Case Number: 2006-1066-F

FOIA MARKER

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

Folder Title: Office of Administration; Reviewed for Clinger's June 21, 1996 Request: Steve Neuwirth Originals [1]
Staff Office-Individual: Counsel's Office
Original OA/ID Number: CF 670

Row:	Section:	Shelf:	Position:	Stack:
18	2	1	2	V

Withdrawal/Redaction Sheet
Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. note	Steve Neuwirth's notes on background investigations. [partial] (3 pages)	00/00/1993	b(7)(C), b(7)(E)

COLLECTION:

Clinton Presidential Records
Counsel Office

OA/Box Number: CF 670

FOLDER TITLE:

Office of Adminstration; Reviewed for Clinger's June 21, 1996 Request: Steve Neuwirth Originals [1]

2006-1066-F
vz3548

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

THE WHITE HOUSE
WASHINGTON

Steve Neuwirth

Originals

Security Office /
Transition Notes

6/27

Wendy:

Here are the documents I have located that are responsive to the document request. (I reviewed these with you yesterday.)

I have provided you with *originals*. I have also included copies of the file folders in which these documents were located.

Steve Neuwirth

THE WHITE HOUSE
WASHINGTON

June 24, 1996

TO: All Staff of the White House and Office of Administration

FROM: Jane Sherburne JS
Special Counsel to the President

Wendy S. White
Associate Counsel to the President

RE: Document Requests from House Committee on Government Reform and Oversight dated June 21, 1996.

We have received the following request for documents from the House Committee on Government Reform and Oversight:

"All memos to and/or from Craig Livingstone, Anthony Marceca, William Kennedy, Bernard Nussbaum, Vincent Foster, Joel Klein, Lloyd Cutler, Abner Mikva, John M. Quinn, Jane Sherburne, Beth Nolan, Cliff Mauton, Christopher Cerf, Trey Schroeder, Ed Hughes, Jonathan Denbo, Mari Anderson, or Ms. Lisa Wetzel regarding anything having to do with the updating of White House passes, security clearances, FBI background files or any operations of the Office of Personnel Security."

Please search your files for responsive materials. After conducting your search, provide the documents to Wendy White in Room 136 of the Old Executive Office Building as soon as possible. The Committee has asked for a response by the close of business today. While we will advise the Committee that we are unable to meet this deadline, we want to respond as quickly as we can.

Should you have any questions regarding this request, please call Wendy White at 6-7361.

NEUWIRTH, STEPHEN R.
WHITE HOUSE OFFICE

GENERAL COUNSEL

OEOB 130

THE WHITE HOUSE

WASHINGTON

March 14, 1994

MEMORANDUM FOR ALL EXECUTIVE OFFICE OF THE PRESIDENT STAFF

FROM: MACK McLARTY
CHIEF OF STAFF

SUBJECT: Completion of All Employment and Security Paperwork

All staff who have joined the payroll of an EOP agency prior to March 1, 1994, should have completed their employment and security related paperwork, including the SF 86 -- Questionnaire for Sensitive Positions.

Any staff who have not completed the required paperwork have until this Friday, March 18, 1994, to complete and return all paperwork to the appropriate security or personnel office: White House staff should return their paperwork to the White House Office of Personnel Security, OEOB Room 84.

All staff who joined the EOP payroll between March 1 and March 14, 1994, have until March 31, 1994 to complete and return the required forms.

Effective immediately, all new staff have 30 days from their effective appointment date to complete all necessary paperwork.

No excuses from any level of personnel will be accepted; personnel who fail to comply will be separated from payroll on unpaid leave status.

Jane Dannenhauer (Dons secret service) Jackie Dinwiddy

Hill Access to Nominee FBI reports

Ass't to Counsel to Pres for Security < 4 people working for her

In exec off bldg

White House Security Office -

Under counsel as a result of background investigation, etc.

Process all staff, contract people, GSA for passes, Presidential appointments

Direct liason with all agency & department security offices.

BUT: Secret Service & Press ~~Passes~~ done directly through Secret Service.

---

*

Office of Personnel begins the process.

Applications go initially to appointees

If pub financial disclosure report (278) needed, counsel's office sends out.

Problem: seems like never-ending form process

Get forms in as soon as possible

686-6768

Withdrawal/Redaction Marker
Clinton Library

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Francene. Burns

Exec Ass't to Counsel < 1 person, no staff

Coordinating Pres. Appt's & nominations

Sends security forms to Jane for FBI -

At start of admin, need clerical help to keep up with filing, etc, needed for personnel.

[001]

John Schmidts - deputy counsel (only 1 deputy)

Office for personnel started under Johnson - designed to prevent embarrassment for President (or security threat)

Secret Service - decides on security risks

↓

Deal with head of tech security office

(b)(7)e, (b)(7)c

Name check - same day get from
personnel
Makes copy for Francine
ENC - an expanded name
check

Trained for month or 2 -
has been here for 16
Each administration tries
to refine.

~~One~~ On Pres appt's, lawyers see
everything

On staff, choices
→ FBI, summary form.
Security office decides.

