

Case Number: 2006-1066-F.

FOIA MARKER

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

Folder Title:

FBI - Senate [1]

Staff Office-Individual:

Counsel's Office-Sherburne, Jane

Original OA/ID Number:

CF 396

Row:	Section:	Shelf:	Position:	Stack:
21	2	10	2	V

COPY WHOLE FILE
FOR DOJ

STATEMENT

Mark D. Fabiani
Special Associate Counsel to the President

October 4, 1996

Just five weeks before the election, Senator Hatch is conducting taxpayer-funded opposition research for the Dole campaign. Despite Mr. Hatch's partisan stunt, the bottom line remains clear: There is no indication that any FBI files were misused, and there is every indication that the files were sought simply because outdated lists were being used.

FACT SHEET:**THE TESTIMONY OF MARI ANDERSON****► NO PROJECT UPDATE FILES WERE CHECKED OUT (pages 119-120)**

"Q: Would these have ever been files from Project Update?

A: Not to my recollection. To my recollection, they were all new background investigations to which we had received in the office, and there was a question of something or an issue that needed to be brought to the attention of the Counsel's Office."

► ONLY FILES OF NEW EMPLOYEES WERE CHECKED OUT (page 120)

"Q: Those individuals that you recall specifically were not carryovers, they were new employees?

A: Specifically, yes."

► ONLY FILES OF NEW EMPLOYEES WERE CHECKED OUT (page 50)

"Q: Do you personally -- do you recall personally logging out background investigations of anyone other than new employees?

A: No.

Q: Do you have any knowledge that anyone else had done that?

A: No."

► PROJECT UPDATE WAS THE ONLY REASON FILES WERE SOUGHT (pages 115-116)

"Q: Do you know if anyone from the White House ever instructed anyone at the Office of Personnel Security to order FBI files of former administration officials who no longer had access?

A: As in a specific directive to order? No.

Q: Any knowledge of something less than a specific directive, maybe a suggestion or a --

A: None whatsoever at all.

Q: Do you have any reason to believe that anyone from the White House ever instructed or suggested that anyone looked through the files of prior administration officials who no longer had access?

A: No, none.

Q: Do you have any reason to believe that Mr. Livingstone or Mr. Marceca ordered FBI files of prior administration officials who no longer had access to the White House for any reason other than to complete Project Update?

A: No."

► **ONLY SECRET SERVICE LISTS FOR ACTIVE EMPLOYEES WERE SOUGHT BY THE OFFICE OF PERSONNEL SECURITY (page 103)**

"A: According to what we were working off, they all had access. They all were active because the important thing to note is that on this list that we received from the Secret Service, it listed all active permanent passes, which means that in the computer, as far as the Secret Service was concerned, these were people who had access.

Q: Okay. I'm just trying to clarify. Did the report actually indicate whether an entry was for an active or inactive individual?

A: Active. That's what we requested was all active permanent passholders."

► **CAREER EMPLOYEE NANCY GEMMELL OBTAINED THE LIST THAT MARCECA BEGAN USING (page 145)**

"Q: When Tony [Marceca] began the project, did he use the same list that Nancy Gemmell had been using?

A: Initially, he did. And if I remember correctly, he pointed out that the list was a few months old or was a bit old and that maybe we should get a new one."

► **THE SECRET SERVICE GENERATED THE LISTS, OFFICE OF PERSONNEL SECURITY STAFF HAD NO ACCESS TO SECRET SERVICE COMPUTERS (page 147)**

"Q: Now, did anyone at the Office of Personnel Security have anything to do with actually getting on the Secret Service system and producing the list that was used for Project Update?

A: No, we had no access to their computers whatsoever."

► **THE OFFICE OF PERSONNEL SECURITY WORKED WITH LISTS GENERATED BY THE SECRET SERVICE** (pages 172-173)

"MR SRERE (Ms. Anderson's attorney): Once again, I want to make sure the record reflects this clearly. When the background investigation of the FBI file was ordered by the people in that office, their knowledge was that those people had current active passes, and indeed that's what the Secret Service told them."

FACT SHEET

FBI FILES

NO EVIDENCE OF WRONGDOING:

- "No evidence has emerged that the files were misused, and the White House has said they were obtained in a bureaucratic snafu." Wall Street Journal (Glenn Simpson), 9/21/96
- "So far, however, no evidence has surfaced that Marceca, Livingstone or anyone else at the Clinton White House misused the FBI reports." The Washington Post (George Lardner), 9/9/96
- "After weeks of hearings by Congressional committees, no direct evidence has appeared that points to a conspiracy by the Clinton Administration to use the files to gain intelligence on political opponents. Newly disclosed depositions of officials and a fresh account by the Secret Service of its records are largely consistent with the White House assertion that the officials who improperly obtained the files were using an outdated list of White House staff members. Those lists regularly included the names of people who had left the White House, a number of former employees of the security office say. White House records reviewed last week, for example, show that in 1993 the Secret Service continued to list Zbigniew Brzezinski, national security adviser to President Jimmy Carter, as an active pass holder." The New York Times (Neil Lewis and Matthew Purdy), 7/17/96
- "A few days of congressional hearings failed to link FBI file-handlers Craig Livingstone and Anthony Marceca to higher-ups, frustrating hopes for a Clinton implosion. By week's end, neutral and some right-leaners were falling back on the "doofus" theory (George Will dismissed Livingstone and Marceca as "incompetent lowlives") and reducing the mystery of who hired Livingstone to comic chat-show banter (Paul Gigot: Maybe Eleanor Roosevelt did)." Slate (William Saletin), 7/1/96
- "In fact, it was almost immediately clear that "Filegate" was probably just what the Clintons claimed it to be: an act of bureaucratic idiocy... Gradually, even the most rabid partisans on the committee seemed to understand they were confronted with a case of serious numbskullery rather than clever skullduggery..." Newsweek (Joel Klein), 7/8/96

THE EXISTENCE OF "BAD" LISTS:

- Secret Service officials initially testified that it would have been impossible for them to produce a list of pass holders that was so out of date. But several current and former employees of the White House security apparatus, including some from previous administrations, have said that Secret Service lists of people with access to the White House often includes names of employees who left the Government years before. Charles C. Easley, a career security official employed at the White House since the Reagan Administration -- and who was recently named as Mr. Livingstone's successor -- told Senate investigators last month that when he raised the problem with Secret Service officials, they responded: "We don't have problems." In interviews last week, Secret Service officials softened their position. A spokesman, Carl Meyer, acknowledged that the agency only deleted names from its master list of White House pass holders when asked to do so by the White House. Therefore, a Reagan Administration official could have remained on the list unless the Bush Administration asked to have the person's name removed, he said." The New York Times (Neil Lewis and Matthew Purdy), 7/17/96
- "A Secret Service list of "possible administration holdover passholders" produced for the Clinton White House in the spring of 1993 included "President George Bush" as one of them... The document apparently was not the one that Livingstone's office used in 1993-94 in wrongly obtaining sensitive FBI background reports on hundreds of Republicans. But the accuracy of the Secret Service passholder lists has become a simmering side issue in the debate over the improper acquisition of the files." The Washington Post (George Lardner), 7/14/96
- "Meanwhile, The Post has learned that Marceca's predecessor at the White House -- career civil servant Nancy Gemmell -- improperly obtained an FBI report on at least one former official, which may raise questions about the Secret Service's claim that it couldn't produce outdated lists. The Secret Service has insisted that it immediately purges old names from its access list. But in August 1993, Gemmell apparently using a Secret Service list sought an FBI report on Daniel Rhea, a national security staffer who had left the job years before." New York Post (Tom Galvin), 7/17/96

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1 say hi.

2 MR. SCHANZER: All right. Did either of these two
3 people that you just mentioned--were they ever allowed in
4 the vault?

5 THE WITNESS: Not to my recollection.

6 MR. SCHANZER: Were they ever allowed to review
7 anyone's FBI file?

8 THE WITNESS: Absolutely not.

9 BY MR. HIRSHLAND:

10 Q Do you know who Betsy Wright is?

11 A Yes.

12 Q Do you know whether she ever visited either Mr.
13 Livingstone or Mr. Marceca at the Office of Personnel
14 Security?

15 A Not to my knowledge or to my recollection.

16 Q Okay. Could you clarify something for me?
17 Earlier on, you said at some point that occasionally Mr.
18 Livingstone himself would take files out of the office, for
19 example, to Mr. Kennedy, and that would not be indicated in
20 the log that we discussed.

21 A Uh-huh.

22 Q Do you know if any record would have been kept of
23 that whatsoever?

24 A ~~To my knowledge, the only times he did take files~~
25 ~~out of the office were to either Mr. Kennedy or to Lloyd~~

1 Cutler, if there was an issue that merited discussion or
2 Craig felt merited some sort of discussion.

3 The reason that, no, I don't remember any log
4 being kept simply because they were in his custody at all
5 times.

6 MR. SCHANZER: Would these have ever been files
7 from Project Update?

8 THE WITNESS: Not to my recollection. To my
9 recollection, they were all new background investigations to
10 which we had received in the office, and there was a
11 question of something or an issue that needed to be brought
12 to the attention of Counsel's Office.

13 BY MR. HIRSHLAND:

14 Q Do you remember specific individuals that Mr.
15 Livingstone would take their files?

16 A Yes.

17 Q And those particular individuals--

18 MR. SCHANZER: We're not meaning individuals.

19 BY MR. HIRSHLAND:

20 Q Excuse me. Those individuals that you recall
21 specifically were not carryovers, they were new employees?

22 A ~~Yes, they were.~~

23 Q Do you recall the reasons why specifically they
24 were taken?

25 A Yes.

50

1 If in that new investigation a question had arose,
2 then there would have been a follow-up.

3 Q Okay.

4 A But to my knowledge or to my memory, I should say,
5 all of the people on the first pages that I mentioned were
6 new employees or these were new investigations, and I think
7 if he compared this list with the log that we kept of all
8 background investigations that came in, they're going to be
9 the same names of the new backgrounds.

10 Q Backgrounds of new employees?

11 A Uh-huh.

12 Q ~~Do you personally--do you recall personally~~
13 ~~logging out background investigations of anyone other than~~
14 ~~new employees?~~

15 A ~~Yes.~~

16 Q ~~Do you have any knowledge that anyone else had~~
17 ~~done that?~~

18 A ~~No.~~

19 Q Do you recall anyone ever entering the Office of
20 Personnel Security to review a file and reviewing the file
21 in the office?

22 A Yes.

23 Q In those instances, would any entry be made in the
24 log?

25 A What--not in this log, no. What would be made

1 Q Do you know why Mr. Marceca's detail was not
2 extended?

3 A My understanding was that the Department of
4 Defense Criminal Investigations could no longer afford,
5 because of their case work and the amount of case work that
6 they had--could no longer afford to have Tony detailed to
7 the White House.

8 Q Do you know if anyone from the White House ever
9 instructed anyone at the Office of Personnel Security to
10 order FBI files of former administration officials who no
11 longer had access?

12 A As in a specific directive to order? No.

13 Q Any knowledge of something less than a specific
14 directive, maybe a suggestion or a--

15 A None whatsoever at all.

16 Q Do you have any reason to believe that anyone from
17 the White House ever instructed or suggested that anyone
18 looked through the files of prior administration officials
19 who no longer had access?

20 A No, none.

21 MR. SRERE: Let him finish the question--

22 THE WITNESS: I'm sorry.

23 MR. SCHANZER: --so it looks nice on the record.

24 BY MR. HIRSHLAND:

25 Q Do you have any reason to believe that Mr.

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1 Livingstone or Mr. Marceca ordered FBI files of prior
2 administration officials who no longer had access to the
3 White House for any reason other than to complete Project
4 Update?

