

FOIA MARKER

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

Folder Title:

Craig Memos [1]

Staff Office-Individual:

Security Office-Hughes, Edward

Original OA/ID Number:

CF 1795A

Row:	Section:	Shelf:	Position:	Stack:
25	6	7	1	V

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. letter	Personally Identifiable Information [partial] (1 page)	06/10/1993	b(7)(C), b(6)
002. letter	Personally Identifiable Information [partial] (1 page)	06/01/1993	b(7)(C), b(6)
003. letter	Personally Identifiable Information [partial] (1 page)	06/07/1993	b(7)(C), b(6)
004. letter	Personally Identifiable Information [partial] (1 page)	05/28/1993	b(7)(C), b(6)
005. note	Background Investigation Report. (1 page)	05/23/1996	b(7)(C), b(6)
006. memo	Copy of 007. (1 page)	05/06/1996	b(7)(C), b(6)
007. memo	[Placement on Administrative Exclusion] (1 page)	05/06/1996	b(7)(C), b(6)
008a. memo	[Request for Employment Information] (2 pages)	01/04/1995	b(7)(C), b(6)
008b. fax	[Request for Employment Information] (1 page)	12/30/1994	b(7)(C), b(6)

COLLECTION:

Clinton Presidential Records
Security Office
Edward Hughes
OA/Box Number: CF 1795A

FOLDER TITLE:

Craig Memos [1]

2006-1066-F

vz3607

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
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- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

MEMO TO: DAVID WATKINS
ASSISTANT TO THE PRESIDENT
MANAGEMENT AND ADMINISTRATION

FROM: JOEL KLEIN
DEPUTY COUNSEL TO THE PRESIDENT

DATE: March 28, 1994

SUBJECT: Parking Privileges

This memorandum is to request that you reconsider assigning Craig Livingstone's parking privileges to the NEOB.

Mr. Livingstone makes frequent and daily runs (at his expense) to the F.B.I./HQ and the I.R.S.. This reassignment would be an additional burden to an overtasked schedule.

Thank you in advance for your consideration.



E X E C U T I V E O F F I C E O F T H E P R E S I D E N T

17-Jun-1996 02:00pm

TO: David Fein

FROM: Jonathan Denbo
 Office of the Counsel

SUBJECT: access to vault

The below listed names all require access to the vault in Room 84 OEOB:

DENBO, Jonathan
HUGHES, Edward
LIVINGSTONE, D. Craig
SAUNDERS, George

Jonathan

]

COPY

H.R. 4539 SECTION 632
of 103rd Congress

"a) IN GENERAL.--Hereafter, the employment of any individual within the Executive Office of the President shall be placed on leave without pay status if the individual--

1) has not, within 30 days of commencing such employment or by October 31, 1994 (whichever occurs later), submitted a completed questionnaire for sensitive positions (SF-86) or equivalent form; or

2) has not, within 6 months of commencing such employment or by October 31, 1994 (whichever occurs later), had his or her background investigation, if completed, forwarded by the counsel to the President to the United States Secret Service for issuance of the appropriate access pass.

b) EXEMPTION.--Subsection (a) shall not apply to any individual specifically exempted from such subsection by the President of his designee."

THE WHITE HOUSE

(SECOND REVISION)

WASHINGTON

July 07, 1993

MEMORANDUM FOR: WILLIAM H. KENNEDY III
THRU: CRAIG LIVINGSTONE
FROM: NANCY GEMMELL
SUBJECT: Requests for Release or Review
of Background Investigations

Following are the basic guidelines previously used when considering release or review of background investigations to another government agency or department:

-Re Presidential Appointees:

A presidential appointee (PAS) must be confirmed by the Senate and appointed by the President before the background investigation is made available for REVIEW ONLY to the appropriate government agency or department. EXCEPTIONS: BI is releasible to State Department and to Justice thru the FBI. Please note TAB A.

A presidential appointee (PA) must be appointed by the President before the background investigation is made available for REVIEW ONLY to the appropriate government agency or department. EXCEPTIONS: BI is releasible to State Department and to Justice thru the FBI. Please note TAB A.

If a presidential nominee is already working in the position for which he has been nominated and requires security clearances to be granted to perform his work, Counsel considers the merits of each request for early review of background investigation on a case by case basis.

-Re Staff Applicants:

If a White House staff member is detailed to the White House from another government agency or department, the staff member's file must totally be completed before review is allowed. Example: The background investigation must be complete and adjudicated by counsel if necessary; the IRS investigation complete and any problems addressed to satisfaction of counsel; and if applicable, financials must have been received and signed off by counsel. Even if the BI is complete, if other components are not, we do not consider the investigation ready for review.


OPS 002484

To set an appointment for review, a letter must be received from the respective government agency or department officially requesting review of BI. At time of review, the reviewer must show his or her credentials and sign a security pledge provided by Counsel's Office.

If a staff member leaves the White House and goes to another government agency or department, once confirmation has been received that said staff member has departed and that said individual is not being considered for a presidential appointment, the individual's background investigation may be released to the appropriate government agency or department. The physical release of the background investigation is done by the FBI. A letter requesting the release of the BI is to be dispatched from the appropriate government agency to us.

- Steps: 1) We receive letter from appropriate government agency or department requesting release of BI;
- 2) If BI is determined to be releasible; above mentioned letter is stamped,

AUTHORIZATION TO RELEASE

signed and forwarded by the **WHITE HOUSE SECURITY OFFICE** for handling;

- 3) When said BI is released by the FBI, the Bureau returns to us a copy of the letter we dispatched to them stating the date the information was released to said agency and exactly what material was released to them. Please note: We do not release material to another government agency or department if we do not have same material in our files.

-Exceptions:

At present if a staff member is detailed to us from the Department of State, his or her BI is releasible to State Department as long as detailee is on State Department payroll. This is a decision made previously by counsel.

Also, if a staff member is detailed to us from Department of Justice, again his or her BI has previously been releasible to Department of Justice.

Also, if an AT&T or C&P telephone company employee does some work at the Defense Department as well as here, since said employee is with private industry, BI has previously been made releasible to the Department of Defense on a case by case basis.



-Forms:

Attached are copies of two forms used to determine staff member's status:

- The first form is sent to USSS, Room 23 OEOb, to determine if individual is still a current pass-holder;
- The second form is sent to the FBI Spin Unit to determine if individual has ever had a background investigation and, if so, was he or she processed as a presidential or staff case. Normally, we would have the background investigation information in our files. However, at present we do not since all previous security files departed the White House prior to January 20, 1993. Therefore, in the future it would not be necessary to send the attached form to the FBI once files are reestablished.
- When the information is returned from the USSS and from the FBI, and BI is deemed releasable the appropriate letter is dispatched to the FBI, retaining a suspense copy here for followup if necessary as well as documenting our files.
- If it is determined that the BI is NOT releasable but for REVIEW ONLY, a call is made to the appropriate government agency or department scheduling the review.
- If the BI is not yet ready for review, a call is made to the appropriate office advising said BI is not yet available for review but that a "flag" has been placed in the individual's file and that a followup call will be made when BI is available.

-Additional Possibilities:

- Requests received to review BIs for contact purposes (usually received from the CIA) are automatically referred to Counsel for decision.
- Also, requests received to review BIs of spouses in connection with investigation of subject are automatically referred to Counsel for decision.

Basic guideline that we have previously followed is that release or review of BI should be for clearance purposes for subject of the background investigation.



OPS 002486

-New Requests:

As promised I have also attached the four new requests received for action. With the exception of Mr. Catlett, I would be happy to process the other three requests for you if you would like.

Thank you.

