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Folder Title:

FBI - Senate [3]

Staff Office-Individual:

Counsel's Office-Sherburne, Jane

Original OA/ID Number:

CF 396

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

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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001. list	FBI. [partial] (1 page)	06/27/1996	b(7)(C), b(7)(F), b(6)
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COLLECTION:

Clinton Presidential Records
Counsel Office
Jane Sherburne
OA/Box Number: CF 396

FOLDER TITLE:

FBI - Senate [3]

2006-1066-F

vz3596

RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

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

ORRIN G. HATCH, UTAH, CHAIRMAN

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KAREN A. ROSS, Minority Staff Director

United States Senate

COMMITTEE ON THE JUDICIARY
WASHINGTON, DC 20510-8275

August 26, 1996

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

Dear Ms. Sherburne:

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

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

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

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

Sincerely,



Mark R. Disler
Chief Counsel

MRD:db
Enclosure
cc: Cynthia Hogan, Esq.

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

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

UNITED STATES SENATE

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

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

Signature

Printed Name

Office

Date

ORRIN G. HATCH, UTAH, CHAIRMAN

5 J THURMOND, SOUTH CAROLINA
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United States Senate

COMMITTEE ON THE JUDICIARY
WASHINGTON, DC 20510-8275

MARK R. DISLER, Chief Counsel
MAHUR COONEY, Staff Director and Senior Counsel
CYNTHIA C. MORAN, Minority Chief Counsel
KAREN A. ROSS, Minority Staff Director

August 26, 1996

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

Dear Mr. Panetta:

Executive Privilege

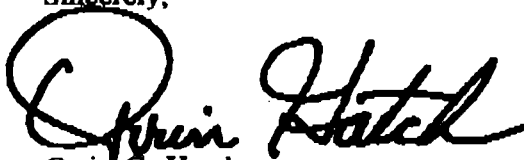
As you know, the Senate Judiciary Committee is investigating the circumstances surrounding the White House's request for, and receipt and handling of the FBI background files of a large number of individuals from former administrations. The Judiciary Committee has held three hearings regarding this matter, and I plan to hold an additional hearing on this subject as well as the White House's communications with the Federal Bureau of Investigation and Department of Justice regarding these matters and its response to Congressional requests for documents and information.

I request that Mr. Jack Quinn, Counsel to the President, and Ms. Jane C. Sherburne, Special Counsel to the President, appear before the Senate Judiciary Committee on September 5, 1996, to respond to questions regarding the White House's involvement in this matter. My staff will contact them regarding the time and location of the hearing in the near future. Please confirm that both Mr. Quinn and Ms. Sherburne will appear before the Committee at this hearing by August 30, 1996. Please also advise me whether Mr. Quinn and Ms. Sherburne are willing to be interviewed by Committee staff before the hearing. If so, my staff will arrange a mutually agreeable time.

In addition, I request that the White House promptly provide the Committee with the documents requested on July 3, and again on July 23, but which have yet to be produced.

Should you have any questions regarding this request, please feel free to contact me or have someone from your staff contact Mark Disler, Chief Counsel, at (202) 224-5225.

Sincerely,



Orrin G. Hatch
Chairman

cc: Senator Joseph R. Biden, Jr.
Ranking Member

WC

THE WHITE HOUSE
WASHINGTON

August 6, 1996

BY FACSIMILE

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

Dear Manus:

Enclosed are proposed document protocols for your consideration. We should be able to produce additional material responsive to the Chairman's request early next week. It would be useful if we could agree on protocols by that time. Please give me (456-5116) or Jim Weber (456-2026) a call when you would like to discuss them.

Sincerely yours,



Jane C. Sherburne
Special Counsel to the President

Enclosure

cc: Cynthia Hogan, Esq. (w/encl)

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

1. DESIGNATION- All documents submitted to the Committee shall be designated either as "confidential" or "confidential and personal". The White House shall make the appropriate designation in consultation with the Chairman and the Ranking Member.

All documents submitted to the Committee by the White House, regardless of designation, shall be considered to be within the confidential business of the Committee for purposes of Paragraph 5 of Rule XXIX of the Standing Rules of the Senate. Any staff member who violates the confidentiality procedures of the Committee shall be immediately subject to sanctions, including removal from employment.

2. ACCESS - Senate staff access will be limited to designated Committee investigative staff, and one (1) designated staff person from each Member of the Committee. No other staff for Members of the Committee, nor any other Senate staff may review the materials without the prior written agreement of the Chairman and Ranking Member. All designated staff shall, as a condition of employment, agree to the conditions set forth in these protocols and shall execute a confidentiality agreement consistent with these protocols. (A form of that agreement is attached.)

3. CUSTODY - The documents will maintained at all times within specially-designated, safe and secure rooms of the Committee office space. Only staff designated pursuant to paragraph two (2) shall be permitted to review the documents. Designated staff may take notes, but may not make copies of documents, or remove them from the secure office space.

4. PUBLIC DISCLOSURE - Documents will not be publicly released. No Member or staff of the Committee shall disclose, in whole or in part or by way of summary, the materials subject to these protocols unless authorized by the Chairman with the concurrence of the ranking Member.

Documents that are publicly available at the time of production to the Committee, or which subsequently become publicly available, or to which public access is provided, will no longer be treated as within the scope of these protocols.

Documents identified as "confidential" may be introduced into the hearing record at public hearings of the Committee on the subject matter of this inquiry. Although any Member may refer to, describe, or characterize the documents described as "confidential and personal" at public hearings of the Committee on the subjects of this inquiry, documents so designated will not be made public by the Committee.

The White House will be available to discuss and consider requests from the Majority or Minority to introduce into the hearing record documents designated "confidential and personal" if there is a compelling need shown for its public release at a hearing.

UNITED STATES SENATE

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

I have read and understand the attached document protocols. I will abide by those protocols and maintain the confidentiality of all materials and information of which I become aware related to the above referenced matter. I understand I will be subject to sanctions, including removal from employment, if I disclose confidential information or materials.

_____ (Signature)
_____ (Printed Name)
_____ (Social Security #)
_____ (Date)

THE WHITE HOUSE

WASHINGTON

July 30, 1996

BY FACSIMILE

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

Dear Manus:

Thank you for your letter of July, 23 1996 confirming and elaborating on the agreements and discussion from our July 11, 1996 meeting. I believe with the clarifications you have provided we can move quickly to respond to many of the Chairman's requests. As we explained in our meeting, however, the Independent Counsel requested that we secure the Office of Personnel Security and the room in which the Office of Records Management maintains records archived from OPS. As a result, many of the records that may be responsive to your requests have been unavailable for review.

The Independent Counsel recently has permitted access to the records in ORM and we have begun the process of reviewing those records for material requested by the Chairman. Responsive documents will be provided to you as soon as possible. However, the documents in OPS remain unavailable to us.

With respect to the Chairman's requests for documents related to the Personal Data Statement Questionnaire, you misunderstood if you thought we were refusing to provide this material without an explanation of the Committee's jurisdictional interest. Rather, we asked you to articulate the basis for the Senate Judiciary Committee's inquiry into the questions this White House asks of its employees who serve entirely at the pleasure of the President.

Mr. Chris Emery, who I assume you have in mind when you refer to the premature updating of career employees' FBI background investigations, was not a career employee. Rather, he was an employee appointed under Title 3 of the United States Code. Further, we understand that his reinvestigation was requested in 1993 because records provided to the White House by the FBI omitted information that Mr. Emery had been reinvestigated in 1991. When this error was discovered, Mr. Emery was not reinvestigated in 1993.

Manus Cooney, Esq.
July 30, 1996
Page 2

I apologize for any impression we may have left with you that we would not provide documents to the Committee related to the President's invocation of executive privilege over certain documents subpoenaed by the House Government Reform and Oversight Committee. Although we did ask that you explain the Committee's jurisdiction to investigate White House compliance with a subpoena issued by the other body of Congress, we already have provided you with documents that describe the history of the invocation. In addition, I am enclosing with this letter a description we provided Chairman Clinger of the circumstances under which we located and produced the Billy Dale FBI file and related request to the FBI for Mr. Dale's previous reports. Please let me know if you need anything further in connection with this request.

Likewise, we have not refused to assist you in locating potential witnesses. Indeed, we have been providing such information and will continue to do so. However, you did agree to provide a description of the subject matter about which you intended to question these witnesses and the jurisdictional basis for the particular inquiry.

Finally, we cannot retrieve e-mails spanning the time period you have identified -- September 1993 through December 1995 -- in anything short of several months at a cost of well over \$200,000. At a minimum, we suggest that you identify the weeks you consider a priority.

As you know, the Committee's requests for documents are extensive. We already have provided a number of documents to the Committee and we are diligently working to provide additional responsive documents as soon as possible.

Please give me a call if you have any questions.

Sincerely yours,



Jane C. Sherburne
Special Counsel to the President

Enclosure
cc: Cynthia Hogan, Esq. (w/encl)

ORRIN G. HATCH, UTAH, CHAIRMAN

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 KAREN A. ROBB, *Minority Staff Director*

United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

July 23, 1996

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

Dear Ms. Sherburne:

Chairman Orrin Hatch transmitted a letter to Chief of Staff Leon Panetta dated July 3, 1996 requesting information and documents related to the acquisition by the White House of personal information and background reports on several hundred individuals. The letter requests these documents be made available to the Senate Judiciary Committee no later than July 12, 1996. In an attempt to accomodate your request for guidance, committee staff met with you and other representatives of the White House on July 11, 1996. To date, only portions of Chairman Hatch's request have been complied with. Hopefully, this letter can be of some assistance in your effort to comply with his request.

