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## From the Congress

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# Intelligence Agents Expose Crime Behind The Plame Leak

*The Senate Democratic Policy Committee and Democratic members of the House Government Reform Committee held a forum on the Valerie Plame leak investigation on July 22, which featured leading members of the intelligence community, who spoke on the implications and dimensions of the crime. The leak of the identity of undercover CIA agent Valerie Plame, wife of former Ambassador Joe Wilson, is the subject of an ongoing Federal grand jury. Here are major excerpts of the event, which was given short shrift in the print media. Subheads have been added.*

*After an introduction by U.S. Sen. Byron Dorgan (D-N.D.), Sen. Charles Schumer (D-N.Y.) provided a brief opening statement, identifying the scope of the crime:*

### Senator Schumer: 'A Dastardly Crime'

As many of you know, I called for an initial investigation the day after, or a couple of days after, I read Robert Novak's column. I was simply outraged that the name of an agent could be "outed."

Immediately after I made that call, I got calls from people in the Central Intelligence Agency who said they were furious at what had happened.

And so I called George Tenet, who was then the head of the CIA—and I'd known him for a long time; he's a Queens guy, I'm a Brooklyn guy—and he was furious.

And in a series of conversations with him and with others, we came to the conclusion that the only thing that could force the Justice Department to launch an investigation was the CIA making a strong request for one, and he did.

So the origins of this investigation do not come from anybody on the political side, they come from the CIA itself, which I think, from the very highest level down to the agent functioning and helping our country out there in the field, there was fury that this had happened.

When we called for the investigation—when I did and then later the CIA—nobody knew where it would lead. Nobody knew who had done it. Maybe it was some low-level



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Senator Charles Schumer

functionary in the Administration or the White House. Who knew?

But we knew a dastardly crime had in all likelihood been committed. And if nothing was done, it could happen again and again, jeopardizing the lives of both agents in the field, their sources, and Americans, because of the important work that the CIA does.

The White House tried to deny it. They denied the involvement of Mr. Rove. They denied the involvement of Mr. Libby.

And then, because of the perseverance of the prosecutor, when they could no longer deny it, they are now in the stage of trivializing it. They've put out false information: "Oh, Agent Plame was not undercover. Oh, Agent Plame never went on overseas mission."

And one thing I can say for sure, despite the White House's effort to first deny and now trivialize, Mr. Fitzgerald, a prosecutor's prosecutor, will get to the bottom of this. Not for a political purpose—he's the most non-political man around—but because we have to protect the national security of our country.

Today, it's come out in the *New York Times* that a memo that might have revealed Agent Plame's identity was passed around on the political side of the White House, and that Karl Rove was involved in figuring out the strategy not just on the politics, but on the how you deal with the idea that maybe there was no uranium going from Iraq to Niger and try to backtrack on statements that the President made.

All I can say is, where there's smoke, there's usually fire, and we are not going to rest till we get to the bottom of this.

In the meantime, just three quick things—three things should be done by the White House.

Number one, I believe that the security clearance of Mr. Rove and now Mr. Libby should be suspended. They may not have met a criminal standard, but they certainly have met a standard where they don't deserve to have security clearance, particularly given the non-disclosure agreement that every White House person is supposed to sign.

Second, that the President should reiterate his commitment that anyone who was involved in the leak—not simply that anyone who meets that narrow and high criminal standard—be fired.

And third, Andrew Card should begin a new internal investigation to figure out what went on, again because that's not the criminal standard, but there's a lower standard that they should have to see what happened, since his first investigation, obviously, didn't do the job. . . .

### Patrick Lang: 'This Is About Trust'

*After the Senators and Congressmen gave their opening statements, the first witness to be called was Col. Patrick Lang (ret.), a decorated veteran of the Defense Intelligence Agency, who also served in Vietnam. Colonel Lang was the former director of the Defense Human Intelligence Service. He is currently an analyst/consultant for many TV/radio broadcasts, among them the "Jim Lehrer News Hour."*

Mr. Chairman, distinguished members of the House of Representatives, it's a great pleasure to be here. And I thank you for letting me speak here today.

I feel particularly strongly about this case, not so much on a personal level, so much as I feel that what has happened with regard to this disclosure and follow-up is a kind of structural assault on the ability of the United States to have sound and well-respected and effective clandestine intelligence services.

