

Communication Between the Department of Justice and the White House

Key

-  White House Office
-  Office of the Counsel to the President
-  Office of Management and Budget
-  Head of an Office within the Executive Office of the President
-  Office of the Attorney General
-  Office of the Deputy Attorney General

1994-2002

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DOJ/ODAG

005/006



Office of the Attorney General
Washington, D. C. 20530

September 29, 1994

Lloyd N. Cutler, Esq.
Special Counsel to the President
The White House
Washington, D.C. 20500

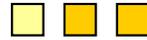
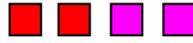
Dear Mr. Cutler:

You have asked for my views on the subject of communications between the Department of Justice and the White House concerning matters pending in the Department. These are the principles and procedures I think we should follow.

In order to ensure the President's ability to perform his constitutional obligation to "take care that the laws be faithfully executed," the Justice Department will advise the White House concerning pending civil or criminal law enforcement matters, where important for the performance of the President's duties and where appropriate from a law enforcement perspective.

Consistent with this principle, since May 1993 the Department has followed procedural rules governing communications with the White House concerning pending Department investigations or criminal or civil cases. Initial communications between the White House and the Justice Department regarding any pending Department investigation or criminal or civil case should involve only the White House Counsel or Deputy Counsel (or the President or Vice President), and the Attorney General or Deputy or Associate Attorney General. If continuing contact is required on a particular matter, the White House Counsel's Office and the senior Department official with whom it is dealing design and monitor that continuing contact.

The White House



The Department of Justice

1994-2002



2002-2006

Office of the Attorney General
Washington, D.C.

May 4, 2006

MEMORANDUM FOR HEADS OF DEPARTMENT COMPONENTS
AND UNITED STATES ATTORNEYS

FROM:

THE ATTORNEY GENERAL

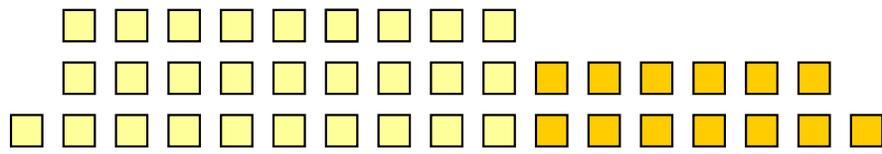
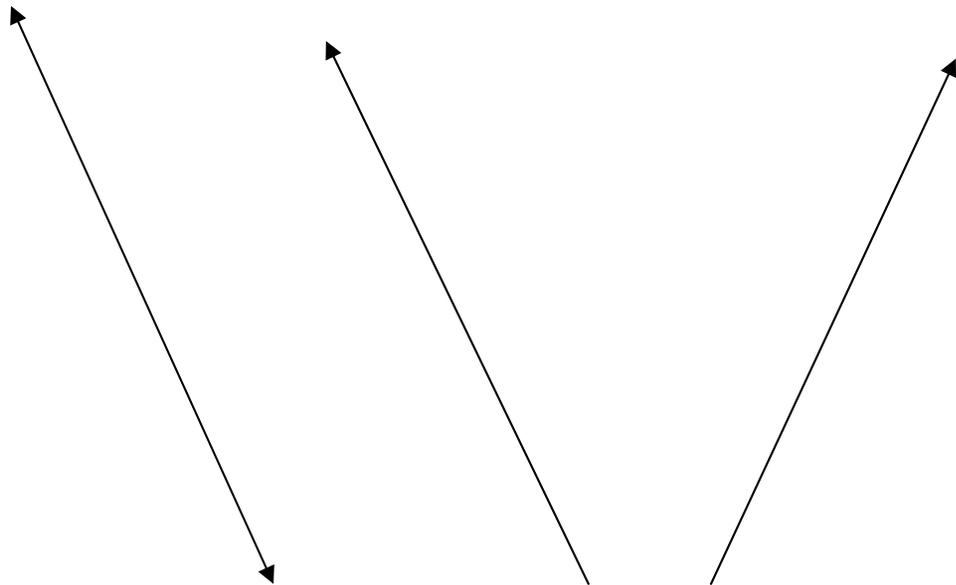
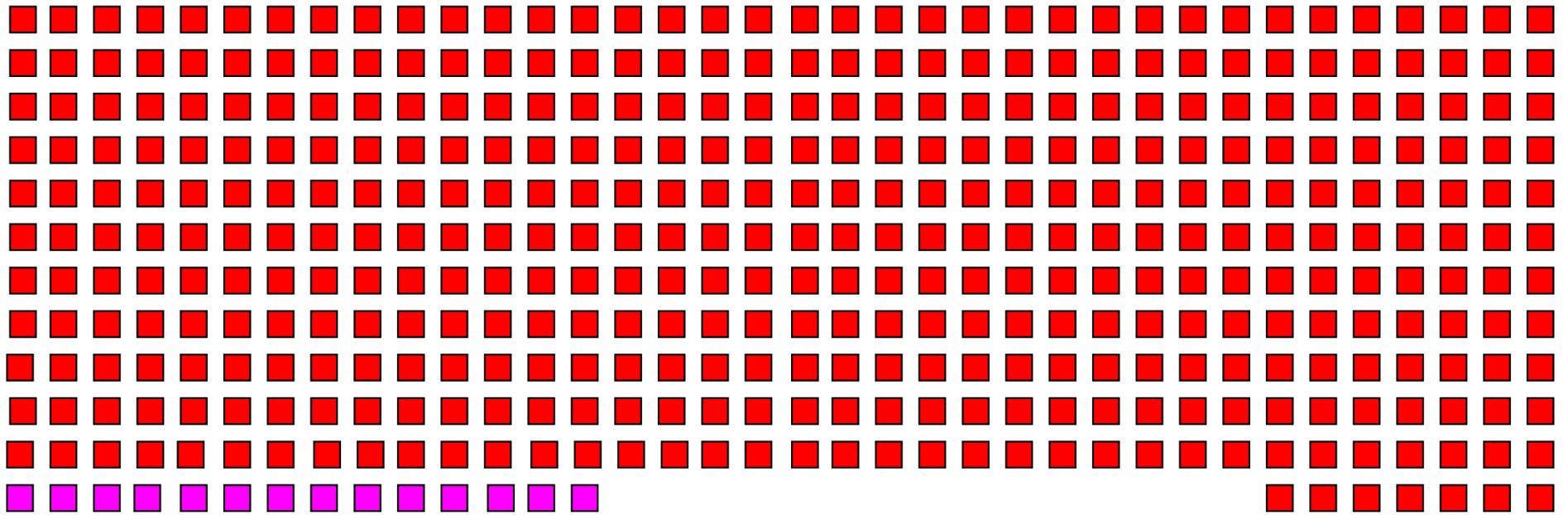
A handwritten signature in black ink, appearing to read "F. R. Ives", written over the printed name "THE ATTORNEY GENERAL".

