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Folder Title:

FBI Files Matter - Personal Data Statements [2]

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

July 31, 1996

BY HAND DELIVERY

Michael A. Superata, Oversight Counsel
Committee On Ways And Means
U.S. House of Representatives
1102 Longworth Bldg.
Washington, D.C. 20515-6348

Dear Mr. Superata:

Enclosed are copies of White House records we understand you requested from the FBI; specifically, the contents of a folder provided by the White House to the FBI on June 6, 1996, labeled "IRS Returned March-April 1993." These documents bear Bates Numbers WM 000001-000006.

Sincerely yours,

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

Jane C. Sherburne
Special Counsel to the President

cc: Janice Mays
Minority Chief Counsel (w/encl)

THE WHITE HOUSE

WASHINGTON

MEMORANDUM FOR PROSPECTIVE WHITE HOUSE STAFF

FROM: EOP SECURITY OFFICE

RE: DIRECTIONS FOR COMPLETING THE SECURITY PACKET

Before a final decision on your employment can be made, certain background investigations and conflict-of-interest reviews must be completed. Accordingly, you are being provided with the enclosed package of security clearance forms and questionnaires for your completion. The FBI cannot begin its full-field investigation until we receive your forms **TYPED**, completed, and signed.

A completed package should consist of:

ITEM	NUMBER OF COPIES NEEDED
1. Questionnaire for Sensitive Positions (SF-86) plus any attachments	One original and THREE copies, all with original signatures. NOTE: the SF-86 requires two signatures
2. Memorandum of Consent to the FBI	Two copies signed with original signatures
3. Tax Check Waiver	Two copies signed with original signatures. Please review the terms on the reverse side before signing. NOTE: If no terms are listed on reverse side, DO NOT SIGN.
4. Personal Data Statement	one original copy

THESE FORMS MUST BE **TYPED**, COMPLETED, AND SIGNED WITHIN 30 DAYS OF ARRIVING ON DUTY AT THE WHITE HOUSE. PLEASE RETURN THESE FORMS TO THE EOP SECURITY OFFICER, ROOM 4026, NEOB.

Please pay close attention to the attached instructions. If you need assistance or wish to discuss any of these matters, please contact the EOP Security Office at (202) 395-6206.

THE WHITE HOUSE

WASHINGTON

PERSONAL DATA STATEMENT QUESTIONNAIRE

FROM: OFFICE OF THE COUNSEL TO THE PRESIDENT

As part of the clearance procedures for your prospective position, please answer all of the following questions (Please do not respond "Not Applicable" or "N/A" if your answer is "No" or "None"). In responding to the questions, please supply any information regarding your spouse or relatives that you deem to be relevant. Your responses to this questionnaire, as it is not subject to public disclosure, are confidential.

You can type your responses in memorandum form on a separate sheet of paper with each answer corresponding to the number of the question. You do not need to retype the questions, but please sign and date the attachment.

Because your appointment cannot be finalized until all necessary reviews have been completed, and because our review begins with the receipt of your paperwork, please supply this information within 30 days to Craig Livingstone, Director White House Security, at OEOB 84, Washington DC, 20500.

If you have any questions or need assistance in responding to this questionnaire, please contact Cliff Mauton, White House Counsel's Office at (202)456-6229. Thank you for your cooperation.

Personal and Family Background

1. Please list your full name; home address and telephone number; office address and phone number; date and place of birth; citizenship; and social security number.

2. Please identify your current marital status; spouse's name, citizenship, occupation, and current employer; and the names and ages of your children.

3. Do you have any medical conditions that could interfere with your ability to fulfill your duties? Please explain.

Professional and Educational Background

4. Please list each high school, college, and graduate school you attended; the dates of your attendance; and degrees awarded.

5. Please furnish a copy of your resume and a brief biographical statement.

6. Please chronologically list activities, other than those listed on your resume, from which you have derived earned income (e.g., self-employment, consulting activities, writing, speaking, royalties, and honoraria) since age 21.

7. Please list each book, article, column, or publication you have authored, individually or with others.

8. Identify each instance in which you have testified before Congress in a non-governmental capacity, and specify the subject matter of each testimony.

9. Please list corporations, partnerships, trusts, or other business entities with which you have ever been affiliated as an officer, director, trustee, partner, or holder of a significant equity or financial interest (i.e., any ownership interest of more than 5%), or whose decisions you had the ability to influence. Please identify the entity, your relationship to the entity, and the dates of service and/or affiliation.

10. Please provide the names of all corporations, firms, partnerships, trusts, or other business enterprises, and all non-profit organizations and other institutions with which you are now, or during the past five years have been, affiliated as an advisor, attorney, or consultant. It is only necessary to provide the names of major clients and any client matter in which you and your firm are involved that might present a potential conflict of interest with your proposed assignment. Please include dates of service.

11. With regard to each of the entities identified in the preceding question, please identify your relationship or duty with regard to each. Please include dates of service.

12. Other than the entities identified in question 10 above, please provide the names of any organizations with which your association might present a potential conflict of interest with your proposed assignment. For each entity you identify in your response to this question, please provide your relationship or duty with regard to each. Please include dates of service.

13. Please describe any contractual or informal arrangement you may have made with any person or business enterprise in regard to future employment. Include termination payments or financial benefits that will be provided for you if you enter government employment.

14. If you are a member of any licensed profession or occupation (i.e., lawyer, doctor, accountant, insurance or real estate broker, etc.) please specify the present status of each license; and, whether any such license has ever been withdrawn, suspended, or revoked, including the reason therefor.

15. Do you have a significant interest in any relationship with the government through contracts, consulting services, grants, loans, or guarantees? If so, please provide details.

16. Does your spouse or any family member or any business in which you, your spouse or any family members have a significant interest, have any relationship with the federal government through contracts, consulting services, grants, loans, or guarantees? If so, please provide details.

17. If you have performed any work for, and/or received any payments from, any foreign government, business, or individual in the past 10 years, please describe the circumstances. Please identify the source, as well as the dates of services and/or payments.

18. Please list any registration as an agent for a foreign principal, or any exemption from such registration. Please provide the status of any and all such registrations and/or exemptions (i.e., whether active and whether personally registered).

19. Have you ever registered as a lobbyist or other legislative agent to influence federal or state legislation or administrative acts? If so, please supply details, including the status of each registration.

Tax and Financial Information

20. As of the date of this questionnaire, please list all assets with a fair market value in excess of \$1,000 for you and your spouse. Please provide a good faith estimate of value.

21. As of the date of this questionnaire, please list all liabilities in excess of \$10,000 for you or your spouse. Please list the name and address of the creditor, the amount owed to the nearest thousand, a brief description of the nature of the obligation, the interest rate (if any), the date on which due, and the present status (i.e., is the obligation current or past due).

22. Please describe all real estate held in your name or in your spouse's name during the last six years. Please include real estate held in combination with others, held in trust, held by a nominee, or held by or through any other third-person or title-holding entity. Please include dates held.

23. Have you and your spouse filed all federal, state and local income tax returns?

24. Have you or your spouse ever filed a late income tax return without a valid extension? If so, describe the circumstances and the resolution of the matter.

25. Have you or your spouse ever paid any tax penalties? If so, describe the circumstances and the resolution of the matter.

26. Has a tax lien or other collection procedure ever been instituted against you or your spouse by federal, state or local authorities? If so, describe the circumstances and the resolution of the matter.

Domestic Help Issue

27. Do you presently have or have you in the past had domestic help? (i.e., a housekeeper, babysitter, nanny, or gardener) If so, please indicate years of service for each individual and give a brief description of the services rendered.

Public and Organizational Activities

28. Please list current and past political party affiliations.

29. Have you ever run for public office? If so, does your campaign have any outstanding campaign debt? If so, are you personally liable? Please provide complete information as to the amount of debt and creditors.

30. Please list each membership you have had with any civic, social, charitable, educational, professional, fraternal, benevolent or religious organization, private club or other membership organization (including any tax-exempt organization) during the past 10 years. Please include dates of membership and any positions you may have had with the organization.

31. Have you or your spouse at any time belonged to any membership organization, including, but not limited to, those described in the preceding paragraph, that as a matter of policy or practice denied or restricted affiliation based on race, sex, ethnic background, religious or sexual preference?

Legal and Administrative Proceedings and Filings

32. Please list any lawsuits you have brought as a plaintiff, or which were brought against you as a defendant or third party. Include in this response any contested divorce proceedings or other domestic relations matters.

33. Please list and describe any administrative agency proceeding in which you have been involved as a party.

34. Please list any bankruptcy proceeding in which you or your spouse have been involved as a debtor.

35. Have you or your spouse ever been investigated by any federal, state, military or local law enforcement agency? If so, please identify each instance and supply details, including: date; place; law enforcement agency; and court.

36. Have you or your spouse ever been arrested, or charged with, and/or convicted of violating any federal, state or local law, regulation or ordinance (excluding traffic offenses for which the fine was less than \$100)? If so, please identify each instance and supply details, including: date; place; law enforcement agency; and court.

37. Have you or your spouse ever been accused of or found guilty of any violations of government or agency procedure (specifically including securities violations and/or any application, or appeal process)?

38. Please list any complaint ever made against you by any administrative agency, professional association or organization, or federal, state or local ethics agency, committee, or official.

