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Subject: White House communications
Attachments: DOJ Contacts Memos.pdf

Hi everyone,

After conversations with ADAG Scott Schools and Acting PADAG Jim Crowell, I wanted to provide you with guidance regarding communications with the White House. As I am sure you are aware, the May 11, 2009, memos from Attorney General Holder (“*Holder* memos”) regarding communications with the White House remain in effect. The *Holder* memos provide that communications concerning a pending or contemplated civil investigation or case should involve the Associate Attorney General in the first instance. After consultation with Scott and Jim, we have determined that all communications regarding civil investigations or cases must be cleared through me as an initial matter. If it is determined that continuing contact between the Department and the White House on a particular matter is required, I will designate the appropriate person for those continuing communications. I ask that if you are determined to be the designated person for a particular matter, that you provide me with ongoing and regular updates regarding your communications with the White House.

Once this authority is delegated from the Office of the Associate Attorney General to a particular designee, it will not be delegable beyond that person, and in no circumstances should career attorneys be discussing contemplated or pending matters with the White House. However, if you determine that it would be helpful to have a subject matter expert in your respective component join you for a conversation with the White House, that decision is within your discretion and you are welcome to invite them into that conversation. As always, the legal judgments of the Department of Justice must be impartial and insulated from political influence and all decisions regarding investigations or cases are ultimately within the sole discretion of Department of Justice attorneys.

Thank you in advance for your attention to this critical guidance. Please let me know if you have any questions or concerns. I realize we are only eleven days in, but I believe this makes it all the more important that we have clear processes and adhere to them to ensure both proper compliance and impartiality.

You and your teams are doing outstanding work on critical issues and I want to ensure that we avoid anything that could hinder or call into question these great efforts and work product.

Rachel

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