SUBJECT:

Communications with the Executive Office of the President

Notwithstanding any procedures or limitations set forth above, the Attorney General may communicate directly with the President, Vice President, their Chiefs of Staff, Counsel to the President or Vice President, Assistant to the President for National Security Affairs, Assistant to the President and Homeland Security Advisor, or the head of any office within the EOP regarding any matter within the jurisdiction of the Department of Justice. Staff members of the Office of the Attorney General, if so designated by the Attorney General, may communicate directly with officials and staff of the White House Office, the Office of the Vice President, the National Security Council, the Homeland Security Council, and the Office of Management and Budget.

The White House



2002-2006

The Department of Justice



Office of the Attorney General
Washington, D. C. 20530

April 15, 2002

MEMORANDUM FOR HEADS OF DEPARTMENT COMPONENTS
AND UNITED STATES ATTORNEYS

FROM:

THE ATTORNEY GENERAL

SUBJECT:

Department of Justice Communications with the White House

Notwithstanding any procedures or limitations set forth above, the Attorney General may communicate directly with the President, Vice President, Counsel to the President, Assistant to the President for National Security Affairs, or Assistant to the President for Homeland Security regarding any matters within the jurisdiction of the Department of Justice. Staff members of the Office of the Attorney General, if so designated by the Attorney General, may communicate directly with officials and staff of the Office of the President, Office of the Vice President, Office of the Counsel to the President, the National Security Council, and the Office of Homeland Security.

2006 – 2007



Office of the Attorney General
Washington, D.C.

May 4, 2006

MEMORANDUM FOR HEADS OF DEPARTMENT COMPONENTS
AND UNITED STATES ATTORNEYS

FROM:

THE ATTORNEY GENERAL

SUBJECT:

