, Spanish, Japanese, German and Nigerian interests. If the government wanted to remove uranium from a mine, it would have to notify the consortium, which in turn is strictly monitored by the International Atomic Energy Agency. Moreover, because the two mines are closely regulated, quasi-governmental entities, selling uranium would require the approval of the minister of mines, the prime minister and probably the president. In short, there's simply too much oversight over too small an industry for a sale to have transpired.

(As for the actual memorandum, I never saw it. But news accounts have pointed out that the documents had glaring errors -- they were signed, for example, by officials who were no longer in government -- and were probably forged. And then there's the fact that Niger formally denied the charges.)

Before I left Niger, I briefed the ambassador on my findings, which were consistent with her own. I also shared my conclusions with members of her staff. In early March, I arrived in Washington and promptly provided a detailed briefing to the C.I.A. I later shared my conclusions with the State Department African Affairs Bureau. There was nothing secret or earth-shattering in my report, just as there was nothing secret about my trip.

Though I did not file a written report, there should be at least four documents in United States government archives confirming my mission. The documents should include the ambassador's report of my debriefing in Niamey, a separate report written by the embassy staff, a C.I.A. report summing up my trip, and a specific answer from the agency to the office of the vice president (this may have been delivered orally). While I have not seen any of these reports, I have spent enough time in government to know that this is standard operating procedure.

I thought the Niger matter was settled and went back to my life. (I did take part in the Iraq debate, arguing that a strict containment regime backed by the threat of force was preferable

to an invasion.) In September 2002, however, Niger re-emerged. The British government published a "white paper" asserting that Saddam Hussein and his unconventional arms posed an immediate danger. As evidence, the report cited Iraq's attempts to purchase uranium from an African country.

Then, in January, President Bush, citing the British dossier, repeated the charges about Iraqi efforts to buy uranium from Africa.

The next day, I reminded a friend at the State Department of my trip and suggested that if the president had been referring to Niger, then his conclusion was not borne out by the facts as I understood them. He replied that perhaps the president was speaking about one of the other three African countries that produce uranium: Gabon, South Africa or Namibia. At the time, I accepted the explanation. I didn't know that in December, a month before the president's address, the State Department had published a fact sheet that mentioned the Niger case.

Those are the facts surrounding my efforts. The vice president's office asked a serious question. I was asked to help formulate the answer. I did so, and I have every confidence that the answer I provided was circulated to the appropriate officials within our government.

The question now is how that answer was or was not used by our political leadership. If my information was deemed inaccurate, I understand (though I would be very interested to know why). If, however, the information was ignored because it did not fit certain preconceptions about Iraq, then a legitimate argument can be made that we went to war under false pretenses. (It's worth remembering that in his March "Meet the Press" appearance, Mr. Cheney said that Saddam Hussein was "trying once again to produce nuclear weapons.") At a minimum, Congress, which authorized the use of military force at the president's behest, should want to know if the assertions about Iraq were warranted.

I was convinced before the war that the threat of weapons of mass destruction in the hands of Saddam Hussein required a vigorous and sustained international response to disarm him. Iraq possessed and had used chemical weapons; it had an active biological weapons program and quite possibly a nuclear research program -- all of which were in violation of United Nations resolutions. Having encountered Mr. Hussein and his thugs in the run-up to the Persian Gulf war of 1991, I was only too aware of the dangers he posed.

But were these dangers the same ones the administration told us about? We have to find out. America's foreign policy depends on the sanctity of its information. For this reason, questioning the selective use of intelligence to justify the war in Iraq is neither idle sniping nor "revisionist history," as Mr. Bush has suggested. The act of war is the last option of a democracy, taken when there is a grave threat to our national security. More than 200 American soldiers have lost their lives in Iraq already. We have a duty to ensure that their sacrifice came for the right reasons.

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## **Mama Mia, What a Con!**

How the Italians - perhaps with U.S. neocon help - suckered the Brits into believing and promoting the African-uranium fable  
by Dennis Hans, *Take Back The Media*

Did neonconservative elements in U.S. intelligence, perhaps at the Pentagon's Office of Special Plans (OSP), use the Italian military intelligence agency, known as SISMI, to con British intelligence into believing what most U.S. experts considered far-fetched at best - that Iraq sought uranium from Africa for use in a nuclear weapons program? Is that the "back story" behind this discredited assertion - "there is intelligence that Iraq has sought the supply of significant quantities of uranium from Africa" - in the Brits' ballyhooed September 2002 dossier, which Bush cited in his 2003 State of the Union address?

