

FOIA MARKER

This is not a textual record. This is used as an administrative marker by the Clinton Presidential Library Staff.

Folder Title:

FBI Files Matter - Correspondence with Senate Judiciary Committee [1]

Staff Office-Individual:

Counsel's Office-Nemetz, Miriam

Original OA/ID Number:

CF 446

Row:	Section:	Shelf:	Position:	Stack:
20	2	9	2	V

THE WHITE HOUSE
WASHINGTON

October 23, 1996

BY HAND

Manus Cooney, Esq.
Staff Director & Senior Counsel
Judiciary Committee
United States Senate
Washington, D.C. 20510

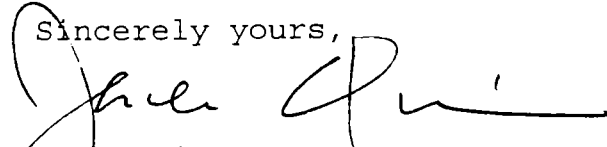
Dear Manus:

As agreed between you and Ms. Sally Paxton, we enclose a listing of memoranda written by George Saunders reflecting interviews conducted by him in connection with certain individuals' background investigations for March through September, 1994 in lieu of the memoranda themselves. As we have previously stated, these are the only memoranda from that time period maintained by Mr. Saunders. The enclosed list provides you with the information I understand you to want without requiring us to provide sensitive personal information that each document contains.

Due to the confidential nature of this information, you have agreed to treat the list in the same manner as the Office of Personnel Security logs previously provided to the Committee; that is, the list will be kept in the same manner as documents relating to judicial nominees with the added protection that only the designated staff previously agreed to shall have access to this information.

I am pleased that we were able to resolve this matter. Please give me a call if you have any questions.

Sincerely yours,



Jack Quinn
Counsel to the President

Enclosure

cc: Karen Robb, Esq.

Minority Staff Director (without enclosure)

ORRIN G. HATCH, UTAH, CHAIRMAN

STROM THURMOND, SOUTH CAROLINA
ALAN K. SIMPSON, WYOMING
CHARLES E. GRASSLEY, IOWA
ARLEN SPECTER, PENNSYLVANIA
HANK BROWN, COLORADO
FRED THOMPSON, TENNESSEE
JON KYL, ARIZONA
MIKE DEWINE, OHIO
SPENCER ABRAHAM, MICHIGAN

JOSEPH R. BIDEN, JR., DELAWARE
EDWARD M. KENNEDY, MASSACHUSETTS
PATRICK J. LEAHY, VERMONT
HOWELL HEFLIN, ALABAMA
PAUL SIMON, ILLINOIS
HERBERT KOHL, WISCONSIN
DIANNE FEINSTEIN, CALIFORNIA
RUSSELL D. FEINGOLD, WISCONSIN

United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

MARK R. DISLER, *Chief Counsel*
MANUS COONEY, *Staff Director and Senior Counsel*
CYNTHIA C. HOGAN, *Minority Chief Counsel*
KAREN A. ROBB, *Minority Staff Director*

August 26, 1996

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

Dear Ms. Sherburne:

In Manus Cooney's absence this week, I am responding to your August 23, 1996 letter to him, and your rejection of the protocol earlier conveyed to you. Although I have not met or dealt with Jim Weber, please convey to him my congratulations on the birth of his child.

I appreciate your interest in cooperating with Chairman Hatch's inquiry and that you have assembled material responsive to his request. Such response is certainly long overdue, the requests having been made on July 3 and July 23. As has been previously communicated to you, we are willing to take special steps to protect the security of documents you provide us, including unusual limitations on access to documents and requiring designated Senate staff to sign agreements under threat of sanctions. We are not prepared, however, to have the Committee's procedures micromanaged as a condition of the receipt of documents to which the Committee is entitled.

Accordingly, I have enclosed a revised protocol. It takes into account the concerns which I understand you have expressed and which are reflected in your proposed protocol. I am, of course, willing to explain the rationale for its terms, but I am not prepared to negotiate further over those terms.

We are prepared to implement the enclosed protocol. Chairman Hatch believes further delay in the White House's response to him is unacceptable. If we do not receive responses to Chairman Hatch's request for material by 3 p.m. on August 30, 1996, you may consider the enclosed protocol as withdrawn. The Committee will, instead, proceed to take up the consideration of subpoenas for the requested material.

Sincerely,



Mark R. Disler
Chief Counsel

MRD:db
Enclosure
cc: Cynthia Hogan, Esq.

PROTOCOLS FOR ACCESS TO, PHYSICAL CUSTODY OF, AND PUBLIC USE AND DISCLOSURE OF DOCUMENTS PROVIDED TO THE SENATE JUDICIARY COMMITTEE BY THE WHITE HOUSE IN ITS INQUIRY INTO WHITE HOUSE REQUESTS FOR FBI BACKGROUND INVESTIGATION REPORTS AND RELATED MATTERS.

1. ACCESS - Senate staff access to all documents submitted by the White House in response to Committee requests dated July 3, 1996 and July 23, 1996 (the "Documents") will be limited to Committee Staff designated by the Chairman and the Ranking Member, and one (1) designated staff person from each Member of the Committee. No other staff for Members of the Committee, nor any other Senate staff, may review the Documents without the authorization of the Chairman. All designated staff shall agree to the conditions set forth in this protocol and shall execute the attached confidentiality agreement.
2. CUSTODY - The Documents will be maintained at all times in a secure fashion. Only staff designated pursuant to paragraph one (1) shall be permitted to review the Documents. Copies of the Documents may be made by the Chairman's designated staff to facilitate review by staff designated pursuant to paragraph one (1). All copies made for such review will remain under the control of the Chairman. Designated staff may take notes, but may not make copies of Documents, except as previously provided in this paragraph, or if such copies are made for the purpose of public disclosure pursuant to this protocol, or for use by designated staff or Senators in preparation for a hearing.
3. PUBLIC DISCLOSURE - Documents will be maintained in a "Committee confidential" status and will not be publicly released, except as follows: (1) The Chairman shall have the authority to decide whether, and how, Documents may be publicly disclosed. The Chairman shall make such decisions after consultation with the Ranking Member. (2) Documents may also be utilized, and introduced into the hearing record, at public hearings of the Committee. No staff of the Committee shall disclose, in whole or in part or by way of summary, the Documents subject to these protocols unless authorized by the Chairman in consultation with the Ranking Member. This protocol does not preclude public disclosure of information derived from other sources.

UNITED STATES SENATE

**CONFIDENTIALITY AGREEMENT RELATING TO THE SENATE JUDICIARY
COMMITTEE'S INQUIRY INTO THE WHITE HOUSE REQUESTS FOR FBI
BACKGROUND INVESTIGATION SUMMARIES AND RELATED MATTERS.**

I have read, understand, and initialed the attached document protocols. I will abide by these protocols. I understand I will be subject to sanctions, including loss of pay or removal from employment, if I disclose confidential information or Documents in violation of these protocols.

Signature

Printed Name

Office

Date

ORRIN G. HATCH, UTAH, CHAIRMAN

STROM THURMOND, SOUTH CAROLINA
ALAN K. SIMPSON, WYOMING
CHARLES E. GRASSLEY, IOWA
ARLEN SPECTER, PENNSYLVANIA
HANK BROWN, COLORADO
FRED THOMPSON, TENNESSEE
JON KYL, ARIZONA
MIKE DEWINE, OHIO
SPENCER ABRAHAM, MICHIGAN

JOSEPH R. BIDEN, JR., DELAWARE
EDWARD M. KENNEDY, MASSACHUSETTS
PATRICK J. LEAHY, VERMONT
HOWELL HEFLIN, ALABAMA
PAUL SIMON, ILLINOIS
HERBERT KOHL, WISCONSIN
DIANNE FEINSTEIN, CALIFORNIA
RUSSELL D. FEINGOLD, WISCONSIN

United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

MARK R. DISLER, *Chief Counsel*
MANUS COONEY, *Staff Director and Senior Counsel*
CYNTHIA C. HOGAN, *Minority Chief Counsel*
KAREN A. ROSS, *Minority Staff Director*

August 26, 1996

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

Dear Ms. Sherburne:

In Manus Cooney's absence this week, I am responding to your August 23, 1996 letter to him, and your rejection of the protocol earlier conveyed to you. Although I have not met or dealt with Jim Weber, please convey to him my congratulations on the birth of his child.

I appreciate your interest in cooperating with Chairman Hatch's inquiry and that you have assembled material responsive to his request. Such response is certainly long overdue, the requests having been made on July 3 and July 23. As has been previously communicated to you, we are willing to take special steps to protect the security of documents you provide us, including unusual limitations on access to documents and requiring designated Senate staff to sign agreements under threat of sanctions. We are not prepared, however, to have the Committee's procedures micromanaged as a condition of the receipt of documents to which the Committee is entitled.

Accordingly, I have enclosed a revised protocol. It takes into account the concerns which I understand you have expressed and which are reflected in your proposed protocol. I am, of course, willing to explain the rationale for its terms, but I am not prepared to negotiate further over those terms.

We are prepared to implement the enclosed protocol. Chairman Hatch believes further delay in the White House's response to him is unacceptable. If we do not receive responses to Chairman Hatch's request for material by 3 p.m. on August 30, 1996, you may consider the enclosed protocol as withdrawn. The Committee will, instead, proceed to take up the consideration of subpoenas for the requested material.

Sincerely,



Mark R. Disler
Chief Counsel

MRD:db
Enclosure
cc: Cynthia Hogan, Esq.

PROTOCOLS FOR ACCESS TO, PHYSICAL CUSTODY OF, AND PUBLIC USE AND DISCLOSURE OF DOCUMENTS PROVIDED TO THE SENATE JUDICIARY COMMITTEE BY THE WHITE HOUSE IN ITS INQUIRY INTO WHITE HOUSE REQUESTS FOR FBI BACKGROUND INVESTIGATION REPORTS AND RELATED MATTERS.

1. ACCESS - Senate staff access to all documents submitted by the White House in response to Committee requests dated July 3, 1996 and July 23, 1996 (the "Documents") will be limited to Committee Staff designated by the Chairman and the Ranking Member, and one (1) designated staff person from each Member of the Committee. No other staff for Members of the Committee, nor any other Senate staff, may review the Documents without the authorization of the Chairman. All designated staff shall agree to the conditions set forth in this protocol and shall execute the attached confidentiality agreement.