At the outset, allow me to respond to your objections to questions (P), (Q) and (R) which relate to the White House "Personal Data Statement Questionnaire" and the assertion of executive privilege over certain documents subpoenaed by the House of Representatives. It is your position that the White House is under no obligation to provide the Committee with the documents requested in these particular questions. The Chairman does not share your view. Rather, he believes the Committee has a legitimate interest in this material such that in the absence of an assertion of privilege the White House must provide it. Accordingly, I trust the White House will either produce the responsive documents or indicate the basis on which it refuses to do so.

As you know, the White House has acknowledged that FBI background files were improperly obtained by the White House on an enormous number of individuals, many of whom were high ranking officials from former Administrations and from the opposite political party of the President. The number of files sought was apparently greater than 900, and we have received no assurance that all improperly obtained files have been identified. For almost a month, executive privilege was invoked over a document that eventually, when provided to Congress, led to the Administration's disclosure of this massive invasion of privacy.

The improper obtaining of these files took place at the same time as the White House apparently was updating some career employees' FBI prior background investigations prematurely and seeking other sensitive information from these career employees that had never before been requested of them and that the First Amendment arguably bars the White House from requesting. It also took place at the same time as the White House had an unusually large backlog of uncleared appointees of the new Administration whose FBI background investigations had apparently either not been initiated, or not been fully adjudicated. Chairman Hatch is seeking the requested material in order to assist with the Committee's investigation of these matters. Among other grounds, the Committee's interest

in these matters stems from its oversight jurisdiction over the Department of Justice and the Federal Bureau of Investigation, and its legislative responsibilities with respect to civil liberties, government information, and civil and criminal proceedings. In that regard, the Committee clearly has jurisdiction to inquire whether the White House improperly invoked executive privilege in order to conceal the request for and receipt of background summaries.

More specifically, the existing Executive Branch procedures for responding to Congressional requests for information were implemented by President Reagan in 1982 and, according to White House Counsel Jack Quinn, adopted by President Clinton (See, Letter from White House Counsel Jack Quinn to Congressman William Clinger, May 8, 1996, page 5). These procedures provide that it is the policy of the Executive Branch to "comply with Congressional requests for information to the fullest extent consistent with the constitutional and statutory obligations of the Executive Branch." (Presidential Memorandum to the Heads of Executive Departments and Agencies, November 4, 1982.) It has long been the Executive Branch's legal position that it has a legal obligation to provide information which Congress requests in appropriate instances. 5 Op. Off. Leg. Coun. 27 (1981); 4B Op. Off. Leg. Coun. 627 (1980). Accordingly, it is my reading that, absent the assertion of a privilege or some other legal justification, the White House is obligated to provide the documents requested by the Committee.

have refused to provide anything
You have also refused to provide these documents to the committee citing the Judiciary Committee's lack of jurisdiction over these particular issues. Indeed, the White House Counsel's Office recently notified Committee staff that it would not cooperate in providing White House witnesses for interviews until "jurisdictional justification" for individual witnesses is satisfied. Committee staff has previously provided your office with a list of possible Executive Branch witnesses. The "jurisdictional justification" for interviewing each of these witnesses is that the Committee has reason to believe that each of them may have information that would advance its investigation. *11/11/82 states request*

As outlined above, the White House is obligated to provide Congress with information related to incidents surrounding its unauthorized acquisition, use, and handling personal background summaries. Although the Executive Branch has no standing to question the jurisdiction of a particular Senate Committee, I want to respond to your suggestion that the Judiciary Committee does not retain jurisdiction over these matters. Senate Rule 25 provides that the Judiciary Committee has jurisdiction over all matters related to government information, civil liberties, and revision and codification of the statutes of the United States. As well, the Committee has always had primary oversight and legislative jurisdiction over the Department of Justice - which played a significant role with respect to the executive privilege matter - and its respective agencies, of which the FBI is one.

With respect to your inquiry regarding the scope of material requested in questions (5) and (D) on page 2, I want to reiterate what you were told during our meeting: namely, that the Committee never intended that personal information contained, or collected, with respect to the completion of an SF-86 form or personal data statement questionnaire be considered within their scope. Accordingly, all requests for documents do not encompass any SF-86 form or similar background check form. Personal background matters should be redacted from all other documents related to background-check follow-up communications and personal data statement questionnaires. We do appreciate, however,

your willingness to construe broadly the Committee's document request, and we hope that you will follow through on that approach to the Committee's letter.

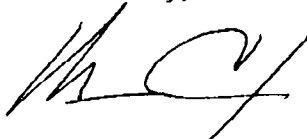
In addition, we agreed to honor your request that, with respect to question (D), that the White House not be required to conduct another, duplicative search for documents already requested and provided to the House Government Reform and Oversight Committee. Accordingly, copies of documents previously provided to the House committee pursuant to a request that is substantively similar to question (D), will suffice. You agreed, however, that the White House would search for information that was not the subject of the House request and that a search of the files of those individuals who were not covered by the House request would be conducted (i.e., David Watkins, Christine Varney, etc.).

With respect to the issue of e-mail retrieval, I appreciate the difficulty the White House has had in complying with previous requests from other committees. You have requested that the Committee provide you with a limited number of names during specific time periods in order to more efficiently comply with our e-mail request. Accordingly, the Committee requests all responsive e-mails to or from those individuals listed in question (D) of Sen. Hatch's July 3 letter for the period commencing September 1, 1993, and ending December 31, 1995.

With respect to question (S) relating to the White House computer system, I agreed that this particular inquiry could be deferred until the search for other documents requested by the Committee has been completed.

I hope that this settles any questions that you might have had with respect to Sen. Hatch's July 3 letter. As you know, the Committee is seeking to complete its work as expeditiously as possible. Our original deadline for production has passed. It is necessary that the Committee receive these documents no later than July 29, 1996. Your continued assistance in this important matter is appreciated.

Sincerely,



Manus Cooney
Staff Director & Senior Counsel

MC: mcm

cc: Cynthia Hogan
Minority Chief Counsel

This is the Senate list;
 the handwritten
 identification is Kelli Mc

LAST NAME	FIRST NAME, MI.	HQGI	DATE RECEIVED	DATE SENT	OFFIC	CATEGORY
French	Cooper, M. - GSA	I	17-Mar-93	22-Mar-93	WH	S
Bischof	Mivictoria - GSA	X	29-Mar-93	14-Jun-93	WH	A
Bartlett	Herbert - GSA	I	02-Apr-93	02-Apr-93	WH	A
Lowry	James. A. - GSA	I	02-Apr-93	02-Apr-93	WH	A
Posey	Frank, R. - GSA	I	02-Apr-93	02-Apr-93	WH	A
Toyer	William, E. - GSA	I	02-Apr-93	02-Apr-93	WH	A
Formeman	Clifton	I	05-Apr-93	05-Apr-93	WH	A
Brown	Emmet, R.	I	07-Apr-93	07-Apr-93	WH	A
Granados	Juan, R. - GSA	I	07-Apr-93	07-Apr-93	WH	A
Krause	Walter, G. - GSA	X	07-Apr-93	07-Apr-93	WH	A
Nash	Robert, L.	X	07-Apr-93	07-Apr-93	WH	A
Pistorio	Joseph - GSA	I	07-Apr-93	07-Apr-93	WH	A
Riley	Jeffrey, L. - WH	I	08-Apr-93	16-Apr-93	WH	S
Imes	William, S. - GSA	I	09-Apr-93	09-Apr-93	WH	A
Swann	Wilbert, L. - GSA	I	09-Apr-93	09-Apr-93	WH	A
Daigle	Sandra, F.	I	12-Apr-93	12-Apr-93	WH	S
Williams	Alice, T.	I	12-Apr-93	12-Apr-93	WH	S
Woolston	Ann, E.	I	12-Apr-93	14-Apr-93	WH	S
Harris	Delores, A. - GSA	X	15-Apr-93	15-Apr-93	WH	A
Shea	Thomas, J. - GSA	X	15-Apr-93	15-Apr-93	WH	A
Chappelear	Thomas - GSA	X	21-Apr-93	21-Apr-93	WH	A
Focht	Theodore	X	21-Apr-93	21-Apr-93	WH	A
Nash	Robert, L.	I	29-Apr-93	05-May-93	WH	A
Hopcroft	John E.	I	02-Jun-93	04-Jun-93	WH	S
Zare	Richard N.	I	02-Jun-93	11-Aug-93	WH	PA
Smith	Matthew D.	I	29-Jul-93	09-Sep-93	WH	A
Warfield	Agnes C.	I	29-Jul-93	04-Aug-93	WH	A
Weinmann	John G.	I	29-Jul-93	04-Aug-93	WH	A
Whitehead	John C.	I	29-Jul-93	04-Aug-93	WH	A
Cleary	Philip, P. - NPS	I	30-Jul-93	04-Aug-93	WH	A
Dufane	Stanley L. - NPS	I	30-Jul-93	04-Aug-93	WH	A
Dyson	James K.	I	30-Jul-93	04-Aug-93	WH	A
Eiland	Jonnie L.	I	30-Jul-93	04-Aug-93	WH	A
Feeney	Charles W. - NPS	I	30-Jul-93	04-Aug-93	WH	A
Haney	Dale F. - NPS	I	30-Jul-93	04-Aug-93	WH	A
Lawn	Michael D. - NPS	I	30-Jul-93	04-Aug-93	WH	A
McDaniel	James I. - NPS	I	30-Jul-93	04-Aug-93	WH	A
Parrotte	Willis R. - NPS	I	30-Jul-93	11-Aug-93	WH	A
Roberts	Kitty L.	I	30-Jul-93	04-Aug-93	WH	A
Schneider	Ludwig A.	I	30-Jul-93	04-Aug-93	WH	A
Summerlin	Michael T. - NPS	I	30-Jul-93	04-Aug-93	WH	A
Tennyson	Kevin W. - NPS	I	30-Jul-93	04-Aug-93	WH	A
Thomas	Edward A. - NPS	I	30-Jul-93	04-Aug-93	WH	A
Thomas	Harold W. - NPS	I	30-Jul-93	04-Aug-93	WH	A
Wallington	Alexander	I	30-Jul-93	04-Aug-93	WH	A
Wedge	William J. - NPS	I	30-Jul-93	04-Aug-93	WH	A
Whiting	Samuel P.	I	30-Jul-93	04-Aug-93	WH	A
Williams	Irvin M.	I	30-Jul-93	04-Aug-93	WH	A
Wise	John O. - NPS	I	30-Jul-93	04-Aug-93	WH	A