As I'm sure you know, the present war that we are engaged on—which will go on for a long time, I think, because it is, in fact, a war against a kind of tendency, a set of ideas, that moves around—that kind of war involves enemies that go into subway stations carrying 10-pound packs of homemade explosives.

These fellows, they don't have much of a technical signature for their intelligence detection. They have no overhead photography signature: a pickup truck, something like that. They don't really have a signals intelligence signature much, because they're very clever and they've gotten to be better and better at not doing the kinds of things that make them vulnerable.

So in the end, what you have to have, is you have to have human beings who will go and find out for you what it is they're going to do next.

And we haven't done that very well, evidently, up until now. It doesn't seem that way to me, anyway, from the outside.

But it is a peculiarity of this kind of war that that is exactly the kind of intelligence that you have to have.

And what has happened here, I think is, as I say, an assault on the ability of the United States to do that.

Why would that be? It's because HUMINT [human intelligence] is about human beings. It's about one person, an American person, a case officer, in the parlance of the trade, causing some foreign person to trust him enough and to trust his unit and to trust the United States enough to put his life, his fortune and, indeed, his sacred honor in many cases, into the hands of this case officer and the American intelligence unit that stands behind this case officer.

It's all about trust; it's completely about trust. It's about—I happen to have done a good deal of this kind of work in my life. And the moment in which some person—whether he's an ambassador or a Montagnard in the hills of Vietnam with filed teeth—decides that he's going to trust you enough so that he's going to believe that you will protect him in every way in doing what he is doing, which is extremely dangerous to him and his family and to everyone else, is a magic moment, indeed. It's almost sacramental, in a lot of ways, really. . . .

And the obligation to protect this person is absolute, in fact. And it's not only absolute from the point of view of morality; it's absolute from the point of view of practicality as well; because if within a practicing clandestine intelligence unit, the case officers believe that their superiors will not protect the identity of their sources or their own identity, in

fact, in doing things which are dangerous and difficult, then, a kind of circle of doubt begins to spread, like throwing a rock into the water.

And it spreads in such a way so that if an intelligence service that belongs to a particular country comes to be thought generally in the world as an organization that does not protect its own, does not protect its foreign assets, then the obvious is true, in that people are not going to accept recruitment, are not going to work for you. And the smarter they are, the better placed they are, the better educated they are, the less likely they are to accept recruitment and to work for you, if they believe that you are not going to fight in the last ditch to protect their identities.

And so, this is all completely about trust.

In a strange kind of way, the kind of people who are valuable to recruiters, foreign assets, are a kind of community. They're a community of the well-informed and the alert, and the people who have a great deal of situational awareness. . . .

So when you have an instance like this, in fact, in which not just the intelligence community, but the elected government of the sponsoring government, of the major country in the world, deliberately, and apparently for trivial and passing political reasons, decides to disclose the identity of a covert officer, the word goes around the world like a shock, in fact, that, in fact, "The Americans can't be trusted—the Americans can't be trusted. If you decide to cooperate clandestinely with the Americans, someone back there will give you up—someone will give you up, and then everything will be over for you." So you don't do it.

And so the very kinds of people you need to get into the heart of this galaxy of jihadi groups and people like this, will make a judgment that they are not going to trust you in this way. And once that happens, then the possibility of penetrating these groups, the possibility of knowing that they're going to carry 10-pound bags of explosive in the subway stations, will go right down the drain.

It will be done forever. It would take forever to get that back, because this is all about trust and this is a violation of trust.

### **Larry Johnson: 'A Group of Bullies'**

*The next speaker was Larry Johnson, a former CIA analyst, who also worked at the U.S. State Department's Office of Counterterrorism from 1989 to 1993.*

I wouldn't be here this morning if President Bush had done the one thing that is required of him as the commander-in-chief of the United States armed forces and, by extension, the intelligence services, and if he'd upheld that portion of his oath to protect and defend the Constitution; when, in the minute that Valerie Plame's identity was "outed," that he'd delivered a very strict and stern warning to those in his employ, and to the members of the Republican Party and the Republican National Committee, in particular, to lay off and stop the attacks.

