

~~SECRET//X1~~

CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

Office of General Counsel

16 September 2003

VIA COURIER

John J. Dion, Esquire
Chief, Internal Security Section
Criminal Division, Bond Building, Room 9400
1400 New York Avenue, NW
U.S. Department of Justice
Washington, DC 20530

Re: Crimes Report: UD-2003-0025

Dear Mr. Dion:

~~(S)~~ By letter dated July 30, 2003, we notified you of a possible violation of federal law concerning the unauthorized disclosure of classified information in a July 22, 2003, *Newsday* article entitled, "Columnist Blows CIA Agent's Cover," authored by Timothy M. Phelps and Knut Royce, and a July 14, 2003, syndicated article published in the *Chicago Sun-Times* entitled, "The Mission to Niger," authored by Robert D. Novak.

(U//~~FOUO~~) At that time we advised that CIA's Office of Security had opened an investigation into this matter and was preparing responses to the standard "11 Questions." The investigation is now complete, and the results are incorporated in the enclosed memorandum.



(b)(3)

~~SECRET//X1~~

SECRET//X1

John J. Dion, Esquire

(U//FOUO) We request an FBI criminal investigation into this matter. Please respond to this request as soon as possible, directing any correspondence to me. Your attention to this matter is greatly appreciated.

Sincerely,

A rectangular box with a thin black border, used to redact the signature of the Assistant General Counsel.

Assistant General Counsel

(b)(3)

Enclosure

cc: Michael Chertoff, DOJ
Michael T. Rochford, FBI

SECRET//X1

SECRET//X1

John J. Dion, Esquire

[Redacted]

(b)(3)

Distribution:

- Original - Addressee
- Michael Rochford, FBI
- Michael Chertoff, DOJ
- Director OCA [Redacted]

- [Redacted]
- [Redacted]

(b)(3)

SECRET//X1

SECRET//X1

Central Intelligence Agency



Washington, D.C. 20505

[Redacted]

(b)(3)

SEP 08 2003

MEMORANDUM FOR: Assistant Director
Federal Bureau of Investigation

ATTENTION: Michael T. Rochford
Counterintelligence Division

FROM:

[Redacted]

(b)(3)

Chief, Personnel Security Group
Office of Security

SUBJECT: (U//FOUO) Unauthorized Disclosure
Investigation, Federal Bureau of
Investigation's "11 Questions"

(S) On 22 July 2003, *Newsday* published an article entitled "Columnist Blows CIA Agent's Cover" (attachment A) authored by Timothy Phelps and Knut Royce. The article references a 14 July 2003, syndicated article authored by Robert D. Novak, which was published in the *Chicago Sun-Times* and entitled "The Mission to Niger" (attachment B.) The information disclosed in both articles constitutes unauthorized disclosures of classified information at the SECRET level.

(C) This document provides the responses to the "11 Questions" required by the Federal Bureau of Investigation in determining whether to initiate an investigation into the unauthorized disclosures outlined below.

1. (U//FOUO) The date and identity of the articles disclosing classified information.

[Redacted]

(b)(3)

SECRET//X1

SUBJECT: (U//FOUO) Unauthorized Disclosure Investigation,
Federal Bureau of Investigation's "11 Questions"

Response

- a. 22 July 2003, *Newsday* article entitled "Columnist Blows CIA Agent's Cover."
- b. 14 July 2003, *Chicago Sun-Times* article entitled "The Mission to Niger."

2. (S) Specific statements in the articles that are considered classified and whether the data was properly classified.

Response

Attachments A and B identify the specific statements that are classified and the respective classifications. All data was properly classified.

3. (U//FOUO) Whether the classified data is disclosed accurately.

Response

The information cited above is accurate.

4. (S) Whether the data came from a specific document and, if so, the origin of the document.

Response

Not applicable

5. (U//FOUO) The extent of the official dissemination of the data.

Response

By virtue of Ms. Plame's various work assignments, her covert relationship with the Agency was widely known throughout the Intelligence Community.

SUBJECT: (U//FOUO) Unauthorized Disclosure Investigation,
Federal Bureau of Investigation's "11 Questions"

6. (U//FOUO) Whether the data has been the subject of prior official releases.

Response

This information was not approved for prior official release.

7. (U//FOUO) Whether prior clearances for publication or release of the information was sought from proper authorities.

Response

No such approval was sought.

8. (S) Whether the material, or portions thereof, or enough background data has been published officially or in the press to make an educated speculation on the matter possible.

Response

No material or background data has been published either officially or in the press to enable speculation on this matter.

