

# LEAKOLOGY: The War of Words

By Lieutenant Commander Brent Baker, U.S. Navy

*Having acknowledged the inevitability of leaks to the press in testimony to Congress the day before, Harold Brown acknowledged his department's "accountability to the public." Clearly, this veteran administrator is trying to limit his losses when big mouths inevitably begin to blab.*



*Defense Secretary Brown meets the press on 26 January 1977*

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*"Of course it is unfortunate and I regret that information and some misinformation regarding our preliminary thinking came out in the public press before we had a chance to consult informally with the Congress. I guess after eight years away, I still have to relearn how to view with some equanimity the inevitability of such leaks to the press."*

Harold Brown, Secretary of Defense  
Testimony before Senate Armed  
Services Committee, 25 January  
1977

**L**oose lips can do more than sink ships; they can also sink or wound government policy and strategic planning. Leaks concerning national security are more serious than in any other area of government since the survival of our own society and safety of the members of the armed forces may well be at stake. Leaks of classified or sensitive information can have short-term effects (tactical leaks) which could, for example, result in a Soviet intelligence trawler leaving her normal area and appearing in an area where highly classified operations were going on. Or there can be longer-term (strategic) leaks where a leaked piece of information or several little bits of information can be used together to verify a new weapon system's capability.

Because of the serious consequences that can result from such leaks, the military professional—whether he is a private in South Korea, a sailor in the Sixth Fleet, or an admiral in Washington—must understand how and why leaks occur and how to, in Secretary Brown's words, ". . . view with some equanimity the inevitability of such leaks."

Leaks are not limited to any particular part of the government or military establishment. At sea or in the field, commanders and commanding officers are faced with leaks of information which reflect on their commands' readiness. The leak may concern a material problem, a manning shortfall, or a training deficiency. The seat of government in Washington has been called by some people the "leak capital" of the nation. The 3 May 1976 *Time* magazine declared, "Nowhere do secrets have a higher mortality rate than in Washington, D.C. The capital swarms with leaking bureaucrats and a prying press corps. Incurable gossips are wall to wall." Much of this juicy gossip, whether true or false, appears to have been born in the form of a leak.

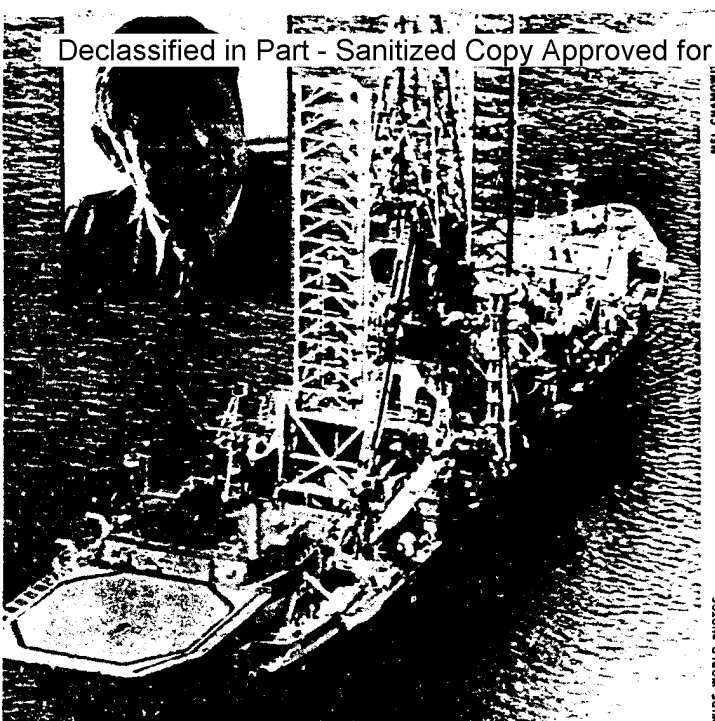
Late last year, the top secret annual National In-

telligence Estimate (NIE) leaked. Former Director of Central Intelligence George Bush faced a national television audience and commented on the NIE leak saying, "I'm a little disillusioned because I never thought that we could be in this kind of phantom duel where you're battling with unnamed sources. . . . I just thought that we were more disciplined within the intelligence community."<sup>1</sup>

