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Perroy

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

CARA LESLIE ALEXANDER,	)	
et al.,	)	
	)	
Plaintiffs,	)	
	)	Civil Action Nos.
v.	)	96-2123/97-1288 (RCL)
	)	
FEDERAL BUREAU OF	)	
INVESTIGATION, et al.,	)	<u>CONSOLIDATED ACTIONS</u>
	)	
Defendants.	)	
MICHAEL JOHN GRIMLEY,	)	
et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
FEDERAL BUREAU OF	)	
INVESTIGATION, et al.,	)	
	)	
Defendants.	)	

THE GOVERNMENT DEFENDANTS' OPPOSITION TO
PLAINTIFFS' MOTION TO SUPPLEMENT THE RECORD

Plaintiffs seek leave to supplement the record with the declaration of a former National Security Council ("NSC") staff person, Deborah Perroy, describing her testimony as "evidence of patent Clinton White House misuse of Privacy Act protected FBI and other government files" Plaintiffs' Motion To Supplement the Record, dated January 7, 2000, at 1. This is hyperbole, bearing no resemblance to the testimony actually submitted by Ms. Perroy, which in all meaningful respects is speculative, irrelevant, and demonstrably inaccurate.

Ms. Perroy first testifies that on one occasion she observed the NSC Director of Administration, together with his assistant, reviewing NSC personnel security files. Declaration of Deborah Perroy, dated January 7, 2000 ("Perroy Decl."), ¶ 4. Yet nowhere does she even claim to know whose files they actually reviewed, or why. Her intimation that they were improperly reviewing the files of persons who were not then-current NSC employees rests wholly on uninformed speculation (and, as attested to by witnesses with personal knowledge, is also completely false).

Ms. Perroy also testifies that she resigned from the NSC in September 1993, six months before the White House Office of Personnel Security ("OPS") allegedly requested her FBI background report. She speculates (without any supporting evidence) that the White House sought her background report to use against her should she ever divulge the "improper activities" she witnessed. Perroy Decl., ¶ 7. Apart from the fact that she witnessed no "improper activities," irrefutable documentary and testimonial evidence demonstrates that she resigned in September 1994, meaning that she, too, was a current government employee when the White House made requests for her FBI background information. (Moreover, as shown below, the White House made these requests for legitimate personnel security reasons.)

In short, Ms. Perroy's speculation about misuses of government files (including her own) is inadmissible as such, and, without competent evidence that her testimony concerns the

use (or misuse) of former employees' files, it is irrelevant, under this Court's precedents, to plaintiffs' claims. Thus, for plaintiffs to describe Ms. Perroy's testimony as "patent" evidence of file misuse that "corroborates" their claims merely underscores the fatal defect at the heart of their case. They have no competent evidence of what actually occurred in OPS to support the allegation that the White House acquired their FBI background reports for improper political purposes. The undisputed testimony of all witnesses with first-hand knowledge, and the documentary record, establish that OPS obtained plaintiffs' FBI background reports because of an unwitting bureaucratic error committed during the course of the Update Project. Because Ms. Perroy's declaration is no more competent to place the material facts of the case in dispute than any other evidence that plaintiffs have so far adduced, leave to file her declaration should be denied.

ARGUMENT

A. Ms. Perroy's Suggestion That Mr. Manzanares Improperly Reviewed the Personnel Security Files of Former NSC Staff Is Unsupported and Irrelevant Speculation That Should Not Be Admitted.

So far as she can attest to facts, Ms. Perroy states merely that on one occasion she witnessed Robert Manzanares, then the NSC Director of Administration, together with his assistant, Marsha Dimel, reviewing personnel security files maintained in the office of the "CIA liaison." Declaration of Deborah Perroy,

dated January 7, 2000 ("Perroy Decl."), ¶ 4.^{1/} But she does not identify, or even claim to know, whose files Mr. Manzanares and Ms. Dimel were reviewing. Nor does she purport to explain, or even to know, why they were examining those files.

