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Sculimbrene Docs [4]

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FACT SHEET

Sculimbrene's allegations have been disputed by all parties:

- Mrs. Livingstone states: "I do not know Hillary Rodham Clinton, I have never met Mrs. Clinton, and I have never spoken with Mrs. Clinton. We are not, and never have been, personal friends." [Statement of Mrs. Gloria Livingstone, 7/25/96]
- Mr. Nussbaum states: "I never told FBI Agent Sculimbrene, or anyone else, that the First Lady recommended Craig Livingstone for his position in the White House or that the First Lady knew Livingstone's mother." [Statement of Mr. Bernard Nussbaum, 7/25/96]
- Mrs. Clinton has stated: "I did not know his mother. I did not know him. I did not have anything to do with his being hired." [First Lady Hillary Rodham Clinton's statement in Helsinki, Finland on 7/10/96]
- Mr. Bill Kennedy has stated: "I have never had any discussion with Mrs. Clinton about Mr. Livingstone. No one else ever told me that Mrs. Clinton had any interest whatsoever in Mr. Livingstone or his position." [Statement of William H. Kennedy, 6/29/96]
- Mr. Craig Livingstone has stated: "I've asked my mother and she, for the record, says that she has never met Mrs. Clinton." [Livingstone testimony before the Senate Judiciary Committee, 6/28/96]
- Dennis Sculimbrene has offered differing accounts of the story involving Mrs. Clinton and Mrs. Livingstone:
 - "According to Mr. Sculimbrene, both Mr. Kennedy and Mr. Livingstone told him that Mr. Livingstone's mother knew Mrs. Clinton, which seemed to explain his standing. However, Mr. Sculimbrene said he has no independent knowledge of whether the two women actually knew one another and suggested that Mr. Livingstone may have made it up in an attempt to inflate his status or protect his job." [Wall Street Journal, 6/25/96]
 - Q: Now, you said Craig Livingstone had this job because who wanted him to have the job?

Sculimbrene: Mrs. Clinton is apparently a friend of Craig's mother.

Q: Mrs. Clinton is a friend of Craig's mother?

Sculimbrene: Yes. And that is why Bill Kennedy told me he was stuck with Craig.

Q: Let me ask you, though, do you have any--do you remember any conversations where you were told that Mr. Livingstone got that job because he was connected with Mrs. Clinton?

Sculimbrene: Yes. Kennedy told me that.

[Sculimbrene Interview before the Senate Judiciary Committee, 6/19/96]

- Sculimbrene's FBI interview report states that Mr. Bernard Nussbaum was the individual who informed him (Sculimbrene) that Mr. Livingstone received his job because of a pre-existing relationship between Mrs. Livingstone and Mrs. Clinton.
- According to a news account, FBI agent David Bowie, who worked with Sculimbrene, wrote in an August, 1995 memo that Sculimbrene had "very bitter political feelings against the White House." Bowie further accused Sculimbrene of "irrational" behavior. [The Washington Post, 6/28/96]
- Sculimbrene is involved in an employment dispute with the FBI, alleging he was discriminated against because of his handicap. (Sculimbrene suffered a severe head injury after being hit by a propeller.) Sculimbrene has been quoted by another FBI agent as saying, "he could get away with anything" because he was disabled. [The Washington Post, 6/29/96]
- In a news account, Sculimbrene stated the FBI was seeking retribution for his testimony in the Dale trial. (Sculimbrene testified on behalf of Billy Ray Dale at Dale's trial for embezzlement in November of 1995.) [Wall Street Journal, 6/25/96]
- Numerous issues regarding the propriety of the actions of other FBI agents assigned to the Clinton White House have arisen over the last few years. "...the FBI post at the White House has also been the subject of considerable controversy, particularly during the Clinton administration." [The Washington Post, 6/29/96]
- "One of the agents who helped with White House background checks in 1994 and 1995, Halbert Gary Harlow, was charged and eventually convicted last year of falsifying at least 50 interviews that he claimed to have conducted." [The Washington Post, 6/29/96]
- Former FBI agent Gary Aldrich published a book on the Clinton White House which featured wild, unsubstantiated rumors. The book was widely criticized for making public raw FBI data. Aldrich "published his account without completing a required FBI review process." [The Washington Post, 6/29/96]

A Troubling Question for the FBI

AS THE CLINTON White House and Republicans in Congress play "gotcha" with each other over the improper use of sensitive background investigation files, their political gamesmanship risks overshadowing a serious question that has emerged concerning the FBI. Do FBI agents falsify interviews they claim to have conducted? It is a troubling issue, and here is why we ask.

Last week Rep. William Clinger (R-Pa.), chairman of the House Government Reform Committee, took to the House floor and disclosed that an FBI background investigation of former White House personnel security chief Craig Livingstone contained a 1993 interview with then-White House Counsel Bernard Nussbaum conducted by FBI agent Dennis Sculimbrene. In it, Mr. Nussbaum is reported as saying that Mr. Livingstone had come "highly recommended to him" by Hillary Rodham Clinton. Agent Sculimbrene also reported that Mr. Nussbaum had said that Mrs. Clinton had known Mr. Livingstone's mother "for a longer period of time."

Mr. Nussbaum, who earlier had told Congress under oath that he never had discussed Mr. Livingstone with Mrs. Clinton, issued a statement denying that he had made any such remarks to Agent Sculimbrene. Mrs. Clinton also said she hardly knew Craig Livingstone, had nothing to do with his being hired and did not know his mother, Gloria Livingstone. Mrs. Livingstone issued a statement that she doesn't know the first lady and never has met or spoken with her. The

accuracy of Agent Sculimbrene's report, therefore, is in question and raises a major concern.

The fact that another FBI agent—Halbert Gary Harlow, who had assisted with White House background checks in 1994 and 1995—was charged and eventually convicted last year of falsifying at least 50 interviews that he claimed to have conducted is a shocking indication that false FBI reporting can occur. Each year, the FBI probes scores of citizens to help determine their suitability for government posts. Little wonder the specter of an FBI agent reporting a conversation that never took place is chilling.

FBI officials are scheduled to testify before the House Government Reform Committee tomorrow. Expect a Democratic rumpus over whether Rep. Clinger was right or wrong to divulge information from Craig Livingstone's FBI file on the House floor. The chairman had been invited to review the file by FBI Director Louis Freeh. But the White House and its congressional defenders contend that the chairman divulged restricted information that was false. Look, too, for GOP countercharges that the FBI improperly tipped off the White House about Agent Sculimbrene's potentially damaging interview with Mr. Nussbaum just prior to Rep. Clinger's review of Mr. Livingstone's file. Republicans also will assert that two FBI agents went to Agent Sculimbrene's home in an attempt to intimidate him.

All of those accusations deserve responses. But in light of what's known, an equally large question deserves answering. Can FBI background investigators be trusted?

STATEMENT

Mark Fabiani
Special Associate Counsel to the President

July 25, 1996

Today Representative William Clinger, hiding behind the legal fig leaf of the Speech or Debate Clause, took the extraordinary step of divulging on the House floor highly confidential and completely false information from an FBI background investigation.

Congressman Clinger has failed utterly to prove that the White House ever improperly released any private information from FBI files. Thus, today's astonishing speech by Mr. Clinger represents the first and only disclosure of confidential FBI background information during this entire matter.

What is worse, Congressman Clinger divulged confidential information that is clearly false and that originates from a questionable source. Bernard Nussbaum has said that the alleged conversation between Mr. Nussbaum and FBI Agent Dennis Sculimbrene never took place. Mrs. Livingstone has said that she does not know the First Lady and has never even met or spoken with Mrs. Clinton. And the First Lady has said that she does not know Mrs. Livingstone.

In addition, Mr. Clinger surely knows that, according to a published report, an FBI agent informed his superiors that Agent Sculimbrene harbored "very bitter political feelings against the White House." This same FBI agent also charged Agent Sculimbrene with "irrational" behavior. (Washington Post, June 28, 1996.) Yet other published reports indicate that Agent Sculimbrene is involved in a continuing dispute with the FBI regarding his work assignments. And, in recent weeks another FBI agent who had been assigned to the White House and worked with Agent Sculimbrene published a book containing wild rumors and rank innuendo; that book was thoroughly and completely discredited.

Nonetheless, Representative Clinger took to the House floor and divulged false information from a confidential FBI report in a desperate attempt to grab attention for his faltering "investigation." Mr. Clinger's speech today will be seen by most Americans as a reckless, partisan act.

THE WHITE HOUSE
WASHINGTON

July 25, 1996

BY TELECOPY

Louis J. Freeh
Director
Federal Bureau of Investigation

Dear Director Freeh:

As you may know, Congressman Clinger today divulged, on the House floor, an interview report from a confidential FBI background investigation that has been declared to be false by the person who was interviewed. I am writing to you to ask how we can work together to ensure continued public confidence in the accuracy of FBI investigations.

According to Mr. Clinger's statement today, the background investigation file on Mr. Craig Livingstone includes a report by Agent Dennis Sculimbrene on a conversation he says he had with White House Counsel Bernard Nussbaum concerning Mr. Livingstone's hiring. But, according to a statement issued by Mr. Nussbaum today, that conversation never took place.

This Administration and the American people have enormous confidence in the FBI, for good reason. And, the role that the agency plays in conducting background investigations and helping to ensure the suitability of appointees for their posts cannot be overstated. The President, you and the American people have a large stake indeed in the fairness and accuracy of this process.

That is why we are troubled, as we know you must be, by the implication that an FBI background investigation might include a false report. This matter is especially worrisome coming as it does on the heels of published reports of the conviction of one of the agents who did background checks at the White House on charges of falsifying at least 50 interviews that he claimed to have conducted.

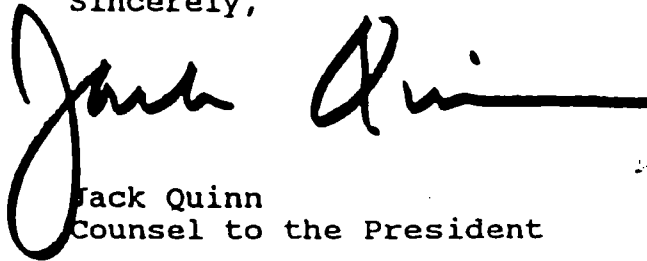
It is equally troubling that a Member of Congress can publicly reveal confidential FBI information, whether for partisan purposes or otherwise. It should not escape notice that this is done at a time when Members of Congress have expressed worry that employees of the executive branch might have sought out confidential FBI information about certain individuals and

planned to somehow use it publicly. While that charge has never been established against anyone in the executive branch, we now witness the same objectionable behavior by the very people who professed to be the guardians of privacy.

It is important that we take steps to ensure continuing confidence in the confidentiality and the integrity of the FBI clearance process. I look forward to your suggestions as to how we can work with you to that end.

Best regards,

Sincerely,

A handwritten signature in black ink, appearing to read "Jack Quinn". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Jack Quinn
Counsel to the President

Attachment

FIRST LADY HILLARY CLINTON Q AND A'S IN BUCHAREST, ROMANIA
MONDAY, JULY 1, 1996

Q from AP: Before we get too far along with our wonderful Romanian visit, I want to clear up just one thing hanging over Washington. Did you or to your knowledge, did Vince Foster have anything to do with the hiring of Craig Livingstone?

A from HRC: I don't know anything about it, I know I didn't.

Q from AP: Do you have any reason to believe that Vince Foster did?

A from HRC: I have no reason to believe that.

Q from AP: Is there any connection between your mother and Craig Livingstone's mother. Which is something the FBI agent is claiming.

A from HRC: The "ex FBI Agent"? No there is no connection. I do believe, if I ever meet the woman I'm going to say "Mrs. Livingstone I presume."

FIRST LADY DISCUSSION WITH TRAVELING PRESS
HELSINKI, FINLAND
JULY 10, 1996

Q from ABC: I need to follow-up on one of Ron's questions. When did you first meet Craig Livingstone? When did you become aware that you knew him?

A from HRC: Gee, I don't have any idea. I don't recall meeting him for the first couple of years we were in the White House. I just don't know him. I have met him since then, but my best memory is sometime within the last year is the first time I ever put a face and a name together.

Q from AP: I really don't want to belabor this, but did I understand you on the Livingstone question, that you don't really have a memory of knowing him until this all happened?

A from HRC: Ron, I did not know his mother. I did not know him. I did not have anything to do with his being hired. And, I do not remember even meeting him until sometime in the last year. So, it does not mean I did not run into him. It does not mean that I did not shake his hand in a receiving line. All that could have happened. But, in terms of any connection with this young man or any kind of relationship with him, there was none.

Ex-FBI Agent: First Lady Wanted Livingstone on Staff

'It's a Done Deal,' Counsel Allegedly Said

By George Lardner Jr.
and Pierre Thomas
Los Angeles Times Staff Writers

A former FBI agent assigned to the White House says he was told that Craig Livingstone was named head of personnel security despite a questionable background because "Hillary wants him."

Writing in a new book, "Unlimited Access—An FBI Agent Inside the Clinton White House," the agent, Gary Aldrich, said then-associate White House counsel William H. Kennedy III told him in early 1993 that first lady Hillary Rodham Clinton wanted Livingstone in the job.

Kennedy, Aldrich wrote, asked him what the FBI thought of Livingstone as a replacement for a longtime veteran and "in particular what the FBI would think if there were character issues in his background."

"I responded gingerly, saying it was a post that should be filled with someone squeaky clean, before Kennedy cut me off: 'I guess I see your

point, but it doesn't matter. It's a done deal. Hillary wants him.'"

The embattled Livingstone announced his resignation Wednesday at a House hearing after a drumfire of criticism over his office's improper collection of sensitive FBI background reports on hundreds of Republicans from past administrations. One of the biggest mysteries left at the hearing was the question of who had hired Livingstone, a longtime political advance man with no background in security issues.

Aldrich was assigned to the White House to conduct background investigations for five years until he retired in June 1995. Angry in tone and loaded with undocumented allegations, his book was published by a conservative house, Regnery Publishing Co. It was immediately denounced by the White House.

"On its face, this is trash for right-wing cash," said White House spokesman Mark Fabiani. Regnery, he said, has published books by former Los

660 PILER A7, Col. 1

PILER, From A6

Angeles police officer Stanley C. Koon and the National Rifle Association's executive vice president, Wayne LaPierre Jr. Pilelli said publication of the Aldrich book "is a political act with zero credibility."

Earlier this month, Aldrich wrote a short article for the Wall Street Journal's editorial page. It alleged that prominent White House employees suspected of disloyalty were in for "special" attention. Hillary Clinton style—such as new background investigations before they were due. An FBI agent he worked with, M. Dennis Sculmbre, has alleged that White House political operatives prompted him for information contained in confidential FBI background files in an effort to root out career employees and replace them with Clinton supporters.

Those charges have led to an internal FBI investigation. The probe is focused on Aldrich's contentions that he told his supervisor, James Bourke, that the security system at the White House had been relaxed as those loyal to the Clintons could make background checks. If Bourke was aware of such laxity, the FBI inspectors will try to determine what, if anything, he did about them, sources

said. The inquiry is also directed at Sculmbre's allegation that his FBI supervisors retaliated against him for testifying as a defense witness in the trial of fired White House travel chief Billy R. Dale. Dale was acquitted of embarrassment charges.

Sculmbre has said he now reports to the FBI offices in Tysons Corner, where he has "no work, no assignments." In an August 1995 memo, David Bowie, another FBI agent who worked on the Dale case, told FBI higher-ups that Sculmbre has "very bitter political feelings against the White House" and accused him of "irrational" behavior.

In his book, Aldrich said the new Clinton White House used temporary passes for many months to get around the need to provide the Secret Service with FBI background reports for permanent passes.

The White House changed its office tightened security procedures in early 1994 after a review concluded that more than 100 employees were allowed to work for months without routine background investigations. White House officials acknowledged then that some White House staffers were found to have troublesome personal problems when the long-delayed investigations were finally completed.

Aldrich reconvened meetings with Kennedy and with late White House deputy counsel Vincent Foster on the security problems, and said he told Foster the FBI had found character questions among staff members "in the highest levels" of the White House.

At one point, Aldrich wrote, he and Livingstone discussed the serious security problems, including staff members who should have been fired because of their backgrounds and the lack of cooperation from other White House staff members in error submitting to FBI interviews. Livingstone, wrote Aldrich, said Kennedy understood the problems but refused to deal with them.

The two men decided to go to higher-ups about the security problem, according to Aldrich. He wrote that he assumed they would discuss it with then-White House counsel Bernard Nussbaum. "Craig looked at me like I didn't have a brain. Nussbaum? It's not Nussbaum we gotta talk to. We'll be talking to Hillary."

Livingstone never mentioned the meeting with Hillary Clinton again, and it never came off, Aldrich wrote.

Staff writers Susan Schmidt and Jim McGee and researcher Nathan Abou contributed to this report.

THE WASHINGTON POST
Friday, June 18, 1996

FINAL

5TH STORY of Level 1 printed in FULL format.

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SECTION: A SECTION; Pg. A14

LENGTH: 857 words

HEADLINE: Aldrich Despised Clintons, Colleagues Say; Former FBI Agent at White House Was 'Cozy With Bush Staff'

BYLINE: Serge F. Kovalski; Pierre Thomas, Washington Post Staff Writers

BODY:

To a number of his peers, was a competent FBI agent with strong conservative convictions who felt a kinship with the Bush administration and was openly disgusted when Bill Clinton captured the Oval Office.

"He was very cozy with most of the Bush staff," said an FBI agent who knows Aldrich and spoke on the condition of anonymity. There is "no doubt he has a phenomenal bias" against the Clintons.

"He was almost personally offended that the Clintons had won, and made no secret of that," the agent said. After Clinton was elected president, the agent said, Aldrich remarked, "I've never seen so many ponytailed, 50-year-old men in my life."

Aldrich, a 26-year veteran of the FBI, retired last year because, he has suggested, his experience in the Clinton White House soured him on the bureau. He had spent the last five years of his career as one of two FBI agents assigned to the White House, where he was responsible for conducting background investigations on White House personnel.