At this point, there is substantial circumstantial evidence against Italy's SISMI, less so for a U.S. role in the plot - if a plot is what it is. It strains credulity that SISMI would, on its own, con the Brits into believing and hyping the uranium allegations. But one thing this strange, complex story has revealed time and again is that credulity-straining things happen all the time.

So with that caveat out of the way, we turn to our attempt at a coherent narrative of this convoluted tale.

### The Brits Received "Summaries," Not Forgeries

British officials vehemently deny that they knew anything about the forged Iraq-Niger correspondence and "memorandum of agreement" for the sale of 500 tons of uranium oxide when they published their September dossier. They insist that their assertion was based on other evidence that their government had obtained from at least two western (but non-U.S.) intelligence services.

I believe the Brits. Their position is supported by an important story in the March 22 *Washington Post*. Paraphrasing an official of the U.N. shortly after that body's International Atomic Energy Agency exposed the forgeries, the *Post* reported that "a Niger diplomat turned the letters over to Italian intelligence, which provided summaries of the information to Washington and London."

The key word is "summaries."

On July 9, a *Reuters* dispatch made the same basic point: "Italy's intelligence service circulated reports about the Niger documents - not the documents themselves - to other Western intelligence services in early 2002, and that was apparently how the British and U.S. intelligence services learned of them, U.S. government sources said."

Note the carefully worded Italian denial, issued July 13 : "The news reported by various information organizations, national and foreign, concerning Italy's claimed transmission to other intelligence organizations of documents of Niger or Iraqi origin, conveying evidence relative to uranium transactions between Niger and Iraq are without any foundation."

The key phrase in the non-denial denial is "documents of Niger or Iraqi origin." What SISMI transmitted were of ITALIAN origin - they were SISMI "summaries" based (how loosely we don't know) on the info in the actual documents.

### Why the Brits Believed

The Brits found the allegations in the "summaries" credible BECAUSE they never received the actual documents. If the efforts of the Iraqis to acquire uranium in Africa are described in a report provided by a trusted ally that was not at all eager to attack Iraq, and if the reader of that report is unaware the allegations are based on obvious forgeries, he might well be inclined to believe the allegations. He would not have his guard up while reading the summaries/report, and unless someone provided a darn good reason for skepticism, he would likely consider the Iraqis guilty until proven innocent. He would not be inclined to search for evidence that would clear the Iraqis.

SISMI went out of its way to lend credibility to the summaries/report by flattering the Brits and playing up what we might call Italy's own "special relationship" with Britain: They were two European allies who, unlike the Bush administration cowboys chomping at the bit, did not believe in early 2002 that war was the only solution to Iraq. SISMI also boxed the Brits by insisting they not compare intelligence notes with the Yanks. British officials concede as much, without specific reference to SISMI, in an important article by Richard Norton-Taylor in the July 14 *Guardian*:

"British intelligence sources said yesterday that MI6 had separate information [distinct from the forgeries] to back the claim. MI6 was provided the information by a third party which insisted that neither the source nor the intelligence could be passed on. . . . Whitehall officials suggested yesterday that the claims came from a 'close ally' but one which did not want Britain to give it to the US as a further pretext for war."

That sound you hear is SISMI playing MI6 like a violin. But who composed the tune? SISMI? Berlusconi? An ally in the western hemisphere? Who wanted the Brits to believe in a uranium crock?

### Is Italian "Intelligence" Idiotic or Insidious?

The actual forged documents have now appeared in the Italian and U.S. media (view them via [this link](#)). As *ABC*'s Brian Ross reported July 16, "Among the many glaring errors evident in the documents . . . are the use of obsolete letterheads, incompatible dates and poorly forged signatures."

So what are the chances SISMI's forensic investigators were fooled by this rubbish? Slim. It strains credulity to think SISMI could not figure out they were dealing with obvious forgeries (assuming SISMI didn't create them itself), but it's certainly possible.

