



U. S. Department of Justice

*United States Attorney
Northern District of Illinois*

*Dirksen Federal Building
219 South Dearborn Street, 5th Floor
Chicago, Illinois 60604*

December 22, 2008

Special Investigative Committee
of the Ninety-Fifth General Assembly
Illinois House of Representatives
Springfield, Illinois

Dear Members of the Special Investigative Committee:

Thank you for your letter of December 18, 2008, requesting that my office provide the Special Investigative Committee with certain information, and also seeking guidance as to whether the Committee's taking of testimony from witnesses concerning particular subject areas would interfere with the pending federal criminal investigation.

We have carefully reviewed your request in light of our legal obligations, the special sensitivities posed by the fact that many of the items requested relate to an ongoing and active criminal investigation, as well as the important public interests in the Special Investigative Committee's work. This letter addresses all but one of your requests. The one exception is the request for copies of oral and wire communications intercepted in the Friends of Blagojevich office and on the home telephone of Governor Blagojevich; that request is still under active consideration, and we expect to be able to respond to it tomorrow.

With respect to your requests for documents as described in items 1-4 on page 1 of your letter, after careful consideration, we have concluded that producing those items at this time could significantly compromise the ongoing criminal investigation. For this reason, as well as because some of the requested items are presently under seal by court order, we must respectfully decline to produce these items at this time.

With respect to your request for guidance regarding the taking of testimony from witnesses, we note that the first group of topics relates specifically to the allegations of the federal criminal complaint against Governor Blagojevich and his Chief of Staff John Harris. Any inquiry into these topics, as well as the taking of testimony from present and former members of the Governor's staff, could significantly compromise the ongoing criminal

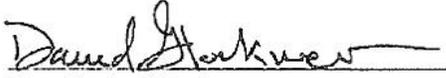
investigation. Accordingly, we respectfully request that the Committee refrain from conducting any inquiry into the subjects listed in items I(B) through (E) of your letter, and also refrain from seeking information or testimony from the individuals listed in item I(A) of your letter at the present time.

With respect to the remaining listed topics and witnesses, we do not believe that any inquiry into the topics covered in item I(F) or II(A) through (D) of your letter would have an adverse impact on the ongoing investigation. Therefore, we have no objection to any inquiry by the Committee of the topics identified in items I(F) and II(A)-(D) on pages 3 and 4 of your letter.

We very much appreciate the Committee's courtesy and sensitivity to the needs of the ongoing criminal investigation.

Respectfully submitted,

PATRICK J. FITZGERALD
United States Attorney

By: 
David A. Glockner
Chief, Criminal Division
U.S. Attorney's Office
Northern District of Illinois