But instead, what we've seen, particularly over the last two or three weeks, is one of the most malicious, disingenuous smear campaigns, not only of Ambassador Wilson, who can publicly defend himself, but of Valerie Plame, his wife, who is still an officer at the Central Intelligence Agency and is unable to speak out publicly, is unable to defend herself and to correct the record.

When I see a group of mostly men ganging up on one woman, that, to me, is a group of bullies. And I was raised that when I see some bullies, I get involved.

I entered on duty in September of 1985 with Valerie. We were classmates in the career trainee program. There were only about 50 of us.

And, at that time—from the day we walked in the door—we were all under cover, to the extent that when Valerie's name was first released in July of 2003, I didn't realize it was her, because I didn't really know her as Valerie Plame. I knew her as Valerie P.

Catch this: Even though every single one of us in that career trainee program had top secret clearances, even internally, we were told to limit our identification of each other by last name in order to protect our identities. That's how serious it was.

It wasn't just "protect it from the outsiders," it was "work together to help protect each other."

And then, as Colonel Lang correctly noted, when you breach that trust—and what we had here was, for the first time in the history of the United States by any Administration, a political operative went after an active intelligence officer and leaked their name for petty, trivial, political reasons and, at the end of the day, has caused terrific damage to the United States.

Val started—and let me say, she has not asked me to come defend her, nor has Ambassador Wilson. I'm speaking up on my own, because I know her, because I value what she's done for this country. She started off initially with official cover, but moved to nonofficial cover.

Now, regardless of whether you're under official or non-official cover, you are under cover; that's a protected identity. When I left the Central Intelligence Agency on Sept. 30 of 1989, the day I walked out the door, my cover was lifted. Up to that point, I had been sitting at a desk, but I was undercover, and release of my name would have been a violation, at least, under the law, although I had not served overseas.

But in Valerie's case, she went to the nonofficial cover which simply means you don't have the protection of the U.S. government. You may operate under a U.S. passport, you may operate under some other passport. But if you're caught engaged with espionage overseas, you could be executed. You have no protection under the Geneva Conventions.

And it's this lie, first and foremost, I want to put to bed. Because you've had the Republican National Committee sending out members of Congress, like Congressman Peter King and Roy Blunt, who are perpetuating a lie. And I think it is inappropriate for members of the Senate and the House to go on national television—and I've seen individuals even

such as Senator Hatch insist that this is of no consequence, and that's relevant because Senator Hatch is the one who wrote my recommendation letter getting me in the CIA.

I will not stand for any American official to launch these unwarranted, unfair attacks and mislead the American people on issues so basic.

There have been efforts to say, well—the *Washington Times* quoted a former supervisor, Fred Rustman, saying, "Oh, her cover was light." This is not true. Fred Rustman left the agency in 1990 and he was not aware of anything that happened subsequent to that, because he was not in social contact with Valerie or Joe Wilson. And he was not in a position to know. And that's how it's been with the agency and throughout the intelligence community; it's called "the need to know."

We're told that Valerie was just a desk jockey; didn't do anything important. If you just sit at a desk, you're not an intelligence officer.

It is that expression by people who are on intelligence committees, to display such gross ignorance at times, that makes me wonder if they have been asleep at the meetings, to not understand how this system works and the requirements and obligations for protecting people.

The last lie I want to put to bed—and unfortunately the Senate Intelligence Committee report on this helped feed the flame—and that is, that Valerie sent her husband on the mission to Niger.

Now, apart from the fact that in February of 2002, when Valerie allegedly sent Joe Wilson on this mission, at that time the Administration did not have a clear, publicly defined position stipulating that, in fact, Iraq was selling uranium or trying to acquire uranium from Niger. So it mystifies me how a low-level case officer could on her own discern what the Administration's policy subsequently would be, so she could put in place this dastardly scheme to send her husband to Niger to find out that that was false so that then she could embarrass the Administration a year and a half later.

That is laughable.

But the reality is, Valerie was not a manager. When the referral came, when Vice President Cheney's office—when Vice President Cheney himself asked the CIA briefer, "What about the Defense Intelligence Agency report that Iraq is trying to acquire uranium from Niger?"—the briefer said, "We'll check it out." Went back—the process works at headquarters in this way—the briefer comes back, meets with the office directors, who are the very senior managers at CIA.

