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Congress of the United States

House of Representatives

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

2157 RAYBURN HOUSE OFFICE BUILDING

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June 17, 1996

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MAJORITY—(202) 225-6074
MINORITY—(202) 225-6061

MEMORANDUM

TO: Jane Sherbourn, Special Counsel to the President

FROM: Don Goldberg, Minority Professional Staff

RE: Records in preparation for hearing on FBI files

In order to prepare for the Committee's Wednesday, June 19, 1996, hearing regarding the FBI's providing of personnel security files to the White House, please provide the following records as expeditiously as possible:

Any correspondence between the Office of Personnel Security and the Secret Service reflecting inquiries regarding the status of passholders or the deletion of passholders.

Thank you for your assistance.

THE WHITE HOUSE
WASHINGTON

June 15, 1996

BY HAND DELIVERY

The Honorable William F. Clinger, Jr., Chairman
Committee on Government Reform and Oversight
United States House of Representatives
2157 Rayburn House Office Building
Washington, D.C. 20515-6143

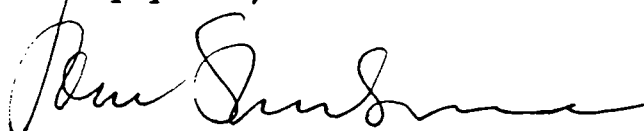
Dear Chairman Clinger:

This is in further response to your two letters of June 12, 1996.

In response to your letter concerning Anthony Marceca's detail to the White House, I am enclosing documents with Bates stamp numbers CGE 43810-43824. A production log is enclosed.

With respect to your letter requesting copies of the "Executive Office of the President Roster of Employees," we are continuing to work on the request and will provide the documents to you as soon as possible.

Sincerely yours,



Jane C. Sherburne
Special Counsel to the President

cc: Hon. Cardiss Collins



U.S. Department of Justice

Federal Bureau of Investigation

Office of the General Counsel

Washington, D.C. 20535

June 13, 1996

BY COURIER

Ms. Jane Sherburne
Special Counsel to the President
The White House
Washington, D.C.

Dear Ms. Sherburne:

In accordance with the oral agreement made with you by my Deputy, Tom Kelley, on the evening of June 6, 1996, I am returning herewith a xerox copy of the contents of carton CF216. That carton was one of the three cartons of records you turned over to Mr. Kelley and Inspector Kitchen that evening. We have retained the original carton and its contents.

Sincerely,

Howard M. Shapiro
General Counsel

Enclosure

THE WHITE HOUSE
WASHINGTON

June 7, 1996

VIA FACSIMILE

The Honorable William F. Clinger, Jr., Chairman
Committee on Government Reform and Oversight
United States House of Representatives
2157 Rayburn House Office Building
Washington, D.C. 20515-6143

Dear Chairman Clinger:

We have received your request of today for calendars and telephone records of certain current and former White House employees. We will undertake to provide this information to you as promptly as possible, although it is unlikely we will be able to gather this information by your requested response date of Monday June 10, 1996.

We understand your request to seek calendars and phone records, message slips and phone logs as follows:

1. Such records that reflect contacts between or among the identified individuals during the period December 1, 1993 and January 10, 1994.

2. Such records that reflect contacts between any of the individuals identified in your Paragraph 1 and the FBI, during the defined period. As we do not know the names of all employees of the FBI, we read the request to seek those records that, on their face, reflect a contact with the FBI.

Sincerely yours,



Jane C. Sherburne
Special Counsel to the President

cc: Hon. Cardiss Collins

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House of Representatives

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

2157 RAYBURN HOUSE OFFICE BUILDING

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June 6, 1996

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MAJORITY—(202) 225-5074
MINORITY—(202) 225-6061

Jane C. Sherburne
Special Counsel to the President
The White House
Washington, D.C. 20500

Dear Ms. Sherburne:

As you are aware, the Committee on Government Reform and Oversight is conducting an investigation with respect to the White House Travel Office matter. This investigation is being conducted pursuant to the Committee's authority under Rules X and XI of the House of Representatives.

House Resolution 369 passed by the House of Representatives on March 7, 1996, grants the Committee special authorities to conduct staff depositions and submit interrogatories. A copy of the Resolution and Committee Rule 19 adopted to implement the Resolution is attached. *no attachment*

Pursuant to this Resolution, we are requesting a deposition of you between the dates of June 10 and 14, 1996. Please contact my staff by 5 p.m. Friday, June 6, 1996 to schedule the deposition. The Committee is trying to complete these depositions in an expeditious manner and is working within a limited timeframe. Accordingly absent a conflict which cannot be changed, we would appreciate your working within this schedule. As you will note in the attached rules, the minority counsel is accorded full participation in these depositions.