In his controversial new book, "Unlimited Access: an FBI Agent Inside the Clinton White House," Aldrich described his post as an elite assignment that afforded him the unique opportunity to look out the window and see "a king or a queen visiting the president."

But the FBI post at the White House has also been the subject of considerable controversy, particularly during the Clinton administration. One of the agents who helped with White House background checks in 1994 and 1995, Halbert Gary Harlow, was charged and eventually convicted last year of falsifying at least 50 interviews that he claimed to have conducted.

Aldrich was assigned to full-time duty at the White House with agent Dennis Sculimbrene, who almost lost his life in a 1995 accident, and has been quoted by another FBI agent as saying "he could get away with anything" because he was disabled. Sculimbrene is involved in a legal dispute with the FBI over his work assignments. He alleges he is being discriminated against because of his disability.

Staff writer Jim McGee contributed to this report.
LANGUAGE: ENGLISH

LOAD-DATE: June 29, 1996

The FBI response to the allegations raised in Aldrich's book was a terse, two-paragraph statement saying that Aldrich had published his account without completing a required bureau review process.

As a condition of FBI employment, all employees and former employees are required to submit for review any publications that "could have been based on knowledge gained as a result of their employment," the FBI release said. "The purpose of this review is to ensure the integrity of the investigative or other official information employees learn as part of their official duties."

Jay Stephens, Aldrich's lawyer and former Republican U.S. attorney for Washington, said yesterday that over the last six months he and his client had worked closely with the FBI to address any concerns the agency may have about the manuscript.

"We substantially met all their concerns except for a couple of very limited passages that have become moot as a result of the hearings into problems in security clearances at the White House," Stephens said.

However, a senior bureau official disputed Stephens's account, saying that substantial issues remained unresolved before the book's publication.

Some senior bureau officials yesterday appeared caught in the position of trying to respond to a book with some credible allegations and other claims they considered undocumented rumor.

"Are we outraged by this behavior?" asked one senior bureau official. "Of course we are." But the official said that the bureau hasn't decided what to do about the book and noted that Aldrich does have First Amendment rights.

Should it decide to take action against Aldrich for publishing before the review process was completed, the bureau's only option is to pursue civil litigation to control profits of the book, said one source.

Upon first receiving the book, the FBI forwarded it to its Office Professional Responsibility as a part of routine procedure. Thus far the bureau has not been able to secure documents to substantiate Aldrich's claims about security procedures at the White House, sources said.

Aldrich first surfaced publicly two weeks ago, just after the controversy erupted over the White House's improper receipt of hundreds of FBI files, when he published an op-ed piece assailing the Clinton administration in the Wall Street Journal. In it, he accused the White House of thwarting security and background checks. He made no mention of the upcoming book.

The book describes the early Clinton White House as being in complete disarray, rife with staff members who had once been drug abusers, suffering from lax security clearance procedures and targeting employees that it wanted fired to make room for individuals who were viewed as loyal to the Clintons. He also claimed that the FBI ignored repeated complaints that the Clinton administration was allowing staff members to go long periods of time without permanent White House passes.

FBI sources said they had not yet been able to find any record of the complaints Aldrich said he had lodged.

Former Top FBI Agent at White House Raises Questions About Security Office

WSJ

6/25/96

By a Wall Street Journal Staff Reporter

WASHINGTON — An FBI agent who was, until two months ago, the top FBI agent working in the White House, has raised new questions about the White House's personnel security office and its director, Craig Livingstone.

FBI agent Dennis Sculmbrene, who was recently transferred from the White House to FBI's Washington field office, has told investigators for the Senate Judiciary Committee that he raised complaints with his superiors about the chaotic management of the personnel security office two years ago and that he also had suggested that the office be run in a non-political manner. But Mr. Livingstone's hold on the job was secure because, the FBI agent said he was told, Mr. Livingstone's mother knew First Lady Hillary Rodham Clinton.

A White House spokeswoman and a lawyer for Mr. Livingstone both deny that Mrs. Clinton knows Mr. Livingstone's mother. Mr. Sculmbrene doesn't know why he was transferred from his post at the White House. He is currently embroiled in a legal dispute with the Federal Bureau of Investigation over work assignments.

During an unsworn interview Wednesday with the staff of the Senate Judiciary Committee, Mr. Sculmbrene alleged that Mr. Livingstone had some problems in his background and had said some untrue things to the FBI when he underwent an investigation for security clearance. He didn't tell investigators what the alleged problems in Mr. Livingstone's background or untrue statements were. Despite having no background in law enforcement, Mr. Livingstone was given the job and approved for security clearance.

Mr. Livingstone and an assistant improperly obtained FBI files on more than 400 people, including many Republicans. Congressional investigators and Independent Counsel Kenneth Starr are trying to determine whether the two men made an innocent mistake or were seeking to dig up dirt on political opponents. In private interviews with congressional investigators, Messrs. Livingstone and the assistant, Anthony Marceca, have said that the files were requested accidentally and weren't misused.

Mr. Livingstone, who is on leave from the White House post, referred questions to his attorneys. Mr. Livingstone's lawyer, David Cohen, declined to discuss the background investigation of Mr. Livingstone. "Background investigations are private matters," he said.

Slow Clearance Process

Mr. Sculmbrene, who worked at the White House for a decade and has conducted numerous background probes of presidential appointees, described his experience with the Clinton administration in a two-hour interview with Senate investigators. The security office problems started early in the Clinton White House, Mr. Sculmbrene said. The clearance process was moving very slowly, and many people were walking around the complex without proper passes, he said. Mr. Sculmbrene and another FBI agent at the White House, Gary Aldrich, repeatedly complained to their superiors about problems, and at one point Mr. Sculmbrene said he suggested turning over the security office to a professional rather than a political appointee.

In 1993, he thought he had a good candidate, Jackie Dinwiddle, who worked in the security office during the Carter administration. However, when he brought the idea to then-deputy White House counsel William Kennedy—who has since resigned—he says Mr. Kennedy told him that he was stuck with Mr. Livingstone. Mr. Sculmbrene told investigators that Mr. Kennedy knew there were problems in Mr. Livingstone's own background investigation, and another person familiar with the matter confirms this. Mr. Kennedy and his lawyer didn't respond to requests for comment.

According to Mr. Sculmbrene, both Mr. Kennedy and Mr. Livingstone told him that Mr. Livingstone's mother knew Mrs. Clinton, which seemed to explain his standing. However, Mr. Sculmbrene said he has no independent knowledge of whether the two women actually knew one another and suggested that Mr. Livingstone may have made it up in an attempt to inflate his status or protect his job. Another person who worked with Mr. Livingstone confirms that Mr. Livingstone boasted of ties between his mother and Mrs. Clinton.

'An Absolute Fabrication'

Mr. Cohen, Mr. Livingstone's lawyer, called this account "an absolute fabrication." White House officials said that Mr. Kennedy has denied telling Mr. Sculmbrene of any connection between Mrs. Clinton and Mr. Livingstone's mother. Jane Sherburne, White House special counsel, said Mrs. Clinton denies knowing Mrs. Livingstone.

Although Mr. Sculmbrene says his performance has been consistently rated as exceptional by the FBI, Senate investigators questioned him about events that could color his version of events. The FBI agent sustained a severe head injury two years ago that left him partly disabled, although he has returned to work. He is pursuing a discrimination complaint against the FBI, claiming he has been ordered to do work that contradicts his physician's recommendations. He said he is also under investigation for allegedly giving his son his government parking pass.

Mr. Sculmbrene also said he worries that he may be suffering retribution from superiors because he testified on behalf of former travel office director Billy Dale at Mr. Dale's embezzlement trial last year. Mr. Dale was acquitted. The firing of Mr. Dale and the rest of the travel office in 1993 led to a congressional inquiry and eventually to the disclosure that the White House had improperly obtained Mr. Dale's FBI file, along with more than 400 others.

Questions also were raised yesterday about whether Messrs. Livingstone and Marceca also collected confidential Internal Revenue Service data. According to a letter sent yesterday by Sen. Charles Grassley, an Iowa Republican, to FBI Director Louis Freeh, a box of documents removed from Mr. Livingstone's office by the FBI contained a folder full of papers bearing the IRS logo. Sen. Grassley asked the FBI director to describe what sort of documents are in the folder.

TRANSCRIPT OF PROCEEDINGS

UNITED STATES SENATE

* * *

COMMITTEE ON THE JUDICIARY

* * *

INTERVIEW OF M. DENNIS SCULIMBRENE

* * *

Washington, D. C.

June 19, 1996

MILLER REPORTING COMPANY, INC.

507 C Street, N.E.
Washington, D.C. 20002
(202) 546-6666

1 the head of the military office.

2 Mr. Larkin. I want to do one thing real quick. Can I
3 get a phone number where I can give you a call later?

4 Mr. Sculimbrene. 754-4265. That is my home number.

5 Mr. Larkin. And where do you live at?

6 Mr. Sculimbrene. 1521--

7 Mr. Larkin. Well, no.

8 Mr. Sculimbrene. 703.

9 Mr. Larkin. Area code is what I meant to say.

10 Mr. Hubbard. Now, you said Craig Livingstone had this
11 job because who wanted him to have the job?

12 Mr. Sculimbrene. Mrs. Clinton is apparently a friend
13 of Craig's mother.

14 Mr. Yoo. Mrs. Clinton is a friend of Craig's mother?

15 Mr. Sculimbrene. Yes. And that is why Bill Kennedy
16 told me he was stuck with Craig.

17 Mr. Larkin. What do you think his background and
18 expertise is to getting him in a high-profile job like that?

19 Mr. Sculimbrene. Craig's?

20 Mr. Larkin. Yes.

21 Mr. Sculimbrene. Now, mind you, I did his background
22 now. So I--

23 Mr. Larkin. I don't want to get into this. As a
24 matter of fact, I won't even ask it.

25 Mr. Yoo. Let me ask you, though, do you have any--do

1 you remember any conversations where you were told that Mr.
— 2 Livingstone got the job because he was connected with Mrs.
3 Clinton?

4 Mr. Sculimbrene. Yes. Kennedy told me that.

5 Mr. Yoo. Bill Kennedy told you that?

6 Mr. Sculimbrene. Yes, because Kennedy asked me whether
7 we should keep him.

8 Mr. Yoo. Do you remember what was said? Do you
9 remember the exact words?

10 Mr. Sculimbrene. No. The exact words, no. The word
11 "stuck" stays--the word "stuck" sticks in my mind; that he
12 was stuck with him.

13 Mr. Yoo. Do you remember when you talked to him?

14 Mr. Sculimbrene. Yes. This was a month or two into
15 the administration when we were looking for somebody to take
16 over Jane Dannenhauer's job, and like I said, I had gone to
17 Bill Kennedy proposing Jackie Dinwiddie as a candidate, and
18 I thought why not.

19 Mr. Larkin. A Democrat.

20 Mr. Sculimbrene. Here is a Democrat who worked on the
21 campaign, worked on the transition, honest, you know,
22 trustworthy. The Bureau had worked with her in the past.
23 Perfect candidate, but do they pick her? No.

24 Mr. Larkin. You know, under what circumstances did
— 25 this occur, the conversation?

1 Mr. Sculimbrene. It could have possibly been during
2 the conversation when I went to Bill Kennedy to talk to him
3 about, you know, an employee or maybe during Bill Kennedy's
4 own background investigation when I went to interview him
5 about his own case, but I did have a number of interviews
6 with--you know, here is the standard practice up there.

7 You know, you go in and you do your job, and then, you
8 know, like everything else, well, what did you do this
9 weekend, you know, and we lapsed into personal, private
10 conversations, and that's what happened to--that is when
11 the subject of Jackie Dinwiddie came up. That is when I
12 interjected my belief that it would help the administration,
13 it would help the FBI to have an employee who had previous
14 experience there, and certainly she had the credentials for
15 the job, but I was told by Kennedy that he was stuck with
16 Livingstone and that was the end of it.

17 Mr. Yoo. How did he refer to Mrs. Clinton in your
18 conversation?

19 Mr. Sculimbrene. How did he refer to her?

20 Mr. Yoo. Yes.

21 Mr. Sculimbrene. Do you mean like what words did he
22 use? Whatever he said, I took it to mean the First Lady.

23 Mr. Yoo. Okay.

24 Mr. Sculimbrene. The First Lady or Hillary.

25 Mr. Yoo. When he said that Mrs. Clinton--that Craig

1 had to be--that he was stuck with Craig because of his
2 connection to the First Lady, do you remember the exact
3 words he might have used?

4 Mr. Sculimbrene. No. Like I said, the only word that
5 really sticks out in my mind is the word "stuck."

6 Now, mind you, whether it is true or not, I mean, I
7 don't know for a fact. I don't know whether for a fact that
8 Craig Livingstone's mother--for all I know, Craig
9 Livingstone may have told him that and he believed him.

10 Mr. Larkin. Your recollection is it had something to
11 do with Craig's mother?

12 Mr. Sculimbrene. Mother, yes.

13 Mr. Larkin. Okay.

14 Mr. Hubbard. Now, when Mr. Kennedy made this
15 statement, did he use either the name "Hillary Clinton" or
16 "Hillary Rodham Clinton" or "the First Lady"? Did he
17 designate her or did you infer from what he said that he was
18 referring to Hillary?

19 Mr. Sculimbrene. Perhaps I inferred that he was
20 talking about the First Lady, but I think I was correct in
21 my inference.

22 Mr. Hubbard. And on what basis would you say that?

23 Mr. Sculimbrene. Well, why would he keep--why would he
24 keep this person here that I don't think he personally
25 liked? I don't think he thought he had the qualifications

1 He knew--he knew of his--he knew of the problems in his
2 background investigation. He asked me when I kind of
3 refused to answer the question whether he should be hired
4 there, and then when I tried to supply a new person, it
5 seemed to me like--here, I will lay it right on his lap.
6 Here is the perfect person to solve your problems, and the
7 answer to that is, well, I really can't do it because you
8 know who wants him there. Now, that is an inference. That
9 is an inference.

10 Mr. Larkin. Did Craig ever make any reference to the
11 fact of how he came there?

12 Mr. Sculimbrene. Yes. Now, Craig did tell me that his
13 mother--

14 Mr. Larkin. Was what?

15 Mr. Sculimbrene. --knew Hillary Clinton.

16 Mr. Larkin. He said--

17 Mr. Sculimbrene. Yes, he did tell me that, but Craig
18 told me several things that were not true.

19 Mr. Hubbard. Such as?

20 Mr. Yoo. Do you remember when he said that?

21 Mr. Sculimbrene. I don't--I am getting at the gray
22 area here now.

23 Ms. Owens. No, no. You are fine there. If I lean
24 forward, it is because he had mentioned derogatory in
25 reference to Livingstone's file, and I am concerned

1 about--that reflects the results of an investigation when he
2 said that there was derogatory, and I would just assume--

3 Mr. Larkin. And we will, like, strike that, okay, for
4 the record.

5 Ms. Owens. That was the only area I had concern in,
6 and they have been very good about the leading things or
7 problematic.

8 Mr. Larkin. We are trying. We are trying.

9 Mr. Hubbard. Can I follow up on this?

10 Mr. Yoo. What day'did--do you remember when Mr.
11 Livingstone made that comment to you about her mother?

12 Mr. Sculimbrene. This was during my several interviews
13 with him in the process of doing his background
14 investigation.

15 Mr. Hubbard. You said that he told you several things
16 that you now know to be untrue. Can you tell us what they
17 are?

18 Mr. Sculimbrene. Mr. Livingstone or Mr. Kennedy?

19 Mr. Hubbard. Mr. Livingstone.

20 Mr. Sculimbrene. Well, we are going to get into--

21 Ms. Owens. Are they in connection with the background
22 investigation when he was interviewed?

23 Mr. Sculimbrene. Yes.

24 Mr. Larkin. We will pass.

25 Mr. Yoo. Can I ask just one or two questions? We are

THE CHANGING STORIES OF AGENT SCULIMBRENE

- In an insert in Mr. Livingstone's FBI background investigation, Agent Sculimbrene reports of an interview with Bernard Nussbaum in which Mr. Nussbaum purportedly said "Mr. Livingstone had come highly recommended to him by Hillary Clinton, who has known his mother for a longer period of time." Congressional Record, Statement by Congressman Clinger, July 25, 1996 at H8520.
- "According to Mr. Sculimbrene, both Mr. Kennedy and Mr. Livingstone told him that Mr. Livingstone's mother knew Mrs. Clinton, which seemed to explain his standing. However, Mr. Sculimbrene said he has no independent knowledge of whether the two women actually knew one another and suggested that Mr. Livingstone may have made it up in an attempt to inflate his status or protect his job." Wall Street Journal, June 25, 1996.
- [Q] Let me ask you, though, do you ... remember any conversations where you were told that Mr. Livingstone got the job because he was connected with Mrs. Clinton?

[A] Yes. Kennedy told me that.

Testimony of M. Dennis Sculimbrene before the Senate Judiciary Committee, June 19, 1996.
- [Q] In Mr. Livingstone's conversations about his political background ... do you recall any specific stories that he might have told you ... as relevant to the kind of job he did at the White House Security Office?

[A] Well, he claimed that his mother knew Hillary Clinton.

[Q] Is there any other information such as whether or not Mr. Livingstone's mother knew the First Lady that you heard from Mr. Livingstone but didn't put in his background investigation?

[A] I heard others tell me that that was the case; that he had told them that his mother knew Mrs. Clinton.

[Q] And was that Bill Kennedy?

[A] Only by inference.

Testimony of M. Dennis Sculimbrene before the House Government Reform and Oversight Committee, July 15, 1996.

1 RPTS COLCHICO

2 DCMN HERZFELD

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COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C.

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In the matter of:

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WHITE HOUSE TRAVEL

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Monday, July 15, 1996

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Washington, D.C.

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The deposition in the above matter was held in Room 2203,
Rayburn House Office Building, commencing at 1:45 p.m.

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Appearances:

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Staff Present for the Government Reform and Oversight
Committee: Barbara Olson, Chief Investigator; Kristi,
Remington, Investigator.

