

FOIA MARKER

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Collection/Record Group: Clinton Presidential Records

Subgroup/Office of Origin: Counsel Office

Series/Staff Member: Michael Imbroscio

Subseries:

OA/ID Number: 13348

FolderID:

Folder Title:

SCS 1-176--[Personnel Security Information] [3]

Stack:

S

Row:

113

Section:

6

Shelf:

1

Position:

1

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. report	re: Physical Security Procedures (Partial) (1 page)	n.d.	b(7)(E)

COLLECTION:

Clinton Presidential Records
Counsel Office
Michael Imbroscio
OA/Box Number: 13348

FOLDER TITLE:

SCS 1-176--[Personnel Security Information] [3]

2006-1066-F

jm1376

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]

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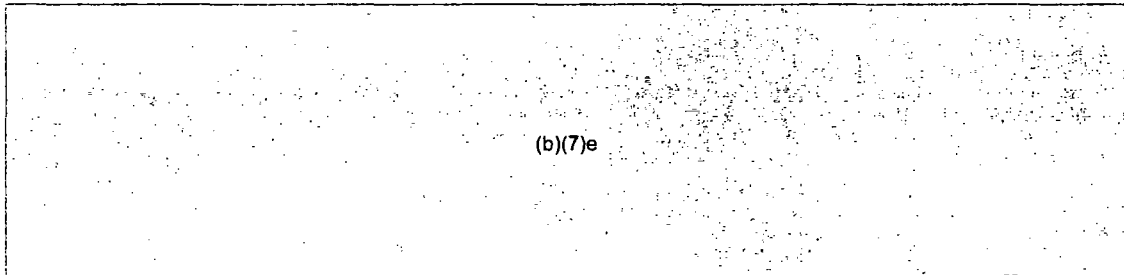
SECURITY PROCEDURES

FOR THE

EOP SECURITY OFFICE

Physical Security Procedures

1.



[001]

Staffing and Division Responsibilities

2. The EOP Security Office is headed by the EOP Security Officer, who reports to the Director, Office of Administration.
3. All staff of the EOP Security Office are trained security specialists with all necessary security clearances.
4. The EOP Security Office is divided into two sections:
 - a. The White House Section, which provides security support as an agent for the White House Office, Office of the Vice President, the Office of Policy Development, the Executive Residence, and the National Security Council.
 - b. The EOP Section, which provides security support as an agent for all other EOP agencies, as well as other government agencies with a presence on the EOP Complex.
5. Each section is responsible for its individual agencies, and operates independently of the other. Only personnel who have been authorized in writing by the Chief of Staff and the Counsel to the President (for the White House Section agencies), and other EOP agency heads (for EOP Section agencies) will be allowed to review or handle background investigation files.
 - a. Personnel in each section will be trained in and knowledgeable of all EOP security procedures, and will be used to support the other section as required.

6. Each section will utilize its own approved vaulted area for maintenance of its files. Under no circumstances will the files be combined with each other. All files and records will be placed in the vaulted areas at the close of each duty day. The last person to leave the office will be responsible for conducting a double check to ensure that all files and records have been properly stored, and that both vault doors are closed and locked. Standard form 702 (Security Container Check Sheet) (Attachment 1) will be used to record the opening, closing and double checks of the main door to the security office, each vault door and each safe within the office space.

Procedures for Carrying Out Security Checks

7. The EOP Security Office will initiate security checks only after receiving information from a customer agency of the intent to hire or bring an individual into the EOP Complex to perform services.
8. Temporary Passholders. If the individual is to be a temporary pass holder (less than 90 calendar days), the following actions will be initiated:
 - a. Pre-Employment Interview and FBI Name Check. The EOP Security Office will contact the individual within two business days to schedule a time for a pre-employment interview (P.E.I.) with a Security Specialist. The individual will be required to come into the Security Office and complete the P.E.I. form (Attachment 2), and the FBI consent form allowing the Security Office to conduct the FBI name check. If the individual is out of town, the interview may be conducted over the telephone, and the consent form will either be mailed or faxed to the individual for completion. The FBI name check will not be initiated until the consent form has been signed by the individual, approved by the requesting or "parent" agency's counsel's office (or another individual designated in writing by the head of the agency), and by the EOP Security Officer. Faxed consent forms may be accepted when necessary. A pre-employment drug test will be scheduled by the Human Resources Management Division at or around the time of the P.E.I.
 - b. Notification of Agency and Issuance of Temporary Pass. Upon favorable completion of the FBI name check and the P.E.I., EOP Section agencies will be notified by memorandum (Attachment 3). A separate memorandum (Attachment 4) will be forwarded to the USSS Access Control Branch, asking that the individual be placed on a pending pass list. For White House Section agencies, a National Crime Information Center (NCIC) check is completed by the USSS, after which the individual is placed on the pending pass list (Attachment 4). However, a temporary pass will not be issued until the FBI name check has been

completed. If the Assistant to the President for Management and Administration has approved a pass for any individual, a temporary pass authorization form (Attachment 5) will be completed with an expiration date not to exceed the earlier of 90 days or the date on which the individual is scheduled to leave the EOP Complex.

- c. Suspense File. A suspense file will be established so that the Security Office can closely monitor this program to insure individuals do not exceed the 90 days. Each case in which an agency requests an extension past 90 days will be handled on a case by case basis in close coordination with the Assistant to the President for Management and Administration.
9. Permanent Passholders. If the access to the EOP Complex is to exceed 90 days, the following actions will be initiated:
- a. Pre-Employment Interview and FBI Name Check. Same as 8(a) above.
 - b. Notification of Agency and Commencement of Employment. In accordance with the procedures in paragraph 8(b), the individual will be placed on the pending pass list for two weeks from the Entry on Duty (EOD) date. On the employee's first day on duty he/she will report to the Security Office where he/she will be given instruction for completing the Standard form (SF) 86, and IRS Tax Waiver form (these forms may also be distributed earlier at the time of the PEI). On the employee's first day on duty, he/she will be asked to complete another FBI consent form giving the EOP Security Office the authority to initiate the appropriate FBI background investigation. The individual will be apprised of the EOP requirement (1) to initiate a background investigation within 30 days of the EOD; and (2) to request a permanent pass within six months of the EOD provided the FBI background investigation has been completed.
 - c. Completion of Forms and Initiation of Background Investigation. Individuals will be asked to return the completed SF-86 and IRS Waiver Form within two weeks of the EOD to the EOP Security Office, where a Security Specialist can verify the forms have been completed and that all required signatures are in the proper places. The authorized agency official, as well as the EOP Security Officer, will again be required to sign an FBI consent form authorizing the FBI to initiate the appropriate background investigations.
 - d. Request for Pass Approval. At the time the individual commences employment, the parent agency will be asked to identify the pass type the

individual will require, with a justification for request for OEOB or White House pass. The pass approval request for OEOB or White House passes (Attachment 6) will then be forwarded to the Assistant to the President for Management and Administration for approval/disapproval. Upon receipt of pass approval, a request will be forwarded to the USSS for issuance of a 90-day temporary pass. A suspense system will be established to ensure that the temporary pass is renewed at the end of 90 days, if the background investigation has not been completed.

- e. Temporary security clearance (if required). A temporary security clearance (for access to classified Information) can be granted under the authority of Executive Order 12968 at this time, if requested by the parent agency.
- f. Review of Completed Background Investigation -- No Adverse Information. Upon receipt of a completed background investigation, the responsible Security Specialist will conduct an initial review of the case. If no adverse information was found during the FBI name check, P.E.I., and completed background investigation, the Security Specialist will initiate a request for the issuance of a permanent complex pass (Attachment 7), and forward it to the EOP Security Officer for final review, approval and signature. Security Specialists shall review and adjudicate background investigations using the adjudicative standards issued by the President's Security Policy Board on March 27, 1996.
- g. Review of Completed Background Investigation -- Adverse Information. If adverse information is discovered during any stage of the security process, the EOP Security Officer will share the adverse information with authorized personnel in the agency employing the individual.
 - (1) Procedures for Sharing Adverse Information and Reviewing Background Investigation Files. Adverse information disclosed will be limited to that deemed by the EOP Security Officer to be essential to a determination of suitability. Access to the entire background investigation will only be granted when deemed to be critical to that determination, and only to an individual authorized in writing by the appropriate agency head. The file will remain in the custody of the EOP Security Officer, and the authorized individual will review the file in the presence of the EOP Security Officer, except in extraordinary circumstances authorized pursuant to paragraph 5 herein. The authorized individual will be required to sign a review form (Attachment 12) each time the file is reviewed.

- (2) Unfavorable Determination. If a determination is made that an individual under review does not meet the suitability requirements for employment, the employing agency will be responsible for providing notice to the individual and initiating termination procedures, including pass removal. The EOP Security Officer will be available to assist if required. Unfavorable determinations with respect to career employees shall be handled in accordance with applicable OPM and agency rules.
- (3) Favorable Determination. If a favorable determination is made, the procedures for issuing a permanent pass and granting of access to classified information set forth herein will be followed.
- (4) Documenting of Determination. If appropriate, the EOP Security Officer may request the determining agency official to provide in writing a statement identifying what factors were used in making the suitability/unsuitability determination. That report will become a part of the individual's security file.

10. Granting of Security Clearances (if required).

- a. Temporary Security Clearance. A temporary security clearance may be granted upon the initiation of a background investigation, as provided in 9(e) above.
- b. Permanent Security Clearance. Upon completion of the background investigation and a favorable suitability determination, the Security Specialist will forward a memorandum (Attachment 8) to the employing agency to determine what level security clearance (if any) is needed. Upon completion of the form (Attachment 9) the responsible Security Specialist will complete a security determination (Attachment 10) for the Security Officer's signature. The individual will be required to come to the Security Office for a security briefing on the handling, storage, and control of classified information. The employee will be required to sign a Non-disclosure Agreement (SF-312) (Attachment 11), after which the employing office will be notified. A security clearance roster will be provided monthly to each agency.
- c. Special Access Programs.
 - (1) Except as provided in 10(c)(2) below, the employing agency shall notify the EOP Security Office should an individual need access into a special access program (SAP) maintained by the Central Intelligence Agency (CIA), the Department of Energy (DOE), or

Department of Defense (DOD). The request must be in writing with a justification as to why the individual requires access to the SAP. After approval by the EOP Security Officer, the request will be forwarded to CIA, DOE or DOD for approval.

- (2) Pursuant to Executive Order 12863, when the PFIAB or IOB determines that access to a SAP is necessary to carry out its responsibilities, the PFIAB or IOB shall provide to the EOP Security Office the name of each individual needing SAP access.
- (3) CIA, DOE and DOD require that the individual's security file be reviewed by agency security personnel. Names of persons authorized to conduct file reviews will be provided by each agency, and maintained on file in the EOP Security Office. A copy of the SF-86 for the individual under review will be provided at the time of the review. Any access must be recorded in writing (Attachment 12) and maintained in the security file.

- 11. Procedures for Review By Other Agencies. Accredited security officials from other agencies (including but not limited to the FBI, OPM, DIS, State, CIA) will be allowed to review security files only after they have provided the necessary justification (i.e., processing employment applications, or detail to other agency). Requests for file review will be considered on a case by case basis and must be approved by the EOP Security Officer. Any access must be recorded in writing (Attachment 12) and maintained in the security file.
- 12. Retention of Files Upon Termination. Upon termination of employment or departure from the EOP Complex after completion of service, an individual's security file, including FBI investigation files, will be maintained and then destroyed in accordance with applicable records disposition schedules and policies.
- 13. Security Briefings. The EOP Security Officer will be responsible for insuring that all new employees receive a complete security briefing concerning security issues in and around the EOP Complex, as well as a annual security refresher briefing to be conducted at the beginning of each fiscal year.
- 14. Attachments:
 - 1. Standard Form 702.
 - 2. Pre-employment interview Form.
 - 3. Memorandum advising agencies that pre-security checks have been completed.