Counsel sees all senior staff files -
Case by case basis

Staff is exec office of pres, EOP payroll.
Everything else presidential

Jean sat in on meeting with Watkins & Altz

Office of Admin has its own security officer (Carrol Easy)
sends FBI forms to Jean, she sends to FBI.

On Access for 2 wks while filling
out long form
Blue sheet from White House personnel
Forms go to FBI
↳ if no problem back before then

Security at WH deals w/ security officers
in dep't on need to know basis

Agencies do their own Schedule C
personnel/security
Their own clearances

Ass'ts Level I Senior staff & Cabinet } Back to age 18

Deputies Special Ass'ts Level II Anyone under senior staff, some Presidentials 15 yrs

Level III 10 yrs - GSA
Nat'l Park Service
Canteen

Level I:

(b)(7)e

[001]

Staff - entrance interview - by consultants (took over from lawyers)

(b)(7)c, (b)(6) - George Saunders - Since 1981

Saunders Works for administration

A first pass-through

Compare w/ forms filled out by interviewee

Chuck Easy-
also a security film

[001]

Blue-

Orange-

(b)(7)e

A Pass - for appointment

Same
security
check

FOIA/Privacy Act

Francene also goes through B. Gray's mail.

Debbie - Admin Ass't
2 atty's per sec'try

Keep security
office under counsel's office

OGE - on NY Ave.

Rob Swanson

Deal w/ OGE

Greg Walden - ethics lawyers
And any lawyers dealing w/ conflict of interest

All ass't's to pres & dep. ass't's (but based on salary)

Some leeway on other salaries

Form 278
Turn over to OGE

All commissioned officers fill out 278 - but not to OGE

(Just started)

Policy or Procurement - Form 450
Confidential financial disclosure

Since Jan 1989 -

John Schmitz's BG deputy

Co-clerk of Ct. of Appeals

Judicial nominations

Chaired by counsel

to Pres - ~~[illegible]~~

Dir of Pres Personnel

Ass't to Pres for Leg Aff

Chief of Staff (or deputy)

AG (and 2 other justice people)

Greg Walden

Financial, background, experience

review of appt's

2 yrs & week

General law practice - alternate WH ethics official

Dep't Ethics Official (DEO) - B Gray the DEO.

76 pub financial disclosure for filers
60 form conf fin disclosure reports
WH office not subject to FOIA

John Schmidt to makes call on ethics issues

Counsel by Ries ~~always~~
spends a lot of time
saying no to people

Damage control

General Issues
(Recess Appt's
Pocket Veto

In West Wing
Counsel B Gray
Dep Schmits

EOB
All Comm. [5 Assoc Counsel
2 Ass't Counsel
2-4 ~~Details~~ Ass't

Exec Clerk-
A career person
Institutional memory;
great resource

Paul Beach - Assoc.
Iran Contra
AG

Mark Paoletta

Assists on judges
Pardons
FOIA
Use by outsiders of Pres. identity & likeness

Janet Rhenquist
↕
~~Mark~~ Bill Otis

④ Jeff Olmstead Assoc
Assoc.
Reg Issues (environment; agriculture)

LEE
① Judgeships
Sep of Powers Issues
Investigations of various activities of Pres.

② Greg Walden
— Rob Swansen
Ethics
GAO reviews
Campaign Finance
Labor Law)
Pres Seal

③ Gene Shen
Regulatory issues
(hold over that won't be case here - VP Bush had been reg review comm. man)
Pres Records
Exec Priv
Liason w/ Com. libraries
some litigation

(Armstrong)

Computer system
phone logs - keep them?
how specific?

Everyone in office
reviews speeches
& Exec orders

OLC

In house - outside counsel relationship

- Construction of laws
- All diff issues are referred

Exec Orders

Sometimes drafted by OLC

Routinely get them at WH Counsel when OMB gets

OMB Counsel

Bush Rule: Any request for formal help goes from WHC or Dep to Asst AG in charge of OLC.

How decide whether
go to OLC -
1) BGray could say need
2) Assoc counsel could
say need

No established criteria

On phone - call directly
to dep ass't ag's

* Communications from
WH to Just Dep't
must go through
counsel office

Don't
want
appearance
of WH
influence
on counsel

NSC Counsel invited to
WH counsel staff meeting
NSC Counsel deputy member
of WH counsel staff
N Security Advisor – gets ethics advice
from WH counsel
But – NSC
not White House
Staff

Options
– have NSC counsel ~~person~~ on WH Counsel ~~staff~~
or
– have NSC counsel appt'd by
WH counsel

[AG sits on NSC by invitation

Not quite 1 to 1 on Assoc / Secy

~~Detailees~~ don't ^see^ support

Library supports

A-126 OMB Circular
on use of agency
aircraft
(exception - use of aircraft
by pres or vice president)

(Mrs Bush uses military
aircraft)

Need to keep down
# of official travellers

- OGE will audit w/in next couple of yrs — ethics forms

Good to bounce ideas off of

. . .