39. Please list any and all judgements rendered against you, including the date, amount, the name and subject matter of the case, and the date of satisfaction. Please include obligations of child support and alimony, and provide the status of each judgement and/or obligation.

40. With regard to each obligation of child support and/or alimony, please state the following: Have any payments been made late or have there been any lapses in payment? Have any motions or court actions for modification of child support or alimony been filed or instituted? Have any actions or motions to compel payment or initiate collection of late payments and/or past due amounts been filed or threatened? Have any writs of garnishment been issued? If your response was "yes" to any of the above questions, please provide details.

Miscellaneous

41. Have you ever had any association with any person, group or business venture that could be used, even unfairly, to impugn or attack your character and qualifications for a government position?

42. Do you know anyone or any organization that might take steps, overtly or covertly, fairly or unfairly, to criticize your appointment, including any news organization? If so, please identify and explain the basis for the potential criticism.

43. Please provide any other information, including information about other members of your family, that could suggest a conflict of interest, or be a possible source of embarrassment to you, your family or the President.

3RD DOCUMENT of Level 1 printed in FULL format.

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*** CURRENT THROUGH 104-141, 5/6/96, ***
*** EXCEPT FOR PLs 127, 132, 134, 140 ***

TITLE 3. THE PRESIDENT
CHAPTER 2. OFFICE AND COMPENSATION OF PRESIDENT

3 USCS @ 105 (1996)

@ 105. Assistance and services for the President

(a)(1) Subject to the provisons [provisions] of paragraph (2) of this subsection, the President is authorized to appoint and fix the pay of employees in the White House Office without regard to any other provision of law regulating the employment or compensation of persons in the Government service. Employees so appointed shall perform such official duties as the President may prescribe.

(2) The President may, under paragraph (1) of this subsection, appoint and fix the pay of not more than--

(A) 25 employees at rates not to exceed the rate of basic pay then currently paid for level II of the Executive Schedule of section 5313 of title 5; and in addition

(B) 25 employees at rates not to exceed the rate of basic pay then currently paid for level III of the Executive Schedule of section 5314 of title 5; and in addition

(C) (C) 50 employees at rates not to exceed the maximum rate of basic pay then currently paid for GS-18 of the General Schedule of section 5332 of Title 5; and in addition

(D) (D) such number of other employees as he may determine to be appropriate at rates not to exceed the minimum rate of basic pay then currently paid for GS-16 of the General Schedule of section 5332 of title 5.

(b)(1) Subject to the provisions of paragraph (2) of this subsection, the President is authorized to appoint and fix the pay of employees in the Executive Residence at the White House without regard to any other provision of law regulating the employment or compensation of persons in the Government service. Employees so appointed shall perform such official duties as the President may prescribe.

(2) The President may, under paragraph (1) of this subsection, appoint and fix the pay of not more than--

(A) 3 employees at rates not to exceed the maximum rate of basic pay then currently paid for GS-18 of the General Schedule of Section 5332 of Title 5; and in addition

(B) such number of other employees as he may determine to be appropriate at rates not to exceed the minimum rate of basic pay then currently paid for

GS-16 of the General Schedule of section 5332 of title 5.

(c) The President is authorized to procure for the White House Office and the Executive Residence at the White House, as provided in appropriation Acts, temporary or intermittent services of experts and consultants, as described in and in accordance with the first two sentences of section 3109(b) of title 5--

(1) in the case of the White House Office, at respective daily rates of pay for individuals which are not more than the daily equivalent of the rate of basic pay then currently paid for level II of the Executive Schedule of section 5313 of title 5; and

(2) in the case of the Executive Residence, at respective daily rates of pay for individuals which are not more than the daily equivalent of the maximum rate of basic pay then currently paid for GS-18 of the General Schedule of section 5332 of title 5.

Notwithstanding such section 3109(b), temporary services of any expert or consultant described in such section 3109(b) may be procured for a period in excess of one year if the President determines such procurement is necessary.

(d) There are authorized to be appropriated each fiscal year to the President such sums as may be necessary for--

(1) the care, maintenance, repair, alteration, refurnishing, improvement, air-conditioning, heating, and lighting (including electric power and fixtures) of the Executive Residence at the White House;

(2) the official expenses of the White House Office;

(3) the official entertainment expenses of the President;

(4) the official entertainment expenses for allocation within the Executive Office of the President; and

(5) the subsistence expenses of persons in the Government service while traveling on official business in connection with the travel of the President.

Sums appropriated under this subsection for expenses described in paragraphs (1), (3), and (5) may be expended as the President may determine, notwithstanding the provisions of any other law. Such sums shall be accounted for solely on the certificate of the President, except that, with respect to such expenses, the Comptroller General may inspect all necessary books, documents, papers, and records relating to any such expenditures solely for the purpose of verifying that all such expenditures related to expenses in paragraph (1), (3), or (5). The Comptroller General shall certify to Congress the fact of such verification, and shall report any such expenses not expended for such purpose.

(e) Assistance and services authorized pursuant to this section to the President are authorized to be provided to the spouse of the President in connection with assistance provided by such spouse to the President in the discharge of the President's duties and responsibilities. If the President does not have a spouse, such assistance and services may be provided for such purposes to a member of the President's family whom the President designates.

HISTORY: (June 25, 1948, ch 644, @ 1, 62 Stat. 678; Oct. 15, 1949, ch 695, @ 2(a), 63 Stat. 880; July 31, 1956, ch 804, Title I, @ 109, 70 Stat. 740; Oct. 4, 1961, P.L. 87-367, Title III, @ 303(h), 75 Stat. 794; Aug. 14, 1964, P.L. 88-426, Title III, @@ 304(b), 305(i), 78 Stat. 422; Dec. 23, 1967, P.L. 90-222, Title I, @ 111(c), 81 Stat. 726; Nov. 2, 1978, P.L. 95-570, @ 1(a), 92 Stat. 2445.)

HISTORY; ANCILLARY LAWS AND DIRECTIVES

EXPLANATORY NOTES:

The bracketed word "provisions" was inserted in subsec. (a)(1) as the word probably intended by Congress.

AMENDMENTS:

1949. Act Oct. 15, 1949, increased compensation of secretaries, and executive, administrative, and staff assistants. Section 9 of such Act provided that the amendment of this section shall become effective on the first day of the first pay period after Oct. 15, 1949.

1956. Act July 31, 1956, substituted "eight" for "five", "\$ 22,500" for "\$ 20,000", "\$ 21,000" for "\$ 18,000", and "\$ 20,000" for "\$ 15,000", and ", and three at rates not exceeding \$ 17,500 per annum." for "and".

1961. Act Oct. 4, 1961, substituted "\$ 18,500" for "\$ 17,500". Section 305 of such Act provided that the amendment of this section shall become effective at the beginning of the first pay period which starts on or after the sixtieth day following Oct. 4, 1961.

1964. Act Aug. 14, 1964 substituted this section for one which read: "The President is authorized to fix the compensation of the six administrative assistants authorized to be appointed under section 106 of this title, of the Executive Secretary of the National Security Council, and of eight other secretaries or other immediate staff assistants in the White House Office, as follows: Two at rates not exceeding \$ 22,500 per annum, three at rates not exceeding \$ 21,000 per annum, seven at rates not exceeding \$ 20,000 per annum, and three at rates not exceeding \$ 18,500 per annum." Section 501 of such Act provided that the amendment of this section shall become effective on the first day of the first pay period which begins on or after July 1, 1964, except to the extent provided in @ 501(c) of such Act.

1967. Act Dec. 23, 1967 (effective 12/23/67, as provided by @ 401 of such Act), inserted "of the Executive Secretary of the Economic Opportunity Council,".

1978. Act Nov. 2, 1978 substituted this section and catchline for ones which read:

"@ 105. Compensation of secretaries and executive, administrative, and staff assistants to President

"The President is authorized to fix the compensation of the six administrative assistants authorized to be appointed under section 106 of this title, of the Executive Secretary of the National Security Council, of the Executive Secretary of the National Aeronautics and Space Council, of the Executive Secretary of the Economic Opportunity Council, and of eight other secretaries or immediate staff assistants in the White House Office at rates of basic compensation not to exceed that of level II of the Federal Executive Salary Schedule.".

OTHER PROVISIONS:

Application of amendments made by Act Nov. 2, 1978. Act Nov. 2, 1978, P.L. 95-570, @ 6(a), 92 Stat. 2451, provided: "The amendments made by this Act

3 USCS @ 105 (1996)

[which, among other things, amended this section; for full classification, consult USCS Tables volumes] shall apply to any fiscal year which begins on or after Oct. 1, 1978."

NOTES:

CROSS REFERENCES

Former Presidents, office staff, 3 USCS @ 102.

This section is referred to in, 5 USCS @@ 8343a, 8420a; 18 USCS @@ 207, 1751; 26 USCS @ 3121; 31 USCS @ 3524; 42 USCS @ 410.

RESEARCH GUIDE

AM JUR:

77 Am Jur 2d, United States @ 42.

INTERPRETIVE NOTES AND DECISIONS

President's Task Force on National Health Care Reform was not advisory group subject to FACA since First Lady, who was appointed to chair Task Force, was federal employee; Congress has recognized in 3 USCS @ 105 that President's spouse is functional equivalent of assistant to President, and President's implicit authority to enlist his spouse in aid of discharge of his federal duties undermines claim that treating President's spouse as officer or employee would violate anti-nepotism provisions of 5 USCS @ 3110. Association of Am. Physicians & Surgeons, Inc. v Clinton (1993, App DC) 997 F2d 898, 21 Media L R 1705, motion gr (DC Dist Col) 1993 US Dist LEXIS 15969.