2. CUSTODY - The Documents will be maintained at all times in a secure fashion. Only staff designated pursuant to paragraph one (1) shall be permitted to review the Documents. Copies of the Documents may be made by the Chairman's designated staff to facilitate review by staff designated pursuant to paragraph one (1). All copies made for such review will remain under the control of the Chairman. Designated staff may take notes, but may not make copies of Documents, except as previously provided in this paragraph, or if such copies are made for the purpose of public disclosure pursuant to this protocol, or for use by designated staff or Senators in preparation for a hearing.

3. PUBLIC DISCLOSURE - Documents will be maintained in a "Committee confidential" status and will not be publicly released, except as follows: (1) The Chairman shall have the authority to decide whether, and how, Documents may be publicly disclosed. The Chairman shall make such decisions after consultation with the Ranking Member. (2) Documents may also be utilized, and introduced into the hearing record, at public hearings of the Committee. No staff of the Committee shall disclose, in whole or in part or by way of summary, the Documents subject to these protocols unless authorized by the Chairman in consultation with the Ranking Member. This protocol does not preclude public disclosure of information derived from other sources.

UNITED STATES SENATE

**CONFIDENTIALITY AGREEMENT RELATING TO THE SENATE JUDICIARY
COMMITTEE'S INQUIRY INTO THE WHITE HOUSE REQUESTS FOR FBI
BACKGROUND INVESTIGATION SUMMARIES AND RELATED MATTERS.**

I have read, understand, and initialed the attached document protocols. I will abide by these protocols. I understand I will be subject to sanctions, including loss of pay or removal from employment, if I disclose confidential information or Documents in violation of these protocols.

Signature

Printed Name

Office

Date

THE WHITE HOUSE
WASHINGTON

October 11, 1996

BY FACSIMILE

The Honorable Orrin G. Hatch
Chairman
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

Dear Chairman Hatch:

I am writing to continue discussions regarding your July 3, 1996 document request for e-mails. Specifically, the request asks for all e-mails

that related in any manner to the following (1) the White House Personnel Security Office's "Project Update"; (2) the White House Personnel Security Office's procedures for requesting, reviewing, maintaining, and safekeeping F.B.I. background information files; (3) the staffing of the White House Personnel Security Office; (4) access to and the operation of the White House Personnel Security Office; (5) meetings between any member of the White House Personnel Security Office and members of the White House Counsel's Office, the Office of the White House Chief of Staff, the Office of the Counselor to the President, the Office of the First Lady, and the Office of Presidential Personnel; (6) visitors to any member of the White House Personnel Security Office; (7) communications to or from the White House Personnel Security Office; (8) reprimands or disciplinary action taken regarding members of the White House Personnel Security Office or the White House Counsel's Office concerning F.B.I. files and confidential background information; and (9) all individuals serving in the White House who were authorized to review F.B.I. files.

I understand that Special Counsel Jane Sherburne explained to members of your staff during a meeting on July 11, 1996 that e-mail has not been retained in a manner that permits search of "all e-mail" for a particular subject matter. Rather, I understand that, until recently, we adhered to practices

Hon. Orrin G. Hatch, Chairman
October 11, 1996
Page 2

followed in the Bush Administration in this regard, and that these practices did not include retaining e-mail in readily retrievable form. Instead, e-mail was saved only as part of a weekly backup of the EOP computer network for the purpose of system reconstruction in the event of emergency. Pursuant to court order in the Armstrong litigation, and in cooperation with the National Archives, the EOP has undertaken a multi-year project to make e-mail from the Reagan and Bush Administrations and from the early part of this Administration retrievable.

Pending completion of the Armstrong project, we have developed methods that permit us to retrieve old e-mails for specifically identified individuals for particular weeks from the weekly backup tapes. As we have previously explained to your staff, this process is both time-consuming and expensive. The cost and time to complete any request for e-mail will vary depending upon several parameters. However, we can provide the following rough estimates:

E-mail created between January 1993 and July 1994 --
Using a double shift operation at an outside facility, we can retrieve approximately three weeks of e-mail for a reasonable number of individuals during one week of work, at a cost of approximately \$22,700, not including the cost of government staff time.

E-mail created between August 1994 and November 1995 --
This e-mail is archived in a more readily retrievable format and is grouped on tapes by EOP component and month. As a general rule it takes about 60 hours to search one month of information for one EOP component. Such searches can be performed at an outside facility at the weekly cost identified above.

E-mail created between December 1995 and the present --
This e-mail is the least costly to search. As a general rule, it would take about 30 hours to search one month of information for one EOP component. Because the data resides there, such a search would have to be performed at the EOP computer facility during hours when usage is low.

As you surely understand, we have limited resources with which we can perform ad hoc searches for e-mail. Recognizing these resource constraints, other investigative agencies have limited any requests for e-mail to a few weeks or, at most, a few months. Satisfying even such limited requests for e-mail has cost taxpayers hundreds of thousands of dollars.

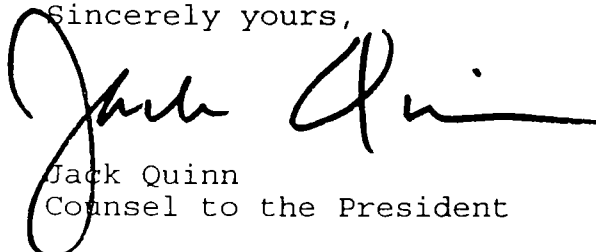
Hon. Orrin G. Hatch, Chairman
October 11, 1996
Page 3

During her July 11th meeting, Ms. Sherburne requested that your staff focus the Committee's request for e-mail by identifying specific, reasonably short time periods and individuals whose e-mail should be restored and reviewed. On July 23, 1996, Mr. Cooney wrote that the Committee would "limit" its request for e-mail to e-mails to or from the individuals listed in Paragraph (D) of your July 3 letter for the period from September 1, 1993 through December 31, 1995 -- a period of 2 years and 4 months. Ms. Sherburne responded in a letter dated July 30, 1993, that we could not reasonably comply with that request, and asked the Committee to further limit its request or, at a minimum, identify priorities. We received no response. In a letter dated August 30, 1996, Ms. Sherburne reiterated that the Committee needed to define further its request for e-mail, informed the Committee that Anthony Marceca did not have an e-mail account and that Craig Livingstone did not have such an account until May 12, 1994.

Since August 30, White House staff have had several conversations with your staff regarding the Committee's request for e-mail. During the most recent such communication, your staff asked that we "start" to comply with the request for e-mail by retrieving Mr. Livingstone's e-mail from May 12, 1994, to the present, and then retrieving any e-mails for others in the Office of Personnel Security and for any member of the Counsel's Office who had supervisory authority over OPS. We have explained that this broad and open-ended request is infeasible because it does not limit the time periods for which e-mails would have to be restored.

We remain completely willing to conduct a tailored e-mail search. Given that the key figures in this investigation did not have e-mail accounts during the critical time periods, however, we are at a loss to suggest a sensible request that would be likely to provide any relevant information. Please give me a call if you have any questions or would like to discuss this further.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Jack Quinn". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Jack Quinn
Counsel to the President

cc: Honorable Joseph R. Biden, Jr.

STROM THURMOND, SOUTH CAROLINA
ALAN K. SIMPSON, WYOMING
CHARLES E. GRASSLEY, IOWA
ARLEN SPECTER, PENNSYLVANIA
HANK BROWN, COLORADO
FRED THOMPSON, TENNESSEE
JON KYL, ARIZONA
MIKE DEWINE, OHIO
SPENCER ABRAHAM, MICHIGAN

JOSEPH R. BIDEN, JR., DELAWARE
EDWARD M. KENNEDY, MASSACHUSETTS
PATRICK J. LEAHY, VERMONT
HOWELL HEFURN, ALABAMA
PAUL SIMON, ILLINOIS
HERBERT KOHL, WISCONSIN
DIANNE FEINSTEIN, CALIFORNIA
RUSSELL D. FEINGOLD, WISCONSIN

MARK H. DYER, Chief Counsel
MANUS COONEY, Staff Director and Senior Counsel
CYNTHIA C. HOGAN, Minority Chief Counsel
KAREN A. ROSS, Minority Staff Director

COMMITTEE ON THE JUDICIARY
WASHINGTON, DC 20510-6275

December 23, 1996

Mr. Jack Quinn
Counsel to the President
The White House
Washington, D.C. 20500

Dear Jack:

I am somewhat concerned with the recent developments regarding the Senate Judiciary Committee's attempt to obtain information from the White House in connection with the Committee's ongoing inquiry into the White House's acquisition of FBI background file summaries of individuals from former administrations.

As you know, the White House did not produce any information pertaining to the Office of Personnel Security's security tracking database in response to the Committee's numerous requests for documents and other information last summer, including a July 3, 1996, letter specifically requesting information pertaining to a security system database. (Moreover, I might note that the Committee has yet to receive a single e-mail item for the Office of Personnel Security notwithstanding our express request for such information in my July 3, 1996 letter). When, in early September, Judiciary Committee staff specifically requested production of the Office of Personnel Security's security tracking database, they were rebuffed with assurances by lawyers from the White House Counsel's Office that the database did not contain any entries for prior administration officials.

It therefore came as quite a surprise when I received a faxed letter from you dated November 27, 1996, indicating that the database did, in fact, contain entries for at least sixty-nine individuals who the White House had identified as not employed by the Clinton Administration. I do appreciate your subsequent cooperation in permitting Committee staff to view the database and providing copies of the entries for those sixty-nine prior administration officials. Nevertheless, I am concerned that the Committee still has not received a complete accounting of information currently contained, or previously contained, on the database that relates to prior administration officials. For example, I would like to know if any former members of the National Security Council who had their FBI files requested and received are also included in the security tracking database. I am particularly interested to know if entries exist for Brent Scowcroft and Robert Gates. If so, please forward copies of the two page printout of data stored on these individuals with the appropriate information redacted.

NSIN
COMMITTEE ON THE JUDICIARY
WASHINGTON, DC 20510-6275

December 23, 1996

Handwritten:
Rush!
Please ASAP
Thank you
x

Additionally, I request that you provide to the Committee a complete alphabetical list of every individual whose name appeared in the security database after January 20, 1993. I also request that you indicate whether any entries were deleted from the database. I request that you identify all entries that have been deleted since May 1, 1996, and the date on which each entry was deleted. I also request that copies of deleted entries be obtained through a review of any existing backup files and that relevant entries be forwarded to the Committee. If such a review is not possible, please explain why not.