Anderson	Richard, E.	I	02-Aug-93	05-Aug-93	WH	A
Baker	Jane, E.	I	02-Aug-93	09-Aug-93	WH	S
Bakke	Kyle, D.	I	02-Aug-93	08-Sep-93	WH	S
Banks	Charlie, W.	I	02-Aug-93	09-Aug-93	WH	A
Brown	Gregory, P. - AT&T	I	02-Aug-93	09-Aug-93	WH	A
Dudley	Edward G.	I	02-Aug-93	09-Aug-93	WH	A
George	Christopher L.	I	02-Aug-93	09-Aug-93	WH	S
Green	Wanda R. - AT&T	I	02-Aug-93	05-Aug-93	WH	A
Hamilton	Walter L.	I	02-Aug-93	09-Aug-93	WH	A
Harris	Claudia M.	I	02-Aug-93	09-Aug-93	WH	A
Hartge	Joseph E.	I	02-Aug-93	09-Aug-93	WH	A
Hennessy	Linda G.	I	02-Aug-93	09-Aug-93	WH	A
Johnson-Whi	Paula C.	I	02-Aug-93	09-Aug-93	WH	A
Jones	Robert C.	I	02-Aug-93	09-Aug-93	WH	A
Kerr	Andrew S.	I	02-Aug-93	09-Aug-93	WH	S
Little	Stephen C. - AT&T	I	02-Aug-93	26-Jan-94	WH	A
Orfield	Jerry R. - AT&T	I	02-Aug-93	09-Aug-93	WH	A
Shipp	Dennis C.	I	02-Aug-93	09-Aug-93	WH	A
Simpson	Robert M. - AT&T	I	02-Aug-93	09-Aug-93	WH	A
Vance	Thomas B.	I	02-Aug-93	09-Aug-93	WH	A
Vandevande	Ronald L.	I	02-Aug-93	09-Aug-93	WH	A
Carter	Tommy, J.	I	03-Aug-93	09-Aug-93	WH	A
Dean	Bernice E. - C&P	I	03-Aug-93	09-Aug-93	WH	A
Edwards	William K.	I	03-Aug-93	09-Aug-93	WH	A
Hegedus	Andrew C.	I	03-Aug-93	09-Aug-93	WH	A
Kunysz	Joseph D.	I	03-Aug-93	20-Aug-93	WH	A
Kunysz	Barbara J.	I	03-Aug-93	20-Aug-93	WH	A
Little	Richard	I	03-Aug-93	09-Aug-93	WH	A
Rodman	Carl E. - C&P	I	03-Aug-93	09-Aug-93	WH	A
Sewell	Homer N.	I	03-Aug-93	09-Aug-93	WH	A
Shaffer	Ralph E.	I	03-Aug-93	09-Aug-93	WH	A
Talley	Milton R. - C&P	X	03-Aug-93	27-Aug-93	WH	A
Brown	Ennis, W.	I	04-Aug-93	09-Aug-93	WH	A
Gibbons	Doris M.	I	04-Aug-93	06-Aug-93	WH	A
Heinz	Edward J.	I	04-Aug-93	09-Sep-93	WH	A
Lackman	William F., Jr.	I	04-Aug-93	27-Aug-93	WH	A
Rhea	Daniel M.	X	04-Aug-93	09-Sep-93	WH	A
Showers	Wendy W. - WH	I	04-Aug-93	13-Aug-93	WH	S
Studeman	William O.	X	04-Aug-93	15-Apr-93	WH	A
Taylor	James H.	X	04-Aug-93	09-Sep-93	WH	A
Wood	C. Norman	I	04-Aug-93	13-Aug-93	WH	A
Collins	Laura, J.	I	05-Aug-93	10-Aug-93	WH	A
Dirolf	Elma S.	I	05-Aug-93	10-Aug-93	WH	A
Dumm	Claudia A.	I	05-Aug-93	10-Aug-93	WH	A
Greenhalgh	Dorothy A.	I	05-Aug-93	09-Sep-93	WH	A
Guton	Elizabeth R.	I	05-Aug-93	13-Aug-93	WH	A
Horel	Anne C. - WUSA	I	05-Aug-93	10-Aug-93	WH	A
Leander	Mary S.	I	05-Aug-93	17-Aug-93	WH	A
Mirabella	Kathy	I	05-Aug-93	11-Aug-93	WH	A
Olcott	Ellen E.	I	05-Aug-93	19-Aug-93	WH	A
Rogers	Linda M.	I	05-Aug-93	11-Aug-93	WH	A

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. list	FBI. [partial] (1 page)	06/27/1996	b(7)(C), b(7)(F), b(6)

COLLECTION:

Clinton Presidential Records
Counsel Office
Jane Sherburne
OA/Box Number: CF 396

FOLDER TITLE:

FBI - Senate [3]

2006-1066-F

vz3596

RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

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

Round	Elizabeth A.	
Suntum	Margaret M.	
Balod	Patria, G. - WH Credit Union	
Cohrsen	Noah, P. - WH Credit Union	
Conolin	Jenny M.	
Ecle	Lerma D.	
Esmedia	Magdalena L.	
Ghaffouri	Shahrokh A. - WH Credit Union	
Harding	Teresa L.	
Henderson	Frank R.	
Kruchesky	Illa L. - WH Credit Union	
Lay	Ang S. - WH Credit Union	
Portanova	Lucia - WH Credit Union	X
Rogers	James R.	
Scamihorn	Marsha L.	
Smith	Edith M.	
Taylor	Joseph L.	
White	Sandra F.	
Williams	Cynthia B.	
Windsor	Barbara A. - WH Credit Union	
Ambrose	Douglas, R.	
Aldrich	Gary, W. FBI	

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

Sculimbrene M. Dennis - FBI

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

Ayer	Donald, B.	
Bracken	Frank, A.	
Covitz	Carl D.	
Ferguson	Rogers L.	
Jeremiah	David E.	X
Kearns	David T.	
Moley	Kevin E.	
Roman	Alfonso M.	

05-Aug-93	13-Aug-93	WH	A
05-Aug-93	11-Aug-93	WH	A
06-Aug-93	19-Aug-93	WH	A
06-Aug-93	18-Aug-93	WH	A
06-Aug-93	17-Aug-93	WH	A
06-Aug-93	18-Aug-93	WH	A
06-Aug-93	19-Aug-93	WH	A
06-Aug-93	18-Aug-93	WH	A
06-Aug-93	18-Aug-93	WH	A
06-Aug-93	13-Aug-93	WH	A
06-Aug-93	18-Aug-93	WH	A
06-Aug-93	18-Aug-93	WH	A
06-Aug-93	17-Aug-93	WH	A
06-Aug-93	20-Aug-93	WH	A
06-Aug-93	19-Aug-93	WH	A
06-Aug-93	17-Aug-93	WH	A
06-Aug-93	25-Aug-93	WH	A
06-Aug-93	19-Aug-93	WH	A
06-Aug-93	17-Aug-93	WH	A
06-Aug-93	19-Aug-93	WH	A
06-Aug-93	18-Aug-93	WH	A
09-Aug-93	16-Aug-93	WH	A
09-Aug-93	17-Aug-93	WH	A
09-Aug-93	11-Aug-93	WH	S
09-Aug-93	18-Aug-93	WH	A
09-Aug-93	16-Aug-93	WH	A
09-Aug-93	17-Aug-93	WH	A
09-Aug-93	11-Aug-93	WH	S
09-Aug-93	19-Aug-93	WH	A
09-Aug-93	09-Sep-93	WH	S
09-Aug-93	29-Sep-93	WH	A
09-Aug-93	24-Aug-93	WH	A
09-Aug-93	11-Aug-93	WH	S
09-Aug-93	01-Oct-93	WH	A
09-Aug-93	16-Aug-93	WH	A
09-Aug-93	13-Aug-93	WH	A
09-Aug-93	24-Aug-93	WH	A
09-Aug-93	26-Aug-93	WH	A
09-Aug-93	02-Dec-93	WH	A
09-Aug-93	10-Aug-93	WH	S
09-Aug-93	17-Aug-93	WH	A
09-Aug-93	13-Aug-93	WH	A
09-Aug-93	17-Aug-93	WH	A
10-Aug-93	19-Aug-93	WH	A
10-Aug-93	11-Aug-93	WH	A
10-Aug-93	16-Aug-93	WH	A
10-Aug-93	11-Aug-93	WH	A
10-Aug-93	17-Aug-93	WH	A
10-Aug-93	20-Aug-93	WH	A
10-Aug-93	24-Sep-93	WH	A
10-Aug-93	10-Aug-93	WH	A