4. Memorandum asking USSS to place an individual on a pending Pass List.
5. Memorandum asking USSS to issue a temporary building pass.
6. Request for pass approval.
7. Memorandum asking USSS to issue a permanent building pass.
8. Memorandum to agency asking them to identify the clearance level required for the individual.
9. Memorandum from agency advise what level clearance is required.
10. Security Determination
11. Standard Form 312 (Non-disclosure Form)
12. File Review Form

PRE-EMPLOYMENT SECURITY INFORMATION

FULL NAME _____ SSN: _____ DATE _____

PERIOD OF QUESTIONS: Unless otherwise noted, all questions ask for answers going back 15 years, or to your 18th birthday, whichever is less.

1. Are you a U.S. Citizen: YES _____ NO _____
(If naturalized citizen provide date, place and naturalization number)

2. Name and relationship of any close relative(s) or person(s) living with you who are non-US Citizens:

3. Have you, within the last fifteen years, or since your 18th birthday, ever been fired, quit a job after being told you would be fired, left a job by mutual agreement following allegations of misconduct or unsatisfactory performance, or left a job for other reasons under unfavorable circumstances?
YES _____ NO _____
(If yes, please provide details.)

4. YOUR USE OF ILLEGAL DRUGS AND DRUG ACTIVITY:
The following questions pertain to the illegal use of drugs or drug activity. You are required to answer the questions fully and truthfully, and your failure to do so could be grounds for an adverse employment decision or action against you, but neither your truthful responses nor information derived from your responses will be used as evidence against you in any subsequent criminal proceeding.
 - a. Since the age of 16, or in the last 15 years, whichever is shorter, have you illegally used any controlled substance, for example, marijuana, cocaine, crack cocaine, hashish, narcotics (opium, morphine, codeine, heroin, etc.),

amphetamines, depressants (barbiturates, methaqualone, tranquilizers, etc.), hallucinogenic (LSD, PCP, etc.) or prescription drugs? YES___ NO ___

- b. Have you ever illegally used a controlled substance while employed as a law enforcement officer, prosecutor, or courtroom official; while possessing a security clearance; or while in a position directly and immediately affecting the public safety? YES___ NO ___
- c. In the last 15 years, have you been involved in the illegal purchase, manufacture, trafficking, production, transfer, shipping, receiving, or sale of any narcotic, depressant, stimulant, hallucinogen, or cannabis for your own intended profit or that of another? YES___ NO ___

IF YOU ANSWERED "YES" TO A OR B ABOVE, PROVIDE THE DATE(S), IDENTIFY THE CONTROLLED SUBSTANCE(S) AND/OR PRESCRIPTION DRUGS USED, AND THE NUMBER OF TIMES EACH WAS USED.

5. In the last 15 years, or since your 18th birthday, has your use of alcoholic beverages (such as liquor, beer, wine) resulted in any alcohol-related treatment or counseling (such as for alcohol abuse or alcoholism)? YES___ NO ___
If you answered "YES" provide the dates of treatment and the name(s) and address(es) of the counselor(s) or doctor(s).

6. Within the last 15 years have you consulted with a mental health professional (psychiatrist, psychologist, counselor, etc.) or have you consulted with another health care provider about a mental health related condition? If yes, provide the dates of treatment and the name(s) and address(es) of the therapist(s) or doctor(s).
Do not list marital, family, or grief counseling, not related to violence by you.

7. Are you registered for the draft? YES_____ NO_____
(Applies only to males born after 12-31-59)

8. YOUR FINANCIAL RECORD: In the last 15 years have you:

- a. filed a petition under any chapter of the bankruptcy code (to include Chapter 12)?
YES___ NO ___

- b. had your wages garnished or had any property repossessed for any reason?
YES ___ NO ___
- c. had a lien placed against your property for failing to pay taxes or other debt(s)?
YES ___ NO ___
- d. had any judgments against you that have not been paid?
YES ___ NO ___
- e. have you been over 180 days delinquent on any debt(s)?
YES ___ NO ___
- f. Are you currently over 90 days delinquent on any debts?
YES ___ NO ___

(If you answered "YES" to any of the above, please provide details)

9. Do you have any current charges pending, or have you ever been arrested, taken into custody, held for investigation, or charged by any law enforcement authority?
YES ___ NO ___
(If yes please provide details, i.e. date, place, charge(s) or allegation(s), and disposition.)

10. In the last 15 years or since your 18th birthday have you been a party to any public record civil court actions not listed elsewhere on this form? YES ___ NO ___
(If yes please provide details, i.e. date, nature of action, results, name of parties involved, court, city and state)

11. Your investigation record:

- a. Has the United States Government ever investigated your background and/or granted you a security clearance? YES ___ NO ___
(If yes provide the date and agency below.)

- b. To your knowledge have you ever had a clearance or access authorization denied, suspended, or revoked, or have you ever been debarred from government employment? YES ___ NO ___

(If yes provide the date and agency below.)

I certify that I have read each question, **starting on page 1 and ending on page # 4**, and that my statements on this form, and any attachments to this form are true, complete, and correct to the best of my knowledge and belief and are made in good faith. I understand that knowing and willful false statement on this form can be punished by fine or imprisonment, or both (see Section 1001, Title 18, United States Code). I understand this memorandum will be filed in my security file which is maintained by the EOP Security Officer, and that the Security Officer may conduct a personal interview, if needed, to clarify any information. I further understand this information may be provided to the FBI.

My signature below also authorizes the EOP Security Office to conduct a Credit Bureau Check through EQUIFAX. I understand the information obtained from this credit check will be maintained in my Security File, and that any adverse credit information may be shared with my agency's General Counsel, and the White House Counsel's Office. I also understand that The Debt Collection Act of 1982 authorizes the EOP to recover delinquent debt owed by their employees through offset of their salaries.

(Social Security Number)

(Printed Full Name)

(Date of Birth)

(Place of Birth)

(Current Address)

(Date)

(Signature)

Signature of person completing the interview _____

Date

MEMORANDUM FOR:

FROM:

EOP SECURITY OFFICER

SUBJECT:

Pre-Employment Interview

Pre-employment interviews have been completed on the following personnel:

NAME

SSN

OFFICE

No information was developed during the interview that could preclude the issuance of a temporary building pass. FBI name check was completed favorably.

Final adjudication for a permanent building pass will be made only after completion of appropriate background checks or investigations.

Should you have any question I can be reached on x56206.

Thank you

Attachment 3

SCS 000142

Date

MEMORANDUM FOR THE SPECIAL AGENT IN CHARGE
WHITE HOUSE DIVISION, USS

FROM: EOP SECURITY OFFICER

SUBJECT: Access to the (BUILDING)

Please put _____ on the pending pass list for the
(BUILDING) (Room NUMBER) for the period DATE through
DATE. FBI Check for a temporary pass to the (BUILDING)
is pending.

Agency & Position:

DPOB:

SSN:

Date

MEMORANDUM FOR THE SPECIAL AGENT IN CHARGE
WHITE HOUSE DIVISION, USSS

FROM:

EOP SECURITY OFFICER

Please provide the necessary authorization for a pass to the (building) for the person named below. Preliminary security checks have been completed as indicated.

NAME: _____ SSN: _____

DATE AND PLACE OF BIRTH: _____

RESIDENCE: _____

STATUS (PERM, TEMP., OR DETAIL): _____

POSITION: _____

EOD: _____

OFFICE/AGENCY: _____

LOCATION: _____ (BLDG & ROOM NUMBER) PHONE: _____

SECURITY CHECKS/REMARKS: _____ ATTACH FBI NAME CHECK _____

PASS NEEDED: _____ (90 DAY TEMPORARY FOR NEOB, OEOB OR WHS) _____

Date

MEMORANDUM FOR _____
ASSISTANT TO THE PRESIDENT FOR
MANAGEMENT AND ADMINISTRATION

FROM: _____
EOP SECURITY OFFICER

SUBJECT: (Bldg) Pass for (agency)

Please approve an (bldg Pass for _____ who as
entered on duty with the _____ (agency) _____ as a (position),
EOOB Room _____, on _____ (date) _____. Please see attached justification memo.

TO: _____
EOP SECURITY OFFICER

FROM: _____
ASSISTANT TO THE PRESIDENT FOR
MANAGEMENT AND ADMINISTRATION

Name: _____

Pass type _____ (building) _____

_____ Approved

_____ Disapproved

_____ Other

Please return to the EOP Security Office, Room 4026 NEOB, upon completion.

Thank you.

Attachment 6

SCS 000145

Date

MEMORANDUM FOR SPECIAL AGENT IN CHARGE
WHITE HOUSE OFFICE
UNITED STATES SECRET SERVICE

FROM:

EOP SECURITY OFFICER

SUBJECT: (employee name & agency)

Reference my request for a **WHITE HOUSE PASS** for subject, please be advised that the background investigation has been completed and a copy is attached.

(employee's name) attended the EOP Security Briefing on (date).

Two asterisks should be placed on this pass.

Please advise the subject when the permanent pass may be picked up.

Date

MEMORANDUM FOR ASSISTANT TO THE PRESIDENT AND

FROM: EOP SECURITY OFFICER

SUBJECT: Security Clearance

The FBI background investigation has been completed, and favorable adjudicated on ___
(employee's name) a member of your staff.

Your office is responsible for identifying the level of security clearance, if any, required for staff members to perform their official duties within the Executive Office of the President.

Please complete the attached form at your earliest convenience, and return it to the EOP Security Office, Room 4026, New Executive Office Building.

Thank you.

Attachment

Date

MEMORANDUM FOR THE EOP SECURITY OFFICER

FROM:

ASSISTANT TO THE PRESIDENT AND

SUBJECT: Access to Classified Information

I have determined that _____, an employee in the Office of the _____, will require access to classified information at the (SECRET) (TOP SECRET) (NO CLEARANCE REQUIRED) level.

I understand that if a security clearance is required the EOP Security Officer will:

1. Have the individual complete an SF-312 (Non-Disclosure Agreement).
2. Provide appropriate security indoctrination to insure the individual is knowledgeable of procedures for handling and storage of classified documents.
3. Provide my office with the date and level of the security clearance granted.

Date

S E C U R I T Y D E T E R M I N A T I O N

NAME:

DPOB:

POSITION:

AGENCY:

I N V E S T I G A T I O N

TYPE: Level II COMPLETED BY: FBI

DATE COMPLETED:

CLEARANCE GRANTED:

The above named individual has been granted security approval by the Executive Office of the President and is authorized to have access to classified information through (LEVEL) . This is granted under the standards of Executive Order 12968.

EOP SECURITY OFFICER

C E R T I F I C A T I O N

I certify that I have been briefed on the procedures for handling, storage and transmission of classified information in accordance with Executive Order 12958, and that I have read and completed a non-disclosure agreement Standard Form-312.

