

THE WHITE HOUSE

WASHINGTON

May 9, 1989

MEMORANDUM FOR RICHARD C. BREEDEN
ASSISTANT TO THE PRESIDENT FOR ISSUES ANALYSIS

FROM: AMY L. SCHWARTZ *ALS*
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Draft Recusal

Attached for your review is a memorandum recusing you from certain contacts with your former law firm and clients. Counsel's office at this point does not require any recusal as to former employers and clients, but rather recommends a one-year cooling-off period as described in the attached memorandum.

Although the Counsel's office only recommends recusal for one year after the prior business relationship ended, I drafted your recusal to run from the date of your appointment to your current position. (My thought was that you seemed to want a longer period of insulation from the people at your firm.) Obviously, this can be changed.

The attached memorandum is modeled on the latest draft of a guidance memorandum on recusals that Counsel's office should shortly be issuing to designated agency ethics officials government-wide. You should be aware that the guidance memorandum contemplates that there may exist some "circumstances in which concern for maintaining the appearance of impartial dealings requires a longer period of recusal or recusal covering a broader scope of activities." If you believe that such circumstances exist, let me know and I can revise the recusal accordingly.

I should note that in preparing the proposed recusal, I relied on the information supplied in your SF-278. You may want to review the recusal to ensure that it is accurate. (In particular, I wondered whether there were actually only nine clients to whom you provided more than \$5000 in legal services.)

Attachment