[001]

Romaniello	Eugene		10-Aug-93	13-Aug-93	WH	A
Roskens	Ronald W.		10-Aug-93	13-Aug-93	WH	A
Spurlock	Delbert L., Jr.		10-Aug-93	11-Aug-93	WH	A
GSA Anderson	John, D.		11-Aug-93	19-Aug-93	WH	A
? Anderson	Ellis, A. - GSA		11-Aug-93	16-Aug-93	WH	A
Asberry	Hosea, Jr.		11-Aug-93	18-Aug-93	WH	A
Bagley	Shelton, R. GSA		11-Aug-93	16-Aug-93	WH	A
Bailey	Shirley, D. GSA		11-Aug-93	16-Aug-93	WH	A
Baker	Sarah, L.		11-Aug-93	16-Aug-93	WH	A
Ballard	Patricia, K.		11-Aug-93	20-Aug-93	WH	A
Baril,	Michael, P. GSA		11-Aug-93	19-Aug-93	WH	A
Barnes	Joan, M. GSA		11-Aug-93	19-Aug-93	WH	A
Barnett	Edward GSA	X	11-Aug-93	13-Aug-93	WH	A
Barnhart	Roosevelt GSA		11-Aug-93	16-Aug-93	WH	A
Bartlett	Herbert, H. GSA		11-Aug-93	16-Aug-93	WH	A
Beers	James, E. GSA		11-Aug-93	16-Aug-93	WH	A
Bell	James, G. GSA		11-Aug-93	16-Aug-93	WH	A
Berry	Eric GSA		11-Aug-93	16-Aug-93	WH	A
Johnson	James M.		11-Aug-93	11-Aug-93	WH	S
Boozer	Debra A. GSA	X	12-Aug-93	23-Aug-93	WH	A
Briscoe	Cecil, L.		12-Aug-93	18-Aug-93	WH	A
Briscoe	James, E. Jr. GSA		12-Aug-93	24-Aug-93	WH	A
Brooks	John, H.		12-Aug-93	18-Aug-93	WH	A
Brown	Cornwell, M. GSA		12-Aug-93	17-Aug-93	WH	A
Brown	Steven, L. GSA		12-Aug-93	18-Aug-93	WH	A
Brown	James		12-Aug-93	16-Aug-93	WH	A
Brown	Emmett, R.		12-Aug-93	17-Aug-93	WH	A
Burch	Mary, L.		12-Aug-93	18-Aug-93	WH	A
Butler	Lisa GSA		12-Aug-93	16-Aug-93	WH	A
Butler	Renea, A. GSA		12-Aug-93	18-Aug-93	WH	A
Canales	Jose, J. GSA		12-Aug-93	16-Aug-93	WH	A
Carter	Russell, E. GSA		12-Aug-93	18-Aug-93	WH	A
Casanova	Bayani, G.		12-Aug-93	19-Aug-93	WH	A
Caton	Roland, H. GSA		12-Aug-93	18-Aug-93	WH	A
Chappelear	Thomas, L. GSA		12-Aug-93	09-Sep-93	WH	A
Argarrin	Jocelyn		13-Aug-93	13-Aug-93	WH	S
Cobbs	Mary, B. GSA		13-Aug-93	16-Aug-93	WH	A
Cobbs	William, N. GSA		13-Aug-93	18-Aug-93	WH	A
Cobey	Lawanda, A. GSA		13-Aug-93	16-Aug-93	WH	A
Cobey	Terri, L. GSA		13-Aug-93	18-Aug-93	WH	A
Craig	Bernard J.		13-Aug-93	17-Aug-93	WH	A
Curley	Alease S.		13-Aug-93	18-Aug-93	WH	A
Davis	Ethel A.		13-Aug-93	16-Aug-93	WH	A
Davis	Reba H.		13-Aug-93	19-Aug-93	WH	A
Davis	Arlene P.		13-Aug-93	24-Aug-93	WH	A
Davis	Carrie L.		13-Aug-93	16-Aug-93	WH	A
Dawkins	Calvin GSA		13-Aug-93	24-Mar-94	WH	A
Deese	William E., Sr. GSA		13-Aug-93	19-Aug-93	WH	A
Blackwell	Virginia, M. DE		16-Aug-93	16-Aug-93	WH	A
Dehart	Michael E. GSA		17-Aug-93	19-Aug-93	WH	A
Dietz	William D. GSA		17-Aug-93	25-Aug-93	WH	A

Diguiseppa	Richard W.	I	17-Aug-93	25-Aug-93	WH	A
Dixon	Viola E.	I	17-Aug-93	25-Aug-93	WH	A
Douglass	John S. GSA	I	17-Aug-93	20-Aug-93	WH	A
Downes	Lawrence C. GSA	I	17-Aug-93	19-Aug-93	WH	A
Downs	Ingried M. GSA	X	17-Aug-93	08-Feb-94	WH	A
Dunnington	Janet L. GSA	I	17-Aug-93	19-Aug-93	WH	A
Edeson	Jean R.	I	17-Aug-93	25-Aug-93	WH	A
Estevez	James W. GSA	I	17-Aug-93	19-Aug-93	WH	A
Fisher	James R. GSA	I	17-Aug-93	20-Aug-93	WH	A
Fletcher	Debra A.	I	17-Aug-93	15-Apr-94	WH	A
Flower Fowler	Robert A. GSA	I	17-Aug-93	20-Aug-93	WH	A
Focht	Theodore J.	I	17-Aug-93	10-Sep-93	WH	A
Foglè	Joe L.	I	17-Aug-93	19-Aug-93	WH	A
Foreman	Clifton L.	I	17-Aug-93	19-Aug-93	WH	A
Gorski	Stanley, P. Jr.	X	03-Sep-93	08-Sep-93	WH	A
Davis	James	I	09-Sep-93	21-Mar-94	WH	S
Reynolds	Cheryl, A.	I	22-Oct-93	03-Nov-93	WH	S
Francis	Andrew, J.	I	29-Oct-93	03-Nov-93	WH	A
Gamble	Alice, M.	I	29-Oct-93	05-Nov-93	WH	A
Gardner	Craig J.	I	29-Oct-93	12-Nov-93	WH	A
Garner	Sonja, H.	I	29-Oct-93	04-Nov-93	WH	A
Garrett	Charles, H.	I	29-Oct-93	05-Nov-93	WH	A
Geter	Thelma, D.	I	29-Oct-93	05-Nov-93	WH	A
Gibson	Fannie	I	29-Oct-93	03-Nov-93	WH	A
Gilbert	Michael, L.	I	29-Oct-93	03-Nov-93	WH	A
Gillespie	Reves, L.	I	29-Oct-93	08-Nov-93	WH	A
Grace	Kenneth, E.	I	29-Oct-93	03-Nov-93	WH	A
Granados	Juan, R.	I	29-Oct-93	12-Nov-93	WH	A
Graves	Eula, D.	I	29-Oct-93	05-Nov-93	WH	A
Green	Galen, H.	I	29-Oct-93	03-Nov-93	WH	A
Green	Kenneth, J.	I	29-Oct-93	03-Nov-93	WH	A
Green	Eva, H.	I	29-Oct-93	05-Nov-93	WH	A
Green	Annie, M.	I	29-Oct-93	04-Nov-93	WH	A
Greenwell	Mildred, E.	I	29-Oct-93	04-Nov-93	WH	A
Hall	Cleo, E.	I	29-Oct-93	03-Nov-93	WH	A
Hall	Richard, L.	I	29-Oct-93	03-Nov-93	WH	A
Hampton	Edward, A.	I	29-Oct-93	03-Nov-93	WH	A
Handeland	Larry, E.	I	29-Oct-93	05-Nov-93	WH	A
Harling	Sallie, I.	I	29-Oct-93	17-Nov-93	WH	A
Harman	Michael, E.	I	29-Oct-93	05-Nov-93	WH	A
Harris	Delores, A.	I	29-Oct-93	03-Nov-93	WH	A
Harris	Rosco	I	29-Oct-93	04-Nov-93	WH	A
Hash	Robert, L.	I	03-Nov-93	05-Nov-93	WH	A
Hawkins	Gladys, B.	I	03-Nov-93	13-Apr-94	WH	A
Hays	Richard, P.	I	03-Nov-93	03-Dec-93	WH	A
Head	Mary, L.	I	03-Nov-93	05-Nov-93	WH	A
Heard	Clayton, L.	I	03-Nov-93	08-Nov-93	WH	A
Herr	Charles, F.	I	03-Nov-93	08-Nov-93	WH	A
Hill	Mildred, J.	I	03-Nov-93	08-Nov-93	WH	A
Hilliard	Loyce	I	03-Nov-93	08-Nov-93	WH	A
Holman	Arthur, J.	I	03-Nov-93	05-Nov-93	WH	A

