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Libby [Folder 2]: [Delegation of Authority]



Office of the Deputy Attorney General
Washington, D.C. 20530

December 30, 2003

The Honorable Patrick J. Fitzgerald
United States Attorney
219 S. Dearborn Street
Chicago, IL 60604

Dear Patrick,

By the authority vested in the Attorney General by law, including 28 U.S.C. §§ 509, 510, and 515, and in my capacity as Acting Attorney General pursuant to 28 U.S.C. § 508, I hereby delegate to you all the authority of the Attorney General with respect to the Department's investigation into the alleged unauthorized disclosure of a CIA employee's identity, and I direct you to exercise that authority as Special Counsel independent of the supervision or control of any officer of the Department.

/s/ James B. Comey
James B. Comey
Acting Attorney General



Office of the Deputy Attorney General
Washington, D.C. 20530

February 6, 2004

The Honorable Patrick J. Fitzgerald
United States Attorney
Northern District of Illinois
219 S. Dearborn Street
Chicago, Illinois 60604

Dear Patrick:

At your request, I am writing to clarify that my December 30, 2003, delegation to you of "all the authority of the Attorney General with respect to the Department's investigation into the alleged unauthorized disclosure of a CIA employee's identity" is plenary and includes the authority to investigate and prosecute violations of any federal criminal laws related to the underlying alleged unauthorized disclosure, as well as federal crimes committed in the course of, and with intent to interfere with, your investigation, such as perjury, obstruction of justice, destruction of evidence, and intimidation of witnesses; to conduct appeals arising out of the matter being investigated and/or prosecuted; and to pursue administrative remedies and civil sanctions (such as civil contempt) that are within the Attorney General's authority to impose or pursue. Further, my conferral on you of the title of "Special Counsel" in this matter should not be misunderstood to suggest that your position and authorities are defined and limited by 28 CFR Part 600.

Sincerely,

/s/ James B. Comey
James B. Comey
Acting Attorney General



U. S. Department of Justice

Office of the Deputy Attorney General

The Deputy Attorney General

Washington, D.C. 20530

MEMORANDUM

TO: David Margolis
Associate Deputy Attorney General

FROM: James B. Comey
Deputy Attorney General

SUBJECT: Delegation of Authority

In the attached correspondence to Patrick J. Fitzgerald, United States Attorney for the Northern District of Illinois, dated December 30, 2003, and February 6, 2004, I delegated to Mr. Fitzgerald all of the authority of the Attorney General with respect to the Department's investigation into the alleged unauthorized disclosure of a Central Intelligence Agency employee's identity. By virtue of the authority vested in me as Deputy Attorney General under the law, including 28 C.F.R. § 0.15(a), I delegate to you all of my authority as Acting Attorney General with respect to that investigation and Mr. Fitzgerald's service as Special Counsel, as delineated in that correspondence. This delegation to you in no way retracts or modifies the scope of the prior delegations of authority to Mr. Fitzgerald.

August 12, 2005

Date

/s/ James B. Comey

James B. Comey

Attachments (2)

cc: Robert D. McCallum, Jr.
Patrick J. Fitzgerald