I would appreciate a response by Monday, January 13, 1996. Your prompt attention to this matter is appreciated.

Sincerely,

A handwritten signature in black ink, reading "Orrin Hatch". The signature is fluid and cursive, with the first name "Orrin" and last name "Hatch" clearly distinguishable.

Orrin G. Hatch
Chairman

OGH:mbh

cc: Senator Joseph R. Biden, Jr.
Senator Patrick Leahy

Orrin G. Hatch

*Chairman
Senate Judiciary Committee
Dirksen 224
Washington, D.C. 20510
Tel # (202) 224-5225
Fax # 224-9102*



Facsimile Cover Sheet

TO: *Jack Quinn*

FAX NUMBER: *456-6279*

PHONE NUMBER:

FROM: *Manus Cooney*

SUBJECT:

TOTAL NUMBER OF PAGES SENT (including cover sheet):

3

If you do not receive all pages, please call:

COMMENTS:

This and any accompanying pages contain information from the office of United States Senator Orrin G. Hatch which is confidential or privileged. The information is intended to be for the use of the individual or entity named above. If you are not the intended recipient, be aware that any disclosures, copying, distribution or use of the contents of this information is prohibited. If have received this facsimile in error, please notify our offices by telephone immediately so that we can arrange for removal of the original document at no cost to you.

THE WHITE HOUSE
WASHINGTON

January 7, 1997

BY HAND DELIVERY

The Honorable Orrin G. Hatch
Chairman
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

Dear Chairman Hatch:

I write in response to your letter of December 23, 1996, to provide additional information regarding the security tracking system database, as well as to respond to your concern that we may not have been fully responsive to your requests regarding the database.

Your letter states that the Committee "specifically request[ed] information pertaining to a security system database" on July 3, 1996. As I noted in my letter of September 19, 1996, however, your July 3, 1996, request did not, in fact, specifically request such information, and we did not understand any of the more general requests in your letter to call for it. As I understand it, your staff first expressed interest in the database in September 1996, orally, and then requested the entire database in a letter to Jane Sherburne on September 18, 1996. Although we did object to producing the entire database, after discussions with your staff we agreed to review the list of 406 files returned to the FBI in June 1996 to determine whether any of those names appear in the database. Pending completion of that task, in my September 19 letter I invited your staff to come to our offices and review the database. A member of your staff canceled an appointment to review the database and did not contact us to reschedule the appointment. I then reported the results of our review in my November 27, 1996, letter to you. Since that time, your staff has reviewed the database and we have responded promptly to your follow-up requests.

We acknowledge that our initial prediction that the database would not contain information on employees whose files were mistakenly requested proved not to be accurate. But, in any event, we did not reject or ignore this inquiry. Rather, we agreed with your staff on an appropriate way to determine whether such information was indeed in the database. More importantly, in view of the summary nature of the information contained in the database, we continue to believe that it adds little, if anything, to an understanding of the issues you are

Hon. Orrin G. Hatch
January 7, 1997
Page 2

investigating. As you now know, the security tracking system merely contains cursory records of the status of individuals in the personnel security process, and not any substantive information related to their background investigations.

Let me now turn to the requests in your December 23 letter. First, I am enclosing a list of all names in the database as of October 1996 (S 21923-22174). The printout reflects every name in the system, including data both for the White House Office of Personnel Security (OPS) and for the EOP Security Office, which also used the security tracking system. As we have previously explained to your staff, data used by the OPS was deleted at the end of the last administration and then reconstructed, while data used by the EOP Security Office has been maintained from administration to administration.

You have also asked for information regarding NSC employees from prior administrations whose FBI files were received by the OPS. Because you did not provide a list of employees whose records you wished us to check, we used as a baseline those individuals designated with an "N" on the lists of "previous reports received" produced by Anthony Marceca to the Congress, copies of which we obtained from Mr. Marceca's attorneys at the time he produced them to Congress. We identified the departure date (if applicable) of each individual, and searched the security tracking system database for those individuals who appear to have departed the White House on or before January 20, 1993. I am enclosing copies of the records we thus identified (S 022175 - 022406). In response to your specific questions, the database did contain an entry for Brent Scowcroft, but did not contain an entry for Robert Gates.

In summary, we have now provided all records in the database relating to the 404 individuals whose personnel security files were returned to the FBI in June 1996. We have also provided records in the database related to NSC employees on Mr. Marceca's lists who departed the White House on or before January 20, 1993. Finally, we have provided a printout of every name in the database as of October 1996, which will enable you to determine whether there are records in the database for any other individuals whose FBI files were requested by the OPS during the period you are investigating.

You have also asked us to identify what records, if any, have been deleted from the security tracking system database since May 1, 1996. We have data tapes containing monthly backups of the entire mainframe system, including the security tracking system, dating back to November 1995. We are exploring whether we can access the backup data for April 1996 and compare it to current data to determine what data, if any, have been deleted. We will let you know whether such an exercise is feasible as soon as we better understand the technical issues.

Finally, you note in a parenthetical that we have not provided any e-mail to the Committee. Beginning with our July 11, 1996, meeting with your staff, we have repeatedly discussed the technical and practical limits on our ability to retrieve e-mail with your staff, and

Hon. Orrin G. Hatch

January 7, 1997

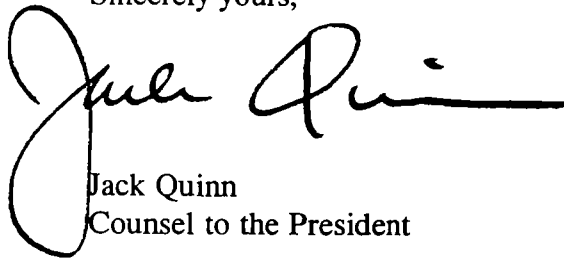
Page 3

I wrote you a detailed letter on the subject on October 11, 1996. Briefly, retrieval of e-mail created before December 1995 requires, for each week for which e-mail is requested, the restoration and search of many backup tapes. This process is slow and expensive, requiring the use of a leased outside facility and many hours of work by specialists. Therefore, we can respond only to requests that focus on specific weeks. We cannot respond to a request for, *e.g.*, "all e-mail for persons in the Office of the Personnel Security," unless such a request is substantially restricted by date. Because of upgrades to the e-mail system, retrieval of e-mail created in December 1995 or later is considerably easier, although specific and reasonable search parameters are still necessary.

In our discussions with your staff and in my October 11 letter, we have provided substantial information regarding the retrieval of e-mail in the hope that your staff might focus your request and make it a manageable one to which we could respond. But the staff has so far declined to define a request for e-mail that would permit us to begin working on a response to which we could devote resources efficiently. I remain willing to work with you on a focused request for e-mail to satisfy your investigative needs.

We understand that the enclosed documents will be treated in accordance with the Protocol transmitted with Mark Disler's August 26, 1996, letter to Jane Sherburne. Please give me a call if you have any questions or would like to discuss any of these issues.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Jack Quinn". The signature is fluid and cursive, with a large loop at the beginning and a long horizontal stroke at the end.

Jack Quinn
Counsel to the President

Enclosures

cc: Honorable Joseph R. Biden, Jr.
Honorable Patrick Leahy

**THE WHITE HOUSE
WASHINGTON**

December 5, 1996

BY FACSIMILE

**The Honorable Orrin G. Hatch
Chairman
Committee on the Judiciary
United States Senate
Washington, D.C. 20510**

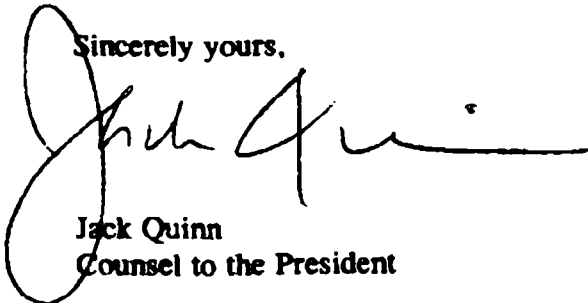
Dear Chairman Hatch:

As you know, yesterday a member of your staff, Melissa Riley, along with a member of Senator Biden's staff, reviewed the Executive Office of the President's (EOP) security tracking database. After reviewing the database, Ms. Riley requested that we provide to the Committee a list of those individuals for whom there was information in the database (as described in my letter to you of November 27, 1996). Ms. Riley also requested that we provide, when available, printouts of the information in the database relating to these individuals.

Attached is the requested list of individuals. As discussed with Ms. Riley, we will provide copies of the printouts shortly.

Please give me a call if you have any questions.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Jack Quinn", written over the typed name and title.

**Jack Quinn
Counsel to the President**

Attachment

cc: Honorable Joseph R. Biden, Jr.

NAME

ADDINGTON, DAVID SPEARS
ALDERMAN, CLIFFORD THOMAS
ALEXANDER, CARA LESLIE
ALLISON, JAMES NEWBY
ALLISON, MELISSA CO
ALSOBROOK, DAVID ERNEST
AMEND, DEBORAH ANN
AMICK, JOAN MARIE
ANDERSON, DEBRA RAE
ANDERSON, REBECCA LEE
ANDERSON, STANTON DEAN
ANDERSON, SUSAN ELIZABETH
ANDRES, GARY JOHN
ARDLEIGH, KIRSTEN CLARK
ARENDTS, JACQUELINE GRACE
ARMENDARIZ, REBECCA ANNE
ARMPFIELD, ROBERT KELLY
ASTRUE, MICHAEL JAMES
ATKINSON, CAROLYN FLORENCE
ATKINSON, DENNIS MAURICE
AUGUSTINE, BARBARA MCCAULEY
AUPPERLE, TAMMY BLOO
BAILEY, MARY SMALLPAGE
BAKER, BARBARA WASH
BALESTRIERI, JEAN ANN
BARNES, KAREN LEE
BARNETT, JANE ELIZABETH
BARTH, SHANETTE MICHAEL
BASSUK, GREGORY DAVID
BATES, DAVID QUENTIN
BAUR, KATHLEEN ELIZABETH
BEACH, CHESTER PAUL
BEDARD, CATHERINE THERESE
BEREZNY, CAROLINE CLARE
BINION, ELIZABETH ANN
BIZIC, MARK GUSTAV
BLACKBURN, BARBARA ANN
BLUMENTHAL, GARY ROBERT
BOSTICK, GLADYS REBECCA
BOWEN, JAMES
BRADY, PHILLIP DONLEY
BRASSEUX, BARNABY
CARLSON, DANIEL LEE
CARLSON, KATHLEEN SHAUGHNESSY
CARNES, KELLY HAWKINS
CARPENTER, JUDITH LEE
CARPENTER, MARGARET VAN WAGENEN
CARR, MICHAEL DAMON
CAUDILL, GEORGE GRAY, JR.
CAVENDISH, SARA JOAN
CHACON, DOLORES LUMINA
CHANG, JENNIFER