Your cooperation in this matter is greatly appreciated. If you have any questions, please call Barbara Olson or Barbara Comstock at (202) 225-5074.

Sincerely,

William F. Clinger Jr.

William F. Clinger, Jr.
Chairman

cc: Representative Cardiss Collins

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Congress of the United States **House of Representatives**

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MAJORITY—(202) 884-6071
 MINORITY—(202) 884-6081

June 6, 1996

Jack Quinn, Esquire
 Counsel to the President
 The White House
 1600 Pennsylvania Avenue
 Washington, D.C. 20500

RE: Bernard Nussbaum

Dear Mr. Quinn:

The White House document production to this Committee dated February 26, 1996, contained telephone logs of Bernard Nussbaum, identified with Bates stamp numbers CGE 34864-34882.

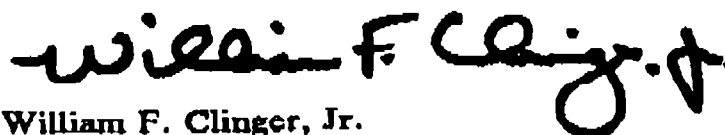
It appears that the Counsel's office has redacted large portions of the logs that it considered non-responsive, however, some messages that were unredacted are incomplete. The following is a listing of those documents and individual messages for which we are requesting more information. Since Mr. Nussbaum's deposition is scheduled for Wednesday, June 12, 1996, we will need all of the information requested by Monday, June 10, 1996.

CGE 34870	Date and time of message from Hubbell
CGE 34873	Date and time of message from Thomases
CGE 34880	Date and time of message from Braver
	Date and time of message from Kennedy

Quinn letter, Page 2

Thank you for your cooperation in assisting the Committee in obtaining this information.

Sincerely,

A handwritten signature in black ink, reading "William F. Clinger, Jr." with a stylized flourish at the end.

William F. Clinger, Jr.
Chairman

cc: The Honorable Cardiss Collins

THE WHITE HOUSE

WASHINGTON

September 16, 1996

BY HAND DELIVERY

The Honorable William F. Clinger, Jr.
Chairman
Committee on Government Reform
and Oversight
2157 Rayburn House Office Building
United States House of Representatives
Washington, D.C. 20515

Dear Chairman Clinger:

I am enclosing additional documents responsive to your requests and the subpoena dated August 2, 1996. A production log is attached. As stated in Ms. Sherburne's letter of September 6, 1996, we are still in the process of reviewing files from the Office of Records Management and electronic records from the Office of Personnel Security. The enclosed documents are the result of these efforts.

Several of the documents enclosed were printed from electronic files containing a date code. These documents therefore reflect the date when we first printed them for review prior to production -- September 5, 1996. For your information, we have placed on these documents a label indicating the date when the electronic record was last saved.

We have located multiple drafts of spreadsheets prepared in connection with the GAO audit of the pass issuance process, similar to documents we have already produced (such as, for example, CGE 055122-41 and CGE 055218-31). Please let us know if you are interested in receiving more of this material.

Please give me a call if you have any questions.

Sincerely yours,

Jack Quinn / MN

Jack Quinn
Counsel to the President

Attachment
Enclosures

cc: Honorable Cardiss Collins

DOCUMENTS PRODUCED TO THE
HOUSE COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT
ON SEPTEMBER 16, 1996

BATES NUMBER	SOURCE
CGE 55295-55707	Chris Cerf
CGE 55708-55717, 55723-55751	Office of Personnel Security
CGE 55753-55756	William Kennedy
CGE 55757-55772	Office of Personnel Security

THE WHITE HOUSE
WASHINGTON

September 6, 1996

BY HAND DELIVERY

The Honorable William F. Clinger, Jr.
Chairman
Committee on Government Reform
and Oversight
2157 Rayburn House Office Building
United States House of Representatives
Washington, D.C. 20515

Dear Chairman Clinger:

This letter provides a status report on our response to the subpoena issued to the White House by the Committee on August 2, 1996. Although full compliance with the Committee's broad subpoena was not possible to achieve in the ten working days you provided for our response, we have been diligent in our efforts to collect and produce responsive material as promptly as possible. Indeed, since receiving the subpoena, we have produced over 3,000 pages to the Committee. We produced documents on August 20, August 21, August 27 and August 28, September 5, and are producing additional responsive material today. A production log is attached.

With our production today, we believe we are in substantial compliance with the subpoena.