(Attachments:

-2 Forms

-4 Letters of Request)



NAME

PERM PASS HOLDER
(YES OR NO-Y OR N)

CURRENT OR DE-
ACTIVATED C OR D


OPS 002488

NAME

TYPE AND DATE OF INVESTIGATION(S) PROCESSED AS STAFF (S) OR
AS PRESIDENTIAL (P)


OPS 002489

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001. letter	Personally Identifiable Information [partial] (1 page)	06/10/1993	b(7)(C), b(6)

COLLECTION:

Clinton Presidential Records
Security Office
Edward Hughes
OA/Box Number: CF 1795A

FOLDER TITLE:

Craig Memos [1]

2006-1066-F

vz3607

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

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DEPARTMENT OF VETERANS AFFAIRS
Office of Inspector General
Washington DC 20420

May 28, 1993

Mr. Craig Livingstone
Director,
Office of White House Personnel Security
Room 84
White House
Washington, DC 20500

JUN 10 1993

Dear Sir:

The Department of Veterans Affairs, Security Office (53D1) request verification of investigative information for the below listed department employee, who occupies a Special Sensitive position:

CATLETT, DAVID MARK

SSN:

DOB:

POB:

(b)(6), (b)(7)c

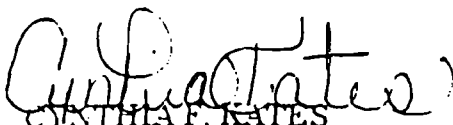
[001]

Correspondence in response to the above request should be mailed to:

Department of Veterans Affairs
Security Office (53D1)
810 Vermont Ave., NW
Washington, DC 20420

Questions concerning this matter should be addressed to Mrs. Cynthia Kates on (202) 233-3905/3164.

Thank you for your cooperation in this matter.


CYNTHIA F. KATES
Security Officer



Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. letter	Personally Identifiable Information [partial] (1 page)	06/01/1993	b(7)(C), b(6)

COLLECTION:

Clinton Presidential Records
Security Office
Edward Hughes
OA/Box Number: CF 1795A

FOLDER TITLE:

Craig Memos [1]

2006-1066-F

vz3607

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

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United States
**Office of
Personnel Management**

Office of Federal Investigations
Federal Investigations Processing Center
Boyers, Pennsylvania 16018

In Reply Refer To:

Your Reference

May 26, 1993

case #93815946

Mr. David C. Livingstone
Special Assistant, Security
The White House
Old Executive Office Building, Room 84
Washington, DC 20500

JUN 1 1993

Dear Mr. Livingstone:

The Executive Office of the President has requested the Office of Personnel Management conduct an investigation under the provisions of Executive Order 10450, on HARRISON, Patricia De Stacy, AKA(s): SPAIN. Patricia DE STACY, Patricia, SSN: (b)(6), (b)(7)c born (b)(6), (b)(7)c. The subject has been appointed to a Private Sector Advisor position with the aforementioned office. [002]

We have been advised by the Federal Bureau of Investigation the results of an applicant-type investigation, conducted in 1990, concerning Ms. Harrison were furnished to the White House.

It will be appreciated if you will send me a copy of the investigation, or let us know if you decide the information should not be released.

Sincerely,


Philip W. Gasiewicz
Chief


OPS 002491

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003. letter	Personally Identifiable Information [partial] (1 page)	06/07/1993	b(7)(C), b(6)

COLLECTION:

Clinton Presidential Records
Security Office
Edward Hughes
OA/Box Number: CF 1795A

FOLDER TITLE:

Craig Memos [1]

2006-1066-F
vz3607

RESTRICTION CODES

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United States
**Office of
Personnel Management**

Office of Federal Investigations
Federal Investigations Processing Center
Boyers, Pennsylvania 16018

In Reply Refer To:

Your Reference

June 7, 1993

case #93818424

Mr. David C. Livingstone
Special Assistant, Security
The White House
Old Executive Office Building, Room 84
Washington, DC 20500

Dear Mr. Livingstone:

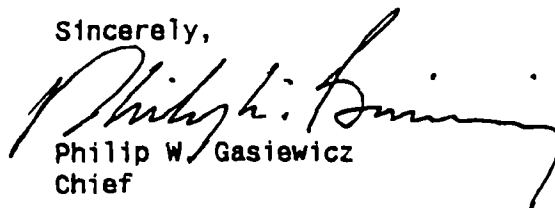
[003]

The Executive Office of the President has requested the Office of Personnel Management conduct an investigation under the provisions of Executive Order 10450, on LEWIS, Andrew Lindsay Jr. AKA(s): LEWIS, Drew, SSN: (b)(6);(b)(7)(c) born (b)(6);(b)(7)(c) The subject has been appointed to a Private Sector Advisor position with the aforementioned office.

We have been advised by the Federal Bureau of Investigation the results of an applicant-type investigation, conducted in 1981 & 1989, concerning Mr. Lewis were furnished to the White House.

It will be appreciated if you will send me a copy of the investigation, or let us know if you decide the information should not be released.

Sincerely,


Philip W. Gasiewicz
Chief

RECEIVED
SECURITY OFFICE

JUN 11 1993


OPS 002492

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004. letter	Personally Identifiable Information [partial] (1 page)	05/28/1993	b(7)(C), b(6)

COLLECTION:

Clinton Presidential Records
Security Office
Edward Hughes
OA/Box Number: CF 1795A

FOLDER TITLE:

Craig Memos [1]

2006-1066-F

vz3607

RESTRICTION CODES

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United States
**Office of
Personnel Management**

Office of Federal Investigations
Federal Investigations Processing Center
Boyers, Pennsylvania 16018

In Reply Refer To:

Your Reference

May 28, 1993

case #93090205

Mr. David C. Livingstone
Special Assistant, Security
The White House
Old Executive Office Building, Room 84
Washington, DC 20500

Dear Mr. Livingstone:

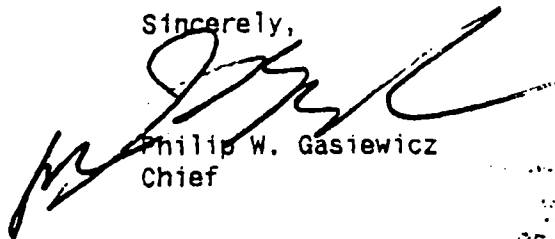
[004]

The US Department of Commerce has requested the Office of Personnel Management conduct an investigation under the provisions of Executive Order 10450 on LONDON, Eric Damon, SSN: (b)(6), (b)(7)(c) born (b)(6), (b)(7)(c). The subject is an applicant being considered for a Special Assistant position with the aforementioned agency.

We have been advised by the Federal Bureau of Investigation the results of an applicant-type investigation, conducted in 1993, concerning LONDON, Eric Damon were furnished to the White House.

It will be appreciated if you will send me a copy of the investigation, or let us know if you decide the information should not be released.

Sincerely,



Philip W. Gasiewicz
Chief

RECEIVED
SECURITY OFFICE

JUN 4 1993

OPS 002493

Regarding release of background investigations to Department of Justice, Sheila Joy (tele. # 514-1607), who has been at Justice for 26 years, recalls the following per her institutional memory:

- Previously bi(s) for all PA and PAS appointees, i.e. judges, attorneys, marshalls and Justice Department appointees have been released to Justice;
- During the Nixon, Ford, Carter and first part of Reagan administrations, the Justice Department conducted their own investigations on judges, attorneys, marshalls and Justice Department designees. It was not until approximately three years into the Reagan Administration that the FBI started conducting the investigations, at the request of the White House, on Department of Justice (departmental) designees. Judges, attorneys and marshalls bi(s) are still being conducted by the Department of Justice.
- The Justice Department used to receive a copy of the investigations at the same time a copy was dispatched to the White House. However, this procedure was changed during the Bush Administration at which time Justice did not receive a copy of the bi (for departmental designees ONLY) until the actual nomination was sent forward to the Hill. Justice continues to receive copies of bi(s) on judges, attorneys and marshalls.