If SISMI considered them genuine, why didn't they include photocopies along with the summaries/report it passed on to the Brits and others? Wouldn't that help a recipient agency conduct their own investigation to confirm or refute the allegations in the "summaries"?

If SISMI was cynically trying to persuade the Brits of an African Connection that SISMI knew or highly suspected was bogus, the smart thing for SISMI to have done is lock up those laughable letters and distribute instead neatly typed "summaries" that wouldn't have those "glaring errors." Had SISMI given MI6 the actual documents, it probably would have taken the Brits the same two hours it took the International Atomic Energy Agency (IAEA) to conclude they were forgeries.

Is SISMI a mostly rightwing hotbed in a rightwing government? A source within SISMI told the Italian newspaper *La Repubblica* (as paraphrased July 16 by the *Associated Press*) that "the Italian Foreign Ministry had raised strong objections about the information provided by Italian intelligence."

Sounds just like the infighting among the Bush administration, where the cool, competent and powerless folks in the State Department's intelligence bureau, whose judgments look darn good in hindsight, have been repeatedly stunned by the incredible nonsense passed off as truth by the superhawk neoconservatives at the Pentagon's OSP.

Even if turns out that the SISMI leadership is both hawkish and sneaky, and indeed passed on to the Brits allegations it new were groundless, it's hard to believe that SISMI would do this on its own initiative.

#### The Brits' and Yanks' Mysterious "Other" Sources

So far, our focus has been on one British source, SISMI. Rest assured, SISMI was the Brits' primary source. But we know from numerous comments by named and unnamed Brit officials that they had at least one other foreign intelligence source. It could be an agency from another country (some recent speculation centers on France), or it may simply be a different branch of Italian intelligence. Whatever the case, this other source or sources seems to have provided the merest of scraps - "fragmentary" stuff similar or identical to some odds and ends the sane branches of U.S. intelligence place little stock in.

In the weeks and months after the Niger Connection fell apart on March 7, 2003, various U.S. officials aluded to untainted evidence in our possession implicating Iraq in efforts to buy uranium from an African nation other than Niger. Rep. Henry Waxman (D-Calif.) asked the Bush administration what this evidence was, and an official State Department response acknowledged that our source was a "second Western European government" (i.e., other than the British) that had "based its assessment on the evidence already available to the U.S. that was subsequently discredited". According to a "senior intelligence official" quoted in the July 8 *Washington Post*, "We both [the U.S. and Brits] had one source reporting through some liaison service which said, 'Look what we found.' There were other [intelligence] reporting streams, but it may be that all streams are traced to the same source."

#### The CIA Flubs a Chance to Clue in the Brits

In early September the CIA did warn the Brits about including the uranium allegation in their soon-to-be-published dossier. But as Foreign Secretary Jack Straw commented July 12, "the US comment was unsupported by explanation and UK officials were confident that the dossier's statement was based on reliable intelligence." So the Brits left it in, believing

erroneously that they had secret evidence not privy to the Yanks! What the Brits didn't know is that their trusty friends in SISMI provided summaries/reports to the Yanks, too. Nor did the Brits know that the U.S. had long ago conducted three separate investigations into the allegations that flowed from the forged documents, and each concluded that, for a variety of reasons, there was virtually no chance they were true. But because the CIA did not tell the Brits in early September what it knew and what it had investigated and discounted, the Brits didn't get a chance for a lightbulb moment. You know, the light switches on and the MI6 agent says, "That sounds amazingly like the allegations that we've been thinking are true, but unlike you Yanks, we didn't check them out. We basically just took the word of our secret source. Please, CIA friend, tell me more."

This "failure to communicate" is all the more astounding when one considers that a CIA officer sits on the Brits' Joint Intelligence Committee. He or she doesn't have full privileges, but there really is a "special relationship" between Brit and Yank spooks. Why the CIA official or officials chose not to explain to the Brits WHY they should delete the uranium reference is a matter for Congress to investigate.