Since many of the most sensitive public affairs problems facing commanders and their public affairs officers involve "leaks," a closer examination of "leakology" is in order. First, some general observations:

- ▶ Leaks in the context of this discussion are defined as both classified and unclassified. They include politically sensitive government information that is provided in an unauthorized manner to persons who do not have a current government authorization to have access *and* a "need to know."
- ▶ It takes at least two people to spring a leak, an inside source and an outside receiver.
- ▶ It takes a transmitter (usually a news outlet) to spread or publicize the leaked information.
- ▶ Leaks of classified or sensitive government information appear to be widespread throughout the government.
- ▶ Leaks usually feed controversy and, therefore, benefit the vested interests of the source and sometimes the economic and prestige interests of the news transmitter.
- ▶ Leaks generally "spring" around key and controversial events or actions and are timed in relation to key decision milestones in a manner which may influence the making of such decisions or policies.
- ▶ Once a leak is put into the public domain, by such means as the news media, its future course cannot be controlled by anyone, including the source, receiver, or transmitter of the leak. In other words, the final effect of the leak on decision-makers may have the opposite reaction to that anticipated by the source.
- ▶ Leaks from inside a bureaucracy may reflect an internal difference of opinion or power struggle in which a source has a perceived interest in airing publicly.
- ▶ Leaks may have a "multiplier" effect, with one leak stimulating another countermeasure leak championing the opposite position.
- ▶ Leaks, by their nature and the nature of humans and mass media transmitters, highlight the more dramatic aspects of an issue and seldom attempt to present a balanced or detailed view of complex is-

<sup>1</sup>For footnotes, please turn to page 49.



WIDE WORLD PHOTOS

MEL CHANDLER

Columnist Jack Anderson broke the Glomar story

sues. In short, leaks oversimplify issues.

▶ Finally, leaks are almost impossible to track down, and an investigation of leaks, while it may be necessary, can itself be counterproductive, adding more fuel to the public affairs problems of commanders or other military officials.

Before going into some of the dynamics of leakology, it is important to pause and reflect on why military officials in the United States are put on the defensive more often by leaks than are their counterparts in any other country. One thing is certain in the public affairs "rules of the road," and that is that the American commander or public affairs officer is always the "burdened vessel" in a crossing situation with leaked information, because of the nature of the public affairs system in this country.

*American Public Affairs System:* The acceptance and defense of our constitutional form of government involves a public affairs "triad" which has functioned for the past 200 years with the following major players: government, news media, and public. Of course, this player definition is simplified since each part of the triad can have different faces. For example, the government could represent the military official in the executive branch or a Congressman, with quite different defense views, in the legislative branch. Also, the public could represent various special interest groups (pro- or anti-military), and the news media could mean electronic or print media with quite different physical reporting problems, not to mention various editorial or reporter viewpoints. Within this triad there is a constant tug-of-war in making information public.

*Public's Right To Know:* In the wake of the Vietnam conflict and the Watergate affair, we have seen both the government and the news media suffer from the so-called credibility gap. The past public frustra-

tion with the perceived lack of candor (or worse) on the part of the executive branch has led to a new dimension in the relationship of the players and has resulted in a number of "sunshine" laws. These laws have the objective of opening up more government proceedings and records to public scrutiny. In a 17 November 1975 *The Washington Star* article entitled, "Too much 'Sunshine' can cause government chaos," Charles Bartlett stated that openness in government has become a *de facto* yardstick of integrity. The 1974 Privacy Act, the Freedom of Information Act (as amended in 1974), and the Government in the Sunshine Act of 1976 are examples.

From a military point of view, these sunshine laws add to the already often confusing demands of freedom of information on the one hand, and both the need for personal privacy and the protection of properly classified national security information on the other hand.

Columnist Jack Anderson, well known for his use of leaked material, broke the story of the recovery of part of a Soviet "Golf"-class submarine by the *Hughes Glomar Explorer* in March 1975, even though he was asked to withhold the story as other news organizations had done in the interests of national security. Anderson claimed that national security was not at stake and that "... news belongs to the people and not to the government."