Mr. Manzanares and Ms. Dimel, on the other hand, can and do confirm that they were not reviewing the personnel security files of former NSC staff, on this or any other occasion, for any sort of improper purpose. Any suggestion to the contrary is absolutely false. Manzanares Decl., ¶ 4; Dimel Decl., ¶ 4. Mr. Manzanares, as Director of Administration, had managerial responsibility for personnel security at the NSC. Thus, from time to time he, and Ms. Dimel, as his assistant, checked information in the files of current NSC staff for legitimate personnel security purposes.^{2/} At no time, however, did either

^{1/} Ms. Perroy apparently means the NSC Security Officer, a position typically filled by a detailee from the CIA, or other government intelligence agency. Declaration of J. Robert Manzanares, dated January 28, 2000 (filed herewith) ("Manzanares Decl."), ¶ 2; Declaration of Marsha L. Dimel, dated February 1, 2000 (filed herewith) ("Dimel Decl."), ¶ 2.

^{2/} For example, from time to time the NSC would receive a late-afternoon telephone call, after the Security Officer had already left for the day, asking if staff members scheduled to attend a meeting the next morning were cleared for access to a particular type of classified information. Under these circumstances it fell to Mr. Manzanares, as the Security Officer's direct supervisor, to check the personnel security files of the staff members in question to determine whether they had the requisite security clearances. Manzanares Decl., ¶ 13; Dimel Decl., ¶ 12.

of them ever review the personnel security files of former NSC staff for any reason, let alone an improper one. Manzanares Decl., ¶ 4; Dimel Decl., ¶ 4.

This Court has ruled repeatedly that the handling of files of then-current government employees "cannot possibly serve as evidence of government files misuse relevant to plaintiffs' claims" Alexander v. FBI, No. 96-2123, Memorandum and Order at 10 (D.D.C. Apr. 16, 1999) (regarding motion to compel further testimony from Mari L. Anderson); see also Alexander v. FBI, 186 F.R.D. 200, 204 (D.D.C. 1999) (regarding motion to compel further testimony from William H. Kennedy, III) (use of files of "then-current Clinton Administration employees" is "irrelevant"). Because Ms. Perroy does not (and cannot) identify the files that Mr. Manzanares and his assistant reviewed as those of former government employees, her testimony is irrelevant, and therefore inadmissible. Plaintiffs should not be given leave to "supplement" the record with inadmissible testimony.

Ms. Perroy suggests that Mr. Manzanares was improperly reviewing the personnel security files of NSC staff from prior, Republican administrations, based on her assumption that former staff persons' files were kept in the Security Officer's safe, and her opinion that Mr. Manzanares, whom she erroneously describes as a "political appointment,"^{3/} had no "legitimate

^{3/} Mr. Manzanares was NSC Director of Administration from June 1993 to July 1994. He was at the time and still remains a
(continued...)

reasons" for accessing personnel security files. Perroy Decl., ¶¶ 4, 7. None of this testimony is competent, however, to support her contentions.

Ms. Perroy was a Financial Management Officer whose primary responsibility was to oversee the budget for certain NSC computer systems. She neither had (nor claims to have had), any duties related to personnel security, or to the handling of personnel security files. She did not work with or for the NSC Security Officer, who had day-to-day responsibility for personnel security matters. Manzanares Decl., ¶¶ 9, 12; Dimel Decl., ¶¶ 7, 11. There is no evidence from which it could be found that Ms. Perroy had personal knowledge of whose files the Security Officer kept on hand, rendering her testimony unreliable, and inadmissible.^{4/}

^{3/}(...continued)

State Department employee, a career Foreign Service Officer who has served under Republican and Democratic administrations alike for more than 20 years, and who has never held a political appointment with the government. In 1993 he accepted a detail to the NSC as Director of Administration, a non-political staff position. Manzanares Decl., ¶¶ 1, 5-7.

The only positions that Ms. Dimel has ever held with the government are NSC Personnel Liaison Officer, and, before that, Support Assistant to the Director of Administration, neither of which is a political appointment. She was hired as Support Assistant by the Bush Administration in November 1992. Prior to that she worked in the private sector as a payroll, benefits and accounts receivable manager. Dimel Decl., ¶¶ 1, 5.

^{4/} Stagman v. Ryan, 176 F.3d 986, 995 (7th Cir.), cert. denied, 120 S. Ct. 446 (1999); Visser v. Packer Eng'g Assoc., 924 F.2d 655, 659 (7th Cir. 1991); U.S. v. Burnett, 890 F.2d 1233, 1240-41 (D.C. Cir. 1989); Peavy v. Dallas Independent Sch. Dist., 57 F. Supp. 2d 382, 387 (N.D. Tex. 1999).

