

**Statement by the Vice Chairman, Senator Jay Rockefeller  
Democratic Policy Committee Hearing On Intelligence Leaks  
October 24, 2003**

I would like to join the Distinguished Minority Leader in welcoming Mr. Marcinkowski, Mr. Johnson and Mr. Cannistraro.

While I regret that Mr. Johnson and Mr. Cannistraro were unable to join us yesterday before the Senate Intelligence Committee, I had the privilege of meeting with Mr. Marcinkowski and I was deeply impressed by his range of experience on national security matters, including service in the military, FBI, and CIA.

In addition to these extraordinary credentials, Mr. Marcinkowski has the benefit of substantial legal expertise as an Assistant City Attorney in Royal Oak Michigan. He clearly has a passionate commitment to our country in addition to mature and seasoned judgment.

It may seem odd to some that we are meeting in an open session today to hear about and discuss sensitive intelligence issues.

Yet, the fact is, intelligence is becoming more central to our way of life than at any other time in our history. And, that means we have an obligation to publicly discuss, when possible, the important role intelligence plays in our lives and our security.

We all agree that ongoing operations must be rigorously protected, and we have Intelligence Committees in Congress to balance oversight with the need for secrecy.

But, when a matter emerges into the public domain, such as the recent leaking of an apparent covert agent, there is reason for all Americans to be concerned and to seek answers.

I must tell you that when I first learned of the alleged leak, I found it revolting. My staff and I immediately requested that the CIA take action to determine the source of the leak.

As I'm sure you know, the CIA has since asked the Justice Department to begin an investigation, which they have done. Yet, I - and many others - remain concerned that the Justice Department, headed by Attorney General Ashcroft, is not capable of conducting an independent and impartial investigation.

Attorney General Ashcroft has close ties and close friendships with the White House. That's why my colleagues and I have strongly urged him to appoint a special counsel who can operate impartially and independently.

While the Department of Justice investigation is ongoing, I do not believe that the Intelligence Committee should at this point conduct their own investigation. We in no way want to jeopardize the outcome of this criminal investigation, but that doesn't mean we won't continue to closely monitor the investigation.

I also want to mention that, recently, I along with my colleagues Senators Biden, Levin, and Daschle have requested a “damage assessment” from the National Counterintelligence Executive.

We have done so to allow counterintelligence officials and criminal prosecutors to learn as much as possible about the extent of the unauthorized disclosures.

Since this case appears to involve the publication of classified information, we believe that a damage assessment can and should be begin immediately so that swift action can be taken if needed to protect the individuals whose lives may be at risk.

Finally, as you sit before me and my colleagues, I must tell you how concerned I am that this apparent leak is attributed to one of the president’s top aides.

Someone has potentially committed a felony that has put agents’ lives at risk and they have severely crippled the agency’s ability to recruit.

The president should be committed to finding out who that person is and holding them accountable.

Otherwise, he’s sending a message to our agents all over the world that - at the very highest levels - your profession is not taken seriously and we will not protect you.

Unfortunately, the Valerie Plame case seems to be part of an unfortunate and growing trend - almost a culture of disrespect for intelligence - and we’re seeing it coming from the highest levels of government. We must continue to condemn such leaks and we need to take action to stop it.

That’s why our role today is so very important. It’s critical for Senators to hear from individuals who have served as actual case officers in the field -- those who know best what the consequences are when “Administration officials” as Mr. Novak has said, betray the trust of those who risk their lives for our nation.

It is also very useful to hear from individuals who have left the government and are no longer constrained, as public servants often are, by the concern that candid testimony to Congress could damage their government careers.

I am sure that today’s briefing will be useful and informative about the gravity of such leaks.

I thank the witnesses for their willingness to appear here today, and I thank our distinguished Chairman for accommodating your request to testify.