Secretary of Defense Brown, while expressing frustration over leaks in the press, at the same time has adopted an active stance in taking defense issues to the public in order to foster public understanding and support. The day after the appearance before Congress during which he cited the problem of leaks, he held his first meeting with the Pentagon press corps and stated that he recognized, "... the value and indeed the vital importance to the proper functioning of the Defense Department in a way responsible to the public [and] sufficiently cognizant of its accountability to the public."

It is clear that the American public has a right to government and military information (with reasonable national security and personal privacy restrictions considered). Indeed, public support demands information access in order to understand security issues. But this does not excuse the unauthorized release of classified information. In the heat of the debate over the 1976 reorganization of the nation's intelligence community, former President Gerald Ford stated:

"Openness is a hallmark of our democratic society, but the American people have never believed that it was necessary to reveal the secret war plans of the Department of Defense, and I do not think

they wish to have true intelligence secrets revealed either."<sup>2</sup>

Whether one takes a positive view of the need for public information or treats it as a necessary evil, we still come face to face with the challenge of communicating with the public whose support we need. Without the "artillery of the press," including radio and television, there would be little opportunity to reach the public with our information. It is during the public affairs squalls, brought on by leaks, that military officials must be the most careful in attempting to heal the sores of misinformation. Understanding the players in leakology is helpful in this regard.

*The Players:* The first is the unnamed source. Stories often quote "informed defense officials" or other inside sources. Their anonymity greatly complicates the military official's task in answering allegations. The word "complicate" is used here because the unnamed source can either help or hinder the named official who is held accountable for his actions and must reply "on the record." If the story appears to further the government's point of view, journalists may refer to the information as a "plant" rather than a "leak." One can readily imagine a situation wherein there might be confusion over whether a "leak" is a "plant"; the beauty is in the eye of the beholder. Harrison Salisbury of *The New York Times*, appearing on the 27 April 1976 CBS morning news, commented, "... on the question of leaks and disclosures, a double entry bookkeeping system is used by the CIA. The favorable leaks are okay. It is the embarrassing ones they want to suppress."

Growing out of the stormy history of the press-government relationship has come the technique of interviewing a government official source under the cover of mutually agreed ground rules; wherein the exact name or position of the official is not used. These are the so-called background (not for direct attribution), deep background, or off-the-record interviews.<sup>3</sup> The original reason for the growth of these agreed press-government official interview techniques was to allow the official to put stories into a more balanced context and in some cases to answer speculative types of questions ("What if?") which he could not answer on the record. The problem with using these informal techniques is that many news persons refuse to adhere to them because they consider them to be platforms for "plants" and don't wish to risk the possibility of professional embarrassment for either party to the interview. In the light of the perceived dangers from either side of such an interview, most military officials or commanders stick to the on-the-record interview.

Many reporters openly brag about their ability to routinely piece together major stories from several unnamed sources. These sources may be from different branches of government, from different executive departments, or from former officials who have recently left government service. A story with leaks may result from a composite of sources. In this multi-source method, journalists theoretically sort the wheat from the chaff, and seemingly insignificant bits of information are blended together to produce a "blockbuster" story. One of the problems here is that the source's motives are not usually mentioned in the news story. Instead, the source is treated in a neutral manner. A 19 April 1976 *The Wall Street Journal* article by Edward Jay Epstein entitled "The Grand Cover-Up" was stimulated by the film "All the President's Men" and concerned the use of multiple sources and the manner in which the film painted sources as neutral. According to Epstein, the movie was an example of a naive view of accidental leaks by sources who were unaware of the potential of the bits of information they disclose. Epstein stated:

"This accidental view of news is convenient, and indeed functional, to journalists who want to conceal the identity of sources and protect their relations with them.

"The alternative view that information is deliberately leaked to journalists by sources with an interest at stake in the story would raise serious problems for journalists: It would suggest that the 'leaks' are in fact plants, and that they are merely ammunition-carriers for the surreptitious authors of the story who are engaged in a power struggle.