(DATE)

(SIGNATURE)

DISTRIBUTION:

- 1 - Official Personnel File
- 1 - Security file
- 1 - Office of assignment
- 1 - Individual

Attachment 10

SCS 000149

CLASSIFIED INFORMATION NONDISCLOSURE AGREEMENT

AN AGREEMENT BETWEEN

THE UNITED STATES

(Name of Individual - Printed or typed)

1. Intending, to be legally bound, I hereby accept the obligations contained in this Agreement in consideration of my being granted access to classified information. As used in this Agreement, classified information is marked or unmarked classified information, including oral communications, that is classified under the standards of Executive Order 12356, or under any other Executive order or statute that prohibits the unauthorized disclosure of information in the interest of national security; and unclassified information that meets the standards for classification and is in the process of a classification determination as provided in Sections 1.1 and 1.2(e) of Executive Order 12356, or under any other Executive order or statute that requires protection for such information in the interest of national security. I understand and accept that by being granted access to classified information, special confidence and trust shall be placed in me by the United States Government.

2. I hereby acknowledge that I have received a security indoctrination concerning the nature and protection of classified information, including the procedures to be followed in ascertaining whether other persons to whom I contemplate disclosing this information I have been approved for access to it, and that I understand these procedures.

3. I have been advised that the unauthorized disclosure, unauthorized retention, or negligent handling of classified information by me could cause damage or irreparable injury to the United States or could be used to advantage by a foreign nation. I hereby agree that I will never divulge classified information to anyone unless: (a) I have officially verified that the recipient has been properly authorized by the United States Government to receive it; or (b) I have been given prior written notice of authorization from the United States Government Department or Agency (hereinafter Department or Agency) responsible for the classification of the information or last granting me a security clearance that such disclosure is permitted. I understand that if I am uncertain about the classification status of information, I am required to confirm from an authorized official that the information is unclassified before I may disclose it, except to a person as provided in (a) or (b), above. I further understand that I am obligated to comply with laws and regulations that prohibit the unauthorized disclosure of classified information.

4. I have been advised that any breach of this Agreement may result in the termination of any security clearances I hold; removal from any position of special confidence and trust requiring such clearances; or the termination of my employment or other relationships with the Departments or Agencies that granted my security clearance or clearances. In addition, I have been advised that any unauthorized disclosure of classified information by me may constitute a violation, or violations, of United States criminal laws, including the provisions of Sections 641, 793, 794, 798, and *952, Title 18, United States Code, *the provisions of Section 783(b), Title 50, United States Code, and the provisions of the Intelligence Identities Protection Act of 1982. I recognize that nothing in this Agreement constitutes a waiver by the United States of the right to prosecute me for any statutory violation.

5. I hereby assign to the United States Government all royalties, remunerations, and emoluments that have resulted, will result or may result from any disclosure, publication, or revelation of classified information not consistent with the terms of this Agreement.

6. I understand that the United States Government may seek any remedy available to it to enforce this Agreement including, but not limited to, application for a court order prohibiting disclosure of information in breach of this Agreement.

7. I understand that all classified information to which I have access or may obtain access by signing this Agreement is now and will remain the property of, or under the control of the United States Government unless and until otherwise determined by an authorized official or final ruling of a court of law, I agree that I shall return all classified materials which have, or may come into my possession or for which I am responsible because of such access: (a) upon demand by an authorized representative of the United States Government; (b) upon the conclusion of my employment or other relationship with the Department or Agency that last granted me a security clearance or that provided me access to classified information; or (c) upon the conclusion of my employment or other relationship that requires access to classified information. If I do not return such materials upon request, I understand that this may be a violation of Section 793, Title 18, United States Code, a United States criminal law.

8. Unless and until I am released in writing by an authorized representative of the United States Government, I understand that all conditions and obligations imposed upon me by this Agreement apply during the time I am granted access to classified information, and at all times thereafter.

9. Each provision of This Agreement is severable. If a court should find any provision of this Agreement to be unenforceable, all other provisions of this Agreement shall remain in full force and effect.

10. These restrictions are consistent with and do not supersede, conflict with or otherwise alter the employee obligations, rights or liabilities created by Executive Order 12356; Section 7211 of Title 5, United States Code (governing disclosures to Congress); Section 1034 of Title 10, United States Code, as amended by the Military Whistle blower Protection Act (governing disclosure to Congress by, members of the military); Section 2302 (b) (8) of Title 5, United States Code, as amended by the Whistle blower Protection Act (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents), and the statutes which protect against disclosure that may compromise the national security, including Sections 641, 793, 794, 798, and 952 of Title 18, United States Code, and Section 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. Section 783(b)). The definitions, requirements, obligations, rights, sanctions and liabilities created by said Executive Order and listed statutes are incorporated into this Agreement and are controlling.

(Continue on reverse.)

11. I have read this Agreement carefully and my questions, if any, have been answered. I acknowledge that the briefing officer has made available to me the Executive Order and statutes referenced in this Agreement and its implementing regulation (32 CFR Section 2003-20) so that I may read them at this time, if I so choose.

SIGNATURE	DATE	SOCIAL SECURITY NUMBER (See Notice below)
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ORGANIZATION (IF CONTRACTOR, LICENSEE, GRANTEE OR AGENT, PROVIDE NAME, ADDRESS, AND, IF APPLICABLE, FEDERAL SUPPLY CODE NUMBER).
(Type or print)

WITNESS		ACCEPTANCE	
THE EXECUTION OF THIS AGREEMENT WAS WITNESSED BY THE UNDERSIGNED		THE UNDERSIGNED ACCEPTED THIS AGREEMENT ON BEHALF OF THE UNITED STATES GOVERNMENT.	
SIGNATURE	DATE	SIGNATURE	DATE
NAME AND ADDRESS (Type or print)		NAME AND ADDRESS (Type or print)	

SECURITY DEBRIEFING ACKNOWLEDGMENT

I reaffirm that the provisions of the espionage laws, other federal criminal laws and executive orders applicable to the safeguarding of classified information have been made available to me; that I have returned all classified information in my custody; that I will not communicate or transmit classified information to any unauthorized person or organization, that I will promptly report to the Federal Bureau of Investigation any attempt by any unauthorized person to solicit classified information, and That I (have) (have not) (strike out inappropriate word or words) received a security debriefing.

SIGNATURE OF EMPLOYEE	DATE
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NAME OF WITNESS (Type or print)	SIGNATURE OF WITNESS
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NOTICE: The Privacy Act, 5 U.S.C. 552a, requires that federal agencies inform individuals, at the time information is solicited from them, whether the disclosure is mandatory or voluntary, by what authority such information is solicited, and that uses will be made of the information. You are hereby advised that authority for soliciting your Social Security Account Number (SSN) is Executive Order 9397. Your SSN will be used to identify you precisely when it is necessary to 1) certify that you have access to that information indicated above or 2) determine that your access to the information indicated has terminated. Although disclosure of your SSN is not mandatory, your failure to do so may impede the processing of such certifications or determinations, or possibly result in the denial of your being granted access to classified information.

*NOT APPLICABLE TO NON-GOVERNMENT PERSONNEL SIGNING THIS AGREEMENT.

STANDARD FORM 312 BACK (REV. 1-91)

RECORD OF FILE REVIEW

NAME OF FILE: .

SECURITY PLEDGE

I, a representative of the agency named below, have been duly authorized in connection with my official duties to request and examine the file on the person named above. I understand that I am prohibited from giving the information contained in the file to any unauthorized person, I further understand that may not take any papers from the file, or make copies of anything contained in the file.

AGENCY:

SIGNATURE: _____

PRINTED NAME: _____

DATE OF REVIEW:

REASON(S) FOR
REVIEW: SUITABILITY

RPTS COCHRAN
DCMN QUINTERO
COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C.

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In the matter of: :

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WHITE HOUSE TRAVEL : DEPOSITION OF
: GEORGE E. SAUNDERS

:

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Tuesday, July 16, 1996

Washington, D.C.

The deposition in the above matter was held in Room 2203, Rayburn House Office Building, commencing at 10:15 a.m.

Appearances:

Staff Present for the Government Reform and Oversight Committee: Barbara Comstock, Special Counsel; and Laurie Taylor, Investigator; Daniel Hernandez, Professional Staff Member.

For GEORGE E. SAUNDERS:

D. EDWARD WILSON, ESQ.

Lane & Mittendorf

919 18th Street, N.W.

Washington, D.C. 20006

Ms. Comstock. We are on the record this morning for the deposition of George Saunders, which will be administered under oath. We will identify the people present in the room this morning.

My name is Barbara Comstock, Majority Investigative Counsel; and Laurie Taylor is the Assistant Counsel with the Majority staff; and Dan Hernandez is the Minority staff.

Mr. Saunders is presented here with his attorney, Ed Wilson.

Before you are sworn in, I would like to provide you with some background investigation concerning this investigation and your appearance here.

As you know, pursuant to its authority under Rules X and XI of the House of Representatives, the Government Reform Oversight Committee is investigating the White House Travel Office matter and related issues. This matter refers to all events leading up to the May 19, 1993 firings of the White House Travel Office employees and includes all information provided about the White House Travel Office and any employees of the White House Travel Office at any time from January 1, 1993 to the present.

Our investigation also encompasses the activities of Harry Thomason, Darnell Martens and Penny Sample at the White House, as well as all allegations of wrongdoing concerning the Travel Office employees. The committee investigation is also reviewing actions taken by the FBI and Justice Department both prior to and after the firings.

The investigation includes but is not limited to the investigation and prosecution of U.S. v. Billy Ray Dale and all investigations and subsequent reviews of the Travel Office firings by any agency including, but not limited to, the White House Management Review, the Kennedy -- the Weldon Kennedy/I.C. Smith review, the FBI OPR review, the IRS internal review, the Treasury Inspector General review, the GAO review, and the proposed U.S. House of Representatives "Resolution of Inquiry" considered and voted on in the House Judiciary Committee in July 1993.

We are reviewing all actions relating to or describing the criminal investigations into the Travel Office matter, including any subsequent action or activities of any kind as a result the above-mentioned events by the White House, the Treasury Department, the IRS, the General Services Administration, the General Accounting Office, the Federal Bureau of Investigation, the Independent Counsel, both Mr. Fiske and Mr. Starr, and the Department of Justice up to the date of this request unless otherwise limited.

I understand that there are a lot of areas here we are discussing that we will not be questioning you on. I just wanted to let you know the scope of the investigation.

The Witness. Yes, ma'am.

Ms. Comstock. Do you understand your answers are to include all information which you have involving these subjects, to the extent you have such knowledge?

The Witness. Yes, ma'am.

Ms. Comstock. The committee has been granted specific authorization to conduct this deposition pursuant to House Resolution 369, passed by the House of Representatives on March 7, 1996. Pursuant to committee Rule 19, which has been provided to you, both Majority and Minority Counsel will be afforded an equal opportunity to pose questions to each witness.

You are here today voluntarily and not by subpoena; is that correct?

The Witness. Yes.

Ms. Comstock. You understand your deposition is under oath?

The Witness. Yes.

Ms. Comstock. I would ask that we swear in the witness at this time.

THEREUPON,

GEORGE E. SAUNDERS,

a witness, was called for examination by Counsel, and after having been first duly sworn, was examined and testified as follows:

Ms. Comstock. Okay.

My assistant is telling me you all were not aware this was a deposition coming in today?

Mr. Wilson. That is correct. I thought I asked you that when we talked. I said how are you special -- I thought you said it was an interview today. If I misunderstood you, I apologize.

