




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

February 5, 2025

MEMORANDUM FOR ALL DEPARTMENT EMPLOYEES

FROM: THE ATTORNEY GENERAL 

SUBJECT: REINSTATING THE PROHIBITION ON IMPROPER THIRD-PARTY SETTLEMENTS¹

Department of Justice attorneys sometimes settle civil and criminal matters to achieve justice at a reasonable cost to the taxpayer. Settlements, including civil settlement agreements, deferred prosecution agreements, non-prosecution agreements, and plea agreements, are a useful tool for Department attorneys, and should be used, first and foremost, to compensate victims, redress harm, or punish and deter unlawful conduct. Except in limited circumstances, however, settlements should not be used to require payments to non-governmental, third-party organizations that were neither victims nor parties to the lawsuits.

To avoid the improper use of settlements to funnel payments to non-governmental, third-party organizations, I hereby rescind the May 5, 2022 Memorandum from the Attorney General entitled *Guidelines and Limitations for Settlement Agreements Involving Payments to Non-Governmental Third Parties* and the July 28, 2023 Memorandum from the Assistant Attorney General for the Environmental and Natural Resources Division entitled *Community Service Payments in Environmental Crimes Cases*.

Moreover, I am directing the Associate Attorney General to provide a report to me within 30 days concerning strategies and measures that can be utilized to eliminate the illegal or improper use memoranda to direct payments to non-governmental, third-party organizations that were neither victims nor parties to the lawsuits.

¹ This guidance is not intended to, does not, and may not be relied upon to create, any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.