9. (U//FOUO) Whether the data can be declassified for the purpose of prosecution, and if so, the name of the person competent to testify concerning the classification.

Response

The Central Intelligence Agency (CIA) will work with the prosecutor to make available information necessary for prosecution and to provide an appropriate information review officer to testify concerning classification. Due regard must be paid to protecting sources and methods information; therefore, CIA expects that the case will be framed to limit exposure of

SECRET//X1

SUBJECT: (U//FOUO) Unauthorized Disclosure Investigation,
Federal Bureau of Investigation's "11 Questions"

certain classified information and that the Classified Information Procedures Act would be used to its fullest extent.

10. (U//FOUO) Whether declassification had been decided upon prior to the publication of the release of the data.

Response

No decision to declassify any of the information was made prior to the date of the publications.

11. (S) What effect the disclosure of the classified data could have on the national defense.

Response

The disclosure of Ms. Plame's covert relationship with the Agency could have a negative impact on her future operational deployments and possibly impact the operational equities of her previous operational contacts.

12. (U//FOUO) Please direct any inquiries regarding the above information to the Office of Security, Personnel Security Group, Investigations Division, Attention:

(b)(3)

(b)(3)

FOR THE DIRECTOR OF CENTRAL INTELLIGENCE:

(b)(3)

Attachments:

- A. (S) 22 July 2003 *Newsday* article
- B. (S) 14 July 2003 *Chicago Sun-Times* article

SECRET//X1

SECRET//X1

SUBJECT: (U//FOUO) Unauthorized Disclosure Investigation,
Federal Bureau of Investigation's "11 Questions"

[Redacted]

(b)(3)

Distribution:

- Orig - John J. Dion, DOJ (w/atts)
- 1 - Michael T. Rochford, FBI (w/atts)
- 1 - Christopher A. Wray, DOJ (w/atts)
- 1 - D/OCA (w/atts)
- 1 - OGC Front Office, [Redacted] (w/atts)
- 1 - OS/LGL (w/atts)
- 1 - [Redacted]

(b)(3)

(b)(3)

SECRET//X1

SECRET//X1

Published on Tuesday, July 22, 2003
by the Long Island, NY Newsday

Columnist Blows CIA Agent's Cover

by Timothy M. Phelps and Knut Royce

WASHINGTON - The identity of an undercover CIA officer whose husband started the Iraq uranium intelligence controversy has been publicly revealed by a conservative Washington columnist citing "two senior administration officials."

Intelligence officials confirmed to Newsday yesterday that Valerie Plame, wife of retired Ambassador Joseph Wilson, works at the agency on weapons of mass destruction issues in an undercover capacity - at least she was undercover until last week when she was named by columnist Robert Novak. (b)(3)

Wilson, while refusing to confirm his wife's employment, said the release to the press of her relationship to him and even her maiden name was an attempt to intimidate others like him from talking about Bush administration intelligence failures.

"It's a shot across the bow to these people, that if you talk we'll take your family and drag them through the mud as well," he said in an interview.

It was Wilson who started the controversy that has engulfed the Bush administration by writing in the New York Times two weeks ago that he had traveled to Niger last year at the request of the CIA to investigate reports that Iraq was trying to buy uranium there. Though he told the CIA and the State Department there was no basis to the report, the allegation was used anyway by President George W. Bush in his State of the Union speech in January.

Wilson and a retired CIA official said yesterday that the "senior administration officials" who named Plame had, if their description of her employment was accurate, violated the law and may have endangered her career and possibly the lives of her contacts in foreign countries. Plame could not be reached for comment.

"When it gets to the point of an administration official acting to do career damage, and possibly actually endanger someone, that's mean, that's petty, it's irresponsible, and it ought to be sanctioned," said Frank Anderson, former CIA Near East Division chief.

A current intelligence official said that blowing the cover of an undercover officer could affect the officer's future assignments and put them and everyone they dealt with overseas in the past at risk.

"If what the two senior administration officials said is true," Wilson said, "they will have compromised an entire career of networks, relationships and operations." What's more, it would mean that "this White House has taken an asset out of the" weapons of mass destruction fight, "not to mention putting at risk any contacts she might have had where the services are hostile."

Deputy White House Press Secretary Claire Buchan referred questions to a National Security Council spokesman who did not return phone calls last night.

"This might be seen as a smear on me and my reputation," Wilson said, "but what it really is is an attempt to keep anybody else from coming forward" to reveal similar intelligence lapses. (b)(3)


SECRET//X1

SECRET//X1

Novak, in an interview, said his sources had come to him with the information. "I didn't dig it out, it was given to me," he said. "They thought it was significant, they gave me the name and I used it."