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For MR. SCULIMBRENE:

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RICHARD A. HAUSER, ESQ.
BAKER & HOSTETLER

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1050 Connecticut Avenue, N.W.
Washington, D.C. 20036

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1 enjoy talking to people. I enjoy finding out what they
2 think. And I don't necessarily want to agree with everyone.
3 I enjoy having differences of opinion and having intellectual
4 and intelligent conversations about those differences.

5 Q Did you find Craig Livingstone's political
6 background and work, advance work, similar to Jane's political
7 background?

8 A Absolutely totally 180 degrees opposed.

9 Q Can you explain what you mean by that?

10 A Well, Jane had worked in responsible positions for a
11 number of different politicians in the past going back to
12 Senator Murphy, I guess. Both she and her sister had worked
13 on the Hill. She was a tremendous lady. I mean, in the
14 greatest sense of the word. She had good manners. We had
15 common interests in music. We both like jazz music. We both
16 played the piano in our youth.

17 Q Did you find her to have political interests in
18 running the office or looking at it as a political
19 steppingstone?

20 A No. No. I remember having a conversation with Jane
21 on a number of occasions that I thought the office should not
22 have any political person and that it should be run by a
23 bureaucrat, and she disagreed with me about that. But that's
24 about as far as that went.

25 Q In Mr. Livingstone's conversations about his

1 political background, outside of his background investigation
2 do you recall any specific stories that he might have told you
3 that would have stuck out in your mind as being relevant to
4 the kind of job he did at the White House Security Office?

5 A Well, he claimed that his mother knew Hillary
6 Clinton. That sticks out like a sore thumb.

7 Q Can you explain what Mr. Livingstone said to you and
8 in what context he told you that?

9 A Now, I'm pretty sure this conversation occurred in
10 my interview with him. This should be off of the record.

11 Mr. Hauser. We would have our standard objection as to
12 any information disclosed to or obtained by Mr. Sculimbrene
13 during the part of an investigation.

14 BY MS. OLSON:

15 Q Would such information have been recorded in a
16 background investigation of Mr. Livingstone?

17 A No.

18 Q Why wouldn't that kind of information go into a
19 background?

20 A That's an agent's call. And since I really didn't
21 know whether it was true or not, it was more or less
22 irrelevant.

23 Q Is there other information such as whether or not
24 Mr. Livingstone's mother knew the First Lady that you heard
25 from Mr. Livingstone but didn't put in his background

1 investigation?

2 A I heard others tell me that that was the case; that
3 he had told them that his mother knew Mrs. Clinton.

4 Q And was that Bill Kennedy?

5 A Only by inference.

6 Q Can you explain what kind of inference Mr. Kennedy
7 made that made you think that he thought Mr. Livingstone's
8 mother knew the First Lady?

9 A This is difficult for me to explain. It was
10 apparent to me that Mr. Livingstone didn't want this job.
11 From conversations, several conversations, with Mr. Kennedy,
12 it became apparent to me that Mr. Kennedy did not want
13 Mr. Livingstone in this job.

14 Q And what were the context of those conversations?

15 A Well, he asked me, well, do you want to work with
16 him? And I told him, this is an inappropriate question for
17 you to ask me, Mr. Kennedy.

18 Q For Mr. Kennedy to ask you as an FBI agent?

19 A Yes, as the FBI agent who doesn't answer questions
20 like that. And he kept pressing me and kept pressing me. And
21 I think I finally I said to him something like that I can work
22 with anybody that the administration asks me to work with, but
23 he wouldn't be my first choice. Don't hold me to those exact
24 words, but I think that is about what I said.

25 Q Did you make any suggestions to Mr. Kennedy about

1 anyone who else might work in that office?

2 A I did. And that's why I felt that he was stuck,
3 that would be the word that I would use, because there was an
4 individual whom I had known in the end of the Carter
5 administration named Jackie Dinwiddie, D-I-N-W-I-D-D-I-E, I
6 believe, who had Jane Dannenhauer's job, worked in the same
7 office. She was a competent, honest career professional.

8 I did this out of my -- some people said why did you do
9 this, Dennis? I did this out of my own personal interest
10 because I felt if we had a competent professional there, my
11 job would be easier. She would know exactly what she had to
12 do and exactly the pitfalls, because I wanted this
13 administration to succeed.

14 I told Mr. Kennedy that either Bob Cronin had told me --
15 he was the former agent who used to work at the White House --
16 either he told me that she contacted him or Ms. Dinwiddie
17 contacted me about another matter and told me about it. And
18 Mr. Kennedy told me that he knew that Mrs. Dinwiddie was
19 interested in the job, so even my bringing it up for a second
20 or third time -- but he told me it was a done deal, that Craig
21 was going to have the job. So by inference, taking Craig
22 Livingstone at his word back then that his mother did know
23 Hillary, that was my assumption.

24 Q And this was early on when they were considering
25 putting Mr. Livingstone on a permanent basis?

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Sculimbrene

1 RPTS COLCHICO
 2 DCMN HERZFELD

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 4 COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT
 5 U.S. HOUSE OF REPRESENTATIVES
 6 WASHINGTON, D.C.

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 9 - - - - - x
 10 In the matter of: :
 11 WHITE HOUSE TRAVEL :
 12 :
 13 - - - - - x DEPOSITION OF
 M. DENNIS SCULIMBRENE

14
 15 Monday, July 15, 1996

16
 17 Washington, D.C.

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 20 The deposition in the above matter was held in Room 2203,
 21 Rayburn House Office Building, commencing at 1:45 p.m.

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Appearances:

Staff Present for the Government Reform and Oversight
Committee: Barbara Olson, Chief Investigator; Kristi,
Remington, Investigator.

For MR. SCULIMBRENE:

RICHARD A. HAUSER, ESQ.
BAKER & HOSTETLER
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036

1 Ms. Olson. We are on the record this morning for the
2 deposition of Dennis Sculimbrene, which will be administered
3 under oath.

4 I would like to identify the people who are present in
5 this room today. We have Mr. Sculimbrene, with his private
6 attorney Dick Hauser. We also have Laurie -- I mean we also
7 have Kristi Remington and Barbara Olson of Majority staff.
8 Minority staff is not present today.

9 I have made several telephone calls to Minority staff
10 this morning, as well as this afternoon, to inform them of
11 this deposition. Minority staff has represented that they
12 thought that this deposition was going to happen on Tuesday.
13 The facts, as I understand them, are that approximately one
14 week ago, this deposition for Mr. Sculimbrene was confirmed
15 with Mr. Hauser. At that time notice was sent out to Minority
16 staff that it would be on Monday. A later notice was sent out
17 to Minority staff that on Monday not only would
18 Mr. Sculimbrene's deposition occur, but also we would have
19 Gary Aldrich's deposition.

20 On Thursday of last week, the Minority complained that
21 they had not received a full 3-day written notice of
22 Mr. Aldrich's deposition. At that time, I took down a list,
23 crossed out the Monday notice, and put Tuesday's date on the
24 Monday notice. The effect of that was that they then had
25 notice for Dennis Sculimbrene for Monday and Tuesday for

1 deposition.

2 On Friday, Laurie Taylor of our office clarified with
3 Mr. Dan Hernandez that the deposition would occur at 1:00 on
4 Monday of Mr. Dennis Sculimbrene.

5 Mr. Hernandez spoke on the phone with me approximately 1
6 minutes ago and denied that he could recall Laurie Taylor's
7 conversation to him on Friday. Because of that and because of
8 representations by staff that they not only received the 3-day
9 written notice as well as an oral clarification of
10 Mr. Sculimbrene's deposition, we are going forward.

11 Mr. Sculimbrene has taken the time out to come up here.
12 His private attorney has arranged his schedule to come up here
13 for this deposition, and I have also made representations that
14 if there are any questions by Minority, they would be sent by
15 interrogatory to be answered. Obviously his attorney needs a
16 sufficient period of time to answer those interrogatories.

17 I have also made representations to Mr. Sculimbrene and
18 his counsel that we will share a copy of this deposition with
19 the Minority so that they will have the benefit of the
20 questions and answers that occurred today.

21 With that, I asked Mr. Sculimbrene and his counsel if
22 they objected to conducting this deposition on a voluntary
23 basis. By "voluntary" meaning that if, in fact, at some point
24 it was discovered that there had been an improper notice, and
25 therefore that under Rule -- strike that -- under Resolution

1 369 we did not have authority to subpoena Mr. Sculimbrene in
2 for this deposition, would they still be willing to conduct
3 this as a voluntary interview under oath for purposes of our
4 investigation?

5 And I would ask you if you are willing to do this
6 deposition regardless of whether it's under House Resolution
7 369 or as a voluntary interview pursuant to the Chairman's
8 request to the FBI that you be interviewed in the White House
9 Travel Office matter?

10 Mr. Hauser. For the record, and also in response to your
11 question, we are appearing, it is my understanding, at a
12 request that was made to the FBI for Mr. Sculimbrene to make
13 testimony available to the committee as part of its
14 investigation. And we are here, and as I say, in response to
15 that. Both of us, as you also indicated, had arranged our
16 schedules to be here today, and from our standpoint we are
17 prepared to go forward. I have discussed this with my client,
18 if that is acceptable to the committee staff and to the
19 committee.

20 Ms. Olson. Thank you. At this point, I would like to
21 read an opening of our deposition to give you some background
22 concerning the general investigation and your appearance
23 here.

24 The White House Travel Office matter has been defined to
25 include all events that lead to the May 19th, 1993 firings of

1 the Travel Office employees. It also includes information
2 which was provided about the White House Travel Office and a
3 employees of the White House Travel Office at anytime from
4 January 1, 1993 to the present.

5 The White House Travel Office matter encompasses the
6 activities of Harry Thomason, Darnell Martens and Penny Samp
7 at the White House, as well as all allegations of wrongdoing
8 concerning the Travel Office employees.

9 The committee's investigation includes reviewing action:
10 taken by any division or field office of the FBI and the
11 Department of Justice prior to and after the firings, as well
12 as issues relating to the White House's receipt of FBI
13 background investigations on prior administration officials.

14 The investigation includes, but is not limited to, the
15 prosecution, investigation in the United States V. Billy Ray
16 Dale case, and all investigations and subsequent reviews of
17 the Travel Office firings by any agent which include, but
18 isn't limited to, the White House Management Review, the FBI
19 and Justice Department Reviews, the IRS and Treasury
20 Department Reviews and reports, the GAO Review, as well as th
21 proposed House of Representatives Resolution of Inquiry which
22 was considered and voted on in the House Judiciary Committee
23 back in July of '93.

24 Although you may not have information that includes all
25 of these subjects, do you understand that your answers

1 shouldn't purposefully exclude any information that you have
2 which you recall about these subjects?

3 Mr. Sculimbrene. I do.

4 Ms. Olson. The committee was granted specific
5 authorization to conduct sworn depositions which gave the
6 Chairman the authority to subpoena witnesses under House
7 Resolution 369. That was passed on March 7th of 1996, and a
8 Committee Rule 19 was passed, which allows questioning by the
9 staff to be done under the subpoena authority.

10 As we have previously discussed, you are here today
11 voluntarily and at the request of the FBI and not under House
12 Resolution 369 necessarily in order to bring this testimony.
13 Is it true that you are here voluntarily and not under any
14 subpoena?

15 Mr. Sculimbrene. Yes.

16 Ms. Olson. This deposition is to be administered under
17 oath. You will be allowed to confer with your attorney. If
18 you do not understand a question, tell me, and I will try to
19 rephrase the question.

20 I do ask that all objections which are raised by your
21 attorney to be stated for the record with the reason for the
22 objection. Once an objection is raised, committee Majority
23 counsel will review the objection to determine whether it's
24 proper in this deposition. If Majority counsel does not agree
25 that the objection is properly before this deposition, I will

1 confer with Minority counsel when they are present.

2 Obviously, today I can't do that. If an objection remains
3 outstanding during this deposition, it may ultimately be
4 presented to the Chairman of this committee for a resolution.

5 The Chairman, under the House Resolution, has agreed that
6 he would consult with the Ranking Minority Member before any
7 decision is made on an objection.

8 You will be given a 5-day time frame that you and your
9 attorney can review this deposition and make any changes in
10 the deposition that you feel are appropriate. These changes
11 will allow you to correct any technical problems in the
12 transcript and also to clarify any matters that you believe
13 need to be clarified after the transcript.

14 After the 5-day review period, you will be asked to sign
15 the transcript. Do you understand that?

16 Mr. Sculimbrene. Uh-huh.

17 Mr. Hauser. Dennis, make sure it is an audible yes or
18 no.

19 Mr. Sculimbrene. Yes. I am sorry.

20 Mr. Hauser. Sometimes they get confused.

21 Ms. Olson. You are accompanied by your counsel, and at
22 this time I would ask that you be sworn in.

23 THEREUPON,

24 M. DENNIS SCULIMBRENE,

25 a witness, was called for examination by Majority Counsel, and

1 after having been first duly sworn, was examined and testifi
2 as follows:

3 Mr. Hauser. Barbara, I would like to put one thing on
4 the record in terms of the background investigation.

5 Ms. Olson. Certainly.

6 Mr. Hauser. Before you start your questioning, I would
7 just like to note for the record that we would have just a
8 general objection to questions that go to the content of FBI
9 files of specific individuals at the White House. To the
10 extent that some information could be characterized in a way
11 that would not do violence to that, we are prepared to answer
12 those questions, but just so we could have that understanding
13 as we proceed.

14 BY MS. OLSON:

15 Q Mr. Sculimbrene, can you just give us your full nam
16 and what your current assignment is with the FBI?

17 A M. Dennis Sculimbrene. I am still a special agent
18 with the FBI.

19 Q Where are you currently working? And that's the
20 location of your office.

21 A Tyson's Corner. That's in Falls Church, Virginia.

22 Q Okay. Can you just describe what your current work
23 assignments are with the FBI?

24 A None.

25 Q Are you still employed by the FBI?

1 A Yes.

2 Q Can you just explain why you have no work
3 assignments, if you know?

4 A Since approximately the middle of April, I have had
5 all my work assignments taken from me and am currently
6 undergoing a fitness for duty examination, and the results of
7 that have not been adjudicated, and as a result of that and
8 some other things, work has not been given to me since the
9 middle of April.

10 Q Do you arrive for work each day in Virginia?

11 A Mostly I have been taking annual leave and sick
12 leave, and have been going to the office from time to time and
13 signing in, but not having any work to do.

14 Q Are you physically able to go to the office and do
15 work assignments at your desk if you were given those
16 assignments?

17 A I believe that I am fully capable of doing the job
18 that I had done since 1986. I had been given a recent
19 exceptional rating by my agency, which would attest to the
20 fact that I could do that job.

21 Q And what were you doing in 1986 that you are saying
22 that you believe you were capable of continuing to do?

23 A Well, I started working at the White House as a
24 senior agent assigned from the Washington field office to work
25 at the White House conducting the background investigations of

1 the staff and employees that work inside the complex for the
2 purposes of getting their White House access pass.

3 Q And when were you reassigned from that position?

4 A Well, I haven't seen anything on paper yet, but I
5 have been told that my pass was taken away from me, and these
6 were given to me verbally. I asked for a letter as to why my
7 pass was pulled, and I was told that I was being removed from
8 the White House access because of my safety and because my
9 presence down at the White House would make the administration
10 feel uncomfortable.

11 Q Have you -- you said that you had not gotten the
12 paperwork. Prior to being moved, did you have an office at
13 the White House?

14 A Yes, I did.

15 Q And so the fact that you work in Virginia is a
16 change of assignment or location?

17 A Yes, it is.

18 Q Okay. Did you testify at the Billy Dale trial?

19 A I did.

20 Q Can you just describe the circumstances under which
21 you testified at the United States v. Billy Dale trial?

22 A I testified at the Billy Dale trial primarily as
23 just a witness to what I had seen, heard and observed.

24 Q Was your testimony compelled by subpoena?

25 A Yes, it was.

1 Q Did the FBI -- did the United States Government
2 subpoena you?

3 A No, it did not.

4 Q Who subpoenaed you to testify at the Billy Dale
5 trial?

6 A The defense did.

7 Q Were you told by anyone or asked by anyone to
8 testify to anything but what you had observed and seen in the
9 White House?

10 A No.

11 Q Did any reviews of your fitness or any reviews of
12 you occur after the testimony in the Billy Dale trial?

13 A Yes. Prior to my testimony, I had an argument with
14 a supervisor who was handling the case.

15 Q Can you just describe who that was and what was the
16 substance of that disagreement or argument?

17 A David Bowie, B-O-W-I-E, is the name of the
18 supervisor. He is a person who has known me for over 20
19 years. We went to training school together. And it was a
20 conversation which started when I was looking for someone on
21 his squad, and it just gradually -- I was looking for somebody
22 else, and I ran into Dave Bowie, and a conversation ensued.
23 And to summarize, he asked me how I was doing. I asked how he
24 was doing, and the subject of the trial of Billy Dale came up,
25 and he made a comment which went something like, well, you

1 know, Dale would have pled guilty a long time ago if it wasn
2 for those rich Republicans giving him money, and the comment
3 struck me as being wrong-headed. It struck me as being the
4 wrong thing for him to say. It didn't seem very objective,
5 and I felt that I knew that the answer to that was not true,
6 because --

7 Q What did you believe was wrong-headed about a
8 supervisor at the FBI saying someone wouldn't testify if rich
9 Republicans weren't giving him money?

10 A Well, I didn't think the party affiliation had
11 anything to do with the guilt or innocence of the man. I knew
12 that Billy Dale wasn't a Republican. I believed somebody had
13 told me he had voted for Mr. Clinton, and that later turned
14 out to be correct. He told me that himself. I know a lot of
15 people down at the White House had contributed to his legal
16 defense fund. At the time I had not. And those people were
17 not rich Republicans. A lot of them were just hard-working
18 career Federal employees of both parties, and no party, who
19 happened to work in the White House and believed in his
20 innocence.