"Even for the best of reasons, if journalists represent news as being accidental when in fact it is deliberate, then they may willy-nilly assist in camouflaging the interest behind the disclosure, and thereby be part on a grander scale of the cover-up of an intra-government power struggle."

The receiver is another player in the game of leakology. In most cases wherein a government official is involved, the receiver of a leak is a news person. Just as in the case of a good intelligence agent, the receiver (reporter) protects his sources. Also, as in the case of an intelligence agent, the reporter keeps his source confidential as an insurance policy to keep channels open for future exchanges of information. Some reporters will cite sources remote from the actual sources in order to protect them. For example, the reporter may cite a "Navy official" when his actual source is in the State Department or vice versa. A reporter may even "invent" a source. In



WARNER BROTHERS

*Those who read the book All The President's Men and the millions more who saw the movie with Dustin Hoffman as Carl Bernstein and Robert Redford as Bob Woodward, were introduced to that consummate leaker "Deep Throat" and can decide for themselves whether most leaks are deliberate or, as the film seemed to suggest, accidental.*

commenting on Bob Woodward and Carl Bernstein's *The Final Days* in *The New York Times Book Review* of 18 April 1976, Richard Reeves touched on the invented source technique as a means of protecting real sources. Siding with those people who believed that "Deep Throat"—the famous source with alleged White House connections—was a fabrication, Reeves stated, ". . . I have never been convinced that Deep Throat existed. The whole thing was too much like an old newspaper tactic that I have used myself: inventing a secret source that would talk only to me, thereby keeping other reporters off a good story and editors off balance." One of the obvious messages from such a discussion is that an official might attempt to track down an alleged source, thinking it was in his area, and spin the investigating wheels searching for someone who either did not exist in the first place or was in another part of government.

How do reporters develop their sources? Aside from the source who contacts the reporter on his own to champion a specific cause, right a perceived grievance, or get a "news tip" reward, reporters develop their sources in various ways. While the public affairs office is certainly an official source, it is not usually involved in the context of this covert source discussion. As an example of how a source is developed, one reporter explained his technique as follows: First, he would avoid the command's public affairs office and go directly to the office that had people who had probable access to the type of information he desired. Second, he would "shotgun" telephone calls to that targeted office and would attempt to talk with as many people as he could (having a government directory of the office personnel was a great help). Third, he would, through his contact with the command's public affairs office, attempt to find out if his calls were reported to the public affairs office and if so by whom. Finally, after he learned who had reported their conversations to the public affairs office, he dropped them from his list. He then went after the persons he had talked to, but who had not reported that contact, until he established a "source." This is only one example of an investigative reporter's technique.

The third player in the triad is the transmitter.

Most leaks reach the public through the news media. It is difficult for a commander or other military official to forget the adversary relationship between the military and the news media which seemed to reach a boiling point during the Vietnam War. In fact, one should not erase this memory but use it instead as a constructive reminder that the military-media relationship has long been a stormy one. News media artillery rounds will continue to fall short of the truth, in the view of military officials, and those same officials, from the news person's view, will continue to be overly secretive and prone to double-talk. Phil Tracy, writing in the 4 May 1976 issue of *The Washington Post* on "Why Nothing Works in Washington," aired the all-too-familiar stereotyped news media view of the military:

"It is a closed system, the Pentagon, not unlike those ecosystems of which the conservationists are so fond. There is really no way to penetrate it. It has a language all its own, composed of technological terminology, awkward abbreviations, and outright evasion, designed not to communicate information indiscriminately, but to limit it to the military brotherhood."