And what to make of CIA director George Tenet? It's not good to have at the top someone who's (1) a coward and (2) easily cajoled by his smooth-talking, back-slapping pal, George W. Bush. From a professional standpoint, that's two strikes against Tenet. Sticking strictly to uranium, his agency did ask the Brits - however ineffectively and non-specifically - to not mention it in the dossier. And a few weeks later he got a similar line stricken from Bush's October 7 address in Cincinnati. But he also breathed life into the allegations by mentioning it, albeit with caveats, in the classified National Intelligence Estimate of October - a document put out mainly to placate Democrats - who wanted more to go on than administration pronouncements. Those passages were not read in a vacuum. They were read by members of Congress who shortly before had first learned about the Uranium Connection from a trusted ally asserting in a white paper that "there is intelligence" of such a Connection. That nuclear double-shot helped to persuade fence-sitters to give Bush a green light to wage war.

The net effect of Tenet's conflicting actions on the Uranium Connection was to give some legitimacy to allegations that deserved almost none. A less cowardly director would have driven a stake into the Connection, but such a director would never have been hired by Bush.

### Questions that Require Answers

Determining the who, when, how and why of the preparation of these summaries - and whether "summaries" is a good description of what SISMI distributed - will go a long way toward determining if the Brits believed these materials or merely pretended to.

Consider "who?" The summaries presumably were prepared by SISMI agents. Did they prepare them on their own? Did any non-Italians collaborate? If so, who? What was the nature of the collaboration?

Consider "why?" Was the purpose of the summaries to accurately reflect the contents of the documents or to hype and distort them? At any point in their preparation phase did the preparers learn or suspect that the allegations were false and the documents fake?

Consider "when?" The actual documents were acquired by Italian intelligence in the late in 2001. Not till months later did the Italians distribute the summaries. After Wilson revealed in the New York Times that he conducted his Niger investigation in "late February 2002," the British Foreign Office said that it was some time after that that the Brits received information on Iraq's pursuit of African uranium from their sources. If that British info is correct, why the delay? Why not get the documents or summaries into British, U.S. or, God forbid, IAEA hands IMMEDIATELY?

It's not clear when the U.S. received its copy of SISMI's "summaries." As soon as we did, did we alert our Italian ally that it was spreading bad information so that SISMI could alert the other recipients? Apparently not. Of course, there wouldn't be any need to do so if spreading lies was the intent and we were in on the scheme.

Bob Woodward reported in the March 23, 2003 *Washington Post* that, in very early 2002, Bush "signed a secret intelligence order authorizing the CIA to undertake a comprehensive program to remove Hussein." If that covert campaign was anything like past ones to topple a foreign government, a significant component would be disinformation. Did Bush authorize the intelligence community to launch an overseas disinformation campaign? Was the writing and distribution of the "summaries" part of that effort? Is this why there was such little concern, aside from career professionals at the CIA, about duping the Brits?

Did the summarizers broaden Iraq's potential list of suppliers to include all four uranium-producing nations in Africa - perhaps to give the allegations a longer life by making them more difficult to speedily refute?

The U.S. Congress needs to put the right officials under oath and pose tough questions to determine if the Bush team used the Brits to deceive America about the nuclear threat from Iraq. The British Parliament needs to determine if British intelligence were witting or unwitting participants. The Italian Parliament needs to determine if their intelligence agents produced credible "summaries" or hyped and distorted ones; and if the latter is the case, did they do so on their own or in cahoots with elements of U.S. intelligence?

For intelligence officials in three countries, it could be a long, hot summer.

Dennis Hans is a freelance writer who has taught courses in mass communications and American foreign policy at the University of South Florida-St. Petersburg. Prior to the Iraq war he published "Lying Us Into War: Exposing Bush and His 'Techniques of Deceit'" and "The Disinformation Age". He can be reached at HANS\_D@popmail.firm.edu.

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## **Woodward book full of leaks**

### **Mortuary Bob Hits a Gusher**

Accuracy in Media, Report# 4, February 28, 2003

Editor: Cliff Kincaid Associate Editor: Notra Trulock

"Mortuary Bob" Woodward has published another blockbuster volume of "investigative journalism" that has Washington buzzing. Accuracy in Media Chairman Reed Irvine tagged

him "Mortuary Bob" for his apparent belief in the old saying "dead men tell no tales." Woodward falsely claimed to have interviewed former CIA director William Casey when Casey was on his deathbed and couldn't talk. This time around, Woodward didn't quote dead men who are unable to refute him from beyond the grave. Instead, *Bush at War* purports to be an account of high-level decision-making that went on inside the Bush White House in the days and weeks after the September 11, 2001 tragedy.