43 F.3d 1488 printed in FULL format.

SEAN T. HADDON, APPELLANT v. GARY J. WALTERS, CHIEF USHER,
APPELLEE

No. 93-5303

UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA
CIRCUIT

43 F.3d 1488; 1995 U.S. App. LEXIS 291; 310 U.S. App. D.C.
63

December 5, 1994, Argued
January 10, 1995, Decided

PRIOR HISTORY: [**1] Appeal from the United States District Court for the District of Columbia (93cv01254).

COUNSEL: Rodney R. Sweetland argued the cause and filed the briefs for appellant.

Mark B. Stern, Attorney, U.S. Department of Justice, with whom Frank W. Hunger, Assistant Attorney General, and Eric H. Holder, Jr., United States Attorney, were on the brief, for appellee. Margaret S. Hewing entered an appearance for appellee.

JUDGES: Before BUCKLEY, GINSBURG, and SENTELLE, Circuit Judges.

OPINION: [*1489] PER CURIAM: Sean Haddon, a former White House chef, filed an employment discrimination suit against Gary Walters, the White House Chief Usher. The district court dismissed the complaint for want of subject-matter jurisdiction. We find that the court erred in so finding; but because we hold that Mr. Haddon has failed to state a claim on which relief could be granted, we affirm the judgment.

I. BACKGROUND

A. Factual and Procedural History

Mr. Haddon is a white male who served as an assistant chef at the White House ("White House" or "Executive Residence") from July 1988 to March 25, 1994. He claims that he was passed over for promotion at least in part because of his engagement to a black woman. He also alleges [**2] that he confronted Mr. Walters in an attempt to resolve his grievance but that his employment discrimination complaint was rejected on the ground that the White House staff were not subject to Title VII of the Civil Rights Act of 1964.

In June 1993, Mr. Haddon filed suit in the U.S. District Court for the District of Columbia alleging that the Executive Residence had violated Title VII, as amended. After briefing and argument, the district court granted Mr. Walters' motion to dismiss for lack of subject-matter jurisdiction. Haddon v. Walters, 836 F. Supp. 1, 3 (D.D.C. 1993). Mr. Haddon filed a timely notice of appeal. While his appeal was pending, Mr. Haddon moved the district court for relief from its final order on the ground that further research had revealed additional evidence of prior White House compliance with Title VII. The

district court denied the motion.

B. Statutory Framework

In 1972, Congress amended Title VII to extend its prohibition of discrimination based on race, color, religion, sex, or national origin to personnel actions affecting most federal employees. 42 U.S.C. @ 2000e-16 (1988 & Supp. [**3] III 1991) ("section 2000e-16"). In pertinent part, section 2000e-16 applies to "employees ... in executive agencies as defined in section 105 of Title 5." 42 U.S.C. @ 2000e-16(a). Section 105 of Title 5 in turn defines an executive agency as "an Executive department, a Government corporation, [or] an independent establishment." 5 U.S.C. @ 105 (1988). In 1991, Congress further amended Title VII to cover certain Presidential appointees not already covered by section 2000e-16. 2 U.S.C. @ 1219 (Supp. III 1991) ("1991 Amendments" or "section 1219").

Sections 2000e-16 and 1219 prescribe different paths for obtaining judicial review. Section 2000e-16 authorizes a party who has exhausted his administrative remedies and who is aggrieved "by the final disposition of his complaint, or by the failure to take final action on his complaint," to file a civil action in the district court. 42 U.S.C. @@ 2000e-5(f)(3) & 2000e-16(c) (1988 & Supp. III 1991). Section 1219, however, provides that a Presidential appointee may file a complaint with the Equal [**4] Employment Opportunity Commission, "or such other entity as is designated by the President by Executive Order," and that any party aggrieved by a final order disposing of such a complaint may petition for review by the United States Court of Appeals for the Federal Circuit. 2 U.S.C. @ 1219(a)(2) & (3)(A). Thus, whether or not section 1219 applies to Mr. Haddon, it cannot be the basis for jurisdiction in the district court. The question before us, then, is whether he is covered by section 2000e-16.

II. DISCUSSION

Mr. Haddon argues that the district court erred when it concluded that he was not covered by section 2000e-16. That section provides, in pertinent part:

All personnel actions affecting employees or applicants for employment ... in executive agencies as defined in section 105 of Title 5 (including employees and applicants for employment who are paid from nonappropriated funds) ... shall be made free from any discrimination based on race, color, religion, sex, or national origin.

42 U.S.C. @ 2000e-16(a) (emphasis added). This case turns on whether the Executive Residence is an "executive [**5] agency" within the meaning of section 2000e-16. As defined by reference to 5 U.S.C. @ 105, executive agency "means an Executive department, a [*1490] Government corporation, and an independent establishment." The Executive Residence is not included in Title 5's exclusive list of Executive departments. 5 U.S.C. @ 101 (1988). Nor does it fit within Title 5's definition of a Government corporation. 5 U.S.C. @ 103 (1988). By process of elimination, section 2000e-16 applies to Mr. Haddon if and only if the Executive Residence is an "independent establishment."

Title 5 defines "independent establishment" to mean

(1) an establishment in the executive branch (other than the United States

Postal Service or the Postal Rate Commission) which is not an Executive department, military department, Government corporation, or part thereof, or part of an independent establishment; and

(2) the General Accounting Office.

5 U.S.C. @ 104 (1988). Although this definition of independent establishment does not clearly foreclose Mr. Haddon's argument, he fails to [**6] explain how the Executive Residence fits within the compass of that term. We conclude that it does not for two reasons.

First, we note that elsewhere Congress has used the term "independent establishment" in distinction to the Executive Residence. Specifically, Congress has authorized "the head of any department, agency, or independent establishment of the executive branch of the Government [to] detail, from time to time, employees of such department, agency, or establishment to the White House Office, the Executive Residence at the White House, the Office of the Vice President, the Domestic Policy Staff, and the Office of Administration." 3 U.S.C. @ 112 (1988) (emphasis added). That Congress distinguished the Executive Residence from the independent establishments, whatever they may be, suggests that Congress does not regard the Executive Residence to be an independent establishment, as it uses that term.

Second, while Title 5 relates to government organization and employees and prescribes pay and working conditions for agency employees, see, e.g., 5 U.S.C. @ 7103(a) (1988 & Supp. III 1991), Title [**7] 3 addresses similar concerns with respect to the President's advisors and the staff of the Executive Residence. See, e.g., 3 U.S.C. @ 105(b)(1) (1988) (authorizing the President "to appoint and fix the pay of employees in the Executive Residence at the White House without regard to any other provision of law regulating the employment or compensation of persons in the Government service"). Accordingly, as Mr. Walters argues, section 2000e-16's incorporation of Title 5's definition of executive agency further suggests that it does not apply to the staff of the Executive Residence.

Mr. Haddon contends, finally, that the administrations of prior Presidents read section 2000e-16 more broadly than we do and that their interpretations of the statute deserve great deference. In support of this contention, he cites a conclusory Executive Order issued by President Carter and a "Stipulation of Compromise" that was entered into by the Nixon Justice Department in a case involving a discrimination claim. Neither explains why it should be concluded that the "White House Office" is subject to section 2000e-16; nor are these documents analogous to an administrative [**8] agency's construction of a statute it has been entrusted to administer, with respect to which we generally require a reasoned explanation for a departure from past practice. Therefore, we hold that the Executive Residence is not an executive agency within the meaning of section 2000e-16.

While Mr. Haddon's section 2000e-16 claim fails to present a cause of action on which relief could be granted, we cannot accept the district court's conclusion that it lacked subject-matter jurisdiction over it even though we are aware that at least one circuit has reached the same conclusion under similar circumstances. See *Dumas v. Town of Mt. Vernon*, 612 F.2d 974, 980 (5th Cir.

1980). Mr. Haddon's claim arises under the laws of the United States. That suffices to establish the district court's jurisdiction "unless the alleged claim clearly appears to be immaterial and made solely for the purpose of obtaining jurisdiction, or [is] wholly insubstantial and frivolous." *Kleiman v. Department of Energy*, 294 U.S. App. D.C. 49, 956 F.2d 335, 339 (D.C. Cir. 1992) (internal quotation marks, ellipsis and citation omitted). As the [**9] Supreme [*1491] Court stated in *Bell v. Hood*, 327 U.S. 678, 682, 90 L. Ed. 939, 66 S. Ct. 773 (1946):

Jurisdiction ... is not defeated ... by the possibility that the averments might fail to state a cause of action on which petitioners could actually recover.... Whether the complaint states a cause of action on which relief could be granted is a question of law and just as issues of fact it must be decided after and not before the court has assumed jurisdiction over the controversy. If the court does later exercise its jurisdiction to determine that the allegations in the complaint do not state a ground for relief, then dismissal of the case would be on the merits, not for want of jurisdiction.