When Ms. Perroy attempts to substantiate her claim that she knew whose files were actually located in the Security Officer's safe on the day she observed Mr. Manzanares and Ms. Dimel reviewing files there, she manages only to undermine her testimony. She states that she caught a glimpse of former staff persons' files in the Security Officer's safe during an office "remodeling project." Perroy Decl., ¶ 4. Although she does not specify the date of this renovation, NSC records document that it took place between August and November 1993. Dimel Decl., ¶ 9.

In contrast, Ms. Perroy recalls having seen Mr. Manzanares and Ms. Dimel reviewing files sometime "[s]hortly before" he left the NSC for a "foreign post." Perroy Decl., ¶ 4. Mr. Manzanares ended his detail to the NSC (see n. 3, supra) in July 1994, to assume an administrative post at the U.S. Embassy in Tel Aviv. Manzanares Decl., ¶¶ 6, 15. What Ms. Perroy thinks she saw in August or November 1993 is too remote in time to qualify as evidence of what was actually contained in those files nearly one year later, in July 1994.. Rocky Mountain Helicopters, Inc. v. Bell Helicopters Textron, 805 F.2d 907, 916 (10th Cir. 1986).^{5/}

^{5/} Ms. Perroy states vaguely that she had some responsibility for the maintenance of "NSC personnel and other files/rosters." Perroy Decl., ¶ 3. Personnel files, containing information about an employee's salary, health benefits, and the like, are distinct from personnel security files, which include the FBI background reports used to determine employees' suitability. These two sets of files are separately maintained. Manzanares Decl., ¶ 10; Dimel Decl., ¶ 8. See Deposition of Craig Livingstone, dated May 26 and June 8, 1999, at 510-13 (filed October 1, 1999, as defendants' exhibit no. 25).

In any event, none of Ms. Perroy's assumptions about whose files may have been located in the Security Office can alter the reality that neither Mr. Manzanares nor Ms. Dimel ever reviewed (or even saw) the personnel security files of former NSC staff, Manzanares Decl., ¶ 11; Decl., ¶¶ 7, 10, a fact that Ms. Perroy cannot dispute on the basis of any first-hand knowledge.

Ms. Perroy's opinion that Mr. Manzanares had no "legitimate reason" to examine NSC personnel security files, Perroy Decl., ¶ 7, also lacks any foundation in personal knowledge, and for that reason is neither probative, nor admissible to prove that he was acting for some sort of unidentified but improper purpose. Ms. Perroy had no duties or responsibilities related to personnel security matters. See supra at 6. She was, moreover, Mr. Manzanares' subordinate, occupying a position two steps removed from his. Her limited job duties did not encompass the broad array of administrative matters, including personnel security, for which Mr. Manzanares was responsible. She was therefore not in a position to know what valid reasons Mr. Manzanares, as Director of Administration, or Ms. Dimel, as his assistant, might have for their actions. Manzanares Decl., ¶¶ 4, 9, 12; Dimel Decl., ¶¶ 4, 7, 11.^{6/}

^{6/} Ms. Perroy also observes that she came across Mr. Manzanares and Ms. Dimel "after normal working hours," Perroy Decl., ¶ 5, a fact that in and of itself means nothing, as they routinely worked until 7:30 or 8:00 in the evening to keep pace with the many administrative matters, in particular, replacement of departing staff, for which they were responsible. Manzanares
(continued...)

In short, plaintiffs ask this Court to assume that Mr. Manzanares and his assistant were handling the files of former NSC staff, for improper political purposes, and to assume further, therefore, that the Update Project also had a similar motivation, based entirely on speculation that has no toe-hold whatsoever in first-hand knowledge. A party may not rely on evidence that lacks a proper foundation in personal knowledge, and which depends on conjecture, and the laying of one unsupported inference upon another, to support a desired conclusion.^{2/} Leave to clutter the record with uninformed and, therefore, inadmissible speculation lacking any demonstrated relevance to misuses of former employees' files should be denied.