5 A No.

6 Q Did individuals ever visit Mr. Livingstone or Mr.
7 Marceca at the Office of Personnel Security?

8 A Innumerable times. Could you define what you mean
9 by visit?

10 Q Well, come to the office to see them.

11 MR. SRERE: Are there specific individuals you
12 want to talk about?

13 MR. HIRSHLAND: No.

14 MR. SRERE: Did people come into their office?

15 MR. HIRSHLAND: It's an open question and--

16 MR. SRERE: Do people come into the office?

17 THE WITNESS: A lot of people came into the
18 office.

19 BY MR. HIRSHLAND:

20 Q Do you ever recall people other than individuals
21 from the--do you remember individuals from outside the
22 office going into the vault?

23 A No.

24 Q Can you estimate how often Mr. Livingstone had
25 visitors at the office that you would consider on a

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1 A Of the files coming into the office of people who
2 had not been there.

3 Q Of people who no longer had access--

4 A Who were no longer working there.

5 Q So, therefore, there was no need for the files; is
6 that correct?

7 A No.

8 Q Okay.

9 A According to what we were working off of, they all
10 had access. They all were active because the important
11 thing to note is that on this list that we received from the
12 Secret Service, it listed all active permanent passes, which
13 means that in the computer, as far as the Secret Service was
14 concerned, these were people who had access.

15 Q Okay. I'm just trying to clarify. Did the report
16 actually indicate whether an entry was for an active or
17 inactive individual?

18 A Active. That's what we requested was all active
19 permanent passholders.

20 MR. SCHANZER: Is there anything on the list that
21 indicated whether--

22 THE WITNESS: Yes. There was a section that said
23 active. There was, like, a column. You had the name. Oh,
24 God, you can configure it to get anything you wanted, but it
25 had, like, the name, and I think at the top--I can't

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1 Q Right.

2 A --and doing other things. I don't specifically
3 remember sitting there watching them and listening to them,
4 but I visually saw them going over it.

5 MR. SCHANZER: When Tony began the project, did he
6 use the same list that Nancy Gemmell had been using?

7 THE WITNESS: Initially, he did. And if I
8 remember correctly, he pointed out that the list was a few
9 months old or was a bit old and that maybe we should get a
10 new one.

11 MR. SCHANZER: Okay, now, obviously, you remember
12 seeing the original list, the one Nancy Gemmell used.

13 THE WITNESS: I remember seeing many different
14 lists--

15 MR. SCHANZER: Right.

16 THE WITNESS: --that she used.

17 MR. SCHANZER: Do you know what it was dated?

18 THE WITNESS: No, I do not remember that at all.

19 MR. SCHANZER: So, what happened after Tony--

20 THE WITNESS: Brought up the fact that it was an
21 older list?

22 MR. SCHANZER: Yes.

23 THE WITNESS: We requested, meaning the White
24 House Personnel Security Office requested, a newer list. We
25 received that list.

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1 recollection, this request for the second list took place
2 when?

3 THE WITNESS: Sometime in September.

4 MR. SCHANZER: And you went to pick up the list--

5 THE WITNESS: Mm-hmm.

6 MR. SCHANZER: --from the Secret Service?

7 Who at the Secret Service would the request have
8 gone to?

9 THE WITNESS: That would have been either J.C.
10 Pearce--it's either Pearce or Pearson--or Sergeant--I
11 believe his first name was Morris Kraft.

12 MR. SCHANZER: ~~Now, did anyone at the Office of~~
13 ~~Personnel Security have anything to do with actually getting~~
14 ~~on the Secret Service system and producing the list that was~~
15 ~~used for Project Update?~~

16 THE WITNESS: ~~No, we had no access to their~~
17 ~~computers whatsoever.~~

18 MR. SCHANZER: So, explain the process that took
19 place when you went to get the list. Where did you go? Who
20 did you talk to? What happened?

21 THE WITNESS: The way that the EOB is configured
22 is that there is a basement, a ground floor, a first floor,
23 a second floor, third floor. We were on the ground floor,
24 and we would go down into the basement, and there is an
25 office down there that contained--like, it was basically the

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1 indicated that you were no longer interested in politics and
2 wanted to move on.

3 Were there any other factors that you would say
4 were relevant to your decision to leave the Office of
5 Personnel Security? Were there any other events,
6 considerations, anything else--

7 A Other than the fact that I no longer wanted to be
8 involved in politics; no, other than the fact that I didn't
9 know what I wanted to do, no.

10 Q Okay.

11 A I mean, I'm not real sure what you're asking, but
12 the answer was no.

13 Q I understand it's an open-ended question, but it's
14 designed to be, in case there's anything that you didn't
15 think of that we don't know of in particular.

16 MR. SRERE: Well, she's answered it several times
17 now, so let's go on.

18 BY MR. HIRSHLAND:

19 Q We just discussed at some length what happened
20 when you--when the office, including yourself, discovered
21 that certain BIs had been ordered of prior administration
22 officials who, in fact, did not have current passes. Did
23 you ever--

24 MR. SRERE: Once again, I want to make sure the
25 record reflects this clearly. When the background

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1 investigation or the FBI file was ordered by the people in
2 that office, their knowledge was that those people had
3 current active passes, and indeed that's what the Secret
4 Service told them. Okay? The basis of your assumption--

5 MR. HIRSHLAND: You've made that abundantly clear.

6 MR. SRERE: Okay. I want to make sure again--

7 MR. HIRSHLAND: I do not challenge--

8 MR. SRERE: --that you understand that.

9 MR. HIRSHLAND: Certainly.

10 MR. SRERE: Because the way you phrased the
11 question was that they made a realization, oh, we're
12 ordering things for people who don't have passes. Well,
13 they were ordering things for people who had passes, and
14 they found out later that they shouldn't have passes. Okay?
15 And there's a big distinction there, and it's an important
16 distinction.

17 You may ask a question.

18 BY MR. HIRSHLAND:

19 Q Were you ever aware that Mr. Marceca was ordering
20 BIs from the FBI, and at the time he was making these
21 orders, you understood that the individuals whose files he
22 was requesting in fact did not have active passes?

23 A At no time did I know that.

24 Q Just a couple more questions.

25 We've been talking all about this process when

Former city man sees inside of the White House daily

By JANE SMITH MAR 13 1994
TRIBUNE

For the past seven months, a former Meadville man's daily workplace was the White House.

And if all goes as expected, he will return there soon for another six-month detail.

Anthony Marceca is an investigator with the Army's Criminal Investigations Division. In August he was assigned to White House Personnel Security and had an office in the Old Executive Office Building.

That detail ended three weeks ago, but the White House has requested him for another detail. He believes he will soon be reassigned to that position.

At the White House, Marceca could look out his window and see the wing which has the diplomatic entrance. He also had frequent contact with the first lady, Hillary Rodham Clinton, as well as Vice President Al Gore and his wife, Tipper, all of whom have offices in the same building and "all come to work

Army investigator Marceca may perform 2nd stint

every day."

The first lady is "very, very bright," Marceca said, adding she is a "very nice person, very personable and very nice."

Marceca's road to the White House started in Meadville many years ago when he was a county constable after finishing four years with the Army.

"I got a lot of experience in Crawford County — a lot of experience dealing with people. That's the most important aspect of this work," he said.

After he served as a constable, he enlisted in the Army Reserves and was sent to various investigators' schools. He learned his lessons well. He worked for state Attorney General Don Bailey prior to 1988 when he was hired as a federal agent to investigate procurement fraud.

"I applied for a federal position in the 1970s," he said. It took that long for him to work his way up the ladder.

der. But it's a journey he doesn't regret.

His White House detail was granted after he did work for a special committee of the U.S. Senate. That detail lasted nine months and included an investigation of the Department of Interior.

"I uncovered theft of millions of dollars of oil," he said, noting he testified before a Senate committee. He also worked on investigation of land fraud in Arizona.

Marceca is no stranger to the political world. He has been active in many campaigns, including "many losing ones," he said with a laugh, recalling days of county elections where Democratic candidates more often than not lost to the stronger-based Republican candidates.

He also worked on various national campaigns, including Edmund Muskie and George McGovern as well as Gary Hart for president. He ran for delegate to the Democratic

National Convention several times.

His political interest was piqued by Mayor Richard Daley of Chicago, whom he met at a Chicago airport at 6:30 a.m. the day when Marceca was only 21. He has loved politics ever since.

At the White House, his day started at 8 a.m. and ended "whenever I got done." The president is not to quit work early. Marceca said President Clinton often returns work after dinner. And staff members stay to work also.

"The president and his people are a lot faster than the previous administration," Marceca said.

Marceca met Clinton on a number of occasions. Staff members volunteered "man the phone lines" after the president's State of the Union address.

Marceca was one of those volunteers. After a speech, the president came into a room and started answering phones himself to talk with people calling in. "He's very friendly," Marceca said.

n's mother for prayers

ave given us
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lmed and thank-
everyone every-
ur prayers, your
caring for our
she said in a

one-way phone call from New York Hospital to reporters at City Hall.

As doctors raised the victim's chances of survival to 80 percent, her mother spoke to an unusual and emotional session arranged by the mayor's office.

"People in New York and all over the country, you have given us strength through your prayers, through your love and devotion," she said. "There is no way at all that we can possibly say enough thank-yous to all of you."

Her voice breaking, she continued:

"Your prayers and your compassions, just being there for us, have given us strength and confidence. I feel it. And it gives us courage and faith during this very, very difficult time...

"I know God hears our prayers, and I'm very thankful for that. Please keep praying. Together with doctors, I know we can help her. Thank you for helping give us courage.

"I hope sometime soon she can personally say, 'Thank you' to you, and then we'll know that your work and God's and everyone's will have been done."

The dramatic call continued with the mother thanking Iris Fass, the woman who found her daughter and summoned police. The mother called Fass a "real hero."

She also thanked her daughter's doctors and nurses, police, Mayor Giuliani and other officials. After a long pause, she added:

"You and we and the doctors are all working together to save her. I know that she's going to be helped. I know that. Thank you for helping give us courage..."

"Thank you, City of New York; thank you, country; thank you, everyone. We appreciate it. Thank you."

As the mother spoke her heart-wrenching words of hope, neurosurgeon Dr. Jam Ghajr revealed that during the past 24 hours, he has become very encouraged that the young woman will survive.

Ghajr said that when the victim was first brought in, she had only a 10 percent chance of survival. That...



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'FILEGATE'

By DEBORAH ORIN
and THOMAS GALVIN
Post Correspondents

WASHINGTON —

The White House specifically requested — by name — the assignment of the Army aide who improperly got more than 340 confidential FBI files on Republicans, military officials say.

That news came as the aide, Anthony Marceca, yesterday testified before a Whitewater grand jury, underscoring the potential seriousness of Filegate just a week after the story first broke.

Marceca's testimony suggests Whitewater independent counsel Kenneth Starr is probing whether the



KENNETH STARR
On the case.

White House requested him by name

White House abused its power to get access to hundreds of secret FBI files so it could dig for dirt on political foes.

The White House's specific request for Marceca raises questions about Clinton administration claims that he acted on his own to mistakenly request the files — which include rumors and sensitive personal data.

"[Marceca] was requested by the White House security office," said Army Criminal Investigation

Mystery man's skill was digging dirt

THE plot thickens.

The Army aide who requested FBI files on more than 340 prominent Republicans is a fraud specialist, not an expert on checking the security of personnel, raising the question of just what he really did at the White House.

The background of Anthony Marceca digs the White House deeper into this mess.

The White House has said Marceca's request for the FBI dossiers was an innocent mistake caused by a need to check security clearances.

OK.

But just when did the Democratic Clinton administration expect to invite these Republicans to the White House? And why weren't the Republicans' previous security clearances enough to gain them entrance to the Clintons' abode?

And why did the White House specifically ask for a civilian Army employee who has spent the last eight years tracking down the evil deeds of hucksters?

Why didn't the White House allow the FBI to do the security checks? Or at least leave the task to the Army department that specializes in such things?