See also *Associated Dry Goods Corp. v. EEOC*, 419 F. Supp. 814, 818 (E.D. Va. 1976) ("Defendant's assertion that the sections of federal law cited by plaintiff are not applicable to the instant case does not defeat jurisdiction, but rather contests whether the plaintiff has stated a cause of action.").

Although Mr. Haddon brought this action under section VII of the Civil Rights Act "as amended," and [**10] although he may have alleged facts that would support a claim for relief under the 1991 Amendments, we do not remand the case in order to allow him to pursue this alternative theory. Were we to do so, the district court would quite properly dismiss the claim for want of jurisdiction. See 2 U.S.C. @ 1219(a)(2) & (3)(A).

III. CONCLUSION

Because we hold that Mr. Haddon has failed to present a claim on which the district court could grant relief and because "we may affirm on different grounds the judgment of a lower court if it is correct as a matter of law," *Kleiman*, 956 F.2d at 339 (internal quotation marks and citation omitted), we affirm the judgment of the district court. We do so, however, without prejudice to any right Mr. Haddon may have to pursue a section 1219 claim in the appropriate forum.

So ordered.

WILLIAM F. CLINGER, JR., PENNSYLVANIA
CHAIRMAN

BENJAMIN A. ORMAN, NEW YORK
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WILLIAM H. ZELFF, JR., NEW HAMPSHIRE
JOHN M. MCLEIGH, NEW YORK
STEPHEN MORF, CALIFORNIA
JOHN L. MCCA, FLORIDA
PETER BLUTE, MASSACHUSETTS
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DAVID M. MCINTOSH, INDIANA
JON D. FOX, PENNSYLVANIA
RANDY TATE, WASHINGTON
DICK CHRYSLER, MICHIGAN
GIL GUTKNECHT, MINNESOTA
MARK E. BOLDER, INDIANA
WILLIAM J. MARTINI, NEW JERSEY
JOE SCARBOROUGH, FLORIDA
JOHN SHADEGG, ARIZONA
MICHAEL PATRICK FLANAGAN, ILLINOIS
CHARLES P. BASS, NEW HAMPSHIRE
STEVE C. LAYOURETTE, OHIO
MARSHALL "MARK" SANFORD, SOUTH CAROLINA
ROBERT L. ENGLISH, JR., MARYLAND

ONE HUNDRED FOURTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

July 2, 1996

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TIM HOLDEN, PENNSYLVANIA

BERNARD SANDERS, VERMONT
INDEPENDENT

MAJORITY—(205) 225-6074
MINORITY—(205) 225-6001

Jack Quinn, Esquire
Counsel to the President
The White House
Washington, DC

Dear Mr. Quinn:

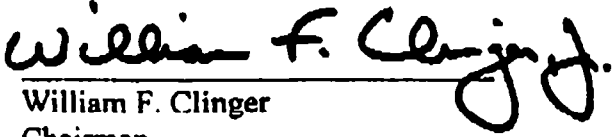
During the course of the Committee's investigation into the White House Travel Office matter, we have learned that the Office of White House Counsel developed and administered a "Personal Data Statement Questionnaire" to White House employees (see attached).

The opening statement on this questionnaire reads: "As part of the clearance procedures for your prospective position, please answer all of the following questions." The forty-three questions which follow pertain to personal data involving one's family, educational, and professional background. There is an additional section which includes questions relating to one's political party affiliation. The Government Reform and Oversight Subcommittee on Civil Service holds jurisdiction over all matters pertaining to federal employment. Thus, we request further clarification concerning who administered, received, and answered these questionnaires. Please supply the Committee with the following:

- 1) How many different versions of the Personal Data Statement Questionnaire have been used between January 20, 1993 and this date. Please enclose copies of each such version and indicate the specific period of time during which it was used.
- 2) To which employees or applicants were these questionnaires distributed? Which employees or applicants were directed to supply the information requested in the questionnaire? Please specify employees by position, by their employing office in the White House, and indicate whether each employee was appointed (or to be appointed) under title 3 or title 5 of the United States Code.
- 3) What offices at the White House used this questionnaire for employment screening purposes? Which components within the Executive Office of the President used the questionnaire for employment screening purposes.
- 4) Which offices and/or employees reviewed the completed questionnaires?

Thank you for your prompt attention to this matter. Please provide this information to the Committee by 3:00 P.M. on Friday, July 5, 1996.

Sincerely,

A handwritten signature in cursive script, reading "William F. Clinger".

William F. Clinger
Chairman
Committee on Government Reform & Oversight

A handwritten signature in cursive script, reading "John L. Mica".

John L. Mica
Chairman
Subcommittee on Civil Service

PERSONAL DATA STATEMENT QUESTIONNAIRE

FROM: BERNIE NUSSBAUM
 COUNSEL TO THE PRESIDENT

As part of the clearance procedures for your prospective position, please answer all of the following questions (please do not respond "not applicable" or "N/A" if your response is "no" or "none.") In responding to the questions, please supply any information regarding your spouse or relatives that you deem to be relevant. Your responses to this questionnaire, which is not subject to public disclosure, will remain confidential.

You can type your responses in memorandum form on a separate sheet of paper with each answer corresponding to the number of the question. You do not need to retype the questions, but please sign and date the response.

Because your appointment cannot be finalized until all necessary reviews have been completed, please supply this information within 72 hours to **Angelina Walker** in my office. (Room 128, OEOB).

If you have any questions or need assistance in responding to this questionnaire, please do not hesitate to contact this office at 202-456-7900. Thank you for your cooperation.

Personal and Family Background

1. Please list your full name; home address and telephone number; office address and telephone number; date and place of birth; citizenship; and social security number.

2. Please identify your current marital status; spouse's name, citizenship, occupation, and current employer; and the names and ages of your children.

3. Do you have any medical conditions that could interfere with your ability to fulfill your duties? Please explain.

Professional and Educational Background

4. Please list each high school, college, and graduate school you attended; the dates of your attendance; and degrees awarded.
5. Please furnish a copy of your resume.
6. Please list chronologically activities, other than those listed on your resume, from which you have derived earned income (e.g., self-employment, consulting activities, writing, speaking, royalties, and honoraria) since age 21.
7. Please list each book, article, or other publication you have authored, individually or with others.
8. Identify each instance in which you have testified before Congress in a non-governmental capacity and specify the subject matter of each testimony.
9. Please list all corporations, partnerships, trusts, or other business entities with which you have ever been affiliated as an officer, director, trustee, partner, or holder of a significant equity or financial interest (i.e., any ownership interest of more than 5%), or whose decisions you had the ability to influence.

10. Please provide the names of all corporations, firms, partnerships, trusts, or other business enterprises, and all non-profit organizations and other institutions with which you are now, or during the past five years have been, affiliated as an advisor, attorney or consultant. It is only necessary to provide the names of major clients and any client matter in which you and your firm are involved that might present a potential conflict of interest with your proposed assignment. Please identify the clients by name unless it would breach a confidential relationship or duty respecting a privileged matter. In addition, please provide the names of any other organizations with which you were associated which might present a potential conflict or the appearance of conflict of interest with your prospective appointment.

11. Please describe any contractual or informal arrangement you may have made with any person or any business enterprise in regard to future employment or termination payments or financial benefits that will be provided you if you enter government employment.

12. If you are a member of any licensed profession or occupation (such as lawyer, doctor, accountant, insurance or real estate broker, etc.), please specify: the present status of each license; and whether any such license has ever been withdrawn, suspended, or revoked, and the reason therefor.

13. Does your spouse or any family member or business in which you, your spouse or any family members have a significant interest have any relationship with the federal government through contracts, consulting services, grants, loans or guarantees? If yes, please provide details.

14. If you have performed any work for and/or received any payments from any foreign government, business, or individual in the past 10 years, please describe the circumstances, and identify the source and amount.

15. Please list any registration as an agent for a foreign principal, or any exemption from such registration.

16. Have you ever registered as a lobbyist or other legislative agent to influence federal or state legislation or administrative acts? If yes, please supply details.

Tax and Financial Information

17. Please list all assets with a fair market value in excess of \$5,000 for you and for your spouse.

18. Please describe all real estate held in your name or in your spouse's name during the last six years, including any real estate held in combination with others or on your or your spouse's behalf in trust, by a nominee, or through any other title-holding entity.

19. Have you and your spouse filed all federal, state and local income tax returns?

20. Have you or your spouse ever filed a late income tax return without a valid extension? If so, describe the circumstances and the resolution of the matter.

21. Have you or your spouse ever paid any tax penalties? If so, describe the circumstances and the resolution of the matter.

22. Has a tax lien or other collection procedure ever been instituted against you or your spouse by federal, state or local authorities? If so, describe the circumstances and the resolution of the matter.

Public and Organizational Activities

23. Please list current and past political party affiliations.

24. Please list each membership you have had with any civic, social, charitable, educational, professional, fraternal, benevolent or religious organization, private club, or other membership organization (including any tax-exempt organization) during the past 10 years.

25. Have you or your spouse at any time belonged to any membership organization, including but not limited to those described in the preceding paragraph, that as a matter of policy or practice denied or restricted affiliation (as a matter of either policy or practice) based on race, sex, ethnic background, religious or sexual preference?

Legal and Administrative Proceedings and Filings

26. Please list any lawsuits you have brought as a plaintiff or which were brought against you as a defendant or third party. Include in this response any contested divorce proceedings or other domestic relations matters.