I hope this clarification helps.

Thank you.



THE WHITE HOUSE

WASHINGTON

July 07, 1993

MEMORANDUM FOR: WILLIAM H. KENNEDY III
THRU: CRAIG LIVINGSTONE
FROM: NANCY GEMMELL
SUBJECT: Release of Background
Investigations

Mr. Ken Orzell (Dept. of State Security, tele. # 663-0172) recalls the following per his institutional memory:

- Background investigations are released to State Department (thru the FBI) for PA and PAS appointments;
- Due to the close working relationship among the White House, State Department and the FBI;
- Due to the free exchange of hard copy of the reports allowing for expeditious processing of clearance requests for the appointee;
- Due to the release of State Department reports to the White House and to the FBI;
- Due to the avoidance of duplication of investigation.

Mr. Orzell advises that he personally recalls release of bi(s) to State since 1967 and advises procedure was in place many years before that. Mr. Orzell remembers talking with Mike Cardoza during the Carter Administration. I mention this in case you would want to talk directly with Mr. Cardoza.

Also, again per Mr. Orzell, the Secretary of State's bi has also been released to State in the past.

FYI, Mr. Orzell began working at the Department of State in 1961. He became Chief, Personnel Investigation Division, Bureau, Diplomatic Security. Mr. Orzell has retired from previous mentioned position, but is still working for DOS in investigations.



OPS 002495

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
005. note	Background Investigation Report. (1 page)	05/23/1996	b(7)(C), b(6)

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Security Office
Edward Hughes
OA/Box Number: CF 1795A

FOLDER TITLE:

Craig Memos [1]

2006-1066-F

vz3607

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P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

THE WHITE HOUSE
WASHINGTON

5/19

Craig

David and I have
discussed and think those
should be channeled
through Management and
Administration.

Thanks,
Trey

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
007. memo	[Placement on Administrative Exclusion] (1 page)	05/06/1996	b(7)(C), b(6)

COLLECTION:

Clinton Presidential Records
Security Office
Edward Hughes
OA/Box Number: CF 1795A

FOLDER TITLE:

Craig Memos [1]

2006-1066-F

vz3607

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

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- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

COPY

MEMORANDUM TO FILE

May 14, 1996

On May 9, 1996, I was cleaning my desk and noticed a piece of paper jammed in my desk drawer. I pulled the paper out and it was a copy of a memo from Vincent Foster to William Kennedy dated March 30, 1993.

I faxed the letter to my private counsel later that same day as I was concerned that it might be responsive to a subpoena request. My attorney, David Cohen, advised me on May 14, 1996 that the March 30, 1993 Foster/Kennedy memorandum should be given to Ms. Sally Paxton of the White House Counsel's Office. I did so by hand to Ms. Paxton on May 14, 1996.

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to empower individuals and families to help themselves, including our expansion of the earned-income tax cut for low- and moderate-income working families, and our proposals for injecting choice and competition into public and assisted housing and for a new G.I. Bill for America's Workers.

I am determined to end Federal budget deficits, and my balanced budget proposal shows that we can balance the budget without abandoning the investments that are vital to the security and prosperity of the country, now and in the future. I am confident that, working together, we can build common ground on an empowerment agenda while putting our fiscal house in order. I will do everything in my power to make sure this happens.

William J. Clinton

The White House,
August 3, 1995.

Executive Order 12968—Access to Classified Information

August 2, 1995

The national interest requires that certain information be maintained in confidence through a system of classification in order to protect our citizens, our democratic institutions, and our participation within the community of nations. The unauthorized disclosure of information classified in the national interest can cause irreparable damage to the national security and loss of human life.

Security policies designed to protect classified information must ensure consistent, cost effective, and efficient protection of our Nation's classified information, while providing fair and equitable treatment to those Americans upon whom we rely to guard our national security.

This order establishes a uniform Federal personnel security program for employees who will be considered for initial or continued access to classified information.

Now, Therefore, by the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Part 1 Definitions, Access to Classified Information, Financial Disclosure, and Other Items

Section 1.1. Definitions. For the purposes of this order: (a) "Agency" means any "Executive agency," as defined in 5 U.S.C. 105, the "military departments," as defined in 5 U.S.C. 102, and any other entity within the executive branch that comes into the possession of classified information, including the Defense Intelligence Agency, National Security Agency, and the National Reconnaissance Office.

(b) "Applicant" means a person other than an employee who has received an authorized conditional offer of employment for a position that requires access to classified information.

(c) "Authorized investigative agency" means an agency authorized by law or regulation to conduct a counterintelligence investigation or investigation of persons who are proposed for access to classified information to ascertain whether such persons satisfy the criteria for obtaining and retaining access to such information.

(d) "Classified information" means information that has been determined pursuant to Executive Order No. 12958, or any successor order, Executive Order No. 12951, or any successor order, or the Atomic Energy Act of 1954 (42 U.S.C. 2011), to require protection against unauthorized disclosure.

(e) "Employee" means a person, other than the President and Vice President, employed by, detailed or assigned to, an agency, including members of the Armed Forces; an expert or consultant to an agency; an industrial or commercial contractor, licensee, certificate holder, or grantee of an agency, including all subcontractors; a personal services contractor; or any other category of person who acts for or on behalf of an agency as determined by the appropriate agency head.

(f) "Foreign power" and "agent of a foreign power" have the meaning provided in 50 U.S.C. 1801.

(g) "Need for access" means a determination that an employee requires access to a particular level of classified information in order to perform or assist in a lawful and authorized governmental function.

(h) "Need-to-know" means a determination made by an authorized holder of classified information that a prospective recipient requires access to specific classified information in order to perform or assist in a lawful and authorized governmental function.

(i) "Overseas Security Policy Board" means the Board established by the President to consider, develop, coordinate and promote policies, standards and agreements on overseas security operations, programs and projects that affect all United States Government agencies under the authority of a Chief of Mission.

(j) "Security Policy Board" means the Board established by the President to consider, coordinate, and recommend policy directives for U.S. security policies, procedures, and practices.

(k) "Special access program" has the meaning provided in section 4.1 of Executive Order No. 12958, or any successor order.

Sec. 1.2. Access to Classified Information.

(a) No employee shall be granted access to classified information unless that employee has been determined to be eligible in accordance with this order and to possess a need-to-know.

(b) Agency heads shall be responsible for establishing and maintaining an effective program to ensure that access to classified information by each employee is clearly consistent with the interests of the national security.

(c) Employees shall not be granted access to classified information unless they:

(1) have been determined to be eligible for access under section 3.1 of this order by agency heads or designated officials based upon a favorable adjudication of an appropriate investigation of the employee's background;

(2) have a demonstrated need-to-know; and

(3) have signed an approved nondisclosure agreement.

(d) All employees shall be subject to investigation by an appropriate government authority prior to being granted access to classified information and at any time during the period of access to ascertain whether they continue to meet the requirements for access.

(e)(1) All employees granted access to classified information shall be required as a condition of such access to provide to the employing agency written consent permitting access by an authorized investigative agency, for such time as access to classified information is maintained and for a period of 3 years thereafter, to:

(A) relevant financial records that are maintained by a financial institution as defined in 31 U.S.C. 5312(a) or by a holding company as defined in section 1101(6) of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3401);

(B) consumer reports pertaining to the employee under the Fair Credit Reporting Act (15 U.S.C. 1681a); and

(C) records maintained by commercial entities within the United States pertaining to any travel by the employee outside the United States.

(2) Information may be requested pursuant to employee consent under this section where:

(A) there are reasonable grounds to believe, based on credible information, that the employee or former employee is, or may be, disclosing classified information in an unauthorized manner to a foreign power or agent of a foreign power;

(B) information the employing agency deems credible indicates the employee or former employee has incurred excessive indebtedness or has acquired a level of affluence that cannot be explained by other information; or

(C) circumstances indicate the employee or former employee had the capability and opportunity to disclose classified information that is known to have been lost or compromised to a foreign power or an agent of a foreign power.