There's more.

Sources tell me that Whitewater independent counsel Ken Starr, who questioned Marceca on Monday, has a note that says the aide had not only been gathering

Getting information for that purpose would be entirely justified.

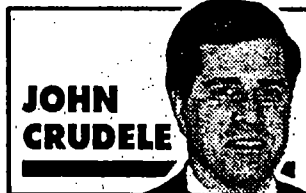
But the note writer said: "... in at least one instance, the U.S. Army sought to negatively influence a White House decision regarding the appointment of an individual to an oversight position with the Department of Defense.

"The individual was a well-known senior Army civilian who had accurately reported fraud, waste and abuse within Army and Department of Defense programs to Congress over [10 years]." The individual's identity was not revealed.

The note said the Army sought to discredit the individual by "providing his U.S. Army Security Clearance dossier through Mr. Marceca to White House personnel."

The note writer named several Army officials who are supposed to have knowledge of Marceca's antics. The one I was able to contact said she didn't even know Marceca.

If the confidential source is correct and dossiers were being used to discredit people, does that explain Marceca's real presence in the White House?



JOHN CRUDELE

prayers, through your and devotion," she said. "There is no way at all that I can possibly say enough thanks to all of you." Her voice breaking, she continued: "My prayers and your compassion, just being there, have given us strength and confidence. I feel it. And it gives us courage and faith in this very, very difficult

time. Now God hears our prayers and I'm very thankful for that. Please keep praying. Together with doctors, I know they can help her. Thank you for giving us courage. I hope sometime soon she can personally say, 'Thank you to you, and then we'll see that your work and everyone's will have been done.'"

The dramatic call continued with the mother thanking Iris, the woman who found the daughter and summoned her. The mother called her "real hero."

She also thanked her mother's doctors and the police, Mayor Giuliani and other officials. After a while she added:

"We and the doctors are all working together for her. I know that she's to be helped. I know that thank you for helping with courage."

Thank you, City of New York, thank you, country, thank you, everyone. We appreciate it. Thank you." The mother spoke her wrenching words of gratitude to neurosurgeon Dr. Jam. He revealed that during the last 24 hours, he has been very encouraged that the young woman will survive.

He said that when the girl was first brought in, she had only a 10 percent chance of survival. That has increased to 80 percent.

"I hope in the next week, she can open her eyes," Ghajr said. "She's already breathing on her own."

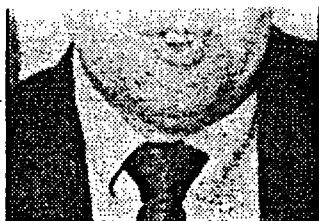
As to the NYPD's Crime Research line — (800) 457-PS — have topped 800 calls. It takes it the greatest relief in the history of the city, far surpassing the relief received after the World Trade Center bombing.

The cops said there are no significant new leads in the

case. He said that, while he is sure the young woman will survive, her full recovery is in doubt.

He said the best-case scenario is a slow recovery over 12 months.

He really just have to wait, Ghajr said. "What she's going to be like we cannot



KENNETH STARR
On the case.

Starr say. That news came as the aide, Anthony Marceca, yesterday testified before a Whitewater grand jury, underscoring the potential seriousness of Filegate just a week after the story first broke.

Marceca's testimony suggests Whitewater independent counsel Kenneth Starr is probing whether the

White House specifically request for Marceca raises questions about Clinton administration claims that he acted on his own to mistakenly request the files — which include rumors and sensitive personal data.

"[Marceca] was requested by the White House security office," said Army Criminal Investigation

Mystery man's skill was digging dirt

THE plot thickens.

The Army aide who requested FBI files on more than 340 prominent Republicans is a fraud specialist, not an expert on checking the security of personnel, raising the question of just what he really did at the White House.

The background of Anthony Marceca digs the White House deeper into this mess.

The White House has said Marceca's request for the FBI dossiers was an innocent mistake caused by a need to check security clearances.

OK.

But just when did the Democratic Clinton administration expect to invite these Republicans to the White House? And why weren't the Republicans' previous security clearances enough to gain them entrance to the Clintons' abode?

And why did the White House specifically ask for a civilian Army employee who has spent the last eight years tracking down the evil deeds of hucksters?

Why didn't the White House allow the FBI to do the security checks? Or at least leave the task to the Army department that specializes in such things?

There's more.

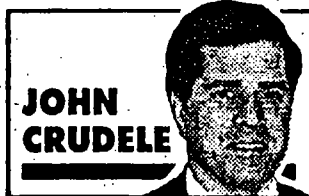
Sources tell me that Whitewater independent counsel Ken Starr, who questioned Marceca on Monday, has a note that says the aide had not only been gathering information from the FBI — but also got a number of dossiers from the Army's Central Security Clearance Facility at Fort Meade, Md. That facility is the one which usually does Army security checks.

Among the names on the list, which oddly goes alphabetically only up to the letter G, is Billy R. Dale, the head of the White House travel office who was removed from his position shortly after Bill Clinton came to office.

Marceca wasn't taking phone calls yesterday at his office at Fort Belvoir, near Alexandria, Va. A woman who answered the phone at his home said Marceca would stick with the statement issued by the White House earlier this week.

But the anonymous note to Starr says that during 1993, "while Mr. Marceca was detailed to the White House, a number of dossiers were provided by the U.S. Army Central Security Clearance Facility at Fort Meade to the White House via Mr. Marceca."

"In some instances, the files pertained to individuals under consideration for po-



JOHN CRUDELE

Getting information for that purpose would be entirely justified.

But the note writer said: "... in at least one instance, the U.S. Army sought to negatively influence a White House decision regarding the appointment of an individual to an oversight position with the Department of Defense.

"The individual was a well-known senior Army civilian who had accurately reported fraud, waste and abuse within Army and Department of Defense programs to Congress over [10 years]." The individual's identity was not revealed.

The note said the Army sought to discredit the individual by "providing his U.S. Army Security Clearance dossier through Mr. Marceca to White House personnel."

The note writer named several Army officials who are supposed to have knowledge of Marceca's antics. The one I was able to contact said she didn't even know Marceca.

If the confidential source is correct and dossiers were being used to discredit people, does that explain Marceca's real presence in the White House?

And did his long background in fraud investigations give him a unique ability to find dirt?

Also unknown is whether or not Marceca had any previous connection with the Clintons. Nobody I spoke with in Arkansas has ever heard of him.

The Army confirmed that Marceca had been stationed at Fort Meade until last year, but only as a civilian employee of the Washington Metropolitan Fraud Field Office.

Marceca's employment at Fort Meade might have put him in contact with people who worked on personnel clearances and had access to dossiers.

He had been with the fraud division since 1988, except for his temporary assignment at the White House from August 1993 to February 1994.

The Army couldn't provide details on Marceca's employment before 1988.

An Army spokesman said Marceca doesn't wish to say anything more about the files he requested.

AIDE WAS HAN

Command spokesman Paul Boyce, adding the request was for Marceca by name, not simply for any staffer.

Asked if the same unit also was asked to detail Army staffers to the Reagan and Bush administrations, Boyce replied: "I'm not aware of any such request."

Asked why Marceca specifically was sought, a White House official declined comment on grounds the FBI and Starr are investigating.

White House Chief of Staff Leon Panetta conceded it was "inexcusable" to pull confidential FBI files on people like ex-Secretary of State James Baker, but President Clinton insists it was an innocent "snafu."

Filegate has Republicans evoking Watergate — and has some Democrats expressing concern.

Marceca — who was previously working on fraud cases for the Army — was assigned to the White House from Aug. 18, 1993 to Feb. 14, 1994, Boyce said.

Boyce said he didn't know who requested that Marceca be assigned to the White House, but noted that Marceca reported to White House security chief Craig Livingstone, a Clinton political appointee.

There appears to be a Livingstone-Marceca link. The Associated Press says they knew each other from prior work on Capitol Hill and Marceca has said he read the FBI files and passed "derogatory" data to Livingstone.

Other new "Filegate" questions yesterday:

■ The White House says

it obtained files only at the start of the alphabet — A through G. Why, then, did it obtain the file of at least one person whose name starts with an H?

The White House list refers to "Joseph Whitehouse Agin" but, in fact, that is "Joseph Whitehouse Hagin 2d," who was appointments secretary to former President Bush.

"This is an H. Clearly the FBI file would have the right spelling. It doesn't wash," said Ed Amorosi, spokesman for House Government Reform chairman William Clinger (R-Pa.), who is heading the "Filegate" probe.

■ Did Livingstone, the White House security chief, defy a congressional subpoena by failing to turn over the file of an ousted travel office staffer, Barney Brasseux?

Brasseux's file was kept in Livingstone's office safe for months after congressional probes subpoenaed all documents relating to the Travelgate firing of career staffers to make way for Clinton cronies.

The White House has released a list of 339 names whose files were obtained. But Brasseux's name isn't on that list.

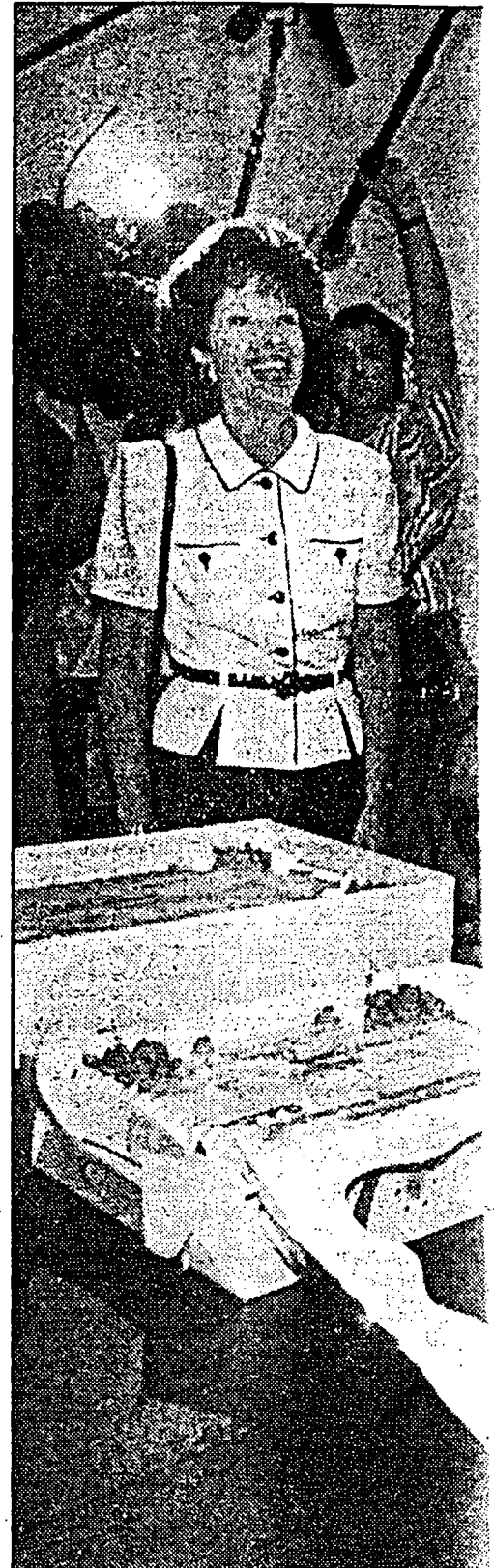
The White House list appears to be an inventory of files that were obtained, which officials say was compiled after the fact by Marceca's successor, political appointee Lisa Wetzel. The White House has not released the list from which Marceca worked.

The White House list includes high- and low-ranking officials and people who served in the White House at different times.

of discrepancies."

But GOP officials cautioned the final decisions haven't been made.

