

MEMORANDUM TO CABINET MEMBERS

January 9, 2024

TO: CABINET SECRETARIES

CC: EVAN RYAN, CABINET SECRETARY

FROM: JEFF ZIENTS, WHITE HOUSE CHIEF OF STAFF

SUBJECT: CABINET NOTIFICATIONS

The White House is conducting a review of agency protocols for a delegation of authority from Cabinet Members. The purpose of this memo is to direct your agencies to submit your existing protocols for a delegation of authority to the White House Office of Cabinet Affairs, and to ensure an updated process for such delegations in the interim. The Office of Cabinet Affairs will convey these protocols to the White House Chief of Staff.

First, while this review is ongoing, Cabinet Agencies must ensure that they adhere to the following procedures in the event that a delegation of authority is required:

- I. Notify the Offices of Cabinet Affairs and White House Chief of Staff in the event of a delegation of authority or potential delegation.
 - a. This notification should occur when agencies anticipate or are preparing for a delegation of authority and again when the delegation occurs.
- II. Activate your agency's existing delegation-of-authority protocols.
- III. Document in writing that the delegation of authority is in effect.
- IV. Upon assumption of delegated authorities, establish contact between the Acting Principal and their White House principal policy counterpart.

Second, agencies must submit their agency-specific delegation of authority protocols by Friday, January 12, 2024, to the Office of Cabinet Affairs. Agency protocols will be reviewed to ensure that they address the following:

- Delegation Criteria – Agencies should ensure that delegations are issued when a Cabinet Member is traveling to areas with limited or no

access to communication, undergoing hospitalization or a medical procedure requiring general anesthesia, or otherwise in a circumstance when he or she may be unreachable.

- Decision-making Authority – In addition to the Cabinet Member, agencies should evaluate who else (e.g., a Deputy or Agency Counsel) may be authorized to issue a delegation of authority if a Cabinet Member is unavailable or unable to issue a delegation.
- Applicable Documentation – Agencies must properly document any delegations of authority, including both the delegation and rescission.
- Notification Procedures – Agencies should consider who must be notified in the event of a delegation, including but not limited to, the Offices of Cabinet Affairs and White House Chief of Staff, intra-agency stakeholders, and other federal agency counterparts.
- Rescission of Delegation – Agencies must draft procedures for rescinding or transferring a delegation of authority, including any applicable notification procedures for the rescission itself.

To the extent that your existing protocol does not currently address the above-listed considerations, please update your protocols accordingly.

If you have any questions, please contact the Office of Cabinet Affairs.