



## Office of Special Counsel

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The Honorable Maurice D. Hinchey  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Congressman Hinchey:

This is in response to your letters of September 15, 2005 and October 27, 2005, sent to me in my capacity as Special Counsel. I apologize for any inconvenience the delay in responding may have caused you. My responsibility for conducting an investigation as Special Counsel is pursuant to a grant of authority set forth in letters to me from then Deputy Attorney General Comey, dated December 30, 2003, and February 6, 2004. Those letters are available at [www.usdoj.gov/usao/iln/osc/index.html](http://www.usdoj.gov/usao/iln/osc/index.html). Your letters requested that I expand my investigation to include "investigating the Administration's false and fraudulent claims in January 2003 that Iraq had sought uranium for a nuclear weapon."

My mandate as Special Counsel was specifically defined by then Deputy Attorney General Comey, and does not, as you suggest in your letters, include the authority to expand the investigation as you and your colleagues request. While I appreciate your interest in this matter, I do not plan to seek an expansion of my mandate in order to conduct the inquiry you have requested. Similarly, the question of whether the Department should pursue such an expanded investigation is beyond my mandate as Special Counsel.

Sincerely,

  
PATRICK J. FITZGERALD  
Special Counsel