Honemond	Claria, E.		03-Nov-93	05-Nov-93	WH	A
Hood	Luvenia, P.		03-Nov-93	08-Nov-93	WH	A
Howe	Morris, E.		03-Nov-93	05-Nov-93	WH	A
Hudley	Cornelious		03-Nov-93	05-Nov-93	WH	A
Imes	William, L.		03-Nov-93	05-Nov-93	WH	A
Isom	Daryl, C.		03-Nov-93	10-Nov-93	WH	A
Isom	Charles, C.		03-Nov-93	05-Nov-93	WH	A
Jackson	Cynthia, D.		03-Nov-93	09-Nov-93	WH	A
Jackson	Darrell, C.		03-Nov-93	12-Nov-93	WH	A
Jackson	Raymond, G.		03-Nov-93	05-Nov-93	WH	A
Jackson	Betty, L.		03-Nov-93	10-Nov-93	WH	A
Johnson	Celestine, C.		03-Nov-93	07-Dec-93	WH	A
Johnson	Rogenia, T.		03-Nov-93	08-Nov-93	WH	A
Johnson	Airel		03-Nov-93	05-Nov-93	WH	A
Johnson	Barbara, J.		03-Nov-93	08-Nov-93	WH	A
Johnson	Selena, V.		03-Nov-93	08-Nov-93	WH	A
Jones	William		03-Nov-93	05-Nov-93	WH	A
Jones	Harold, J.		03-Nov-93	10-Nov-93	WH	A
Jones	Margaret, M.		03-Nov-93	10-Nov-93	WH	A
Julian	Dominador, T.		03-Nov-93	05-Nov-93	WH	A
Keel	Mildred, C.		03-Nov-93	05-Nov-93	WH	A
Kellerman	Edward, F.		03-Nov-93	08-Nov-93	WH	A
Kelly	Joseph, L.		03-Nov-93	10-Nov-93	WH	A
Kennedy	Thomas		03-Nov-93	06-Dec-93	WH	A
Kilgo	Deloris, J.		03-Nov-93	10-Nov-93	WH	A
Kinsman	Linda, R.		03-Nov-93	08-Nov-93	WH	A
Kitchings	Maxine, C.		03-Nov-93	09-Nov-93	WH	A
Krause	Walter, G.		03-Nov-93	05-Nov-96	WH	A
Lagana	Joseph, S.		03-Nov-93	10-Nov-93	WH	A
Lamar	Patricia, A.		03-Nov-93	05-Nov-93	WH	A
Landis	Allan, L.		03-Nov-93	05-Nov-93	WH	A
Langley	Agnes, L.		03-Nov-93	08-Nov-93	WH	A
Lattimore	Bessie, M.		03-Nov-93	09-Nov-93	WH	A
Leacraft	Mattie, O.		03-Nov-93	08-Nov-93	WH	A
Lee	Dora		03-Nov-93	05-Nov-93	WH	A
Lines	William, F.		03-Nov-93	05-Nov-93	WH	A
Littleton	Raymond, T.		03-Nov-93	10-Nov-93	WH	A
Los	Mark, D.		03-Nov-93	10-Nov-93	WH	A
Lowery	James, A.		03-Nov-93	12-Nov-93	WH	A
Roberts	William, E.		03-Nov-93	05-Nov-93	WH	S
Tipton	Elizabeth, J.		04-Nov-93	15-Nov-93	WH	A
Yound	Patricia, L.		05-Nov-93	05-Nov-93	WH	S
Thorne	Tina, A.		08-Nov-93	16-Nov-93	WH	S
Davis	Samuel		09-Nov-93	12-Nov-93	WH	S
Lindsay	Nicole, R.		09-Nov-93	12-Nov-93	WH	A
Lewandowsk	Timothy, W.		10-Nov-93	06-Dec-93	WH	A
Marsh	John, C.		10-Nov-93	23-Nov-93	WH	A
Martinez	Thomas		10-Nov-93	16-Nov-93	WH	A
Matthews	Arthur, S.		10-Nov-93	15-Feb-94	WH	A
McCauley	Dean, W.		10-Nov-93	15-Nov-93	WH	A
McCray	Fredrick, H.		10-Nov-93	15-Nov-93	WH	A

McCready	John, B.	10-Nov-93	16-Nov-93	WH	A	
McGee	Thelma	10-Nov-93	23-Nov-93	WH	A	
Mcintyre	Robert, L.	10-Nov-93	12-Nov-93	WH	A	
McKenzie	Bertha, R.	10-Nov-93	12-Nov-93	WH	A	
McKenzie	Owen, C.	10-Nov-93	19-Nov-93	WH	A	
McKnight	John, H.	10-Nov-93	15-Nov-93	WH	A	
McKnight	Estella	10-Nov-93	16-Nov-93	WH	A	
Means	Cornella, J.	10-Nov-93	15-Nov-93	WH	A	
Merritt	Oscar, W.	10-Nov-93	12-Nov-93	WH	A	
Miller	Jason, D.W.	10-Nov-93	15-Nov-93	WH	A	
Mitrione	Vito	10-Nov-93	15-Nov-93	WH	A	
Monroe	Delores, A.	10-Nov-93	12-Nov-93	WH	A	
Moore	Leatha, M.	10-Nov-93	15-Nov-93	WH	A	
Morris	Jeter, A.	10-Nov-93	15-Nov-93	WH	A	
Morris	Joseph, B.	10-Nov-93	17-Nov-93	WH	A	
Moy	Lawrence, D.	10-Nov-93	12-Nov-93	WH	A	
Munck	Scott, A.	10-Nov-93	16-Nov-93	WH	A	
Myers	Joseph, D.	10-Nov-93	15-Nov-93	WH	A	
Nell	Kenneth, W.	10-Nov-93	16-Nov-93	WH	A	
Nelson	Sylvia	10-Nov-93	15-Nov-93	WH	A	
Newman	Mildred	10-Nov-93	19-Nov-93	WH	A	
Oliver	James, W.	10-Nov-93	17-Nov-93	WH	A	
Owens	James, W.	10-Nov-93	16-Nov-93	WH	A	
Owens	Theodore	10-Nov-93	17-Nov-93	WH	A	
Padgett	Frank	10-Nov-93	12-Nov-93	WH	A	
Pair	Baily	10-Nov-93	19-Nov-93	WH	A	
Pankey	Herbert, L.	10-Nov-93	15-Nov-93	WH	A	
Parker	Diane, L.	10-Nov-93	15-Nov-93	WH	A	
Patten	John, G.	10-Nov-93	15-Nov-93	WH	A	
Patterson	Clara, M.	10-Nov-93	15-Nov-93	WH	A	
Payne	Ben, D.	10-Nov-93	17-Nov-93	WH	A	
Peck	Rose, M.	10-Nov-93	17-Nov-93	WH	A	
Perkins	Clyde, R. Jr.	10-Nov-93	07-Dec-93	WH	A	
Pistorio	Joseph, P.	10-Nov-93	16-Nov-93	WH	A	
Pitchford	Polly, F.	10-Nov-93	12-Nov-93	WH	A	
Pitt	Margaret	10-Nov-93	15-Nov-93	WH	A	
Plakas	James, C.	10-Nov-93	18-Nov-93	WH	A	
Posey	Frank, R.	10-Nov-93	12-Nov-93	WH	A	
Price	Floyd, L.	10-Nov-93	17-Nov-93	WH	A	
Price	Lucille, B.	10-Nov-93	15-Nov-93	WH	A	
Price	Francis, F.	10-Nov-93	19-Nov-93	WH	A	
Proctor	Mary, C.	10-Nov-93	15-Nov-93	WH	A	
Protor	Carlo, N.	10-Nov-93	16-Nov-93	WH	A	
Quicho	Domingo, A.	10-Nov-93	17-Nov-93	WH	A	
Rawls	Ondra, C.	16-Nov-93	03-Dec-93	WH	A	
Reever	Robert, H.	16-Nov-93	02-Dec-93	WH	A	
Riddle	Leonard, F.	X	16-Nov-93	21-Mar-94	WH	A
Riggleman	Oscar, E.	16-Nov-93	23-Nov-93	WH	A	
Riggs	Christopher, C.	16-Nov-93	23-Nov-93	WH	A	
Rose	Noel, M.	16-Nov-93	23-Nov-93	WH	A	
Rosenberg	J. James, D.	16-Nov-93	03-Dec-93	WH	A	