Steve Potts of OGE must sign off on every nominee

- Postal service [Stuart Gerson
Tim Flannigan

- Destruction schedule for fin disclosure docs (must be ~~[illegible]~~ destroyed w/ 6 yrs)

Memos on ethics

4 source books on ethics

Exec Clerk - Reports to staff sec'y
any doc. Pres signs
to reviewed

— Questions of authority

No career
WH people
in counsel office

Look at Pres. records act.

All originals must go to
Bush library
Cannot throw away drafts
sent out for comment
Internal memo can go

456-6257

Ron Geisler

Ethics Orders

DRAFT: February 10, 1990

MEMORANDUM FOR DESIGNATED AGENCY ETHICS OFFICIALS

FROM: C. BOYDEN GRAY
COUNSEL TO THE PRESIDENT

SUBJECT: Procedures for the Nominee Clearance Process

As you know, my staff works closely with you and your staffs during the process of clearing prospective nominees for Presidential appointments. Because some of you have requested further information about what role we would like you to play during the process and because, after a year of experience, we have decided to modify current procedures in certain respects, I thought it would be useful to set out the general procedures for future coordination on clearance matters. Attorneys in my office will begin use of these revised procedures immediately.

If you have any questions about the process after reviewing the attached procedures, feel free to contact Amy Schwartz of my staff at 456-2674.

cc: Donald Campbell, OGE
Gary Davis, OGE

Cheryl – Short overview of appointment clearance process in Counsel's Office.

F.

1/22/93

Clearance Procedures for SF-278s

Background

Because of President Bush's commitment to maintaining the highest possible ethical standards in government, conflict-of-interest review is an important step in the process of selecting Presidential appointees. Like the FBI full-field investigation, a White House Counsel's office conflict-of-interest review is completed before the President makes a final decision to nominate any given individual to a Presidential appointment.

Thus, when an individual is tentatively selected by the Office of Presidential Personnel as the leading candidate for a specific position, the White House requests the individual to complete and submit the SF-86 and SF-86 supplement form to initiate a background investigation and the SF-278 and a confidential Personal Data Statement (PDS) to facilitate our conflict-of-interest screening.

As a general matter, the following procedures will be used for the conflict-of-interest screening.

Procedures

1. A nominee file (including the SF-278, SF-86, and PDS) will be assigned to an attorney in the Counsel's Office.

2. The Counsel's Office attorney will transmit a copy of the SF-278, stamped "draft," to the appropriate Designated Agency Ethics Official (DAEO) with a request for the DAEO to commence his/her own initial review. A copy of the draft-stamped SF-278 will also be provided to the Office of Government Ethics. Unless the White House has made a formal announcement of the President's intention to nominate a given individual, the name of the candidate should be held confidential.

3. The DAEO should work with the potential nominee to resolve any conflict-of-interest issues, including determining what revisions to the SF-278 are needed, if any. The DAEO should consult the Counsel's Office or the Office of Government Ethics as needed.

we refer candidate DAEO AP call to [illegible]

4. If a new SF-278 needs to be submitted because deficiencies in the initial one cannot easily be resolved through appropriate annotations, the DAEO should work directly with the potential nominee on the revisions. The original of any new SF-278 should be filed with the Counsel's Office and a copy sent to the DAEO.

5. The DAEO should notify the Counsel's Office attorney when

he/she has resolved the substantive issues involved and is prepared to sign a final SF-278. If the SF-278 requires numerous or substantial annotations or changes, a copy of the marked-up draft should be provided to the Counsel's Office attorney. If recusal letters, ethics agreements, drafts of waivers or similar documents have been prepared, these can be submitted along with the marked-up draft. (In most cases, the conflict screening can be completed even if these documents have not yet been prepared and even if minor technical changes have yet to be made to the Sf-278, so long as there is agreement on the substance of what is required.)

6. Ordinarily, the Counsel's Office attorney will wait to hear from the DAEO before reviewing the nominee folder himself or herself. This is a change from current procedures.

7. The Counsel's Office attorney will work with the DAEO to resolve any remaining conflict issues and to ensure that other legal requirements (such as statutory qualifications for a given position) are satisfied.

8. When agreement is reached, the Counsel's Office attorney will prepare an internal memorandum recording his/her judgment about the conflict-of-interest review.

9. Ultimate Counsel's Office clearance of a Presidential appointment requires both a successful conflict-of-interest review and a separate review of the FBI report.

10. After Counsel's Office clearance, if the President decides to move forward with a nomination, Counsel's Office will turn over the original SF-278 to OGE as soon as a nomination goes forward. OGE will arrange for the DAEO to pick it up.

11. On receiving the original SF-278, the DAEO will follow the procedures set forth in 5 C.F.R. 2634.601 (formerly 734.601) and 2634.604(c) (formerly 734.604(c)) for review and certification of the completed SF-278 and completion of an opinion letter under 5 C.F.R. 2634.604(c)(iii) describing relevant issues and ethics agreements.