21 The conversation became quite heated, and I told
22 Mr. Bowie that -- I had told him before the whole matter
23 started, the whole trial or the whole investigation, I said,
24 you know, you should have had me interviewed by some of your
25 people. He kept saying, well, you had nothing relevant to

1 say. I said, how do you know I have nothing relevant to say
2 unless you interview me? I mean, further on in the
3 conversation, Mr. Bowie threatened me with an OPR
4 investigation. That's a professional review-type thing,
5 which, in fact, happened to me later on.

6 At the end of the conversation, we both kind of cooled
7 down, and we both agreed that we would just go our separate
8 ways and forget about it. When I got home, I got a phone call
9 from I think it was the acting supervisor who said that the
10 ASAC wanted to talk to me and wanted to know what happened
11 between Mr. Bowie and myself.

12 Q Can you just say what's an ASAC?

13 A Okay.

14 Q Just so the record is clear.

15 A It is an assistant special agent in charge. He was
16 the man who was in charge of the Tyson's Corner office where
17 our unit or our squad, basically, is centered. So he is the
18 boss of that office.

19 Q And what is his name?

20 A Ed Schubert, S-C-H-U-B-E-R-T. I hope that's
21 correct.

22 I went to see -- do you want me to continue?

23 Q Please do.

24 A I went to see Mr. Schubert the next Monday. I
25 believe this argument happened on a Friday, and then there was

1 the ensuing weekend. I went on Monday to give Mr. Schubert
2 version of the conversation. I may have been asked to write
3 something. I am not certain right now.

4 I told him of my concerns about the whole matter. I to
5 him that one of the reasons that I was concerned was that I
6 had learned just a few weeks before that Mr. Bowie had his
7 agents out interviewing baby-sitters and grass-cutters and
8 hairdressers, and I said, it sounds to me like, you know, the
9 Bureau does not have a very good case. Mr. Schubert said
10 something like, well, you know, we found him with money in hi
11 personal checking account.

12 And I said something like, well, hell, I could have told
13 you that if you had asked me that 18 months ago, and I think
14 Mr. Dale would have said so. It was my point that I didn't
15 believe Mr. Dale would have spent any of that money. That's
16 my own personal view.

17 Q To make the record clear, how long had you been at
18 the White House working prior to this time?

19 A Well, I started in 1980, on a part-time basis. I
20 left to go up -- work up here in 1984. I was up here for 2
21 years approximately, and I was sent back down to the White
22 House, and that's when I became a senior agent, and I had been
23 there ever since.

24 Q And during that period of time, did you know that
25 Billy Dale was at the White House in the Travel Office?

1 A Of course I did. I had done a number of
2 investigations on both him and the six other employees who
3 worked in the office. So I knew them. I knew about them. I
4 knew things about their lives. I knew friends of theirs.
5 Billy Dale was not a friend of mine. The prosecution tried to
6 bring out that I was trying to defend a friend. Billy Dale
7 was not a friend of mine. I can only recall having one
8 conversation with him outside the complex in the entire time
9 that I worked down there.

10 Q How would you characterize your relationship with
11 Billy Dale during the entire time that you were at the White
12 House up until his trial?

13 A Strictly professional, but one that -- I mean, I was
14 aware of who he was and what he did, because I had been there
15 for such a long period of time. I had friends who knew him
16 quite well who were friends of his, who told me that he was a
17 very honest, hard-working man.

18 I mean, I knew things -- I knew that he had a houseboat
19 and a place down at Lake Anna, but I don't think anyone -- I
20 don't think he ever told me that. I learned of that from
21 others, perhaps when I talked to people when I did his
22 background investigation.

23 Q So you had talked to the gentleman who was your boss
24 who was head of the office there?

25 A Yeah.

1 Q And what happened after you finished your
2 conversation with him? Did he take any action?

3 A Well, I think that was -- I think he offered to let
4 me see the whole case, which I thought was rather
5 interesting. And I did not want to do that.

6 Q Had you requested to look --

7 A No.

8 Q -- at the criminal case against Billy Dale?

9 A No. And then he agreed that he -- that I would be
10 interviewed.

11 Now, I assumed this was going to be somebody who knew
12 something about the case, and it wasn't. It was a Mr. Becker,
13 who came from another squad and had no idea what was going on.

14 Q Were you interviewed after you had received your
15 subpoena to testify in the trial?

16 A I can't remember. I am sure if you put the dates
17 together we could find that out, but right now I can't
18 remember.

19 Q But was it before the actual testimony in the Billy
20 Dale trial?

21 A Yes, yes.

22 I forgot to add, too, that after the conversation with
23 Dave Bowie, I had this random drug test, which could have been
24 a coincidence, but then again I didn't think it was.

25 Q How are agents regularly randomly drug-tested?

1 What's the policy?

2 A Well, that's the first time I was ever randomly
3 drug-tested. I asked others in my age group had they ever
4 been randomly drug-tested, and none of them said they had ev
5 been tested.

6 Q Did you mean that was the first time that year or
7 the first time ever?

8 A Ever, ever.

9 Q This occurred after your conversation with
10- Mr. Bowie?

11 A Shortly after, yes. Shortly after.

12 Q During this period of time, had you received your
13 year-end performance reviews previously on your work at the
14 White House?

15 A Well, this conversation with Bowie would have been
16 around in August, so I had had a previous performance rating
17 done probably in April because that's the time I came to the
18 Bureau, and I had one recently done, which was exceptional,
19 which is the highest ranking that you can get.

20 Q Had you received other exceptional performance
21 reviews of your work?

22 A Since I have been at the White House, I believe the
23 have all been exceptional.

24 Q And just so the record is clear, is it true that
25 right now you are working out of the Virginia office, but are

1 given no assignments to do with the FBI?

2 A Right. I want you to understand that there's a --
3 it's a complicated situation where perhaps there's a reason
4 why I don't have work. For medical reasons, they may have
5 decided to do this. I personally think that if common sense
6 had prevailed and they had done what I asked them to do, and
7 that was to send me to the Bureau doctor, have me checked
8 over, as I just did recently, that the whole matter could have
9 been taken care of. I didn't think that the process that the
10 put me through was a fair process. I think it was unjustified
11 and a waste of the taxpayers' money.

12 Q And the Bureau doctor is currently going to make an
13 assessment of your physical fitness?

14 A He did. I was examined about two Fridays ago, and
15 he said, you should be on limited duty, like I said I should
16 have been, and he didn't indicate there was any problems with
17 my mental or physical status as far as doing my job that I had
18 done.

19 Q And once again, so the record is clear, what is the
20 limited duty that you were recommended for by your doctor, and
21 I guess now the FBI doctor?

22 A Okay. When -- I had a very serious accident in
23 1994, January 1994. I had a very difficult rehabilitation. I
24 had a head injury, bones penetrated into my brain, and I had
25 to have -- you know, I had permanent damage done to certain

1 areas of my brain. I have vision problems. I have hearing
2 problems. I have balance problems. I had sensory-taste
3 problems. I had some learning disability problems. I went to
4 a place called Shenandoah Learning Services in Manassas,
5 Virginia, and had therapy done.

6 After I was there for a period of time, they recommended
7 that I return to work. The occupational therapist at
8 Shenandoah Learning Services and my wife and my then current
9 supervisor Tom Reneghan, they all got together and decided
10 that I should go back to work, and the reasons why they felt
11 could go back to work was that I had a perfect job for a
12 person with my type of limitations. I had an office that I
13 could go to. I had a set routine. I didn't have to do
14 anything dangerous. I did the job well for 18 months, and
15 when suddenly I was being told that I hadn't asked for an
16 accommodation, I couldn't understand why there was a problem.

17 Q And the problems arose around the time of the Billy
18 Dale trial?

19 A Right after that, yes.

20 Q Okay. Can you just put on the record when you
21 started with the FBI?

22 A April 1973.

23 Q And what had you done prior to starting with the
24 FBI?

25 A I was -- I was a sales manager for FMC Corporation.

1 I was also in the Air Force Reserve from 1970 to 1973. Prior
2 to that, from 1965 to 1970, I was an Air Force pilot. I flew
3 a plane that the Air Force uses as a tanker, that the airlines
4 use as a transfer plane. A Boeing 707 is what it was. That was
5 the reason why I was hired for the Bureau was to take part in
6 a program where they hired, I think, around 50 pilots to take
7 part in an antihijacking program. So when I initially came
8 into the Bureau, that was one of the things that I did.

9 Q And did that bring you to Washington, D.C.

10 A No. I came to Washington in 1976 and was assigned
11 to the current squad that I am on now, basically the Application
12 Squad. And for the last 20 years, I have been doing application
13 work. Now, for part of the earlier years, I did some flying
14 work, surveillance for the FBI. I also did the switch
15 program. That may be classified.

16 Q Why don't we strike that.

17 A Yes.

18 Q I want to ask you some --

19 A And in Buffalo, I handled all types of criminal
20 matters. I worked in organized crime. I worked on a
21 surveillance unit up there, ground surveillance unit. I
22 worked in a bank robbery squad, and I worked on fugitives, and
23 I did a pretty good job, I think.

24 Q And Buffalo was prior to you coming to Washington,
25 D.C. --

1 A Yes.

2 Q -- with the FBI?

3 A Right.

4 Q Okay. I wanted to ask you some questions about the
5 office at the White House. Can you tell us where your FBI
6 Liaison Office is located, physically within the complex?

7 A Okay. Currently it's in room 532 of the Old
8 Executive Office Building. As a senior agent, I was the one
9 who was responsible for getting the space. We were bounced
10 around a lot up there. The movers used to say we ought to
11 just put wheels under our desks because we get moved around so
12 often. But it seems like we finally found a home in 532, and
13 we had been there for a number of years. We had phones. We
14 got all old computers that they were going to throw out that
15 they gave us, and everything was kind of on the QT. I mean,
16 this was not FBI equipment. It was White House equipment,
17 White House material, White House furniture. We need the
18 office because we need to do private interviews. We need a
19 place to hang our hat to have phones answered, so we needed
20 the office up there.

21 Q And that leads into the next question I was going to
22 ask you, which was: What were your primary duties at the
23 White House?

24 A My primary duties were to interview people,
25 primarily staff people. Just as a matter of routine, we would

1 get their SF-86, their Standard Form 86, their personnel
2 security form questionnaire. I would call a person up to come
3 into the office. I would sit down with them and interview
4 them about their forms that they had filled out.

5 Generally, if everything was okay, it was, you know, a
6 10-minute, 15-minute interview. If someone, for example,
7 would say, when I asked the question, have you ever used
8 illegal drugs, and they said, yes, I have used illegal drugs
9 100 times, then the interview is going to take a little bit
10 longer. I am going to have to thoroughly, you know, find out
11 what types of drugs, how many times they used them, when did
12 they use them, are they addicted, did they have any
13 treatment.

14 This information I have to write down on a 302, and
15 that's submitted to FBI headquarters eventually, and usually
16 that information is disseminated to other offices, or to
17 agents within the Washington field office if they live here.

18 Q How many interviews would you do of a person -- and
19 I know this is different for each person, but is there one
20 interview unless something is found out, or is there always a
21 set of interviews?

22 A There's always -- a new person is usually 15 to 20
23 interviews minimum. If it's a Presidential, it could be as
24 many as 35 interviews. Of course, if, you know, others --

25 Mr. Hauser. Just for clarification, are you asking the

1 number of interviews that Mr. Sculimbrene would conduct
2 himself of an applicant, or just generally the number
3 contacted as part of the background investigation?

4 Ms. Olson. Let me make it clear.

5 BY MS. OLSON:

6 Q Generally, 35 or more is the general for an FBI
7 background?

8 A Right. And I would not do all of those.

9 Q Certainly. Personally in the White House -- if it
10 a White House staff member, how many interviews would they
11 have by either you or your partner that was in the White
12 House?

13 A Generally, it could be between 5 and 7 interviews.
14 If something came up on a background investigation -- say I
15 interviewed someone and they told me that everything was
16 perfectly okay, and then the field outside, you know, outside
17 my office, comes back and says that this person had used --
18 had sold drugs while they were in college, then I would have
19 to call this person back upstairs. And I would have to sit
20 down with them and say, you know, somebody said that you used
21 illegal drugs or sold illegal drugs while you were in college
22 and give them an opportunity to refute what that person had
23 said.

24 So we wouldn't just accept, you know, the raw negative
25 information. We would give the person an opportunity to

1 refute or answer or explain or confess that, yes, he did tell
2 a falsehood on his forms.

3 Q Did you have any requirement that you report any of
4 that information to Craig Livingstone or anybody who was in
5 the White House during '93?

6 A Okay. Now, here is the way the system works. If I
7 get -- any information that I got, either derogatory or
8 positive, I would give that to the FBI. That would go from
9 the FBI office at Tyson's Corner over to headquarters, and
10 then it would go back to Craig Livingstone's office, or
11 whoever was in that office. I have no control over -- I don't
12 even see my finished product. I could say one thing on the
13 302 -- you know, because I don't see the finished product.

14 Q Do you know who in headquarters --

15 A Jim Bourke was in charge of that unit, and prior to
16 that Tom Kirk, and prior to that -- it doesn't really matter,
17 I guess.

18 Q Okay. You had mentioned a 302. Can you tell us
19 what a 302 is for people who don't understand?

20 A Okay. A 302 is a document that agents use when they
21 think it's possible that this will be used in a court of law,
22 not necessarily but possibly, as opposed to an insert where we
23 don't have certain information. A 302 has the date the person
24 was interviewed, who interviewed him, who dictated it, the
25 date that it was transcribed. And it's a form. And it also

1 says on the bottom of the form that this can't be given out
2 certain people, and various legalese.

3 Q Is it a summary of the interview?

4 A It's a summary of the interview, yes.

5 Q And who makes that summary?

6 A The agent himself does that, the agent who did the
7 interview. And if he has another agent, both agents are
8 supposed to sign it. However, the person who is interviewed
9 does not sign it.

10 Q Okay.

11 A It's not like a signed statement.

12 Q While you were at the White House, how many other
13 FBI agents were assigned there with you at any one time? And
14 did that number change through the years?

15 A Usually, there were two agents assigned there, as a
16 matter of routine. During periods of transition, four agents
17 five agents, but usually two agents. After I had my accident
18 when I came back to work, there were six agents up there.

19 Q Okay. When you first went over to the White House,
20 who was there with you?

21 A First, when I first went over?

22 Q Yes?

23 A Bob Cronin, C-R-O-N-I-N.

24 Q And then if you could just go through the different
25 agents as you recall.

1 A There have been three senior agents assigned.

2 Q Who are they?

3 A George Saunders, S-A-U-N-D-E-R-S; Bob is the secor
4 one; and I was the third one, and probably going to be the
5 last one. That's an aside. Stop me from these asides.

6 Mr. Hauser. Okay, Jim.

7 BY MS. OLSON:

8 Q Other than you as a senior agent, do you remember
9 any of the other, I guess, agents that would have been under
10 you?

11 A Yes, it would have been Gary Aldrich was a long-ti
12 serving agent with me; Louis "Bud" Small, he had been up the
13 for a number of years with me. The rest of the people were
14 not there for more than the period of -- were there for less
15 than the period of years -- except for the people that are
16 currently up there now.

17 Q These group of five people were the people who had
18 the most significant time in the White House with you?

19 A Yes, I mean several years' time.

20 Q Can you give us an approximation of how many
21 background investigations that White House unit might go
22 through in a month?

23 A I just did a study, and I should remember this, but
24 it could be anywhere from, say, 60 to 200, I would say.

25 Q And that would depend on whether it's a transition

1 period or a down period for hiring?

2 A Yes.

3 Q During a period of transition from one
4 administration to the other, do you start doing backgrounds as
5 soon as the election is completed, or do you always wait until
6 the new administration starts after Inauguration?

7 A Okay. Now, mind you, I have nothing to do -- as a
8 GS-13 street agent, you are asking me a question that I can't
9 directly speak to. I am going to have to talk to you as a
10 person who has been involved in this process for a long time.

11 Q Let me clarify then. Do you get paperwork to start
12 immediately after an election from the new administration, or
13 does it always wait until the Inauguration or when they are
14 actually in the White House?

15 A Usually, from past experience, the incoming
16 administration starts sending us cases or, you know,
17 background investigations to do on the top people, the Cabinet
18 level people and all. Usually they would start coming in the
19 middle of December, which is rather inconvenient for us street
20 agents because by the time we start working on it, it's
21 Christmas week, and guess where everyone is during Christmas
22 week. They are gone, but meanwhile our deadlines are still
23 ticking.

24 But in answer to your question, we -- you know, we did
25 get investigations prior to the administration coming on

1 board, mostly of the higher level Cabinet positions.

2 Q And what is the purpose for getting the FBI's
3 background process begun that early on?

4 A Well, you would -- you would hope that the
5 administrations are going to want the FBI to look into people
6 to preclude embarrassments that happen to them, like they did
7 on Zoe Baird and Kimba Wood, and I can also say about a few
8 others. But that's basically it. We are there to help the
9 administrations, to prevent them from some embarrassments.
10 That's how I read my job, at least part of my job.

11 Q And to focus on the current administration, were you
12 getting in the background material and would start processing
13 the Clinton administration at an early period as you had with
14 other administrations?

15 A No. It was -- there was a marked contrast. We had
16 less cases to do. The forms were poorly filled out. A lot
17 of -- when we started getting some of them, it was like in
18 July. They were back-dated in December. So somebody had not
19 submitted them in time, or someone had -- there was a problem
20 somewhere along the line. So by the time the agents in the
21 field actually started working on the case, there were a lot
22 of gaps in the time which had to be filled out, and I would
23 fault somebody somewhere for not making sure that these things
24 were up-to-date. That's one criticism that I would make.

25 Q And I wanted to clarify. You said you would get

1 some forms in July that were dated December?

2 A Right. So we wouldn't know where this person had
3 lived, where they had been working, and it's supposed to be c
4 the form.

5 Q So this would be an SF-86?

6 A Right.

7 Q That the individual indicated they had actually
8 signed in December, but for some reason it didn't come to the
9 FBI until the following 7 months later?

