



United States Department of Justice

Executive Office for United States Attorneys

Jay Macklin
General Counsel

501 Third Street, N.W., Suite 5500
Washington, DC 20530

PHONE (202) 514-4024
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July 14, 2010

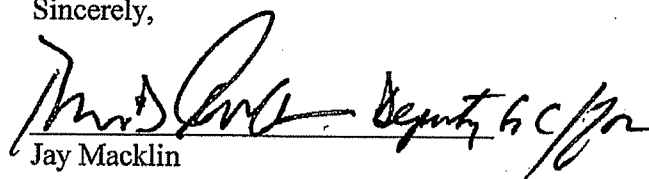
Patrick Fitzgerald
United States Attorney
Northern District of Illinois
219 S. Dearborn St., Fifth Floor
Chicago, IL 60604

Dear USA Fitzgerald:


On March 8, 2010, pursuant to 28 U.S.C. § 515, you were appointed Special Attorney to the United States Attorney General to investigate and determine whether criminal charges are appropriate in connection with any matter arising out of the Department of Defense seizures of certain photographs from Guantanamo Bay detainees. A copy of your appointment letter and appointment affidavit are enclosed herewith.

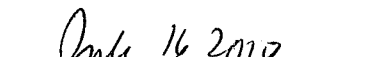
This letter supplements and amends your appointment as Special Attorney to the United States Attorney General and specifically authorizes you to conduct in the District of Columbia or any other judicial district of the United States any kind of legal proceeding, civil or criminal, including grand jury proceedings and proceedings before committing magistrates, which United States Attorneys are authorized to conduct.

Sincerely,


Jay Macklin
General Counsel

The foregoing amendment
is hereby acknowledged and accepted:


(Signature)


(Date)



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MAR 08 2010

Patrick Fitzgerald
United States Attorney
Northern District of Illinois
219 S. Dearborn St., Fifth Floor
Chicago, IL 60604

Dear USA Fitzgerald:

You are hereby appointed as a Special Attorney to the United States Attorney General pursuant to 28 U.S.C. § 515. In this capacity, you will investigate and determine whether criminal charges are appropriate in connection with any matter arising out of the Department of Defense seizures of certain photographs from Guantanamo Bay detainees.

This appointment is made subject to the following terms and conditions, with which we ask that you express your concurrence by signing this letter and forwarding it to the Deputy Attorney General:

1. Your appointment under 28 U.S.C. § 515 as a Special Attorney in this matter expires after the completion of all investigations, matters, cases, or related actions, unless extended;
2. With regard to all matters handled by you as a Special Attorney, you will report to and act under the supervision and direction of the Deputy Attorney General, United States Department of Justice, or his designee;
3. During and after the term of your appointment, you will be subject to all the laws, regulations, and policies applicable to employees of the Department of Justice and to former employees which prohibit your disclosure to unauthorized persons of information obtained by you in the course of your work as a Special Attorney. These include, but are not limited to, the Standards of Conduct for Federal Employees (5 C.F.R. § 2635), the Department's Standards of Conduct (5 C.F.R. § 3801), Federal conflict of interest law (18 U.S.C. § 1905), the Freedom of Information Act (5 U.S.C. § 552), and the Privacy Act (5 U.S.C. § 552a).
4. You will serve without compensation other than that which you receive pursuant

to your existing employment as the United States Attorney for the Northern District of Illinois; and,

5. Your appointment as Special Attorney in this matter may be terminated at any time without cause or advance notice.

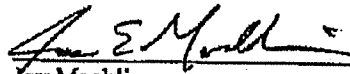
Please execute, date, and return the following documents to the Deputy Attorney General:

- ▶ the enclosed oath of office; and
- ▶ a copy of this letter (your signature below expresses your concurrence with the terms and conditions specified in this letter).

This appointment becomes effective when these completed documents have been received by Deputy Attorney General.

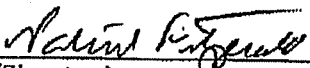
As necessary in future actions, you may file a copy of this letter and the enclosed oath of office with the Clerk of the Court to evidence this authorization.

Sincerely,




Jay Macklin
General Counsel

The foregoing terms and conditions
are hereby agreed to and accepted:



(Signature)



(Date)

APPOINTMENT AFFIDAVITS

Special Attorney
(Position to which Appointed)

March 8, 2010
(Date Appointed)

Dept. of Justice
(Department or Agency)

(Bureau or Division)

Chicago, Illinois
(Place of Employment)

I, Patrick Fitzgerald, do solemnly swear (or affirm) that--

A. OATH OF OFFICE

I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

B. AFFIDAVIT AS TO STRIKING AGAINST THE FEDERAL GOVERNMENT

I am not participating in any strike against the Government of the United States or any agency thereof, and I will not so participate while an employee of the Government of the United States or any agency thereof.

C. AFFIDAVIT AS TO THE PURCHASE AND SALE OF OFFICE

I have not, nor has anyone acting in my behalf, given, transferred, promised or paid any consideration for or in expectation or hope of receiving assistance in securing this appointment.

Patrick Fitzgerald
(Signature of Appointee)

Subscribed and sworn (or affirmed) before me this _____ day of _____, 20____

at _____ (City) _____ (State)

(SEAL)

(Signature of Officer)

Commission expires _____
(If by a Notary Public, the date of his/her Commission should be shown)

(Title)

Note - If the appointee objects to the form of the oath on religious grounds, certain modifications may be permitted pursuant to the Religious Freedom Restoration Act. Please contact your agency's legal counsel for advice.