Wilson and others said such a disclosure would be a violation of the law by the officials, not the columnist.

Novak reported that his "two senior administration officials" told him that it was Plame who suggested sending her husband, Wilson, to Niger.

 A senior intelligence official confirmed that Plame was a Directorate of Operations undercover officer who worked "alongside" the operations officers who asked her husband to travel to Niger.

(b)(3)

But he said she did not recommend her husband to undertake the Niger assignment. "They [the officers who did ask Wilson to check the uranium story] were aware of who she was married to, which is not surprising," he said. "There are people elsewhere in government who are trying to make her look like she was the one who was cooking this up, for some reason," he said. "I can't figure out what it could be."

"We paid his [Wilson's] air fare. But to go to Niger is not exactly a benefit. Most people you'd have to pay big bucks to go there," the senior intelligence official said. Wilson said he was reimbursed only for expenses.

Copyright © 2003, Newsday, Inc.

SECRET//X1

ATTACHMENT
B

SECRET//X1

Chicago Sun-Times
July 14, 2003

The Mission To Niger

By Robert Novak, Sun-Times Columnist

The CIA's decision to send retired diplomat Joseph C. Wilson to Africa in February 2002 to investigate possible Iraqi purchases of uranium was made routinely without Director George Tenet's knowledge. Remarkably, this produced a political fire storm that has not yet subsided.

Wilson's report that an Iraqi purchase of uranium yellowcake from Niger was highly unlikely was regarded by the CIA as less than definitive, and it is doubtful Tenet ever saw it. Certainly, President Bush did not, before his 2003 State of the Union address, when he attributed reports of attempted uranium purchases to the British government. That the British relied on forged documents made Wilson's mission, nearly a year earlier, the basis of furious Democratic accusations of burying intelligence though the report was forgotten by the time the president spoke.

Reluctance at the White House to admit a mistake has led Democrats ever closer to saying the president lied the country into war. Even after a belated admission of error last Monday, finger-pointing between Bush administration agencies continued.

Wilson's mission was created after an early 2002 report by the Italian intelligence service about attempted uranium purchases from Niger, derived from forged documents prepared by what the CIA calls a "con man." This misinformation spread through the U.S. government. The White House, State Department and Pentagon asked the CIA to look into it.

That's where Joe Wilson came in. His first public note had come in 1991 after 15 years as a Foreign Service officer when, as U.S. charge in Baghdad, he risked his life to shelter in the embassy 800 Americans from Saddam Hussein's wrath. My partner Rowland Evans reported from the Iraqi capital in our column that Wilson showed "the stuff of heroism." The next year, President George H.W. Bush named him ambassador to Gabon, and President Bill Clinton put him in charge of African affairs at the National Security Council until his retirement in 1998.

Wilson never worked for the CIA, but his wife, *Valerie Plame*, is an agency operative on weapons of mass destruction. Two senior administration officials told me his wife suggested sending Wilson to Niger to investigate the Italian report. The CIA says its counter-proliferation officials selected Wilson and asked his wife to contact him. "I will not answer any question about my wife," Wilson told me.

After eight days in the Niger capital, Wilson made an oral report in Langley that an Iraqi uranium purchase was "highly unlikely," though he also mentioned in passing that a 1988 Iraqi delegation tried to establish commercial contacts. CIA officials did not regard Wilson's intelligence as definitive, being based primarily on what the Niger officials told him and probably would have claimed under any circumstances. The CIA report based on Wilson's briefing remains classified. All this was forgotten until reporter Walter Pincus revealed in the Washington Post on June 12 that an unnamed retired diplomat had given the CIA a negative report. Not until Wilson went public on July 6, however, did his finding ignite the fire storm.

During the run-up to the invasion of Iraq, Wilson had taken a measured public position--viewing weapons of mass destruction as a danger but considering

(b)(3)

(b)(3)

SECRET//X1

SECRET//X1

military action as a last resort. He has seemed much more critical since revealing his role in Niger. In the Washington Post on July 6, he talked about the Bush team "misrepresenting the facts," asking: "What else are they lying about?"

After the White House admitted error, Wilson declined all television and radio interviews.

"The story was never me," he told me, "it was always the statement in [Bush's] speech."

The story, actually, is whether the administration deliberately ignored Wilson's advice, and that requires scrutinizing the CIA summary of what their envoy reported. The agency never before has declassified that kind of information, but the White House would like it to do just that now—in its and in the public's interest.

SECRET//X1