Ms. Comstock. If there is any problem with that, if you wanted to recess for another day, we can do that.

Mr. Wilson. No, we are fine. We just wanted to be sure we knew the ground rules going in.

Ms. Comstock. I am sorry for the misunderstanding.

As we go along here, if you do not understand a question and need me to rephrase it or if there is something you need to clarify, please stop, ask your attorney or me.

You will be given a 5-day time frame in which you and your attorney may review your deposition once it has been transcribed. Usually we have it available by the next day. Then after that review, you can change any mistakes in there, any technical problems, or any factual things.

If you need to change "yes" to "no," or "no" to "yes," or something that you thought you didn't know that you recall, anything like that can be changed on the deposition. The point of it is to enable you to have reflective time afterwards to make sure the record is accurate and you didn't misunderstand something as you are going along.

The Witness. I see.

Mr. Wilson. We call you --

Ms. Comstock. Yes, call staff.

EXAMINATION BY MS. COMSTOCK:

Q Do you have any questions before we get started?

A No.

Q Okay. If you could just give us your work history?

A I am retired FBI. I retired from the FBI in December 1977, after having served 36 years with the FBI. The last 13 years of that period, from 1964 to 1977, I was assigned to the White House from the FBI in a liaison-investigative capacity.

After retiring, no contact -- there was a period of time in which I did security investigations through some of the agencies under contract. I returned to the White House in January 1981, under contract as a personnel security consultant, and have remained in that position to the present time.

I would add, this is a part-time consultancy based upon the needs of the Security Office, the person responsible for the Security Office.

Q Okay. And going back to 1993, were you part-time then in 1993?

A Yes, ma'am.

Q On an as-needed basis?

A On an as-needed. I will say it generally came down to 2 or 3 days a week, but that could vary.

Q And when you said it varied, did it vary in the early administration? Did you work more days to assist them?

Mr. Wilson. This -- the early administration --

Ms. Comstock. In 1993, I am sorry.

The Witness. There was a period at the beginning where the Clinton administration was getting under way, there was sort of a lull, they were sort of feeling their way around, so it was rather limited. Then the Security Office work became more involved and began to get under way. Then my time increased as far as my duties, as far as the work is concerned and the days I performed those duties.

BY MS. COMSTOCK:

Q Was that increased to full-time in some weeks?

A No.

Q When it increased, what would it increase to?

A In the beginning I might work a day and then 2 days. I, frankly, tried to limit myself to 3 days a week, personally.

Q And what are your duties in your position as a consultant?

A At the present time, the Clinton administration, they require two areas before a person can come on board. The drug test, which I have nothing to do with, and a security interview. I do the security interviews on all incoming White House staff members.

The other phase of my responsibility is handling the results of FBI investigations as referred to me by a member of the Counsel's Office. It is not my responsibility to order the files, the investigations, or review them when they come to the White House. I only review them when they are referred to me by the Counsel's Office, or someone designated by the Counsel's Office.

Q Okay. In 1993, were your duties similar?

A They did not have security interviews at that time; that came subsequent.

Q When did that begin?

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A It has been probably a year, a year and a half, to the best of my knowledge. I can arrive at an exact date. To the best of my recollection, it was a year and a half or so.

Q So in 1993, what type of work were you doing? Maybe if we start from the beginning when the Clinton administration first came in, what did you do?

[Discussion off the record.]

The Witness. My primary responsibility was still reviewing files referred to me for my opinion or what action I deemed necessary on that particular investigation. In other words, if a file -- I didn't see all files coming in from the FBI. I wasn't the one that said, "I will look at this one and will not look at that one." That was a decision by the Counsel's Office.

If a file contained something that would involve a person's suitability, unfavorable to derogatory information, then I would get specific instructions on that case, "follow through and re-interview the person for the details of that information," what they want to do to clarify it, particularly, for example, if a person has heavy debts or student loans they haven't handled, what are they going to do to clarify it.

I would interview, write a memo to the Counsel's Office, with a recommendation of the action I deemed necessary.

BY MS. COMSTOCK:

Q Would that be a memo you would write to Mr. Kennedy in 1993?

A In 1993, it was to Mr. Kennedy.

Q So did Mr. Kennedy talk to you about these duties then in 1993? Going back to the first days of the administration, you had an understanding of how this office worked, I would imagine, from your work from 1964 to 1997, having done background investigations --

Mr. Wilson. To 1997? You said 1997.

Ms. Comstock. I am sorry --

The Witness. You said 1997.

BY MS. COMSTOCK:

Q 1977, 1964 to 1977.

A I was an FBI agent doing the investigations at the White House.

Q And in that capacity, you would do the background investigation --

A And did not review or have anything to do with the decision-making on the results.

Q You just did the investigations?

A I did the investigation and submitted my reports to my office.

Q And you were familiar generally with the process of the reports being submitted to the Counsel's Office?

A Yes, in general.

Q And then in early 1993, did you have a meeting at some point with Mr. Kennedy before you started doing this work?

A Yes, ma'am.

Q And could you describe that meeting?

A It was my understanding Mr. Kennedy was designated as the Counsel that would be handling the FBI reports. He called me in and said, let's sit down and discuss where we are going, your background. There was a detailed discussion on my background and what I felt I could -- where I could fit in. And he said, fine.

Then he said, "the Commissioned Officers," which in the White House means Assistant to the President, Deputy Assistant to the President, and Special Assistant to the President, those are commissioned officers, he said, "I will handle those." The reports will come to me, I will maintain them and I will make all decisions on those. He said you, I will designate you as the person I will refer cases for the rest of the staff.

Q Okay. So is that sort of the approximately 130 or so top White House officials, then?

A I can't recall the number, but it is that top level, which is easily determined.

Q And again, I am sorry, that is the Deputy Assistant?

A That is Assistant to the President, Deputy Assistant to the President, and Special Assistant to the President. They receive commissions.

Q So to your knowledge --

Mr. Wilson. Could I add something there?

It might also mean anyone whose title says something to the President. It may be Counsel to the President instead of Assistant to the President.

The Witness. I am sorry.

BY MS. COMSTOCK:

Q The Chief of Staff will be included in that also?

A Chief of Staff. But the Counsel to the President is not an assistant. I stand corrected. They would receive a commission.

I would not be handling those cases. That would include anyone that is something to the President, like the Counsel or Deputy Counsel or Associate Counsel; those are all commissioned positions.

Q And to your knowledge, was Craig Livingstone, and that is C-R-A-I-G, not G-R-E-G-G, was Craig Livingstone going to be having anything to do with reviewing the files of those commissioned officers?

A I do not know. I wasn't privy to that.

Q Okay. So this meeting you had with Mr. Kennedy, was this some time in February 1993, then?

A It was very close to the beginning of the administration. I don't want to be tied down to a date, because it was shortly -- when I was asked to stay on, it was shortly thereafter. It could have been the end of January, the first part of February. It was shortly after Mr. Kennedy came aboard.

Q Okay. So he designated you to review, would it be fair to say, any problem files that arose with the rest of the staff outside those commissioned officers?

A As he would see a problem. He would review the file, or whether Mr. Livingstone reviewed the file or referred it to him, I do not know the exact procedure. But at that time if there was a problem in that file, then they would be referred to me to interview and come up with a recommendation.

Q Could you explain how that process then worked when he reviewed -- when he referred files to you?

A From a practical standpoint, when Mr. Kennedy reviewed a file, and there would be items in there that he wanted to question or clarify, he would send the file to Craig stating, to the effect, give this to George, I have marked the areas I want him to check. And I would get that file from the Personnel Security Office, not from Mr. Kennedy's office.

Q Would there usually be a note attached to the file that Mr. Kennedy had done?

A Oh, yes. Mr. Kennedy would write a note and say tell George to handle on page so and so, or put a Stick-um on different pages, refer to my Stick-ums. But in the process, I would review at that point, then I would read the whole file, because -- for the purposes of being sure I cover everything, regardless of something maybe Mr. Kennedy overlooked.

I didn't specifically go right to that. I read the whole file. Then if I thought there was something Mr. Kennedy hadn't observed, I would call and say I noticed this in the file.

I would still get my direction from a counsel, because I am not an attorney. He was the one that would have to handle it on down the road if something came up.

Q All right. And without going into specific names at this time, and we have had sort of open issues in terms of we are not going into any names at this time, people asking for files, but could you describe some of the type of problems in general terms that he referred to you?

A When you speak of suitability, you talk about credit, drugs, alcohol, it is a broad scope that involves the character of a person when you are talking about suitability. It can cover all areas.

If they have had serious counseling, and it is relatively current, in the report will be contained information where there will be interviews with the doctors. Sometimes the question is are you still seeking counseling; it is not derogatory, but clarification for the benefit of the Counsel's Office, and, of course, the Secret Service.

Q So you were reviewing also for security concerns the Secret Service might have?

A When you get into security, I am not interested in security as such. I am interested in suitability. Because the Secret Service gets into the security of the complex. They are in charge of physical security and all that entails, I am Personnel Security, and we didn't -- that didn't mix; so I stayed strictly into the suitability.

An item of deep concern to all administrations, like student loans, extremely sensitive, particularly if they have gone into default. In many cases they have gone into default, they might not be permitted to continue to be employed. That is not just the Clinton administration, those are the kinds of areas we look into, the seriousness of a defaulted student loan. They are very concerned.

I would then interview the person as to what they are doing about it and that sort of thing. The same way, if they have had an alcohol problem in the past, or they have had some DWI's and DUI's, discuss it in detail, when it was, what happened.

Debts, a big item. The credit report is reviewed by the FBI. There would be a number of outstanding debts. The White House is not a collection agency, but we feel people ought to be responsible. So, therefore, I would go -- and if they say, well, I am trying to pay that, I say get me a payment plan.

Before I would write a memo to Mr. Kennedy I would resolve that matter so that I could say he produced a payment plan, and then I would, with my recommendation, say he has handled these matters, and recommend approval of a permanent pass. At the bottom I would say, approve, disapprove, discuss.

That file and that memo would go to Mr. Kennedy. I might not ever hear any more about that file. It is none of my business.

If he read that and called me and said, wait a minute, George, come back up, and we would discuss it, over that particular area, or whatever decision Mr. Kennedy would make.

Q So if you had had approved, disapprove or discuss, if you had said disapprove, that was just your recommendation. You don't know what --

A No, the disapprove was part of his decision. If I put in there, "I recommend that this person be denied access based on," and I would list items, I am not saying terminate, I am saying denied access. Then it comes to a technical point, if you are denied access, how are you going to work. That was not my area. My area was a person be denied access based on these items.

Q The suitability issues?

A That is right. Then it is up to Mr. Kennedy to look at that file. He might say -- whatever he did, I wouldn't know.

Q So it would never come back to you?

A Never came back to me, and I didn't care. It was none of my business. I had my specific responsibility of reviewing and making a recommendation. Then it is up to Mr. Kennedy.

Q Now, you had been doing this since 1981; did you notice any changes in this process in terms of you getting more problems in these various areas or fewer? Can you describe that at all in general terms?

[Discussion off the record.]

The Witness. When I first was put under contract in the Reagan administration, the individual for whom I worked I had known for some years, he gave me -- I was working 5 days a week at that time because there was numerous responsibilities placed on my shoulders. But I would still do this type of investigation for the Counsel's Office.