In the face of this natural military-media tug-of-war, it follows that both sides have to do their homework. The military, when talking to the public through the news media, must limit the jargon and thus allow clear communications to flow. But there is also an obligation on the part of editors to train reporters to understand specialized reporting areas, including the military "beat." Problems usually occur when a reporter with little knowledge of the military services is assigned to write or rewrite a military story. In all fairness, the government official who is caught in the leak or negative story "crossfire" should understand that the military profession is not the only profession facing a daily challenge of how to deal with news media relations. Donald S. MacNaughton, board chairman of the Prudential Insurance Company, recently pointed to the news media's alleged sins of suspicion, oversimplification, and lack of understanding. Putting blame for the confusing and strained relationship on both sides, he said that well-motivated business

people and news people "... meet in apparent harmony, discuss at cross purposes, and come up with two different understandings of the interchange."<sup>4</sup>

*Leak Damage Control:* Investigating leaks in order to plug them up is usually a fruitless task, according to W. Donald Stewart, who headed the Defense Department investigations of unauthorized disclosures from 1965 until 1972. A description of Stewart's views was published in a 25 February 1976 story in *The New York Times* and included the following observations:

▶ Of the 222 substantive complaints of unauthorized disclosures processed by his office from 1965-1972, about two-thirds were actually investigated by the individual military services. Sanctions were imposed in only a handful of cases.

▶ In several other cases, government employees were dismissed or transferred from sensitive positions. But, when his office urged prosecution and the case was in the hands of the FBI, the Department of Defense declined to declassify the information involved so that it could be used as evidence in court.

There have been more recent indications that the balance between compromise of classified national security information and the decision to prosecute has resulted in a decision not to take a case to court.<sup>5</sup>

The story which outlined Stewart's views also stated, "At other times, several sources said, the actual source of a news leak was such a high official that investigations and prosecutions were halted to avoid political embarrassment." While these views are of interest to the official who has the authority to initiate an investigation of leaks, they should not deter him from his duty to take whatever lawful steps are necessary to protect classified information.

*Myth of the controlled leak:* Call it what you will, a "trial balloon," a "plant," or a "leak," it is a myth that one can control or manage the final result and thus use it as a tactic in public information. Leaks cannot be orchestrated once they are in the public domain. A leak can stimulate, prolong, or confuse a public debate, but it can do little to ensure public understanding and, therefore, should be avoided.

*Leak defensive options:* As has been pointed out, a leak usually involves controversial information and, in the case of the Defense Department, issues may involve classified or sensitive information that may be damaging to the national security. The problem often is how to reply to a leak on the public record without further damaging national security or fanning the flames of controversy. Also, by definition one is put on the defensive in answering leaks. Gov-

ernment officials and their public affairs officers usually resort to one or a combination of the following six defensive options:

▶ *Refusal to confirm or deny*—"No comment" in reply to allegations. This may be the only option when classified matters are involved. Some view this option as a neutral one. However, from the public's view, the net effect of such an option may be for the person on the street to say, "There must be some truth to it, or they would give an answer."

▶ *Demand a retraction or write a letter to the editor.* Complaining to the editor or publisher can be a mixed blessing even if you get your viewpoint aired. A news medium will rarely run a retraction, and if it does, the placement in the newspaper or newscast will never be in the same context as the original story. The audience and impact will differ and may prolong the debate with other people stimulated to comment on your comment.

▶ *Issue a statement or press release.* Usually this option is reactive and fighting to catch up after the damage is done. Also, unless requested by the media it will get less than full coverage and may prolong the public confusion and debate.

▶ *Call a news conference.* This involves the same problems as in the previous option. However, if an allegation must be answered, this may be the best on-the-record manner of answering the allegation face to face with reporters.

▶ *Hold a "backgrounder."* Many news reporters will refuse to attend such a session where the interview is not for direct attribution. What they need to keep the story boiling is on-the-record comments, not more unnamed sources.

▶ *Prepare an answer to query.* This is a passive technique which is useless if the right question is not asked. A derivative of this technique is the "side-by-side" answer to query wherein each allegation is commented upon with the official viewpoint, background material, and approved statement to be given out to the press, if asked.

In the 18 February 1976 edition of *The Wall Street Journal*, Irving Kristol outlined some of the above options in a discussion of how to reach the public with an economic message from business leaders, in the face of a press with an anti-business bias. Discounting the value of the above options, Kristol observed that the "Best Defense" option is an offensive one attacking the credibility of any biased story. He explained:

"They [journalists] may not give a damn what the business community thinks of them, but they care very much what kind of professional reputation they have among their peers. When they

commit a flagrant error, they are at least mildly disturbed; when they are publicly exposed as having committed such an error, they are embarrassed; and when such public exposure occurs repeatedly, they feel humiliated. So, incredible as it may seem, journalists are vulnerable to the truth. The question is: Who is going to be telling this truth if the journalists themselves do not?"

