

Daniel in the Lion's Den

For the record, I would like to be sure that all of us in CBS News are aware of the facts concerning our position in the Dan Schorr matter. Dan has not been fired. He has been relieved of his reporting duties . . .

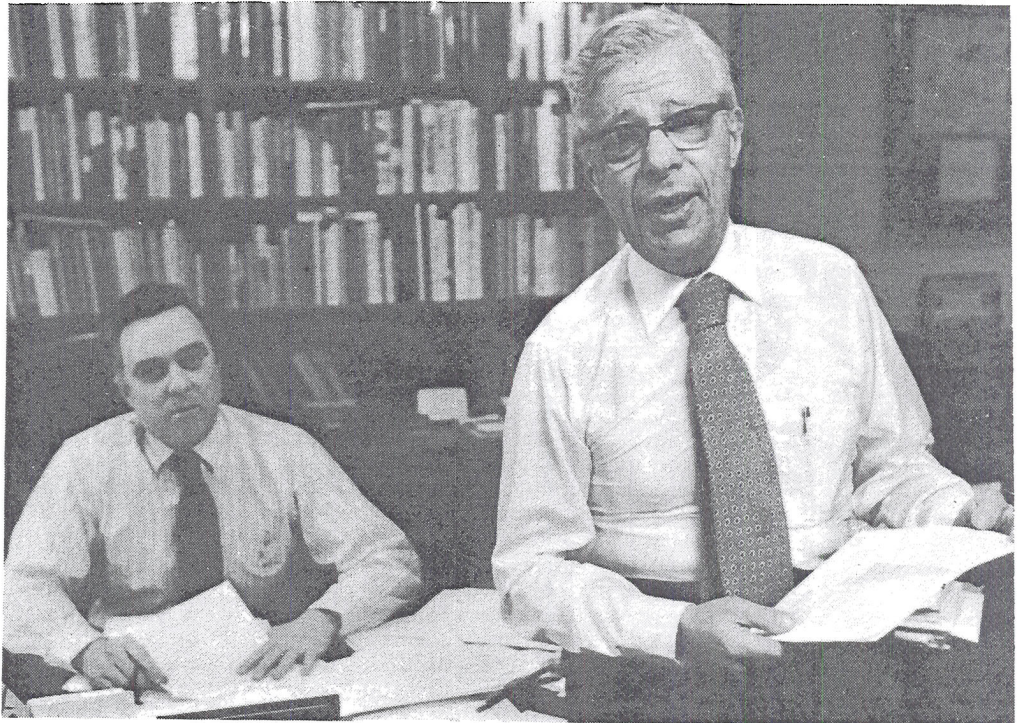
—Memo from CBS News president
Richard Salant

It was the sort of media mob scene that an aggressive pro like correspondent Daniel Schorr normally thrives on: a battery of TV cameras and microphones and about 100 reporters wedged into the breadbox-size lounge of the Washington Press Club. Only this time, Schorr was the quarry—and some of the questions coming at him were as sharp as any he ever fired at a wayward bureaucrat. Why had he leaked the Pike committee's intelligence report to the Village Voice even though the substance had already been disclosed by The New York Times and by Schorr himself? How much had he asked Voice editor-in-chief Clay Felker to donate to the Reporters' Committee for Freedom of the Press in return for the document? Had he first offered the report to his own CBS employers?

Schorr deflected most of the specific questions with touches of irony ("the joys of martyrdom are considerably overrated") and lectures on journalistic principles. Schorr had got hold of the report before the House voted to keep it secret. With that vote, he said, he realized that he might have the only copy outside government and felt it his responsibility to make it available to the public. But in many newsrooms, Schorr's First Amendment defense was overshadowed by questions of his ethics in the affair. Schorr himself may be in deep trouble legally and professionally. Last week, the Justice Department and the twelve-member House ethics committee began looking into the leak, an inquiry that could result in a contempt citation against him. CBS's suspension of Schorr pending the outcome of the investigation gave rise to rumors that, after 23 years with the network, he might be through.

It was still unclear whether Schorr had first offered the report to CBS's own book divisions. Some network sources said Schorr had made such an offer, and found no interest. But if so, Schorr's boss knew nothing about it. "Dan did not discuss with me any desire to have CBS publish a book on the report," said Salant. Whatever happened at CBS, Schorr evidently believed the report should become a book—with a foreword by Schorr. To avoid any imputation of a personal-profit motive, he decided that the royalties could go to the Reporters' Committee, a group concerned with legal defense and research for First Amendment cases.

When two members of the executive board of the Reporters' Committee asked



Susan T. McElhinney—Newsweek

Schorr with Califano: Questions of ethics and a First Amendment question

fellow member Jack Nelson, Washington bureau chief of The Los Angeles Times, whether the group should accept the royalties, he replied, "Hell, yes." In his view, he said, publishing a document that had already been widely reported was nothing more than what The New York Times and The Washington Post had done with paperback editions of the Pentagon papers. After a telephone poll of some of its executive-board members, the committee said it put Schorr in touch with a lawyer, Peter Tufo, who is also a director of the company that owns both the Voice and New York magazine.

Suspicion: As most critics saw it, Schorr's condition of payment for the report—and the committee's acceptance of the idea—tainted the issue by raising suspicions that reporters were benefiting from the sale of state secrets. Said one reporter: "It probably would have been better if Schorr had Xeroxed 50 copies of the report and passed them out free of charge." Stung by charges of profiteering, the committee last week said it had decided not to accept payment even if Felker should offer it—and added that its role consisted only of "putting [Schorr] in touch with a lawyer so he could make his own arrangements." But that was contradicted by Tufo, who insists he was representing the committee, not Schorr, in the search for a publisher.

To many newsmen, Schorr's choice of the Village Voice showed questionable judgment. The weekly's anti-Establishment biases are so overt that Schorr's action seemed more a political statement than a journalistic coup. And this aspect of the affair was compounded when the Voice splashed the story in red ink headlines: THE REPORT ON THE CIA THAT PRESIDENT FORD DOESN'T WANT YOU TO READ. The Voice was an easy target for a governmental counterattack—and a paper that other publishers might be reluctant to defend. Schorr's

own reputation among his colleagues for egoism and overly aggressive reporting may also have cost him support for the high journalistic principles he espouses.

Nevertheless, the suspension of Schorr from his reporting duties was viewed as rough treatment. "I don't think Dan Schorr should have been stripped of his reporting credentials," said New York Times managing editor A.M. Rosenthal. "I wouldn't even have taken him off his regular beat." In its defense, CBS is still paying Schorr's salary—and the services of his lawyer, former White House aide Joseph A. Califano Jr. Meanwhile Schorr was facing a serious Congressional inquiry. Though the ethics committee was empowered only to investigate and file a report, it could recommend a contempt citation or the removal of his House press accreditation.

Defense: Last week, a group of thirteen House liberals came to Schorr's defense, saying that although the House voted to keep the Pike report secret, Schorr "is not a member of the House and was not bound by its vote." By helping to make the report public, the group added, Schorr had "performed an act of conscience for which we commend him." Even so, Schorr seemed to be feeling abandoned in his time of trouble. At the Press Club gathering, he testily tried to move the controversy back to where he thought it belonged. "After you've finished enjoying all the gossip—and I wouldn't want to deprive you of a moment of that pleasure," he said, "[you should realize that] something important is going on . . . If a body of Congress can forbid publication of information that has already escaped its control, then what can it not forbid? . . . What the government can do to any journalist, it can do to every journalist."

—DAVID GELMAN with ANTHONY MARRO in Washington and ANN RAY MARTIN in New York