10 A Right. For example, say if someone worked on a
11 campaign, and then went to Kansas City from January to July,
12 and then started working at the White House, well, we wouldn'
13 have known until I sat down and talked to them, and said,
14 well, where were you from January to July; well, I was at
15 Kansas City working at such and such a job. We would have to
16 send a lead to Kansas City, and it would lead to a delay in
17 the case. That was the sort of unprofessional things we
18 didn't see in other administrations.

19 Q Did you ever experience any difficulties of setting
20 up interviews in '93?

21 A Yes, I did.

22 Q Can you tell us just generally?

23 A Generally speaking, there was an unresponsive
24 attitude on the part of a great number of people in the
25 Clinton administration, as opposed to previous administrations.

1 that I had served in, including the Carter, Reagan and Bush
2 administrations. We just didn't seem to command the respect
3 that our position, I think, demanded. People --

4 Q And I wanted to make the record clear. What do you
5 mean "that your position demanded"?

6 A Well, the fact that we were doing something for the
7 administration, I mean, we weren't weren't doing it for us or
8 the FBI. We were doing it for the administration. I mean,
9 this vetting process was being done for whatever
10 administration was currently in power. And we often had
11 questions thrown at us like, well, it's none of your
12 business. And I said, it's not my business. It's the
13 President's business. I am here because the President of the
14 United States asked me to ask you these questions. And I
15 don't care if you used illegal drugs, but perhaps he does, and
16 that's why I'm asking these questions.

17 And I -- I mean, I can't tell you how many times I was
18 confronted by kids who were young enough to be my own kids
19 questioning me about asking those questions. Now, I just bit
20 my tongue, but I was offended by that.

21 Q When you would have problems setting up interviews
22 or getting phone calls, was there anything you could do to
23 secure an interview?

24 A Yes. I would go down and walk into their office, or
25 I would go down and look to see if they were in their office,

1 and then when they said that they weren't available, I would
2 call them. Sometimes I would embarrass them into giving an
3 interview.

4 Q And did this happen more than once?

5 A More than once. Scores of times.

6 Q We have received a lot of lists of background
7 investigations in the course of our investigation of the FBI
8 files issue. Were you aware that the FBI background
9 investigations on all the FBI agents were sent over to the
10 White House and kept by Craig Livingstone in the White House
11 Office of Personnel Security?

12 A Run that question by me again.

13 Q Were you aware that the FBI background
14 investigations on you personally, as well as all the other FE
15 agents --

16 A Me personally?

17 Q -- were sent over to the White House Office of
18 Personnel Security?

19 A No, I wasn't aware of that. That would have been
20 precedent-setting.

21 Q Was it your understanding that it was the
22 responsibility of the White House to make sure that you and
23 other FBI agents got your FBI background investigations
24 updated every 5 years?

25 A That's something that we just started doing at the

1 FBI, something I would fault the FBI for not doing.

2 Q So in the past an FBI agent wasn't reinvestigated
3 a 5-year period?

4 A It wasn't -- it wasn't a real thorough
5 investigation. They did an arrest and criminal check on you,
6 but they didn't do the type of investigation that we did at
7 the White House on staff people. It was a -- I would say a
8 casual background investigation.

9 Q I have a list of names that I am going to mark as
10 Deposition Exhibit 1. This is a list of names -- of requests
11 for background investigations on individuals.

12 [Sculimbrene Deposition Exhibit No. 1
13 was marked for identification.]

14 BY MS. OLSON:

15 Q Do you recognize any of the names on this list?

16 A Yeah. That one there.

17 Q And that is number one, Gary Warren Aldrich?

18 A Uh-huh.

19 Q If you would just take a few minutes to look and see
20 if you recognize any of the other names?

21 A That rings a bell, but I better not -- Donald Ashby
22 I know that name. He is a gardener.

23 Q I will go through these. I mean, this is a fairly
24 long list.

25 A He is a GSA guy, I recognize him. How do you want

1 to do this?

2 Q You have just pointed to the name which is number -
3 which one did you point to?

4 A No. 52, Jose Canales.

5 Q I am going to go all the way --

6 Mr. Hauser. If you would like him to review this later,
7 we would be happy to, just for purposes of expediting this.

8 BY MS. OLSON:

9 Q Okay. All the way here, do you see a name on page
10 11 that you recognize?

11 A Yes. That's the headquarters guy, Doug -- he is th
12 guy who should have been contacted if headquarters wanted
13 to -- if headquarters -- if the White House wanted a
14 headquarters person to handle the Travel Office, he is the on
15 who should have been contacted.

16 Q And this is a person named John Douglas Seward,
17 S-E-W-A-R-D?

18 A Yes.

19 Q He works for the FBI?

20 A Yes -- I don't know whether he works for them
21 anymore, but he was the FBI liaison man who had a White House
22 pass, who worked at the White House during the Travel Office
23 thing.

24 Q Were you aware that his FBI background investigation
25 was sent to the White House --

1 A No.

2 Q -- to be kept by Craig Livingstone?

3 A No, I was not.

4 Q I note, if you will look at No. 192 on this list --

5 A I didn't even notice that.

6 Q -- it is the name Dennis -- M. Dennis Sculimbrene,
7 whose background investigation -- did you know your background
8 investigation was sent to the White House?

9 A No, I did not.

10 -- Joseph Sawyer, he is --

11 Q Joseph Lewis Sawyer who is No. 189, he is an FBI
12 agent?

13 A No, he is a courier, messenger, from headquarters.

14 Q You had pointed to number one on this list, which is
15 Gary Aldrich. Did you know that his background investigation
16 was provided to Craig Livingstone at the White House?

17 A No, I did not.

18 Ms. Olson. I have a document I am going to mark as
19 Deposition Exhibit No. 2, and it is a memorandum dated May
20 30th, 1996, to the FBI Liaison Office from Craig Livingstone,
21 talking about a 5-year reinvestigation, and it says, "The
22 following individual requires a 5-year FBI reinvestigation.
23 Please issue a security packet and allow 30 days to complete
24 the necessary paperwork. If you have any questions, please
25 call my office at extension 62345. Thank you," and lists the

1 following individual as being Dennis Sculimbrene.

2 [Sculimbrene Deposition Exhibit No. 2
3 was marked for identification.]

4 BY MS. OLSON:

5 Q Were you aware that it was up to Craig Livingstone
6 to make sure that FBI agents got their 5-year reinvestigation?

7 A No. When I saw that, I was flabbergasted.

8 Q Can you think of any purpose the White House has to
9 have the background files on FBI agents?

10 A No, I cannot.

11 Q As an FBI agent who has a badge, have you already
12 been cleared by the FBI as to whether or not you are a
13 security risk to the President?

14 A Yes. And as a matter of fact, as a senior agent, I
15 was the one who would okay the agents who were going to help
16 me or come over there on a part-time basis, and prior to this
17 administration that's how I did it. I wrote up a little
18 letter saying that I am asking for the White House to issue a
19 pass, and I would bring it down to the office where Jane
20 Dannenhauer used to sit, where now -- well, where Craig
21 Livingstone used to sit, and I would give them the letter, and
22 they would issue the pass. That's how it used to be.

23 So this is precedent-breaking.

24 Q During the period of 1993, did you ever notice a
25 number of volunteers that began to come into the White House

1 complex?

2 A Numerous volunteers.

3 Q Was this overly unusual when you relate it to prior
4 Carter, Reagan or Bush administrations for the same period?

5 A Completely unprecedented. In my casual
6 conversations with people in the Secret Service, you know, at
7 coffee tables or having a smoke, whatever -- I don't smoke,
8 but when they were smoking -- we were all concerned about the
9 number of people that were in the building apparently without
10 any types of even name checks. There was just -- the sheer
11 number and volumes of people walking around the place was
12 mind-boggling.

13 Q The administration had announced a 25 percent cut
14 and said that they were using volunteers obviously to help do
15 the work of the cut. Why would it be a concern of the FBI or
16 the Secret Service that there was a large volume of volunteers
17 coming in to help out at the White House?

18 A Who knows who these volunteers were? I mean, some
19 of these people might have been, you know, wanted for armed
20 robbery or murder or whatever. I don't think -- I couldn't
21 swear to it, but I am sure that there were a lot of people
22 that were in that building that didn't even have name checks.

23 Q And in the past, you have mentioned getting name
24 checks. Is that a process that volunteers were expected to
25 have before they entered the White House complex?

1 A Any visitor would have a name check done. When I
2 brought a visitor in, we would run their names by the FBI
3 computers to see if they were wanted for anything. It was
4 just a normal process that would go on.

5 Q During the first year of the administration, was
6 there a large number of staff that continued to hold temporary
7 White House passes going throughout 1993 and into the first
8 part of 1994?

9 A Yes.

10 Q Was that of any concern?

11 A Yes.

12 Q To you or the Secret Service?

13 A It was a concern to me.

14 Q Why?

15 A Because they -- they didn't have the backgrounds
16 done on them that should have been done, that had been done
17 previously. It was a -- it was a violation of the rules.
18 However, it wasn't -- you know, if that's what the
19 administration wanted, that's what they were going to get.

20 I was just concerned about it because I was looking out
21 for the best interests of the administration. I wanted them
22 to succeed. I did not want them to be embarrassed, and I
23 thought that if you have 100 people, you are going to have one
24 bad apple, I don't care what party that they are in. And I
25 was afraid that they were going to be embarrassed potentially.

1 Q Did there come a time when the White House
2 effectuated a policy change to allow people with temporary
3 badges to bring in visitors to the White House?

4 A Yes. I was aware of that, and I thought that was --
5 you know, the temporary people who weren't vetted were
6 allowing people to come in who -- only God knows who they
7 were.

8 Q And had that occurred similarly in past
9 administrations, during Carter, Reagan and Bush?

10 A Not to my knowledge, no.

11 Q Do any instances stick out in your mind, or do you
12 recall any particular instances where a volunteer attempted to
13 bring in any prohibited items or attempted to get access with
14 any either weapons or items that they shouldn't have in the
15 White House?

16 A I'm not personally familiar with anything like that.

17 Q And I ask this because there were some --

18 A I heard rumors.

19 Q -- memos and policies that came out, and I didn't
20 know if it was as a result --

21 A I had only heard rumors about it, so I would rather
22 not comment about it.

23 Q Okay. Were there similarly interns that were in the
24 White House without their background clearances during the
25 first year?

1 A Were there?

2 Q Interns.

3 A Yes, there were. There were interns working in
4 Livingstone's office, so I knew that -- I would say, Gary, did
5 you do their background? And I knew I hadn't done their
6 background, and then I knew he hadn't done their background,
7 so that's how we were aware of that for a fact.

8 Q Were you aware of those interns before it became
9 public in the past few weeks?

10 A Oh, yes, yes.

11 Q To your knowledge, was that a new policy of allowing
12 interns --

13 A Yes..

14 Q -- to go into that Security Office?

15 A Yes. Because prior to that, anybody that worked in
16 the office had a background done before they let them work in
17 that office, to the best of my knowledge.

18 Q And prior to Craig Livingstone taking that job, who
19 had been responsible for making sure that everyone had
20 backgrounds within the Office of Personnel Security?

21 A Jane Dannenhauer, and Nancy Gemmell in her absence.

22 Q And did you work with Jane Dannenhauer and Nancy
23 Gemmell through the years when you were there?

24 A Yes, I did.

25 Q And can you describe how they ran that office?

1 A It was like night and day. They were perhaps overly
2 cautious. Sometimes I would think that they were being
3 cautious to the point of being, you know, wasteful of agents'
4 time.

5 Q Can you give -- what do you mean by "overly
6 cautious"?

7 A Well, they were concerned about -- they were
8 concerned about things that I didn't think were that serious.
9 They erred on the side of caution.

10 Q What would you think not serious, something like a
11 traffic ticket?

12 A A traffic violations, yes. If they found that a
13 traffic violation would perhaps be a serious thing, and then
14 on -- well, like for a young man, I would not think that that
15 would be that serious a thing.

16 Q So when they would learn of that, would they bring
17 that to your attention to review?

18 A They would sometimes bring that to my attention,
19 yes, because they would say something like, well, you know, we
20 are going to update so and so, and you remember he had this
21 traffic violation. Whereas I never saw any sign or indication
22 of anything of substance really seemed to bother
23 Mr. Livingstone.

24 Q And by --

25 A And I say that because I knew what happened, or I

1 knew of things in that person's background investigation, and
2 then, you know, 3, 4, 5 months later knew that person was
3 working there, so my deduction being that they didn't care
4 about it.

5 Q And without going into any specifics that would
6 identify anyone, were those things in the background
7 investigation worse than a traffic violation?

8 A Much worse, yes, at least in my eyes very much
9 worse, if you want to consider using illegal drugs
10 repetitively, lying to law enforcement officers, lying about
11 school records, being fired.

12 Q One of the explanations for using illegal drugs that
13 we hear a lot now is that this is a younger generation, and
14 way back in college this younger generation smoked marijuana.
15 The illegal drug use, was it beyond younger generation kids
16 who might have smoked marijuana back in college?

17 A Yes, it was. It was older people who had used
18 illegal drugs much more recently, as recently as the
19 Inaugural.

20 Q And were these drugs anything other than marijuana
21 use?

22 A Yes. They were in addition to marijuana.

23 Q What kinds of drugs, if you recall?

24 A Designer drugs. I think the first time I heard the
25 word "designer drugs" was off an appointee. Cocaine.

1 Q Any crack cocaine that you ever recall being used?

2 A Possibly crack cocaine, but I couldn't be specific
3 about that.

4 Q But it was beyond --

5 A Mushrooms, mushrooms, you know, hallucinogenic
6 mushrooms. I think some people used LSD. It was much more
7 than the one or two times when they were 18 or 19 years old,
8 when they were freshmen in college trying a marijuana
9 cigarette.

10 Q Trying a marijuana cigarette?

11 A Yes. Of course, the thing that bothered me
12 personally was the attitude: So what, I used it?

13 Q And you said the drug use would even go up to the
14 point of someone having used drugs at the time of the
15 Inauguration?

16 A Yes. And I am not talking about junior staffers,
17 either.

18 Q Were these people -- once you received that notice
19 that something like that had occurred, were they immediately
20 removed from the White House staff, to your knowledge?

21 A In previous administrations, yes.

22 Q In this current administration?

23 A In this current administration, no.

24 Q People, to your knowledge, were allowed to remain in
25 their position at the White House?

1 A I don't know of a single person in this
2 administration, regardless of drug use or any other thing that
3 I was aware of, was terminated because of anything that came
4 up on their FBI background investigation, not a single
5 person. I could be wrong.

6 Q And when you brought up the incident of --

7 Mr. Hauser. Could I maybe just clarify, are you saying
8 terminated, or perhaps not hired, or was there a distinction
9 at this point?

10 The Witness. No, because they had been hired, because we
11 didn't do anybody who had not been hired. They were so far
12 behind.

13 BY MS. OLSON:

14 Q So these are individuals who were currently working
15 in the White House?

16 A Yes.

17 I don't think I am violating anybody's privacy by
18 speaking in general terms here, am I?

19 Mr. Hauser. No, I don't think -- my view is at this
20 point, I don't think so. But again, I just wanted to raise
21 the general caution that I mentioned at the outset.

22 BY MS. OLSON:

23 Q I am going to say general without commenting on any
24 specific people. But you did mention a general problem of
25 someone being fired. Would that be someone who had just not

1 disclosed that that had occurred in their background, and then
2 you would find out that it had occurred?

3 A Yes. It was not part of my job to get involved in
4 the firing process. I only -- you know, it was just -- it is
5 just an observation. I interviewed someone, knew of a problem
6 in their background investigation, and would wonder why they
7 were there 3 or 4 months from now.

8 Now, in previous administrations, I would go by the
9 office and they were gone; you know, the supposition being
10 that they were fired or asked to leave or decided to go on
11 their own. But for whatever reason, they were gone.

12 Q During the beginning, and I guess the first year --

13 A Could I ask who this gentleman is?

14 Ms. Olson. He is a court reporter who is going to take
15 over for this court reporter.

16 The Witness. Thank you.

17 BY MS. OLSON:

18 Q During this first year of the administration, did
19 you have any problems getting phone lists or any phone numbers
20 once the new phone had changed over?

21 A Well, we didn't have a telephone list for a while, a
22 long time.

23 Q Do you know how long that lasted?

24 A It was quite a while. I was working from -- I
25 worked for a long time from the Washington Post, who was --

1 who, what and where they were, because there wasn't any
2 official telephone list stating where the new people's offices
3 were and what their titles were. There was a big -- there was
4 a big to-do about whose title was what and, you know, nobody
5 seemed to know what their title was.

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1 RPTS STRICKLAND

2 DCMN HERZFELD

3 Q And did you find that to be common for all new
4 administrations during the first year?

5 A No, it was peculiar to this administration.

6 Q Was your office at the White House hooked into the
7 e-mail system so that you could communicate with others?

8 A No, no, it was not. I didn't want it to be hooked
9 up. Mr. Aldrich -- it was one of our differences of opinion.

10 Q Why did you not want it to be hooked up?

11 A I was very paranoid about being connected to the
12 White House computers. I didn't know whether they could tap
13 into me or not, so I would rather not be hooked into the
14 system.

15 I think he felt it was better, because we could relay
16 messages and make appointments. But I liked my own tried and
17 true method. If they don't answer my phone calls once or
18 twice, then I get on my feet and go find them and track them
19 down. I did that up here on the Hill with Senators and
20 Congressmen. I would track them down and get them away from
21 their staff and interview them. That's how I did it.

22 Q Were you in attendance or aware of any monthly
23 meetings during 1993 to discuss the White House pass situation
24 with Secret Service and other White House security officers?

25 A Only on the periphery. I wasn't in the loop of

1 that.

2 [Sculimbrene Deposition Exhibit No. 3
3 was marked for identification.]

4 BY MS. OLSON:

5 Q I have a document that I'll mark as Deposition
6 Exhibit 3, and it is a March 31st memo which we received from
7 the Secret Service, and I just ask you just look at that and
8 tell me whether people like George Saunders or Chuck Easley
9 were putting together meetings?