12. As is currently the case, the OGE Director will review the SF-278 pursuant to 5 C.F.R. 2634.604(c)(3), sign the report if satisfied, and provide a copy to the confirming committee, with an additional letter expressing the Director's opinion that the candidate complies with applicable standards.

DRAFT: February 10, 1990

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10. Why. important. we had to push them

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United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

January 22, 1993

MEMORANDUM FOR BERNARD NUSSBAUM
COUNSEL TO THE PRESIDENT

FROM: STEPHEN D. POTTS Stephen D. Potts
DIRECTOR

SUBJECT: Financial disclosures for White House staff

In addition to the statutory requirement that Presidential appointees requiring Senate confirmation must file public financial disclosure reports, a number of White House staff members must also file some type of financial disclosure. There are two financial disclosure programs in the executive branch: a statutory public system for certain senior officials, as described in 5 U.S.C. appendix, and a confidential system established by Executive Order 12674 for certain mid-level employees. Both systems have been implemented by regulation at 5 CFR part 2634, recently revised at 57 Federal Register 11800 on April 7, 1992. A copy of that regulation is enclosed.

I. PUBLIC FINANCIAL DISCLOSURE

The statute requires public financial disclosure reports to be filed by:

- those who serve in positions classified above GS-15 or in positions at or above an equivalent minimum rate of basic pay (including special Government employees who are expected to serve more than 60 days in a calendar year);
- those serving in positions excepted from the competitive service by reason of a confidential or policy-making character (Schedule C employees), unless exempted under the regulation;
- primary designated agency ethics officials; and
- any other civilian employees in the Executive Office of the President (except special Government employees) who hold a commission of appointment from the President.

Public financial disclosure reports must be filed with the designated agency ethics official initially within 30 days of appointment, annually on or before May 15, and again within 30 days of terminating employment in the position. Agencies may extend due dates up to 45 days, for good cause, and this Office may grant an additional 45 day extension. Public reports should be filed on a standard form, the SF 278, which is available through the General Services Administration's Customer Supply Centers, using National Stock Number 7540-01-070-8444.

The statute also requires that copies of public reports filed by some employees be forwarded to this Office, the same as for reports of advice-and-consent Presidential appointees. This includes reports of designated agency ethics officials, as well as reports of employees in the Executive Office of the President who are appointed under 3 U.S.C. 105(a)(2)(A) or (B) or 3 U.S.C. 107(a)(1)(A) or (b)(1)(A)(i), and reports of employees in the Office of Vice President who are appointed under 3 U.S.C. 106(a)(1)(A) or (B). All such reports must be reviewed by the agency prior to forwarding a copy to this Office.

II. CONFIDENTIAL FINANCIAL DISCLOSURE

The regulatory implementation of Executive Order 12674 requires confidential (nonpublic) financial disclosure reports to be filed by:

- those in positions designated by their agency because of certain specified duties (described below) whose positions are classified at GS-15 or below or an equivalent minimum rate of basic pay; and
- all special Government employees, regardless of pay grade, who do not meet the requirements for filing a public financial disclosure report.

The specified responsibilities defined by regulation as requiring designation within the pay grade parameters are those which involve personal and substantial participation or the exercise of significant judgment in contracting or procurement, grants and subsidies, regulating or auditing of non-Federal entities, activities which the agency determines could have a direct and substantial economic effect on non-Federal entities, and other duties where filing is determined by the agency to be necessary in order to avoid conflicts of interest. Each agency must evaluate its employee position descriptions to determine whether an incumbent's responsibilities fit within one of the above categories. The regulation also provides for exclusions from filing, even though a position otherwise falls within one of these categories, where the agency determines that the possibility of conflict is remote.

Confidential financial disclosure reports must be filed with the designated agency ethics official initially within 30 days of entry into the position and annually on or before October 31. Agencies may extend due dates up to 90 days, for good cause. There is no requirement that copies of any of these reports be forwarded to this Office, and they are strictly protected by the Privacy Act from disclosure to anyone, except in the limited circumstances provided in the regulation. Confidential reports should be filed on a standard form, the SF 450, which is available through the General Services Administration's Customer Supply Centers, using National Stock Number 7540-01-351-9173.

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

(Date) ____________________

TO: TECHNICAL SECURITY DIVISION
U. S. SECRET SERVICE

SUBJECT: REQUEST FOR PASS

NAME: ____________________
(Last) (First) (Middle)

TITLE AND OFFICE ____________________

Immediate Supervisor's
Title and Name ____________________

Location (Room No.) ____________________ Tel.Ext. ____________________

Type of Security Clearance:
FBI (a) Completed ____________________

(b) Other ____________________

(c) Waived ____________________

Type of Pass Requested:

____________________ Temporary Executive Office 30 da.____60 da.____90 da.___

____________________ Permanent Executive Office

____________________ Temporary White House 30 da.____60 da.____90 da.___

____________________ Permanent White House

____________________ Other:____________________

APPROVED BY: ____________________
Jane Dannenhauer
Assistant to the Counsel
to the President (Security)

THE WHITE HOUSE

WASHINGTON

____
(Date)

TO: FBI, LIAISON

FROM: C. BOYDEN GRAY

SUBJECT: FBI Investigations

Subject's Name ______________________

Date of Birth ____________ Place of Birth ____________

Present Address ______________________

We request: ____________ Copy of Previous Report

____________ Name Check

____________ Expanded Name Check

____________ Full Field Investigation : Level I___ Level II___ Level III___

____________ Limited Update

____________ Other

The person named above is being considered for:

____________ White House Staff Position

____________ Presidential Appointment

____________ ______________________

Attachments:

____________ SF 86

____________ SF 87, Fingerprint Card

____________ SF 86, Supplement

Remarks/Special Instructions:

WHITE HOUSE
WASHINGTON, D. C.