Now, in past administrations, and particularly starting out with the Reagan administration, the Counsel would designate and delegate the authority to handle this to his Deputy, to the Deputy Counsel, in whichever case, he or she. I worked with that person very closely, particularly during the Reagan administration; to the point if I made a recommendation, the Deputy Counsel would call me over and we would have an open discussion, and he would say at that point, I agree with you, we deny access. You handle it.

And I would handle it. I would call the person in and tell him that we are denying you access, and I would tell him in detail. They would not be allowed to read their report under the Privacy Act, but I would give them enough information and tell them how to get their report from the FBI. And then that action would be done.

Then I would follow up with a memo back to the Deputy Counsel saying this action was taken, this person was required to

leave the premises immediately and turn in his pass. Once the person is told he is denied access, we don't want him there, naturally.

This was pretty much the policy maintained through the period until the Counsel to the President changed later on in the administration, and then my duties in that area began to decrease, where it was left up to the Counsel's Office to take the action. Then as time progressed through the Bush administration, I did not take those actions, it was up to the Counsel's Office. I still wrote the memos, but I wasn't asked to follow through.

And then to the Clinton administration, I was never called upon to take that one step further. Mr. Kennedy or subsequent attorneys might call me for additional information on a case, but I still wouldn't know --

Q What happened.

A What the final decision was.

Mr. Wilson. Just a second.

[Discussion off the record.]

The Witness. You want to know how I operated under Reagan and how it changed. When I first came aboard, the Counsel assumed the responsibility for handling this. He delegated that authority to his Deputy Counsel; no other attorney, to my knowledge. If they got involved through the Deputy Counsel referring it to another attorney for his help, so be it. I dealt with the Deputy Counsel. I dealt with the Deputy Counsel in Mr. Bush's administration.

In Mr. Clinton's administration, the present administration, I started with Mr. Kennedy. When Mr. Kennedy departed, the cases were taken over by another attorney.

Q Would that be Beth Nolan?

A Beth Nolan. She departed. Then it was Chris Cerf. And now it is David Fein, and I think Trey Schroeder. And I have a very limited contact with those attorneys as far as the handling of the cases. I would still get the referrals, but the level, if I can put it that way, the level of the way the cases were handled to me diminished somewhat, if that is a fair term.

Q Diminished between administrations or diminished --

A Diminished --

Q -- among these people?

A In Mr. Clinton's Counsel. In other words, it wasn't the Deputy Counsels. I never discussed any case with Mr. Foster. I knew Mr. Foster. We used to chat. But I didn't go see Mr. Foster. He was Deputy Counsel. I worked through Mr. Kennedy. But Mr. Kennedy was still high-level. He was Associate Counsel, was his title. But then it changed to different attorneys.

Q So now we are down to David Fein and Trey Schroeder, who are lower-level Counsels in the office?

A I hate to use the term "lower level," because David Fein is an Associate Counsel to the President, a high position. Trey is an attorney, I don't know his exact title, but he is not an Associate Counsel. Maybe he is Special Assistant to the Counsel. It is a high-level position as far as an attorney is concerned. I take nothing from that.

Q In terms of the suitability issues that you were addressing, you discussed the credit or tax problems or drugs. Did you see any difference between what you were reviewing from the prior administrations?

A This is a little bit difficult to define, because I found from experience, people that came through college from 1969 to the early 1970's, if they say they never used drugs, I am looking over my glasses at them saying: Come on, don't try to blow smoke at me, the right kind. So regardless of the administration --

Mr. Wilson. Let's assume there is a right kind anymore.

The Witness. That is right. That is right. So I can't say that one administration is so much different from another, because there is a certain age group. I notice, frankly, in this current administration with the younger people, so many of them are coming in saying: "No, I never used drugs." I say, "right on."

I have noticed that in this administration they have striven to try to help the person who might have had a drug problem in the past. In all fairness, they have tried to say if a person has used drugs, maybe 8 or 9 years ago, maybe heavy drugs, but he or she has gone through a rehab program, and then they pass their drug test, then I have observed in this administration, let's give them a chance to see, because you can't condemn a person forever, which I went along with this process. They might be required for random drug testing as part of the deal for them to continue. I don't know all that.

I am not aware of firsthand knowledge of how they continue with it. I have observed that, because I have interviewed people

where they have given me the detail of their drug use, and my recommendation would be since they have gone through rehab and there has been "X" number of years intervening, and they have passed a drug test, I recommend random drug testing and let them hold their position.

Q In terms of recent drug use, did you see files where there had been very recent drug use?

A Yes.

Q And do you know how those were handled?

A In my discussion with Craig Livingstone, the approach was if it has been recent, the recommendation is they not be allowed access. But, again, I don't know whether that -- I have had -- I had a couple of intern cases, normally I didn't handle interns, but if they had a problem on their forms they had filled out, Craig might ask me to interview the person. And if there had been recent drug use, my recommendation went to Craig -- and not directly to a Counsel attorney. This was a change in procedure in the past couple of years. Many of my memos went to Craig. And I would recommend this young man should not be given access. Tell him to go home and get himself straightened out and come back in a couple of years.

Q Do you know whatever happened to any of those that you didn't recommend?

A I know for a fact in a couple of instances they were terminated. Craig would inform me, parents would call and say, what have you done to my son, and that sort of thing, following up. But there was a strictness there, if it was recent.

Q All right. Did there come a time when you became aware that there was a drug testing program for people who were recent drug users who were going to be allowed to stay on at the White House?

A Restate that, please?

Q Did there come a time when you learned that there was a particular program, aside from the regular random drug testing program, a particular program that was designed for individuals who had recent drug use --

A I am not aware of it.

Q -- but were kept on at the White House?

A I don't recall, because, frankly, this whole drug testing, this whole approach was not within my responsibility. The only reason I would come across it is because if I interviewed a person that had a drug problem in the past, or like this young man, I would be called upon. But as far as coming in and saying, George, this is what we are going to do now, I wasn't privy to that or was not involved. So I do not know.

Q This was a program that was worked out with the Secret Service and White House Counsel's Office; you wouldn't have any knowledge of that program?

A No, I do not.

Q Where is your office located?

A This will take some explanation. At the present time, the Special Prosecutor has sealed the office, so I -- I was in 84, until the investigation was turned over to the Special Prosecutor --

Q That was the office of --

A There were two offices involved. There is an office located in room 84 and there is another office in 98; 98 was Craig Livingstone's private office; 84 is where the vault is located and myself and the staff, Craig's staff, and the interns.

Q Okay. In 1993, were you in that office?

A No. I was on the fourth floor. As I told you, I was in Room 1 at the beginning of the Clinton Administration, I was subsequently assigned to room 468 on the fourth floor -- I didn't say that; did you?

Mr. Wilson. No. Why don't you start at the beginning of the administration and walk through it?

The Witness. Let's begin at the beginning of the administration and walk through it.

After the election I was on the fourth floor in an alarmed room, and I was informed by one of the staff that was closing down the administration that we needed a place to store Mr. Bush's files, and yours is alarmed, we are going to put you somewhere. I said I don't care, I will be leaving.

They put me down in Room 1, in a very small office, in Room 1, and they took over the fourth floor office. I stayed in Room 1. I was interviewed by Craig Livingstone at the beginning of the administration in that room. Shortly thereafter, a week, 2

weeks, whatever, I can't recall exactly. I told Craig, I need a private office now that I am going to stay on in this administration. So I was put back on the fourth floor.

I stayed on the fourth floor until approximately 2 months ago, I can't give the exact date because I can't get to my files. Craig stated one day, I am going to get Room 98, I am going to make that my private office, and I am going to move you down to 84. Do you have any problems with that?

I said I have been here 30 years and moved about 30 times; I have no problem with that. So I went down to Room 84 at that time, approximately 2 to 3 months ago, and sat right in the spot, frankly, that Craig Livingstone had occupied. And he went down to Room 98, which is very short, just down the hall.

Q You said you had been interviewed by Craig early in the administration; can you describe that?

A Two days before the Inauguration, David Watkins had a conference with all security types, Secret Service, Security Officers from the different agencies, NSC and CIA, and went around the room.

Q This was 2 days --

A Two days prior to the Inauguration, David Watkins called a meeting of all security types, went around the room getting a background. Very honestly, I said my name is George Saunders. He said I know about you, I know some of your background. We wanted you to stay on, if you feel so inclined. Someone will follow up to discuss it.

Subsequent to that meeting --

Q Was Craig Livingstone at this meeting?

A No.

Q Can you tell us who was at that meeting?

A David Watkins and Clarissa Cerda, C-E-R-D-A, I am not sure of the spelling. Clarissa Cerda. She was Counsel, I don't know if she is now or not. She was on Mr. Watkins' staff and was there at that meeting. Just those two from the staff, as I recall, from Mr. Clinton's staff.

Subsequent --

Q I am sorry, were there other people like Chuck Easley or other Security Officers there?

A Anybody?

Q Secret Service?

A Secret Service, Security Officers for NSC, I don't recall his name. There must have been 10 of us or so.

RPTS STEIN

DCMN QUINTERO

[11:00 a.m.]

Subsequent to that meeting I went back to Room 1 in sort of a hold pattern until I could see which way they were going to go. Frankly, I took a few days off because I didn't have any responsibility.

I don't recall the date, but I got a call, I am Craig Livingstone, I want to come down and talk to you as a follow-up on the Mr. Watkins' conference. And he discussed, the whole approach was you have been here a number of years, you have been through several administrations. Do you feel inclined to stay with this administration?

I said, well, you know my complete background. He said can you support the President? Can you support this administration? I said, very, frankly, I said Mr. Clinton is the President of the United States, he is our only President. I can support the Office of the President of the United States, I can support this administration as far as my duties are involved. I said I try to stay apolitical because that is not my job. And he thought through it, and he said, sounds fine to me. Let me go back and discuss it with -- he didn't say who. Let me go back and have a discussion on this and I will let you know.

Q At that time did he tell you he was going to be heading up the office replacing Jane Dannenhauer?

A I want to say that his introduction was, I am Craig Livingstone, and I am going to be, et cetera, the Jane Dannenhauer for this administration or I am going to takeover. I don't know whether those were his exact words, but I was led to believe he was the individual who was going to be running the Security Office. I got that impression.

Q Can you place that within weeks of the Inauguration?

A It was subsequent to the Inauguration, and I can -- if and when or if I ever get into my files, I might be able to reconstruct that period of time and give you a date, because I could pretty well --

Mr. Wilson. Do you want us to, when we get the files, give you the dates?

Ms. Comstock. Fine. I am not holding you to a particular date.

BY MS. COMSTOCK:

Q Can you place it in terms of whether it was before or after you had your meeting with Mr. Kennedy?

A It was before. It was before my meeting with Mr. Kennedy.

Q Do you know who hired Craig Livingstone?

A Do not know.

Q Did he ever say anything to you about how he got the job at the White House?

A No.

Q So that mystery will remain. The \$64,000 question.

Were you ever aware of him seeking a position in the Military Office?

A The only thing I recall, one day, and I can't even place the time, he said the job I would really like to have is head of the Military Office. I don't think I am going to get it, but that is the job I would really like to have. It was sort of in passing. I said hope you get it. Good luck to you, you know, fine.

Q Did you ever have any sense, did he tell you early on that I am going to be trying to get another job and won't be staying in this position, or anything like that?

A The comments that I heard him say on occasion would be, I am looking around. I would like to get into something else. This is fine. I am enjoying what I am doing. But I really want to get into something else. I had a feeling that he was kind of keeping his eyes open to move into another area, yes.

Q Did you hear from anyone else or did anyone tell you that he was not going to be staying in this position?

