



In Court Filings, Cheney Aide Says Bush Approved Leak

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WASHINGTON, April 6 — President Bush authorized Vice President [Dick Cheney](#) in July 2003 to permit Mr. Cheney's chief of staff, [I. Lewis Libby Jr.](#), to leak key portions of a classified prewar intelligence estimate on Iraq, according to Mr. Libby's grand jury testimony.

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The testimony, cited in a court filing by the government late Wednesday, provides the first indication that Mr. Bush, who has long assailed leaks of classified information as a national security threat, played a direct role in the disclosure of the intelligence report on Iraq at a moment that the White House was trying to defend itself against charges that it had inflated the case against [Saddam Hussein](#).

If Mr. Libby's account is accurate, it also involves Mr. Bush directly in the swirl of events surrounding the disclosure of the identity of an undercover [C.I.A.](#) officer.

The president has the legal power to declassify information, and Mr. Libby indicated in his testimony that the president's decision — which he said was conveyed through Mr. Cheney — gave him legal cover to pass on information contained in a National Intelligence Estimate.

A little more than a week later, under continuing pressure, the White House published a declassified version of the executive summary of the estimate, in an effort to make the case that Mr. Bush was justified in arguing, in his 2003 State of the Union address, that Iraq had sought to purchase uranium in Africa.

But the political impact of the disclosure could be significant. It suggests that Mr. Libby, who has been charged with perjury and obstruction in the C.I.A. leak case, may argue as part of his defense that any information he leaked was on the instructions of his two superiors, Mr. Cheney and Mr. Bush. However, the sections of the N.I.E. that Mr. Libby said he was freed to discuss make no mention of [Valerie Plame](#), the C.I.A. officer who was exposed in the course of the arguments over the intelligence, prompting the leak investigation.

The disclosure prompted Democrats to demand that the White House be forthcoming about Mr. Bush's role. Senator [Harry Reid](#) of Nevada, the Democratic leader, released a statement saying: "In light of today's shocking revelation, President Bush must fully disclose his participation in the selective leaking of classified information. The American people must know the truth."

The court filing, which was first reported this morning on the New York Sun Web site, said that Mr. Libby testified that the "Vice President advised defendant that the President had authorized defendant to disclose certain information in the NIE."

The prosecutors said that Mr. Libby testified that he recalled the circumstances "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 leak was intended, the court papers suggested, as a rebuttal to the Op-Ed article published in the New York Times on July 6, by [Joseph C. Wilson, IV](#), a former ambassador and the husband of Ms. Plame. Mr. Wilson wrote that he had traveled to Africa in 2002 after Mr. Cheney had raised questions about possible nuclear purchases. Mr. Wilson wrote that he concluded it was "highly doubtful" Iraq had sought to nuclear fuel from Niger.

At Mr. Cheney's office, the Op-Ed article was viewed "as a direct attack on credibility of the Vice President (and the President) on a matter of signal importance: the rationale for the war in Iraq," according to the court papers.

The presidential authorization was provided, the court papers said, in advance of a meeting on July 8, 2003 between Mr. Libby and Judith Miller, then a reporter for the New York Times. Mr. Libby brought a brief abstract of the N.I.E.'s key judgments to the meeting with Ms. Miller in the lobby of the St. Regis Hotel about two blocks from the White House.

Mr. Libby testified, the prosecutors said, that he was "specifically authorized in advance of the meeting to disclose the key judgments of the classified N.I.E. to Miller on that occasion because it was thought that the N.I.E. was "pretty definitive" against what Ambassador Wilson had said and that the Vice President thought that it was "very important"

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for the key judgments of the N.I.E. to come out."

The court filing said that Mr. Libby said "he understood that he was to tell Miller, among other things, that a key judgment of the N.I.E. held that Iraq was 'vigorously trying to procure' uranium." Mr. Libby, the prosecutors, said, testified that the meeting with Ms. Miller was the "only time he recalled in his government experience when he disclosed a document to a reporter that was effectively declassified by virtue of the president's authorization that it be disclosed."

Ms. Miller never published anything about the contents of the intelligence estimate.

Mr. Libby testified that he first told Mr. Cheney that he could not conduct such a conversation with Ms. Miller because the intelligence estimate on Iraq was classified. Mr. Libby testified that Mr. Cheney later told him that Mr. Bush had authorized the release of "relevant portions."

In addition, Mr. Libby told the grand jury that he also spoke with David Addington, then a lawyer for Mr. Cheney, whom Mr. Libby regarded as an expert on national security law. "Mr. Addington opined that Presidential authorization to publicly disclose a document amounted to declassification of the document," the court filing said.

Mr. Libby testified that at the meeting, he did not discuss Mr. Wilson's wife, because "he had forgotten by that time that he learned about Ms. Wilson's C.I.A. employment a month earlier from the Vice President."

Ms. Miller, in her Oct. 16, 2005, account of the meeting, said that her notes showed that the two had discussed Mr. Wilson's wife, who, according to her notes, worked in a unit of the C.I.A. that is engaged in the intelligence assessments of unconventional weapons.

Ms. Miller said that Mr. Libby discussed a chronology of what she said he described as "credible evidence" of Iraq's efforts to acquire uranium. She made no reference to whether Mr. Libby referred to any material as derived from the intelligence estimate, but said that he alluded to two reports, one in 1999 and another in 2002, that seemed to support the contention that Iraq was interested in obtaining uranium.

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