Security Pledge

Name of File ______________________________

I, a representative of ______________________________ have been duly authorized to request and examine the file listed above, for the purpose of making a security clearance investigation.

I understand that the contents of this file are CONFIDENTIAL and are not to be divulged to unauthorized persons.

____
Signature

____
Date

Approved:

____
Name

____
Date

THE WHITE HOUSE

WASHINGTON

MEMORANDUM FOR JOHN SCHMITZ, DEPUTY COUNSEL TO THE PRESIDENT

FROM: GEORGE E. SAUNDERS

SUBJECT: ENTRANCE INTERVIEW

On __________________, ___________________________ was afforded an entrance interview. The following subject matter was covered in the interview. This memo will be filed in the security file maintained by Jane Dannenhauer. Any leads developed by this interview will be supplied to the FBI liaison agents assigned to the White House.

Current address and identity of members of the immediate family and/or household.

U.S. Citizen Yes______ No______

Any employment not listed on the SF 86.

Any use of marijuana or controlled substance.

Use of alcohol - past or present. Any arrests for DW Impaired or DW Intoxicated.

Males, 18 years of age: draft registration. (Born after 12/31/59)

College graduate - any outstanding student loans.

Discuss question 23, form 86. (Have you ever been arrested, taken into custody, held for investigation, or charged by any law enforcement authority?).

Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group?

Have you or any firm, company or other entity with which you have been associated ever been convicted of a violation of any Federal, state, county or municipal law, regulation or ordinance?

Have you ever been involved in civil or criminal litigation or in administrative or legislative proceedings of any kind, either as a plaintiff, defendant, respondent, witness or party in interest?

Has a tax lien or other collection procedure ever been instituted against you by Federal, state or local authorities?
Are you current with all jurisdictions?

Current monthly financial status - any judgements filed or collection agency action on unpaid obligations?

Have you or any members in your immediate family, including in-laws, ever had any contact with foreign diplomatic establishments or their representatives in the U.S. or abroad (includes commercial, consular, news media, and trade or travel organizations).

To your knowledge, have you ever been the subject of a full field or personal background investigation by any agency of the Federal Government?

Please provide any other information that could be a possible source of embarrassment to you or the White House, if publicly known.

REMINDER:

ATTENDANCE AT THE **WHITE HOUSE SECURITY BRIEFING FOR NEW EMPLOYEES IS NECESSARY** BEFORE ISSUANCE OF A PERMANENT PASS.

THE BRIEFINGS ARE HELD THE LAST THURSDAY OF EACH MONTH AT 10:00 A.M., IN ROOM 450, OEOB. PLEASE PLAN TO ATTEND THE FIRST SCHEDULED BRIEFING AFTER YOUR ARRIVAL DATE ON DUTY.

THIS WILL BE YOUR ***ONLY*** REMINDER.

OFI Form 36
Revised January 1992

U.S. Office of Personnel Management

ADDITIONAL DATA FOR SINGLE SCOPE BACKGROUND INVESTIGATIONS AND OTHER BACKGROUND INVESTIGATIONS

OPM-FIPC USE ONLY

Part A

IMMEDIATE FAMILY MEMBERS WHO ARE RESIDENT ALIENS OR U.S. CITIZENS OTHER THAN BY BIRTH (Question #17, SF 86). In addition to your spouse *(included in Part B)*, your immediate family members include your parents, brothers, sisters, and children. Use the same relation code below as that shown on the SF 86. If you have more than one foreign born immediate family member of the same category, list each person's name after the code (e.g., #8 Joseph). If any citizenship is derivative, show the parent(s) from whom the citizenship was derived, their date and place of entry into the U.S., & citizenship data. Use a separate sheet of paper if additional space is required.

1. Relation Code for Each	2. Alien Registration or Naturalization Certificate Number	3. Date of Citizenship

Part B

SPOUSE (Question #18, SF 86). Provide information if your current spouse is foreign born. If any citizenship is derivative, show the parent(s) from whom the citizenship was derived, their date and place of entry into the U.S., & citizenship data. Use separate sheet of paper for additional space.