The office directors in turn talked within their offices. They'll have several divisions. That office director from the Counterproliferation Center talks to the division director for the Counterproliferation Division, who, in turn, later sends an e-mail, the deputy of that office, to Valerie saying, "Could your husband do this? Is he available?"

She wrote the memo back. Unfortunately, what the Senate Intelligence Committee only reports is the memo that she sent back. Nobody had the decency and honesty to ask the natural



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*In this kind of war, you have to have human beings who will find out for you what the enemy is going to do next. Here, the aftermath of a terror attack on the U.S. Embassy in Dar es Salaam, Tanzania, Aug. 7, 1998.*

question: Who asked her to write the memo? Because she didn't just generate it on her own.

Beyond that, the way the Senate Intelligence Committee [report] is so disingenuously and, in my opinion, dishonestly written, to leave you the impression, "Well, nobody really knows what happened and Valerie clearly was there to do this"—except she's not a manager! She has no authorization to approve travel for anyone. She can't expend taxpayer dollars on her own. It requires the signature of a boss. And that is the central issue here: that she was someone who was down on the food chain, but now, for political reasons, has been put right in the crosshairs.

Let me make one final comment.

It was, I guess back in 2000, I voted for George Bush because, at that point, I wanted a President who knew what the meaning of "is" was. I was sick and tired of word games, parsing words, and the kind of refusal to admit the obvious. And I was tired of political operatives who were showing up on cable news channels parsing words.

And I voted for President Bush with the understanding that he was going to come to Washington and bring a new set of ethical standards.

So where are we?

The President, within the last week, has flip-flopped and backed away from his promise to fire anyone at the White House implicated in the leak. He never stipulated at the outset that there had to be some sort of judicial or criminal process to its completion.

Rather, he sent the appropriate message, that if there's anyone in my staff doing this, they're going to be gone.

We now know from press reports that at least Karl Rove and Scooter Libby were involved. And instead of the President being, first and foremost, concerned, in my judgment,

with protecting this country and the intelligence officers who serve it, we're confronted with a President who's willing to sit by—to this day—while various political operatives go around and savage the good reputations of people like Valerie and Joe Wilson.

This is wrong. This should stop. And it could stop in a heartbeat if the President would simply put a stop to it. He hasn't. That speaks volumes.

Without firm action to return to those principles that he promised to follow when he came to Washington, I fear that the political debate in this country will degenerate into an argument about what the meaning of "leak" is.

But, as Pat correctly noted, the implications of this, the breach of trust with these people whose secrecy we've promised to protect, is far more serious and has far graver implications for the United States.

We deserve people who work in the White House who are committed to protecting classified information, who will tell the truth to the American people, and who will live by the example of the idea that, when we're a country at war with Islamic extremists, we cannot expend our efforts and energies attacking other American citizens like Joe and Valerie, who simply told the truth.

### **Jim Marcinkowski: 'Irreparable Damage'**

*Next to testify was former CIA officer Jim Marcinkowski, who has worked at the FBI, the U.S. Navy, County Prosecutors' offices, and the CIA (1985-89).*

When you look at this issue and really boil it down, you're looking at two different things—you're looking at trust and the way the media has handled that.

The first real issue is, can you ever recover from the loss of trust? And I'm talking about around the world. Are we going to be able to recover that? And that's really—that strikes to the heart, in my mind, of this issue.

The second issue, the media, and the coverage this story has gotten recently—now, I'm from the Midwest. I'm from Michigan. Believe it or not, we cannot follow this story in the great detail that's out there in the national media. It just can't be done. People are raising families, they're going about their business, they're trying to make a living. But there are things that are simply undisputed.

First undisputed fact that everyone understands is that we have irreparably damaged our capability to collect human intelligence. And by doing so, we've significantly diminished our capability to protect the American people.

Understandable to all Americans, is a simple, incontrovertible, but damning truth: The United States government exposed the identity of a clandestine officer working for the CIA [inaudible] partisan politics.

But equally disastrous from that first breach of trust, is that we have continued on a course of self-inflicted wounds by government officials who have refused to take responsibility. They've played hide-and-seek with the truth and engaged in

semantic power games for more than two years, all at the expense and the safety of the American people.