Woodward's "victim" this time around is the integrity of the nation's system for protecting classified information, especially highly sensitive intelligence information. In return for "access" to such intelligence, Woodward has given those Bush administration officials most culpable for that disaster a chance to rewrite the history of their failures. Of these, CIA Director George J. Tenet benefits the most from the Woodward book. Following an old rule of thumb for decoding Woodward, it is obvious Tenet was Woodward's most talkative source.

The irony has been ignored by Woodward's many critics in the media.

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### **Secrets and Leaks**

by Evan Thomas and Michael Isikoff, *Newsweek*, 13 October 2003

Officials in the intelligence community have been talking for some time about whether there should be a leak investigation into Washington Post reporter Bob Woodward's book "*Bush at War*." The book brims with classified information -- most of it leaked by administration officials.

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### **Why Leakers Rarely Do Time**

by Daren Fonda, *Time Magazine*, 5 October 2003

It sounds like a tough law, but hardly anyone gets charged under the Intelligence Identities Protection Act. In fact, only one person is known to have been successfully prosecuted under the statute since Congress passed it in 1982 to shut down serial leakers like Philip Agee, a renegade ex-CIA operative who routinely unmasked spies in the 1970s. It is rarely invoked, in part because it was designed to stem not the epidemic of Washington security leaks but a specific and pernicious act: the deliberate revelation of a covert agent's identity.

The law is also seldom applied because it sets such a high burden of proof. Prosecutors must show that a leaker had access to classified information and knew that its release would unveil someone whose identity the government was trying to conceal. The law provides a mechanism to punish someone who demonstrates a "pattern of activities intended to identify and expose covert agents." The penalties: up to 10 years in jail and a stiff fine.

To convict someone involved in identifying Joseph Wilson's wife, prosecutors would need to prove that the leaker knew she was a covert agent, not just an employee of the CIA.

Because of this standard, the law makes it difficult to nail an aide who heard at the water cooler that Wilson's wife was a CIA employee and told that to a reporter. In that case, a defense lawyer might successfully argue that the leaker's motive was not to blow her cover but rather to imply nepotism in Joseph Wilson's assignment to Niger.

Determining who said what to whom is a prosecutor's nightmare. Dozens of government employees probably knew that Wilson's wife, Valerie Plame, was a CIA operative, and any one of them could have leaked the information. "Absent a confession, it's almost impossible to prove these cases," says Jeffrey Smith, the CIA's general counsel during the Clinton Administration.

The reporters who know what happened are not likely to cooperate. Journalists are loath to break a promise of confidentiality to their sources. Moreover, under Justice Department rules, investigators may subpoena, wiretap or seize the records of journalists only with the Attorney General's approval and only after other investigative means have been exhausted. That's not to say it doesn't occasionally happen. In 2001 the Justice Department subpoenaed AP reporter John Solomon's home-telephone records without his knowledge in an effort to glean his sources in a case involving former Senator Robert Torricelli. Other attempts to discover journalists' sources have tended to fizzle because news organizations are willing to take the fight to the U.S. Supreme Court and have a body of case law behind them.

Justice Department officials have long complained that leak probes, as one put it, are a "fool's errand." The CIA sends the department about 50 requests for probes a year, of which 20 to 25 result in investigations. Almost all of these are closed without a suspect being named, much less a prosecution being sought. Since the results tend to be inconclusive, FBI and Justice Department officials often deride the exercise as a distraction from more vital antiterrorism and counterintelligence work. Some FBI agents say they resent investigating and intimidating other government employees. Former Attorney General Janet Reno summed up the prevailing view when she told Congress in 2000, "Criminal prosecution is not the most effective way to address the leak problem."

If prosecutors can't make a case under the strict standards of the Intelligence Identities Protection Act, they might find one in a cover-up. They could file perjury charges against someone for lying on an affidavit or giving false testimony. The burden of proof is not as high in such cases, nor are the penalties as severe. And it is a surer path for getting someone to pay for blowing a spy's cover.

- Reported by Viveca Novak and Elaine Shannon/Washington

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