10 A Well, I remember John Guest. This is Arnie Cole,
11 C-O-L-E. He was head of the Pass and Identification
12 Division.

13 Q And by way of identification, that is obviously not
14 a document that you necessarily would have ever seen before?

15 A No.

16 Q We just received it about meetings, and it appears
17 that the Secret Service was participating in and had listed
18 some of the FBI agents that were present in the White House.
19 And I was wondering if you recall attending any meetings or if
20 this was just a list of people who were in the security
21 operation?

22 A I see a name here, Carolyn Weber, I don't know why
23 she was on that list.

24 Q And why is that?

25 A I don't ever recall her working at the White House.

1 Ms. Olson. We can go off the record for a minute.

2 [Discussion off the record.]

3 BY MS. OLSON:

4 Q Do you recall attending any meetings that pertain to
5 the Deposition Exhibit Number 3?

6 A It could be, and then again -- I do remember
7 attending one meeting with Bill Kennedy and Livingstone, and
8 Saunders was there, and Easley was there, and Gary and I were
9 there, and some other people from Secret Service, but I think
10 it was just a general let's get acquainted meeting. All the
11 people were very concerned with security, meet Kennedy and
12 meet Livingstone.

13 Q Do you know if anything ever came out of these
14 meetings?

15 A Nothing good.

16 Q Any problems were ever cleared up?

17 A No, no, I don't --

18 Q Any difficulties ever clarified?

19 A I don't think so. I don't think they continued it
20 either. Yeah, this is the meeting that I recall, because we
21 had a list of the contact people from the different offices
22 here: Elizabeth Kaminski, Joan Edwards, Ron Voight.

23 Q And the names that you have just described are the
24 various security contacts in the offices in the White House
25 complex?

1 A These are the people who would kind of, yeah,
2 monitor filling out the SF-86s for people in their agencies.
3 Kaminski, she would have handled the Council of Economic
4 Advisors. If they had a new member coming in the CEA,
5 Kaminski would give it to this person, show how to fill out
6 the form and what to expect. And Kaminski in turn would give
7 the SF-86 to Livingstone, and he would send it over to
8 headquarters. These were the people that were in the various
9 offices that handled the administrative security matters.

10 Q On here for the National Security Council it has Jim
11 Farrell. We were told that the National Security Council has
12 its own office there where personnel files are kept. Do you
13 know if they participate in any background investigation
14 collection?

15 A You know, that was kind of a changing scenario
16 because I remember when I first started, they had a career
17 GS-17 security officer. And the position kind of lost its
18 importance where one time during periods of the Clinton
19 administration I think they had a Navy yeoman handling the
20 security matters.

21 Because everyone at the NSC needs a security clearance,
22 and their agency actually does grant clearances. They took
23 our background investigations. Besides getting a pass, they
24 also grant them a clearance based on the FBI background
25 investigation. And that's one of the functions that that

1 office did. As far as having some files there, I think they
2 did.

3 Q Okay. Did you participate in the clearance of the
4 National Security Council individuals?

5 A Yes.

6 Q And did you discuss these with the individuals that
7 were being cleared and had the interviews similar to as you
8 described?

9 A The FBI had nothing to do with whether a person got
10 a clearance or didn't get a clearance. The only FBI agents
11 that give clearances are FBI agents on other FBI agents. FBI
12 can't give a clearance to someone at CIA or at the Office of
13 Science and Technology. That is that agency's responsibility.

14 Q Let me rephrase it. Did you interview some of the
15 NSC people?

16 A Yes, I did. I did their background investigations,
17 the results of which were used by the Agency.

18 Q And do you know if the final background
19 investigation on the NSC went over to the White House Security
20 Office that Craig Livingstone was in?

21 A I think it went through their office, but I think it
22 eventually ended up in the National Security Council's
23 office. But once again, I had no official knowledge of that.

24 Mr. Hauser. You want to take a break?

25 The Witness. How long have we been here?

1 Ms. Olson. If you want to take a break to stretch for a
2 few minutes, we can.

3 [Recess 2:50 to 2:56 p.m.]

4 BY MS. OLSON:

5 Q We are back on the record after a short 5-minute
6 break.

7 I wanted to follow up on an area where we had talked
8 about Jane Dannenhauer when she was head of the Office of
9 Personnel Security, and we had talked about some of the
10 interns being in the current administration; that Jane had not
11 had anyone there without background investigations.

12 What kind of hours did you ever observe Jane keeping or
13 the way in which she ran the office that you noticed was
14 different from the way the office was run under
15 Mr. Livingstone?

16 A Her office was always staffed, always open, and she
17 worked long hours, because I worked long hours. I usually
18 left the building 7:00, 7:30, and oftentimes she was still
19 there.

20 Q And do you know if Jane came in before 10 o'clock in
21 the morning?

22 A Yes, she did. She was a hard worker.
23 Mr. Livingstone, at first -- is that where we're going?

24 Q Yes, I wanted to ask you about Mr. Livingstone. Was
25 he there at the beginning of the administration?

1 A He was not there. And as he told me, and as I
2 understood from others, he was looking for another job. He
3 told me he wanted to run the Military Office.

4 Q Do you know if he interviewed with anyone to obtain
5 the job in the Military Office?

6 A I subsequently learned from press reports. I don't
7 want to get confused in my mind what I heard through the press
8 and what I actually remember 3 years ago, but I do know that
9 he told me he did not want the job that he had and that he did
10 want the Military Office. But who he contacted or spoke to, I
11 don't know.

12 Q The fact that he did not want the job that he had,
13 did that reflect in his running of that office, to your
14 belief, based upon your prior experience?

15 A Yes, because for a while there he was never there.
16 Nancy Gemmell, I believe, was ready to retire, wanted to
17 leave, and she was more or less running the thing for a while,
18 as best she could with the limited power that she had.

19 Q I believe Nancy Gemmell retired in August, I believe
20 it was August 14th. And did that continue until she retired,
21 that Mr. Livingstone was absent from the office?

22 A His absence grew less and less once he decided -- I
23 am making a supposition now, but I would say this, that his
24 absences grew less. He was in the office more and more and
25 more.

1 Q As time progressed through the year?

2 A As time progressed, yes, yes.

3 Q The testimony that we had in our hearing was that
4 Mr. Livingstone actually didn't come on board for a while;
5 that the first few weeks he wasn't actually on payroll in the
6 White House until February.

7 A Right.

8 Q Do you know what he was doing in those first few
9 weeks before he was on payroll?

10 A Once again, I'm going to get into that area where I
11 might confuse what I read about and what I actually recall.

12 Q Okay. That's fine.

13 The Office of White House Security has a vault, and can
14 you just describe where that vault is in relation to the
15 office?

16 A Okay. That used to be the Executive Clerk's Office,
17 and when Jane Dannenhauer took over in 1980, she moved her
18 office right next door so that she could be next to the vault.

19 Q Do you know why she wanted to be next to the vault?

20 A She wanted to be close to where the records were and
21 keep her eye on it and make sure that the people that went in
22 and out of it were people that should be going in and out of
23 it. The office is a very small office. I'm talking about
24 room 84. Very small.

25 Craig complained to me lots of time about how small an

1 office it was. Let's see, there was basically three or four
2 desks in the outer office next to the vault. The vault was a
3 little bit smaller than the office. It's got a Rolodex, a big
4 rotating thing. I think it was installed in the Reagan
5 administration.

6 Q Is that a file cabinet?

7 A A file cabinet, yes. There was a Xerox machine in
8 the office. And I know much has been made about the fact that
9 you could go into the vault, pull a file out of the vault, go
10 to the Xerox machine, and Xerox copies of it. And the answer
11 to is that possible? Yes. Did I ever see it happen? No.
12 Did I ever use the Xerox machine? Yes.

13 Q Do you know if there is a phone in the vault?

14 A I believe there is a phone in the vault.

15 Q Did you ever go into the White House Security Office
16 under Craig Livingstone when there was no one there?

17 A Yes.

18 Q And was the vault properly locked and secured when
19 there was no one there?

20 A I believe it was open.

21 Q And was it open insofar as you could walk into the
22 office and into the vault?

23 A If I wanted to, I could have.

24 Q And did that only happen once, that you ever saw the
25 office empty with the vault open?

1 A I know it happened at least once. I'm almost
2 certain it happened a couple of times. I used to go into the
3 office on almost a daily basis to get SF-86 copies that we
4 used in the Washington field office. That was the purpose and
5 the reason why I went in. And it really struck me as, you
6 know, unconscionable that I could walk into this office, and
7 lo and behold, there wasn't anybody there.

8 Q And is that why you recall it after this period of
9 time?

10 A Yes, yes, yes. I'm not saying it was like that as a
11 matter of rule. I'm not saying that. I'm just saying that
12 there were times that you could walk -- anyone could have
13 walked into that office, and it was open.

14 Q During the period where Mr. Livingstone told you he
15 had wanted to get a job at the Military Office, do you know if
16 that was the first half of '93, the last half, or can you
17 place it in time?

18 A It was definitely in the beginning of the
19 administration, so it would have been the first half of 1993.

20 Q Did Mr. Livingstone ever discuss any of his advance
21 work that he had done for the administration with you?

22 A Yes, but I --

23 Q The first question, let me clarify, did he ever
24 discuss it outside of the context of his background
25 investigation?

1 A Yes.

2 Q Out of the context of his background investigation,
3 can you just tell us what he said about his advance work, if
4 you recall?

5 A Well, he was a man who was not disinclined to
6 inflate his ego, and he told me a number of stories about the
7 work that he had done on the campaign. But he never told me
8 about the accounts that I have since read in the paper about
9 the chickens.

10 Q And that was my followup. Did he ever tell you that
11 he had been responsible for deploying Chicken George?

12 A No, that would have made me more suspicious had he
13 told me he had participated in such childish activity.

14 Q Did he describe that he had done political advance
15 work or had a lot of knowledge about politics and individuals
16 involved in politics outside of the context of his background?

17 A Yes, outside the context of the background
18 investigations, yes, we did have a number of conversations
19 about that.

20 Q And similarly, had you had similar conversations
21 with individuals who had run that office before Craig
22 Livingstone about their political savvy or knowledge? And I
23 guess that would have been Jane Dannenhauer?

24 A Yes, I had a number of conversations with Jane
25 Dannenhauer and others. I am a very gregarious person. I

1 enjoy talking to people. I enjoy finding out what they
2 think. And I don't necessarily want to agree with everyone.
3 I enjoy having differences of opinion and having intellectual
4 and intelligent conversations about those differences.

5 Q Did you find Craig Livingstone's political
6 background and work, advance work, similar to Jane's political
7 background?

8 A Absolutely totally 180 degrees opposed.

9 Q Can you explain what you mean by that?

10 A Well, Jane had worked in responsible positions for a
11 number of different politicians in the past going back to
12 Senator Murphy, I guess. Both she and her sister had worked
13 on the Hill. She was a tremendous lady. I mean, in the
14 greatest sense of the word. She had good manners. We had
15 common interests in music. We both like jazz music. We both
16 played the piano in our youth.

17 Q Did you find her to have political interests in
18 running the office or looking at it as a political
19 steppingstone?

20 A No. No. I remember having a conversation with Jane
21 on a number of occasions that I thought the office should not
22 have any political person and that it should be run by a
23 bureaucrat, and she disagreed with me about that. But that's
24 about as far as that went.

25 Q In Mr. Livingstone's conversations about his

1 political background, outside of his background investigation,
2 do you recall any specific stories that he might have told you
3 that would have stuck out in your mind as being relevant to
4 the kind of job he did at the White House Security Office?

5 A Well, he claimed that his mother knew Hillary
6 Clinton. That sticks out like a sore thumb.

7 Q Can you explain what Mr. Livingstone said to you and
8 in what context he told you that?

9 A Now, I'm pretty sure this conversation occurred in
10 my interview with him. This should be off of the record.

11 Mr. Hauser. We would have our standard objection as to
12 any information disclosed to or obtained by Mr. Sculimbrene
13 during the part of an investigation.

14 BY MS. OLSON:

15 Q Would such information have been recorded in a
16 background investigation of Mr. Livingstone?

17 A No.

18 Q Why wouldn't that kind of information go into a
19 background?

20 A That's an agent's call. And since I really didn't
21 know whether it was true or not, it was more or less
22 irrelevant.

23 Q Is there other information such as whether or not
24 Mr. Livingstone's mother knew the First Lady that you heard
25 from Mr. Livingstone but didn't put in his background

1 investigation?

2 A I heard others tell me that that was the case; that
3 he had told them that his mother knew Mrs. Clinton.

4 Q And was that Bill Kennedy?

5 A Only by inference.

6 Q Can you explain what kind of inference Mr. Kennedy
7 made that made you think that he thought Mr. Livingstone's
8 mother knew the First Lady?

9 A This is difficult for me to explain. It was
10 apparent to me that Mr. Livingstone didn't want this job.
11 From conversations, several conversations, with Mr. Kennedy,
12 it became apparent to me that Mr. Kennedy did not want
13 Mr. Livingstone in this job.

14 Q And what were the context of those conversations?

15 A Well, he asked me, well, do you want to work with
16 him? And I told him, this is an inappropriate question for
17 you to ask me, Mr. Kennedy.

18 Q For Mr. Kennedy to ask you as an FBI agent?

19 A Yes, as the FBI agent who doesn't answer questions
20 like that. And he kept pressing me and kept pressing me. And
21 I think I finally I said to him something like that I can work
22 with anybody that the administration asks me to work with, but
23 he wouldn't be my first choice. Don't hold me to those exact
24 words, but I think that is about what I said.

25 Q Did you make any suggestions to Mr. Kennedy about

1 anyone who else might work in that office?

2 A I did. And that's why I felt that he was stuck,
3 that would be the word that I would use, because there was an
4 individual whom I had known in the end of the Carter
5 administration named Jackie Dinwiddie, D-I-N-W-I-D-D-I-E, I
6 believe, who had Jane Dannenhauer's job, worked in the same
7 office. She was a competent, honest career professional.

8 I did this out of my -- some people said why did you do
9 this, Dennis? I did this out of my own personal interest
10 because I felt if we had a competent professional there, my
11 job would be easier. She would know exactly what she had to
12 do and exactly the pitfalls, because I wanted this
13 administration to succeed.

14 I told Mr. Kennedy that either Bob Cronin had told me --
15 he was the former agent who used to work at the White House --
16 either he told me that she contacted him or Ms. Dinwiddie
17 contacted me about another matter and told me about it. And
18 Mr. Kennedy told me that he knew that Mrs. Dinwiddie was
19 interested in the job, so even my bringing it up for a second
20 or third time -- but he told me it was a done deal, that Craig
21 was going to have the job. So by inference, taking Craig
22 Livingstone at his word back then that his mother did know
23 Hillary, that was my assumption.

24 Q And this was early on when they were considering
25 putting Mr. Livingstone on a permanent basis?

1 A Yes.

2 Q You had characterized Ms. Dimwiddie as a competent,
3 honest professional career person. Is that how you would
4 characterize Jane Dannenhauer?

5 A Yes, yes.

6 Q And what was it about Craig Livingstone that didn't
7 strike you as falling within that realm, that would have been
8 noticeable to someone who was reviewing him from the inside,
9 not necessarily from the FBI agent, that might have been
10 noticeable from, let's say, Mr. Kennedy's vantage point?

11 A He didn't want the job. That's number one. He
12 flatly didn't want the job. Now, why hire someone who doesn't
13 want that particular job, who wants a better job? I think
14 even he said that in testimony that he didn't want the job.

15 Q Without revealing anything in Mr. Livingstone's
16 background, did you ever have any conversations with
17 Mr. Kennedy regarding Mr. Livingstone's background, or do you
18 know if the agent that reviewed his background did?

19 A Once again, we are going to go into the privacy
20 problem here.

21 Mr. Hauser. I think you could answer whether or not you
22 had a conversation. You have to be cautious about
23 any characterization of content of the file. If you can do
24 that.

25 BY MS. OLSON:

1 Q Did you ever meet with Mr. Kennedy concerning
2 Mr. Livingstone's background?

3 A Yes.

4 Q Do you know if any of the other agents at the White
5 House, Mr. Aldrich, was there -- do you know if he met with
6 Mr. Kennedy regarding Mr. Livingstone?

7 A Yes. Apparently Mr. Kennedy asked Mr. Aldrich the
8 same inappropriate question.

9 Q If he could work with a man like Craig Livingstone?

10 A Yes.

11 Q Do you know what Mr. Aldrich's response was?

12 A Yes, it was more of a definite "no" than mine.

13 Q Were you present when that happened?

14 A Mr. Aldrich related that to me.

15 Q And if you recall what he related, you said it was
16 more definite than yours?

17 A Well, I think I waffled a little bit saying that I
18 could work with him, but he wouldn't be my first choice. Gary
19 probably said, he wouldn't be my choice if he was the last man
20 on Earth. Now, I'm paraphrasing here.

21 Q I understand.

22 I wanted to ask you a question. Did you ever have
23 occasion where any Clinton administration employees came to
24 you and asked you for background information or information on
25 the Travel Office employees?

1 A Yes.

2 Q Can you just describe that?

3 A I can specifically recall during my interviews with
4 Mr. William Kennedy and Mr. Jeff Eller that during the course
5 of our interviews they brought up -- not I -- they brought up
6 the subject of my experience at the White House, the fact that
7 I had been there for a number of years, and did I know
8 anything about the Travel Office.

9 And I have been misquoted in the press saying that I gave
10 information out of the FBI files. I didn't have their files
11 with me, so I couldn't have given it to them.

12 Q What information did you give them?

13 A The information I was giving to Mr. Kennedy and
14 Eller was innocent information that was intended to correct
15 what I saw as their misrepresentations about the lifestyles
16 and the honesty and the political backgrounds of the
17 individuals in the Travel Office. And that was what I was
18 talking about.

19 Q And was that information based upon your presence at
20 the White House and your observance in talking to people that
21 they knew outside of the context of a background
22 investigation?