1. Name	2. Alien Registration or Naturalization Certificate Number	3. Date of Citizenship

Part C

PERSONS SHARING LIVING QUARTERS AND OTHERS (Question #19, SF 86). Under certain clearance requirements, you are asked to provide data, regardless of citizenship status for: (1) cohabitants; and (2) any other persons to whom you are bound by affection or obligation who may be subject to duress by a foreign power. For those foreign born listed on SF 86, you need provide information not previously provided. Include aliases, former married and maiden name (Show "NEE:" in front of maiden name). For additional space, use separate sheet and same number format.

a. Name of Person *(last, first, middle)*

1. Other Names Used *(last, first, middle, and dates used)*

2. Date of Birth

3. Place of Birth *(Include country if outside the U.S.)*

4. Social Security Number

5. Date of Citizenship

6. Alien or Naturalization Number *(if citizenship is derivative, show the parent(s) from whom the citizenship was derived, their date and place of entry into the U.S., & citizenship data.)*

b. Name of Person *(last, first, middle)*

1. Other Names Used *(last, first, middle, and dates used)*

2. Date of Birth

3. Place of Birth *(Include country if outside the U.S.)*

4. Social Security Number

5. Date of Citizenship

6. Alien or Naturalization Number *(if citizenship is derivative, show the parent(s) from whom the citizenship was derived, their date and place of entry into the U.S., & citizenship data.)*

1. Name of Subject of Investigation ***(last, first, middle)***

2. Social Security Number

INSTRUCTIONS

NOTICE TO SECURITY OFFICER

SINGLE SCOPE BACKGROUND INVESTIGATIONS (SBI's)

President Bush signed National Security Directive 63, "Single Scope Background Investigations," on October 21, 1991, approving the Single Scope Background Investigation as the minimum investigative standard to be adopted by all Executive branch departments and agencies for granting individuals access to Top Secret national security information and Sensitive Compartmented Information (SCI). The Department of Energy has determined that this Single Scope Background Investigation will also be used to grant its Q clearances.

The OFI 36 is to be used with the SF 86 in order to gather information that will fulfill the requirements specified in the President's directive. Instructions for use of the OFI 36 with the SF 86 are provided in OFI 86, "Single Scope Background Investigation - Additional Instructions for Completing the SF 86." Have the subject of investigation complete all applicable parts on this form and attach it to the SF 86. When you request the investigation, enter the number 7 in block B of the "Agency Use Only" section on the SF 86 to indicate the OFI 36 is attached.

OTHER BACKGROUND INVESTIGATIONS

When your agency determines that the naturalized citizenship or alien status of a foreign-born spouse necessitates a review of Immigration and Naturalization Service records, have the subject of investigation complete Part B of this form and attach it to the SF 86. When you request the investigation, enter the number 7 in block B of the "Agency Use Only" section on the SF 86 to indicate the OFI 36 is attached.

NOTICE TO PERSONS COMPLETING OFI 36

Single Scope Background Investigations, as described above, require additional investigative coverage as determined by your agency. This coverage is in addition to the information requested on the SF 86. Provide the requested information so that OPM may obtain the required coverage.

The Privacy Act Statement on the SF 86 also pertains to the completion of this form.

TAX CHECK WAIVER

I am signing this waiver to permit the Internal Revenue Service to release information about me which would otherwise be confidential. This information will be used in connection with my appointment or employment by the United States Government. This waiver is made pursuant to 26 U.S.C. 6103(c).

I request that the Internal Revenue Service send the information to: President Bush and the Office of Counsel to the President, acting on behalf of the President.

The information I wish released is:

1. Have I failed to file any Federal income tax return which was required to be filed for any of the last three years?

   If this waiver is received by the Internal Revenue Service before July 1, the "last three years" shall mean the latest three years for which information is available, since the return for the immediate last year may not yet have been processed.

2. Were any of these returns filed more than 45 days after the due date for filing (determined with regard to any extension of time for filing)?

3. Have I failed to pay any tax, penalty or interest during the last three years within 45 days of the date on which the Internal Revenue Service gave notice of the amount due and demanded payment?

4. Has any penalty for negligence under Section 6653(a) of the Internal Revenue Code been assessed against me this year or during the last three years?

5. Am I or have I ever been under investigation by the Internal Revenue Service for possible criminal offenses, and what were the results of such investigation(s)?

6. Has any civil penalty for fraud been assessed against me?

If the information which is to be released includes a "YES" answer to any of the above six questions, I authorize the Internal Revenue Service to release any information relative to that question.

To help the Internal Revenue Service find my tax records, I am voluntarily giving the following information:

MY NAME ______________________________ MY SSN _______________

IF MARRIED AND FILED A JOINT RETURN:

HUSBAND/WIFE NAME: ____________________ HUSBAND/WIFE SSN _______

CURRENT ADDRESS ____

____

____

NAMES AND ADDRESSES SHOWN ON RETURNS (IF DIFFERENT FROM ABOVE)

YEAR	NAME	ADDRESS

DATE: ______________________________

(Waiver Invalid Unless Received by the Internal Revenue Service Within 60 Days of this Date)

____

SIGNATURE OF TAXPAYER AUTHORIZING THE DISCLOSURE OF RETURN INFORMATION

(Over Please)

Standard Form 86
Revised December 1990
U.S.Office of Personnel Management
FPM Chapter 732

Form approved:
O.M.B. No. 3206-0007
NSN 7540-00-634-4036
86-110

Questionnaire for Sensitive Positions (For National Security)

Read this information carefully. Follow the instructions fully or we cannot process your form.