(3) Nothing in this section shall be construed to affect the authority of an investigating agency to obtain information pursuant to the Right to Financial Privacy Act, the Fair Credit Reporting Act or any other applicable law.

Sec. 1.3. Financial Disclosure. (a) Not later than 180 days after the effective date of this order, the head of each agency that originates, handles, transmits, or possesses

ated access to clas-
sified information as a con-
dition of employment per-
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n agency that
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classified information shall designate each
employee, by position or category where pos-
sible, who has a regular need for access to
classified information that, in the discretion
of the agency head, would reveal:

- (1) the identity of covert agents as defined
in the Intelligence Identities Protection
Act of 1982 (50 U.S.C. 421);
 - (2) technical or specialized national intel-
ligence collection and processing sys-
tems that, if disclosed in an unauthor-
ized manner, would substantially negate
or impair the effectiveness of the sys-
tem;
 - (3) the details of:
 - (A) the nature, contents, algorithm,
preparation, or use of any code, cipher,
or cryptographic system or;
 - (B) the design, construction, function-
ing, maintenance, or repair of any cryp-
tographic equipment; but not including
information concerning the use of cryp-
tographic equipment and services;
 - (4) particularly sensitive special access pro-
grams, the disclosure of which would
substantially negate or impair the effec-
tiveness of the information or activity in-
volved; or
 - (5) especially sensitive nuclear weapons
design information (but only for those
positions that have been certified as
being of a high degree of importance
or sensitivity, as described in section
145(f) of the Atomic Energy Act of
1954, as amended).
- (b) An employee may not be granted ac-
cess, or hold a position designated as requir-
ing access, to information described in sub-
section (a) unless, as a condition of access
to such information, the employee:
- (1) files with the head of the agency a fi-
nancial disclosure report, including in-
formation with respect to the spouse
and dependent children of the em-
ployee, as part of all background in-
vestigations or reinvestigations;
 - (2) is subject to annual financial disclosure
requirements, if selected by the agency
head; and
 - (3) files relevant information concerning
foreign travel, as determined by the Se-
curity Policy Board.

(c) Not later than 180 days after the effec-
tive date of this order, the Security Policy
Board shall develop procedures for the im-
plementation of this section, including a
standard financial disclosure form for use by
employees under subsection (b) of this sec-
tion, and agency heads shall identify certain
employees, by position or category, who are
subject to annual financial disclosure.

**Sec. 1.4. Use of Automated Financial
Record Data Bases.** As part of all investiga-
tions and reinvestigations described in sec-
tion 1.2(d) of this order, agencies may re-
quest the Department of the Treasury, under
terms and conditions prescribed by the Sec-
retary of the Treasury, to search automated
data bases consisting of reports of currency
transactions by financial institutions, inter-
national transportation of currency or mone-
tary instruments, foreign bank and financial
accounts, transactions under \$10,000 that are
reported as possible money laundering viola-
tions, and records of foreign travel.

**Sec. 1.5. Employee Education and Assist-
ance.** The head of each agency that grants
access to classified information shall establish
a program for employees with access to clas-
sified information to: (a) educate employees
about individual responsibilities under this
order; and

(b) inform employees about guidance and
assistance available concerning issues that
may affect their eligibility for access to clas-
sified information, including sources of assist-
ance for employees who have questions or
concerns about financial matters, mental
health, or substance abuse.

Part 2 Access Eligibility Policy and Procedure

Sec. 2.1. Eligibility Determinations. (a)
Determinations of eligibility for access to
classified information shall be based on cri-
teria established under this order. Such de-
terminations are separate from suitability de-
terminations with respect to the hiring or re-
tention of persons for employment by the
government or any other personnel actions.
(b) The number of employees that each
agency determines are eligible for access to
classified information shall be kept to the
minimum required for the conduct of agency
functions.

- (1) Eligibility for access to classified information shall not be requested or granted solely to permit entry to, or ease of movement within, controlled areas when the employee has no need for access and access to classified information may reasonably be prevented. Where circumstances indicate employees may be inadvertently exposed to classified information in the course of their duties, agencies are authorized to grant or deny, in their discretion, facility access approvals to such employees based on an appropriate level of investigation as determined by each agency.
 - (2) Except in agencies where eligibility for access is a mandatory condition of employment, eligibility for access to classified information shall only be requested or granted based on a demonstrated, foreseeable need for access. Requesting or approving eligibility in excess of actual requirements is prohibited.
 - (3) Eligibility for access to classified information may be granted where there is a temporary need for access, such as one-time participation in a classified project, provided the investigative standards established under this order have been satisfied. In such cases, a fixed date or event for expiration shall be identified and access to classified information shall be limited to information related to the particular project or assignment.
 - (4) Access to classified information shall be terminated when an employee no longer has a need for access.
- Sec. 2.2. Level of Access Approval.** (a) The level at which an access approval is granted for an employee shall be limited, and relate directly, to the level of classified information for which there is a need for access. Eligibility for access to a higher level of classified information includes eligibility for access to information classified at a lower level.
- (b) Access to classified information relating to a special access program shall be granted in accordance with procedures established by the head of the agency that created the program or, for programs pertaining to intelligence activities (including special activities but not including military operational, strategic, and tactical programs) or intelligence sources and methods, by the Director of Central Intelligence. To the extent possible and consistent with the national security interests of the United States, such procedures shall be consistent with the standards and procedures established by and under this order.
- Sec. 2.3 Temporary Access to Higher Levels.** (a) An employee who has been determined to be eligible for access to classified information based on favorable adjudication of a completed investigation may be granted temporary access to a higher level where security personnel authorized by the agency head to make access eligibility determinations find that such access:
- (1) is necessary to meet operational or contractual exigencies not expected to be of a recurring nature;
 - (2) will not exceed 180 days; and
 - (3) is limited to specific, identifiable information that is made the subject of a written access record.
- (b) Where the access granted under subsection (a) of this section involves another agency's classified information, that agency must concur before access to its information is granted.
- Sec. 2.4. Reciprocal Acceptance of Access Eligibility Determinations.** (a) Except when an agency has substantial information indicating that an employee may not satisfy the standards in section 3.1 of this order, background investigations and eligibility determinations conducted under this order shall be mutually and reciprocally accepted by all agencies.
- (b) Except where there is substantial information indicating that the employee may not satisfy the standards in section 3.1 of this order, an employee with existing access to a special access program shall not be denied eligibility for access to another special access program at the same sensitivity level as determined personally by the agency head or deputy agency head, or have an existing access eligibility readjudicated, so long as the employee has a need for access to the information involved.
- (c) This section shall not preclude agency heads from establishing additional, but not duplicative, investigative or adjudicative pro-

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cedures for a special access program or for candidates for detail or assignment to their agencies, where such procedures are required in exceptional circumstances to protect the national security.

(d) Where temporary eligibility for access is granted under sections 2.3 or 3.3 of this order or where the determination of eligibility for access is conditional, the fact of such temporary or conditional access shall be conveyed to any other agency that considers affording the employee access to its information.

Sec. 2.5. Specific Access Requirement. (a) Employees who have been determined to be eligible for access to classified information shall be given access to classified information only where there is a need-to-know that information.

(b) It is the responsibility of employees who are authorized holders of classified information to verify that a prospective recipient's eligibility for access has been granted by an authorized agency official and to ensure that a need-to-know exists prior to allowing such access, and to challenge requests for access that do not appear well-founded.