CHAPMAN, ROBERT THOMAS
CIPRIANI, AIDA MARIE
COLBY, CLIFFORD WILLIAM
COLDWELL, LISA TOWER
COTTRELL, JULIA MARIE
CRAIG, JUDY A.D.
CROW, SHELLY LYNN
CURRY, DOROTHY JANE
CURTIS, RICHARD EDWARD
DAILEY, BRIAN DANIEL
DAM, DAVID T.
DANA, TIMOTHY EDWARD
FENDER, GARY ELLIS
FLAGLER, NICHOLAS RUSTER
FLANNES, MARTIN ALVIN
FURCHTGOTT-ROTH, DIANA ELIZABETH
GEORGE, JOEY RUSSELL
GOLAY, GAIL THRESA

THE WHITE HOUSE
WASHINGTON

November 27, 1996

BY FACSIMILE

The Honorable Orrin G. Hatch
Chairman
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

Dear Chairman Hatch:

I am writing to follow up on the Committee's interest in the Executive Office of the President's (EOP) security tracking database. As promised, we have undertaken to determine whether the database contains any entries associated with the list of 406 individuals whose personnel security files were sent to the FBI by the White House in June 1996.

As you know, on June 6, 1996, the White House provided to the FBI the personnel security files of 404 individuals whom the Office of Personnel Security Office had identified as having departed the White House. The database contains entries regarding twenty of these individuals. On June 10, 1996, the White House returned the files of two individuals, and the database contains an entry for one of them. In each of these cases, the individuals whose records appear in the database either served in offices over which the EOP Security Office had jurisdiction (so that their records were not deleted with the change in Administration) or did, in fact, serve for a short time in the Clinton Administration.

On June 13, 1996, the White House provided another 71 personnel security files to the FBI. Of these, there are 49 associated records in the security tracking database. Some of these records, like those discussed above, relate to Clinton Administration personnel or to personnel under the EOP Security Office's jurisdiction. Other records appear to have been added as the Office of Personnel Security recreated the database (which had been deleted after the change in Administrations) by entering information regarding files in possession of OPS.

Honorable Orrin G. Hatch
November 27, 1996
Page 2

As I offered before, your staff is welcome to come here and review the database. Please give me a call if you have any questions or would like to discuss this further.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Jack Quinn", with a long horizontal flourish extending to the right.

Jack Quinn
Counsel to the President

cc: Honorable Joseph R. Biden, Jr.

THE WHITE HOUSE
WASHINGTON

September 16, 1996

BY HAND DELIVERY

Honorable Orrin G. Hatch
Chairman
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

Dear Chairman Hatch:

The enclosed documents are in further response to your July 3, 1996, letter to Leon Panetta requesting information and documents relating to the FBI files matter. A production log is attached. We understand these documents will be treated in accordance with the Protocol transmitted with Mark Disler's August 26, 1996 letter to Jane Sherburne.

As stated in my letter of September 5, 1996, we are still in the process of reviewing files from the Office of Records Management and certain electronic records. Most of the enclosed documents are the result of these efforts. We are also producing today entry and exit records for Anthony Marceca, which we obtained from the Secret Service in order to respond to your request. The Secret Service has asked that any future requests for such records be directed to them.

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 General Accounting Office audit of the pass issuance process, which are 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.

Hon. Orrin G. Hatch, Chairman
September 16, 1996
Page 2

Please call me if you have any questions.

Sincerely yours,

Jack Quinn/mn

Jack Quinn
Counsel to the President

Attachment
Enclosures

cc: Hon. Joseph Biden, Ranking Member

DOCUMENTS PRODUCED TO THE
SENATE JUDICIARY COMMITTEE
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
S 21738-21762	Secret Service
S 21772-21777	Office of Personnel Security

ORRIN G. HATCH, UTAH, CHAIRMAN

STROM THURMOND, SOUTH CAROLINA
ALAN K. SIMPSON, WYOMING
CHARLES E. GRASSLEY, IOWA
ARLEN SPECTER, PENNSYLVANIA
MARK BROWN, COLORADO
FRED THOMPSON, TENNESSEE
JON KYL, ARIZONA
MIKE DEWINE, OHIO
SPENCER ABRAHAM, MICHIGAN

JOSEPH R. BIDEN, JR., DELAWARE
EDWARD M. KENNEDY, MASSACHUSETTS
PATRICK J. LEAHY, VERMONT
HOWELL HEFLIN, ALABAMA
PAUL SIMON, ILLINOIS
HERBERT KOHL, WISCONSIN
DIANNE FEINSTEIN, CALIFORNIA
RUSSELL D. FEINGOLD, WISCONSIN

United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

MARK R. DISLER, *Chief Counsel*
MANUS COONEY, *Staff Director and Senior Counsel*
CYNTHIA C. HOGAN, *Minority Chief Counsel*
KAREN A. ROSS, *Minority Staff Director*

July 3, 1996

The Honorable Leon Panetta
Chief of Staff to the President
The White House
Washington, D.C. 20500

Dear Mr. Panetta:

As you know, the Senate Judiciary Committee is conducting an investigation concerning the improper request by the White House for the FBI background files of more than 400 individuals who no longer worked at the White House. As part of that investigation, and in order to prepare for additional public hearings, we are requesting that present and former White House personnel, as specified below, produce documents and records to this Committee.

The White House may have custody, control, or possession of records, including documents or records of present and former White House personnel, that relate to the FBI files controversy. Our request embraces these documents and other records, within the custody or control of the White House including the Office of Records Management, relating to those matters.

On June 13, I sent you a letter asking a series of questions about the White House's improper acquisition of FBI background files of individuals from prior administrations. On June 19, Counsel to the President Jack Quinn responded on your behalf that in deference to the Independent Counsel, you had not conducted a search for material that would allow you to respond fully to these questions, but that you would provide the information you had available. I believe that providing the Committee with the documents I am requesting is consistent with Mr. Quinn's representations in his June 19, 1996 letter.

Accordingly, please provide all documents, regardless of format, including, but not limited to, e-mail, electronic "dump files," memorandum, correspondence, notes, and material in any other medium, including drafts of the foregoing, that relate in any manner to the following (1) the White House Personnel Security Office's "Project Update"; (2) the White House Personnel Security Office's procedures for requesting, reviewing, maintaining, and safekeeping F.B.I. background information files; (3) the staffing of the White House Personnel Security Office; (4) access to and the operation of the White House Personnel Security Office (5) meetings between any member of the White House Personnel Security

Office and members of the White House Counsel's Office, the Office of the White House Chief of Staff, the Office of the Counselor to the President, the Office of the First Lady, and the Office of Presidential Personnel; (6) visitors to any member of the White House Personnel Security Office; (7) communications to or from the White House Personnel Security Office; (8) reprimands or disciplinary action taken regarding members of the White House Personnel Security Office or the White House Counsel's Office concerning F.B.I. files and confidential background information; and (9) all individuals serving in the White House who were authorized to review F.B.I. files.

The relevant time period for this request is from January 20, 1993, to the present.

Your response should include, but not be limited to, the following:

(A) A listing of all persons who served in the White House Counsel's Office from January 20, 1993, to the present. Please include the individuals' titles and dates of service. Please identify all individuals who served in the Personnel Security Office or provide a separate list of those individuals. Please include, or list separately, all volunteers, interns, or other unpaid staff who worked in the White House Counsel's Office or the Personnel Security Office from January 20, 1993, to the present. Please include the salaries of all persons who served in the Personnel Security Office during this time.

(B) A listing of all persons in the White House Counsel's Office or any other White House office who had the authority to review F.B.I. background files from January 20, 1993, to the present.

(C) The dates when all individuals serving in the White House Personnel Security Office -- including, but not limited to, Mr. Craig Livingstone and Mr. Anthony Marceca -- obtained their security clearance, the level of clearance, the name of the individuals or individuals who conducted their background investigations.

(D) All memos to and/or from Craig Livingstone, Anthony Marceca, William Kennedy, Bernard Nussbaum, Bruce Lindsey, Vincent Foster, Joel Klein, Lloyd Cutler, Abner Mikva, John Quinn, Jane Sherburne, Beth Nolan, Christine Varney, Steve Neuwirth, Cheryl Mills, Cliff Mauton, Christopher Cerf, Tray Schraeder, Ed Hughes, Jonathan Denbo, Mari Anderson, Lisa Wetz, Mack McLarty, Patsy Thomasson, and David Watkins regarding the following subjects:

- (i) updating White House passes
- (ii) security clearances
- (iii) FBI background files or FBI background investigations
- (iv) operation of the White House Personnel Security Office
- (v) Craig Livingstone
- (vi) Anthony Marceca
- (vii) replacing personnel files removed by the Bush Administration
- (viii) project update

(E) All records of Craig Livingstone's entrances and exists to the White House complex from May 1, 1996, to June 20, 1996.

(F) Any records of every occasion on which Craig Livingstone and Mr. Anthony Marceca have been in the White House from January 20, 1993, to the present.

(G) All records of visitors to the White House to see Craig Livingstone or Anthony Marceca from January 20, 1993, to the present.

(H) All records of phone logs or messages for Craig Livingstone or Anthony Marceca from January 20, 1993, to the present. Please provide any calendars and another other documents reflecting any meetings in which Mr. Livingstone and/or Mr. Marceca participated.

(I) All information on who hired Mr. Craig Livingstone. Please name all individuals who made recommendations or who approved Livingstone's employment in the Personnel Security Office.

(i) Please provide all information on who requested Mr. Anthony Marceca to be detailed at the White House in 1993.

(ii) Please provide the dates of Mr. Anthony Marceca's detail in the White House Office of Personnel Security.

(iii) Please provide the dates of any other position(s) Mr. Marceca held with the White House prior to or following his detail in the White House Office of Personnel Security.

(J) Please provide a copy of any Memorandum of Understanding between the White House or the Clinton/Gore transition team and the FBI and/or the Justice Department regarding FBI background reports.

