

# Wen Ho Lee gets a part of his due

- He was a victim of an appalling government-journalist joint smear.

How exquisitely appropriate that the government and five news organizations have joined together to pay nuclear weapons scientist Wen Ho Lee \$1.6 million to make his lawsuit against the government disappear. It was just such a joint venture that ruined Lee's professional life and reputation.

There's just one problem: The New York Times should have paid the entire amount for the news organizations; its behavior was by a magnitude of 10 more egregious than the others'. But Lee's lawyers subpoenaed reporters from all five, so all had to pay in order to ensure that they would not be pressed to reveal confidential sources.

The Times owed Lee at least that much for another reason: Its reporting on his case was wildly unfair, repeatedly untrue—yet prominently displayed, again and again, only to be picked up by other media that trusted the Times' ability to vet and verify information.

It's not a good thing for journalists to be forced either to defy the courts or break a promise of confidentiality. But it also gags us to say that in this case, especially about the Times. It did a hatchet job on Lee, based on confidential, inaccurate information leaked by unnamed government sources who used Lee in an attempt to implicate the Clinton administration in yet another scandal after the Monica Lewinsky story lost steam.

Confidential sources in the FBI and the Department of Energy sold the Times a bill of goods: that Lee was a spy for China who had given the Chinese secrets on atomic bomb miniaturization, and that the administration was dragging its feet in the case. It was all a pack of lies. Lee had mishandled some classified material, but he was no spy. The Times, however, bought it hook, line and sinker.

## A MODEST MESSAGE

"We are hopeful that the agreement reached today will send the strong message that government officials and journalists must and should act responsibly. The rush to judgment that occurred in my case was prompted by a number of calculated, unlawful leaks...."

As this concocted scandal developed, Lee was taken into FBI custody and *held in solitary confinement for nine months*. His career was trashed, and his family was put through a nightmare. Ultimately, the espionage case evaporated so completely that the judge in the case apologized profusely to Lee when he dismissed all but one charge of improperly downloading classified data.

Why did news organizations act, as during the runup to Iraq, more like stenographers than news gatherers? It's not as if they weren't warned. A truly courageous reporter for the New York Daily News, Lars Erik Nelson, credibly and completely ripped apart every single Times "scoop" on Lee. Yet apparently no Times editor—or at least not one with enough clout—said, wait a minute, we need to do more due diligence and ensure that what these sources are saying squares with the truth.

In this business it is considered uncouth to criticize another journalist organization, especially one of such august reputation as the national paper of record. But the Times' behavior in this case tarnished everyone in journalism. It's part of the case thrown up to challenge journalistic integrity and the craft's dedication to chips-fall-where-they-may pursuit of truth.

Wen Ho Lee was due something for his unjust treatment at the hands of American journalists. We're glad he finally got at least some compensation, if not the apology he still deserves.

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