

WAPO, I HATE TO SAY I TOLD YOU SO...

Back when DOJ first submitted its motion to hide a bunch of information from Dick Cheney's interview, I did a post calling out the Washington Post for what appeared to be factually incorrect reporting.

The WaPay2PlayPo's Jeffrey Smith is usually a much better reporter than this. In his report on DOJ's latest attempt to keep the materials from Cheney's Fitzgerald interview secret—published right under a link to all the evidence released in the trial—Smith “reports,”

A document filed in federal court this week by the Justice Department offers new evidence that former vice president Richard B. Cheney helped steer the Bush administration's public response to the disclosure of Valerie Plame Wilson's employment by the CIA and that he was at the center of many related administration deliberations.

Which, if you take “new evidence” to mean “a new list summarizing many of the events described in evidence introduced two years ago at the Libby trial,” would be factually correct.

But this isn't.

Barron also listed as exempt from disclosure Cheney's account of his requests for information from the CIA about the purported purchase; Cheney's discussions with top officials about the controversy over Bush's mention

of the uranium allegations in his 2003 State of the Union speech; and **Cheney's discussions with deputy I. Lewis "Scooter" Libby, press spokesman Ari Fleischer, and Chief of Staff Andrew H. Card Jr. "regarding the appropriate response to media inquiries about the source of the disclosure" of Valerie Plame Wilson's identity.** [my emphasis]

Smith gets that last bit from this language in the filing.

Vice President's recollection of discussions with Lewis Libby, the White House Communications Director, and the White House Chief of Staff regarding the appropriate response to media inquiries about the source of the disclosure of Valerie Plame Wilson's identity as a CIA employee.

Now, the language used there—"the source of the disclosure of Valerie Plame Wilson's identity"—ought to be a pretty big clue to Smith that this conversation happened after Plame's identity was actually made public. That is, after July 14, 2003, which happened to be Ari Fleischer's last day, meaning it's pretty clear that Ari Fleischer (who was White House Spokesperson, not Communications Director) isn't the guy referenced here. But you don't really need clues like that to figure out that Smith is wrong here. Had Smith only clicked that link above his article and actually looked at the evidence released at trial, he would have seen the famous "meat grinder note," a note Cheney used as a talking point document for

conversations with Andy Card (correctly identified by Smith as Chief of Staff) and Dan Bartlett (in his role as "White House Communications Director," the position listed in the filing) in early October 2003 to get them to force Scottie McClellan to exonerate Scooter Libby publicly.

I also wrote the reporter of the piece, Jeffrey Smith, to let him know about the mistake. His first response was to accuse me of being "over the top" (note, the "posts below it" pertain to the WaPo's Pay2Play scandal).

i'm busy with kids today, but glanced at your note and i have to say it's over the top – as are some of the blog posts below it. will respond in full this evening. but you are seeing more than is actually there, as you occasionally do.

I ignored that comment in my response.

Thanks for the response, Jeff—I look forward to your fuller response later.

Have a nice day with your kids.

In his response back, Smith used a fair bit of sarcasm even while complaining about my snark.

i shall have to look more closely at the fleischer/bartlett question. our researcher advised me that fleischer was the right person for the time period in question, and i recalled some fleischer-cheney interactions in the record.

of course i knew and know that the cheney conversations that were directly referenced took place AFTER the public disclosure through Novak, from Armitage.

as to what was newsworthy – i'm not aware of any prior listing of what cheney and fitzgerald discussed, and

that question has been a topic of enormous curiosity. i know you have the whole case solved, and all the loose ends tied up, but many others would still like to know more. otherwise, there would never have been a FOIA in the first place.

as to the “conflation” of two grafs into one – i mean really – do you really think that was part of a conspiracy to neutralize or hide damning information? come on now. you’re much more sensible than that. you must be. what i wrote was accurate. the added detail you posted was of interest, but not of sufficient interest to warrant inclusion in a brief article.

i thought the tone of your whole posting was snarky, by the way. i suppose that’s what drives traffic. but it was unwarranted.

The “conflation” of two graphs refers to my complaint that Smith used the “NIE leak is a leak to Judy” shorthand that is common among journalists. In my long follow-up post, I noted that this was not inaccurate (though the Fleischer/Bartlett confusion was), just sloppy.

First, just to set the record straight, I was correct. The passage from the DOJ filing Smith and I were discussing reads:

Page 23, lines 29-40: Vice President’s recollection of discussions with Lewis Libby, the White House Communications Director, and the White House Chief of Staff regarding the appropriate response to media inquiries about the source of the disclosure of Valerie Plame Wilson’s identity as a CIA employee.

