

December 21, 2010

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Financial Crisis Inquiry Commission  
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### Potential Use of Quotes

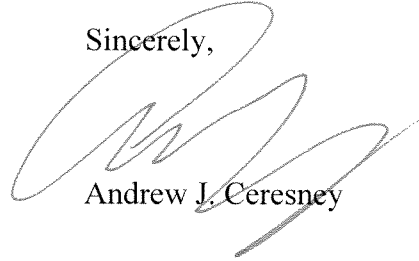
Dear Mr. Cohen:

We have received your followup letter regarding your intent to use certain additional portions of Judge Mukasey's interview in your final report. I am concerned that you have distorted in your proposed excerpt what Judge Mukasey actually said in his interview. You suggest that Judge Mukasey stated that he did not give potential mortgage fraud "much additional" thought after receiving reports of mortgage failures and potential fraudulent activity. In fact, Judge Mukasey said no such thing. He indicated that he heard reports of mortgage failures and fraud around the country, stating: "It was a phenomenon occurring in various areas of the country and in various ways. Mortgage fraud isn't discovered until mortgages begin to fail. Any fraud investigation is inherently a reactive thing. And so we were receiving reports of mortgage failures and of there being fraudulent activity in the sense of flipping houses, overvaluation and the like. That is what I first recall hearing about." Judge Mukasey did not say he gave mortgage fraud no additional thought after hearing these reports.

Instead, later in the interview, Judge Mukasey was asked: "At that point, in or around April 2008, did the Department or FBI, in your view, have appropriate resources to effectively combat mortgage fraud? And I take your earlier remarks that there are never adequate resources, but at that point in April 2008, did you have any additional thoughts on the resources that were directed to mortgage fraud?" Judge Mukasey answered, "I don't recall having additional thoughts at that time, no." You may have taken the reference in your proposed excerpt to giving it no additional thought from this exchange. But obviously this question related to April 2008 and whether Judge Mukasey considered at that time the particular issue of the adequacy of resources being directed at mortgage fraud. He answered that at that time, he did not recall giving it any other thought. That obviously is different from not giving mortgage fraud itself any thought, which is what the current draft suggests.

We ask that you reconsider your discussion of Judge Mukasey's interview given the above. Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew J. Ceresney". The signature is fluid and cursive, with a large initial "A" and "J" that are connected to the rest of the name.

Andrew J. Ceresney