27. Please list and describe any administrative agency proceeding in which you have been involved as a party.

28. Please list any bankruptcy proceeding in which you or your spouse have been involved as a debtor.

29. Have you or your spouse ever been investigated by any federal, state, military or local law enforcement agency, or arrested for, charged with, or convicted of violating any federal, state or local law, regulation or ordinance (excluding traffic offenses for which the fine was less than \$100)? If so, please identify each such instance and supply details, including: date; place; law enforcement agency; and court.

30. Please list any complaint ever made against you or by any administrative agency, professional association or organization, or federal, state or local ethics agency, committee, or official.

Miscellaneous

31. Have you ever had any association with any person, group or business venture that could be used, even unfairly, to impugn or attack your character and qualifications for a government position?

32. Do you know anyone or any organization that might take any steps, overtly or covertly, fairly or unfairly, to criticize your appointment, including any news organization? If so, please identify and explain the basis for the potential criticism.

33. Please provide any other information, including information about other members of your family, that could suggest a conflict of interest or be a possible source of embarrassment to you, your family or the President.

THE WHITE HOUSE

WASHINGTON

PERSONAL DATA STATEMENT QUESTIONNAIRE

FROM: OFFICE OF THE COUNSEL TO THE PRESIDENT

As part of the clearance procedures for your prospective position, please answer all of the following questions (Please do not respond "Not Applicable" or "N/A" if your answer is "No" or "None"). In responding to the questions, please supply any information regarding your spouse or relatives that you deem to be relevant. Your responses to this questionnaire, as it is not subject to public disclosure, are confidential.

You can type your responses in memorandum form on a separate sheet of paper with each answer corresponding to the number of the question. You do not need to retype the questions, but please sign and date the attachment.

Because your appointment cannot be finalized until all necessary reviews have been completed, and because our review begins with the receipt of your paperwork, please supply this information within 30 days to Craig Livingstone, Director White House Security, at OEOB 84, Washington DC, 20500.

If you have any questions or need assistance in responding to this questionnaire, please contact Cliff Mauton, White House Counsel's Office at (202)456-6229. Thank you for your cooperation.

Personal and Family Background

1. Please list your full name; home address and telephone number; office address and phone number; date and place of birth; citizenship; and social security number.

2. Please identify your current marital status; spouse's name, citizenship, occupation, and current employer; and the names and ages of your children.

3. Do you have any medical conditions that could interfere with your ability to fulfill your duties? Please explain.

Professional and Educational Background

4. Please list each high school, college, and graduate school you attended; the dates of your attendance; and degrees awarded.

5. Please furnish a copy of your resume and a brief biographical statement.

6. Please chronologically list activities, other than those listed on your resume, from which you have derived earned income (e.g., self-employment, consulting activities, writing, speaking, royalties, and honoraria) since age 21.

7. Please list each book, article, column, or publication you have authored, individually or with others.

8. Identify each instance in which you have testified before Congress in a non-governmental capacity, and specify the subject matter of each testimony.

9. Please list corporations, partnerships, trusts, or other business entities with which you have ever been affiliated as an officer, director, trustee, partner, or holder of a significant equity or financial interest (i.e., any ownership interest of more than 5%), or whose decisions you had the ability to influence. Please identify the entity, your relationship to the entity, and the dates of service and/or affiliation.

10. Please provide the names of all corporations, firms, partnerships, trusts, or other business enterprises, and all non-profit organizations and other institutions with which you are now, or during the past five years have been, affiliated as an advisor, attorney, or consultant. It is only necessary to provide the names of major clients and any client matter in which you and your firm are involved that might present a potential conflict of interest with your proposed assignment. Please include dates of service.

11. With regard to each of the entities identified in the preceding question, please identify your relationship or duty with regard to each. Please include dates of service.

12. Other than the entities identified in question 10 above, please provide the names of any organizations with which your association might present a potential conflict of interest with your proposed assignment. For each entity you identify in your response to this question, please provide your relationship or duty with regard to each. Please include dates of service.

13. Please describe any contractual or informal arrangement you may have made with any person or business enterprise in regard to future employment. Include termination payments or financial benefits that will be provided for you if you enter government employment.

14. If you are a member of any licensed profession or occupation (i.e., lawyer, doctor, accountant, insurance or real estate broker, etc.) please specify the present status of each license; and, whether any such license has ever been withdrawn, suspended, or revoked, including the reason therefor.

15. Do you have a significant interest in any relationship with the government through contracts, consulting services, grants, loans, or guarantees? If so, please provide details.

16. Does your spouse or any family member or any business in which you, your spouse or any family members have a significant interest, have any relationship with the federal government through contracts, consulting services, grants, loans, or guarantees? If so, please provide details.

17. If you have performed any work for, and/or received any payments from, any foreign government, business, or individual in the past 10 years, please describe the circumstances. Please identify the source, as well as the dates of services and/or payments.

18. Please list any registration as an agent for a foreign principal, or any exemption from such registration. Please provide the status of any and all such registrations and/or exemptions (i.e., whether active and whether personally registered).

19. Have you ever registered as a lobbyist or other legislative agent to influence federal or state legislation or administrative acts? If so, please supply details, including the status of each registration.

Tax and Financial Information

20. As of the date of this questionnaire, please list all assets with a fair market value in excess of \$1,000 for you and your spouse. Please provide a good faith estimate of value.

21. As of the date of this questionnaire, please list all liabilities in excess of \$10,000 for you or your spouse. Please list the name and address of the creditor, the amount owed to the nearest thousand, a brief description of the nature of the obligation, the interest rate (if any), the date on which due, and the present status (i.e., is the obligation current or past due).

22. Please describe all real estate held in your name or in your spouse's name during the last six years. Please include real estate held in combination with others, held in trust, held by a nominee, or held by or through any other third-person or title-holding entity. Please include dates held.

23. Have you and your spouse filed all federal, state and local income tax returns?

24. Have you or your spouse ever filed a late income tax return without a valid extension? If so, describe the circumstances and the resolution of the matter.

25. Have you or your spouse ever paid any tax penalties? If so, describe the circumstances and the resolution of the matter.

26. Has a tax lien or other collection procedure ever been instituted against you or your spouse by federal, state or local authorities? If so, describe the circumstances and the resolution of the matter.

Domestic Help Issue

27. Do you presently have or have you in the past had domestic help? (i.e., a housekeeper, babysitter, nanny, or gardener) If so, please indicate years of service for each individual and give a brief description of the services rendered.

Public and Organizational Activities

28. Please list current and past political party affiliations.

29. Have you ever run for public office? If so, does your campaign have any outstanding campaign debt? If so, are you personally liable? Please provide complete information as to the amount of debt and creditors.

30. Please list each membership you have had with any civic, social, charitable, educational, professional, fraternal, benevolent or religious organization, private club or other membership organization (including any tax-exempt organization) during the past 10 years. Please include dates of membership and any positions you may have had with the organization.

31. Have you or your spouse at any time belonged to any membership organization, including, but not limited to, those described in the preceding paragraph, that as a matter of policy or practice denied or restricted affiliation based on race, sex, ethnic background, religious or sexual preference?

Legal and Administrative Proceedings and Filings

32. Please list any lawsuits you have brought as a plaintiff, or which were brought against you as a defendant or third party. Include in this response any contested divorce proceedings or other domestic relations matters.

33. Please list and describe any administrative agency proceeding in which you have been involved as a party.

34. Please list any bankruptcy proceeding in which you or your spouse have been involved as a debtor.

35. Have you or your spouse ever been investigated by any federal, state, military or local law enforcement agency? If so, please identify each instance and supply details, including: date; place; law enforcement agency; and court.

36. Have you or your spouse ever been arrested, or charged with, and/or convicted of violating any federal, state or local law, regulation or ordinance (excluding traffic offenses for which the fine was less than \$100)? If so, please identify each instance and supply details, including: date; place; law enforcement agency; and court.

37. Have you or your spouse ever been accused of or found guilty of any violations of government or agency procedure (specifically including securities violations and/or any application, or appeal process)?

38. Please list any complaint ever made against you by any administrative agency, professional association or organization, or federal, state or local ethics agency, committee, or official.

39. Please list any and all judgements rendered against you, including the date, amount, the name and subject matter of the case, and the date of satisfaction. Please include obligations of child support and alimony, and provide the status of each judgement and/or obligation.

40. With regard to each obligation of child support and/or alimony, please state the following: Have any payments been made late or have there been any lapses in payment? Have any motions or court actions for modification of child support or alimony been filed or instituted? Have any actions or motions to compel payment or initiate collection of late payments and/or past due amounts been filed or threatened? Have any writs of garnishment been issued? If your response was "yes" to any of the above questions, please provide details.

Miscellaneous

41. Have you ever had any association with any person, group or business venture that could be used, even unfairly, to impugn or attack your character and qualifications for a government position?

42. Do you know anyone or any organization that might take steps, overtly or covertly, fairly or unfairly, to criticize your appointment, including any news organization? If so, please identify and explain the basis for the potential criticism.

43. Please provide any other information, including information about other members of your family, that could suggest a conflict of interest, or be a possible source of embarrassment to you, your family or the President.