(K) Please identify all persons who assisted in compiling and/or typing the alphabetical list of names of the 333 persons whose files were improperly requested and received by the White House. Please indicate the location of the original and when it was compiled.

(L) Please provide any documents relating to the discovery, archiving, or storage of the 333 improperly obtained FBI files since 1993. Please indicate when the files were sent or transferred to the White House Office of Records Management for storage, and if the files were then transferred to the United States Archives, and who approved the transfers. Please indicate when any of these documents were retrieved from the White House Office of Records Management or the Archives, who retrieved these files, and the purpose of the retrieval.

(i) Please provide all documents relating to the storage of all material from the White House Office of Personnel Security with the White House Office of Records Management.

(ii) Please indicate the dates on which this material was stored and the location(s) of these stored materials.

(iii) Please identify the dates on which additional storage containers and/or storage areas added to the White House Office of Personnel Security.

(M) Please provide any logs, check-out sheets or other similar documents maintained for all FBI background files stored in the White House Personnel Security office since January 20, 1993.

(N) Please provide any documents describing how the White House determined that the first 333 files, and then the 138 files returned to the F.B.I. later, were improperly requested. If no such document(s) exists, please provide a written description of the process by which the White House determined that these files were improperly requested.

(O) Please advise whether Mr. Livingstone's or Mr. Marceca's attorneys are being paid by the United States, and if so, under what authority. Please advise whether any commitment has been made to reimburse Mr. Livingstone or Mr. Marceca for their attorney's fees, and if so, who made that commitment and under what authority it was made. Please provide any documents relating to this matter.

(P) Please provide a copy of the "Personal Data Statement Questionnaire" that, according to the June 20, 1996, *Washington Times*, was distributed to the 1993 career White House employees. Please indicate the date(s) on which these questionnaires were distributed. Please provide the list of all holdover employees to whom these questionnaires were distributed. Please describe how that list was compiled at the time of the distribution of the forms. Please provide any other documents relating to the distribution of this questionnaire, other than the individual employee's responses.

(Q) Please provide any documents relating to President Clinton's assertion of executive privilege cited on May 10, 1996, as the basis for Mr. Quinn and Mr. Watkins' non-compliance with the subpoena issued by the U.S. House Committee on Governmental Reform and Oversight. Please provide any documents created before, contemporaneously with, or after that assertion of privilege regarding Billy Dale's FBI file or the request form for that file. Please provide any documents discussing or analyzing whether executive privilege could be asserted with respect to Billy Dale's FBI file or to the request for that file. If no documents exist, please describe any review conducted concerning the assertion of privilege over Mr. Dale's file or the request form for that file, who conducted the review, and to whom the review was provided.

(R) Please provide all documents relating to President Clinton's revised claim of executive privilege on or about May 30, 1996 permitting the release of 1000 pages of documents, but requiring the withholding of 2000 pages of documents from the U.S. House Committee on Government Reform and Oversight.

(S) Additionally, a June 26, 1996 Washington Times article entitled, "Security System Computerizes Personal Data," which alleges that the White House has a secret computer system that tracks detailed personal information on "tens of thousands of people." The article further alleges that in addition to storing information about family ties, political loyalties and whether people are "important" by region, city or state, the system has the capability of interfacing with the computers at the Democratic National Committee. If true, the use of taxpayer dollars for such political purposes may be in violation of 31 U.S.C. 1301.

Please provide the following information:

- (i) All records of or pertaining to the facilities management contract for the Office of Administration's Information Systems and Technology Division (awarded to PRC, Inc. and/or any subsequent vendors) from January 20, 1993 to the present;
- (ii) The name of the individual(s) who ran the facilities management contract for the Office of Administration's Information Systems and Technology Division (awarded to PRC, Inc. and/or any subsequent vendors) from January 20, 1993 to the present;
- (iii) All records of procurement under the facilities management contract for the Office of Administration's Information Systems and Technology Division (awarded to PRC, Inc. and/or any subsequent vendors) from January 20, 1993 to the present, including, but not limited to, all sub-contracts under that contract;
- (iv) Any and all information provided by the Democratic National Committee that was entered into the database;
- (v) Identify by name and title the political appointees who oversaw the creation and implementation of the database;
- (vi) Identify by name and title the individuals who had access to the database;
- (vii) Identify by address and room number the locations of the special remote computers that could access the database;
- (viii) Provide a list of the fields in which information was input into the database; and,
- (ix) Provide schematics, flowcharts, guidelines and codes on how to operate the database system.

Another purpose of this letter is to direct to your attention one particular request in my letter to you dated June 13, 1996, that was not answered and urge you to have it addressed immediately. Question 7A of the June 13 letter asked for "a copy of the lists upon which these request[s] [for FBI files] were made." In light of reports that the list may have been destroyed, I ask that you immediately search for and provide to the Committee a copy of any such lists as soon as possible, even if your response to this particular inquiry precedes your reply to other requests contained in this letter.

Committee staff have contacted the Independent Counsel to ensure that this request will not impede the Independent Counsel's investigation. The Independent Counsel has informed us that it will communicate with the White House directly as to any concerns regarding the timing or the terms of this document request. If the White House intends to refuse to comply with certain production requests in this letter based on concerns about the Independent Counsel's investigation, we expect you to identify the specific objections raised by the Independent Counsel as to specific requests in this letter.

Please indicate where, including from which White House Office, and from whom each of those responsive documents was obtained. It would also be helpful if you provided a list of materials that you are submitting so that the Committee and your office will have a common list of records supplied by the White House.

If the White House decides to withhold any documents, please provide a log identifying each such document, the date, author(s), recipient(s), the subject matter of any such documents, and the basis on which the document is not being provided. The Committee's staff is available to meet with you and your staff to expedite your response to this request and to answer any questions. If you are aware that any document responsive to any request contained in this letter has been destroyed, please identify any such document and the circumstances of its destruction including the names of those who destroyed it and the date of such destruction.

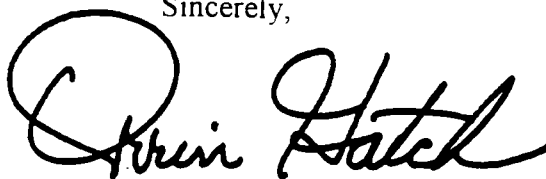
The materials should be delivered to Anna Cabral, Chief Clerk, 224 Dirksen Senate Office Building. You may submit copies in response to this request so long as they are identified as such, but the Committee reserves the right to obtain the originals. If a document exists in multiple copies in different locations, please provide a copy from each location. As you know, the Committee is seeking to complete its work as expeditiously as possible. Therefore, it is necessary that the Committee receive these documents no later than July 12, 1996.

This request is an initial request and may be supplemented by additional ones. We

recognize that you may wish to designate a White House official who will be responsible for responding to this request.

Your cooperation with this matter is greatly appreciated.

Sincerely,

A handwritten signature in black ink, reading "Orrin Hatch". The signature is fluid and cursive, with a large initial "O" and a long, sweeping "H".

Orrin G. Hatch
Chairman

cc/✓ The Honorable Jack Quinn, Counsel to the President
Mr. Terry Good, Director, White House Office of Records Management

OGH:mcr

ORRIN G. HATCH, UTAH, CHAIRMAN

STROM THURMOND, SOUTH CAROLINA
 ALAN K. SIMPSON, WYOMING
 CHARLES E. GRASSLEY, IOWA
 ARLEN SPECTER, PENNSYLVANIA
 HANK BROWN, COLORADO
 FRED THOMPSON, TENNESSEE
 JON KYL, ARIZONA
 MIKE DEWINE, OHIO
 SPENCER ABRAHAM, MICHIGAN

JOSEPH R. BIDEN, JR., DELAWARE
 EDWARD M. KENNEDY, MASSACHUSETTS
 PATRICK J. LEAHY, VERMONT
 HOWELL HEFLIN, ALABAMA
 PAUL SIMON, ILLINOIS
 HERBERT KOHL, WISCONSIN
 DIANNE FEINSTEIN, CALIFORNIA
 RUSSELL D. FEINGOLD, WISCONSIN

United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

MARK R. DESLER, *Chief Counsel*
 MANUS COONEY, *Staff Director and Senior Counsel*
 CYNTHIA C. HOGAN, *Minority Chief Counsel*
 KAREN A. ROBB, *Minority Staff Director*

October 21, 1996

Mr. Jack Quinn
 Counsel to the President
 The White House
 Washington, D.C. 20500

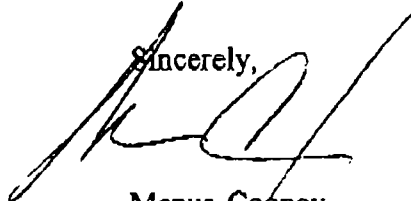
Dear Mr. Quinn:

I am writing in response to your letter of October 11, 1996, addressing the Judiciary Committee's request for memoranda drafted by Mr. George Saunders regarding files he had retrieved from the Office of Personnel Security.

You are correct that the Committee does not wish to receive confidential personal information. It has never been the Committee's position, however, that entire documents need not be produced on the ground that they contain confidential personal information. Rather, the Committee has agreed that such information should be redacted from responsive documents, and that those documents would be produced in redacted form. Should any of Mr. Saunders' memoranda contain confidential personal information, therefore, we would expect that information to be redacted, but that the memoranda would still be produced in redacted form.

Until such time as the White House produces these memoranda in redacted form, we would be willing to settle for the following information: a list of the individuals whose files Mr. Saunders retrieved from the Office of Personnel Security; the date the files were retrieved (or, to the extent this information is not available, the date any memoranda were written with respect to an individual's file); and the individual to whom Mr. Saunders addressed any memoranda with respect to each individual. This information will be handled according to the same procedures agreed to with respect to the Office of Personnel Security logs.

Sincerely,



Manus Cooney
 Staff Director and Senior Counsel

MRC: mhb
 cc. Karen Robb, Minority Staff Director

Orrin G. Hatch

Chairman

Senate Judiciary Committee

Dirksen 224

Washington, D.C. 20510

Tel # (202) 224-5225

Fax # 224-9102



Facsimile Cover Sheet

TO: *Jack Quinn*

FAX NUMBER: *456-5053*

PHONE NUMBER: *456-5074*

FROM: *Mark Cooney*

SUBJECT:

TOTAL NUMBER OF PAGES SENT (including cover sheet): *2*

If you do not receive all pages, please call: *224-8249*

COMMENTS:

This and any accompanying pages contain information from the office of United States Senator Orrin G. Hatch which is confidential or privileged. The information is intended to be for the use of the individual or entity named above. If you are not the intended recipient, be aware that any disclosures, copying, distribution or use of the contents of this information is prohibited. If have received this facsimile in error, please notify our offices by telephone immediately so that we can arrange for removal of the original document at no cost to you.