^{2/} (...continued)

Decl., ¶ 14; Dimel Decl., ¶ 13. Ms. Perroy also questions the propriety of Mr. Manzanares' request for the combinations to his staff's locking filing cabinets, Perroy Decl., ¶ 5, but this was a standard administrative practice to ensure that if a staff person who had secured materials in his or her safe were out of the office, then others having legitimate need for such materials could come to Mr. Manzanares for access to them. Manzanares Decl., ¶ 16. Finally, Ms. Perroy notes that Mr. Manzanares met on several occasions with Craig Livingstone, although by her own admission she has no idea why. Perroy Decl., ¶ 6. The sole purpose of Mr. Manzanares' discussions with Mr. Livingstone was to inquire if anything could be done about the delays in issuing NSC staff members their permanent White House passes. Manzanares Decl., ¶ 17.

^{2/} See n. 4, supra, and cases cited therein; see also Anderson v. Chevron Corp., 933 F. Supp. 52, 61 (D.D.C. 1996); Dillon v. Murray, 853 F. Supp. 199, 202 (W.D. Va. 1994).

B. Ms. Perroy's Belief That the White House Improperly Obtained Her FBI Background Report Months After She Resigned Is Also Irrelevant and Inadmissible Speculation, and Is Patently Erroneous.

Ms. Perroy next testifies to having recently been advised that OPS obtained her FBI background report in October 1993 and March 1994. Based on her claim that she resigned from the White House in September 1993, before either of these requests was made, she "believe[s]" that the White House obtained her "FBI file" to use against her should she ever divulge the "improper activities" she witnessed. Perroy Decl., ¶ 7.

In point of fact, however, Ms. Perroy witnessed no improper activities, as discussed above. Moreover, her "belie[f]" as to why OPS made requests for her background information, without any foundation in personal knowledge, is inadmissible conjecture. See n. 4, supra, and cases cited therein. But Ms. Perroy also has her facts wrong when she testifies, incorrectly, that she resigned her position at the White House in September 1993.

NSC personnel records reflect that Ms. Perroy terminated her employment in September 1994. Dimel Decl., ¶ 14 & Exh. A. This information is corroborated by the fact that Ms. Perroy continued to work at the NSC after Mr. Manzanares had already departed for his post in Tel Aviv, in July 1994. Manzanares Decl., ¶ 15; Dimel Decl., ¶ 15. It is further confirmed by Ms. Perroy's own recollection that she witnessed Mr. Manzanares and Ms. Dimel looking over NSC personnel security files "[s]hortly before" he

left for that "foreign post," and that she did not resign until shortly after this event took place. Perroy Decl., ¶¶ 4, 7. Her own testimony establishes that she remained on the NSC staff at a time "[s]hortly before" Mr. Manzanares ended his detail to assume his new position in Tel Aviv, in July 1994.^{8/}

The undisputed documentary evidence also establishes that any White House requests for FBI background information on Ms. Perroy were made many months before she resigned from the NSC, and, just as significantly, long before she observed Mr. Manzanares and Ms. Dimel reviewing personnel security files. According to "dissemination stamps" in her FBI background file, see Declaration of Sherry L. Carner, dated September 27, 1999, ¶ 3, and request forms found in her EOP personnel security file, the White House received copies of Ms. Perroy's background report (following its initial transmittal, in July 1988), on two and only two occasions, in July 1990 (prior to the Clinton

^{8/} Ms. Perroy's error is further documented by information in her FBI background file. As discussed in greater detail below, the NSC requested that the FBI begin a routine five-year re-investigation of Ms. Perroy on June 6, 1994. The NSC memorandum to the Bureau identifies Ms. Perroy as "now hold[ing]" a position on the NSC staff. Fourth Declaration of Sherry L. Carner, dated January 28, 2000 (filed herewith) ("Fourth Carner Decl."), ¶ 5 & Exh. A at 3. Her file contains a completed Questionnaire for Sensitive Positions (Standard Form 86), signed by her on May 31, 1994. Id., ¶ 5 & Exh. A at 4-5. An August 16, 1994 memorandum to the file reflects that the Agent assigned to the investigation had interviewed her and verified her White House employment. Id., ¶ 6 & Exh. A at 6. On September 20, 1994, the NSC sent a memorandum to the FBI asking that Ms. Perroy's background re-investigation be terminated, as she had resigned from government service. Id., ¶ 7 & Exh. A at 7.