Rosenberger James, D.	I	16-Nov-93	23-Nov-93	WH	A
Rosier Cassandra, A.	I	16-Nov-93	24-Nov-93	WH	A
Rusk Wayne, A.	I	16-Nov-93	24-Nov-93	WH	A
Russell Ronald, E.	I	16-Nov-93	03-Dec-93	WH	A
Sager David, R.	I	16-Nov-93	03-Dec-93	WH	A
Sampson Rayford, A.	I	16-Nov-93	24-Nov-93	WH	A
Scott J. Odell	I	16-Nov-93	24-Nov-93	WH	A
Scott Reginald, A.	I	16-Nov-93	03-Dec-93	WH	A
Sedlock Michael, G.	I	16-Nov-93	03-Dec-93	WH	A
Senn Sheree, F.	I	16-Nov-93	03-Dec-93	WH	A
Seroski Raymond, J.	I	16-Nov-93	24-Nov-93	WH	A
Shae Julie, M.	X	16-Nov-93	21-Mar-94	WH	A
Shaffer Russell, A.	I	16-Nov-93	03-Dec-93	WH	A
Shannon Shirley, M.	I	16-Nov-93	24-Nov-93	WH	A
Shea Thomas, J.	I	16-Nov-93	24-Nov-93	WH	A
Simpkins Larry, B.	I	16-Nov-93	03-Dec-93	WH	A
Skinner Claudia, V.	I	16-Nov-93	02-Dec-93	WH	A
Skipwith Florine, J.	I	16-Nov-93	03-Dec-93	WH	A
Slight Arnette, F.	I	16-Nov-93	24-Nov-93	WH	A
Smith James, M.	I	16-Nov-93	03-Dec-93	WH	A
Spencer Dana, W.	I	16-Nov-93	03-Dec-93	WH	A
Steward Sean, J.	X	16-Nov-93	21-Mar-94	WH	A
Steward Donald, L.	I	16-Nov-93	24-Nov-93	WH	A
Steward Bruce, L.	I	16-Nov-93	07-Dec-93	WH	A
Streets Jennifer	I	16-Nov-93	03-Dec-93	WH	A
Sturgess George, E.	I	16-Nov-93	24-Nov-93	WH	A
Swan Marilyn, A.	X	16-Nov-93	21-Mar-94	WH	A
Swann Wilbert, L.	I	16-Nov-93	07-Dec-93	WH	A
Swann Melva, D.	I	16-Nov-93	24-Nov-93	WH	A
Tanis Matthew	I	16-Nov-93	03-Dec-93	WH	A
Taylor Chinita, D.	I	16-Nov-93	03-Dec-93	WH	A
Taylor Dorie, C.	I	16-Nov-93	03-Dec-93	WH	A
Thoams John, S.	I	16-Nov-93	21-Mar-94	WH	A
Thomas Arthur, S.	I	16-Nov-93	03-Dec-93	WH	A
Thomas Gerald, R.	I	16-Nov-93	07-Dec-93	WH	A
Thomas Richard, A.	I	16-Nov-93	01-Apr-94	WH	A
Thomas John, S.	I	16-Nov-93	24-Nov-93	WH	A
Thompson Ola, M.	I	16-Nov-93	24-Nov-93	WH	A
Thompson James, E.	I	16-Nov-93	24-Nov-93	WH	A
Tillery John, R.	I	16-Nov-93	24-Nov-93	WH	A
Tillery Anthony, Q.	I	16-Nov-93	03-Dec-93	WH	A
Toland Kimberley, T.	I	16-Nov-93	21-Dec-93	WH	A
Townsell Milton, T.	I	16-Nov-93	24-Nov-93	WH	A
Townsend Joseph, C.	I	16-Nov-93	24-Nov-93	WH	A
Toyer William, E.	I	16-Nov-93	26-Nov-93	WH	A
Tyler Florine, G.	I	16-Nov-93	02-Dec-93	WH	A
Underwood Florence, D.	I	16-Nov-93	03-Dec-93	WH	A
Vance Shawn	I	16-Nov-93	24-Nov-93	WH	A
Ventresca Ponfilio	I	16-Nov-93	24-Nov-93	WH	A
Grier Ophelia, L.	I	23-Nov-93	30-Nov-93	WH	A
Collick Adam, R.	I	26-Nov-93	07-Dec-93	WH	A

Vines	Vernon, M.		26-Nov-93	07-Dec-93	WH	A
Wall	Viola, B.		26-Nov-93	07-Dec-93	WH	A
Wallace	Michael, F.		26-Nov-93	07-Dec-93	WH	A
Walsh	John, F.		26-Nov-93	03-Dec-93	WH	A
Walsh	Peter, H.		26-Nov-93	07-Dec-93	WH	A
Walters	Dianne		26-Nov-93	07-Dec-93	WH	A
Washington	Maurine, E.		26-Nov-93	07-Dec-93	WH	A
Washington	Ruby, L.		26-Nov-93	07-Dec-93	WH	A
Washington	Anthony, H.		26-Nov-93	07-Dec-93	WH	A
Wells	Michael, A.		26-Nov-93	02-Dec-93	WH	A
Westcamp	Mark		26-Nov-93	07-Dec-93	WH	A
Whitaker	Dorothy, M.		26-Nov-93	02-Dec-93	WH	A
White	Geneva		26-Nov-93	07-Dec-93	WH	A
White	Pernell, D.		26-Nov-93	02-Dec-93	WH	A
Whitmyer	Rosell		26-Nov-93	02-Dec-93	WH	A
Wilkins	Shelia, M.		26-Nov-93	07-Dec-93	WH	A
Williams	Carroll, B.		26-Nov-93	02-Dec-93	WH	A
Williams	Harry, L.		26-Nov-93	02-Dec-93	WH	A
Willis	Debbie, B.		26-Nov-93	02-Dec-93	WH	A
Wilson	Henry, D.		26-Nov-93	02-Dec-93	WH	A
Wilson	Charles, M.		26-Nov-93	02-Dec-93	WH	A
Wilson	Waymond, M.		26-Nov-93	03-Dec-93	WH	A
Wingate	Steven, A.		26-Nov-93	02-Dec-93	WH	A
Wise	Nettie, S.		26-Nov-93	07-Dec-93	WH	A
Womack	Shirley, C.		26-Nov-93	02-Dec-93	WH	A
Yates	Emma, E.		26-Nov-93	07-Dec-93	WH	A
Yost	Ralph, R.		26-Nov-93	07-Dec-93	WH	A
Rutledge	Andrea — OA		01-Dec-93	08-Dec-93	WH	S
Aarhus	Carol, B.	X	06-Dec-93	21-Mar-94	WH	A
Abdoo	Helen, T.		06-Dec-93	14-Dec-93	WH	A
Adair	Douglas, C.		06-Dec-93	13-Dec-93	WH	A
Addington	David, S.		06-Dec-93	13-Dec-93	WH	A
Ahearn	Fredrick, L.		06-Dec-93	13-Dec-93	WH	A
Alderman	Clifford, T.		06-Dec-93	13-Dec-93	WH	A
Alexander	Cara, L.		06-Dec-93	13-Dec-93	WH	A
Allison	James, N.		06-Dec-93	13-Dec-93	WH	A
Allison	Melissa, C.	X	06-Dec-93	21-Mar-93	WH	A
Alsobrook	David, E.		06-Dec-93	13-Dec-93	WH	A
Alvarez	Richard, G.		06-Dec-93	13-Dec-93	WH	A
Amend	Deborah, A.		06-Dec-93	21-Mar-94	WH	A
Amend	Deborah, A.		06-Dec-93	13-Dec-93	WH	A
Amick	Joan, M.		06-Dec-93	13-Dec-93	WH	A
Amorsingh	L. Linus		06-Dec-93	13-Dec-93	WH	A
Anderson	Ann, E.		06-Dec-93	15-Dec-93	WH	A
Anderson	Marcy, J.		06-Dec-93	13-Dec-93	WH	A
Anderson	Debra, R.		06-Dec-93	13-Dec-93	WH	A
Anderson	Rebecca, L.		06-Dec-93	13-Dec-93	WH	A
Anderson	Stanton, D.		06-Dec-93	13-Dec-93	WH	A
Anderson	Curtis, W.		06-Dec-93	13-Dec-93	WH	A
Anderson	Susan, E.		06-Dec-93	13-Dec-93	WH	A
Andres	Gary, J.		06-Dec-93	13-Dec-93	WH	A

Name	Date
Shelli Peterson	9/22/99

Counsel

THE WHITE HOUSE

WASHINGTON

October 11, 1996

BY FACSIMILE

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

Dear Manus:

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

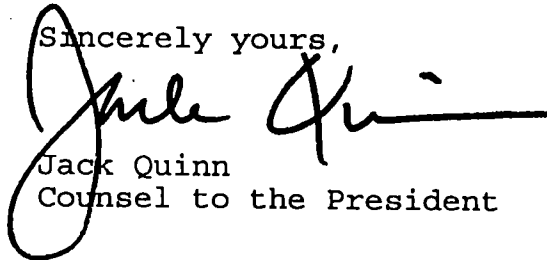
I think it would be constructive to meet about the requests set forth in your letter in order that we can better understand what you need and so that we can determine the best way to develop that information. As we have discussed in the past, we also need to do this in a way that does not unreasonably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

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

Manus Cooney, Esq.
October 11, 1996
Page 2

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

Sincerely yours,

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

Jack Quinn
Counsel to the President

cc: Karen Robb, Esq.
Minority Staff Director

THE WHITE HOUSE
WASHINGTON

October 11, 1996

BY FACSIMILE

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

Dear Chairman Hatch:

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

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

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

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

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

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

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

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

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

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

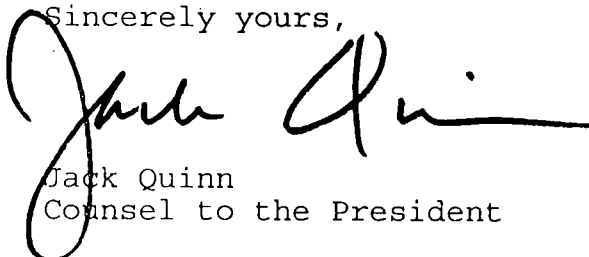
Hon. Orrin G. Hatch, Chairman
October 11, 1996
Page 3

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

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

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

Sincerely yours,

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

Jack Quinn
Counsel to the President

cc: Honorable Joseph R. Biden, Jr.

