

*McLean, Virginia*

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December 19, 2008

Patrick J. Leahy, Chairman  
Arlen Specter, Ranking Member  
Committee on the Judiciary  
United States Senate  
Washington, D.C. 20510

Dear Chairman Leahy and Ranking Member Specter:

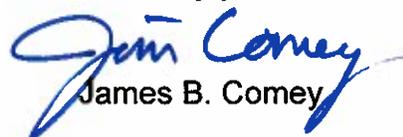
I write in support of the nomination of Eric Holder to be Attorney General. From my professional and personal association with Mr. Holder, I believe him to be a man of strong character and first-class ability. I think he has the institutional knowledge, humility, and integrity to be a fine Attorney General. I also know from press reports that a major issue in his confirmation is likely to be his role in the 2001 pardons of Marc Rich and Pincus Green. Although I don't know all the facts surrounding that matter, I may be able to offer a unique perspective on Mr. Holder's fitness in light of that controversy.

You see, I was the prosecutor in charge of the Marc Rich case from 1987-93 and supported the United States Marshals Service and the FBI in their worldwide effort to capture him and Green. Along with my boss, then-U.S. Attorney Otto Obermaier, I rejected efforts to have us reconsider the charges while Rich and Green were fugitives.

I was stunned when President Clinton pardoned them and, when I became U. S. Attorney in Manhattan in 2002, I supervised a criminal investigation of those pardons. In 2003, I became Deputy Attorney General, the job Mr. Holder had at the time of the pardons.

From that experience, I have come to believe that Mr. Holder's role in the Rich and Green pardons was a huge misjudgment, one for which he has, appropriately, paid dearly in reputation. Yet I hope very much he is confirmed. I know a lot of good people who have made significant mistakes. I think Mr. Holder's may actually make him a better steward of the Department of Justice because he has learned a hard lesson about protecting the integrity of that great institution from political fixers. I'm not suggesting errors of judgment are qualification for high office, but in this case, where the nominee is a smart, decent, humble man, who knows and loves the Department and has demonstrated his commitment to the rule of law across an entire career, the error should not disqualify him. Eric Holder should be confirmed as Attorney General.

Sincerely yours,

  
James B. Comey