Sec. 2.6. Access by Non-United States Citizens. (a) Where there are compelling reasons in furtherance of an agency mission, immigrant alien and foreign national employees who possess a special expertise may, in the discretion of the agency, be granted limited access to classified information only for specific programs, projects, contracts, licenses, certificates, or grants for which there is a need for access. Such individuals shall not be eligible for access to any greater level of classified information than the United States Government has determined may be releasable to the country of which the subject is currently a citizen, and such limited access may be approved only if the prior 10 years of the subject's life can be appropriately investigated. If there are any doubts concerning granting access, additional lawful investigative procedures shall be fully pursued.

(b) Exceptions to these requirements may be permitted only by the agency head or the senior agency official designated under section 6.1 of this order to further substantial national security interests.

Part 3 Access Eligibility Standards

Sec. 3.1. Standards. (a) No employee shall be deemed to be eligible for access to classified information merely by reason of Federal service or contracting, licensee, certificate holder, or grantee status, or as a matter of right or privilege, or as a result of any particular title, rank, position, or affiliation.

(b) Except as provided in sections 2.6 and 3.3 of this order, eligibility for access to classified information shall be granted only to employees who are United States citizens for whom an appropriate investigation has been completed and whose personal and professional history affirmatively indicates loyalty to the United States, strength of character, trustworthiness, honesty, reliability, discretion, and sound judgment, as well as freedom from conflicting allegiances and potential for coercion, and willingness and ability to abide by regulations governing the use, handling, and protection of classified information. A determination of eligibility for access to such information is a discretionary security decision based on judgments by appropriately trained adjudicative personnel. Eligibility shall be granted only where facts and circumstances indicate access to classified information is clearly consistent with the national security interests of the United States, and any doubt shall be resolved in favor of the national security.

(c) The United States Government does not discriminate on the basis of race, color, religion, sex, national origin, disability, or sexual orientation in granting access to classified information.

(d) In determining eligibility for access under this order, agencies may investigate and consider any matter that relates to the determination of whether access is clearly consistent with the interests of national security. No inference concerning the standards in this section may be raised solely on the basis of the sexual orientation of the employee.

(e) No negative inference concerning the standards in this section may be raised solely on the basis of mental health counseling. Such counseling can be a positive factor in eligibility determinations. However, mental health counseling, where relevant to the adjudication of access to classified information,

may justify further inquiry to determine whether the standards of subsection (b) of this section are satisfied, and mental health may be considered where it directly relates to those standards.

(f) Not later than 180 days after the effective date of this order, the Security Policy Board shall develop a common set of adjudicative guidelines for determining eligibility for access to classified information, including access to special access programs.

Sec. 3.2. Basis for Eligibility Approval. (a) Eligibility determinations for access to classified information shall be based on information concerning the applicant or employee that is acquired through the investigation conducted pursuant to this order or otherwise available to security officials and shall be made part of the applicant's or employee's security record. Applicants or employees shall be required to provide relevant information pertaining to their background and character for use in investigating and adjudicating their eligibility for access.

(b) Not later than 180 days after the effective date of this order, the Security Policy Board shall develop a common set of investigative standards for background investigations for access to classified information. These standards may vary for the various levels of access.

(c) Nothing in this order shall prohibit an agency from utilizing any lawful investigative procedure in addition to the investigative requirements set forth in this order and its implementing regulations to resolve issues that may arise during the course of a background investigation or reinvestigation.

Sec. 3.3. Special Circumstances. (a) In exceptional circumstances where official functions must be performed prior to the completion of the investigative and adjudication process, temporary eligibility for access to classified information may be granted to an employee while the initial investigation is underway. When such eligibility is granted, the initial investigation shall be expedited.

(1) Temporary eligibility for access under this section shall include a justification, and the employee must be notified in writing that further access is expressly conditioned on the favorable completion of the investigation and issuance of an

access eligibility approval. Access will be immediately terminated, along with any assignment requiring an access eligibility approval, if such approval is not granted.

(2) Temporary eligibility for access may be granted only by security personnel authorized by the agency head to make access eligibility determinations and shall be based on minimum investigative standards developed by the Security Policy Board not later than 180 days after the effective date of this order.

(3) Temporary eligibility for access may be granted only to particular, identified categories of classified information necessary to perform the lawful and authorized functions that are the basis for the granting of temporary access.

(b) Nothing in subsection (a) shall be construed as altering the authority of an agency head to waive requirements for granting access to classified information pursuant to statutory authority.

(c) Where access has been terminated under section 2.1(b)(4) of this order and a new need for access arises, access eligibility up to the same level shall be reapproved without further investigation as to employees who were determined to be eligible based on a favorable adjudication of an investigation completed within the prior 5 years, provided they have remained employed by the same employer during the period in question, the employee certifies in writing that there has been no change in the relevant information provided by the employee for the last background investigation, and there is no information that would tend to indicate the employee may no longer satisfy the standards established by this order for access to classified information.

(d) Access eligibility shall be reapproved for individuals who were determined to be eligible based on a favorable adjudication of an investigation completed within the prior 5 years and who have been retired or otherwise separated from United States Government employment for not more than 2 years; provided there is no indication the individual may no longer satisfy the standards of this order, the individual certifies in writing that there has been no change in the relevant in-

Access will be provided, along with any other access eligibility approval is not

for access may be denied by personnel authorized to make access determinations and shall be subject to periodic reinvestigations by the Security Policy Board not later than 180 days after the effective date of this order.

For access may be denied, identified categories of information need to be reviewed and authorized on the basis of the information.

(a) shall be considered on the basis of an agency's determination for granting access pursuant to

been terminated under this order and a determination of access eligibility shall be reapproved as to employees who are eligible based on the results of an investigation prior to 5 years, prior to being employed by the agency in question in writing that the relevant information for the employee is not, and there is no indication that the standards for access to classified information

be reapproved if terminated to be subject to adjudication of access within the prior to being retired or otherwise terminated by the United States Government more than 2 years; in the individual standards of this order in writing that the relevant in-

formation provided by the individual for the last background investigation, and an appropriate record check reveals no unfavorable information.

Sec. 3.4. Reinvestigation Requirements.

(a) Because circumstances and characteristics may change dramatically over time and thereby alter the eligibility of employees for continued access to classified information, reinvestigations shall be conducted with the same priority and care as initial investigations.

(b) Employees who are eligible for access to classified information shall be the subject of periodic reinvestigations and may also be reinvestigated if, at any time, there is reason to believe that they may no longer meet the standards for access established in this order.

(c) Not later than 180 days after the effective date of this order, the Security Policy Board shall develop a common set of reinvestigative standards, including the frequency of reinvestigations.

Part 4 Investigations for Foreign Governments

Sec. 4. Authority. Agencies that conduct background investigations, including the Federal Bureau of Investigation and the Department of State, are authorized to conduct personnel security investigations in the United States when requested by a foreign government as part of its own personnel security program and with the consent of the individual.

Part 5 Review of Access Determinations

Sec. 5.1. Determinations of Need for Access. A determination under section 2.1(b)(4) of this order that an employee does not have, or no longer has, a need for access is a discretionary determination and shall be conclusive.