A referral is essentially a



Associated Press

NOW & THEN: Bob Dole (above) admires

Bob

Senators suspect 4 pals of prez lied

By THOMAS GALVIN
Post Correspondent

WASHINGTON — Senate Whitewater probes believe at least four Clinton associates

PM-FBI Files, 3rd Ld-Writethru, a0571,950

Reagan Appointee Named In White House Documents Check

EDs: To UPDATE with testimony on interns in security office, INSERTS 1 graf after 2nd, Republicans are; SUBS 12 graf pvs, Testifying today, with 4 grafs; Picks up 13th pvs, 'Often times, By MICHAEL J. SNIFFEN=

Associated Press Writer=

WASHINGTON (AP) As the FBI launches an investigation into White House requests for hundreds of background files, the administration today named a former Army counterintelligence specialist to oversee the handling of such sensitive documents.

Republicans are already crying foul over the FBI investigation, questioning whether the probe ordered by Attorney General Janet Reno will be truly independent. The GOP pushed ahead with its own congressional investigation of the mishandling of personnel documents by White House officials.

At a House committee hearing today, a former employee of the White House personnel security office who stayed on through the early days of the Clinton administration testified that several interns and volunteers worked in that office without undergoing complete FBI background checks.

When Whitewater special prosecutor Kenneth Starr stepped out of the files case late Tuesday, Reno ordered the FBI back in. And this morning, White House counsel Jack Quinn announced that internal security matters would be tightened and placed under veteran civil servant, Charles Easley.

Quinn said Easley, who came to the White House 10 years ago during the Reagan administration, 'will from this point on perform security operations not only for this entire complex, but for the White House office itself.'

Easley retired from the Army after 20 years that included 12 as a counterintelligence special agent and eight as a security advisor with the Pentagon's Joint Chiefs of Staff.

Quinn said the new, consolidated security office 'will require that the person whose file is sought give consent in writing before we can even ask that information of the FBI.'

The move leaves uncertain the status of Craig Livingstone, the security chief at the center of the furor over the FBI files. Livingstone is on paid leave of absence.

'His status in that office is pending,' White House spokesman Mike McCurry said of Livingstone.

Quinn, appearing on ABC-TV, also charged that today's hearing before the House Government Reform and Oversight Committee is politically motivated. He put the blame on the committee chairman, Rep. William Clinger, R-Pa.

'There's been an absolute unwillingness on the part of Congressman Clinger and his staff' to work out a compromise 'and they have made clear time and again that they're more interested in confrontation and political point-making than an accommodation,' Quinn said.

Clinger denied he is conducting a political witch hunt and told NBC-TV that his committee has been 'trying since July of 1993 to get to the bottom of this. This White House has just kind of stiffed us.'

Testifying today before Clinger's committee, the former employee of the security office, Nancy Gemmell, said the interns and volunteers who worked there were 'extremely young,' around 18 to 20 years old. Another witness, Jane Dannenhauer, who directed the office in earlier administrations, said interns and volunteers were

never used because they hadn't been checked out by the FBI.

Current and former White House aides, speaking on condition of anonymity, have told The Associated Press that the interns have only "name-check" clearance status the lowest level access to the White House complex.

But one aide said that numerous safeguards have been used to prevent the interns from gaining access to privileged material including the FBI files.

Also testifying, former White House counsel Boyden Gray stressed the sensitivity of FBI background investigations. "Many reports contain rumors, gossip and embarrassing details of events long passed," he said.

"Often times, the information in a background report, such as reports of an extramarital affair ... if revealed would prove terribly embarrassing to the individual involved."

Gray said the Bush administration considered it essential that the process not be abused.

Starr, the independent counsel who called at least one figure in the affair before his grand jury in Washington, said he does not have jurisdiction to pursue the matter. He concluded it was not sufficiently related to his other inquiries, one law enforcement official said.

Last Friday, the FBI concluded in a report by its general counsel that background summaries on at least 408 people were sent to the White House without justification in late 1993 and early 1994.

But the report drew no conclusions about White House motives, because Starr had asked FBI General Counsel Howard Shapiro not to interview White House employees for fear of interfering with his inquiries.

Reno's new inquiry also will be conducted by Shapiro overseeing a team of FBI investigators, an FBI official said. It will be a preliminary criminal investigation, which can run 90 days, to determine if a full criminal investigation, including a grand jury, is needed, according to the official, who spoke only on condition of anonymity.

"I respect Attorney General Reno. But, in a political year, it probably has to be someone else," Bob Dole, the presumptive GOP presidential nominee, told KERO while campaigning in Bakersfield, Calif. "I think she should find someone else."

While the independent counsel act provides for such counsels in cases involving high-ranking executive branch officials, the attorney general is authorized to seek one in any criminal investigation that could pose a political conflict of interest for the Justice Department.

Last week, Starr called Anthony Marceca, an employee of the Army Criminal Investigation Division, before his grand jury to discuss the file requests he made in 1993-94 while temporarily assigned to the White House personnel office. Two of the requested files were of fired travel office employees.

Date: 06/07/96 Time: 17:37

TBaker, Fitzwater, Brady Among 330 FBI Files White House Got

WASHINGTON (AP) The Clinton White House acknowledged Friday it had obtained the FBI files of House Speaker Newt Gingrich's press secretary, former Bush chief of staff James A. Baker III and other appointees from Republican administrations.

Republicans immediately denounced the White House, saying Clinton aides misused the FBI to get information on political enemies.

White House spokesman Mark Fabiani called it ``an innocent bureaucratic mistake'' and said there was no indication anyone reviewed the FBI background material.

The files some 330 in all, the majority for former employees of Republican administrations were stored in the White House security office's vault in late 1993 and early 1994, the White House said.

The matter came up when Rep. William Clinger, R-Pa., revealed on Wednesday that the White House had obtained the FBI file of fired travel office chief Billy Dale in January 1994, seven months after he was fired. Clinger, whose committee is investigating the firing of Dale and other travel office workers, suggested Clinton presidential aides were trying to dig up dirt on the ex-travel office chief.

Then, on Friday, private Washington lawyer Randall Turk said an Army employee detailed to the White House had asked for Dale's FBI file among hundreds of others because the Bush administration had removed all background records when it left office.

Turk represents Craig Livingstone, the head of the White House personnel security office, which was assigned the task of creating new files for all White House employees held over from prior administrations.

Relying on a Secret Service list of White House passholders that was apparently out of date, the Army detailee got the records of a number of presidential aides who had once worked for Bush including Baker and ex-press secretary Marlin Fitzwater.

After Turk made his disclosure, the White House released its list. The names went up only through the letter ``g.''

On the list was Gingrich's press secretary, Tony Blankley, who had been deputy director of planning and evaluation in the Reagan White House.

``This is the kind of systematic abuse of a constitutional protection that people have been saying elevated Watergate over Whitewater,''' said Blankley.

``Now we have a systematic attempt to use the FBI against their enemies,''' said Blankley.

Fabiani said, ``This is typical over-reaching by the Republicans. They're making the same mistake Representative Clinger made earlier this week. What we have here is obviously an innocent bureaucratic mistake, and the bottom line is that Mr. Dale's file was not singled out as Mr. Clinger has charged.''

Clinger, he said, ``was too sudden to judge, too quick to accuse.''

Clinger said, ``After several days of changing and conflicting stories regarding the Billy Dale FBI records, the White House's latest explanation raises more questions than it answers.''

Other prominent Republicans whose FBI files were sent to the White House included:

Former White House lawyer Arthur Culvahouse.

Former White House chief of staff Kenneth Duberstein.

Former press secretary James Brady.

GOP political operative David Carney.

Former Republican National Committee communications director B. Jay Cooper.

The list also contained Dale's name as a White House passholder, said Turk.

The Army detailee whom Turk and the White House declined to identify started at the top of the alphabet and made it through the middle of the letter ``g'' before the detailee's successor in the job raised questions.

Turk's discovery provides a ``completely innocent explanation'' for the incident and ``these election-year allegations disappear one after another,'' Fabiani added.

Turk said he began interviewing former White House employees about the matter when Clinger made his allegation.

``We made these inquiries to ascertain what in fact had happened,'' said Turk, who said that he had interviewed the Army detailee.

APNP-06-07-96 1741EDT

Date: 06/19/96 Time: 16:17

White House-Backed Explanation of FBI Files Challenged

WASHINGTON (AP) The White House appointed a new security chief Wednesday as a congressional witness called into question an explanation of why the Clinton administration gathered FBI files on nearly 500 former employees, most of them from the Reagan and Bush administrations.

On the first day of Republican-led House hearings, former White House security office worker Nancy Gemmell testified she never left behind any outdated list of old presidential employees for her successors in the Clinton administration.

Gemmell, a 25-year government employee who retired, said the list of names she provided Army detailee Anthony Marceca in August 1993 was up to date, containing the names only of current employees.

The Clinton administration has embraced suggestions that Marceca was working from an outdated Secret Service list to gather the FBI background files.

"We are still so confused about this list," said Rep. William Clinger, R-Pa., chairman of the House Government Reform and Oversight Committee. "Nobody claims paternity for this list."

Republican congressional investigators say they are now trying to determine whether the White House used some source of information other than a Secret Service list to generate its requests for the FBI files.

Meanwhile, the White House career of Marceca's superior, security chief Craig Livingstone, appeared to be at an end.

The White House announced it was installing Charles Easley as the new head of the White House office of personnel security. Livingstone who brought Marceca to the White House was placed on administrative leave this week.

White House officials said privately they don't expect Livingstone to return. Livingstone and Marceca are low-level Democratic political operatives who became acquainted when they worked on Capitol Hill.

In her testimony, Gemmell insisted the list she left behind did not contain the names of people such as Bush administration chief of staff James Baker III and former White House counsel A.B. Culvahouse.

Culvahouse, a Reagan appointee whose FBI background file was obtained by Marceca, said "it was inappropriate. He should not have done it."

"I did not consent for him or Mr. (Craig) Livingstone or anyone else to review my file," Culvahouse testified.

The FBI has said that the White House sought and obtained 481 background files between December 1993 and February 1994, and that at least 408 of the requests were unjustified in what it has called an inexcusable invasion of privacy.

Gemmell also testified that several interns and volunteers worked in the security office without undergoing complete FBI background checks although she said they were never left alone and so would have been unable to peruse FBI files.

Democrats tried to quiet the growing political furor.

"To build this up into ... nuclear war is just an absurdity," said Rep. Tom Lantos, D-Calif.

Lantos said Livingstone and Marceca should be fired, but he insisted there has been no misuse of the files, that getting them was an "inexcusable, stupid mistake" and that Republicans are

simply exploiting the issue as a ``political smear.''

APNP-06-19-96 1622EDT

Date: 06/22/96 Time: 11:29

DDole Says Administration Has Failed Its Own Ethics Test

WASHINGTON (AP) GOP presidential candidate Bob Dole today said the FBI files controversy proved that President Clinton had failed to deliver, as promised, the most ethical administration in history. ``America deserves better,'' Dole declared.

The former Kansas senator delivered the critique by giving the weekly Republican response to Clinton's Saturday morning radio address. With the presidential campaign taking shape, Republican officials say the Dole campaign will take the lead role in selecting the GOP's weekly speakers.

The White House was quick to react to Dole's address. Spokeswoman Mary Ellen Glynn, traveling with Clinton in Texas, said, ``Senator Dole has no new policies, no new programs or no new ideas for the future of the country as evidenced by his radio address today.''

Dole opened his statement today with a history lesson of sorts, noting that ``since our nation was founded over 200 years ago, the American people have held the expectation that their privacy was sacred, and that government could not, without serious cause, pry into the lives of our citizens.''

But Dole said the Clinton White House had done just that by obtaining from the FBI more than 400 files detailing background investigations of people who served in prior administrations. Many of those whose files were obtained by Clinton aides were prominent Republicans who served under Presidents Reagan and Bush.