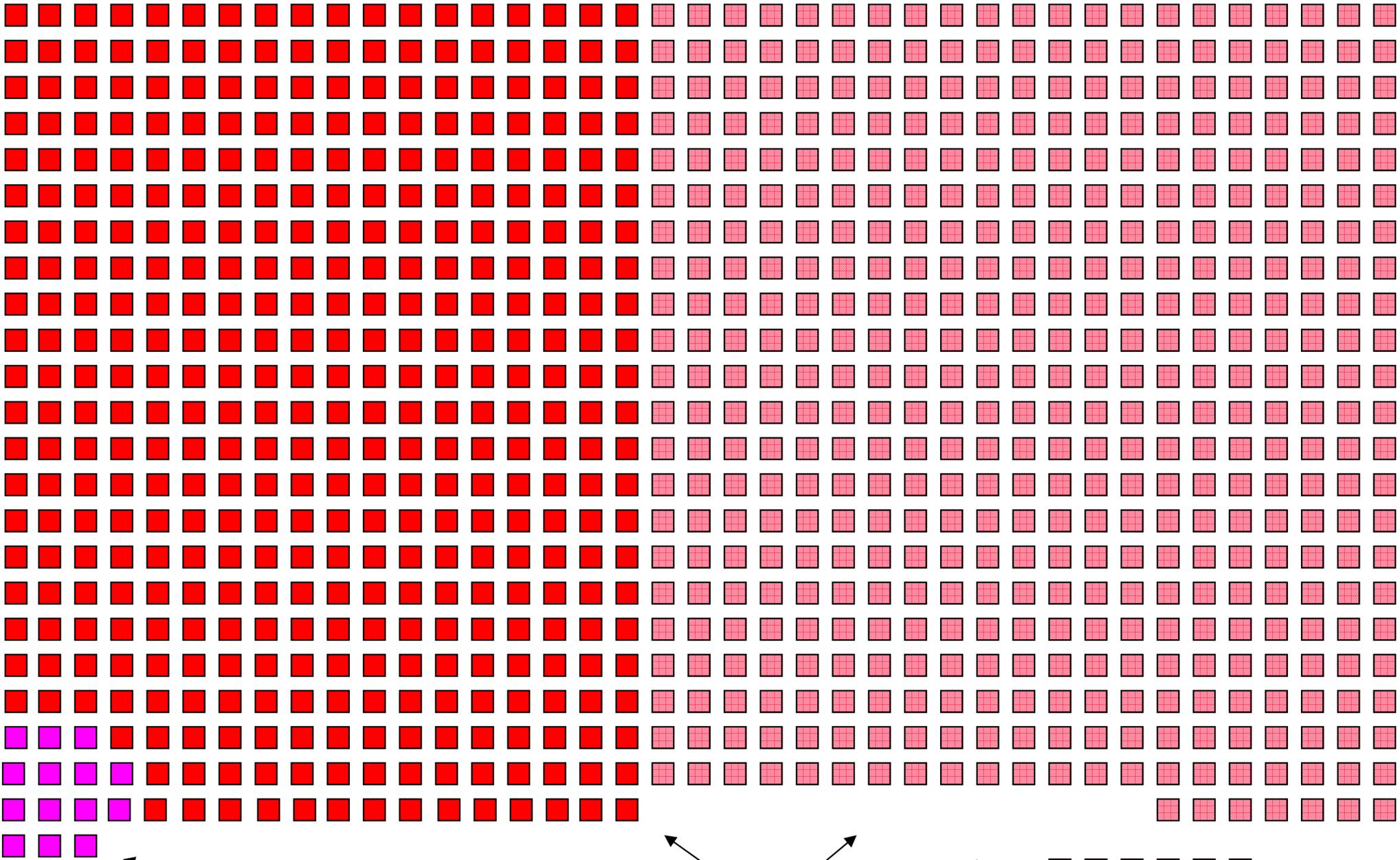
Communications with the Executive Office of the President

Notwithstanding any procedures or limitations set forth above, the Attorney General may communicate directly with the President, Vice President, their Chiefs of Staff, Counsel to the President or Vice President, Assistant to the President for National Security Affairs, Assistant to the President and Homeland Security Advisor, or the head of any office within the EOP regarding any matter within the jurisdiction of the Department of Justice. Staff members of the Office of the Attorney General, if so designated by the Attorney General, may communicate directly with officials and staff of the White House Office, the Office of the Vice President, the National Security Council, the Homeland Security Council, and the Office of Management and Budget.

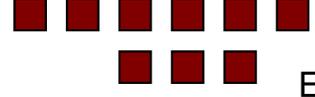
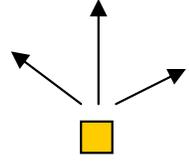
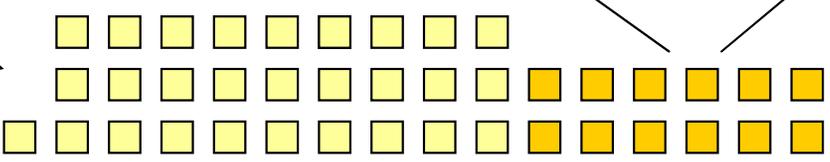
*As used in this memorandum, the term "EOP" means the White House Office, the Office of Policy Development, the Executive Residence, the Office of Administration, the National Security Council staff, the Homeland Security Council staff, the Council of Economic Advisers, the Office of Management and Budget, the Office of National Drug Control Policy, the Office of Science and Technology Policy, the Office of the U.S. Trade Representative, the Council on Environmental Quality, the President's Foreign Intelligence Advisory Board, and the Privacy and Civil Liberties Oversight Board. For convenience, the executive functions of the Vice Presidency are referred to in this document as the "Office of the Vice President" or "OVP," and the provisions of this memorandum that apply with respect to communications with the EOP will apply in parallel fashion to communications with the OVP.

The White House

Office of Management and Budget



2006-2007



EOP Heads

The Department of Justice