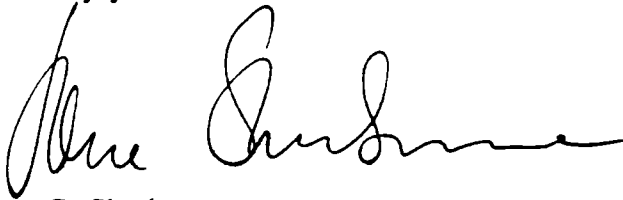
As we previously have explained, portions of our responses to the subpoena and your letter requests of June 12 and June 21, 1996 were delayed because the Office of the Independent Counsel had asked that we refrain from reviewing material in the Office of Personnel Security until they had completed their own review. With the exception of certain electronic records that we will review shortly, we now have completed our review of this material and are producing the remaining responsive material from that location today. In addition, although we reviewed files of former employees maintained by the Office of Records Management for responsiveness to the Committee's request of June 21, we must now review these records again for responsiveness to the Committee's subpoena. This is a time-consuming process that would have been accomplished more efficiently if your requests

Hon. William F. Clinger, Jr., Chairman
September 6, 1996
Page 2

for review of this material had not been staggered. Finally, should we locate any additional responsive material of which we are not now aware, we will produce it to the Committee promptly.

Our response with respect to each of the thirteen specific requests set forth in the August 2, 1996, subpoena is attached hereto. Please feel free to call me if you have any questions.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Jane C. Sherburne". The signature is fluid and cursive, with a large initial "J" and "S".

Jane C. Sherburne
Special Counsel to the President

Attachment
Enclosures

cc: Honorable Cardiss Collins

RESPONSE OF THE WHITE HOUSE TO THE AUGUST 2, 1996 SUBPOENA
TO THE WHITE HOUSE BY THE HOUSE COMMITTEE ON
GOVERNMENT REFORM AND OVERSIGHT

1. All records relating to Craig Livingstone's employment or services at the White House, job performance, as well as any actions taken concerning his status at the White House, his role and duties at the White House, and any records of the hiring and retention of Craig Livingstone (excluding only his FBI background file).

Response: We have provided all responsive White House records we have been able to locate. We have interpreted the limitation incorporated in the request to apply to all documents relating to Mr. Livingstone's clearance that reflect personal information.

(2) All communications and contact by Craig Livingstone with other White House or EOP employees regarding White House passes, the White House Military Office, advance work, FBI background investigations, or security clearances (excluding the contacts of any FBI background files).

Response: We have provided all responsive White House records we have been able to locate. To the extent the request calls for information regarding White House passes, FBI background investigations, and security clearances, we have interpreted the request consistently with our interpretation of Paragraph 6 of the Committee's June 21, 1996, request, as set forth in my letter dated July 9, 1996.

(3) All records relating to Anthony Marceca (excluding their FBI background file).

Response: We have provided all responsive records we have been able to locate. We interpret the limitation incorporated in the request to apply to all documents relating to Mr. Marceca's clearance that reflect personal information.

(4) All records relating to Lisa Wetzel (excluding their FBI background file).

Hon. William F. Clinger, Jr., Chairman
September 6, 1996
Attachment - Page 2

Response: We have provided all responsive records we have been able to locate. We interpret the limitation incorporated in the request to apply to all documents relating to Ms. Wetzl's clearance that reflect personal information.

(5) The names of all employees, detailees, assignees and/or interns who have worked in any capacity in the White House Office of Personnel Security from January 20, 1993, to the present.

Response: We provided the information available to us in my letter to the Committee dated July 9, 1996.

(6) All records from December 1, 1995, to present regarding contacts with any individual in the FBI General Counsel's office regarding any matters relating to Craig Livingstone, Anthony Marceca, Lisa Wetzl, Bernard Nussbaum, the First Lady, Billy Dale, Gary Wright, Barney Brasseux, John McSweeney, John Dreylinger, Robert Van Eimeran and Ralph Maughan and any matter related to the White House Travel Office, Dennis Sculimbrene, or Gary Aldrich and any matters relating to FBI background investigations and any matters relating to the FBI background investigations of Anthony Marceca and Craig Livingstone.

Response: We have provided all responsive White House records we have been able to locate.

(7) All records from May 1, 1996, to present relating to any contacts or communications regarding any information contained in the FBI background file of Craig Livingstone or Anthony Marceca.

Response: We have provided all responsive White House records we have been able to locate.

(8) All records from October 1, 1995 to the present relating to any contacts with any individual in the U.S. Department of Justice regarding the release of FBI files to the White House or any records relating to the proposed plea agreement of Billy Dale.

Hon. William F. Clinger, Jr., Chairman
September 6, 1996
Attachment - Page 3

Response: We have provided all responsive White House records we have been able to locate. We have not interpreted this request to seek information related to potential Presidential appointees.

(9) All records from December 1, 1995 to the present relating to any information provided to any individual at the White House regarding any actual or potential books being considered for publication as well as any notes, talking points, or communications regarding such publications.