``We have learned the privacy of literally hundreds of Americans was trampled on,'' Dole said. ``The Clinton administration came into office vowing to set a new ethical standard. Unfortunately, the standard they have set cannot be defended. America deserves better.''

Dole quoted Clinton's own FBI chief as calling the episode ``egregious violations of privacy.'' And he said the administration's story about how the episode occurred was constantly changing.

``Every time the administration's ethics are shown to be lacking, their strategy is to attack the accuser, say they've provided all the information any reasonable person could want, and then provide three or four conflicting accounts of what actually happened,'' Dole said.

He noted the files controversy was uncovered only when the administration surrendered documents that it had been refusing to provide to a House committee investigating the 1993 firing of White House travel office workers. The White House has refused to turn over 2,000 additional pages of documents requested by the committee. Dole said it was time the president and those who work for him ``cooperate with those in search of the truth.''

Dole avoided the sharply partisan rhetoric many Republican have used in attacking the White House for reviewing the FBI files. But the GOP hopeful sought to convince Americans that the files episode was just one of many Clinton administration ethical lapses.

In addition to his reference to the travel office firings, Dole noted that in the early days of the Clinton White House, political appointees had reviewed the personnel files of 160 Republicans who served in the Bush administration State Department. Clinton fired the workers responsible after news accounts about the searches.

Dole said: ``One hundred sixty files in the State Department. Four hundred seven files maybe more from the FBI. This is more

than 500 instances too many where political operatives were given access to highly confidential information about American citizens.''

APNP-06-22-96 1134EDT

Pres' aide, Rep. Flake had run-in N-word alleged

By DAVE EISENSTADT
Daily News Washington Bureau

WASHINGTON — The White House aide embroiled in the FBI files scandal hurled a racial insult at Rep. Floyd Flake (D-Queens) and challenged his top aide to a fight two months ago, the staffer told the Daily News yesterday.

Flake and his chief of staff, Marshall Mitchell, were driving on a National Airport roadway in April when they nearly collided with a compact car.

The driver of the car then stuck his head out of his window and, looking right at the two black men, said, "Move out of the way, you dumb-ass n—," Mitchell said.

Mitchell later identified the driver of that car as Craig Livingstone, the suspended head of the White House personnel security office.

"When I saw his face, I said I knew him from somewhere," Mitchell said. "And then with his face on the front page of every newspaper in the country, it clicked. I know it was him."

White House spokesman Mark Fabiani declined to comment on the incident.

When reached by The News, neither of Livingstone's attorneys, David Cohen and Randy Turk, disputed the incident. Nor did they call back, as they said they would, after talking with Livingstone.

The congressman declined to be interviewed for the story, referring all questions to Mitchell.

A 10-year veteran of the House, Flake is the pastor of the Allen African Methodist Episcopal Church in his district in southeast Queens. The 51-year-old congressman, who is married with four children, serves on the banking and small business committees.

Livingstone, 37, took a leave with pay from his job after a House committee discovered his office requested hundreds of confidential FBI files on Republican employees of previous administrations, including former Secretary of State James Baker.

Livingstone is expected to testify about his role in the affair today before the House Government Operations Committee.

The altercation described by Mitchell began when he and Flake approached the airport in Mitchell's Toyota 4-Runner on an access road that narrowed from three lanes to because of construction.

As the road tighte

one Flake was in tried to swerve around the vehicle, but had to slow down as the lanes merged. Mitchell recalled the car as a "light-brown Nissan Maxima or Acura Integra."

"I did not move out of my lane, but he tried to bull his way in," Mitchell said. "Our windows were down and a heated exchange followed."

Mitchell said he exchanged "angry" words with Livingstone but denied cursing at him or "flipping the bird."

After the heated exchange, Mitchell dropped Flake off at the curb and was surprised when Livingstone walked up to his window, he said.

"I'm still in my car and he gets out of his," Mitchell said. "He comes up, arms waving and says, 'you wanna do something about it?'"

"I thought it was wiser to drive off."

Double Filegate trouble

By DAVE EISENSTADT
Daily News Washington Bureau

WASHINGTON — The Army investigator at the center of the FBI file flap gathered nearly twice as many confidential reports as previously reported — including one on President George Bush's national security adviser.

Army detailee Anthony Marcera gave House probes about 200 pages from his personal computer discs that set out his file-collecting for the Clinton White House.

The records, provided to the Daily News by Marcera's lawyer, indicate that Marcera and his partner — suspended White House security chief Craig Livingstone — obtained more than 700 FBI background files. The original total was believed to be 407.

Marcera's lawyer, Robert Muse, argued that the new information clears his client by showing that he was just engaged in a routine records search.

"The files negate any notion of nonchalance," said

mation reveals that Marcera requested the file of Bush's National Security Adviser Brent Scowcroft.

But Rep William Olinger (R-Pa.), chair of the House panel probing the affair, voiced doubt — saying the disclosure "only serves to reinforce the concern that all Americans should feel about this incredible breach of security."

Marcera and Livingstone, who headed the White House personnel security office, have said that they mistakenly requested confidential FBI background files of former GOP White House officials. Livingstone, who is on leave with pay, and Marcera are scheduled to testify before Olinger's committee today.

Meanwhile, there was a compromise between the White House and GOP lawmakers that headed off a contempt of Congress showdown for the second time in a month.

"We averted a constitutional crisis," said White House Counsel Jack Quinn. "We

Congress's need (and protect the President's

est."

The deal permits a panel members from political parties and aides to review the

but prohibits making c

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YOUNGSTERS shoot baskets at Col. Charles You Ave. after rims were raised to regulation height. Organizers tourney had complained that baskets were so low that ever

Date: 06/26/96 Time: 09:03

FNew York Representative Has Run-in With Embattled White House Aide

NEW YORK (AP) The White House aide involved in the FBI files scandal shouted a racial slur at a New York congressman and challenged his top aide to a fight, the Daily News reported today.

Marshall Mitchell, Rep. Floyd Flake's chief of staff, said he and the Democrat from Queens were driving in Washington in April when they nearly collided with another car.

The driver of that car stuck his head out the window, looked at the two black men and said, "Move out of the way, you dumb-ass nigger," Mitchell told the newspaper.

Mitchell later identified the driver as Craig Livingstone, 39, the suspended White House security chief.

Mitchell, who was driving his Toyota 4-Runner, said he exchanged heated words with Livingstone. Mitchell denied cursing.

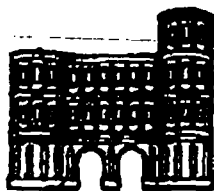
After the exchange, Mitchell said Livingstone got out of his car and "comes up, arms waving and says 'You wanna do something about it?'" the News said. "I thought it was wiser to drive off."

Livingstone's attorneys did not dispute the incident, according to the News. The attorneys also failed to return their promised call after talking with Livingstone, the paper said.

The congressman declined to be interviewed for the story, referring all questions to Mitchell.

Livingstone took a leave from his job after a House committee discovered his office had requested hundreds of FBI files on Republican employees of previous administrations.

APNP-06-26-96 0908EDT



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MEMORANDUM

TO: ALL MEDIA AND INTERESTED PARTIES
FROM: Keith Appell and Lisa Kruska (703)-683-5004
DATE: Wednesday, July 3, 1996

SUBJECT: THE DE CONCINI LETTER VS. LIVINGSTONE'S RESUME

Sen. Dennis DeConcini (D-Ariz.), who was chairman of the Senate Select Committee on Intelligence (SSCI) at the time, informed President Clinton of "certain operational inefficiencies" regarding White House Security in a letter to him dated August 11, 1994. In the letter Sen. DeConcini made four specific recommendations that were ignored by President Clinton and the White House Counsel's office.

With new revelations every day about ex-White House Security Director Craig Livingstone (who's job DeConcini addressed specifically), this raises new questions about the President's credibility in trying to explain away the FBI Files Scandal as an "innocent bureaucratic snafu."

In *Unlimited Access*, author Gary Aldrich tells of Sen. DeConcini's conversation with a retired FBI agent who is no longer employed by the White House. The agent was interviewed by Aldrich for the book (pages 202-204).

Sen. DeConcini's Recommendations To President Clinton
August 11, 1994

1. "The White House Office of Administration should be assigned a Secret Service Agent or other appropriate government official in a full-time position to function as Director of Security. Such a person would be a non-partisan individual responsible for overseeing all security-related functions within the Office of Administration." The person Sen. DeConcini describes for the job of Director of Security is the complete opposite of Craig Livingstone who was a fiercely partisan individual with no security background. The President completely ignored the Senator's recommendation.
2. "A single office within the White House should coordinate all background investigations." Aldrich writes that Clinton administration employees were very uncooperative with the FBI when it came to their background checks, and we now know -- through the revelations of the FBI Files Scandal -- that FBI background files were being secured by low-level Clinton White House operatives for uses that have yet to be satisfactorily explained. The President completely ignored the Senator's recommendation.

DE CONCINI'S LETTER**July 3, 1996****Page 2**

3. "All security clearance/background investigation paperwork should be completed and turned in on or before the first day of employment with the White House rather than the current procedure of 30 days." The President completely ignored this recommendation.

4. "I would suggest to you that new employees who have undergone an FBI background investigation within 5 years should not have to undergo another full-field background investigation. The same background investigation that is currently accepted throughout the government should satisfy White House requirements as well." Aldrich notes the White House demanded all personnel go through a full background check even though their reviews were several years away in many cases, presumably because the Clinton administration wanted all staff to pass some kind of political litmus test.

Once again, the White House has been conclusively proven to have a huge credibility gap while Gary Aldrich continues to be corroborated and vindicated by independent sources. The paranoid reaction by the White House to *Unlimited Access* betrays an administration living in denial and delusion.

To schedule an interview with Alfred S. Regnery, president of Regnery Publishing, Inc. and publisher of "Unlimited Access," and to receive a copy of Sen. DeConcini's letter to President Clinton, please contact Keith Appell or Lisa Kraska at (703)-683-5004.

STATEMENT

Mark D. Fabiani
Special Associate Counsel to the President

June 28, 1996

Although Mr. Marceca had the right to do what he did today, we are disappointed that the public's right to know all the facts has been partly blocked for the time being. The President has reaffirmed his instructions to White House staff to cooperate fully to provide the complete facts to the public.

BACKGROUND TALKING POINTS

Other Reaction

The President has condemned the invasion of privacy that resulted from unacceptable actions taken in the White House's effort to recreate the security personnel files of its holdover employees. No one is more determined than the President to get to the bottom of this: The President has apologized to those whose files should not have been obtained.

Immunity?

The question of immunity must be answered by the Independent Counsel and the Congress. The White House has only one interest here: Getting all of the facts out to the American people.

White House Knowledge of Marceca's Decision

Mr. Marceca's lawyer informed White House Special Counsel Jane Sherburne of Mr. Marceca's preliminary decision near midnight on Thursday, June 27. We did not know what Mr. Marceca's final decision would be until it was announced at the Senate hearings.

White House Efforts to Persuade Marceca?

Mr. Marceca is not a White House staff member and we are not in any position to encourage or discourage any action on his part. The President has re-affirmed his instructions to White House staff to cooperate fully to provide the complete facts to the public.

Throughout numerous Congressional hearings on Whitewater, the Travel Office and other matters, scores of White House witnesses have testified. All of these witnesses have testified openly and voluntarily; not a single one of these White House employees has invoked any kind of privilege or attached any sort of conditions to his or her testimony.

THE WHITE HOUSE
WASHINGTON

June 27, 1996

MEMORANDUM FOR JANE SHERBURNE
SPECIAL COUNSEL TO THE PRESIDENT

FROM: PHILIP DROEGE *PD*
OFFICE OF RECORDS MANAGEMENT

RE: WASHINGTON POST CONTACT

This afternoon, I received a telephone call from an individual who identified herself as Ann Farris, a reporter from the Washington Post.

