

**U.S. Department of Justice****Federal Bureau of Investigation**

Washington, D.C. 20535

March 29, 2002

VIA TELECOPY
202/646-5199

Mr. Thomas Fitton
President
Judicial Watch
501 School Street, S.W.
Washington, D.C. 20024

Re: Requests to Interview Special Agents Robert Wright and John B. Vincent

Dear Mr. Fitton:

This is in response to your recent requests for authorization for your clients, FBI Special Agents (SAs) Robert Wright, Jr., and John B. Vincent, to be interviewed by Judith Miller of *The New York Times*.

Your clients executed employment agreements when they entered on duty with the FBI that applies to the disclosure of official FBI information. Those employment agreements prohibit disclosure (without prior approval from the Director or his delegate) of information obtained in an employee's official capacity concerning the following:

- ▶ Information protected from agency disclosure by the Privacy Act;
- ▶ Information that is classified or the disclosure of which could otherwise harm national security;
- ▶ Information that reveals sensitive law enforcement, intelligence, or counter-intelligence techniques, sources or methods; or that reveals the sensitive, confidential, or proprietary techniques, sources, or methods of other agencies or governmental entities;

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- ▶ Information that would reveal grand jury material protected from disclosure by Rule 6(e) of the Federal Rules of Criminal Procedure;
- ▶ Information that would reveal the identity of a confidential source or informant;
- ▶ Information that relates to any sensitive operational details or the substantive merits of any ongoing or open investigation, inquest, probe, prosecution, appeal, or case;
- ▶ Information that consists of the proprietary information of another, including trade secrets;
- ▶ Information pertaining to wiretaps or intercepts protected or regulated by Title III (18 U.S.C. §§ 2510-2520);
- ▶ Information pertaining to currency transaction reports regulated or protected by 31 U.S.C. § 5319;
- ▶ Tax return information regulated or protected by 26 U.S.C. § 6103;
- ▶ Information protected from disclosure by any other Federal statute or regulation; and,
- ▶ Information exempt from disclosure under the Freedom of Information Act (5 U.S.C. § 552) unless the material is clearly already in the public domain.

In addition, out of an abundance of caution given that pending cases are at issue, we requested a review of your clients' requests by the United States Attorney's Office for the Northern District of Illinois. That office raised extensive and substantial Rule 6e concerns, particularly since your clients may not be in a position to determine what information they possess is protected by law from disclosure and would not be aware of certain pending case issues. To a large extent, these concerns are borne out by a careful review of documents already written by Agent Wright. In fact, protected information is so interwoven in those documents that the United States Attorney's Office has concluded that any discussion of these issues will, by design, be contrary to many of the above-cited provisions. In any case, your clients are not authorized to disclose any information protected or encompassed by any of the above cited

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restrictions and any request for such must be declined. Beyond that, your clients may be interviewed as requested by the outlet identified by you. Anything beyond that will require additional approval, at least until it becomes apparent that your clients are able to successfully navigate the complexities inherent in this circumstance. For your information and that of your clients, a copy of another letter to me from the United States Attorney's Office is attached which expresses the U.S. Attorney's concerns related to these interviews.

Sincerely yours,



John E. Collingwood
Assistant Director
Office of Public and
Congressional Affairs

Enclosure

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1 - Robert G. Wright, Jr.
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1 - John B. Vincent
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