Response: We asked your staff to focus this request so that we could avoid collecting material unrelated to your Committee's concerns. On Thursday, August 30, we received a letter from Ms. Olson informing us that the Committee would consider narrowing its request only after we had collected and identified to the Committee all material responsive to the current request. We promptly circulated the request as written to all staff of the Executive Office of the President. We will notify you when we have collected the responsive material.

Your staff indicated that you are interested primarily (although not exclusively) in the recently published book by Gary Aldrich. We have provided talking points and statements regarding Mr. Aldrich's book, which we prepared after publication of the book. The only document we have located relating to pre-publication review of Mr. Aldrich's book is the copy of the manuscript provided to White House Counsel Jack Quinn by FBI General Counsel Howard Shapiro. We do not know what, if any, material from this particular manuscript may have been deleted by Mr. Aldrich from the published book in response to any concerns that may have been raised by the FBI with Mr. Aldrich. In light of this

Hon. William F. Clinger, Jr., Chairman
September 6, 1996
Attachment - Page 4

consideration, we believe it appropriate to return the manuscript to the FBI, rather than provide it directly to the Committee.

(10) All records from January 20, 1993 to the present regarding the process by which White House passes are issued and delays in that process.

Response: Many documents relating to this issue were generated in the process of responding to the GAO audit and previous congressional inquiries relating to the pass issuance process. We have produced all of the responsive White House records we have located and processed to date. We expect to produce additional material shortly.

(11) All records relating to the initiation and administration of the White House's individual random drug testing program developed at or around the spring of 1994.

Response: We have provided records responsive to this request. We have interpreted your request not to call for documents that reveal information about individual participants in the program. As, we are not producing a few documents that describe methods of scheduling drug tests because their production may compromise the efficacy of the program. We will make the documents available for review by Committee staff upon request.

(12) All records relating to the implementation and administration of a new Security Clearance process in 1995.

Response: We have provided all responsive records we have been able to locate.

(13) All records relating to contacts that Craig Livingstone had with any Secret Service agent or law enforcement official regarding the death of Vincent Foster and all records of any contact or communication that Craig Livingstone had with anyone regarding Mr. Foster's office or documents in his office.

Hon. William F. Clinger, Jr., Chairman
September 6, 1996
Attachment - Page 5

Response: We have provided all responsive records we have been able to locate.

* * * * *

We have not interpreted the subpoena to call for draft or final communications with your Committee and other Congressional committees regarding the matters you are currently investigating or documents reflecting communications with or the investigative activities of the Office of Independent Counsel. We also have not provided internal memoranda relating to proposed amendments to the Treasury-Postal appropriations bill relating to the FBI files matter.

THE WHITE HOUSE
WASHINGTON

September 9, 1996

BY FACSIMILE

Barbara K. Olson
Chief Investigative Counsel
House Committee on Government Reform and Oversight
2157 Rayburn House Office Building
Washington, DC 20515-6143

Dear Barbara:

I am writing in response to your letter of September 6, 1996, seeking information regarding the dates of certain telephone messages we produced to the Committee.

As I told you in my letter of August 21, 1996, the date of the message bearing Bates number CGE 49928 is February 25, 1994. According to our best information, the other messages you identified were taken in the following years:

CGE 54248-54250	1995
CGE 54251-54259	1994
CGE 54260-54261	1995
CGE 54262-54263	1994
CGE 54264-54266	1995
CGE 54267-54269	1994
CGE 54270	1995
CGE 54271-54272	1994
CGE 54273	1995
CGE 54274-54275	1996

Please call me if you have questions.

Sincerely,

Jane Sherburne/mn

Jane C. Sherburne
Special Counsel to the President

cc: Donald Goldberg
Professional Staff Member

WILLIAM F. CLINGER, JR., PENNSYLVANIA
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September 6, 1996

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MAJORITY—(202) 225-5074
MINORITY—(202) 225-5051

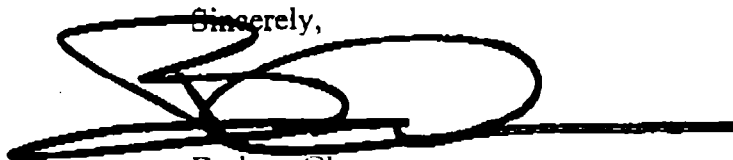
Jane C. Sherburne
Special Counsel to the President
The White House
Washington, D.C. 20005

Dear Ms. Sherburne:

We spoke last night about the recent White House production. I would like to reiterate my request for the year in which each phone message was taken. The Bates stamp numbers are CGE 054248 through CGE 054275. In addition, a member of my staff called earlier this week to request the year in which the message from Willie Nelson to Craig Livingstone was taken, Bates stamp number CGE 049928. Please provide the dates which correspond to the Bates numbered messages.

Thank you for your prompt attention to this matter.

Sincerely,



Barbara Olson
Chief Investigative Counsel