Sec. 5.2. Review Proceedings for Denials or Revocations of Eligibility for Access. (a) Applicants and employees who are determined to not meet the standards for access to classified information established in section 3.1 of this order shall be:

(1) provided as comprehensive and detailed a written explanation of the basis for that conclusion as the national security

interests of the United States and other applicable law permit;

(2) provided within 30 days, upon request and to the extent the documents would be provided if requested under the Freedom of Information Act (5 U.S.C. 552) or the Privacy Act (3 U.S.C. 552a), as applicable, any documents, records, and reports upon which a denial or revocation is based;

(3) informed of their right to be represented by counsel or other representative at their own expense; to request any documents, records, and reports as described in section 5.2(a)(2) upon which a denial or revocation is based; and to request the entire investigative file, as permitted by the national security and other applicable law, which, if requested, shall be promptly provided prior to the time set for a written reply;

(4) provided a reasonable opportunity to reply in writing to, and to request a review of, the determination;

(5) provided written notice of and reasons for the results of the review, the identity of the deciding authority, and written notice of the right to appeal;

(6) provided an opportunity to appeal in writing to a high level panel, appointed by the agency head, which shall be comprised of at least three members, two of whom shall be selected from outside the security field. Decisions of the panel shall be in writing, and final except as provided in subsection (b) of this section; and

(7) provided an opportunity to appear personally and to present relevant documents, materials, and information at some point in the process before an adjudicative or other authority, other than the investigating entity, as determined by the agency head. A written summary or recording of such appearance shall be made part of the applicant's or employee's security record, unless such appearance occurs in the presence of the appeals panel described in subsection (a)(6) of this section.

(b) Nothing in this section shall prohibit an agency head from personally exercising the appeal authority in subsection (a)(6) of

this section based upon recommendations from an appeals panel. In such case, the decision of the agency head shall be final.

(c) Agency heads shall promulgate regulations to implement this section and, at their sole discretion and as resources and national security considerations permit, may provide additional review proceedings beyond those required by subsection (a) of this section. This section does not require additional proceedings, however, and creates no procedural or substantive rights.

(d) When the head of an agency or principal deputy personally certifies that a procedure set forth in this section cannot be made available in a particular case without damaging the national security interests of the United States by revealing classified information, the particular procedure shall not be made available. This certification shall be conclusive.

(e) This section shall not be deemed to limit or affect the responsibility and power of an agency head pursuant to any law or other Executive order to deny or terminate access to classified information in the interests of national security. The power and responsibility to deny or terminate access to classified information pursuant to any law or other Executive order may be exercised only where the agency head determines that the procedures prescribed in subsection (a) of this section cannot be invoked in a manner that is consistent with national security. This determination shall be conclusive.

(f)(1) This section shall not be deemed to limit or affect the responsibility and power of an agency head to make determinations of suitability for employment.

(2) Nothing in this section shall require that an agency provide the procedures prescribed in subsection (a) of this section to an applicant where a conditional offer of employment is withdrawn for reasons of suitability or any other reason other than denial of eligibility for access to classified information.

(3) A suitability determination shall not be used for the purpose of denying an applicant or employee the review proceedings of this section where there has been a denial or revocation of eligibility for access to classified information.

Part 6 Implementation

Sec. 6.1. Agency Implementing Responsibilities. Heads of agencies that grant employees access to classified information shall: (a) designate a senior agency official to direct and administer the agency's personnel security program established by this order. All such programs shall include active oversight and continuing security education and awareness programs to ensure effective implementation of this order;

(b) cooperate, under the guidance of the Security Policy Board, with other agencies to achieve practical, consistent, and effective adjudicative training and guidelines; and

(c) conduct periodic evaluations of the agency's implementation and administration of this order, including the implementation of section 1.3(a) of this order. Copies of each report shall be provided to the Security Policy Board.

Sec. 6.2. Employee Responsibilities. (a) Employees who are granted eligibility for access to classified information shall:

- (1) protect classified information in their custody from unauthorized disclosure;
- (2) report all contacts with persons, including foreign nationals, who seek in any way to obtain unauthorized access to classified information;
- (3) report all violations of security regulations to the appropriate security officials; and
- (4) comply with all other security requirements set forth in this order and its implementing regulations.

(b) Employees are encouraged and expected to report any information that raises doubts as to whether another employee's continued eligibility for access to classified information is clearly consistent with the national security.

Sec. 6.3. Security Policy Board Responsibilities and Implementation. (a) With respect to actions taken by the Security Policy Board pursuant to sections 1.3(c), 3.1(f), 3.2(b), 3.3(a)(2), and 3.4(c) of this order, the Security Policy Board shall make recommendations to the President through the Assistant to the President for National Security Affairs for implementation.

(b) Any guidelines, standards, or procedures developed by the Security Policy Board

Implementing Respon-
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pursuant to this order shall be consistent with those guidelines issued by the Federal Bureau of Investigation in March 1994 on Background Investigations Policy/Guidelines Regarding Sexual Orientation.

(c) In carrying out its responsibilities under this order, the Security Policy Board shall consult where appropriate with the Overseas Security Policy Board. In carrying out its responsibilities under section 1.3(c) of this order, the Security Policy Board shall obtain the concurrence of the Director of the Office of Management and Budget.

Sec. 6.4. Sanctions. Employees shall be subject to appropriate sanctions if they knowingly and willfully grant eligibility for, or allow access to, classified information in violation of this order or its implementing regulations. Sanctions may include reprimand, suspension without pay, removal, and other actions in accordance with applicable law and agency regulations.

Part 7 General Provisions

Sec. 7.1. Classified Information Procedures Act. Nothing in this order is intended to alter the procedures established under the Classified Information Procedures Act (18 U.S.C. App. 1).

Sec. 7.2. General. (a) Information obtained by an agency under sections 1.2(e) or 1.3 of this order may not be disseminated outside the agency, except to:

- (1) the agency employing the employee who is the subject of the records or information;
- (2) the Department of Justice for law enforcement or counterintelligence purposes; or
- (3) any agency if such information is clearly relevant to the authorized responsibilities of such agency.

(b) The Attorney General, at the request of the head of an agency, shall render an interpretation of this order with respect to any question arising in the course of its administration.

(c) No prior Executive orders are repealed by this order. To the extent that this order is inconsistent with any provision of any prior Executive order, this order shall control, except that this order shall not diminish or otherwise affect the requirements of Executive

Order No. 10450, the denial and revocation procedures provided to individuals covered by Executive Order No. 10865, as amended, or access by historical researchers and former presidential appointees under Executive Order No. 12958 or any successor order.

(d) If any provision of this order or the application of such provision is held to be invalid, the remainder of this order shall not be affected.

(e) This Executive order is intended only to improve the internal management of the executive branch and is not intended to, and does not, create any right to administrative or judicial review, or any other right or benefit or trust responsibility, substantive or procedural, enforceable by a party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

(f) This order is effective immediately.

William J. Clinton

The White House,
August 2, 1995.

[Filed with the Office of the Federal Register,
12:18 p.m., August 4, 1995]

NOTE: This Executive order was released by the Office of the Press Secretary on August 4, and it was published in the *Federal Register* on August 7.

Memorandum on Assistance to the United Nations Rapid Reaction Force in Bosnia

August 3, 1995

Presidential Determination No. 95-34

Memorandum for the Secretary of State and the Secretary of Defense

Subject: Determination to Authorize the Furnishing of Emergency Military Assistance to the United Nations for Purposes of Supporting the Rapid Reaction Force in Bosnia Under Section 506(a)(1) of the Foreign Assistance Act

Pursuant to the authority vested in me by section 506(a)(1) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
008a. memo	[Request for Employment Information] (2 pages)	01/04/1995	b(7)(C), b(6)

COLLECTION:

Clinton Presidential Records
Security Office
Edward Hughes
OA/Box Number: CF 1795A

FOLDER TITLE:

Craig Memos [1]

2006-1066-F

vz3607

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
008b. fax	[Request for Employment Information] (1 page)	12/30/1994	b(7)(C), b(6)

COLLECTION:

Clinton Presidential Records
Security Office
Edward Hughes
OA/Box Number: CF 1795A

FOLDER TITLE:

Craig Memos [1]

2006-1066-F

vz3607

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
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COPY

MEMORANDUM FOR: DAVID FEIN
ASSOCIATE COUNSEL TO THE PRESIDENT

ROBERT W. SCHROEDER
SPECIAL ASSISTANT TO THE
COUNSEL TO THE PRESIDENT

FROM: CRAIG LIVINGSTONE
DIRECTOR, WH PERSONNEL SECURITY

DATE: April 24, 1996

RE: SECURITY OFFICE DESCRIPTION

I thought it might be helpful to you if I put together an overview of my office, our responsibilities, and job descriptions.

