
From: Burton, Faith (SMO)
To: Weich, Ron (SMO)
CC: Lerner, Jay N. (OIG)
Sent: 7/13/2011 2:33:32 PM
Subject: Clarification for OIG on agreement with Senator Grassley

Ron, Jay has advised that Jason Foster has called him to follow up on some aspects of the agreement with made with Senator Grassley prior to confirmation of the DAG. While it sounds like Jason wasn't very specific, he suggested that the agreement provided that 1) there would be some equivalency between what Senator Grassley receives and what the OIG receives; and 2) Senator Grassley would have some visibility into what the OIG receives. Jason indicated that we've told him that we don't know what the IG receives.

I advised Jay that my understanding of the agreement and our subsequent conversations with Jason is that 1) we did not agree that there would be any equivalency between what the Senator/Senate Judiciary Committee and the OIG receive, in part, because it is likely that, in response to OIG requests, Department components would provide to the OIG docs and other info that we would not disclose outside of the Department; and 2) we did not agree that Grassley would have any visibility into what we provide to the OIG, in part because we do not have a central repository of that info nor are we trying to track it (and, in my view, because it would not be appropriate for us to assist a congressional committee in shadowing the IG's investigation - and I'm not aware that we've done that previously).

Ron, please correct or confirm the information I provided to Jay. Thanks. FB