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The Secret Report Caper

If the CIA's dirty tricks department had been assigned to cast a shadow over the press, it couldn't have done a better job than did a covey of journalists earnestly committed to the integrity and high purpose of their calling.

I'm talking about the Secret Report Caper, featuring Daniel Schorr, a star reporter for CBS News, and the Reporters Committee for Freedom of the Press.

Here's the plot:

Schorr, who has a way with government secrets, obtained a copy of the House intelligence committee's unreleased report on the CIA and other intelligence operations. It was a pretty good coup, and Schorr did a series of radio and television reports on it. Then it became even more of a coup when the House decided on grounds of national security that the report should not be issued. Schorr had not just beaten his colleagues to a soon-to-be-released document; he had a permanent exclusive.

What to do? First, he decided that the report should be published—not just the guts of it, which he and others had reported, but all of it, or at least large sections, word for word and in print. Schorr says he made that decision as a matter of “journalistic conscience” because, as the only person outside of official circles with a copy of the report, “I could not be the one responsible for suppressing (it).”

Second, he decided that the report, now officially bottled up by the House, was worth money. Since he had no wish to profit from it himself, how about helping some worthy cause? And what more appropriate cause than the Reporters Committee for Freedom of the Press?

He approached the committee's leaders and proposed that it accept the proceeds of the sale. They agreed and gave him the name of a lawyer who could help him in his negotiations with publishers.

And so it came to pass that on February 11, the Village Voice, a New York liberal weekly, printed 24 pages of excerpts. The content was less than sensational. The hardest news was a charge that Secretary of State Kissinger made statements “at variance with the facts.”

Nevertheless, the publication set off a storm. President Ford angrily offered to help the House find the leak. Kissinger declared that “a new version of McCarthyism” was rampant. House committee sources hinted that maybe the CIA had leaked the report to make Congress look bad.

Then, with fine irony, there was a leak within the leak. The Washington Post reported, in effect, that Schorr was the source of the Voice's text even though he was denying it on the record. It also reported the deal with the Reporters Committee.

Schorr is angry at The Post and the Reporters Committee. He says The Post story, which he called “unconscionable,” used off-the-record material. He also says that his discussions with the Reporters Committee were confidential and should not have been disclosed.

The Post denies that it broke any agreements with Schorr, and the Reporters Committee says it never felt that its arrangement with Schorr could or should be kept secret.

The day after the Post story appeared, Schorr confirmed that he did indeed provide the Village Voice text and that he had made the arrangement with the Reporters Committee.

To bring the story up to date as of this writing, CBS has said that Schorr has been taken off the intelligence story, but that “as always we will back our guy.”

Rep. Samuel Stratton (D-N.Y.) wants the House to find Schorr in contempt for releasing a secret House report. So before it's over, CBS may get the opportunity to back its guy.

It's a pretty funny story, if you like black comedy: news people arguing bitterly over what was on the record and what wasn't, and a group with the loftiest journalistic mission—defense of the First Amendment—agreeing to accept proceeds from the sale of a secret government document.

The News Business

But before the laughter dies and the press' notoriously short attention span wanes, journalists concerned about the good name of their trade would do well to try to clean up the mess.

There is, for example, that money. At this writing it apparently is hovering between the Village Voice and the Reporters Committee. Schorr has said it is a “substantial” amount, but he won't say how much.

Think how the press—Schorr included—would move in on a situation like this if someone else had been doing the dealing.

Retroactive judgments are easy and often unfair. Nevertheless, I'll offer a couple:

Schorr should have recognized that the dollar sign is a danger sign in journalism. The buying or selling of news inevitably taints the product. His own network has had experience with that truism. (It should be noted that CBS was not involved in Schorr's marketing of the text; he says he acted entirely on his own after the report's use to the network was over.)

As for the Reporters Committee, no matter how much it needed funds, it should have recognized the untenable position it was getting itself into. Its argument that the deal was acceptable because the committee was to be just a “passive” recipient of the money is naive—and doesn't quite jibe with the suggestion of a negotiator to Schorr.

The story is not over. Schorr may have further problems with the House and with his bosses.

But whatever happens, the cause of free journalism has been damaged. News people should be laughing with tears in their eyes.

As for those dirty trick boys at CIA, their laughter should be tempered by envy. Even the most devious of them couldn't have dreamed up a “poisoned well” scheme like the Secret Report Caper.