THE WHITE HOUSE

WASHINGTON

October 23, 1996

BY HAND

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

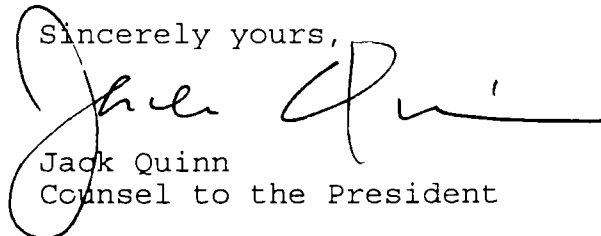
Dear Manus:

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

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

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

Sincerely yours,

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

Jack Quinn
Counsel to the President

Enclosure

cc: Karen Robb, Esq.

Minority Staff Director (without enclosure)



News Release

JUDICIARY COMMITTEE

United States Senate • Senator Orrin Hatch, Chairman

October 4, 1996

Contact: Jeanne Lopatto, 202/224-5225

STATEMENT OF SEN. ORRIN HATCH

PRESS CONFERENCE ON THE FBI FILES INVESTIGATION

The Judiciary Committee has continued its inquiry into the White House acquisition of FBI file summaries. I had planned to hold another hearing into this matter but have decided to indefinitely postpone the hearing. Instead, and in light of press accounts of a deposition taken earlier this week, I would like to report to you today on some very significant developments regarding the Judiciary Committee's inquiry. There is cause to seriously challenge the White House's assertion that the improper acquisition of FBI background files on Reagan and Bush administration officials was an innocent bureaucratic snafu.

As you will recall, Ms. Mari Anderson did not appear for our last hearing on September 25. Since that time, Committee staff has deposed Ms. Anderson under oath, and I have personally met with Ms. Anderson and her attorney. I have also reviewed the transcript of her deposition, which, I believe, sheds considerable light on this entire matter. Ms. Anderson was Mr. Livingstone's direct assistant between February 1993 and September 1994. During this period she reported to Mr. Livingstone on the activities and projects undertaken by the Office of Personnel Security, including what has come to be known as "Project Update." Her recollection of that Office's activities -- a much clearer recollection than the dubiously lacking recollection Mr. Livingstone admits to -- suggests several things about the FBI files matter. First, that the notorious six-month gap in the White House log for FBI files is the result of pages missing, or possibly removed, from that log; and second, that the White House's request for and receipt of FBI background materials on certain Bush and Reagan administration officials was not a mere bureaucratic snafu, as the White House has spuriously insisted.

As was disclosed in our September 25 hearing, the White House kept a log in a black loose-leaf binder to record when an FBI background file was taken out of the Office of Personnel Security. Curiously, there is a six-month gap in the copy of the log that was provided to the Independent Counsel and to this Committee. The FBI files of Republican officials were ordered between the fall of 1993 and February 1994. But the pages in the log covering the period between March 29, 1994, and September 21, 1994, are missing.

The White House Counsel's Office, Ms. Wetzl, and Mr. Livingstone have all suggested that the log simply was not kept during this entire six month period. Ms. Anderson, however, testified in her deposition that the log was kept during this period, and recalls making particular entries in the log during the spring and summer of 1994.¹ Her explanation is that pages must be missing from the log. Ms. Anderson expressly told us -- and I am quoting here from page 48 of her deposition transcript -- that "My version would be that there are pages not there." Later on that same page, again I am quoting:

"Question: So you are confident, then, that there is some portion of log that is not included in this copy that we have?

Answer: Yes."

We have also learned that Mr. Livingstone himself would take files from the office without making any entry in the log.² Thus, Mr. Livingstone could well have taken the files of prior administration officials without any paper record of having done so.

Third, it now appears that, contrary to what the White House, Mr. Livingstone, Mr. Marceca and Ms. Wetzl have claimed, the White House ordered files of at least some prior Bush and Reagan administration officials with knowledge that it had no legitimate basis for doing so. This is because, prior to the White House ordering these files, the staffers of the Office of Personnel Security -- Livingstone, Marceca, Wetzl, and Anderson, -- scrubbed the list Mr. Marceca was ordering files from so as to ensure that he would not order prominent Republicans' files.³ But such files were later requested.⁴

For example, Ms. Anderson has testified that she specifically recalls taking a "sharpie" magic marker and inking out the names of the Bush and Quayle families, and James Baker and Marlin Fitzwater, from the list Mr. Marceca was using to order FBI files.⁵ In fact, Ms. Anderson told us that Mssrs. Marceca and Livingstone even joked at the time that Ms. Anderson, a Washington neophyte, only recognized these few names as those of prominent Republicans, failing to recognize other noteworthy Republicans who should not have been on

¹ See Anderson Deposition Tr. at 44, 46, 166. Ms. Anderson explained that everyone in the Office understood that an entry was to be made in the log every time a file was checked out. See Anderson Deposition Tr. at 44, 46, 166.

² See Anderson Tr. at 52.

³ See Anderson Tr. at 100-101; 151-52.

⁴ See "Sample Republican Files Ordered after OPS Scrubbed Lists."

⁵ See Anderson Tr. at 99-100; 140-50.

the list of FBI files to order.⁶ This list was passed around for the purpose of removing Republican names.⁷ According to Ms. Anderson, this all was in *September of 1993*.⁸ But come December 1993 and January, 1994, Mr. Marceca proceeded to order the files of numerous Republican officials, including none other than James A. Baker (ordered on December 3, 1993) and Marlin Fitzwater (ordered on January 25, 1994).⁹ Ordering these files was no bureaucratic snafu.

Ms. Anderson's testimony also demonstrates that Mr. Marceca did *not innocently* rely on the June 10, 1993, Secret Service list, which the White House, in its effort to explain away the whole affair as a bureaucratic snafu, has contended Marceca did rely on.¹⁰

Moreover, in contrast to earlier testimony made by others before this committee, Ms. Anderson testified that Mr. Livingstone, as well as Mr. Marceca and Ms. Wetzl, knew at the time these files were being ordered during the winter of 1993-94 that the files of Republican officials who had since left the employ of the White House were being ordered and received by the Office of Personnel Security.¹¹ In fact, according to Ms. Anderson, when she mentioned this to Mr. Livingstone, he dismissed her concern by "casual[ly]" assuring her it was just "part of the process" of completing "Project Update."¹² Contrary to what Mr. Livingstone and Ms. Wetzl have told us and others, it appears from Ms. Anderson's testimony that Livingstone and his colleagues in the Office of Personnel Security knew early in 1994 that files of Republican officials had been ordered and were left sitting on a shelf, separate from other files, for nearly an entire year. Again, I quote from Ms. Anderson's deposition: "Everybody in the office knew that we had gotten background investigations of people who were no longer working [at the White House]."¹³

⁶ See Anderson Tr. at 150-52.

⁷ See Anderson Tr. at 100-101; 150-52.

⁸ See Anderson Tr. at 100; 147.

⁹ See "Sample Republican Files Ordered after OPS Scrubbed Lists."

¹⁰ Ms. Anderson testified with vivid recollection the process by which at least two subsequent lists were ordered, for purposes of Mr. Marceca's ordering FBI files in the course of "Project Update," in the Fall of 1993. See Anderson Tr. at 97-102; 147-152.

¹¹ See Anderson Tr. at 102-106; 157-63.

¹² See Anderson Tr. at 161-62.

¹³ Anderson Tr. at 157.

To summarize, it now appears that the White House ordered FBI files on prior administration officials, knowing full well that, at least with respect to a number of those files, there was no legitimate basis for doing so. According to Ms. Anderson, Craig Livingstone knew, Anthony Marceca knew, and Lisa Wetzl knew. These files sat in a room adjacent to the Office of Personnel Security for nearly a year. And it now appears that the pages in the log where removal of these files would have been recorded, and by whom, are missing.

In conclusion, I did not call this press conference to announce any final conclusions or to cast judgment on any of the individuals involved in the affair. The public will have to draw their own conclusions as to the credibility of particular individuals. I believe it is in the public's interest that we learn and make public all of the facts. I believe Ms. Anderson's testimony will help answer important questions about what happened. Unfortunately, many issues remain unresolved. In the end, I hope that this inquiry, when complete, will have helped restore public confidence in the FBI, the White House, and in our federal privacy protections.

