

## ***The CIA Leak***

In 2002, the Central Intelligence Agency (CIA) asked Joseph Wilson, U.S. diplomat and husband of CIA agent Valerie Plame, to investigate allegations that Saddam Hussein purchased yellowcake uranium in Niger. Wilson traveled to Niger and found no evidence of this. Nonetheless, during the 2003 State of the Union Address, President George W. Bush stated, “The British government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa.” On July 6, 2003, Wilson rebutted this statement in an editorial for *The New York Times*. One week later, journalist Robert Novak published an op-ed in *The Washington Post* criticizing Wilson and releasing information identifying Plame as a CIA agent. Another journalist, Matthew Cooper, wrote in *Time Magazine* that government officials informed him that Wilson’s wife was employed by the CIA. Plame was a classified covert agent and her actual employment was not public knowledge. Her employer, Brewster Jennings, was thus unmasked as a CIA front company and their employees worldwide were put at risk.

The CIA asked the Department of Justice to investigate the leak. Bush stated if a leak occurred from his administration “and if the person violated the law, the person will be taken care of.” He later said, “If someone committed a crime, they will no longer work in my administration.” A special counsel examined the legal violations and a grand jury summoned the journalists involved, as well as various members of the Bush administration, with a focus on presidential aide Karl Rove and Scooter Libby, Chief of Staff for Vice President Dick Cheney.

Cooper claimed Rove told him Plame’s name and employment, while Rove contended he only learned of her name from journalists. Evidence suggested Cheney might have informed Libby. Eventually, the source was revealed as Richard Armitage, Deputy Secretary of State at the time. Armitage was ultimately not charged because no evidence existed to prove he was aware Plame’s employment was covert, and thus, illegal to disclose.

The only person charged over the leak was Libby. He was indicted on two counts of perjury, two counts of making false statements, and one count of obstruction of justice. These charges all stemmed from testimony he gave during the investigation, not the initial disclosure of information. He resigned from his position, and was later fined and sentenced to thirty months in federal prison. President Bush commuted the prison time, but left the fines intact. Cheney aggressively sought a full pardon for Libby and was reportedly very upset with Bush for refusing to grant it. Bush publicly stated he respected the jury’s verdict, but Cheney felt Libby did nothing inappropriate.



Wilson and Plame eventually filed a civil lawsuit against Rove, Libby, Cheney, and Armitage for their role in disclosing her identity. The lawsuit was dismissed, and the U.S. Supreme Court refused to hear the dismissal on appeal.

In 2018, President Donald Trump pardoned Libby, stating, “I don’t know Mr. Libby, but for years I have heard that he has been treated unfairly. Hopefully, this full pardon will help rectify a very sad portion of his life.” Cheney responded to the pardon, stating, “He is innocent, and he and his family have suffered for years because of his wrongful conviction. I am grateful today that President Trump righted this wrong.”

Plame saw the pardon as a dangerous precedent that could further endanger the safety of covert operatives and the operations of the CIA. In an op-ed, Plame wrote, “The pardon power of the president cannot be challenged constitutionally; it should be wielded with enormous diligence and prudence. In granting his pardon to Scooter Libby, Donald Trump seems to have avoided the careful process of review within the Justice Department that has been established to consider pardons,” continuing, “Our national security is at serious risk when there is daylight and distrust between the president and the CIA.”

### Discussion Questions

1. Which person involved in this complex case do you think was most subject to bounded ethicality? Why?
2. How do the situational factors of this case pose challenges for those involved to act ethically?
3. How were the actions of Bush, Cheney, and Libby subject to bounded ethicality? In this case, what organizational pressures or psychological factors may have influenced each of their decisions? Explain.
4. President Bush was caught between the interests of Cheney, Rove, and Libby on the one hand, and Plame, Wilson, and the CIA on the other. Do you think President Bush’s actions were ethically ideal? Why or why not?
5. If you were in President Bush’s position, how would you have handled this situation? Explain how your resolution would minimize harm to those involved.
6. Do you think it was ethically permissible to pardon Libby? Why or why not?
7. Does Libby’s pardoning, as Plame suggested, cause further harm? If so, to whom or what? Explain.

**Resources:**

*Fair game: my life as a spy, my betrayal by the White House*

<http://www.worldcat.org/title/fair-game/oclc/180205046>

*The politics of truth: inside the lies that led to war and betrayed my wife's CIA identity: a diplomat's memoir*

<http://www.worldcat.org/title/politics-of-truth-inside-the-lies-that-led-to-war-and-betrayed-my-wifes-cia-identity-a-diplomats-memoir/oclc/54966142>

Key Players in the Valerie Plame Affair

[http://www.washingtonpost.com/wp-srv/politics/special/plame/Plame\\_KeyPlayers.html](http://www.washingtonpost.com/wp-srv/politics/special/plame/Plame_KeyPlayers.html)

2003 State of the Union Address

<http://www.c-span.org/video/?174799-2/2003-state-union-address>

What I Didn't Find in Africa

<http://www.nytimes.com/2003/07/06/opinion/what-i-didn-t-find-in-africa.html>

Mission to Niger

<http://www.washingtonpost.com/wp-dyn/content/article/2005/10/20/AR2005102000874.html>

A War on Wilson?

<http://content.time.com/time/nation/article/0,8599,465270,00.html>

Bush Raises Threshold for Firing Aides In Leak Probe

<http://www.washingtonpost.com/wp-dyn/content/article/2005/07/18/AR2005071800157.html>

Reporter Says He First Learned of C.I.A. Operative From Rove

<http://www.nytimes.com/2005/07/18/politics/reporter-says-he-first-learned-of-cia-operative-from-rove.html>

Trump issues pardon to 'Scooter' Libby, former chief of staff to Vice President Cheney

[https://www.washingtonpost.com/politics/trump-issues-pardon-to-scooter-libby-former-chief-of-staff-to-vice-president-cheney/2018/04/13/dfa4039a-3f2d-11e8-8d53-eba0ed2371cc\\_story.html](https://www.washingtonpost.com/politics/trump-issues-pardon-to-scooter-libby-former-chief-of-staff-to-vice-president-cheney/2018/04/13/dfa4039a-3f2d-11e8-8d53-eba0ed2371cc_story.html)

I was outed as a CIA officer. But pardoning Scooter Libby hurts all of us.

<https://www.washingtonpost.com/news/posteverything/wp/2018/04/18/i-was-outed-as-a-cia-covert-ops-officer-why-it-matters-that-trump-pardoned-scooter-libby/>

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