testimony to be offered in evidence, may refer to certain other news articles; however, the government does not intend to offer those articles in evidence even in redacted form.

## The Wilson "Op Ed" Article

The Government intends to offer as evidence in its case in chief a copy of the July 6, 2003, *New York Times* "Op Ed" article authored by former Ambassador Joseph Wilson (the "Wilson Op Ed"), and bearing handwritten annotations by the Vice President. A copy of the annotated Wilson Op Ed is annexed to this response as Exhibit A.

The annotated Wilson Op Ed is relevant and admissible for two principal reasons. First, the article itself lies at the center of the sequence of events leading to the defendant's alleged criminal conduct. The article, and the fact that it contained certain criticisms of the administration, including criticisms regarding issues dealt with by the Office of the Vice President ("OVP"), serve both to explain the context of, and provide a motive for, many of the defendant's statements and actions at issue in this case. In particular, admission of the Wilson Op Ed is necessary to assist jurors in understanding how, beginning on July 6, 2003, and continuing through the following week, the attention of the defendant, his colleagues, and the media was heavily focused on responding to the issues raised in that article. Although the substance of the Wilson Op Ed is relevant and admissible to establish the issues to which the defendant and others with whom he worked believed a response was required, and to provide context for the defendant's statements and actions, the government will propose an instruction to the jury that the statements made in the Wilson Op Ed may not be considered as proof of the truth of the matters asserted but, rather, may be considered solely as evidence that the statements in the article were made and published, and may have caused others to take action in response.

The second principal reason for the admissibility of the annotated Wilson Op Ed lies in the annotations placed on a copy of the article by the defendant's immediate superior, the Vice President. Those annotations support the proposition that publication of the Wilson Op Ed acutely focused the attention of the Vice President and the defendant – his chief of staff – on Mr. Wilson, on the assertions made in his article, and on responding to those assertions. The annotated version of the article reflects the contemporaneous reaction of the Vice President to Mr. Wilson's Op Ed article, and thus is relevant to establishing some of the facts that were viewed as important by the defendant's immediate superior, including whether Mr. Wilson's wife had "sen[t] him on a junket."

## News Articles to be Offered in Redacted Form

The Government also intends to adduce proof concerning certain other news articles, which it will seek to offer in redacted form, including the following:

- May 6, 2003, New York Times article by Nicholas Kristof;
- June 12, 2003, Washington Post article by Walter Pincus;
- June 30, 2003, New Republic article by John B. Judis and Spencer Ackerman;
- July 14, 2003, Chicago Sun Times column by Robert Novak; and
- July 17, 2003, *Time.com* article by Matthew Cooper and others.

(Copies of these articles are annexed hereto as Exhibits B through F.) The relevance of each of these articles is briefly outlined below. Prior to trial, the government will submit proposed redacted versions of each article.

The May 6, 2003 article by Mr. Kristof is relevant to establish when press reporting relating to Mr. Wilson's trip began, although the article did not refer to Mr. Wilson by name. The Kristof article caused inquiry to be made within the OVP, and eventually by the defendant, about Mr.

## What I Didn't Find in Africa

THE WEW YORK TIMES OP-ED SUNDAY, IVEY & 2003

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Dr. fil his wife room time on a

referred for memorandum of agra-ment that documented the sale of un-num yelloweake — a torn of tighty processed ore—by Niger to Iraq in the late 1992. The agency officials asked if Twoult travel to Niger to check out

a mine, it would have to notify the consortium, which in turn Is strictly monitored by the International Atomic Energy Agency, Moreover, because the two mines are closely regulated quasi-governmental entities, selling uranium would require the approval of the mutister of mines, the prime mines for and probably, the president. In short, there's simply too much over signt over too small an industry for a cuear to everyone. I met that I was acting on behalf of the United States government. offered pro bono). I made it abundantly

example by officials who were no toger to government — and were probably forged And then there's the fact that Niger formally denied the Niger's capital, Namey, where I had been a diplomat in the mig-70's and visited as a valuable Security Council official in the late 90's. The city was much as I remembered it. Seasonal winds had elogget the air with dust and search Thraugh, the hare I could see Same Lawans, crossing the Niger River (over the John F Kennedy, brigger) the setting sun behind them, re-Most pemile had wrapped scarves arround their faces to protect against the Etil lawing only their eyes visite.

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shared my conclusions with the State Department African Affairs Bureau. There was nothing secret or earth shared my conclusions with members of her staff Inearly March, farrived in Washington and promptly provided a detailed briefing to the CLA-I Tater

the story so they could provide a response to the vice president's affire.

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I thought the Niger matters was set-ted and went back to my life. (I'did take part in the Iraq depine arguing that. 4-5 strict containment regime backed. By the threat of force was, perfetable to an invision.) In Septem-ber 2002, hovever, Niger re-emerged. The British government published, a "will be paper" asserting that Saddam Husseln and the unconventional arms possed an unimediate danger. As eve-dence the report cited Iraq's attenting at the production of the paper.

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The questionnow is now that answer.

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certain preconceptors about frag their a legitimate argument can be an made that we went to war under false say precesses. (It's worth remembering that 'up his March "Meet the Press appearance, Mr. Choney said this 'Sad a warearance, Mr. Choney said this 'Sad a duri Hussen was 'ruying once again to a produce muchent weapons.) At a minhimum Congress, which authorized is freu see of military force at the press of derives of military force at the press of the sasertions about that were well. was convinced before the war that

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By Joseph C. Wilson 4th

programs to justify an investion of Iraq?

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H.W. Bigh's ambassador to Cabon
and Say Tome and Primine, under
President Bill Clinton, I helped direct
Africa policy for the National Security.
Council: faires in Bagadad I was the fasts Amer-can diplomat to meet with Sadam Husseln, (I was also a torgetul advo-cate (te fus removal from Kuwat.)

In late February 2002, I arrived

to verify. Information about Africa's suspected link to frad's noticonventional at weapon's tong arms. Those news sories about that unnamed former envolving want to Niger's That's me in February 2002, I was informed by officials at the Central Intelligence Agency that Vice Exestions Disc, the ney's affice that questions about a

Joseph C. Wilson un. United States, ambassadar to Cabar from 1892 to 1995, is an international business consultant.

would be best spent interviewing peo-ple who had been in government when

tandable, the embassy staff has al-

vays kept a close eye on Niger's ura ium business: I was not surprised