In short, to set the record straight, Kristol recommended to businessmen a strong public rebuttal of any misinformation or slanted reporting. He suggests that when publicly shown in error, reporters are likely to be much more careful the next time they deal with a comparable issue and that this is gain enough (and, in his words, all that can be expected) on the news media battlefield.

*Offensive Public Affairs Strategy:* It is always more comfortable to be on the offensive, charting a positive course of action. Damage control and defensive options are necessary, but what is recommended is a more open public affairs approach. Before a leak sends the commander to "general quarters," it is good preventive maintenance to establish working relationships with the news media. If such a relationship is routine, it may well serve as a dialogue to prevent misinformation springing from leaks. A reporter who personally knows the commander is more likely to call informally after he gets his news tip in order to get the official's reaction. This dialogue is useful to the official as both an "early warning" of a possible bad story and the chance to get some balance into the story before it is printed or aired. The very fact that an official must react to a story that is already in the public domain limits his public affairs options.

Stephen Rosenfeld, writing in the 14 January 1977 issue of *The Washington Post* stated:

"The best way to balk 'damaging' leaks of special-interest material, however, is to make a broad range of material available routinely in a context devised not by the special interest but by

the government itself. Call it preemptive leaking, or public information."<sup>6</sup>

In the final analysis, there are security limits to what information we can release in the Defense Department, but it is public opinion that dictates the strategic military options open to policymakers in the American democracy. It is unrealistic to ignore that fact. It is to the benefit of the government, news media, and the public to have factual and balanced public information. Who will tell our story if we don't?



A 1963 NROTC graduate of Northwestern University, Lieutenant Commander Baker initially served in the USS *Okinawa* (LPH-3) prior to his designation by the Secretary of the Navy as a special duty (public affairs) officer in 1965. He holds a master's degree in journalism from the University of Wisconsin. His duty assignments have included: press officer, CinCLant/CinCLantFlt staff; deputy special assistant (public affairs) to the CNO; public affairs officer on the staffs of Commander Task Force 77, Commander First Fleet, and Commander Third Fleet. He is now serving as special assistant (public affairs) to Director Joint Staff of the Joint Chiefs of Staff.

<sup>1</sup> Warren Brown, "Bush 'Appalled' By Leak of New CIA Estimate," *The Washington Post*, 3 January 1977, p. A2.

<sup>2</sup> "Text of Ford Plan on Intelligence Units and Excerpts From His Executive Order," *The New York Times*, 19 February 1976, p. 30.

<sup>3</sup> Meg Greenfield summarized the ground rules as follows: "We have 'on the record,' which permits source and story ('Chicken Little announced yesterday that 'the sky is falling.'). At the other end we have 'off the record,' in which both source and story are ruled out of print (we can 'know' but not 'use.'). In between there is 'background' or 'not for attribution,' in which source is camouflaged but the story remains ('A usually well-informed official has told the Gazette the sky is falling'). A variation on this is 'deep background' or 'Lindley Rule,' in which the source disappears altogether, leaving only his valuable nugget of news ('The sky is falling, it can be revealed.'). See Meg Greenfield, "Telling It (Sort of) Like It Is," *Newsweek*, 22 July 1974, p. 50.

<sup>4</sup> Charles B. Seib, "Business and the Media," *The Washington Post*, 26 March 1976, p. A27.

<sup>5</sup> See also Anthony Marro, "National Security Questions Termed Issue in Inquiry Into 1973 Testimony by Helms," *The New York Times*, 15 February 1977, p. C15.

### Passing Remark

In the spring of 1902, Admiral George Dewey was strolling in Washington when an effusive stranger rushed up to him and, grasping his hand, said, "Georgie, I'll bet you don't know me." The admiral answered grimly, "You win," and continued his stroll.

Captain Edgar K. Thompson, USN (Retired)

(The Naval Institute will pay \$25.00 for each anecdote published in the Proceedings.)