And from my position, I don't believe any government official has that right. And it's important that the American people understand that trust, and as Pat Lang has indicated, cover is part of that trust. . . .

To operate undercover, that means you use a ruse to cloak your identity and your intentions. . . .

An officer performing a street buy, for example, a drug buy on the street, uses a very light cover; meaning he or she could pose as something as simple as a drug user, operate only at night, and during the day, believe it or not, have a desk job in the police station. The American people understand that.

And when you see the criticisms of Valerie Plame as a paper pusher, as a desk jockey—whatever slander they want to put on her for what she has done, it's irrelevant.

Now, while some people have light cover, other people may have a different degree of cover.

When the FBI attempts to infiltrate an organized crime network or a drug ring, obviously, the FBI agent is not going to go and be seen at the local police department, the local FBI headquarters, and he's not going to be seen having drinks with his colleagues after work.

In any scenario, your cover, no matter what the degree—that's the thing that provides personal protection and safety. But it doesn't end there. Cover is also used to protect collection methodologies, as well as innocent persons a CIA officer may have regular contact with, such as overseas acquaintances, friends, and even other government officials. . . .

Now, what are the effects when you do the exposure, when someone is exposed who has that clandestine operation, or clandestine duty? The exposure of Valerie Plame by anyone in the White House is the same as a local police chief announcing to the media the identity of his undercover officers. It's that simple; everybody gets that. In both cases, the ability of the officer to operate is destroyed.

But there is also an added dimension. An informant in a major sophisticated crime network, or a CIA asset working in a foreign government, if exposed they have a rather good chance of losing more than just their ability to operate. Any undercover officer, whether in the police department or the CIA, will tell you the major concern of their informant or their agent is their personal protection and that of their family. Cover is safety.

If you cannot guarantee it in some form or other, the other person is not going to work for you; it's as simple as that. And you will lose that source of information.

So the real issue before the Congress and the country today is not the partisan politics, not even the loss of secrets. The secrets of Valerie Plame's cover are long gone. What has suffered irreversible damage is the credibility of our case officers when they try to convince an overseas contact that their safety is of primary importance to us.

If you cannot guarantee that safety, you will not have that

person working for you, because if they are exposed, they will in many cases die.

How are case officers supposed to build and maintain that confidence when their own government cannot even guarantee the personal protection and security of the home team? That's what this is about. The loss of secrecy in the world of espionage occur from time to time, and they may be damaging. The stealing of credibility of the CIA officers, however, is simply unforgivable. . . .

### **David McMichael: 'The Basic Issue Is Truth'**

*The final intelligence witness was David McMichael, a former CIA case officer, who gave informal testimony.*

My colleagues here have presented a very strong case here on what is required, and have emphasized—and, as you Congressional members have done, too—trust as essential, and truth as essential.

And as my resumé did not include here, I have, since leaving the CIA 22 years ago, been best known as a critic of many aspects of United States intelligence operations, especially in the area of covert operations.

And I want to point out to you that—because we're talking about truth here—in the 1991 Defense Appropriation Act, in the intelligence section, it finally incorporated a definition of covert operations. And those are—and I paraphrase—actions undertaken by the United States government of a political, economic, or military nature conducted in foreign countries, carried out in such a way that the role of the United States is not known or, if revealed, plausibly can be denied.

So we're talking plausible denial. So what we understand here, is there is an element of untruth built into many intelligence operations, and it's the necessity to protect this which goes into plausible deniability.

And the person most essential to be protected, as those of you who follow the debates over many years know, is the President, the Administration of the United States. So there's a built-in bias here on this.

What I would like to emphasize, in supporting my colleagues entirely, is the need and necessity for protecting the individuals who work in this system and devote their careers and lives to it and are paid to do it.

I would also emphasize that the responsibility of the Congress here—and I'm not being critical, I don't think, beyond what you've heard many times before—is to work to present the truth, and not to allow this system to be used, not merely to smear an individual someplace, but to conceal the truth from the American people.

And at bottom, I think what we are dealing with today, as Larry Johnson has pointed out, in the whole buildup to the current war in which we are, there has been, let us say, less than complete regard for the truth, for delivering that truth to the American people by the Administration. And at bottom, I think that is what we are all concerned with.