She explained that she was calling to ask me some questions regarding the appearance of my name on a list of people whose FBI background files were in the White House Security Office.

She had three questions, two of which I recall as:

- 1) Did I know that I was on the list.
- 2) Was I asked permission for anyone to look at my file.
- 3) ?

I have explained to her that I would prefer that her questions be channeled through the Press Office to me.

*Mark - FBI Droegé was
one of the files that had been
sent to archives but later
retrieved by Weetel because
he was a current employee.
Follow up with Farris?*

Jane

Dennis Casey: Not a Democratic Consultant

CASEY ASKED NOT TO BE LABELED A DEMOCRATIC CONSULTANT

Following a January 1995 article that labeled him as a Democratic consultant, the Post-Gazette carried a correction: Casey said that he was not a Democratic consultant. Casey has represented both Republican and Democratic candidates. [Pittsburgh Post-Gazette, 1/9/95]

REPRESENTATIVE KLINK – A FORMER CASEY CLIENT – FEARS CASEY NOW

After firing Casey, Representative Ron Klink (D-PA) said that he feared for his own and his family's safety: "Mutual friends that we have will call me and tell me he expresses how much he hates me, how deep that hatred is... I will express that I've had some concerns for the safety of myself and my family. If someone expresses publicly such hatred and loathing, there have been some concerns that this person might be a little bit dangerous." [Pittsburgh Post-Gazette, 2/28/96]

- **Klink accused Casey of feeding story to reporter questioning Klink's purchase of his home.** Klink said that a reporter told him that Casey had given him the tips for the story about the Klink's purchase his home. Casey denied the charge. [Pittsburgh Post-Gazette, 2/28/96]

CASEY PROMOTED REPUBLICAN TO CHALLENGE KLINK

After Casey was fired by Klink, Casey tried to promote former Pirates pitcher and broadcaster Jim Rooker as the Republican candidate to challenge Klink. Rooker withdrew from the race, citing Casey's health. Rooker's candidacy was challenged because of problems with his nominating petitions: Rooker and Casey failed to obtain 1,000 Republican signatures. Representative Klink said that Rooker and Casey's difficulty with nominating petitions was the real reason Rooker dropped out. [Pittsburgh Post-Gazette, 2/23/96]

CASEY FILED COMPLAINT AGAINST KLINK

Casey filed a complaint against Klink last year, claiming that he was owed \$21,357 for his work on Klink's 1992 campaign. [Pittsburgh Post-Gazette, 5/6/95]

KLINK FIRED CASEY'S DAUGHTER – FORMER HERITAGE FOUNDATION STAFFER

After Klink and Casey broke up, Klink fired Casey's daughter, Megan Casey, who had worked as an aide for Klink on the House Banking Committee for two years. Megan Casey had been a one-time staffer with the Heritage Foundation. [Pittsburgh Post-Gazette, 1/8/95]

CASEY WORKED FOR REPUBLICAN IN COMMISSIONER'S RACE LAST YEAR

Casey served as the campaign director for a Republican candidate, Diana Irey, for the Washington County commissioner in 1995. [Pittsburgh Post-Gazette, 8/20/95]

LEVEL 1 - 1 OF 19 STORIES

Copyright 1996 P.G. Publishing Co.
Pittsburgh Post-Gazette

February 28, 1996, Wednesday, SOONER EDITION

SECTION: LOCAL, Pg. B4

LENGTH: 736 words

HEADLINE: Klink accuses former adviser

BYLINE: James O'Toole, Politics Editor, Post-Gazette

BODY:

In the latest turn in a venomous political fight, U.S. Rep. Ron Klink yesterday accused a former campaign manager of disguising the reason why a client dropped a challenge to Klink's re-election.

And Klink said that the former adviser, Dennis Casey, harbored a loathing for him so severe that the congressman said he is concerned about his family's safety.

"Mutual friends that we have will call me and tell me he expresses how much he hates me, how deep that hatred is," Klink, D-Jeannette, said during a morning news conference. "I will express that I've had some concerns for the safety of myself and my family. If someone expresses publicly such hatred and loathing, there have been some concerns that this person might be a little bit dangerous."

Casey, 51, denounced the charges from his former boss as "absurd."

The veteran political operative worked on Klink's 1992 election campaign but the pair had a bitter falling out after Klink's election. This year, Casey was poised to promote the candidacy of former Pirates pitcher and broadcaster Jim Rooker, who announced earlier this month that he would seek the Republican nomination for the 4th District seat.

Rooker's candidacy proved short-lived, but Klink and Casey disagreed on the reasons. Last week, Casey and Rooker released a statement that said that the broadcaster had decided to drop from the race because Casey was experiencing health problems.

In a press conference yesterday, however, Klink insisted that the only relevant ailment was with Rooker's nominating petitions, which lacked the required 1,000 valid signatures. Klink revealed that his campaign had agreed to pay the legal bill for a challenge to Rooker's petitions that was pressed by four Republicans in the district.

"Mr. Casey attempted to put a good face on this, that all of a sudden his health had deteriorated and all these things," Klink said. "But I will tell you that the agreement to withdraw Mr. Rooker as a candidate had nothing to do with anyone's health. ... Mr. Casey -- really using the same kind of inept

Pittsburgh Post-Gazette, February 28, 1996

campaign management that caused him to be fired from my campaign -- failed to do the most elementary thing that needs to be done, and that is to get 1,000 bona fide Republican signatures from the district."

While an attorney for Rooker, in an order issued by Commonwealth Court yesterday, stipulated that the Republican's petition fell short of the 1,000-signature mark, Casey maintained that he and Rooker had already decided not to continue the campaign on Feb. 19, before the petition problem became apparent.

Asked to comment on Klink's charge, Casey said, "There's nothing in the Constitution that says a congressman must be of sound mind."

Klink also saw Casey's hand in a story in Sunday's Greensburg Tribune-Review, which raised questions about the fact that Klink had purchased a \$ 600,000 home. While defending the transaction as open and aboveboard, Klink said of the news story, "It goes back to the fact that Mr. Casey, who has expressed his loathing for me, has professional connections with the Tribune-Review, as a political consultant for them. ... The reporter from the Tribune-Review . . . told me that his tips in this story came from Mr. Casey. This is a political consultant who went to work for me, who was paid tens of thousands of dollars by my wife and I to run a political campaign, (who) has taken every little thing that he ever learned about me and (tried) to blow it into something bad."

"That's absolutley untrue," said Casey, who said that he didn't even realize Klink had purchased a home until a Tribune-Review reporter told him about it.

George Beidler, the Tribune-Review's vice president and executive editor, also denied that Casey had a role in the genesis of the Klink stories that ran Sunday. One detailed the congressman's house purchase, the other described how Klink's father left his family shortly after Klink was born.

"It's not true," Beidler said of Klink's charge. "The stories talked about two things: this guy from a broken home became a congressman, and then, he lives in this nice house. We didn't accuse him of anything."

And Beidler said that, while Casey did some marketing consulting for the paper, he had had nothing to do with its editorial side since Casey stopped writing a column for the paper when he first went to work for the Klink campaign.

GRAPHIC: PHOTO (2), PHOTO: (For Two Photos) A parting of the ways/In 1992, campaign manager Dennis Casey, left, helped get Ron Klink, right, elected to the U.S. House of Representatives. Then they had a falling-out. Now, Klink accuses Casey of planting negative news stories in the media and "such hatred and loathing ... that this person might be a little bit dangerous." (Photos, Page B-1)

LOAD-DATE: February 28, 1996

LEVEL 1 - 5 OF 19 STORIES

Copyright 1995 P.G. Publishing Co.
Pittsburgh Post-Gazette

May 6, 1995, Saturday, SOONER EDITION

SECTION: NATIONAL, Pg. B3

LENGTH: 157 words

HEADLINE: Consultant says Klink campaign owes him \$ 21,357 for '92 work

BYLINE: Post-Gazette Washington Bureau

DATELINE: WASHINGTON

BODY:

Democratic consultant Dennis Casey filed a complaint yesterday against the campaign committee of Rep. Ron Klink, D-Jeannette, claiming the committee owes him \$21,357 for his work on Klink's 1992 campaign.

The two-page complaint, filed in Allegheny County's small claims court, claims that Casey billed the Klink campaign \$ 60,557 as a consultant. The committee, according to the suit, paid Casey only \$ 39,200. According to the suit, Casey has not received any payments from the Klink campaign since August 1993.

Charles Scarlata, a Pittsburgh attorney representing Casey, said the case should be heard this fall before a three-member arbitration panel. Complaints involving less than \$ 50,000 are heard before an arbitration panel instead of a county common pleas judge.

Mary Kiernan, a spokeswoman for Klink, said that "'without seeing (the complaint) and having the congressman review it, we have no comment at this time.'"

LOAD-DATE: May 18, 1995

LEVEL 1 - 6 OF 19 STORIES

Copyright 1995 P.G. Publishing Co.
Pittsburgh Post-Gazette

January 9, 1995, Monday, SOONER EDITION

SECTION: LOCAL, Pg. A2

LENGTH: 38 words

BODY:

Region. Pittsburgh political consultant Dennis Casey has represented both Republican and Democratic candidates. He says he is not a Democratic consultant, as he was incorrectly described yesterday in a political watch story.

LOAD-DATE: January 10, 1995

LEVEL 1 - 7 OF 19 STORIES

Copyright 1995 P.G. Publishing Co.
Pittsburgh Post-Gazette

January 8, 1995, Sunday, TWO STAR EDITION

SECTION: NATIONAL, Pg. B4

LENGTH: 916 words

HEADLINE: Klink dismisses former adviser's daughter

BYLINE: Jack Torry and Frank Reeves

BODY:

An increasingly bitter dispute between Rep. Ron Klink and political consultant Dennis Casey has apparently cost Casey's daughter, Megan, a job on Capitol Hill.

Megan Casey, 27, was dismissed last month by Klink, D-Jeannette, after serving two years as an aide to Klink on the banking committee.

In an interview Friday, Dennis Casey confirmed that his daughter had been dismissed after a "very significant quarrel" between him and Klink.

Casey served as Klink's chief political adviser in 1992, when Klink first was elected to Congress. After the election, Klink hired Megan Casey, a graduate of the University of Pittsburgh and a one-time staff member with the Heritage Foundation in Washington.

A spokeswoman for Klink could not be reached for comment.

Ridge appoints two

With his inauguration a little more than a week away, the incoming administration of Gov.-elect Tom Ridge continues to take shape.

Last week Ridge nominated Richard Browdie to be the secretary of aging and also announced the selection of Erie insurance executive Thomas B. Hagen to serve as secretary of commerce.

Hagen, 59, is a former chairman and chief executive officer of Erie Insurance Group. He recently started a business consulting service in Erie.

Browdie, who was born in Pittsburgh and raised in Erie, is executive director of the National Association of Area Agencies on Aging in Washington, D.C. Browdie, 47, was deputy secretary of the Pennsylvania Department of Aging under Gov. Casey from 1987-1993.

Grandy backs Specter

Sen. Arlen Specter, who remains the longest of long shots to win the 1996 Republican presidential nomination, has received a boost from a key Iowa

Republican.

Former Rep. Fred Grandy, R-Iowa, mailed a letter last week to 6,800 Iowa Republicans, urging them to support Specter's presidential campaign.

Although Grandy is better known in Western Pennsylvania as the actor who played Gopher on "The Love Boat" TV series, he earned a reputation as a serious legislator during his eight years in Congress.

In his letter of Dec. 31, Grandy wrote that Specter "cherishes our ideals of fiscal conservatism, individual rights tied to individual responsibilities, and a healthy dose of tolerance."

Grandy said both he and Specter disagreed with conservative commentator Patrick Buchanan "when he says the party is fighting a 'Holy War.' We believe such divisive language will only hurt the party and the country."