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**QUESTIONS/ANSWERS SURROUNDING
MARI ANDERSON DEPOSITION
October 4, 1996**

WHAT IS THE SIGNIFICANCE OF MS. ANDERSON'S TESTIMONY?

Sen. Hatch has stated from the outset that the purpose of this inquiry is to learn and make public the facts. It would be irresponsible for the Committee to make accusations or final conclusions at this time. Still, the Committee has heard conflicting testimony from individuals who worked in the Office of Personnel Security. The conflicting testimony is not over inconsequential details but, rather, details concerning critical issues surrounding the manner in which files were requested, when the office knew it was ordering FBI files on Republicans, and how those files were handled. Specifically, the Committee has heard sworn testimony that:

1. Pages are missing from the log;
2. Files on Republicans were knowingly being wrongfully acquired;
3. Mr. Marceca knew in September of 1993 that there were prominent Republican names on the list he was using but he later requested and acquired the files; and
4. Mr. Livingstone did not log-out files he took from the security office.

Ms. Anderson's sworn testimony significantly challenges the White House line that this was all a bureaucratic snafu.

IS THERE EVIDENCE THAT THE IMPROPERLY ORDERED FILES WERE ACTUALLY MISUSED?

Unfortunately, the avenues by which the Committee could definitively answer that question are not available to the Committee at this time: 1. Missing from the log are pages covering a relevant time period, immediately after all these Republicans' files were received; 2. Mr. Marceca has taken the Fifth Amendment; and 3. Requests for copies of fingerprint analysis of the files are still outstanding. Given these outstanding matters, no one can conclude that files were not misused.

WERE REPUBLICAN FILES CHECKED OUT?

The White House spin is that there is no evidence of wrongdoing because Ms. Anderson cannot recall Republican files being logged out. It is true that Ms. Anderson does not specifically recall Republican files being logged out but, then again, she told the

Committee she was not familiar with the names of many prominent Republicans. Furthermore, Ms. Anderson cannot confirm that none were ever removed, since she herself testified that she did not oversee or keep track of all the files that were checked out. [On page 170 of the deposition transcript, Ms. Anderson confirmed counsel's suggestion that she "can't tell us for certain which files would or would not have been taken out during the period for which we have no record."] Since pages are missing from the log we may never know for sure. In addition, both Mr. Livingstone and Mr. Marceca were permitted to review files in the office without logging them out. As well, Mr. Livingstone repeatedly removed files from the office without logging them out. Which files they were no one knows.

WHY TRUST ANDERSON?

It's clear from the Committee's deposition that Ms. Anderson is still very loyal to the Clinton Administration and has no desire to harm her former colleagues. She was a reluctant witness. Frankly, it would have been much easier for her to come and adopt the Administration's story -- but she did not do so. Mr. Marceca has taken the Fifth Amendment. Mr. Livingstone's memory is exceptionally vague. Ms. Anderson appears to be the one person the White House has not been able to reach prior to our interviewing her. Furthermore, the Committee has been able to independently verify related portions of her account. For example, the Secret Service confirms that in the early fall of 1993, Ms. Anderson repeatedly picked up new lists for use in the Office of Personnel Security. This is consistent with her testimony that the security office knew it was using lists which had Republican names on it and that Ms. Anderson tried to obtain more accurate lists for Mr. Marceca's use. She also recalls certain events -- such as particular names she saw on the list, the brand of pen she used to strike them off, the stairway she took to get the lists, and so on -- with much greater specificity than these other witnesses. Accordingly, Sen. Hatch finds her more credible than some of the other witnesses we have previously heard from.

DIDN'T ANDERSON HAVE A MOTIVE TO CONCEAL THAT SHE WAS SLOPPY AND SIMPLY LET THE LOG LAPSE?

If she had let the log lapse, one could suppose Ms. Anderson would have had an incentive not to admit having done so. But if she didn't keep the log and wished to avoid blame for the gap, why wouldn't she just have adopted Livingstone's suggestion that he told her not to keep the log?

WHY WAS SHE HIDING / AVOIDING SERVICE?

Her original decision to not appear at last week's hearing is a matter which only she can answer. Ms. Anderson's attorney, Mark Srere, has expressed a very strong desire on her part to have her privacy protected. Sen. Hatch appreciates her position.

Nevertheless, this is an important inquiry and her appearance before the Committee may prove warranted. It is her attorney's position that she was not hiding or trying to avoid service. It should be noted, however, that the Marshals Service tried repeatedly to serve her over a period of several days and was unable to do so. Further, Mr. Srere was not given authority by Ms. Anderson to accept service of the Committee's first subpoena. After publicity surrounding her failure to appear, she realized it was in her best interest to come in and be deposed. Given what she had to say once she was deposed, one can appreciate why she may have been reluctant to cooperate.

PROMINENT REPUBLICANS WHOSE FBI FILES
WERE ORDERED AFTER THE WHITE HOUSE SCRUBBED
THE "PROJECT UPDATE" LISTS IN SEPTEMBER 1993

Ms. Anderson has testified that in September of 1993 she and other members of the White House Office of Personnel Security recognized that there were prominent Republicans on the list Mr. Marceca was using for Project Update. According to Ms. Anderson, she, Livingstone, Marceca, and Wetzl removed prominent Republican names from the list Mr. Marceca was using. She vividly recalls removing the names of Messrs. Baker and Fitzwater from the list. According to Ms. Anderson, Marceca knew these files should not be requested.

The following is a random list of prominent Republicans, including James Baker and Marlin Fitzwater, whose files were requested, the date their files were sought and when they were provided.

NAME	DATE SOUGHT	DATE REC'D BY FBI	DATE PROV'D TO WH
BAKER, James Addison	12/3/93	12/6/93	12/15/93
BLANKLEY, Anthony David	12/9/93	12/10/93	12/17/93
CULVAHOUSE, Arthur Boggess	12/28/93	1/4/93	1/10/94
DALE, Billy Rae (charged out to Craig Livingstone, 6/6/96)		12/28/93	1/6/94
DREYLLINGER, John Paul (charged out to Craig Livingstone, 6/5/96)			
DUBERSTEIN, Kenneth Marc	1/18/94	1/21/94	1/31/94
FITZWATER, Marlin	1/25/94	no other info provided on form	

*Contradicting Testimony from the
Staff of the
Office of Personnel Security*

*Inconsistent Statements on When Staff of Office Personnel Security
Learned that Files of Prior Administration Officials
Had Been Improperly Gathered*

Lisa Wetzl: “[B]elieves she mentioned to [Marceca] that he was not proceeding correctly, but she did not say anything about this to anyone else in the office as she did not believe it was her place,” “realized that Tony had made no effort to ensure that the lists were accurate” when she took over project update in the fall of 1994 [6/11/96 Memo by Sally Paxton summarizing 6/7/96 interview with Wetzl]

Craig

Livingstone: Recalls that Lisa Wetzl told him that “Tony ordered too many files” at some point after Wetzl began working on Project Update (in the fall of 1994) [6/14/96 House deposition at 35-36].

Anthony
Marceca:

“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 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, for example, I recall seeing several former Bush Administration officials, such as [Marlin Fitzwater], in the White House complex during detail at the Office of Personnel Security. If I saw [Marlin Fitzwater’s] name on the access list, therefore, it would not have struck me as odd.” [6/9/96 Declaration]

“I know who James Baker was, but I thought that his name was James Baker III, and I don’t recall typing up specifically a request for James Baker III.” [6/18/96 House Deposition at 109].

Mari

Anderson: “Everybody in the office knew that we had gotten background investigations of people who were no longer working [at the White House]” in the winter of 1993/1994 [Deposition at 157, 158-160]

Specifically told Livingstone and Marceca that James Baker and Marlin Fitzwater were on list Marceca was using and scratched those names off the list [Deposition at 100, 150]; testified that Marceca identified Republicans on the list whose files should not be ordered [Deposition at 101].

Inconsistent Statements on the Gap in the Log

Lisa Wetzl: Mari Anderson "had not been diligent" about keeping the log and "I can only assume" that she had let the log lapse. [9/19/96 Jud. Cmtee interview at 9, 21]

Mari Anderson "had stopped doing the log." [9/20/96 Jud. Cmtee interview at 6].

Craig

Livingstone: "Vague recollection" that he told "someone in the office" at one point to discontinue log but later instructed office to use the log [9/20/96 Jud. Cmtee interview at 17-18]; disclaims having any "definite knowledge that the log was not kept for a six month period," but "to the best of my knowledge . . . I believe [the source of the gap] would be that [the log] wasn't kept" between 3/93 and 9/93. [9/25/96 Jud. Cmtee. Hearing at 36-37]

Anthony

Marceca: [n/a: left OPS in 2/96 and gap begins in 3/96]

Mari

Anderson: Was never instructed not to keep entries in the log [deposition at 44, 46]; is not aware of any gaps or lapses in the log [deposition at 166]; has concluded that "there are pages [from the log] that are not there;" and is "confident . . . that there is some portion of the log that is not included in this copy [produced to the Judiciary Committee]"

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 lowlifes") 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

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 time 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 ~~Specifically, yes.~~

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

25 A Yes.

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 ~~NO~~

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.

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

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

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.

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

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

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