If you look at pages 23 and 24 of Cheney’s interview, you see that the context of the redacted passage includes:

- A paragraph about when Cheney first learned of the investigation in September 2003.
- A paragraph about Scott McClellan's exoneration of Rove on September 29, 2003, ending in the sentence, "Specifically , Vice President Cheney believed that fairness dictated that similar disqualifying statements should be made to the media on behalf of Libby and Elliot Abrams of the NSC, both of whom were the speculative targets of leak allegations by the media that week."
- The redacted passage followed by the sentence, "He did not know if Scooter Libby independently attempted to get the White House press office to make a statement clearing him prior to discussing it with the Vice President."
- A paragraph describing lots of things Cheney claimed not to remember that Libby had testified to discussing with Cheney in fall 2003.
- A paragraph discussing the "meat grinder" note.

I think you'll agree that the redacted passage

references—as I said—Cheney’s discussions with Andy Card and Dan Bartlett, made right after he wrote the meat grinder note, ordering them to exonerate Libby, too.

As of 11:21 this morning, the original WaPo story remains uncorrected. Also note, the entire premise of the story—that...

A document filed in federal court this week by the Justice Department offers new evidence that former vice president Richard B. Cheney helped steer the Bush administration’s public response to the disclosure of Valerie Plame Wilson’s employment by the CIA and that he was at the center of many related administration deliberations.

...Doesn’t hold up given the interview. In fact, the interview shows that Cheney claimed to have had no role in any of this, that even while Fitzgerald asked him a lot of questions about his role in the public response to Wilson’s op-ed and Plame’s disclosure, Cheney denied being involved and/or remembering being involved. Of course, none of us could have known at the time that Cheney was going to have recall problems to make Alberto Gonzales look mentally acute, so I’m not all that worried about this issue.

What I am interested in is Jeffrey Smith’s response to my correction, and his defense of his own reporting.

Look at Smith’s description of how he determined that the reference was to Fleischer, not Bartlett:

our researcher advised me that fleischer was the right person for the time period in question, and i recalled some fleischer-cheney interactions in the record.

Now, as I pointed out in the post, the issue was **not** whether Fleischer had some interactions with

OVP (indeed, Fitzgerald **did** ask Cheney whether he knew of Libby's lunch with Fleischer at which he told Fleischer of Plame's identity, as well as other interactions with him). He did. Rather, it's whether a description of something involving the "White House Communications Director" might instead have meant "White House Press Secretary." Both WaPo's researcher and Smith appear to have ignored the actual title used in the court filing. Then there's the question of timing. The description referred to a "response to media inquiries about the source of the disclosure of Valerie Plame Wilson's identity," not the response to Wilson's op-ed, which given Fleischer's last day was the day that Novak outed Plame, does pretty much rule him out.

In other words, the WaPo researcher, Smith, and however many editors reviewed this story ignored two significant discrepancies between their reporting and the record: the title used, and the timing indicated. And guess what? By ignoring the actual language used in the filing, the WaPo allowed an error into their story.

So, having reviewed how the WaPo ended up letting errors into its story, let's look at Smith's other response to my attempted correction. First, Smith accused me of being over the top and seeing things that weren't there:

it's over the top – as are some of the blog posts below it. will respond in full this evening. but you are seeing more than is actually there, as you occasionally do.

And then he sarcastically dismisses my work on this story and states that my own snark was unwarranted.

i know you have the whole case solved, and all the loose ends tied up ... i thought the tone of your whole posting was snarky, by the way. i suppose that's

what drives traffic. but it was
unwarranted.

Jeffrey Smith, how are those attacks holding up now that—four months later—I have been proven right on this matter? It turns out that the WaPo's team, not me, were seeing things that weren't there. And let's reconsider whether my snark was "unwarranted," shall we? You're a newspaper that ignored the actual wording of a document that you reported on!!! And when the actual wording was pointed out to you, you just ignored that, too.

When I snarkily stated, four months ago, that the Pay2PlayPo had forgotten how to do reporting, my snark came from a disgust at how badly the WaPo's standards have fallen, both with regards to selling access to its journalists and with regards to the actual reporting. Now, I don't know who decided the WaPo's editors get to decide what the appropriate response should be when the WaPo chooses to let errors go uncorrected for four months. But I'd say that given the laziness that went into that reporting and the disinterest in correcting any mistakes, snark was very much warranted.

This story started out with what should have been a very minor correction. "Oops. No big deal, everyone here at WaPo read the document too quickly." But instead, it turned into a moment when the WaPo lashed out rather than making sure it provided its readers with the best quality product it could.