Linda Rhodes to wed

Linda C. Rhodes, the chairwoman of the Pennsylvania Democratic Party, and Eric B. Schnurer, Lt. Gov. Mark S. Singel's chief of staff, announced their engagement to be married last week.

Rhodes, a former secretary of aging under Gov. Casey, said the couple planned a spring wedding.

Federal funds aid Pa.

Pennsylvania received \$ 59 billion in federal funds during the 1992-93 fiscal year, according to statistics compiled by the Penn State University's data center in Harrisburg.

California, the nation's most populous state, received the largest amount of federal funds -- about \$ 147 billion. Pennsylvania ranked fifth, behind New York, Texas and Florida.

The bulk of the federal dollars pumped into Pennsylvania -- about \$ 37 billion in fiscal year 1992-93 -- went directly to the state's residents largely in the form of Social Security and Medicare payments, according to the Penn State University data center. Federal grants to state and local governments amounted to about \$ 5.7 billion.

Line-item veto bill set

Rep. William Clinger, the new chairman of the House Government Reform and Oversight Committee, predicted Friday that a bill to provide President Clinton with a line-item veto would reach the floor of the House of Representatives the first week of February.

Clinger, R-Warren, said his panel would hold a joint hearing Thursday on the line-item veto with the Senate Governmental Affairs Committee. He said his committee would approve the legislation Jan. 25 and send it to the floor.

"I'm convinced we have the votes to pass it," Clinger told Pennsylvania reporters.

Pittsburgh Post-Gazette, January 8, 1995

Former President George Bush and Clinton have repeatedly asked Congress for the ability to veto individual spending items from massive spending bills.

' 'It would be really hypocritical for us to have been talking about a line-item veto for all these years and suddenly say, 'Whoops, we're not going to make it effective until the next president comes in,' ' ' Clinger said.

Specter's health plan

As congressional Republicans focus on reducing federal spending and cutting taxes, Specter is charting his typical loner course by urging a fresh attempt at reforming the nation's health care system.

Specter introduced a package of reforms last week that is more modest than Clinton's proposed sweeping health care reform bill, which died in Congress at the end of last year.

Specter's bill would include a number of provisions that Republicans claimed to support last year, including prohibiting insurance companies from denying coverage to those with pre-existing conditions, and allowing workers to transfer their insurance policies from one job to the next.

In a statement, Specter said Clinton was ' 'grossly in error when he proposed health care by government and massive bureaucracy.' '

But in a sharp warning to conservative Republicans, Specter added that ' 'anyone who reads the repudiation of the Clinton bill as an excuse to do nothing is equally in error.' '

LOAD-DATE: January 9, 1995

LEVEL 1 - 12 OF 19 STORIES

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Pittsburgh Post-Gazette

MAY 1, 1994, SUNDAY, WASHINGTON EDITION

SECTION: METRO, Pg. W3

LENGTH: 549 words

HEADLINE: 'RELATIVITY' CAUSES PROBLEM FOR TOWNSEND

BYLINE: DAVID TEMPLETON, POST-GAZETTE STAFF WRITER

BODY:

Republican congressional candidate Bill Townsend is the son of former Miss America Jacquelyn Townsend. And he's a grand nephew of the world's most famous harness horseman, Delvin Miller.

But a ''relative'' issue in the Republican race in the 20th District is whether Townsend is U.S. Sen. Dianne Feinstein's cousin.

Townsend says the Democratic senator from California is his cousin -- by marriage.

But Republican Mike McCormick of Peters says Townsend's public statements that he regularly argues with his cousin about gun control is one of several misstatements he has made. He says Townsend has also falsely claimed to have received contributions from key national Republicans.

''Anyone might think we're splitting hairs, but when you start putting them all together, it starts adding up to a serious character flaw,'' McCormick said.

''If the truth eludes him now, what will motivate his decisions if elected?''

Townsend called McCormick's comments ''political garbage'' and said McCormick is ''grasping at something to gripe about'' because ''he sees the writing on the wall.''

Townsend said his campaign manager Dennis Casey did tell him he would receive support and contributions from key Republicans, including former U.S. Secretary of Education William Bennett and former Secretary of Defense Don Cheney. But to date, neither has contributed to his campaign.

Townsend also criticized McCormick for raising issues not pertinent to the campaign.

''Yeah, and at night, I dress up like Spiderman and climb the Washington Trust Building,'' Townsend joked.

The flap stems from minutes of the April 10 meeting of the Firearms Owners Against Crime -- a group supporting Second Amendment issues.

Pittsburgh Post-Gazette, MAY 1, 1994

'Mr. Townsend dropped a bombshell by stating that his cousin is Dianne Feinstein and that, although he agrees with her on some issues, their frequent telephone conversations often develop into heated arguments when the subject turns to gun control,' the minutes state.

On Wednesday, McCormick faxed copies of the minutes and a letter signed by Feinstein stating: 'To the best of my knowledge, he (Townsend) is not my cousin, nor have I met or spoken with him.'

Townsend and his mother said Feinstein is married to Mrs. Townsend's cousin, Richard Blum. Blum's assistant Jeanie Craig in San Francisco confirmed that Blum is Mrs. Townsend's cousin. Both Townsends said they regard spouses of cousins as cousins.

Townsend said his statements to the Firearms Owners Against Crime were incorrectly paraphrased in the minutes. He said his recollections of the meeting were not clear because he was on medication that day for pain from a broken vertebra.

'I have not debated her,' he said. 'But if I go to D.C., it will be one heck of a debate.'

He said comments about debating her were made in the sense of what he hoped to do, rather than what already had happened.

Not so, said Firearms Owners member Colleen Hyden of Washington. She said Townsend told her and a friend on March 24 that he regularly argued by phone with Feinstein about gun control. She said she heard him restate those comments 'in no uncertain terms' at the group meeting on April 10.

'There's no doubt about it,' she said. 'I know what I heard. It sounds pretty sly to me.'

LOAD-DATE: September 15, 1994

Richard Cohen

This Is No 'Enemies List'

THE WASHINGTON POST

THURSDAY, JUNE 13, 1996

In Washington, every snow's a blizzard and every event's historic. That's why Whitewater, which is about a nondescript land deal in Dogpatch, is compared to Watergate, which was a singular mugging of the Constitution, and why a bureaucratic foul-up involving FBI files in the White House is now being compared to Richard Nixon's enemies list. This is preposterous. Nixon was a growling Doberman. Bill Clinton, on the other hand, is a drooling Saint Bernard.

The notion of Clinton pacing the Oval Office a la Nixon and rattling off the names of the doomed and condemned (bugged, tapped, audited, fired) proves beyond a doubt that some in Washington have lost touch with reality. Chief among them, of course, are Republican politicians like Bob Dole, who were quick to yell "enemies list" and demand the usual investigation. Almost immediately, Kenneth Starr, the Whitewater independent counsel, swore in a posse and rode off in the direction of the grand jury.

Well, maybe he should. The misuse of FBI files, even inadvertently, is a

And Clinton is no Nixon when it comes to using FBI files.

serious matter—and something clearly went wrong here. Somehow, the files of about 330 people, a few of them prominent Republicans, wound up in the White House archives. The Clinton administration says someone goofed while updating the list of White House pass-holders; some Republicans suggest a more nefarious purpose, and Rep. William F. Clinger (R-Pa.) whose House Government Reform and Oversight Committee is already investigating Travelgate, suspects high crime and/or misdemeanor. He will look into the matter.

I already have. Having read the list of files requisitioned by the White House, I can recognize only a few names—Baker, Duberstein, Fitzwater. As for the others, they seem to be the sort of anonymous people who work day in and day out for the federal government and whom Newt Gingrich occasionally puts out on the street. The list, which stopped at the letter "G," could have been taken from the phone book.

In contrast, Nixon's enemies list contained names that were easily identifiable. They were political figures and journalists, Democratic contributors, politically active entertainers and dangerous radicals of the sort who believed in racial integration. (Pat Buchanan, ever alert, kept an eye on them.)

Nixon himself bore so many grudges it was a miracle he could stand up straight. As for civil liberties, it was an alien concept to him. He even had his brother Don's phone tapped and the poor sibling tailed. When the FBI and then the CIA balked at doing that, Nixon had the Secret Service do it. This was nearly biblical. Nixon literally was his brother's keeper.

These very abuses of presidential authority are what make us sit up when "FBI files" are mentioned. But not only is Clinton no Nixon, but there is not the slightest evidence that these files were ever used in a, well, Nixonian way. Where, for instance, is the damaging leak about James Baker's personal life? What do we know about Marlin Fitzwater that we did not know before? As for Kenneth Duberstein, where is it whispered that he has any vice other than being a Republican? What I know about the private lives of all three men leads me to suspect that whoever was reading their files fell sound asleep.

The nifty-but-erroneous comparison is a Washington commonplace. The mayor of this hapless burg has implied his congressionally appointed overseers were Nazis or, more recently, called them "pharaohs," thus taking a budget and management dispute from the sublime way past the ridiculous to the downright distasteful. Every accusation, no matter how justified, gets characterized as "McCarthyism," and a journalist cannot make an honest mistake without the name of Janet Cooke being taken in vain. Give the woman some credit. She was a gifted liar.

As for Clinton, poor man, he is forever the victim of GOP attempts to show that Watergate was not—as history and reason itself demonstrate—a scandal unique to Richard Nixon but the sort of thing even Democrats do. That, of course, was Nixon's justification, but it will not work when applied to Clinton. This president's compulsion is to make everyone his friend—to hug, kiss, embrace and otherwise adore every single person who crosses his path.

It could be that some subordinate took it upon himself to gather the files for reasons both wrong and illegal. It could be that an attempt was being made to say something about Republican White House aides and that the effort was aborted at the "G" spot. Those possibilities—while remote—have to be entertained, although a mere mistake is the most likely explanation. After all, as anyone can tell you, the problem with Bill Clinton is not that he keeps an enemies list but that he can't even keep any enemies.

Computer Flaws Led to Release of G.O.P. Files, Officials Say

By NEIL A. LEWIS

WASHINGTON, June 11 — F.B.I. officials reviewing how the White House obtained confidential reports on several prominent Republicans have tentatively concluded that the agency's procedures were inadequate to prevent the improper disclosure of personnel reports, Government officials said today.

They also said the review found that the requests for files of people seeking access to the White House were handled by a bureau employee far too junior to deal with such a sensitive matter.

Another problem, a senior career Government employee said today, was that the computer program used by the Secret Service in 1993 to track access to the White House was flawed.

The inability of the Secret Service to correct the problem in its computerized document-keeping system resulted in the production of an outdated list of people with access that was sent to the White House in 1993, according to the employee, who was involved with fixing the problem.

The role of the Federal Bureau of Investigation and of the Secret Service have been two of the many unanswered questions concerning the files, an episode that the White House has called an innocent snafu, and that Republicans have compared to the Nixon White House's enemies list.

Kenneth W. Starr, the independent counsel for Whitewater-related matters, is now investigating the matter. Lawyers from Mr. Starr's office went before a grand jury here today to question Anthony Marceca, who requisitioned the F.B.I. files as a

temporary employee in the White House security office in 1993 and 1994.

White House officials acknowledged last week that in late 1993 and 1994, it improperly asked the bureau to provide reports summarizing the confidential files of as many as 340 people. Among them were several prominent Republicans, including James A. Baker 3d, the former Secretary of State; Kenneth Duberstein, a former White House chief of staff and adviser, to Colin L. Powell, and Tony Blankley, press secretary for Speaker Newt Gingrich. All had had access to the White House when they worked for the Reagan or Bush Administrations.

Focusing on procedures of the F.B.I. and Secret Service.

White House officials said the request for the documents was part of a routine effort to update the files of people with White House access. They said the names of the Republicans came from the list the Secret Service provided.

