



United States Department of Justice

Executive Office for United States Attorneys

Jay Macklin
General Counsel

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May 27, 2011

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

Dear USA Fitzgerald:

This letter is to clarify that the authority delegated to you by the appointment letter of March 8, 2010 (attached), includes, but is not limited to, bringing any criminal charges in connection with: (1) the improper disclosure of classified or national defense information that is related directly or indirectly to the taking of photographs of government employees, copies of which were seized from Guantanamo Bay detainees; (2) the improper disclosure of the names or other identifiers of government employees who participated in sensitive or classified government activities that led to the filing of a sealed defense document in January 2009 containing sensitive information about government employees and activities; and (3) any related improper disclosures made subsequent to January 2009. This authority also includes the authority to investigate and prosecute any efforts at obstruction of justice (including perjury or false statements) that may occur during the investigation.

As previously directed, this appointment was made subject to the following terms and conditions:


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.

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

Sincerely,



Jay Macklin
General Counsel

Attachment