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June 4, 2014

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Attorney General Eric H. Holder, Jr.  
Office of the Attorney General  
US Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

*Via Email*

Dear Attorney General Holder,

Freedom of the press is an invaluable legacy of the United States legal system, from the days of the Revolution through the present. The United States has taken a strong stand to defend those who expose government actions to the light of public attention, and has supported international law that protects freedom of expression and the public's right to know.

For that reason, I am writing to urge you to abstain from pressing contempt charges against New York Times reporter James Risen for refusing to testify to the identity of a confidential source in the prosecution of Jeffrey Sterling for leaking confidential government information.

The public's ability to hold government accountable depends on all media being able to report freely, especially on matters that some in government may not wish to have disclosed. The government's interest in holding some information confidential is amply protected by its power to prosecute leakers in its ranks—a power that should be held in abeyance when public interest in the information is especially strong, as in revelations of official wrongdoing. To force the media to participate in leak prosecutions, violating promises of confidentiality, will throttle independent reporting and the public accountability it serves.

The absence of a federal law protecting all public media from having to disclose confidential sources is a serious gap in the United States commitment to freedom of the press, and one we hope Congress will rectify. The Department of Justice this year issued [regulations](#) to tighten the authorization required when searching or subpoenaing media organizations, to ensure advance notice to the media when these actions are undertaken in most circumstances, and to protect "ordinary newsgathering" from warrant. Two weeks ago, you are [reported](#) to have

assured journalists, "As long as I'm attorney general, no reporter who is doing his job is going to go to jail."

We believe James Risen and all reporters who responsibly inform the public of matters of importance should have these protections. While Congress has yet to act, and the Supreme Court has declined to hear this important case, we urge you as Attorney General to do the right thing and withdraw the subpoena that threatens not only Mr. Risen, but all who endeavor to report on matters that are critical to accountability in a democratic society.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Kenneth Roth".

Kenneth Roth  
Executive Director