320 PARK AVENUE
NEW YORK, NY 10022-6815
(212) 508-3200
TELECOPIER: (212) 508-3230

811 NORTH OLIVE AVENUE
WEST PALM BEACH, FL 33401
(407) 832-6866

D. EDWARD WILSON
COUNSEL

LANE & MITTENDORF LLP

919 18TH STREET, N.W.
WASHINGTON, D.C. 20006

(202) 785-4949

TELECOPIER: (202) 466-5289

CITY TOWER, LEVEL 4
40 BASINGHALL STREET
LONDON EC2V 5DE
(171) 628-4020
TELECOPIER: (171) 628-4070

499 THORNALL STREET
EDISON, NJ 08837
(908) 484-5100
TELECOPIER: (908) 484-7271

October 3, 1996

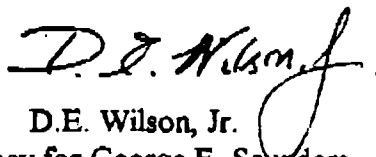
Manus M. Cooney, Esq.
Staff Director and Senior Counsel
Committee on Judiciary
United States Senate
Washington, D.C. 20510-6275

Dear Mr. Cooney:

This responds to your October 1, 1996 letter to me requesting memoranda (using that term loosely) prepared by my client, George E. Saunders, as part of his official duties on behalf of the Office of Personnel Security. As you know, throughout the time period subject to the Senate Judiciary Committee's current investigation, the Office of Personnel Security was part of the Office of the Counsel to the President, which in turn, is part of the White House Office. In view of this, the documents prepared by Mr. Saunders are White House records and may not be released by him without permission of the White House Office. Therefore, I have forwarded your letter to Sally Paxton, Special Associate Counsel to the President, for direct reply to you with a copy to me so that I might advise Mr. Saunders.

Please do not hesitate to contact me if you have any questions.

Sincerely,



D.E. Wilson, Jr.
Attorney for George E. Saunders

cc: Sally Paxton, Esq. (By FAX)
Mr. George E. Saunders

320 Park Avenue
New York, NY 10022-6815
(212) 508-3200
Telecopier: (212) 508-3230

LANE & MITTENDORF, LLP
919 18TH STREET, N.W.
WASHINGTON, D.C. 20006
(202) 785-4949

City Tower, Level 4
40 Bevinghall Street
London EC2V 6DE
(171) 628-4020
Telecopier: (171) 628-4070

811 North Olive Avenue
West Palm Beach, FL 33401
(407) 832-8888

TELECOPIERS: (202) 468-5289
(202) 785-5351

499 Thornall Street
Edison, NJ 08837
(908) 494-5100
Telecopier: (908) 494-7271

FACSIMILE COVER PAGE

DATE: October 3, 1996

TO: Sally Paxton, Esq.

FROM: D.E. Wilson, Jr.

NUMBER OF PAGES (Including this page): 2

Sending to Facsimile No: 456-5053

Confirming Telephone No: (202) 785-4949

Reference No.: _____

IF THERE ARE ANY PROBLEMS, PLEASE CALL (202) 785-4949

COMMENTS: _____

*****LANE & MITTENDORF LLP CLAIM OF CONFIDENTIALITY*****

THIS TRANSMISSION IS INTENDED FOR THE EXCLUSIVE USE OF THE NAMED ADDRESSEE AND CONTAINS INFORMATION THAT IS CONFIDENTIAL AND LEGALLY PRIVILEGED. IF YOU ARE NOT THE INTENDED RECIPIENT, TAKE NOTICE THAT ANY READING, UTILIZATION, DISCLOSURE, OR COPYING OF THIS COMMUNICATION IS PROHIBITED AND NOTIFY US IMMEDIATELY BY TELEPHONE (202) 785-4949 FOR INSTRUCTIONS AND ADVICE. THANK YOU.

THE WHITE HOUSE
WASHINGTON

September 6, 1996

BY HAND DELIVERY

Honorable Orrin G. Hatch
Chairman
Committee on the Judiciary
224 Dirksen Senate Office Building
United States Senate
Washington, D.C. 20510

Dear Chairman Hatch:

Consistent with Jack Quinn's letter of yesterday, I am enclosing additional documents responsive to your request of July 3, 1996. A production log is attached. We understand these documents will be treated in accordance with the Protocol transmitted with Mark Disler's August 26, 1996, letter to me. With the few exceptions noted in Mr. Quinn's letter, we believe this production substantially completes our compliance with the Chairman's request.

Our production includes additional documents responsive to requests (Q) and (R) of the July 3, 1996, letter, which I understand you have expressed interest in receiving. As agreed, we will provide a letter from the Office of Legal Counsel explaining the nature of the remaining responsive material, which you have agreed we need not produce at this time.

Finally, I wish to make explicit several general rules we have followed in responding to the July 3 request. We have not interpreted the request 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 have not provided internal memoranda relating to proposed amendments to the Treasury-Postal appropriations bill relating to the FBI files matter. We also have not included in our production publicly available material such as press articles and hearing transcripts, unless it has been annotated.

Hon. Orrin G. Hatch, Chairman
September 6, 1996
Page 2

Please call me if you have any questions.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Jane Sherburne", written in a cursive style.

Jane C. Sherburne
Special Counsel to the President

Attachments
Enclosures

cc: Hon. Joseph Biden
Ranking Member

THE WHITE HOUSE
WASHINGTON

September 19, 1996

BY FACSIMILE

The Honorable Orrin G. Hatch
Chairman
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

Dear Chairman Hatch:

I am writing regarding your staff's recent oral request that we provide to your Committee the Executive Office of the President's (EOP) security tracking database, in its entirety.

Before responding to this request, I want to point out that your July 3, 1996 request did not specifically request the security tracking database, and we did not interpret the more general requests to call for it. I make this point not to deny the request, but simply to make clear that this request has not been outstanding since July 3, 1996.

The security tracking database contains sensitive and confidential information regarding over 13,000 active and inactive EOP passholders. For example, it contains social security numbers, information about security clearances and various dates related to an individual's background investigation and pass. Attached for your information is a copy of the type of information maintained for each individual in the database. No hard copy of the data base is maintained and only a very small number of people are permitted to access the database. (At this time, just five individuals, including computer specialists, have access to the system.)

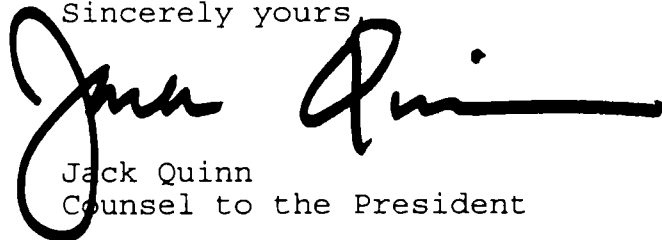
We understand from your staff that you are interested in the security tracking database only as it may relate to the background investigation files for former employees that were mistakenly requested from the FBI. Based on our information about how the database was maintained, we do not believe that it contains any information relevant to those files. We are in the process of checking the list of files relating to the over 470

FBI files on individuals whose files were mistakenly requested by OPS. We will give you this information as soon as it is compiled.

Based on your staff's explanation of the Committee's interest in the database, I presume that, if it contains no information about persons whose background files were improperly requested, then the Committee has no other need for the information. Although we will check the database to confirm that it is thus irrelevant to your investigation, your staff is welcome to come here to review the database to verify that it contains no information regarding those individuals whose files were mistakenly requested. This approach would allow your Committee the information it needs while preserving the confidentiality of sensitive information about thousands of individuals that has no bearing on your investigation. It will also be easier for your staff to search for any relevant information using our software than it would be for them to sift through thousands of pages of irrelevant material which would be burdensome to print.

Please give me a call if you have any questions or would like to discuss this further.

Sincerely yours,

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

Jack Quinn
Counsel to the President

Attachment

cc: Honorable Joseph R. Biden, Jr.

WHO/OA SECURITY TRACKING SYSTEM

REPORT NUM:

LAST UPDATED: 960919

BY: EDOAA09

SSN: 000 - 00 - 0000

STATUS: P

LAST: _____ FIRST: _____ MID: _____
ADDRESS: _____ PHONE: _____ - _____
DOB: _____ PLACE OF BIRTH: _____
PRIOR _____ DISCHARGE _____
MILITARY SERVICE: _____ BRANCH: _____ DATE: _____
AGENCY/CLASS: ____ / ____ EMP TYPE: ____ SUPERVISOR: _____
POSITION: _____ ARRIVAL DATE: _____
PREV GVT EMPL: _____ DETAILEE ORG: _____
PREV INVEST: _____ NTE DATE: _____
AUTHORIZATION: _____
PASS: _____ TEMP ISS: _____ EXP: _____
PP SENT TO SS: _____ ISSUED: _____
ACCESS: _____ RESTRICTED: _____ EXPIRES: _____
CLEARANCE: _____ GRANTED: _____
SPECIAL ACCESSES: _____ INVEST PENDING?: _____ RF DATE: _____
SECURITY BRIEFING: _____ TERMINATION DATE: _____ SIGNED OUT: _____
REMARKS: _____

FUNC: N (N-NEXT SCREEN, P/PF8-PRINT MEMOS, R-REHIRE, Q/PF12-QUIT, H/PF1-HELP)

WHO/OA SECURITY TRACKING SYSTEM

LAST UPDATED: 960919

BY: EDOAA09

STATUS: P

NAME: O, O O

INTERVIEW- DATE: _____

FORMS- SF86: _____

SUPPL SF86: _____

CONSENT: _____

TAX WAIVER: _____

ADDITIONAL FORMS-

PERSONAL RECD: _____

INVESTIGATIONS- AGENCY

DATE SENT

PART

DATES(S) REC'D

NAME CHECK: _____

EXPANDED: _____

FULL FIELD: _____

LIMITED: _____

IRS CHECK: _____

TDP: _____

REINVESTIGATION-

DATE INITIATED: _____

AGENCY: _____

REMARKS: _____

FUNC: U (U-UPDT, D-DEL, B/PF5-BACK, PF10-PRINT REC, Q/PF12 QUIT, H/PF1-HELP)

THE WHITE HOUSE
WASHINGTON

September 19, 1996

BY FACSIMILE

The Honorable Orrin G. Hatch
Chairman
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

Dear Chairman Hatch:

I am writing regarding your staff's recent oral request that we provide to your Committee the Executive Office of the President's (EOP) security tracking database, in its entirety.