Administration) and October 1993. Fourth Carner Decl., ¶¶ 3-4 & Exh. A at 1-2; Third Declaration of Charles C. Easley, dated January 31, 2000 (filed herewith) ("Third Easley Decl."), ¶ 4 & Exh. A at 5. The White House made another request for Ms. Perroy's background report in March 1994, six months before (not after) her resignation, although no copy of the report was disseminated at that time. Fourth Carner Decl., ¶ 9 & Exh. B; Third Easley Decl., Exh. A at 6. The NSC's request to initiate Ms. Perroy's five-year background re-investigation, in June 1994, see n. 8, supra, also preceded her resignation by many months.

In sum, Ms. Perroy's testimony that the White House sought her FBI background information months after she departed, following her observation of activities that she thinks were "improper," is plainly and irrefutably mistaken. Ms. Perroy was a current employee (and had not yet witnessed Mr. Manzanares and Ms. Dimel reviewing personnel security files) when the White House requested her FBI background report. For that reason, her out-and-out speculation as to why OPS requested her background report is irrelevant, under the Court's precedents discussed above. Alexander, April 16, 1999 Memorandum and Order at 10 (the handling of then-current employees' files is irrelevant); Alexander, 186 F.R.D. at 204 (same). That is further reason why her testimony is inadmissible, and can have no bearing on the material facts of this case. It should therefore not be made part of the record.

In any case, the competent evidence of record dispels Ms. Perroy's freestanding speculation as to why the White House sought her background information. The September 1993 request for Ms. Perroy's background report was only one of the more than 300 requests on NSC personnel that Anthony Marceca made in the ordinary course of the Update Project,^{2/} requests that were perfectly appropriate in the cases of holdover employees such as Ms. Perroy. The March 1994 request (in response to which the FBI disseminated no report, Fourth Carner Decl., ¶ 9), was evidently only one of a dozen or so repeat requests from OPS that the FBI responded to that month, when Lisa Wetzl, following Mr. Marceca's departure in February 1994, attempted to pick up with the project where he had left it.^{10/}

Ms. Perroy's five-year re-investigation was, if anything, long overdue. Her previous investigation, undertaken when she first began working at the White House, was completed July 1, 1988. See Fourth Carner Decl., ¶ 3 & Exh. A at 1; Perroy Decl., ¶ 1. Her re-investigation began pursuant to a June 6, 1994 request from the NSC (and Ms. Perroy's written authorization,

^{2/} See Declaration of Maria Swails-Brown, dated September 28, 1999 ("Swails-Brown Decl."), ¶ 28 & Exh. K at 12-29, 42, 58, 60 (filed October 1, 1999, as defendants' exhibit no. 17)

^{10/} See Swails-Brown Decl., Exh. K at 5, 11, 35-37, 39-41, 44, 48, 49, 60 (entries for Mary Metz, Gails Collins, Lillie Mae Bell, and Ms. Perroy, among others); Supplemental Memorandum in Support of the Attorney General's Certification as to Scope of Employment [etc.], dated October 1, 1999, at 34-36.

dated May 31, 1994). Fourth Carner Decl., ¶ 5 & Exh. A at 3, 5.^{11/} The NSC requested that the investigation be terminated once Ms. Perroy had resigned. Id., ¶ 7 & Exh. A at 7.^{12/}

In the last analysis, Ms. Perroy's testimony, like all of the plaintiffs' evidence that precedes it, is either incompetent, irrelevant, or both, so far as any fact material to the outcome of this litigation is concerned. The record should not be burdened at further length with evidence that cannot place the material facts of this case in genuine dispute.

CONCLUSION

For the foregoing reasons, plaintiffs' motion to supplement the record should be denied.

Dated: February 1, 2000

^{11/} The record suggests that there had been some delay in obtaining paperwork from Ms. Perroy that was needed to initiate her re-investigation, until Mr. Livingstone was forced to withhold her newly upgraded White House pass. See Third Easley Decl., ¶ 4 & Exh. A at 1-4.

^{12/} Finally, Ms. Perroy testifies that following her resignation, the White House sent her a letter "threaten[ing] to come after [her] with false charges and allegations in order to smear [her] good name." Perroy Decl., ¶ 7. Notably, plaintiffs have not attached this letter to Ms. Perroy's declaration for the Court's independent scrutiny. Also absent is any evidence that the letter was related either to the activities Ms. Perroy claims to have witnessed, or to requests for her background information, as opposed to wholly unrelated employment matters. This testimony is likewise irrelevant and should not be admitted.

