

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIAIN RE: SPECIAL COUNSEL
INVESTIGATIONCase No.
(Chief Judge Thomas F. Hogan)
(UNDER SEAL)DECLARATION OF TIM RUSSERT

Pursuant to 28 U.S.C. § 1746, Tim Russert declares:

1. I submit this declaration in support of the motion to quash a subpoena directed to me by the Office of the Special Counsel ("the Special Prosecutor") in the above-referenced investigation. Except where otherwise stated, I have personal knowledge of the facts set forth herein.

2. I have been a professional journalist for two decades. I am the Managing Editor and Moderator of *Meet the Press* and currently serve as Washington Bureau Chief of NBC News and chief political analyst for *NBC Nightly News* and the *Today* program. Before joining NBC News, I served in the executive and legislative branches of government. I was counselor in the New York Governor's office in 1983 and 1984, and special counsel in the United States Senate from 1977 to 1982.

3. I have been the moderator of *Meet the Press* since December 1991. For than fifty years, *Meet the Press* has served the public by imparting information to its viewers about our government, the public officials charged with its stewardship, and the public figures that shape national and international events. During the course of my work at NBC generally, and on *Meet the Press* specifically, I have interviewed virtually every major figure in American government and international affairs, including Presidents Clinton and Bush and Vice Presidents Gore and

Cheney. *Meet the Press* is the most watched Sunday morning interview program in America and is the longest-running program in the history of television.

4. I have received several awards in recognition of my accomplishments in journalism, including the Joan S. Barone Award, the Walter Cronkite Award, the Edward R. Murrow Award for Overall Excellence in Broadcast Journalism, the John Peter Zenger Award, and the David Brinkley Award for Excellence in Communications. I have also received thirty-two honorary doctorate degrees from colleges and universities throughout the United States, and have lectured at the Kennedy, Johnson, Nixon and Reagan Presidential Libraries.

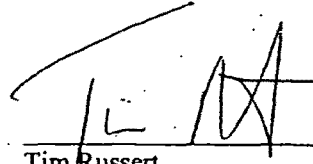
5. During the course of my career as a professional journalist, I have developed relationships with sources of information throughout the federal government. I communicate with these sources in a variety of settings, both formal and informal. No matter the context in which we communicate, they provide information to me based on our shared understanding that we are speaking in confidence and that I will not disclose publicly either their identities or the information they provide. Based on my years of experience in journalism and in government, I have determined that, absent such an understanding, public officials simply will not speak freely and candidly with me about the most important issues of the day. Indeed, without information provided to me by my sources in confidence, I would be substantially hindered in my ability to report contemporary events in an effective and meaningful manner. Even when I cannot disclose my sources' identities or the information I have received from them, the confidential relationships we have established enhance my understanding of important public events, help me to explain them to NBC's viewers, and assist me in gathering news from other, non-confidential sources.

6. I understand, on information and belief, that the Special Prosecutor is investigating the leak that disclosed to journalists, and then to the public, that Valerie Plame, the wife of former Ambassador Joseph Wilson, worked for the CIA. I further understand that, through his subpoena to me, the Special Prosecutor seeks to compel me to testify that I communicated with a specific Executive Branch official on or about July 10, 2003, and to disclose the contents of any such communications. I cannot provide such testimony without violating the understanding that I share with my sources that our communications, including the fact that we have communicated at all, will be held in confidence. As a result, I can neither confirm that I had any substantive communications with the public official at issue during the relevant time period nor can I describe the nature of any discussions that we may have had. I can, however, state unequivocally that I was *not* the recipient of a leak of Ms. Plame's identity or her status as a CIA operative.

7. I understand, on information and belief, that in the context of the Special Prosecutor's investigation, several Executive Branch officials have been asked by the President to execute a document formally "waiving" their right to claim that their communications with journalists must be held in confidence. From my perspective as a journalist, the execution of such a document cannot be permitted to affect my relationship with my sources. The coercion implicit in the procurement of such a "waiver" calls into question its value as an accurate reflection of a source's actual intentions. More importantly, if such "waivers" are credited by the courts as a basis for compelling reporters to testify about their confidential relationships with their sources, I and other journalists will have increasing difficulty in establishing and maintaining such relationships with sources fearful that they too will be required to execute a "waiver." As a result, my ability to gather and report the news will be substantially impaired.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on June 4, 2004



Tim Russert