THE WHITE HOUSE

WASHINGTON

PERSONAL DATA STATEMENT QUESTIONNAIRE

FROM: OFFICE OF THE COUNSEL TO THE PRESIDENT

As part of the clearance procedures for your prospective position, please answer all of the following questions (Please do not respond "Not Applicable" or "N/A" if your answer is "No" or "None"). In responding to the questions, please supply any information regarding your spouse or relatives that you deem to be relevant. Your responses to this questionnaire, as it is not subject to public disclosure, are confidential.

You can type your responses in memorandum form on a separate sheet of paper with each answer corresponding to the number of the question. You do not need to retype the questions, but please sign and date the attachment.

Because your appointment cannot be finalized until all necessary reviews have been completed, and because our review begins with the receipt of your paperwork, please supply this information within 30 days to Craig Livingstone, Director White House Security, at OEOB 84, Washington DC, 20500.

If you have any questions or need assistance in responding to this questionnaire, please contact Cliff Mauton, White House Counsel's Office at (202)456-6229. Thank you for your cooperation.

Personal and Family Background

1. Please list your full name; home address and telephone number; office address and phone number; date and place of birth; citizenship; and social security number.

2. Please identify your current marital status; spouse's name, citizenship, occupation, and current employer; and the names and ages of your children.

3. Do you have any medical conditions that could interfere with your ability to fulfill your duties? Please explain.

Professional and Educational Background

4. Please list each high school, college, and graduate school you attended; the dates of your attendance; and degrees awarded.

5. Please furnish a copy of your resume and a brief biographical statement.

6. Please chronologically list activities, other than those listed on your resume, from which you have derived earned income (e.g., self-employment, consulting activities, writing, speaking, royalties, and honoraria) since age 21.

7. Please list each book, article, column, or publication you have authored, individually or with others.

8. Identify each instance in which you have testified before Congress in a non-governmental capacity, and specify the subject matter of each testimony.

9. Please list corporations, partnerships, trusts, or other business entities with which you have ever been affiliated as an officer, director, trustee, partner, or holder of a significant equity or financial interest (i.e., any ownership interest of more than 5%), or whose decisions you had the ability to influence. Please identify the entity, your relationship to the entity, and the dates of service and/or affiliation.

10. Please provide the names of all corporations, firms, partnerships, trusts, or other business enterprises, and all non-profit organizations and other institutions with which you are now, or during the past five years have been, affiliated as an advisor, attorney, or consultant. It is only necessary to provide the names of major clients and any client matter in which you and your firm are involved that might present a potential conflict of interest with your proposed assignment. Please include dates of service.

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12. Other than the entities identified in question 10 above, please provide the names of any organizations with which your association might present a potential conflict of interest with your proposed assignment. For each entity you identify in your response to this question, please provide your relationship or duty with regard to each. Please include dates of service.

13. Please describe any contractual or informal arrangement you may have made with any person or business enterprise in regard to future employment. Include termination payments or financial benefits that will be provided for you if you enter government employment.

14. If you are a member of any licensed profession or occupation (i.e., lawyer, doctor, accountant, insurance or real estate broker, etc.) please specify the present status of each license; and, whether any such license has ever been withdrawn, suspended, or revoked, including the reason therefor.

15. Do you have a significant interest in any relationship with the government through contracts, consulting services, grants, loans, or guarantees? If so, please provide details.

16. Does your spouse or any family member or any business in which you, your spouse or any family members have a significant interest, have any relationship with the federal government through contracts, consulting services, grants, loans, or guarantees? If so, please provide details.

17. If you have performed any work for, and/or received any payments from, any foreign government, business, or individual in the past 10 years, please describe the circumstances. Please identify the source, as well as the dates of services and/or payments.

18. Please list any registration as an agent for a foreign principal, or any exemption from such registration. Please provide the status of any and all such registrations and/or exemptions (i.e., whether active and whether personally registered).

19. Have you ever registered as a lobbyist or other legislative agent to influence federal or state legislation or administrative acts? If so, please supply details, including the status of each registration.

Tax and Financial Information

20. As of the date of this questionnaire, please list all assets with a fair market value in excess of \$1,000 for you and your spouse. Please provide a good faith estimate of value.

21. As of the date of this questionnaire, please list all liabilities in excess of \$10,000 for you or your spouse. Please list the name and address of the creditor, the amount owed to the nearest thousand, a brief description of the nature of the obligation, the interest rate (if any), the date on which due, and the present status (i.e., is the obligation current or past due).

22. Please describe all real estate held in your name or in your spouse's name during the last six years. Please include real estate held in combination with others, held in trust, held by a nominee, or held by or through any other third-person or title-holding entity. Please include dates held.

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25. Have you or your spouse ever paid any tax penalties? If so, describe the circumstances and the resolution of the matter.

26. Has a tax lien or other collection procedure ever been instituted against you or your spouse by federal, state or local authorities? If so, describe the circumstances and the resolution of the matter.

Domestic Help Issue

27. Do you presently have or have you in the past had domestic help? (i.e., a housekeeper, babysitter, nanny, or gardener) If so, please indicate years of service for each individual and give a brief description of the services rendered.

Public and Organizational Activities

28. Please list current and past political party affiliations.

29. Have you ever run for public office? If so, does your campaign have any outstanding campaign debt? If so, are you personally liable? Please provide complete information as to the amount of debt and creditors.

30. Please list each membership you have had with any civic, social, charitable, educational, professional, fraternal, benevolent or religious organization, private club or other membership organization (including any tax-exempt organization) during the past 10 years. Please include dates of membership and any positions you may have had with the organization.

31. Have you or your spouse at any time belonged to any membership organization, including, but not limited to, those described in the preceding paragraph, that as a matter of policy or practice denied or restricted affiliation based on race, sex, ethnic background, religious or sexual preference?

Legal and Administrative Proceedings and Filings

32. Please list any lawsuits you have brought as a plaintiff, or which were brought against you as a defendant or third party. Include in this response any contested divorce proceedings or other domestic relations matters.

33. Please list and describe any administrative agency proceeding in which you have been involved as a party.

34. Please list any bankruptcy proceeding in which you or your spouse have been involved as a debtor.

35. Have you or your spouse ever been investigated by any federal, state, military or local law enforcement agency? If so, please identify each instance and supply details, including: date; place; law enforcement agency; and court.

36. Have you or your spouse ever been arrested, or charged with, and/or convicted of violating any federal, state or local law, regulation or ordinance (excluding traffic offenses for which the fine was less than \$100)? If so, please identify each instance and supply details, including: date; place; law enforcement agency; and court.

37. Have you or your spouse ever been accused of or found guilty of any violations of government or agency procedure (specifically including securities violations and/or any application, or appeal process)?

38. Please list any complaint ever made against you by any administrative agency, professional association or organization, or federal, state or local ethics agency, committee, or official.

39. Please list any and all judgements rendered against you, including the date, amount, the name and subject matter of the case, and the date of satisfaction. Please include obligations of child support and alimony, and provide the status of each judgement and/or obligation.

40. With regard to each obligation of child support and/or alimony, please state the following: Have any payments been made late or have there been any lapses in payment? Have any motions or court actions for modification of child support or alimony been filed or instituted? Have any actions or motions to compel payment or initiate collection of late payments and/or past due amounts been filed or threatened? Have any writs of garnishment been issued? If your response was "yes" to any of the above questions, please provide details.

Miscellaneous

41. Have you ever had any association with any person, group or business venture that could be used, even unfairly, to impugn or attack your character and qualifications for a government position?

42. Do you know anyone or any organization that might take steps, overtly or covertly, fairly or unfairly, to criticize your appointment, including any news organization? If so, please identify and explain the basis for the potential criticism.

43. Please provide any other information, including information about other members of your family, that could suggest a conflict of interest, or be a possible source of embarrassment to you, your family or the President.

THE WHITE HOUSE
WASHINGTON

PERSONAL DATA STATEMENT QUESTIONNAIRE

FROM: JACK QUINN
COUNSEL TO THE PRESIDENT

As part of the clearance procedure for your prospective position, please answer all of the following questions (**please do not respond "not applicable" or "N/A" if your answer is "no" or "none"**). In responding to the questions, please supply any information regarding your spouse or relatives that you deem to be relevant. Your responses to this questionnaire, which is not subject to public disclosure, are confidential.

You can type your responses in memorandum form on a separate sheet of paper with each answer corresponding to the number of the question. You do not need to retype the questions, but please sign and date any attachments.

Because your appointment cannot be finalized until all necessary reviews have been completed, please supply this information within 24 hours to Craig Livingstone, Director White House Security. (Old Executive Office Building, Room #84, Washington, D.C. 20500; fax number: (202) 456-7029).

If you have any questions or need assistance in responding to this questionnaire, please do not hesitate to contact this office at (202) 456-2345. Thank you for your cooperation.

Personal and Family Background

1. Please list your full name; home address and telephone number; office address and telephone number; date and place of birth; citizenship; and social security number.

2. Please identify your current marital status; spouse's name, citizenship, occupation, and current employer; and the names and ages of your children.

3. Do you have any medical conditions that could interfere with your ability to fulfill your duties? Please explain.

Professional and Educational Background

4. Please list each high school, college, and graduate school you attended; the dates of you attended; the dates of your attendance; and degrees awarded.

5. Please furnish a copy of your resume and a brief biographical statement.

6. Please chronologically list activities, other than those listed on your resume, from which you have derived earned income (e.g. self-employment, consulting activities, writing, speaking, royalties, and honoraria) since age 21.