Respectfully submitted,

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Acting Assistant Attorney
General

WILMA A. LEWIS
United States Attorney

A handwritten signature in black ink, appearing to read "David J. Anderson", is written over a horizontal line.

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CONSOLIDATED ACTIONS

1. I am the Personnel Liaison Officer for the National Security Council ("NSC"), a position I have held since January 1995. From November 1992 until December 1994 I was the Support Assistant to the NSC Director of Administration. I held that position during Robert Manzanares' tenure as Director of Administration, from June 1993 until July 1994. I have personal knowledge of the matters attested to herein.

2. I have read the Declaration of Deborah Perroy, dated January 7, 2000 ("Perroy Decl."). Ms. Perroy states that on one occasion, shortly before Mr. Manzanares' assignment to a foreign post, she observed Mr. Manzanares and myself reviewing personnel security files in the office of the "CIA liaison." Perroy Decl.,

¶ 4. At no time that I am aware of has the NSC ever had a "CIA liaison," but our office does employ a Security Officer, who has day-to-day responsibility for personnel security matters, including the maintenance of personnel security files. The NSC Security Officer is typically a detailee from the CIA, or some other intelligence agency. The Security Officer is located in the same suite as the Director of Administration and other members of the NSC administrative staff (including myself).

3. Without identifying whose files Mr. Manzanares and I supposedly examined, or the reason why, Ms. Perroy's declaration suggests that we were reviewing the files of former NSC staff for some sort of improper political purposes. She claims that the personnel security files of former NSC personnel were maintained in the Security Officer's safes, and that Mr. Manzanares, whom she refers to as a "political appointment," had no "legitimate reason" for accessing files kept there. Perroy Decl., ¶¶ 4, 7.

4. Ms. Perroy's suggestion that Mr. Manzanares and I were reviewing the personnel security files of former NSC staff for an improper purpose is absolutely false. Mr. Manzanares' duties as Director of Administration included managerial responsibility for

all administrative matters at the NSC, including personnel security. On occasion he, and I, acting as his assistant, checked information in the personnel security files of current NSC staff (such as their security clearances) for legitimate administrative purposes. See ¶ 12, below. But I never reviewed the personnel security files of former NSC staff, for any reason. Nor to my knowledge did Mr. Manzanares, Ms. Perroy's suggestions to the contrary notwithstanding.

5. As an initial matter, neither I nor Mr. Manzanares was a "political appoint[ee]." Perroy Decl., ¶ 7. The only positions I have ever held with the United States government are NSC Personnel Liaison Officer, and, before that, Support Assistant to the Director of Administration, see ¶ 1, above, both of which are non-political staff positions. I was hired as Support Assistant during the Bush Administration, in November 1992, by Mr. Manzanares' predecessor (once removed). Prior to the NSC I was employed from 1989 to 1992 by GTE Spacenet, as a Payroll and Benefits Account Manager, and from 1981 to 1989 by Olympic Imported Auto Parts in Alexandria, Virginia, as a Payroll and Accounts Receivable Manager. From 1969 to 1981 I resided in Michigan, Alabama and New Mexico, where I held various part-time jobs while I attended school and raised my children. In 1966 I enlisted in the United States Army, where I served for three years before receiving an honorable discharge.

6. Mr. Manzanares became NSC Director of Administration, also a non-political staff position, in June 1993, on detail from Department of State. It is not unusual for a detailee to fill that and other non-political positions on the NSC staff. Mr. Manzanares departed the NSC in July 1994, when the State Department assigned him to the U.S. Embassy in Tel Aviv.

7. Additionally, it is not apparent to me how Ms. Perroy could purport to know that the personnel security files of former NSC staff were kept in the Security Officer's safes. See Perroy Decl., ¶ 4. In the course of my official duties as Support Assistant to the Director of Administration, I had occasion from time to time to review NSC personnel security files, see ¶ 12, below, and at no time did I observe that to be the case. Ms. Perroy, on the other hand, was a budget officer responsible for financial oversight of NSC computer systems. She had no duties or responsibilities relating to personnel security, or to the handling of personnel security files. Nor did she work with or for the NSC Security Officer.