Before responding to this request, I want to point out that your July 3, 1996 request did not specifically request the security tracking database, and we did not interpret the more general requests to call for it. I make this point not to deny the request, but simply to make clear that this request has not been outstanding since July 3, 1996.

The security tracking database contains sensitive and confidential information regarding over 13,000 active and inactive EOP passholders. For example, it contains social security numbers, information about security clearances and various dates related to an individual's background investigation and pass. Attached for your information is a copy of the type of information maintained for each individual in the database. No hard copy of the data base is maintained and only a very small number of people are permitted to access the database. (At this time, just five individuals, including computer specialists, have access to the system.)

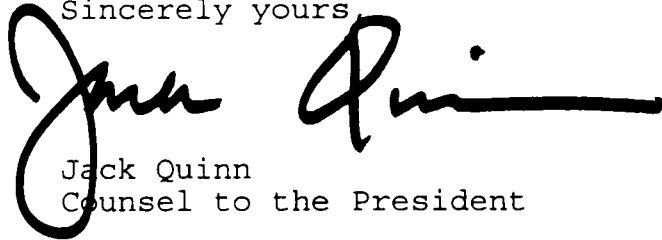
We understand from your staff that you are interested in the security tracking database only as it may relate to the background investigation files for former employees that were mistakenly requested from the FBI. Based on our information about how the database was maintained, we do not believe that it contains any information relevant to those files. We are in the process of checking the list of files relating to the over 470

FBI files on individuals whose files were mistakenly requested by OPS. We will give you this information as soon as it is compiled.

Based on your staff's explanation of the Committee's interest in the database, I presume that, if it contains no information about persons whose background files were improperly requested, then the Committee has no other need for the information. Although we will check the database to confirm that it is thus irrelevant to your investigation, your staff is welcome to come here to review the database to verify that it contains no information regarding those individuals whose files were mistakenly requested. This approach would allow your Committee the information it needs while preserving the confidentiality of sensitive information about thousands of individuals that has no bearing on your investigation. It will also be easier for your staff to search for any relevant information using our software than it would be for them to sift through thousands of pages of irrelevant material which would be burdensome to print.

Please give me a call if you have any questions or would like to discuss this further.

Sincerely yours,

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

Jack Quinn
Counsel to the President

Attachment

cc: Honorable Joseph R. Biden, Jr.

WHO/OA SECURITY TRACKING SYSTEM

REPORT NUM: _____ LAST UPDATED: 960919 BY: EDOAA09
SSN: 000 - 00 - 0000 STATUS: P
LAST: _____ FIRST: _____ MID: _____
ADDRESS: _____ PHONE: _____
DOB: _____ PLACE OF BIRTH: _____
PRIOR _____ DISCHARGE _____
MILITARY SERVICE: _____ BRANCH: _____ DATE: _____
AGENCY/CLASS: ____ / ____ EMP TYPE: _____ SUPERVISOR: _____
POSITION: _____ ARRIVAL DATE: _____
PREV GVT EMPL: _____ DETAILEE ORG: _____
PREV INVEST: _____ NTE DATE: _____
AUTHORIZATION: _____
PASS: _____ TEMP ISS: _____ EXP: _____
PP SENT TO SS: _____ ISSUED: _____
ACCESS: _____ RESTRICTED: _____ EXPIRES: _____
CLEARANCE: _____ GRANTED: _____
SPECIAL ACCESSES: _____ INVEST PENDING?: _____ RF DATE: _____
SECURITY BRIEFING: _____ TERMINATION DATE: _____ SIGNED OUT: _____
REMARKS: _____

FUNC: N (N-NEXT SCREEN, P/PF8-PRINT MEMOS, R-REHIRE, Q/PF12-QUIT, H/PF1-HELP

WHO/OA SECURITY TRACKING SYSTEM

LAST UPDATED: 960919

BY: EDOAA09

STATUS: P

NAME: O, O O

INTERVIEW- DATE: _____
FORMS- SF86: _____ CONSENT: _____
SUPPL SF86: _____ TAX WAIVER: _____

ADDITIONAL FORMS- PERSONAL RECD: _

INVESTIGATIONS-	AGENCY	DATE SENT	PART	DATES(S)	REC'D
NAME CHECK:		_____		_____	_____
EXPANDED:		_____		_____	_____
FULL FIELD:	_____	_____	-	_____	_____
LIMITED:		_____		_____	_____
IRS CHECK:		_____	-	_____	_____

TDP: _ REINVESTIGATION- DATE INITIATED: _____ AGENCY: _____

REMARKS: _____

FUNC: U (U-UPDT, D-DEL, B/PF5-BACK, PF10-PRINT REC, Q/PF12 QUIT, H/PF1-HELP)

ORRIN G. HATCH, UTAH, CHAIRMAN

STROM THURMOND, SOUTH CAROLINA
ALAN K. SIMPSON, WYOMING
CHARLES E. GRASSLEY, IOWA
ARLEN SPECTER, PENNSYLVANIA
HANK BROWN, COLORADO
FRED THOMPSON, TENNESSEE
JON KYL, ARIZONA
MIKE DEWINE, OHIO
SPENCER ABRAHAM, MICHIGAN

JOSEPH R. BIDEN, JR., DELAWARE
EDWARD M. KENNEDY, MASSACHUSETTS
PATRICK J. LEAHY, VERMONT
HOWELL HEFLIN, ALABAMA
PAUL SIMON, ILLINOIS
HERBERT KOHL, WISCONSIN
DIANNE FEINSTEIN, CALIFORNIA
RUSSELL D. FEINGOLD, WISCONSIN

United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

MARK R. DISLER, *Chief Counsel*
MANUS COONEY, *Staff Director and Senior Counsel*
CYNTHIA C. HOGAN, *Minority Chief Counsel*
KAREN A. ROBB, *Minority Staff Director*

September 18, 1996

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

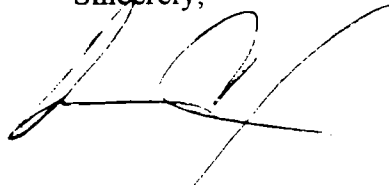
Dear Ms. Sherburne:

In the course of reviewing various documents the White House has produced to the Senate Judiciary Committee, it has come to our attention that there is a "Security Tracking System" utilized by the Office of Personnel Security, as well as what appears to be a file management system, referred to as the "M204P/ SECURITY application," to which certain employees of the Office of Personnel Security have had access. It is not clear whether these two systems are in fact the same or are two distinct systems. In either case, both appear to be computer systems that store and manage information regarding FBI background files. As such, I believe the data contained in these systems is responsive to our July 3, 1996, request for information and, to the best of my knowledge, have not yet been produced to the Committee. I request that the data contained in these systems be produced to the Committee forthwith. I also request that, to the extent it is technologically possible, the Committee be provided with the computer systems themselves as well as schematics, flow charts, guidelines, codes, and other information regarding how to use the systems.

To the extent any information included within this request contains personal background material, we agree, as set forth in my July 23, 1996, letter to you, that such material should be redacted.

I appreciate your prompt attention to this matter.

Sincerely,



Manus Cooney
Staff Director & Senior Counsel

MC:mhh

cc: Karen Robb, Minority Staff Director.

THE WHITE HOUSE
WASHINGTON

September 16, 1996

BY HAND DELIVERY

Honorable Orrin G. Hatch
Chairman
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

Dear Chairman Hatch:

The enclosed documents are in further response to your July 3, 1996, letter to Leon Panetta requesting information and documents relating to the FBI files matter. A production log is attached. We understand these documents will be treated in accordance with the Protocol transmitted with Mark Disler's August 26, 1996 letter to Jane Sherburne.

As stated in my letter of September 5, 1996, we are still in the process of reviewing files from the Office of Records Management and certain electronic records. Most of the enclosed documents are the result of these efforts. We are also producing today entry and exit records for Anthony Marceca, which we obtained from the Secret Service in order to respond to your request. The Secret Service has asked that any future requests for such records be directed to them.

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 General Accounting Office audit of the pass issuance process, which are 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.

Hon. Orrin G. Hatch, Chairman
September 16, 1996
Page 2

Please call me if you have any questions.

Sincerely yours,

Jack Quinn/mn

Jack Quinn
Counsel to the President

Attachment
Enclosures

cc: Hon. Joseph Biden, Ranking Member

DOCUMENTS PRODUCED TO THE
SENATE JUDICIARY COMMITTEE
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
S 21738-21762	Secret Service
S 21772-21777	Office of Personnel Security

THE WHITE HOUSE

WASHINGTON

October 11, 1996

BY FACSIMILE

Manus Cooney, Esq.
Staff Director & Senior Counsel
Judiciary Committee
United States Senate
Washington, D.C. 20510

Dear Manus:

I have received copies of your October 1, 1996 letter to Mr. D.E. Wilson, Jr., attorney for Mr. George Saunders, and Mr. Wilson's October 3, 1996 reply to you regarding the Judiciary Committee's request for certain information and documents. As Mr. Wilson's letter suggests, the materials you requested are White House records, not personal records of Mr. Saunders, and Mr. Wilson therefore has asked the White House to respond to your request.

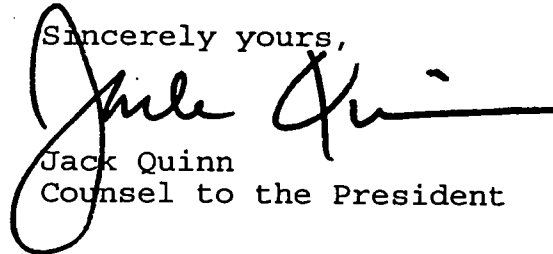
I think it would be constructive to meet about the requests set forth in your letter in order that we can better understand what you need and so that we can determine the best way to develop that information. As we have discussed in the past, we also need to do this in a way that does not unreasonably or unfairly impinge on the privacy interests at stake. In this regard, your letter requests copies of memoranda written by Mr. Saunders after interviews he conducted with certain individuals in connection with background investigations. I am informed that the memoranda contain confidential personal information of a type that the Committee, out of concern for individual privacy, has specifically stated it does not wish to receive. (And of course, the release of even the names will implicate the privacy interests about which the Committee has rightly been concerned.)