7. Please list each book, article, or publication you have authored, individually or with others.

8. Identify each instance in which you have testified before Congress in a non-governmental capacity and specify the subject matter of each testimony.

9. Please list all corporations, partnerships, trusts, or other business entities with which you have ever been affiliated as an officer, director, trustee, partner, or holder of a significant equity of financial interest (i.e. any ownership interest of more than 5%), or whose decisions you had the ability to influence.

10. Please provide the names of all corporations, firms, partnerships, trusts, or other business enterprises, and all non-profit organizations and other institutions with which you are now, or during the past have years have been, affiliated as an advisor, attorney, or consultant. It is only necessary to provide the names of major clients and any client matter in which you and your firm are involved that might present a potential conflict of interest with your proposed assignment. Please identify the clients by name unless it would breach a confidential relationship or duty respecting a privileged matter. In addition, please provide the names of any organizations with which you were associated which might present a potential conflict or the appearance of conflict of interest with your prospective appointment.

11. Please describe any contractual or informal arrangement you may have made with any person or any business enterprise in regard to future employment or termination payments or financial benefits that will be provided to you if you enter government employment.

12. If you are a member of any licensed profession or occupation (such as lawyer, doctor, accountant, insurance, or real estate broker, etc.), please specify: the present status of each license; and whether any such license has ever been withdrawn, suspended, or revoked, and the reason therefor.

13. Does your spouse or any family member or business in which you, your spouse or any family members have a significant interest have any relationship with the federal government through contracts, consulting services, grants, loans, or guarantees? If yes, please provide details.

14. If you have performed any work for and/or received any payments from any foreign government, business, or individual in the past 10 years, please describe the circumstances, and identify the source and amount.

15. Please list any registration as an agent for a foreign principal, or any exemption from such registration.

16. Have you ever registered as a lobbyist or other legislative agent to influence federal or state legislation or administrative acts? If yes, please supply details.

Tax and Financial Information

17. As of the date of this questionnaire, please list all assets and liabilities with a fair market value in excess of \$5,000 for you and your spouse and provide a good faith estimate of value. As to liabilities, please list the name and address of the creditor, the amount owed to the nearest thousand dollar, a brief description of the nature of the obligation, the interest rate (if any) and the date on which due.

18. Please describe all real estate held in your name or in your spouse's name during the last six years, including any real estate held in combination with other or on your or your spouse's behalf in trust, by a nominee, or through any other title-holding entity.

19. Have you and your spouse filed all federal, state, and local income tax returns?

20. Have you or your spouse ever filed a late income tax return without a valid extension? If so, describe the circumstances and the resolution of the matter.

21. Have you or your spouse ever paid any tax penalties? If so, describe the circumstances and the resolution of the matter.

22. Has a tax lien or other collection procedure ever been instituted against you or your spouse by federal, state, or local authorities? If so, describe the circumstances and the resolution of the matter.

Public and Organizational Activities

23. Please list current and past political party affiliations.

24. Please list each membership you have had with any civic, social, charitable, educational, professional, fraternal, benevolent, or religious organization, private club, or other membership organization (including any tax-exempt organization) during the past 10 years.

25. Have you or your spouse at any time belonged to any membership organization, including but not limited to those described in the preceding paragraph, that as a matter of policy or practice denied or restricted affiliation (as a matter of either policy or practice) based on race, sex, ethnic background, religious or sexual preference?

Legal and Administrative Proceedings and Filings

26. Please list any lawsuits you have brought as a plaintiff or which were brought against you as a defendant or third party. Include in this response any contested divorce proceedings or other domestic relations matters.

27. Please list and describe any administrative agency proceeding in you have been involved as a party.

28. Please list and describe any bankruptcy proceeding in which you or your spouse have been involved as a debtor.

29. Have you or your spouse ever been investigated by any federal, state, military, or local law enforcement agency, or arrested for, charged with, or convicted of violating any federal, state, or local law, regulation, or ordinance (excluding traffic offenses for which the fine was less than \$100)? If so, please identify each such instance and supply details, including: date; place; law enforcement agency; and court.

30. Please list any complaint ever made against you or by any administrative agency, professional association or organization, or federal, state, or local ethics agency, committee, or official.

Miscellaneous

31. Have you ever had any association with any person, group, or business venture that could be used, even unfairly, to impugn or attack your character and qualifications for a government position?

32. Do you know of any person or organization that might take any steps, overtly or covertly, fairly or unfairly, to criticize your appointment, including any news organization? If so, please identify and explain the basis for the potential criticism.

33. Please provide any other information, including information about other members of your family, that could suggest a conflict of interest or be a possible source of embarrassment to you, your family, or the President.

THE WHITE HOUSE
WASHINGTON

PERSONAL DATA STATEMENT QUESTIONNAIRE

FROM: JACK QUINN
COUNSEL TO THE PRESIDENT

As part of the clearance procedure for your prospective position, please answer all of the following questions (**please do not respond "not applicable" or "N/A" if your answer is "no" or "none"**). In responding to the questions, please supply any information regarding your spouse or relatives that you deem to be relevant. Your responses to this questionnaire, which is not subject to public disclosure, are confidential.

You can type your responses in memorandum form on a separate sheet of paper with each answer corresponding to the number of the question. You do not need to retype the questions, but please sign and date any attachments.

Because your appointment cannot be finalized until all necessary reviews have been completed, please supply this information within 24 hours to Craig Livingstone, Director White House Security. (Old Executive Office Building, Room #84, Washington, D.C. 20500; fax number: (202) 456-7029).

If you have any questions or need assistance in responding to this questionnaire, please do not hesitate to contact this office at (202) 456-2345. Thank you for your cooperation.

Personal and Family Background

1. Please list your full name; home address and telephone number; office address and telephone number; date and place of birth; citizenship; and social security number.

2. Please identify your current marital status; spouse's name, citizenship, occupation, and current employer; and the names and ages of your children.

3. Do you have any medical conditions that could interfere with your ability to fulfill your duties? Please explain.

Professional and Educational Background

4. Please list each high school, college, and graduate school you attended; the dates of you attended; the dates of your attendance; and degrees awarded.

5. Please furnish a copy of your resume and a brief biographical statement.

6. Please chronologically list activities, other than those listed on your resume, from which you have derived earned income (e.g. self-employment, consulting activities, writing, speaking, royalties, and honoraria) since age 21.

7. Please list each book, article, or publication you have authored, individually or with others.

8. Identify each instance in which you have testified before Congress in a non-governmental capacity and specify the subject matter of each testimony.

9. Please list all corporations, partnerships, trusts, or other business entities with which you have ever been affiliated as an officer, director, trustee, partner, or holder of a significant equity of financial interest (i.e. any ownership interest of more than 5%), or whose decisions you had the ability to influence.

10. Please provide the names of all corporations, firms, partnerships, trusts, or other business enterprises, and all non-profit organizations and other institutions with which you are now, or during the past have years have been, affiliated as an advisor, attorney, or consultant. It is only necessary to provide the names of major clients and any client matter in which you and your firm are involved that might present a potential conflict of interest with your proposed assignment. Please identify the clients by name unless it would breach a confidential relationship or duty respecting a privileged matter. In addition, please provide the names of any organizations with which you were associated which might present a potential conflict or the appearance of conflict of interest with your prospective appointment.

11. Please describe any contractual or informal arrangement you may have made with any person or any business enterprise in regard to future employment or termination payments or financial benefits that will be provided to you if you enter government employment.

12. If you are a member of any licensed profession or occupation (such as lawyer, doctor, accountant, insurance, or real estate broker, etc.), please specify: the present status of each license; and whether any such license has ever been withdrawn, suspended, or revoked, and the reason therefor.

13. Does your spouse or any family member or business in which you, your spouse or any family members have a significant interest have any relationship with the federal government through contracts, consulting services, grants, loans, or guarantees? If yes, please provide details.

14. If you have performed any work for and/or received any payments from any foreign government, business, or individual in the past 10 years, please describe the circumstances, and identify the source and amount.

15. Please list any registration as an agent for a foreign principal, or any exemption from such registration.

16. Have you ever registered as a lobbyist or other legislative agent to influence federal or state legislation or administrative acts? If yes, please supply details.

Tax and Financial Information

17. As of the date of this questionnaire, please list all assets and liabilities with a fair market value in excess of \$5,000 for you and your spouse and provide a good faith estimate of value. As to liabilities, please list the name and address of the creditor, the amount owed to the nearest thousand dollar, a brief description of the nature of the obligation, the interest rate (if any) and the date on which due.

18. Please describe all real estate held in your name or in your spouse's name during the last six years, including any real estate held in combination with other or on your or your spouse's behalf in trust, by a nominee, or through any other title-holding entity.

19. Have you and your spouse filed all federal, state, and local income tax returns?

20. Have you or your spouse ever filed a late income tax return without a valid extension? If so, describe the circumstances and the resolution of the matter.

21. Have you or your spouse ever paid any tax penalties? If so, describe the circumstances and the resolution of the matter.

22. Has a tax lien or other collection procedure ever been instituted against you or your spouse by federal, state, or local authorities? If so, describe the circumstances and the resolution of the matter.

Public and Organizational Activities

23. Please list current and past political party affiliations.

24. Please list each membership you have had with any civic, social, charitable, educational, professional, fraternal, benevolent, or religious organization, private club, or other membership organization (including any tax-exempt organization) during the past 10 years.