A No I don't recall anybody mentioning that.

Q When Craig Livingstone started heading up the office -- I am sorry. Let me back up.

Did Mr. Kennedy when you met with him, did he say Craig was going to be heading up the office?

A My discussion with Mr. Kennedy was I wanted a clarification. When he said that he was going to handle the senior staff, that I would handle the rest of the staff, I said, who is my boss? He said, I am your boss. You answer to me. Craig is working for me, comes under my supervision so you will be dealing with Craig on a day-to-day basis getting the files, but any discussions of the cases you are handling you send the memos to me through Craig, because they had to go through the process of tracking.

My memos went to Mr. Kennedy, and my feeling was Mr. Kennedy would be who I would be discussing cases with in detail if there were any problems.

Q Did you ever have problems dealing with Mr. Kennedy or have any concerns with how your job was being handled?

A No.

Q Any disagreements that you had on files?

A No. Mr. Kennedy and I got along very well. There was never any discussion, never, if there was a particular case, he never lashed out and said this doesn't make sense or anything like that. It was a good working relationship with Mr. Kennedy. I had no problems with him.

Q Did he talk to you often about the recommendations of the files that you sent back to him?

A Not often. My discussion with Mr. Kennedy, we became sort of professional friends because we were thrown together and I might see him in the White House mess for lunch and we would sit together and chat. As far as detailed discussions on a

particular case, he might call me in, but it was very seldom because, hopefully, my memo would contain the necessary information for him to make a decision, which did not call for an additional conference.

Q So usually after you sent a memo to him you never had any contact about that particular file again?

A That is correct.

Q And you would seldom hear back from him one way or the other?

A Never heard back unless he wanted to discuss a case. He never said, oh, by the way, something happened, I made a decision on so-and-so. Did not happen.

Q Do you recall when you first started receiving any files to review? Did you receive any in the spring of 1993?

A Again, I can't give you dates. I can't recall because I kept a daily log handwritten. You got to understand, I am not into computers. It is completely meaningless to me and so therefore I didn't have a computer where I tracked everything. I kept a daily handwritten log, cases I handled and would jot on there, memo to Mr. Kennedy. I can determine that from the logs, but I can't recall the exact date --

Mr. Wilson. We will be glad to supply them.

BY MS. COMSTOCK:

Q You saved all those memos and logs?

A That is correct.

Q Were you aware of there being delays in the new employees at the White House turning in their SF-86s?

A Yes.

Q Did you have any discussions with anybody about that?

A Mr. Livingstone and I would discuss it on occasion because Mr. Livingstone would get very upset and concerned that the staff members were not submitting their SF-86, which is a security questionnaire. That is required. That is the form that goes to the FBI for the full field investigation. So he was quite concerned that time was passing and some of the staff members were not submitting the forms. It was that sort of discussion.

Q Do you know what he did about that?

A Mr. Livingstone I said was concerned, and he was on a case that I had been trying to talk to Mr. Kennedy about. This, again, I was not involved in that procedure of requesting the SF-86 or receiving them or any of that. This was sort of a talk with Craig.

Q Did he tell you, I have to get Bill Kennedy to pay attention to this or to do something about this, or what was the nature of that conversation?

A I don't know whether it went exactly like that. Just saying I am concerned about some of the staff members and didn't even mention names, some of the staff members are not getting the SF-86. They are not getting their papers in.

Q Then if they did not get their paperwork in, their background investigations were not being initiated; is that correct?

A That is correct.

Q We have a GAO report from October of 1995. Page 22 of the report, if you want to reference it, it says that there were 190 individuals who took more than 100 days to complete their SF-86s. Does that sound like numbers you heard or were familiar with?

A I am not familiar with numbers at all.

Q Then that 190 individuals who took more than 100 days, it says included 36 people who took over 300 days to fill out their SF-86 forms?

A I have no knowledge of that.

Q Would that kind of delay be unusual from your experience having been at the White House?

A Restate the question please.

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Q Okay. Why don't I -- I think what I was trying to get at is, were these kinds of delays unusual, in your experience?

A Yes.

Q At the White House?

A Yes, based on my experience with other administrations. The procedures -- I will have to go with a bit of background. Jane Dannenhauer had experience when she came in with Reagan's administration. She was experienced. She knew these forms, there was a certain period of time the forms were given, and if they didn't get them in they didn't get the temporary pass. That is a good system, because any time you let a person say, here is your temporary pass, get the forms in as soon as you can -- I am too busy, I haven't got time, delay, delay, delay.

Under the present as this came up with the publicity, they have tightened that and you do not get your temporary pass until the forms are in. But that was not instituted at the outset of Mr. Clinton's administration.

Q In 1994, there was a law passed that required paperwork had to be gotten in in the first 30 days.

A They have to get them in.

Q And when Ms. Dannenhauer was running things they would not give them a temporary pass until they turned in their paperwork; is that correct?

A Yes, papers were turned in.

Q To your knowledge, was that policy then changed during the Clinton administration? They would give people temporary passes prior to --

A It is my understanding that temporary passes would be issued with a 90-day deadline.

Q Were you aware of these temporary passes being extended month after month during 1993?

A Frankly, they would have to be extended. If you get a 90-day pass, and that time expires, you can't get in. So you have to go down and get an extension. You might get another 90-day.

Q So people, like these 36 people who took over 300 days to fill out their SF-86s, one of them was Dee Dee Myers. That came out in the paper. She had a temporary pass for the entire time. So the situation would have been that she just kept going down and renewing her temporary pass without having turned in her paperwork each and every time?

A That is correct.

Q Was that contrary to what previous administrations had done, to your knowledge?

A Yes.

Q The GAO report said that they had routinely granted eight or more extensions to individuals for temporary passes as requested by the Executive Office of the President. Was that eight extensions of temporary passes, was that something normal from your experience?

A No.

Mr. Wilson. One person got extended eight times?

Ms. Comstock. No. That was sort of an average of people --

BY MS. COMSTOCK:

Q Do you have a sense of when people started getting the permanent passes in this administration?

A No. Because again, I was not involved in that process.

Q You are more on the front end of the process; is that correct?

A Reviewing them and getting the unfavorable or suitability problems taken care of, so I wasn't involved -- the staff, Mr. Livingstone's staff is the one that prepared each day the passes that had to be updated and sent them to the Secret Service.

Q When you got files did you ever see anything like with the SF-86 days crossed out or changed?

A Not to my knowledge. I don't recall seeing dates changed.

SCS 000164

Q The GAO report, also on page 24, indicates that during 1993, the Executive Office of the President took over 100 days to recommend the approval of a permanent pass in 202 or 294 cases. In your past experience, did the -- upon completion of the backgrounds, was it normal that it would take 100 days to review, for the Counsel's Office and whatever review you had -- would that take 100 days?

Mr. Wilson. I don't understand what this means.

Ms. Comstock. If you don't understand, that isn't a fair reference for you.

Mr. Wilson. It says approval of a permanent pass. Is this after receipt of a FFI?

The Witness. Full field investigation.

Ms. Comstock. It is not clear there in the report; is it?

Ms. Comstock. Removing it from the report, why don't we --

Mr. Wilson. Average days from the date the FBI concluded the background investigation to the date the Executive Office approved a permanent pass.

Ms. Comstock. If there is something that you can clarify from your experience that explains it better?

Mr. Wilson. When it says the Executive Office of the President, that to Mr. Saunders means Mr. Easley's Office of Security under the Office of Administration which handles security for all of the Executive Office of the President until recently, except the White House office.

Ms. Comstock. So they are misnaming --

Mr. Wilson. I don't know whether they are misnaming the office or whether they were looking at Mr. Easley's operation and not the White House office.

Ms. Comstock. My understanding is they were not.

Mr. Wilson. I haven't read the report.

Ms. Comstock. And I don't want to tie you to a report that you haven't read.

Mr. Wilson. If this means the average days from the date the FBI provides a completed background investigation to the White House Office of Security, until the time a decision is made on a pass, then what would your answer be? Is 100 days too long?

The Witness. Too long. In my opinion, that is too long.

Mr. Wilson. Would you answer the other part of the question, how long would it have been, say, under the Reagan administration, if you know?

The Witness. I don't recall a rule. Again, when I got the case I made my recommendation prior to this administration, I am talking about the Reagan administration, to Mr. Hauser.

Mr. Hauser would act on that immediately, usually within 30 days that was adjudicated, unless some other problem arose. But normally we would get that out. It wouldn't lay around.

BY MS. COMSTOCK:

Q And you didn't take 100 days to review the files that you had?

A I would have been on the river bank fishing.

Q When you got a file, do you know what your turnaround time in sending that back to Mr. Kennedy through Mr. Livingstone would be?

A Any time I got a file I would try to move on that within 24 hours. I might not be able to complete it, but I would call the person and say I need an interview now, as soon as possible, no delay. And within a week I would have a memo completed, unless there was a problem, say, with credit and they had to have time to make payment plans and that sort of thing. Then it would extend it. But still there is action being taken.

But to say that it was 100 days would be highly unusual. I don't recall a case that I have handled. I know they wouldn't sit on my desk.

Q That is what I am asking.

A 100 days would be an exception unless it was so detailed that Mr. Hauser or the counsel handling it would say we will keep on with the temporary until we get this thing straightened out, but that would be an exception.

Q Do you have any sense of the hours that Craig kept at the office, if he was there full-time or not?

A The reason I am hesitating, I am on the fourth floor. His office is on the ground floor. Many times I would come in -- I am an early bird, in at 6:00, 6:30, so I am working away and I may not get down to Room 84 until 9:30, quarter to 10:00. Craig might be gone. I wouldn't even question. I would say, is Craig coming in today? They would say, yes. I can't give you a definitive answer as to what hours he kept.

Q You just moved down to Room 84 in the past 2 months?

A Approximately 2, 3 months. I would call it recent.

Q Did you have any knowledge of Craig working on other matters at the White House such as advance or other duties that he had?

A Yes.

Q Do you have a sense of how much work he was doing in that area?

A No.

Q Did you ever discuss with him how he was doing both jobs or why or anything like that?

A No.

Q Would he sometimes be gone for several days on a trip when he did advance?

A On occasion. A few months ago he went to Russia on an advance trip for the President. He said I am really looking forward to this trip. I am going to get to go to Russia and do this advance. On occasion he would say, I am going to be gone a few days. I will be doing an advance. I will be gone a few days on an advance trip. I didn't pay any attention to it.

Q Did you know any of the interns who worked in Craig's office?

A Yes.

Q Can you identify -- why don't I start with the other employees in the office? Were you familiar with them?

A Yes. Ed Hughes and Jonathan Denbo, D-E-N-B-O were the two staff members assigned to Mr. Livingstone. Then there were two interns that were assigned to the Security Office from the intern program coordinator. I don't know if that is the exact title, but she coordinated the intern program, so Craig would get two interns and myself, and that made up the staff.

Q Did you know Lisa Wetzl when she was there in the office?

A Yes.

Q Do you know when any of those folks received their security clearances?

A No.

Q Were you involved with anything having to do with security clearances?

A No.

Q Who would be handling that at the White House in 1993?

A You are getting -- I am hesitating because you are getting into a whole different area when you talk about clearances. When the full field is complete and the Counsel's Office signs off on a case, if nothing is unfavorable, Craig could sign off on it, then a person is issued their permanent pass and to me the clearance was complete.