23 A Right.

24 Q Did Patsy Thomasson ever ask you about their
25 backgrounds?

1 A Patsy Thomasson made some rather caustic remarks
2 about the Travel Office employees, and I don't remember
3 whether I talked to her specifically -- I mean, I don't
4 remember the occasion for my conversation with her, whether it
5 was because I was talking to her about her own background
6 investigation or about whether she was a supervisor or
7 co-worker of an employee. And I don't remember the time frame
8 as well as I do the other two conversations. But I am sure I
9 talked to Mr. Kennedy and Mr. Eller prior to any word of them
10 being fired.

11 Q And so, they were fired on May 19th, 1993. Do you
12 know if it was in the May time period?

13 A It was prior to the May 19th time period. Quite a
14 while before, I would think.

15 Q And did you ever hear any accusations that the
16 Travel Office employees were all Republicans or Bush
17 supporters? I know you had mentioned --

18 A Mr. Bowie said that, and Mr. Eller and Mr. Kennedy
19 and Ms. Thomasson were under that impression.

20 Q And were you able to tell them your view of them?

21 A I told them. They didn't believe me or chose not to
22 believe me.

23 Q And what did you tell them?

24 A I told them that they weren't particularly
25 political; that some of them were Democrats and some of them

1 had voted for Bill Clinton. I told them that they weren't
2 living beyond their lifestyles.

3 I remember one conversation where Mr. Kennedy -- I had
4 just bought an airplane, the one that almost killed me, and I
5 said to him, Bill, if you have been in Washington as long as
6 Billy and I have been here, we have small mortgages, and we
7 can afford, you know, houseboats and airplanes. And he said,
8 he made a crack to me, maybe we ought to open up a case on
9 you, Dennis.

10 Mr. Kennedy was complaining to me that he couldn't find a
11 suitable place to live here in Washington. So, yes, I do
12 remember having a number of conversations with Mr. Kennedy
13 about the Travel Office.

14 Q Were you aware of Barney Brasseux's wife's work;
15 that she was a Vice President of a major cooperation?

16 A No, I didn't know that.

17 Q And made quite a substantial income?

18 A Well, I knew that John McSweeney's wife was
19 wealthy. I did tell them that, because John McSweeney is a
20 neighbor of mine. He was a retired policeman. Had his
21 pension, a GS-13. I think Billy Dale's wife was a GS-13,
22 Billy Dale was a 15. And I said, add this all up. These
23 people are not living beyond their means. They weren't from
24 Arkansas.

25 Q Did there come a time right before the firings when

1 Mr. Kennedy talked with you about some undisclosed event that
2 might be of concern or that the FBI had been called? Do you
3 recall any conversation with Mr. Kennedy concerning his
4 calling in the FBI for guidance?

5 A You may be referring to the night before they were
6 fired.

7 Q Did you talk to Mr. Kennedy then?

8 A Yes.

9 Q Can you describe that?

10 A Well, let me give you a little background about what
11 happened to me that night. Mr. Kennedy had asked me to do
12 something that I unwisely did. He asked me to put a memo to
13 him about how I would improve the program, the background
14 investigation program. And at first I kept telling
15 Mr. Kennedy, you shouldn't ask me to do this. This is not my
16 position to do this. And he kept calling me names.

17 Q Calling you names? Besides Agent Sculimbrene?

18 A Bureaucratic wuss and names that -- worse.

19 Q But to that effect?

20 A I still don't like to use swear words in front of
21 women.

22 But anyways, I unwisely did give him a memo, and it was a
23 gentleman's agreement that this was going to be between Bill
24 Kennedy and Dennis Sculimbrene.

25 Q Why were you worried that this memo would go

1 elsewhere?

2 A Because I was trying to tell him that the Bureau is
3 the Bureau, and if they think that I am doing something that I
4 shouldn't be doing -- and I shouldn't be doing this, I told
5 him. But I was just trying to help -- I was trying not to be
6 a bureaucratic wuss. I was trying to do what I thought was
7 the best for the administration and in turn helping myself
8 out, because I thought it would make things work better.

9 I gave him the memo. And the day before the firings,
10 Bill Kennedy -- we were called to Bill Kennedy's office with
11 my supervisor Tom Reneghan and Gary Aldrich. And that's when
12 Mr. Kennedy tells my supervisor that, you know, Dennis has
13 been a big help to me. He gave me this memo. And my
14 supervisor's eyeballs got real big because agents aren't
15 supposed to do things like that.

16 Q Let's describe, just to make the record clear, what
17 kind of information was in the memo. What was the purpose of
18 the memo to serve?

19 A To make the spin process, the background
20 investigation process, better.

21 Q So were you suggesting ways that the FBI could
22 improve it as well as the White House?

23 A Yes.

24 One of the things I suggested was a really outlandish
25 thing; that the White House people and headquarters and his

1 office get together and have a meeting of the minds because
2 headquarters had always fought that. They never wanted to
3 have us present while the White House was present. You know,
4 seems like makes common sense, doesn't it? I mean, I had
5 worked for a major corporation for three years, and I
6 guarantee you that a major corporation when they have a
7 problem, they call everybody in, from the people that work
8 down to the line, to the middle manager, to the sales force,
9 the production people. Everybody is involved if you have a
10 problem. But for some reason or another headquarters
11 absolutely steadfastly refused to have a meeting with the guys
12 at the White House, the guys and gals at the White House, the
13 Counsel's Office and headquarters. And that was one of the
14 things that I thought that we should do and my suggestion.

15 Q Was this a memo that you typed up in a formal way?

16 A I typed it up on my computer either at work or at
17 home.

18 Q And was it addressed to Bill Kennedy in a memo form?

19 A It was addressed to Bill Kennedy, yes. And it
20 wasn't an official document. It was something that I wrote to
21 Bill Kennedy between the two of us. And ever since that time,
22 you know, I stood back from Bill Kennedy.

23 Q So, I wanted to go back to him calling you in his
24 office, and he mentioned to Tom what great help you had been,
25 how you had given him all of these great ideas to improve the

1 system, and what else happened?

2 A Well, he said -- he said as we were leaving, he put
3 his arms around both of us, which I do not like, and said,
4 boy, you guys are really going to be glad I kept you out of
5 what's going to happen tomorrow. And what happened tomorrow
6 was the firing. And he was telling us that he did us a favor
7 by going around us or not getting us involved in the Travel
8 Office firings and the criminal investigation that
9 subsequently followed.

10 Q And you recall this was the day before the firing?

11 A Yes.

12 Q Was Mr. Reneghan still there when Mr. Kennedy put
13 his arms around you?

14 A I believe he was, and I believe he heard the
15 conversation. He sort of verified that Mr. Kennedy told him
16 about the memo that he had written.

17 Q Did you ever have a meeting with Bernard Nussbaum
18 about problems that you were having in the White House getting
19 interviews with White House staff or getting the paperwork?

20 A I may have, but one, the first meeting I had with
21 Mr. Nussbaum sticks out like, you know, very prominently in my
22 mind.

23 Q Can you describe that?

24 A Yes. Mr. Aldrich and I had to see Mr. Nussbaum
25 because we were working on -- Gary was working on Mr. Foster's

1 case, and I was working on Mr. Kennedy's case. The
2 requirement was we have to talk to their supervisor, who is
3 Mr. Nussbaum. So we decided to go over and introduce
4 ourselves to Mr. Nussbaum for the first time and conduct the
5 interviews and give him a general idea about who we were, how
6 long we had been there, and what we did and what we could do
7 for the administration.

8 The interview had to last at least 20 minutes, I would
9 say, maybe even longer than that. But there was no doubt in
10 my mind that Mr. Nussbaum had this conversation with me and
11 Gary Aldrich and that we advised him, you know, what we did.
12 Mr. Nussbaum at first was going on about how glad he was to
13 have us there, and about how wonderful it was that we were
14 going to keep him on the straight and narrow, and that's when
15 Mr. Aldrich brought up the case of Janet Reno.

16 Q That was shortly after her nomination had been
17 announced?

18 A Yes.

19 Q And was that announced prior to a lot of FBI
20 background investigation?

21 A Nothing, to the best of our knowledge, nothing had
22 been done. And the reason why Gary and I knew this, we were
23 the only two agents working at the White House at the time.
24 And in order for the case to have even started, one of us
25 would have had to have gotten the lead to go to the Executive

1 Clerk's Office to see whether she had ever been nominated for
2 any position before. So we knew that the administration had
3 announced the third Attorney General without benefit of an FBI
4 background investigation. And --

5 Q And did Mr. Nussbaum's demeanor change?

6 A Well, yes, because Gary kind of called him on this.
7 And Mr. Nussbaum got a little bit upset about this because I
8 think Mr. Nussbaum knew that we knew that he was blowing
9 smoke. Do I need to define?

10 Mr. Hauser. Can we take a break?

11 Ms. Olson. Yes.

12 [Recess 3:26 to 3:31 p.m.]

13 BY MS. OLSON:

14 Q We are back on the record after a short break.

15 Prior to the firing of the Travel Office employees, had
16 you had any discussions with Bill Kennedy or Vince Foster
17 about your duties at the White House, and were they aware
18 generally that you and Gary Aldrich existed at the White House
19 as FBI agents?

20 A Certainly they knew. For example, the Assistant
21 Director of Quantico Tony Daniels had asked me to encourage
22 the Clinton administration to come down to Quantico to visit
23 them, like the Bush administration had and the previous
24 administration, and which I had participated in getting them
25 to come down.

1 And one of the reasons why Bill Kennedy and I had a
2 number of discussions was because I was trying to get him to
3 come down. He and I had a mutual interest in shooting and
4 hunting, and I told him if he went down to Quantico, he could
5 get to play with all the guns.

6 Q One of the things that Mr. Kennedy said publicly as
7 well as testified to is that he didn't know where to turn when
8 he received this notice of alleged wrongdoing in the White
9 House Travel Office. He didn't know who to go to for
10 guidance.

11 Was that the sort of thing that your office could have
12 provided guidance to the White House on if they had contacted
13 you?

14 A Yes. For example, just prior to the
15 administration -- this administration coming on board, there
16 was a case involving the residence itself where a criminal
17 referral was made through our office, and I sent it down to
18 the criminal agents who handle that sort of matter.

19 Now, let's face it, the Travel Office was nothing more
20 than a simple criminal case, if it was that. They could have
21 called in the city police, I guess, if they had wanted to.

22 Q And for guidance, would you or others in your office
23 have been able to provide guidance and liaison with the FBI if
24 necessary?

25 A As it was set up, that was the practice and

1 procedure that was in place. It might not have been
2 formalized by an agreement or memorandum, but that was the
3 practice and procedure that was in place.

4 And as I previously stated, conversations that I had with
5 Mr. Nussbaum and Mr. Kennedy and I believe conversations that
6 Gary Aldrich had had with Mr. Foster, I mean they all knew who
7 we were and what we did and who we represented.

8 One of the persons on that list that you pointed out, as
9 I said, he was a headquarters agent who was assigned for that
10 purpose. If the White House felt uncomfortable talking to the
11 street agents who worked there, they could have contacted
12 Mr. Seward, and he could have taken the matter to headquarters
13 and discussed it over there.

14 I am, to this current day, in the dark as to how
15 Mr. Collingwood, who was then head of Congressional Affairs,
16 how he got involved in the Travel Office.

17 Q And I think initially Mr. Kennedy said that he
18 called Mr. --

19 A Mr. Bourke.

20 Q -- Mr. Bourke because he had talked with him in
21 background investigations. At that point, had you had
22 conversations with Mr. Kennedy of a sufficient nature that he
23 would not only know you existed, but knew your function?

24 A Knew me personally. He didn't know Mr. Bourke
25 personally. He may have met him one time. But he knew me

1 personally.

2 Second of all, Mr. Bourke's job at headquarters is to
3 handle spin investigations. Mr. Dale was not the subject of a
4 spin investigation or a background investigation. Mr. Bourke
5 shouldn't have been contacted at all. I mean -- enough said.

6 Q Did you or any other agents at the White House ever
7 write any memos, either to your supervisor, to anyone at FBI
8 headquarters, about the problems that you were experiencing
9 obtaining interviews and getting the necessary paperwork
10 completed by the Clinton administration?

11 A I wrote a few memos. I did a lot of complaining on
12 the phone; a lot of talking to my supervisor, Tom Reneghan. I
13 believe Gary wrote a number of memos. I have subsequently
14 learned that most of these memos don't exist.

15 Q Were these memos to Mr. Reneghan or other places?

16 A Mostly to Mr. Reneghan since he was my immediate
17 supervisor, and I would have expected him to pass them on up
18 the line. Even though they weren't addressed to him, they may
19 have been addressed to the director or to the spin unit, but I
20 would have given them to Mr. Reneghan because he was my
21 immediate supervisor.

22 Q And can you tell me, when an FBI agent receives a
23 phone call such as one that you have just described, is it
24 normal procedure to do some kind of notation or memo or some
25 kind of recordation of a phone call?

1 A That's an agent's call, judgment call, you know.
2 When you work the night desk, you don't record every call that
3 comes in if the person is -- obviously has mental problems.

4 Q But if a supervisor is having a conversation with
5 another agent about a problem --

6 A I would have hoped and expected that my complaints
7 and conversations were going up the line.

8 Q Did you have any contact with Jim Bourke concerning
9 investigations that you felt were being cut short or were not
10 being fully explored, either because of time constraints by
11 Mr. Bourke or just that he didn't think they warranted?

12 [Witness confers with counsel off the record.]

13 Mr. Hauser. Could you read back the question?

14 BY MS. OLSON:

15 Q Let me cut it down. It is a long, compound
16 question, and let me make it a little shorter.

17 Did you ever observe, or do you have any knowledge of
18 Mr. Bourke cutting short any investigation or inquiry of
19 anyone?

20 A Yes.

21 Q Was this in connection with anyone at the White
22 House?

23 A Yes.

24 Q Was it a situation where you believed further
25 investigation was necessary?

1 A Yes.

2 Q Do you know if the investigation was ultimately cut
3 short because of a decision by Mr. Bourke? Or was it later
4 continued?

5 A Well, there was at least one or two cases I know
6 where conversations were had where Mr. Bourke wanted to stop
7 an investigation, which eventually did continue, which did
8 eventually end up in the appointee not getting the job.

9 Q Did you ever notify anyone else at headquarters
10 about these incidences?

11 A No.

12 Q Did you ever notify your supervisor about such a
13 problem?

14 A Yes, I did notify my supervisor.

15 Q And do you know whether this is written or oral?

16 A Sometimes it was written; sometimes it was oral.

17 Q Can you just briefly explain what an access list is
18 for entrance to the White House?

19 A Okay. You have to understand this is a Secret
20 Service function, and it has nothing to do with my official
21 duties, so what I know is just institutional.

22 To my best knowledge, the access list is when the office
23 run by Craig Livingstone, or Jane Dannenhauer before him,
24 wants to bring someone in on a visit, 1-day visit or 2-week
25 visit or some sort of thing where a background investigation

1 is not going to be done, or where a background investigation
2 is going to be done but this is like an initial process, that
3 they would ask the FBI to do a name check to see whether they
4 were wanted anywhere for whatever reason.

5 And then the administration would tell Secret Service
6 that they are on access for a limited period of time. And
7 some people would be given passes that said "T" on them.
8 People that were going to be a little bit longer had temporary
9 passes which had dates when the pass would expire.

10 Q Do you have any knowledge of whether Anthony Marceca
11 was on an access list prior to his starting as a detailee in
12 August of 1993?

13 A I have no idea whether he would have been on the
14 access list. I did ask Mr. Marceca what he was doing there.

15 Q When was that?

16 A When he first came.

17 Q Do you know if that was in August?

18 A I can piece events together and say yes, it was in
19 August, because I know when he arrived now.

20 Q What did Mr. Marceca say he was doing there?

21 A He said that he was helping out. Gave me some very
22 vague answers to some of my questions. When I found out that
23 he was from western Pennsylvania, I wanted to know what he had
24 been doing. And he gave me the impression that he had been a
25 career army investigator and had been doing it for like 20

1 years. And subsequently I found out that he was a
2 politician. And when I say "politician," I mean a political
3 operative or whatever term you want to use.

4 Q Did Mr. Marceca's access ever become a part of an
5 investigation by the FBI?

6 A Yes he was investigated because I remember Cecilia
7 Woods doing his investigation.

8 Q And we have talked to Cecilia Woods just as a point
9 of reference for you.

10 Did you ever sit down with Mr. Marceca and have any
11 conversations about his background with him?

12 A No.

13 Q Did you ever go to Mr. Kennedy or Mr. Livingstone
14 about Mr. Marceca's background?

15 A No.

16 Q Do you know if Cecilia Woods did?

17 A Nope.

18 Q Did you ever discuss Mr. Marceca's background with
19 Cecilia Woods?

20 A I believe she told me -- can I tell what she told
21 me?

22 Mr. Hauser. No, I think you can say you discussed it,
23 but not as to what precisely she told.

24 Q Was it information that was actually contained in
25 the background investigation, or information that she knew

1 that she didn't put in the background investigation?

2 A That's too overbroad.

3 Q In other words, let me explain the reason why I am
4 asking this. Director Freeh has asked that we not go into the
5 specific background investigation with agents such as
6 yourself. And one of the reasons why is he told the Chairman
7 we will make available the actual background investigations so
8 that you don't need to ask the agents that kind of information
9 and put them in a position where they have concerns about the
10 Privacy Act.

11 I just want to know if it is information that would not
12 have been contained in the background investigation that she
13 discussed with you. Because if it's contained in the
14 background investigation, there is no reason ever to want to
15 get it from an FBI agent. But the Chairman will be interested
16 if there was information about individuals that was, as you
17 said, not put in because maybe it wasn't relevant. And point
18 in case was the information about the First Lady and
19 Mr. Livingstone's mother. Did Cecilia Woods tell you
20 information that you think didn't go in the background?