25. Have you or your spouse at any time belonged to any membership organization, including but not limited to those described in the preceding paragraph, that as a matter of policy or practice denied or restricted affiliation (as a matter of either policy or practice) based on race, sex, ethnic background, religious or sexual preference?

Legal and Administrative Proceedings and Filings

26. Please list any lawsuits you have brought as a plaintiff or which were brought against you as a defendant or third party. Include in this response any contested divorce proceedings or other domestic relations matters.

27. Please list and describe any administrative agency proceeding in you have been involved as a party.

28. Please list and describe any bankruptcy proceeding in which you or your spouse have been involved as a debtor.

29. Have you or your spouse ever been investigated by any federal, state, military, or local law enforcement agency, or arrested for, charged with, or convicted of violating any federal, state, or local law, regulation, or ordinance (excluding traffic offenses for which the fine was less than \$100)? If so, please identify each such instance and supply details, including: date; place; law enforcement agency; and court.

30. Please list any complaint ever made against you or by any administrative agency, professional association or organization, or federal, state, or local ethics agency, committee, or official.

Miscellaneous

31. Have you ever had any association with any person, group, or business venture that could be used, even unfairly, to impugn or attack your character and qualifications for a government position?

32. Do you know of any person or organization that might take any steps, overtly or covertly, fairly or unfairly, to criticize your appointment, including any news organization? If so, please identify and explain the basis for the potential criticism.

33. Please provide any other information, including information about other members of your family, that could suggest a conflict of interest or be a possible source of embarrassment to you, your family, or the President.

PERSONAL DATA STATEMENT QUESTIONNAIRE FOR NON-CAREER SES APPOINTEES

As part of the clearance procedures for your prospective position, please answer all of the following questions (please do not respond "not applicable" or "N/A" if your response is "no" or "none"). In responding to the questions, please supply any information regarding your spouse or relatives that you deem to be relevant. Your responses to this questionnaire, which is not subject to public disclosure, are confidential.

You can type your responses in memorandum form on a separate sheet of paper with each answer corresponding to the number of the question. You do not need to retype the questions, but please sign and date the response.

If you have any questions or need assistance in responding to this questionnaire, please do not hesitate to contact this office. Thank you for your cooperation.

Personal and Family Background

1. Please list your full name; home address and telephone number; office address and telephone number; date and place of birth; citizenship; and social security number.

2. Please identify your current marital status; spouse's name, citizenship, occupation, and current employer; and the names and ages of your children.

3. Do you have any medical conditions that could interfere with your ability to fulfill your duties? Please explain.

Professional and Educational Background

4. Please list each high school, college, and graduate school you attended; the dates of your attendance; and degrees awarded.
5. Please furnish a copy of your resume and a brief biographical statement.
6. Please chronologically list activities, other than those listed on your resume, from which you have derived earned income (e.g., self-employment, consulting activities, writing, speaking, royalties, and honoraria) since age 21.
7. Please list each book, article, or publication you have authored, individually or with others.
8. Identify each instance in which you have testified before Congress in a non-governmental capacity and specify the subject matter of each testimony.
9. Please list all corporations, partnerships, trusts, or other business entities with which you have ever been affiliated as an officer, director, trustee, partner, or holder of a significant equity or financial interest (i.e., any ownership interest of more than 5%), or whose decisions you had the ability to influence. Please identify the entity, your relationship to the entity, and dates of service and/or affiliation.

10. Please provide the names of all corporations, firms, partnerships, trusts, or other business enterprises, and all non-profit organizations and other institutions with which you are now, or during the past five years have been, affiliated as an advisor, attorney or consultant. It is only necessary to provide the names of major clients and any client matter in which you and your firm are involved that might present a potential conflict of interest with your proposed assignment. Please include dates of service.
11. With regard to each of the entities identified in the preceding question, please identify your relationship or duty with regard to each. Please include dates of service.
12. Other than the entities identified in question number 10 above, please provide the names of organizations with which you were associated which might present a potential conflict of interest with your proposed assignment. For each entity you identified in your response to this question, please provide your relationship or duty with regard to each. Please include dates of service.
13. Please describe any contractual or informal arrangement you may have made with any person or any business enterprise in regard to future employment or termination payments or financial benefits that will be provided you if you enter government employment.
14. If you are a member of any licensed profession or occupation (such as lawyer, doctor, accountant, insurance or real estate broker, etc.), please specify: the present status of each license; and whether any such license has ever been withdrawn, suspended, or revoked, and the reason therefor.

15. Do you have a significant interest in any relationship with the government through contracts, consulting services, grants, loans or guarantees? If yes, please provide details.
16. Does your spouse or any family member or business in which you, your spouse or any family members have a significant interest have any relationship with the federal government through contracts, consulting services, grants, loans or guarantees? If yes, please provide details.
17. If you have performed any work for and/or received any payments from any foreign government, business, or individual in the past 10 years, please describe the circumstances, and identify the source and dates of services and/or payments.
18. Please list any registration as an agent for a foreign principal, or any exemption from such registration. Please provide the status of any and all such registrations and/or exemptions (i.e., whether active and whether personally registered).
19. Have you ever registered as a lobbyist or other legislative agent to influence federal or state legislation or administrative acts? If yes, please supply details including the status of each registration.

Tax and Financial Information

20. As of the date of this questionnaire, please list all assets with a fair market value in excess of \$1,000 for you and your spouse and provide a good faith estimate of value.

21. As of the date of this questionnaire, please list all liabilities in excess of \$10,000 for you and your spouse. Please list the name and address of the creditor, the amount owed to the nearest thousand dollar, a brief description of the nature of the obligation, the interest rate (if any), the date on which due, and the present status (i.e., is the obligation current or past due).
22. Please describe all real estate held in your name or in your spouse's name during the last six years. Please include real estate held in combination with others, held in trust, held by a nominee, or held by or through any other title-holding entity. Please also include dates held.
23. Have you and your spouse filed all federal, state and local income tax returns?
24. Have you or your spouse ever filed a late income tax return without a valid extension? If so, describe the circumstances and the resolution of the matter.
25. Have you or your spouse ever paid any tax penalties? If so, describe the circumstances and the resolution of the matter.
26. Has a tax lien or other collection procedure ever been instituted against you or your spouse by federal, state or local authorities? If so, describe the circumstances and the resolution of the matter.

Domestic Help Issue

27. Do you presently have or have you in the past had domestic help? (i.e., a housekeeper, babysitter, nanny, or gardener) If yes, please indicate years of service for each individual and also give a brief description of the services rendered.

Public and Organizational Activities

28. Please list current and past political party affiliations.

29. Have you ever run for public office? If yes, does your campaign have any outstanding campaign debt? If so, are you personally liable? Please also provide complete information as to amount of debt and creditors.

30. Please list each membership you have had with any civic, social, charitable, educational, professional, fraternal, benevolent or religious organization, private club, or other membership organization (including any tax-exempt organization) during the past 10 years. Please include dates of membership and any positions you may have had with the organization.

31. Have you or your spouse at any time belonged to any membership organization, including but not limited to those described in the preceding paragraph, that as a matter of policy or practice denied or restricted affiliation (as a matter of either policy or practice) based on race, sex, ethnic background, religious or sexual preference?

Legal and Administrative Proceedings and Filings

32. Please list any lawsuits you have brought as a plaintiff or which were brought against you as a defendant or third party. Include in this response any contested divorce proceedings or other domestic relations matters.
33. Please list and describe any administrative agency proceeding in which you have been involved as a party.
34. Please list any bankruptcy proceeding in which you or your spouse have been involved as a debtor.
35. Have you or your spouse ever been investigated by any federal, state, military or local law enforcement agency. If so, please identify each such instance and supply details, including: date; place; law enforcement agency; and court.
36. Have you or your spouse ever been arrested for, charged with, or convicted of violating any federal, state or local law, regulation or ordinance (excluding traffic offenses for which the fine was less than \$100)? If so, please identify each such instance and supply details, including: date; place; law enforcement agency; and court.
37. Have you or your spouse ever been accused of or found guilty of any violations of government or agency procedure (specifically including security violations and/or any application, or appeal process)?

38. Please list any complaint ever made against you or by any administrative agency, professional association or organization, or federal, state or local ethics agency, committee, or official.

39. Please list any and all judgments rendered against you including the date, amount, the name of each case and subject matter of the case, and the date of satisfaction. Please include obligations of child support and alimony and provide the status of each judgement and/or obligation.

40. With regard to each obligation of child support and/or alimony, please state the following: Have any payments been made late or have there been any lapses in payment? Have any motions or court actions for modification of child support or alimony been filed or instituted? Have any actions or motions to compel payment or initiate collections of late payments and/or past due amounts been filed or threatened? Have any writs of garnishment been issued? If your response was yes to any of the above questions, please provide details.

Miscellaneous

41. Have you ever had any association with any person, group or business venture that could be used, even unfairly, to impugn or attack your character and qualifications for a government position?

42. Do you know anyone or any organization that might take any steps, overtly or covertly, fairly or unfairly, to criticize your appointment, including any news organization? If so, please identify and explain the basis for the potential criticism.

43. Please provide any other information, including information about other members of your family, that could suggest a conflict of interest or be a possible source of embarrassment to you, your family or the President.