Why do we need the information you will give us and how will we use it?

The U.S. Government has conducted background investigations for over 50 years. It does this to establish that applicants for or incumbents in sensitive positions, either employed by the Government or working for the Government under contract, are eligible for a required security clearance or for performing sensitive duties. We use the information from this form primarily as the basis for an investigation that will be used to determine your eligibility for a national security position.

The information you give us is for Official Use Only; we will protect it from unauthorized disclosure. Authorized disclosures include the Privacy Act Routine Uses shown on this form. The information you provide in response to question 25a on use of illegal drugs will not be provided for use in any criminal proceedings against you.

Giving us the information we ask for is voluntary. However, we may not be able to complete your investigation, or complete it in a timely manner, if you don't give us each item of information we request. This may affect your placement or clearance prospects.

What authority do we have to ask you for the information requested on this form?

The U.S. Government is authorized to ask for this information under Executive Order 10450; section 2165 of title 42, U.S. Code; parts 5, 732, and 736 of Title 5, Code of Federal Regulations, and other statutes authorizing background investigations. We ask for your Social Security number to keep our records accurate, because other people may have the same name and birth date. Executive Order 9397 also asks Federal agencies to use this number to help identify individuals in agency records.

What is the investigative process?

Background investigations for national security are conducted to develop information to show whether or not a person is reliable, trustworthy, of good conduct and character, and loyal to the United States. The information you provide on this form, including any specific agency instructions of Question 14c., and any other special instructions, is confirmed by investigation. Your current employer must be contacted, even if you indicated on your SF 171, or other form, that you do not want the present employer contacted. In addition to the questions on this form, inquiry also is made about a person's adherence to security requirements, mental or health disorders, dishonest conduct, sexual misconduct, vulnerability to blackmail or coercion, falsification, misrepresentation and any other behavior, activities, or associations that tend to show the person is not reliable, trustworthy, or loyal.

An interview with you is a normal part of the investigative process. This Personal Subject Interview is generally the first step in the investigation, and is conducted under oath, affirmation, or unsworn declaration. It provides you the opportunity to update, clarify, and explain more completely information on your form, which often helps to complete your investigation faster.

If your investigation requires a Personal Subject Interview, you will be contacted in advance by telephone or mail to arrange a time and location for the interview. It is important that the interview be conducted as soon as possible after you are contacted. Postponements will delay the processing of your investigation. Declining an interview may result in your investigation being delayed or canceled.

You will be asked to bring identification with your picture on it, such as a valid State driver's license, to the interview. There are other documents you may be asked to bring to verify your identity as well. These include: documentation of any legal name change; Social Security card; and/or birth certificate.

Documents that verify any significant claims or activities may also be requested, for example: alien registration; naturalization certificate; originals or certified copies of college transcripts or degrees; high school diploma; professional license(s) or certificate(s); military discharge certificate(s) (DD Form 214); marriage certificate(s); passport; and/or business license(s). You also may be asked to bring documents that pertain to information provided in your answers to questions on the form or other matters requiring specific attention. These matters include: termination or discharge from employment; delinquent loans or taxes, bankruptcy, judgments, liens, or other financial obligations; and arrests, convictions, probation and/or parole.

Who makes a final determination?

Final determination on your eligibility for a national security position and your being granted a clearance is the responsibility of the OPM or the Federal agency that requested your investigation. You may be provided the opportunity to personally explain, refute, or clarify any information before a final decision is made.

How is this form organized?

This form has two parts. Part 1 asks for background information, including where you have lived, gone to school, and worked. Part 2 asks about your activities and such matters as firings from a job, criminal history record, use of illegal drugs and alcohol consumption. In answering Part 2, you should keep in mind that your answers to questions are considered together with the information obtained in the investigation to reach an appropriate adjudication for a sensitive position.

What are the penalties for inaccurate or false statements?

The U.S. Criminal Code provides that knowingly falsifying or concealing a material fact is a felony which may result in fines of up to $10,000, or 5 years imprisonment, or both. In addition, Federal agencies generally fire, do not grant clearance, or disqualify individuals who have materially and deliberately falsified these forms, and this remains a part of our permanent record for future placements. Because the position for which you are being considered is a sensitive one, your trustworthiness is a very important consideration in deciding your eligibility for security clearance. Your prospects of placement or clearance are better if you answer all questions truthfully and completely. In the course of an interview with a Federal official you will have