The official familiar with the computer problem said the Secret Service kept two data banks of people with access to the White House. The first list was of people who had full White House credentials for access and had been given personalized

passes known as "hard cards," which are typically worn around the neck. The second, larger list included hundreds of people with limited access, as well as those with hard cards.

The official said that when someone turned in a hard card, that person's name was removed from the first list. The Secret Service was also supposed to remove that name from the second list, but did not do so during that period. Names from that flawed list were sent from the Secret Service to the White House security office.

Using the flawed list, Mr. Marceca, a civilian employee of the Army who worked for the White House security office, asked for the F.B.I. reports to help clear up a backlog in security clearances for those needing regular access to the White House. Mr. Marceca, in a sworn deposition made public this week, said he was told how to obtain the lists and how to requisition the files by a longtime employee in the security office.

White House officials have identified that employee as Nancy Gemmell. Reached at her home in Annandale, Va. today, Ms. Gemmell declined to comment.

According to people who know her, Ms. Gemmell has worked in the White House since 1969, and in the security office since the beginning of the Reagan Administration. Mr. Marceca has said he was briefed by Ms. Gemmell just as she was retiring.

The F.B.I. reports were summaries, in a few pages, of the more extensive files kept by the bureau.

A law-enforcement source famil-

iar with the reports said they would typically include checks of arrest records as well as a summary of interviews that agents conduct of people familiar with the person, including neighbors and co-workers. If any derogatory information is included, the report will also contain an agent's efforts to ascertain its truth.

Mr. Marceca said he obtained the files on the list from the letters "A" through "G," and remembered that there was derogatory information only on three people, all low-level workers.

Mr. Marceca's successor at the office, Lisa Wetzel, discovered the list was flawed after the Secret Service had corrected its procedures, White House officials have said. Ms. Wetzel then compiled a list of those who had been improperly included in Mr. Marceca's request, but apparently did not perceive the political significance of the matter.

Since the disclosure last week of the acquisition of the 340 files, the F.B.I. has suspended sharing information with the White House and other executive agencies until it completes its review.

Bureau officials have told Representative William F. Clinger Jr., a Pennsylvania Republican who has complained about the transfer of files, that they will complete their report by Friday.

THE NEW YORK TIMES
WEDNESDAY, JUNE 12, 1996

1ST STORY of Level 1 printed in FULL format.

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The Boston Globe

June 11, 1996, Tuesday, City Edition

SECTION: OP-ED; Pg. 23

LENGTH: 781 words

HEADLINE: The facts behind the latest smear campaign;
THOMAS OLIPHANT

BYLINE: By Thomas Oliphant, Globe Staff

DATELINE: WASHINGTON

BODY:

On June 5, Rep. Bill Clinger - Newt Gingrich's smear man on the caper called Travelgate, a subplot of the farce called Whitewater - was in the highest dudgeon he could summon for the television cameras.

Waving what he claimed was evidence of a White House attempt to use the FBI to sling mud at the Travel Office, the nine-term from Pennsylvania intoned, "This may very well have been a criminal violation of privacy statutes."

Two days later, Clinger couldn't even manage Emily Litella's famous "never mind" from "Saturday Night Live." He simply hid.

In between came one of those episodes that frames the scandal climate here perfectly. "Discovery" produces the charge and the hyped rhetoric that fills the media balloon that is then deflated, setting the stage for the next episode. In this case, the next episode of hype occurred last weekend, when the same non-facts were recycled by Bob Dole's presidential campaign.

What Clinger was waving for the cameras was one of the thousands of pieces of paper over which his House Committee on Reform and Oversight battled the Clinton White House. According to Clinger and a typically stenographic press, the paper "showed" that then-White House Counsel Bernard Nussbaum - in December 1993 - had gone dirt-digging at the FBI on the travel office employees who had been discharged months before.

Nussbaum and the White House said no search for dirt ever took place. That, of course, did not deter the next day's breathless headlines, and neither did the fact that the paper Clinger was waving had Nussbaum's printed name on it, but not his signature.

The facts came the next day. It turns out that Clinger's smear was based on a form letter routinely sent to the FBI by the White House in the process of getting clearances for hundreds of people who work there and hold admittance passes.

It gets better. When George Bush's people left town that January, they had

The Boston Globe, June 11, 1996

taken all White House personnel records with them. Politics aside, most of the people who work there are career employees, even though they serve at a president's pleasure (the famous travel office included); that meant the Clinton folks had to update the files on scores of holdovers.

The task was given to the White House's security office, where an employee on assignment from the Pentagon sent to the FBI a Secret Service list of people holding White House passes.

That list contained more than 300 names, including Bush's most senior aides, Secretary of State James Baker and everybody else down to and including the travel office workers. At the FBI, the response was simply a routing dispatching of the background information it already had; no actual investigating took place.

Back at the White House, the resulting deluge of material went directly to the security office and into its safe.

And that is not just any safe. Just as security officers carefully log movement into and out of the White House, just as there is a record of phone calls, there is an official log recording the flow of that paper.

What it shows is that nobody ever touched the stuff outside of the security people in that office.

Time to rewind. Clinger's accusation was that the White House had improperly and under false pretenses sought and received confidential background material on the travel office workers for political purposes.

On what evidentiary basis did he make that charge? On the basis of a form letter that involved more than 300 people on a Secret Service list.

The deflation of Clinger's smear, however, did not stop Bob Dole. Even as the facts were emerging, Dole escalated the affair into a truly preposterous charge that the White House was in 1993 attempting a dirt-digging expedition against the Bush government.

In response, President Clinton and Chief of Staff Leon Panetta could have recited the above facts and counterattacked. Instead, they apologized to all 300-plus people - and for a commendable reason.

The fact is that the bureaucracy of personal data-gathering - however innocently operated - is mind-bogglingly excessive and contains countless seeds of potential abuse.

The form letters should never have been sent to the FBI. That view reflects the right concern for privacy and civil liberties, concepts a partisan hack like Clinger has been abusing ever since Gingrich came to power.

In today's hothouse climate of political conspiracy, facts are slow to catch up to irresponsible charges, but not so slow that a price isn't being paid.

This is why such a huge portion of the public regularly tells pollsters that Whitewater is mostly partisan politics. Misbehavior like Clinger's and Dole's

only reinforces the suspicion.

LANGUAGE: ENGLISH

LOAD-DATE: June 11, 1996

STATEMENT

Mark D. Fabiani
Special Associate Counsel to the President

June 10, 1996

The attached sworn declaration of Mr. Anthony Marceca was offered to the White House by Mr. Marceca's attorney, Ms. Andrea Marceca. The White House is providing the four-page declaration to members of the media interested in this matter. Mr. David Cohen, the lawyer for White House Personnel Security Office Director Craig Livingstone, obtained the sworn statement from Mr. Marceca on June 9, 1996 and provided it to Mr. Marceca's attorney.

DECLARATION OF ANTHONY MARCECA

I, Anthony Marceca, hereby declare:

1. I make this Declaration based on personal knowledge, of my own volition, and not because of any inducement, promise or threat of any kind.

2. In mid-August 1993, I was detailed from my position as an investigator with the United States Army Criminal Investigative Division to the White House Office of Personnel Security, where I remained until mid-February 1994. At that time I had, and to this day I have, a Top Secret security clearance.

3. One of my assignments at the Office of Personnel Security was to pick up and continue the project of recreating personnel security files on employees and officials from the prior Administration who continued in their positions with the Clinton Administration, as well as others who continued to have a legitimate need for access to the White House complex. It was my understanding that all personnel security files from the prior Administration were sent to the archives during the transition between Administrations. This project was known as the Update Project.

4. Just prior to beginning my duties with the Office of Personnel Security, I was briefed by a long-time employee of the Office who was retiring. She showed me the procedure to follow in performing the Update Project, which consisted of creating a new file folder for "holdover" personnel and others who continued to need access to the White House complex, and ordering a copy of each individual's "Previous Report" (i.e., the individual's prior



background investigation) from the FBI to be placed in his or her file. The employee who was retiring showed me the various lists of names for which personnel security files needed to be recreated. I understood that these computerized lists came from the United States Secret Service.

5. It was my understanding that every person on the lists from which I was working was properly included on the lists because they had a legitimate need for access to the White House complex. I was not told, and I had no reason to believe, that some of the persons on the lists no longer should have been included on the Secret Service's White House access list. By illustration, I recall seeing several former Bush Administration officials, such as [REDACTED], in the White House complex during my detail at the Office of Personnel Security. If I saw [REDACTED] name on the access list, therefore, it would not have struck me as odd.

6. It was not part of my job to determine who should or should not have been on the Secret Service's White House access lists. I was not asked to make any judgments, and I did not make any judgments, as to who should or should not be on those lists.

7. The procedure I employed for the Update Project was as follows. I took a name from the access list, and determined whether the Office of Personnel Security had an existing file on the individual. If there was not a file on the individual in the Office vault, I would prepare a file folder and type a request on a pre-printed, xeroxed form, addressed to the "FBI, Liaison,"

asking for a copy of the individual's Previous Report. I also typed on the form the reason for the request to the FBI, e.g., "ACCESS (S)." I sent the form requesting a Previous Report to the FBI without showing it to anyone else in the Office of Personnel Security. When the Previous Report came into the office, I pulled the file I had created for the individual and reviewed the report to determine the date for the individual's next periodic reinvestigation, and to determine whether there was any information in the individual's Previous Report that could raise a question as to the individual's suitability to have access to the White House complex. In particular, I looked for inconsistencies between the information obtained by the FBI in its background investigation and the information voluntarily provided by the individual in his or her application for federal employment (SF-86). If the information I reviewed did not appear inconsistent, I delivered the file to the investigative assistant in the Office to initiate the process for the issuance of a pass and for filing in the Office vault.

8. As part of my consistent practice for the Update Project, I did not deliver the files or FBI Previous Reports to the head of the Office of Personnel Security, Craig Livingstone. I only delivered files that I created in the course of the Update Project for Mr. Livingstone's review if I discovered what I believed to be inconsistencies in an individual's paperwork.

9. As best I recall, there were only three files that I reviewed in the course of the Update Project that I delivered for

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Mr. Livingstone's review. To the best of my recollection, none of these files were of former high-ranking Bush or Reagan Administration officials, such as [REDACTED]

[REDACTED] My recollection is that one of the individuals involved worked for the General Services Administration, one worked for the telephone company, and one was a grounds keeper.

10. I was not asked to, and I did not seek to, obtain a Previous Report on any person for any reason other than to create a current personnel security file for an individual whom I believed was properly included on the White House access list. When I obtained copies of Previous Reports, I processed each one in accordance with the procedure I describe above, and did not single out any person for special scrutiny or treat any person differently, because of who he or she may have been.

I L.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT. (28 U.S.C. § 1746(2))

EXECUTED ON JUNE 9, 1996.


ANTHONY MARJECA

DECLARATION OF D. CRAIG LIVINGSTONE

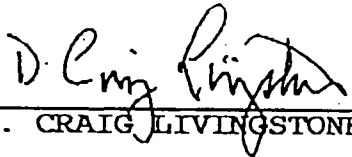
I, D. Craig Livingstone, hereby declare:

1. I make this Declaration based on personal knowledge.
2. I was never asked to obtain, I never instructed anyone to obtain, I never sought myself to obtain, and I never disseminated or asked anyone else to disseminate any information I learned from any FBI background files on any person for any improper purpose whatsoever.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING
IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

(28 U.S.C. § 1746(2))

EXECUTED ON JUNE 14, 1996.



D. CRAIG LIVINGSTONE

STATEMENT OF WILLIAM KENNEDY

During my tenure as Associate Counsel to the President, I can state unequivocally that I never obtained, never directed anyone else to obtain, never disseminated or asked anyone else to disseminate any FBI background information for any person for any improper purpose whatsoever. Further, I have no knowledge of any other person associated with the White House of engaging in any improper use of information from FBI reports.

June 14, 1996