As to when these people on the staff got their permanent passes, I don't know. None of their cases were referred to me, so I assume there were no problems. That is an assumption. They weren't referred to me so I don't know the dates they received their permanent pass.

Q Did you ever have situations where interns in the office, their files were referred to you?

SCS 000166

A On, very seldom, but the one I mentioned previously about the young man who had recently used drugs -- I normally had no contact with the process of bringing in the interns or the briefings they went through. No.

Q That was an intern that was in Mr. Livingstone's office?

A No. That person was not in --

Q I wanted to know did you have any situation where interns in that office were referred to you?

A Mr. Livingstone asked me to interview the interns individually in private to go over the general area I would do on a security interview and also inform them of the need to handle their work in a very confidential manner.

Mr. Wilson. These were interns who worked in his office.

The Witness. Interns in his office, and there were two, and I would do that at the request of Craig as an old gray-haired guy telling them this is what is expected of you in this office.

BY MS. COMSTOCK:

Q We had public testimony that there were numerous interns coming in. Did you know all the various interns that were in the office?

A I knew them all at that time. Many of them were college students, received credit, they had to do a paper because they talked to me about it. Some would come and ask me questions so I could help them on their paper. I knew the two interns assigned each time they changed, but I couldn't recall -- at the time I knew their name.

Q Do you have any knowledge of whether they had security clearances while they were at the White House?

A To my knowledge, they did not. They were not subject to a full field investigation. They did receive what we call a name check and then the -- which would include a criminal and credit check. I don't know the complete process of that. That type of clearance is what is required under the Executive Order to get a confidential and a secret clearance.

A top secret clearance requires a full field investigation by an investigative agency, OPM, FBI, et cetera.

Q On the name checks, if you have any knowledge in that area, do you know if the NSC office does the name checks themselves?

A I do not know their procedure.

Q Do you have any knowledge if the NSC name checks ever went through Craig's office or how that worked?

A I have no knowledge of the procedure.

Q As to seeking previous reports, do you have any knowledge as to whether NSC would seek previous reports of their holdover staff or if that went through Craig's office?

A I do not know.

Mr. Wilson. We are a little confused by that because our understanding, as Mr. Saunders explained to me, is the NSC would not be doing name checks on their holdover staff because the NSC maintained its own Security Office and therefore had its own records from administration to administration. So --

BY MS. COMSTOCK:

Q That is what I am trying to understand -- just generally if you have an understanding of how the NSC's Security Office worked, maybe that would assist us.

A I know the Security Officer but have never had a discussion on their procedures.

Q But to your knowledge, they do have a separate office that handles security matters?

A There is a Security Officer for NSC and he -- but as far as how that operated in conjunction with the White House Security Office, I do not know.

Q Did there come a time when you knew that Mr. Anthony Marceca was in Mr. Livingstone's office, was ~~working~~ in?

A I met Tony Marceca when he was assigned to the office.

Q Do you recall how he was introduced to you?

A Craig introduced him saying words to the effect, you need to know Tony, he is an old-timer like you, has been in the security field. You guys ought to have a lot to talk about. That sort of thing.

Q Did you talk to Mr. Marceca about what he would be doing there?

A I am sorry. I did not have any knowledge of his assignment or the areas of his responsibility.

Q Did you have any knowledge that he was going to be working on seeking previous reports?

A No.

Q Did you know he was going to be reviewing backgrounds at all?

A I had no knowledge of that at all.

Q Did you have any sense of what he was going to be doing in Mr. Livingstone's office?

A No.

Q Prior to Mr. Marceca coming on board at the White House, which was in August of 1993, as a detailee, did Craig ever talk to you about that he was trying to get Mr. Marceca or somebody to come in and help him with his work?

A No. There was no discussion with me on that.

Q Did he ever ask you to consider expanding your duties or look into doing some of these initial reviews of the SF-86s?

A No.

Q Was that something that you could have assisted them in if they needed extra help with that early in the spring, summer of 1993?

A Yes, I could have assisted, but that was not my responsibility and he did not call me in for that purpose.

Q Were you aware at all of Mr. Marceca being at the White House in the spring or summer of 1993, prior to being detailed to the White House in August?

A No.

Q I understand you may not remember the exact dates when he came in.

A Just to -- not that I recall. Rather than say a flat no, not that I recall.

Q I understand; if you had a sense of prior to him coming there that he was a frequent visitor to the White House or anything like that?

A No. I have no knowledge of that.

Q When the issue of the FBI files became public in the last month, 6 weeks or so, did you have any conversations with Craig about those?

A No.

Q Were you aware -- you said you are now physically in the office where Mr. Livingstone's office is attached to your office?

A Yes.

Q Did you hear any discussions of this whole matter and how this happened?

Mr. Wilson. What time period are you asking about?

The Witness. After it became public; is that what you said.

BY MS. COMSTOCK:

Q If you knew before. I will go into that, too, but if you --

A I had no knowledge of this whole process of what was going on until I read it in the paper. Is that what you are trying --

Q That is the obtaining of the various --

A Requesting these files. I had no knowledge of it.

Q So the FBI background files, the hundreds that were sought on Bush and Reagan officials you were not aware of?

A No.

Q Did Craig ever talk to you about they had obtained Billy Dale's file at any time?

A No.

Q In the course of the various document requests and things that went out, did Craig ever discuss with you the issue of some of the files in the office might be responsive to subpoenas or document requests from various investigations?

A No.

Q Did you have any discussions with Craig about anything relating to this FBI files issue at any time?

A No.

Q Have you had any discussion with any other people in the office about the FBI files matter?

A Two interns, fine young men. When this broke they came to me and said, how is this going to affect us? I said I have no idea. I wasn't aware of any of this. I said fellows, hang in there, you will be told what to do and keep on doing your job and see how this plays out.

Q Were these college interns for the semester?

A Yes.

Q Were you aware of anyone in the White House Counsel's Office talking to the interns?

A I have no knowledge of that.

Q Had the White House Counsel's Office contacted you in the context of trying to find out anything about this FBI files matter?

A No.

Q At any time?

A No.

Mr. Wilson. They have contacted him, but not about the files matter.

The Witness. Concerning these requests and files, the answer to that is no.

BY MS. COMSTOCK:

Q When they have contacted you has it been in the context of --

A My duties.

Q Okay. Your duties at the job?

A Yes.

Q Or have they contacted you about interviews or who to talk to or anything like that in terms of whether or not you can talk to people outside the White House or counsel or committees?

A I am not clear. I am not clear just what we are focusing in on.

In answer to your question, the first time I heard your name was when Jane Sherburne called, you called me and I went to Jane Sherburne and told her that I had been called by a member of the staff that wanted to talk with me. In that context that was the first time I talked with a counsel member concerning any of this.

Q Could you relate what Ms. Sherburne told you?

A Tell Ms. Comstock, call her back -- no. She said I will call. I will call Ms. Comstock. So at that point I just backed off.

Q Did she tell you not to call staff or that she would handle it?

A She said she would handle it. Her whole feeling was in the context of our conversation that I would be called and, but they wanted to be aware of it and that she would handle that and I would be informed. So it wasn't a matter of her not wanting me to go through with it or to cooperate or whatever. I felt when you called me, being under contract to the White House, I would go to one of the counsel members to let them know before I proceeded.

Q Were you aware of Craig complaining about his salary or trying to get raises, anything like that?

A I recall vaguely a conversation one time. He said words to the effect: My predecessor is making so much more than I am making that I feel I should be making more. That sort of a comment. It was just that type of a thing.

Q And you had said, I guess you did come to know Mr. Marceca then, that he was in the office?

A Yes.

Q Could you just describe the nature of your contact with Mr. Marceca?

A Going into somewhat detail, I come into the office and Tony was -- the setup of the office, you walk in the door, Craig's office is here, Tony is here and there are two workstations, no partitions. His location within the office. When I would come to talk to Craig or to go to my box, it was a matter of saying, morning, Tony, or let's go get a cup of coffee, Tony, or we might have lunch. Yes, I had conversations with him.

Q You didn't have a sense of what he was doing there or --

A No.

Q Did you see him around the office -- after February of 1994, his detail ended. Do you recall seeing him in the office after that time, the summer or fall 1994?

A I don't recall the time frame. I saw him a couple of times because one time I saw him coming down the hall. We greeted each other. Whether we had a cup of coffee, I don't recall, but I saw him possibly on two occasions.

Q Do you recall when those were generally, this year or last year?

A He left in --

Q February of 1994, so over 2 years ago he left.

A I am hesitant because I know it hasn't been recent, I mean by that for the past 6 months. It was probably last year sometime. That is not pinning it down very well but it was such a passing thing, just a hi, and chatting generally, how are you getting along.

Q In the past several months you haven't seen him at all while you have been in the office?

A No.

Q Did you ever hear of Craig calling him or contacting Mr. Marceca in the past several months?

A Not to my knowledge.

Q Did Mr. Marceca ever tell you that he was attempting to get any appointments to positions in the administration?

A No.

Q Did he ever tell you that he was interested in an IG job or a Marshals Service job?

A No.

Q Were you aware of him ever having interviews with anyone in Presidential Personnel?

A No.

Q I just wanted to briefly -- this will be the final area -- do you recall when you became aware of the Travel Office firings in 1993?

A If you can tell me the day they were fired --

Q May 19, 1993.

A That is the day I heard of it, Billy Dale and staff were to leave, that is the date.

Q Do you recall who told you about that?

A You have got to realize the Travel Office, those fellows were well-known around the White House. All of a sudden did you hear that the Travel Office had been asked to leave, that type of thing. So as far as pinpointing who told me or how, I do not recall.

Q Prior to their firing had Mr. Livingstone or Mr. Kennedy ever asked you about any of the seven employees in the Travel Office?

A No.

Q They had never asked if you had heard any rumors or anything to that effect?

A No.

Q Do you have any knowledge how any of the documents or anything were secured in the Travel Office following the firings?

A No.

Q Did Craig ever talk to you about any matters related to the Travel Office employees?

A No.

Q Did he mention in passing anything about the whole event?

A No.

Q I just have a few documents I wanted to go through.

This is a February 17th 1993 memo, which is from Vincent Foster and William Kennedy, and it is discussing the need to complete their Form 86s and submitting the paperwork and that the -- I guess the FBI agents would have to contact them.

A They are mentioned by name.

Q Were you aware of any memos such as this being sent out telling the staff they needed to meet with the FBI agents?

A I received copies of all memos like this to the White House staff. I would have received this as just regular mail. Since it didn't involve me I wouldn't even have kept a copy of it. It did not involve me.

Q Were you aware of the FBI agents having any problems interviewing the employees?

A I knew both of these gentleman well, being an ex-agent and these fellows are current agents and they are doing the job that I did for 13 years. Yes, we had contact. They would drop by my office, I would drop by theirs. On occasion there would be an air of frustration about it, saying we can't get any of our 86s in, we can't get our investigations completed, we are having problems getting our interviews done.

The conversation was sort of out of frustration, not asking me, George, can you do anything about it; no. It was just general conversations. My whole approach was that is your problem, fellows, I did it for 13 years and you handle it. No, there wasn't a discussion of it.

Q So on sort of an ongoing basis they had mentioned to you that in the course of their work that they had had problems?

A It wasn't an everyday occasion because there would be weeks I wouldn't even see them. To answer your question, yes, they had a general discussion.

Q I would like to make this February 17, 1993 memo --

A I think that is the one you showed me.

Ms. Comstock. This is CGE 48210. Make that Exhibit 1 for the record.