FOSTER

COUNSEL TO THE PRESIDENT

AS OF 12/11/92

THROUGH 12/05/92

NAME	TITLE	AGENCY	SALARY
GRAY, C. BOYDEN	COUNSEL TO THE PRESIDENT		$129,500
SCHMITZ, JOHN P.	DEPUTY COUNSEL TO THE PRESIDENT		$110,538
BURNS, FRANCINE M.	EXECUTIVE ASSISTANT TO THE COUNSEL TO THE PRESIDENT	[PAPER manager]	$50,537
COOK, DAVID L.	STAFF ASSISTANT TO THE COUNSEL TO THE PRESIDENT		$20,000
HOLLAND, CAROLYN M.	SPECIAL ASSISTANT TO THE COUNSEL TO THE PRESIDENT		$35,000
SPELL, FRANCES E.	SPECIAL ASSISTANT TO THE COUNSEL TO THE PRESIDENT		$32,302
YATES, SUE A.	CONFIDENTIAL ASSISTANT TO THE COUNSEL TO THE PRESIDENT		$30,000

SBA EMPLOYEES

LYTTON, WILLIAM B.	CONSULTANT		WOC

LEGAL STAFF

THROUGH 12/05/92

AS OF 12/11/92

NAME	TITLE	AGENCY	SALARY
HOLMSTEAD, JEFFREY R.[1]	ASSOCIATE COUNSEL TO THE PRESIDENT		$82,839
LIBERMAN, LEE	ASSOCIATE COUNSEL TO THE PRESIDENT		$87,216
SCHAERR, GENE C.[1]	ASSOCIATE COUNSEL TO THE PRESIDENT		$96,255
WALDEN, GREGORY S.	ASSOCIATE COUNSEL TO THE PRESIDENT		$87,216
HALBIG, JACQUELINE L.	STAFF ASSISTANT TO THE ASSISTANT COUNSEL TO THE PRESIDENT		$22,000
RIORDAN, MARY BETH	STAFF ASSISTANT TO THE ASSOCIATE COUNSEL TO THE PRESIDENT		$42,478
SARMIENTO, YLEEM D'MARIE	STAFF ASSISTANT TO THE ASSOCIATE COUNSEL TO THE PRESIDENT		$27,500
SWANSON, ROBERT TRENT	ASSISTANT COUNSEL TO THE PRESIDENT		$68,515
DETAILEES			
GOSDECK, MARILYN J.	STAFF ASSISTANT TO THE ASSISTANT COUNSEL TO THE PRESIDENT	HHS	$42,746
HANSEN, DEBORA	ADMINISTRATIVE ASSISTANT TO THE COUNSEL TO THE PRESIDENT	JUSTICE	$52,370
STANLEY, MARTHA E.	STAFF ASSISTANT TO THE ASSOCIATE COUNSEL TO THE PRESIDENT	MERIT SYSTEMS PROTECTION BOARD	$32,156
OTHER GOVT EMPLOYEES			
BEACH, JR., CHESTER P.*	ASSOCIATE COUNSEL TO THE PRESIDENT	DEFENSE	$112,100
KUWANA, ERIC A.	ATTORNEY	TRANSPORTATION	$38,861

[1] policy also

* Iran wrn

LEGAL STAFF AS OF 12/11/92

THROUGH 12/05/92

NAME	TITLE	AGENCY	SALARY
OTIS, WILLIAM G.	SPECIAL COUNSEL	JUSTICE	$90,000
PAOLETTA, MARK R.	ASSISTANT COUNSEL TO THE PRESIDENT	JUSTICE	$66,374
REHNQUIST, JANET**	ASSOCIATE COUNSEL TO THE PRESIDENT	JUSTICE	$66,374
SOBOL, FRANCIS T.	ATTORNEY	EDUCATION	$83,502
SUAREZ, AQUILES F.	ATTORNEY	HUD	$66,374

** crim inv for fed officials

SECURITY OFFICE THROUGH 12/05/92 AS OF 12/11/92

NAME	TITLE	AGENCY	SALARY
DANNENHAUER, JANE	ASSISTANT TO THE COUNSEL TO THE PRESIDENT		$67,748
CHILDS, MARY E.	SECURITY ASSISTANT		$24,778
GEMMELL, NANCY ANNE	ADMINISTRATIVE ASSISTANT		$49,532
JOHNSON, KARI ROBIN	STAFF ASSISTANT		$24,949

W.A.E. EMPLOYEES

MERKLE, LESLIE KENNAH	STAFF ASSISTANT, WHITE HOUSE SECURITY OFFICE		$35,398

BOYDEN GRAY'S OFFICE

Permanent employees:

Counsel
Deputy Counsel
Executive Ass't
Staff Assistant
Special Assistant
Special Assistant
Confidential Ass't
Associate Counsel
Associate Counsel
Associate Counsel
Associate Counsel
Staff Assistant
Staff Assistant
Staff Assistant
Assistant Counsel

Total: 15 positions,
$921,896

Detailees:

Staff Assistant
Admin. Ass't
Staff Assistant
Associate Counsel
Attorney
Special Counsel
Assistant Counsel
Associate Counsel
Attorney
Attorney

Total: 10 positions,
$650,857

Security Office:

Ass't to the Counsel
Security Assistant
Admin. Ass't
Staff Assistant

Total: 4 positions,
$167,007

Grand Total:
29 positions
$1,572,753