I. THE WHITE HOUSE PERSONNEL SECURITY OFFICE

The White House Personnel Security Office is the central point of contact with department/agency offices within the Executive Branch, and the Senatorial offices within the Legislative Branch (Advice and Consent function).

Information is provided on a NEED TO KNOW basis for clearance purposes only.

In the past, the following named persons were directed to review F.B.I. reports on a NEED TO KNOW basis:

- The President
- Counsel to the President, Deputy Counsel and/or other Counsel personnel when necessary for clearance purposes.

If the subject of an investigation is a Presidential Appointee (with Senate confirmation)*:

- Senate Committee Chairman and Ranking Minority Member and/or their designee-Committee Member, in order to perform the Advice and Consent function.
- Department/Agency Security Officer, after confirmation of the Presidential Appointee, when performing the legitimate security function in connection with the granting of



OPS 002496

a security clearance for that agency.

If the subject of an investigation is staff (passholder):

- Copy of F.B.I. investigation sent to Secret Service with permanent pass request for security consideration (suitability considerations are handled by Counsel's office).

Further access is presumptively restricted outside Counsel's office unless Counsel grants permission on a case-by-case basis.

*Senate Judiciary Committee is the exception.

II. D. CRAIG LIVINGSTONE - DIRECTOR, WH PERSONNEL SECURITY

- Processes security papers in function with obtaining clearances for Presidential appointees and White House Complex staff members;
- Handles daily contact with the Federal Bureau of Investigation;
- Maintains frequent contact with attorneys on an individual case basis;
- Works with the United States Secret Service in processing applicants for access and White House passes; sits on numerous committees with the USSS; acts as liaison between USSS and staff;
- Maintains clearance processes for White House Intern/Volunteer programs;
- Initiates memoranda to the attorneys;
- Initiates and maintains Security Interview process for both staff applicants and interns/volunteers;
- Processes Compartmented Clearances for all staff within the Complex who have NEED TO KNOW in handling of classified documents in support of the President on a daily basis. In addition to certain Commissioned Officers who have a NEED TO KNOW, certain support staff in the Immediate Office of the President should be included since they are in the "paper-flow" in the handling of classified documents above TOP SECRET. The National Security Council is responsible for filling out forms, at our request, for the C.I.A. The Agency, in turn, reviews the particular F.B.I. report on an individual and, assuming the information is acceptable, will brief him/her for Code Word clearance.



OPS 002497

- Initiates, through the National Archives, the F.B.I. investigations of former Presidents' support staff (includes updates every five years), in order for them to have access to classified papers of the particular ex-President.

- Acts as principal liaison with all government-wide department/agency security officers in assisting in their clearance processes. As mentioned previously, when an employee leaves the White House, we receive inquiries requesting security information for the department or agency employing that individual. Since the individual is no longer an employee of the White House, we release the information to the agency/department to assist the individual in the Security Clearance process.

III. EDWARD HUGHES - EXECUTIVE ASSISTANT TO THE DIRECTOR

- Serves administrative and supervisory needs of the office.
- Serves as contact with outside agency security offices.
- Coordinates and processes all requests for Secret Compartmentive Clearance.
- Coordinates the Permanent Pass process.
- Maintains tracking of White House staff through the permanent pass process
- Maintains records of all staff in office's Security Tracking database

IV. JONATHAN DENBO - SECURITY ASSISTANT

- Runs preliminary security checks on those who have requested access to the White House complex.
- Maintains the passholder extension and access lists.
- Maintains file system on staff, detailees, military personnel, volunteers, interns, etc.
- Coordinates the Re-investigation process to update the clearances of career employees.
- Serves as Volunteers Office liaison
- Assists Executive Assistant with maintaining Security Tracking database
- Processes security paperwork to initiate background investigations with the FBI.



OPS 002498

COPY

DRAFT

MEMORANDUM

TO: JODIE TORKELOSON
ASSISTANT TO THE PRESIDENT
FOR MANAGEMENT AND ADMINISTRATION

FROM: JOHN M. QUINN
COUNSEL TO THE PRESIDENT

RE: REVIEW OF SECURITY CLEARANCE PROCESS

DATE: APRIL 30, 1996

Please be advised that the White House Personnel Security Office, in compliance with Executive Order #12968 "Access To Classified Information", will be reviewing staff's needs for access to classified material. As you are aware, a critical aspect to safeguarding classified materials is limiting the number of individuals with access to classified materials.

The Office of Personnel Security will be meeting with department heads to determine each staff member's need for access to classified materials. They will use the attached form and make it part of their permanent personnel security file.

Upon completion of this review, the Office of Personnel Security will provide you with a roster of staff and their approved level of access to classified materials.

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.

M E M O R A N D U M

TO: OFFICE OF MANAGEMENT AND ADMINISTRATION'S
"GANG OF FOUR":
AMANDA BICE
MIKE MALONE
DOUG MATTIES
ASHLEY RAINES

FROM: CRAIG LIVINGSTONE *CL*
DIRECTOR, WHITE HOUSE PERSONNEL SECURITY

RE: STAFF MANUAL'S OFFICE MISSION

DATE: JANUARY 19, 1996

Per your request, the following is a brief description of our office's mission:

Personnel Security Office, White House: The White House Personnel Security Office is a division of the Office of Counsel to the President. This office is responsible for monitoring all background investigations and access to the White House complex. In addition, the office serves as a liaison with the Federal Bureau of Investigation and the Internal Revenue Service.

Please let us know if you have any further questions regarding this statement.

Thank you.



MEMO TO: MARI ANDERSON
FROM: LISA WETZL
DATE: April 19, 1994
SUBJECT: Job Duties

-Processing all incoming "blue sheets": running name checks and NCICs, placing on access, requesting auth. from Management, creating file. This includes staff, interns, volunteers.

-Processing pass requests.

-Maintaining access list (weekly).

-Maintaining pass extension list (weekly).

-Updating the Security Tracking system - Adding new names and updating old ones.

-Processing requests from WHMO and WHCA.

-Processing incoming SF-86's: reviewing, calling for corrections, sending to FBI, follow-up corrections.

-Logging and filing incoming namechecks and tax checks.

-Receptionist duties.

MEMO TO: EDWARD FRANCIS HUGHES
FROM: LISA SUSANNE WETZL
RE: Procedures

I will try, as concisely as possible, to sketch out basic directions for procedures that you'll be dealing with. It will probably be in your best interest to call me at work for additional help if there is any confusion; mistakes tend to snowball. Above all, be consistent and organized.

NEW PERSONNEL PROCEDURES

The following is what typically happens, although there will be cases where alterations need to be made.

1. Receive *unsigned* copy of blue sheet from Management. Set up a security interview and begin an FBI Namecheck. Create an appropriate folder and place in *PENDING NC & AUTH* (we have yet to receive either).
2. When the security interview has been successfully completed, E-Mail Management (Kelli McClure).
3. When a blue sheet/memo with an *original signature* (i.e. Jodie Torkelson) has been received, the individual can be placed on ACCESS, provided that a security check has been completed, i.e. the Namecheck or, if that's still pending, an NCIC with WAVES. A new hire/detailee is placed on access for the maximum of 30 days from the start date indicated on the blue sheet.
4. Once the authorizing blue sheet/memo has been received and the FBI namecheck has been successfully completed, the folder should be placed in *PENDING SF-86*.
5. A new hire/detailee has 30 days to complete the SF-86 and related papers before administrative action is taken (dropped from access and off payroll). Once they are turned in, the individual is ready to receive a *temporary photo pass*.
6. Type up form (usually 90-day pass). Paperclip original and copy to front of file. Give to Craig to sign. Original goes to USSS/Rm. 23.
7. Enter file information into Security Tracking. Place in regular files.