21 Mr. Hauser. The difficulty I have with that is that
22 Mr. Sculimbrene would not know because he didn't do the
23 background report as to what was put in the report or not. So
24 I don't believe he could differentiate between that. And I
25 think it puts him in a difficult position in trying to

1 respond.

2 BY MS. OLSON:

3 Q If you didn't read and have no reference, then I
4 agree, I withdraw the question.

5 A Thank you. Thank you.

6 Q Is it true that you didn't read Mr. Marceca's
7 background and wouldn't know what information went in and what
8 information didn't?

9 A The agents don't get to read the whole report. That
10 is the rules. Compartmentalization.

11 Q You're right.

12 Once again, do you know if Mr. Marceca ever received a
13 White House clearance?

14 A I don't recall.

15 Q Detailees such as Mr. Marceca, do they receive full
16 background investigations, and would they normally be sent
17 back to the White House after completion?

18 A Under the Reagan and Bush administration, anybody
19 that was working there for 6 months had to have a full-field
20 background investigation. I never could quite figure out what
21 the rules were in the Clinton administration.

22

23

24

25

1 RPTS COLCHICO

2 DCMN HERZFELD

3 Q But that was a pretty standard rule previously?

4 A Yes, previously, for detailees or for anybody, you
5 know, private contractor, whatever. If they were going to be
6 there for 6 months, they had to have a full-field background
7 done.

8 Q And I take it there were individuals in the White
9 House that had been there for 6 months without a full-field
10 background investigation?

11 A Yes, there were.

12 Q And were some of these individuals in senior
13 positions at the White House?

14 A Yes.

15 Q Did you do the background investigation of Craig
16 Livingstone?

17 A Yes, I did; I mean, part of it. I did his
18 interview.

19 Mr. Hauser. Could I just interrupt? I want to go back
20 to the previous question so it's clear in my mind and it's
21 clear for the record that they would not -- could not be there
22 for 6 months unless they had a background investigation, was
23 that the initiation of a background investigation or --

24 The Witness. If the administration thought they were
25 going to be there for 6 months, I think that was a general

1 rule. Now, that was not a steadfast thing.

2 Mr. Hauser. That they would do a background
3 investigation before the person was brought on?

4 The Witness. Sometimes before the person was brought on,
5 but more than likely the person was already there before we
6 started the background investigation.

7 Mr. Hauser. Okay.

8 BY MS. OLSON:

9 Q And in previous administrations, did they initiate
10 the investigation before the 6 months was up?

11 A Usually they tried to, yes.

12 Q Other than the information that you learned during
13 the course of the background investigation of Mr. Livingstone,
14 did he make any other misrepresentations to you of facts that
15 you later learned were not true? And I am asking you, because
16 of your lawyer's objection, to try to differentiate between
17 misrepresentations in his background investigations and maybe
18 things he just said to you on a social basis when you were
19 there.

20 Mr. Hauser. Again, the difficulty here would be to the
21 extent that that might be true, it might then rely upon the
22 content of the results of the background information to
23 determine that.

24 Ms. Olson. Okay.

25 Mr. Hauser. Which I think would be a problem for

1 Mr. Sculimbrene in answering that question.

2 BY MS. OLSON:

3 Q Then I will let the question just hang there
4 unanswerd.

5 Other than the statement about Mr. Livingstone's mother
6 knowing the First Lady, was there other information that he
7 gave to you that you didn't put in his background, which you
8 later learned to be untrue?

9 A I would rather not answer that question, for the
10 same reason, privacy concerns.

11 Q Since this question may be submitted by the
12 Chairman, our understanding is that the Privacy Act pretty
13 clearly does not apply if the Chairman of this committee were
14 to ask you to reveal information directly to him. Minority
15 has voiced an objection that they think it gets grayer as it's
16 staff asking you to reveal Privacy Act information, and based
17 on that, I wanted to make a very clear question.

18 What I am asking is if Mr. Livingstone made statements to
19 you that you later learned were not true, but they were not
20 recorded either in the 302 or in documents that you sent over
21 to the White House, we would like to know the content of those
22 statements and what they were. And these would be statements
23 that we could not learn by reading his background
24 investigation, and I will leave it at that for the Chairman to
25 determine if he wants to submit that.

1 A Okay.

2 Mr. Hauser. But let me say, too, just so that there's no
3 misunderstanding, I mean, Mr. Sculimbrene is willing to answer
4 the questions, but we feel based upon guidance that we have
5 received that it would be inappropriate for him to do that.
6 So we want to be clear that we want to cooperate with the
7 committee to the fullest extent possible. If he is permitted
8 to answer that question under the Privacy Act and with the
9 blessing of the FBI, he is pleased to do it.

10 Ms. Olson. Okay.

11 Mr. Hauser. If he has information that is responsive to
12 your question.

13 The Witness. Let me embellish this question, too. If I
14 find out that someone has told me an untruth, it's difficult
15 for me to open an investigation from where I sit. I mean, I
16 don't have the power -- I did not have the power to do that.
17 I basically had to sit and, you know, wait for the next
18 investigation to come along before I could -- before I could
19 bring that up. That's just the way -- I mean, once it was
20 adjudicated, it was like that's it. That's over with.

21 BY MS. OLSON:

22 Q So if you were to learn information about an
23 individual after their clearance had already gone through --

24 A Unless this is a criminal matter.

25 Q But just an untruth, like if someone had said, I was

1 CEO of IBM, his investigation was approved, 3 months later you
2 found out that's not true --

3 A Yes.

4 Q -- you would have to wait until the 5-year
5 reinvestigation as the normal course?

6 A It would not be my -- in my position or my power to
7 reinstitute an investigation.

8 Q And as a followup, the followup question would be if
9 that kind of information about Livingstone ever came to light,
10 which I will submit to the Chairman to see if he wishes to
11 have that question submitted about Mr. Livingstone.

12 Do you know when Mr. Livingstone got his security
13 clearance in the White House?

14 A No, I do not.

15 Q Do you know when he got his permanent pass?

16 A No, I do not, not personally.

17 Q Did you do Bill Kennedy's background investigation?

18 A I did his interview, yes.

19 Q Did you go to Bernie Nussbaum about any problems in
20 Mr. Kennedy's background?

21 A Well, I think I have already said that I went to
22 talk to Mr. Nussbaum as his supervisor.

23 Q Okay. For an interview?

24 A For an interview.

25 Q But I am asking, other than an interview, did you

1 have any conversations with Mr. Nussbaum which would concern
2 items in Mr. Kennedy's background?

3 A Can I talk to my counsel here?

4 Q Certainly.

5 [Pause.]

6 A The answer is that I only interviewed Mr. Nussbaum
7 regarding Mr. Kennedy as his supervisor.

8 Q Did you later become aware of any information on
9 Mr. Kennedy concerning either his background or information
10 contained in his background and go to his supervisor based on
11 that?

12 A I would rather not answer that question, based on
13 privacy.

14 Q Are you able to at least do a yes or no?

15 Mr. Hauser. The difficulty we have with that is if you
16 are asking was there a meeting and was that meeting based on
17 derogatory information, then that's a characterization of what
18 is in the FBI file.

19 Ms. Olson. I will leave that question hanging then,
20 too.

21 BY MS. OLSON:

22 Q Do you know when Mr. Kennedy's Background was
23 completed?

24 A No, I do not.

25 Q Okay. Do you know when he got his clearance, if it

1 was in '93 or '94?

2 A No, I do not. I do not know that.

3 Q Did you do the background on David Watkins?

4 A No, I didn't.

5 Q Do you know who did?

6 A Gary did.

7 Q Do you have any knowledge of any efforts by the
8 First Lady or her staff to have Mr. Gary Walters removed from
9 the White House?

10 A Yes.

11 Q And was that involved in a background investigation
12 or just from being at the White House?

13 A Just from being at the White House.

14 Q Can you describe those then?

15 A Oh, geez. A number of people who I would rather not
16 identify because they still work there told me that --

17 Q That is fine.

18 A -- the First Lady was angry and upset with
19 Mr. Walters because she thought that the staff was talking out
20 of school. She held him responsible for the staff doing
21 that. And that's really all I would really like to say right
22 now.

23 Q Did --

24 Mr. Hauser. Could I interrupt just for one second?

25 Ms. Olson. Yes.

1 Mr. Hauser. I think that Mr. Sculimbrene's concern, as
2 he alluded to, is that he doesn't want to disclose the
3 identities of individuals who may have communicated to him for
4 fear of some sort of adverse personnel action to them.

5 The Witness. Right.

6 Mr. Hauser. On the other hand, if there is information
7 that is responsive to Mrs. Olson's question without revealing
8 that, then I think you should go forward.

9 The Witness. And I am also concerned that, you know, I
10 don't want to spread rumors about the First Lady if they are
11 not true. I don't -- I don't want to be portrayed as doing
12 that, either.

13 BY MS. OLSON:

14 Q No, one of the things is, please, if the basis of
15 your knowledge is information from someone else, we want to
16 clearly have that and clearly have it on the record that it's
17 not that you saw a conversation or that -- but that you were
18 told about a conversation.

19 A I was told that by a number of individuals, that
20 that, in fact, was what was going on. Mind you, these
21 individuals may be in -- may have been in error about their
22 assumptions, and I took no official action because it wasn't
23 my job to do such. But I can't help it if someone comes up to
24 me and tells me something or sends me something through the
25 mail. If something is on my desk and it's addressed to me and

1 I open it up, I read it, I, you know, I --

2 Q Did you receive any documentation or letters
3 concerning any efforts by the First Lady to get rid of Gary
4 Walters?

5 A Documents? No. About Gary Walters? No.

6 Q Or any memos or any letters or written material that
7 would shed light on an effort by the First Lady or her staff
8 to get rid of Gary Walters?

9 A Are you talking about documents again?

10 Q Anything that might come on your desk, either in an
11 anonymous way --

12 A Once again, in order for me to answer this question
13 correctly and precisely, I would have to bring in a background
14 investigation that I was involved in. So I would rather not
15 address that question.

16 Q Did there come a time when you became aware that a
17 White House usher had been fired?

18 A Yes.

19 Q And can you please tell us the circumstances of
20 that?

21 A This happened while I was still in recuperation, so
22 everything I knew about it came via the telephone.

23 Q Can you please tell us who -- I take it this was
24 thirdhand information?

25 A Yes. I was called by the press on this, too, and I

1 told them I knew nothing. But I was aware that Mr. Emory had
2 been fired allegedly for calling Mrs. Bush.

3 Q Do you know if Mr. Emory was reinvestigated out of
4 time?

5 A I was contacted by the press and asked that
6 question, and I was asked if I was aware that he had been
7 investigated out of context. But I frankly do not remember
8 that for a fact. It's not saying that it didn't happen,
9 because I know a few people whose backgrounds were done out of
10 time, out of sequence.

11 Q That was my followup.

12 A Yes.

13 Q Do you know of anyone else whose backgrounds were
14 done out of sequence?

15 A Yes.

16 Q Were these White House resident staff, or were these
17 other parts of the White House?

18 A One of these was a White House resident staff who
19 comes to mind.

20 Q Who was that?

21 A Ms. Tedrick. I can't remember her first name. I am
22 getting tired. She worked in the -- she worked downstairs in
23 the Curator's Office.

24 Q Her last name was Tedrick?

25 A Tedrick, yes.

1 Q And anyone else you knew that was investigated out
2 of time?

3 A Well, if they asked me about my investigation, I
4 think I was investigated out of time.

5 Q Other than yourself?

6 A Pardon me?

7 Q Other than yourself.

8 A No, I can't recall right now.

9 Q Why was Ms. Tedrick being reinvestigated out of
10 time?

11 A I only know that by rumor and allegation as to
12 why -- what she was accused of doing.

13 Q Okay. Did she ever --

14 A Talk to me personally?

15 Q -- tell you, or did you ever have the 5-year
16 reinvestigation date confirmed that it was out of time?

17 A No.

18 Q Did there come a time when you became aware that
19 White House telephone operators were being given top secret
20 clearances by Craig Livingstone?

21 A Yes.

22 Q Can you please tell us the circumstances of that?

23 A I was watching the televised hearings, and there was
24 a telephone number at the White House which the White House
25 couldn't seem to find out who the number was assigned to.

1 Q Were these hearings the Whitewater hearings?

2 A The Whitewater hearings. I believe they were Senate
3 Whitewater hearings, although I kind of get your hearings, the
4 Clinger hearings, and the Whitewater hearings mixed up, and I
5 really am getting tired. You hear my voice is getting --

6 Q Yes. And I am almost done.

7 A Good. Stop.

8 Q I am probably going to stop and submit any
9 additional questions by writing.

10 A But I think this is important. When I heard the
11 White House saying that they didn't know who had these
12 telephone numbers, I just kind of -- I said, they could find
13 out in 5 minutes if they really wanted to. And I found out,
14 and I believe that there are records existing that would tell
15 you who those numbers are, because if a telephone is put in at
16 the White House, a human being has to do it, and a record has
17 to be made of it. That's the rules. So anybody that says you
18 can't find out something like that is -- it's not being
19 completely forthright.

20 Q Do you recall if this was a telephone number
21 connected to calls made by the First Lady immediately
22 following Mr. Foster's death?

23 A Yes.

24 Q And whose phone number was that?

25 A You know, I can't remember who it was.

1 Q But you did look it up?

2 A Well, I was told -- I was told that they could find
3 out real quickly whose number it was.

4 Q And you don't recall?

5 A Whose number?

6 Q Yes.

7 A No, I can't recall.

8 Q Can you tell us if telephone operators were given
9 top secret clearances as a result of that event?

10 A I was told that by one who complained to me, a
11 person, an individual who I would rather not name, complained
12 to me about being given a top secret clearance because this
13 person felt it was an effort for -- by the administration to
14 shut the telephone operators and the telephone service up.

15 Q If you could explain, based upon your knowledge,
16 what would that do? How would that shut up a telephone
17 operator if they were given a top secret clearance?

18 A Well, if you have never had a top secret clearance
19 given to you before, and all of a sudden they are going to
20 give you one, a person would sometimes be intimidated by that
21 sort of action.

22 Q And the penalties that go along with disclosing?

23 A And the penalties that go along with it, and there's
24 confusion about what you can say and what you can't say. And
25 I -- this was the last time I ever talked to Craig in an

1 effort to try to help him out. I said, you know, I think it's
2 inappropriate to do this.

3 Q Did he admit that he had done it?

4 A He told me it's none of my business.

5 -- Q I take it there was another word before "business"?

6 A Yes.

7 Q Do you know if those clearances were rescinded of
8 the telephone operators or what happened?

9 A I believe they were given. Whether they were
10 rescinded, I don't know.

11 Q Were you aware of any individuals that were retiring
12 in the first year of the Clinton administration because of the
13 way the White House was being run?

14 A I believe a number of people retired during the
15 first year.

16 Q Did they tell you that they were just retiring
17 because it was time or because of the way things were being
18 run at the White House?

19 A Because of the way things were being run at the
20 White House, and -- I am getting awfully tired.

21 Q Okay. I will leave that. We will probably do a
22 followup, if you don't mind. I will leave that question open,
23 and we can do a followup on that of people retiring.

24 The only other question I will leave open, and I know you
25 are tired, and I don't want any witness to go beyond tired,

1 but I just want to put it on the record, if any incidents were
2 brought to your attention or you heard of, by individuals
3 working in the White House, of activities in the White House
4 that may not have gone into a background investigation, but
5 people working there that were upset to the point of coming to
6 you about activities, conduct, and this would have been an
7 area of concern?

8 A A person I think probably should be talked to is
9 Frank Sobel, who was a detailee from the Department of Energy
10 who worked in the Counsel's Office. He had come into our
11 office a number of times expressing his disbelief or whatever
12 about what was going on, and I believe Frank is a lifelong
13 Democrat and has, you know, very -- well, he would be a very
14 good person to talk to.

15 And also Mr. Kennedy's secretary, his first secretary,
16 whose name completely escapes me now. But I remember she was
17 a middle-aged black woman, and perhaps you could find out who
18 she was and talk to her, because she had -- she had expressed
19 some reservations to me about what was going on. But I can't
20 really remember what they were specifically now.

21 Ms. Olson. We are down on the record. It's after 4:00.
22 I thank you. I am sorry it went so long. I do appreciate you
23 coming in, and if there are any followup or any questions, we
24 will submit them.

25 Once again, the Minority will be given this deposition

1 after you have had a chance to review it. It will be ready in
2 24 hours. They are usually pretty quick. If they are not, we
3 will call you. Just call us, and we will set up a time. The
4 Minority will be given a copy after you have reviewed the
5 transcript, and if they have any questions, I have already
6 asked them to submit them in writing to us.

7 Thank you very much. We are down.

8 [Whereupon, at 4:08 p.m., the deposition concluded.]

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NO.	NAME	DATE	MATERIALS PROVIDED
1	ALDRICH, GARY WARREN	8/9/93	YES
2	AMBROSE, DOUGLAS RANDOLPH	8/6/93	YES
3	ANDERSON, DELORES MARY	8/11/93	YES
4	ANDERSON, ELLIS ALPHONSO	8/11/93	YES
5	ANDERSON, JOHN DAVID	8/11/93	YES
6	ANDERSON, RICHARD ELBERT	8/2/93	YES
7	ASBERRY, HOSEA JR.	8/11/93	YES
8	ASHBY, DONALD	7/30/93	YES
9	AYER, DONALD BELTON	8/10/93	YES
10	BAGLEY, SHELTON RAY	8/11/93	YES
11	BAILEY, SHIRLEY DORETHA	8/11/93	YES
12	BAKER, JOHNNY BERNARD	7/30/93	YES
13	BAKER, SARAH LANE	8/11/93	YES
14	BALLARD, PATICIA KRISTEEN	8/11/93	YES
15	BALOD, PATRIA GASPAR	8/6/93	YES
16	BANKS, CHARLIE WILL	8/2/93	YES
17	BARBOUR, NELSON LEWIS	8/3/93	YES
18	BARIL, MICHAEL PHILIP	8/11/93	YES
19	BARNES, JOAN MARIE	8/11/93	YES
20	BARNETT, EDWARD	8/11/93	NO