



Office of Special Counsel

Patrick J. Fitzgerald
Special Counsel

Chicago Office: Dirksen Federal Building
219 South Dearborn Street, Fifth Floor
Chicago, Illinois 60604
(312) 353-5300

Washington Office: Bond Building
1400 New York Avenue, Ninth Floor
Washington, DC NW 20530
(202) 514-1187

Please address all correspondence to the Washington Office

July 3, 2008

The Honorable Henry A. Waxman
Chairman, Committee on Oversight and Government Reform
United States House of Representatives
2157 Rayburn House Office Building
Washington, DC 20515-6143

Dear Mr. Chairman:

I write in response to your letter of June 27, 2008. I incorporate by reference my earlier letters to you of August 17, 2007; September 6, 2007; January 18, 2008; February 8, 2008; and June 18, 2008; all addressing the issues raised in your July 16, 2007, letter to me.

In your most recent letter, you requested documents concerning “all agreements, conditions and understandings between the Office of Special Counsel or the Federal Bureau of Investigation” and the President of the United States “regarding the conduct and use of the interview or interviews of the President conducted as part of the Valerie Plame Wilson leak investigation.”

Similarly, you also sought documents concerning “all agreements, conditions and understandings between the Office of Special Counsel or the Federal Bureau of Investigation” and the Vice President of the United States “regarding the conduct and use of the interview or interviews of the Vice President conducted as part of the Valerie Plame Wilson leak investigation.”

As set forth in the above referenced letters, in responding to requests by your Committee concerning witness interviews (and related documents), we have endeavored as to all witnesses interviewed at any time to separate out interviews that are protected by Rule 6(e) of the Federal Rules of Criminal Procedure (the rule providing for grand jury secrecy) and those that are not so protected. As to the former, we have declined to provide any information whatsoever and have not forwarded responsive documents to other agencies to review as such documents would be protected by Rule 6(e).

As to interviews which we have determined are not protected by Rule 6(e), we have provided responsive information to you, after allowing the appropriate executive branch agencies to review the documents consistent with the process described in my earlier letters. As discussed in prior

correspondence, the Special Counsel team is not responsible for determining whether executive branch confidentiality interests will be asserted in response to particular requests by the Committee.

Consistent with the above process, I can advise you that as to any interviews of either the President or Vice President not protected by the rules of grand jury secrecy, there were no "agreements, conditions and understandings between the Office of Special Counsel or the Federal Bureau of Investigation" and either the President or Vice President "regarding the conduct and use of the interview or interviews."

Very truly yours,



PATRICK J. FITZGERALD
Special Counsel

cc: The Honorable Tom Davis
Ranking Minority Member

Keith B. Nelson
Principal Deputy Assistant Attorney General
Office of Legislative Affairs
Department of Justice