OPS 002500

INFORMATION RECEIVED FROM THE FBI

The package received from the FBI generally consists of two things: 1) *NAMECHECKS* and 2) *NOTICE OF RELEASE OF BI INFORMATION*.

1) *NAMECHECKS* should be logged alphabetically in a green log book. There will be namechecks completed on one of the following:

- Staff/Detailees (marked as *White House Staff Position*)
- Volunteers (marked as *ACCESS (C)*)
- Interns (marked as *ACCESS (I)*)
- Residence/NPS employees (marked as *ACCESS (R)*)
- GSA employees (marked as *ACCESS (G)*)
- Individuals on access (marked as *ACCESS*)
- Miscellaneous individuals

A list of the **favorable Volunteer Namechecks** should be E-mailed to the Director of the Volunteers (C. Taylor). He will generate a request to put these individuals on the Volunteer access list. Have Craig sign the request and fax it to WAVES (x55349). Put a copy in the Volunteer binder.

A list of the **favorable Intern Namechecks** should be E-mailed to the Director of the Interns (K. Abramson). She will generate a request to put these individuals on the Intern Access List. Have Craig sign it and fax it to WAVES (x55349). Put a copy in the Intern binder.

A favorable namecheck is required to receive a temporary photo pass (unless we have a copy of a current BI).

2) *NOTICE OF THE RELEASE OF BI INFORMATION* is basically a receipt telling us that the FBI released a copy of an investigation to another government agency at our request. Place this receipt in the binder labeled *RELEASE OF REPORTS REQUESTS COMPLETED 1995* alphabetically.

ACCESS LIST

Every week the access list must be combed through for individuals who should be extended or dropped. There are two basic groups of people on access: 1) New hires/detailees who have 30 days on access to turn in their SF-86, and 2) Individuals authorized for access only, whether for a specific amount of time or indefinitely.

I have found that the easiest way to tackle the access list is the following:

1. Always try to do it as early in the week as possible.



2. Make a worksheet copy of the original list. Go thru the names and make a mark next to those who are expiring by the following Wednesday.

3. There are staffmembers who have large continuous lists under their names. These people should be sent Lotus printouts of their lists. They include:

Jodie Torkelson (every month)
Kitty Higgins (every 3 months)
Jim Dorskind (every 3 months)
Harold Ickes (before 12/31/95)

4. Simply go thru files and find out who should be extended. Staff members who owe us paperwork should get a telephone call.

PASS EXTENSION LIST

-Work from the large green printout that USSS gives you.

-Date the list for the following Monday. Pull all the names from that Tuesday thru and including the Monday after that.

-Only worry about names that are employees of offices we are responsible for.

-Create a worksheet of the names that looks like this:

HUGHES, Edward F.	09/08/95	TWHS
-------------------	----------	------

-Figure out, by using Security tracking and the files, who needs to be extended. Find out how close they are to permanent passes and what needs to be done to get them one.

-A list of the volunteers who have passes expiring should be sent to Claude for confirmation that they are still here.

-Do a pass extension memo to USSS that looks like the many examples you have. There is a disk labeled PASS EXTENSIONS. You can merge your worksheet (with corrections) with an old list.

-Make a copy of the new memo for Craig.

-Print out two originals, one for USSS and one for our yellow files.

-Make a copy for each individual's file. Make a copy for each individual's USSS file and send them to USSS.



PROCESSING PRESIDENTIAL AWARDS OR MEDALS

1. Must have full name, SS#, DOB, POB, and home address. Begin FBI namechecks.
2. Once the namechecks are received, Craig must review any information returned.
3. Memo (sample on disks) with a list of those cleared is signed by Associate Counsel (Chris Cerf) and released to the originating office. Copy is kept with namechecks and placed in AWARDS bins.

PROCESSING THE SF-86

Everyone who has been approved for a pass or is on access for an indefinite amount of time without clearances from another agency, must turn in an SF-86 within 30 Days of starting.

Make sure everyone who has a pass is updated **every 5 years**.

PHASE I:

-Process IRS forms.

- | | |
|----|---|
| a. | Check all information completed. |
| b. | Handwrite a "W" in lower lefthand corner of original and copy. |
| c. | Stamp date in upper righthand corner of our copy. |
| d. | Original goes in IRS box. At least once a week red dot courier a batch to the IRS through the mailroom. |

PHASE II:

-Review SF-86 and mark mistakes.

-Call individuals to correct mistakes, or have them send an addendum with the missing information. Addendum must be signed and dated, with SS#.

PHASE III:

-Type Full Field Request (see Appendix A)

- | | |
|----|--|
| a. | full name, ss#, DOB, POB, current address |
| b. | Mark Full Field Investigation (WH Staff=Level II, Utility employees=Level III). Underneath above type in "2 copies, please". |



OPS 002503

c.
i.e. WH Staff position, Access.
d.
indicate acronym of office (WHO,
RESIDENCE) at bottom of sheet and type
it.

Mark employment type,
If a five-year update,
GSA, ATT, NPS,
"90-Day Update" after

-Staple an original Full Field Request form, a Counsel consent form, and the SF-86 + addendums. Put in an envelope marked FBI/SPIN UNIT.

-Staple a copy of the Full Field Request form, a Counsel consent form, and a copy of the SF-86 + addendums. Put necessary info. into Security Tracking and place in file. Put pencil checkmark on label.

-Third copy of SF-86 + odontomas put in the FBI LIAISON OFFICE box.

-Seal FBI/SPIN UNIT envelope and paperclip to it an FBI COURIER LOG sheet with a list of the cases you are submitting.

-Place in FBI-HQ box.

NATIONAL SECURITY COUNCIL

We must receive authorization from Management and a copy of a Namecheck from the NSC Security Officer (G. Yorkdale) in order to give an NSC person a pass or put them on access.

The NSC staff is comprised mostly of employees of other government agencies. If new hires/detailees have had BI's within one year at DIS, STATE, or the CIA, order a copy for our files (form letter on disk). A permanent pass can be issued from that.

The NSC Security Office will run an updated BI with the FBI if one is needed.

AUTHORIZATIONS

In some cases, requests for passes are sent directly to us and we send an authorization slip to Management. The offices that typically do this are:

EOP employees (Chuck Easley people)
GSA
ATT
Military Office Civilians

Type up an authorization sheet. Make copies of both the auth. and the requesting memo. Send the originals to Management (A.


OPS 002504

Rutledge, Rm.1). Management DOES NOT get namechecks, BI's, clearance paperwork, etc.

The copies should be put in a file and placed in *PENDING NC & AUTH*.

When we get Authorizations back for Chuck Easley people, simply copy the signed auth. sheet and put the copy in Chuck's box. File the original sheets and the file in regular files.

When we get Authorizations back for WHMO or WHCA civilians, make sure the SSBI is within one year and then type up a permanent pass request. Get Craig to review the file and to sign off on the SSBI and the pass request. Make copies of the pass request memo and the derogatory information sheet. Send the originals to USSS (Rm 23). The copies should be put in a yellow file with a blue (WHCA) or red (WHMO) label.

Authorizations for all other passes should be processed accordingly. Make sure all security paperwork is in and release the pass.

SCI REQUESTS

See directions in safe.


OPS 002505

✓
EXECUTIVE OFFICE OF THE PRESIDENT

25-Mar-1996 01:49pm

TO: Jonathan Denbo
FROM: Kelli R. McClure
Management and Administration
SUBJECT: RE: MIL badges

As I said this morning, Jodie agrees with Craig. Civilians in the Military office should get MIL badges.

Let me know if you have any further questions.

1