[Saunders Deposition Exhibit No. 1

was marked for identification.]

BY MS. COMSTOCK:

Q And this is a June 10, 1993 memo, CGE 47888.

I will let you review that for a moment.

A I have never -- I didn't get a copy of this. I have never seen this.

Q The title is Assignment from Bill Kennedy and Craig Livingstone, and it discusses a question regarding law or regulations on drug use in the White House or EOP and then discusses if somebody admits drug use, what are the rights and obligations here.

Did you ever have any discussion to this effect with Mr. Kennedy or Mr. Livingstone, not particularly about this assignment or the document itself, but the issues raised in this document?

A No. Not to my knowledge. I don't recall having any discussion. This memo is completely new to me and I don't recall any conversation as a follow-up on this.

Q Were you aware of any concerns that Mr. Kennedy or Mr. Livingstone had about denying people who had admitted recent drug use, denying them a position at the White House?

Mr. Wilson. What do you mean by recent?

Ms. Comstock. Within the past year.

The Witness. Drug use within the past year?

BY MS. COMSTOCK:

Q Yes.

A The only discussion I might have is what he told me like in this intern's case, interview him and get the details, because he says, I am concerned about the recent drug use of this person. But it generally was in connection with a particular case, not an overall policy.

Ms. Comstock. Let's make this Exhibit 2 for the record.

[Saunders Deposition Exhibit No. 2

was marked for identification.]

BY MS. COMSTOCK:

Q This is a September 29, 1993 memo. It is for David Gergen from Bill Kennedy regarding security forms, and it is discussing turning in personal data statements, SF-86 and various paperwork by a date certain, which was October 10, 1993 at this point.

I am not really asking you a question about this particular document, September 29, 1993, CGE 47903, but I was wondering if you were aware of memos going out to individuals who hadn't turned in their SF-86s, if you had any knowledge of Mr. Kennedy sending out memos to these people on any kind of a regular basis?

A I am not aware of this type of memo going to any individuals.

Ms. Comstock. I will make that September 20, 1993 memo for David Gergen from Bill Kennedy Exhibit 3. That is CGE 47903.

[Saunders Deposition Exhibit No. 3

was marked for identification.]

BY MS. COMSTOCK:

Q This is a June 19, 1993 memo for Joanne Hilty in the Office of the Vice President from Bill Kennedy, regarding FBI background summaries and SCI clearances and discusses that the FBI had informed Mr. Kennedy that the Vice President's Office or Joanne Hilty in the office had requested copies of background summaries and that Mr. Kennedy had instructed the FBI not to do so.

Did you ever have any discussions about anything relating to this?

A I don't recall. I am not aware of these.

Ms. Comstock. I will make that Exhibit 4, the CGE 47962, June 19, 1993 memo.

[Saunders Deposition Exhibit No. 4

was marked for identification.]

BY MS. COMSTOCK:

Q This is a May 5, 1993 memo for James Farrell, Security Officer in the NSC, from William Kennedy and the subject, compartmented clearances. It says this memo will serve as a request for access to sensitive compartmented information for the employee named herein, and that employee was Craig Livingstone.

Do you have any knowledge of Mr. Livingstone getting a compartmented clearance at any time?

A I have no knowledge.

Q To your knowledge did people get compartmented clearances in general prior to them obtaining their permanent passes?

Mr. Wilson. Would you repeat that?

BY MS. COMSTOCK:

Q If someone did not have their permanent pass yet, if they were operating on a temporary pass, would they be able to be granted a compartmented clearance?

A My knowledge of the procedure is that to get a compartmented clearance as generally handled by NSC, they would review -- therefore, to my knowledge, no, they would not get compartmented without the completion because there you say before they got their permanent pass; is that what you said?

Q Yes.

A They had a temporary. To get their permanent pass they had to have a completed investigation. So it is sort of putting the cart before the horse.

Q Then the completed investigation would include both the full field background investigation and then the adjudication by the Counsel's Office and then passing that on to the Secret Service for their approval of the final pass, doing the security checks and all of that?

A The procedure that the Security Office in their dealings with Secret Service, I do not have personal knowledge of how that went forward.

Q But you do have an understanding that the Secret Service issues the permanent pass?

A The Secret Service issues the permanent pass, yes.

Q I guess my question is, do you have any knowledge of whether or not individuals could be granted these clearances prior to having their permanent passes?

Mr. Wilson. SCI clearance.

The Witness. SCI and above compartmented.

BY MS. COMSTOCK:

Q Yes.

A I have no knowledge of anyone ever having received compartmented clearances without a completed FBI background investigation.

Ms. Comstock. I will make this May 5, 1993 memo Exhibit 5.

[Saunders Deposition Exhibit No. 5

was marked for identification.]

BY MS. COMSTOCK:

Q While you have been physically located in the office of Mr. Livingstone the past 2 months, do you know -- aside from people who work in the office, can you identify any of the people who came by the office frequently, came by to see Mr. Livingstone?

A That is a little bit of a difficult question because you had the Security Officers for NSC, the Security Officer for EOP would be coming by constantly on official duties.

Q Could you describe that interaction, the Security Officers for the NSC, and I guess Mr. Easley who was the Security Officer for the EOP, what the interaction was with Craig, how that worked?

A I don't know how it worked. There is a close relationship because here is Mr. Easley is the Executive Officer of the President and some of the positions within the Executive Office of the President would overlap with what the White House Security Office is concerned with; so there would be an overlap there because of the way the offices were operated.

Q Do you know what they would be discussing, why they had frequent contacts, what would be the matters that they would be discussing?

A No. I do not know what their conversations might have entailed.

Q In terms of people who came by frequently to see Craig, aside from the Security Officers, do you know who those individuals -- were there any frequent visitors to Mr. Livingstone that you are aware of, people you saw come by often?

A Being on the fourth floor, I didn't know who the visitors were. When I moved down there, Mr. Livingstone was in Room 98, so who would drop in frequently --

Q Ninety-eight is physically separate from 84?

A Down the hall.

Q How often would he be in 84 when you have been there, then?

A He would come into 84 to pick up work that his staff had prepared for him, but he would be there a very short period, or he would be giving administrative instructions to the staff, and then he is back to 98. So it wasn't him sitting down there in 84 for a given period of time.

He might go into the vault to handle administrative matters referred to him by his staff, and he would be there for a period of time. I don't recall anybody dropping in on him while he was there because it would be a relatively short period of time, and then he would go back to his office in Room 98.

Q Do you know why he got that separate office, separate from Room 84?

A It is humorous. I am smiling because when I received my office in Room 468, that was part of Mr. Livingstone's work area. And he used to kiddingly say, you know, George, I am going to take your private office because I like that private office.

I said anytime. I am being facetious, but that was sort of the conversation. Then prior to my moving down to 84, he said, George, I have an opportunity -- we have to give up 468. I have an opportunity to get 98 and I am going to make that my private office and I am going to put you in 84. If I do that to you are you going to quit?

I said I have been around too long, Craig. I don't care where I work. It was that sort of a conversation. I said, do your thing, get your private office fixed up. I don't care. So I went down to 84 and took the office space he had had and he was Director of White House Security.

If he wanted a private office, that was fine. That was sort of the sequence of events that led me down into Room 84, and he went to 98.

Ms. Comstock. Do you have questions?

Mr. Hernandez. I have 5 minutes of questions.

Mr. Wilson. I would like to know if he wanted to take a break. If it is going to be 5 minutes, no. If it is going to be 15, yes.

Ms. Comstock. It might be longer than 5 minutes.

Mr. Wilson. Let's take a break.

[Recess.]

SCS 000174

RPTS COCHRAN

DCMN QUINTERO

[12:03 p.m.]

EXAMINATION BY MR. HERNANDEZ:

Q Back on the record.

Good afternoon, Mr. Saunders. I will have a few questions about Mr. Gary Aldrich.

First of all, are you familiar with Gary Aldrich?

A Yes.

Q For the record, can you explain who Gary Aldrich is?

A Gary Aldrich is a retired FBI agent. Prior to his retirement he was assigned to the White House in an investigatory capacity by the FBI for, I would say, approximately 5 years. I don't know the exact time.

Q And do you know Mr. Aldrich?

A Yes.

Q Approximately how long have you known him?

A Approximately 5 years.

Q Okay. I am assuming that you are aware that you are mentioned in at least four occasions in Mr. Aldrich's recent book, Unlimited Access?

[Discussion off the record.]

The Witness. 10 times.

BY MR. HERNANDEZ:

Q Ten times. I only looked at the index.

A The index says 3 or 4 times. I read the book. The next thing I knew, 10 times.

Q For my next question, I am going to read a passage from page 156 that directly quotes you.

A Yes.

Q After I read, I will give it to you, if you need to look it over. This is page 156 of Unlimited Access by Gary Aldrich.

On 6 October, 1993, George Saunders came by our office. His contract had expired and he thought that perhaps it might be his last day at the White House. He tried to get a heads-up from Craig or Bill Kennedy, but neither would say anything definitive.

"I have been doing basically nothing for 9 months now, at least nothing of any real substance. I haven't been able to interview anyone. I haven't seen any of the FBI summaries, and the only matters I have seen are related to credit problems of low-level support staff. I am not being used. They don't seek my advice. They don't even ask me to lecture the interns or the new staff on security.

"Do you think you are kept here just to maintain a false image of security, I asked, knowing the answer? George's complaints were familiar by now. George looked downcast.

"What else can I think? I don't know if Livingstone or Kennedy or even Reed get the FBI summaries, but I have to believe they are. You know, Craig complained to me that many staffers have got to be fired for serious character problems, but Kennedy won't do it, and Craig told me you guys don't even have the paperwork to do background investigations on staffers who have been here from the beginning. That is unbelievable."

Are those quotes of yours accurate that Mr. Aldrich put in his book?

A No.

Q And do --

A I don't believe I have ever been downcast. I have had people call me and say "Gee, I didn't know you were downcast." I may have been facetious, but I am being very honest. I am concerned about that quote. I am concerned about being quoted in quotes without any contact from me. He puts these in quotes and saying "George said."

I don't have any knowledge of this conversation, I don't recall any knowledge. I never recall confiding with Gary Aldrich saying "I am not doing anything, nothing is referred to me."

So in answer to your question, these quotes are upsetting to me.

Q That was my last question, was how did that make you feel? You just answered that question.

Those are all the questions have I right now.

Thank you.

BY MS. COMSTOCK:

Q Did you have an understanding of what type of supervision Mr. Kennedy did of Mr. Livingstone's office?

A I did not.

Q Do you have a sense of whether or not Mr. Kennedy was supervising the office or not?

A I am not trying to beg the issue. It is almost like how do you define supervision? And I base that going back to other admissions. With Jane Dannenhauer, she ran a tight office. So as far as anybody coming in there constantly for supervision, she answered to Dick Hauser, who was Deputy Counsel. I likened that to this situation, Craig Livingstone was Director of the Office, and, to my knowledge, Mr. Kennedy had confidence in him. So when you say "supervision," the definition would become involved.

Q Okay. Well, did you ever see anything that caused you to have any concern that Mr. Kennedy maybe wasn't overseeing the office or was not involved with the activities to the extent that a person in that position needed to be involved?

A No, I observed nothing that would cause me to question that.

Ms. Comstock. I think that is all have I for today.

The Witness. Thank you.

Ms. Comstock. Thank you.

[Whereupon, at 12:07 p.m., the deposition was concluded.]