One reason I suggest a further discussion is because I am convinced that, even if the information you request were to be provided, it would not assist the Committee's investigation. All of the interviews conducted by Mr. Saunders were done in connection with background investigations of either new employees or reinvestigations for those employees with investigations over five years old. Mr. Saunders' work was not connected in any way to the so-called "Update Project". Moreover, knowing that Mr. Saunders may have reviewed a particular file, or group of files, in a particular period of time would tell us nothing about the adequacy or completeness of record-keeping in the Office of Personnel Security.

Manus Cooney, Esq.
October 11, 1996
Page 2

Again, we want to help the Committee complete its work. To that end, if you agree that it would be useful to discuss this further, please call me or Sally Paxton at your convenience.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Jack Quinn", written over the typed name and title.

Jack Quinn
Counsel to the President

cc: Karen Robb, Esq.
Minority Staff Director

THE WHITE HOUSE
WASHINGTON

September 11, 1996

BY FACSIMILE

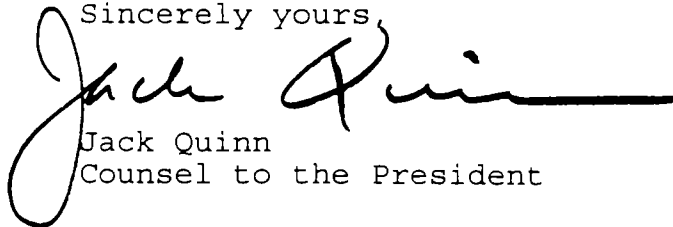
The Honorable Orrin G. Hatch
Chairman
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

Dear Chairman Hatch:

This letter follows up on our meeting on September 4, 1996 in regard to paragraphs (Q) and (R) of your July 3, 1996 letter and our discussions concerning executive privilege.

In our meeting, I agreed to seek the opinion of the Department of Justice regarding certain documents which set forth deliberative material or advice in connection with the President's invocation of executive privilege before the House Government Reform Committee. I provided a copy of those documents to the Office of Legal Counsel for its review and, as promised, a letter which opines that such documents would be covered by executive privilege is enclosed.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Jack Quinn". The signature is fluid and cursive, with a large initial "J" and a long horizontal stroke at the end.

Jack Quinn
Counsel to the President

Enclosure

cc: Honorable Joseph R. Biden, Jr. (with enclosure)



U. S. Department of Justice

Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D. C. 20530

September 11, 1996

The Honorable John M. Quinn
Counsel to the President
The White House
Washington, D.C. 20500

Dear Mr. Quinn:

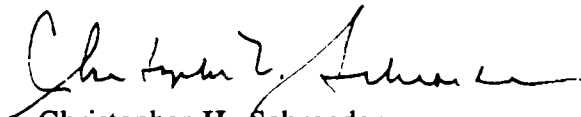
You have asked whether certain predecisional deliberative documents in the possession of the White House Counsel's Office may properly be the subject of an assertion of executive privilege.

These documents reflect and constitute deliberative communications within the White House Counsel's Office and between that Office and the Department of Justice relating to the advice and recommendations presented to the President earlier this year with respect to the assertion of executive privilege in response to a subpoena from the House Committee on Government Reform and Oversight. We believe that the deliberative process concerning the President's assertion of his constitutional privilege is at the heart of the interests protected by the privilege -- not only because of the heightened confidentiality interests regarding such deliberations, but also because of the severe separation of powers concerns raised by a congressional intrusion on that process.

Based on our review of these documents, we conclude that they are clearly protected by executive privilege and may properly be the subject of an executive privilege claim. The Supreme Court has expressly (and unanimously) recognized that the Constitution gives the President the power to protect the confidentiality of White House deliberations. This power is rooted in the "need for protection of communications between high Government officials and those who advise and assist them in the performance of their manifold duties." United States v. Nixon, 418 U.S. 683, 705 (1974). "A President and those who assist him must be free to explore alternatives in the process of shaping policies and making decisions and to do so in a way many would be unwilling to express except privately." Id. at 708. The Court has also stressed the separation of powers nature of executive privilege, stating that "[t]he privilege is fundamental to the operation of Government and inextricably rooted in the separation of powers under the Constitution." Id.

You have not inquired concerning whether executive privilege could properly be asserted in the context of any specific congressional demand for these documents. If you should desire such advice at a later date, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Schroeder". The signature is fluid and cursive, with a long horizontal stroke at the end.

Christopher H. Schroeder
Acting Assistant Attorney General

THE WHITE HOUSE
WASHINGTON

December 6, 1996

BY HAND DELIVERY

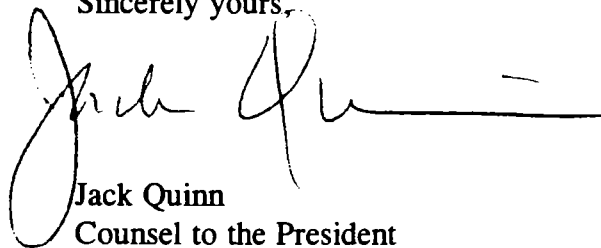
The Honorable Orrin G. Hatch
Chairman
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

Dear Chairman Hatch:

I am enclosing copies of documents, stamped with Bates numbers S 21778-21915, which were requested during Melissa Riley's review of the Executive Office of the Presidency's security tracking database on December 4, 1996. As discussed with Ms. Riley, social security numbers and dates of birth have been redacted from these documents. We understand these documents will be treated in accordance with the Protocol transmitted with Mark Disler's August 26, 1996 letter to Jane Sherburne.

Please feel free to call me if you have any questions.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Jack Quinn", with a long horizontal flourish extending to the right.

Jack Quinn
Counsel to the President

Enclosures

cc: Honorable Joseph R. Biden, Jr.

THE WHITE HOUSE
WASHINGTON

December 5, 1996

BY FACSIMILE

The Honorable Orrin G. Hatch
Chairman
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

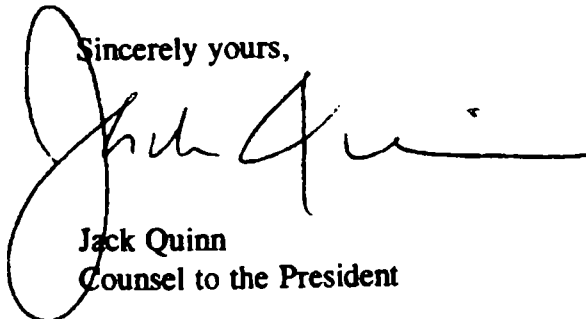
Dear Chairman Hatch:

As you know, yesterday a member of your staff, Melissa Riley, along with a member of Senator Biden's staff, reviewed the Executive Office of the President's (EOP) security tracking database. After reviewing the database, Ms. Riley requested that we provide to the Committee a list of those individuals for whom there was information in the database (as described in my letter to you of November 27, 1996). Ms. Riley also requested that we provide, when available, printouts of the information in the database relating to these individuals.

Attached is the requested list of individuals. As discussed with Ms. Riley, we will provide copies of the printouts shortly.

Please give me a call if you have any questions.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Jack Quinn", written over the typed name and title.

Jack Quinn
Counsel to the President

Attachment

cc: Honorable Joseph R. Biden, Jr.

NAME

ADDINGTON, DAVID SPEARS
ALDERMAN, CLIFFORD THOMAS
ALEXANDER, CARA LESLIE
ALLISON, JAMES NEWBY
ALLISON, MELISSA CO
ALSOBROOK, DAVID ERNEST
AMEND, DEBORAH ANN
AMICK, JOAN MARIE
ANDERSON, DEBRA RAE
ANDERSON, REBECCA LEE
ANDERSON, STANTON DEAN
ANDERSON, SUSAN ELIZABETH
ANDRES, GARY JOHN
ARDLEIGH, KIRSTEN CLARK
ARENDS, JACQUELINE GRACE
ARMENDARIZ, REBECCA ANNE
ARMFIELD, ROBERT KELLY
ASTRUE, MICHAEL JAMES
ATKINSON, CAROLYN FLORENCE
ATKINSON, DENNIS MAURICE
AUGUSTINE, BARBARA MCCAULEY
AUPPERLE, TAMMY BLOO
BAILEY, MARY SMALLPAGE
BAKER, BARBARA WASH
BALESTRIERI, JEAN ANN
BARNES, KAREN LEE
BARNETT, JANE ELIZABETH
BARTH, SHANETTE MICHAELE
BASSUK, GREGORY DAVID
BATES, DAVID QUENTIN
BAUR, KATHLEEN ELIZABETH
BEACH, CHESTER PAUL
BEDARD, CATHERINE THERESE
BEREZNY, CAROLINE CLARE
BINION, ELIZABETH ANN
BIZIC, MARK GUSTAV
BLACKBURN, BARBARA ANN
BLUMENTHAL, GARY ROBERT
BOSTICK, GLADYS REBECCA
BOWEN, JAMES
BRADY, PHILLIP DONLEY
BRASSEUX, BARNABY
CARLSON, DANIEL LEE
CARLSON, KATHLEEN SHAUGHNESSY
CARNES, KELLY HAWKINS
CARPENTER, JUDITH LEE
CARPENTER, MARGARET VAN WAGENEN
CARR, MICHAEL DAMON
CAUDILL, GEORGE GRAY, JR.
CAVENDISH, SARA JOAN
CHACON, DOLORES LUMINA
CHANG, JENNIFER

CHAPMAN, ROBERT THOMAS
CIPRIANI, AIDA MARIE
COLBY, CLIFFORD WILLIAM
COLDWELL, LISA TOWER
COTTRELL, JULIA MARIE
CRAIG, JUDY A.D.
CROW, SHELLY LYNN
CURRY, DOROTHY JANE
CURTIS, RICHARD EDWARD
DAILEY, BRIAN DANIEL
DAM, DAVID T.
DANA, TIMOTHY EDWARD
FENDER, GARY ELLIS
FLAGLER, NICHOLAS RUSTER
FLANNES, MARTIN ALVIN
FURCHTGOTT-ROTH, DIANA ELIZABETH
GEORGE, JOEY RUSSELL
GOLAY, GAIL THRESA