8. Ms. Perroy states that she had responsibility of some kind for the maintenance of "NSC personnel and other files/rosters." Perroy Decl., ¶ 3. But personnel files are not to be confused with personnel security files. Personnel files contain information about an employee's position, grade, salary, benefits, and the like. Personnel security files contain FBI background reports and other information used to determine an

individual's fitness for employment and for a security clearance. Since my arrival in November 1992, NSC personnel security files have been maintained in the Security Officer's safes, whereas NSC personnel files have been kept separately in cabinets located in the common office space of our suite.

9. Ms. Perroy also states that she observed the files of former NSC staff in the Security Officer's safe during an office "remodeling project." Perroy Decl., ¶ 4. I have reviewed the project reports for the office renovation that she is referring to, which confirm that the renovation took place between August and November 1993. Yet she describes the occasion when she observed Mr. Manzanares and myself looking through personnel security files as having taken place "[s]hortly before" Mr. Manzanares left for his "foreign post." Id. As I noted earlier, Mr. Manzanares left the NSC for his post in Tel Aviv in July 1994. See ¶ 6, above. Apparently, then, Ms. Perroy's glimpse of files in the Security Officer's safe occurred eight to eleven months prior to the time that she claims to have witnessed Mr. Manzanares and myself reviewing files there.

10. Even if there were files of former NSC staff located in the Security Officer's safes at the time Ms. Perroy states she observed Mr. Manzanares and me in that office, I never reviewed the files of former NSC staff for any purpose, and never observed the files of former NSC staff in the Security Officer's safes on any of the occasions that I reviewed files there.

11. Finally, while Ms. Perroy states that Mr. Manzanares and I had no "legitimate reason" to review the personnel security files of NSC staff, Perroy Decl., ¶ 7, she was not in a position to know what reasons Mr. Manzanares or I might have to review personnel security files. As a budget officer who reported to the Director of Systems and Technical Planning (who in turn reported to Mr. Manzanares), she was not apprised of all matters within the legitimate scope of Mr. Manzanares' duties, or what valid reasons he, or I as his assistant, might have for our activities, particularly those matters (such as personnel security) unrelated to her area of responsibility.

12. In point of fact, while the Security Officer was responsible for personnel security matters on a daily basis, at the time alluded to in Ms. Perroy's declaration the Security Officer normally left work at 4:00 or 4:30 in the afternoon. It fell to Mr. Manzanares, as the Security Officer's direct supervisor, to handle any matters of personnel security that arose after the Security Officer had left for the day, or at any other time he or she was absent. At times Mr. Manzanares asked me, as his assistant, to help him with these matters, such as checking staff persons' files to verify their security clearances.

13. Ms. Perroy states that on the occasion when she observed Mr. Manzanares and me reviewing personnel security files, she came upon us "after normal working hours." Perroy

Decl., ¶ 5. That does not surprise me, as Mr. Manzanares and I routinely worked until 7:30 or 8:00 in the evening to keep up with the many administrative matters that arose daily at the NSC.

14. On a different subject, Ms. Perroy also states that she resigned from the NSC in September 1993, supposedly six months before the White House made a request to the FBI for her background investigation report. Perroy Decl., ¶ 7. I have no knowledge pertaining to this or any other request for FBI background information on Ms. Perroy. But I do know that she is mistaken when she states that she resigned in September 1993. Attached as Exhibit A to this declaration is a true copy from Ms. Perroy's personnel file of a notice informing the White House Office of Administration that Ms. Perroy had resigned her position with the NSC. (Personal information has been redacted from the form). The form, dated August 29, 1994, reflects the fact that Ms. Perroy resigned effective September 10, 1994. That date is consistent with my personal recollection of the time when she departed from the NSC.

15. Indeed, Ms. Perroy herself states that she witnessed Mr. Manzanares and myself looking through NSC personnel security files "[s]hortly before" he left for his "foreign post." Perroy Decl., ¶ 4. The activity she says she witnessed, then, must have taken place "shortly before" Mr. Manzanares' departure for Tel Aviv, in July 1994, see ¶¶ 2, 6, above, meaning that she continued to be employed at the NSC at that time.

I declare under penalty of perjury that the foregoing is
true and correct.

Executed on: February 1, 2000



MARSHA L. DIMEL

Clinton Presidential Records Digital Records Marker

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Divider Title: _____

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF ADMINISTRATION

PERSONNEL FROM OTHER AGENCIES

TO: PERSONNEL MANAGEMENT DIVISION ROOM 4013 NEOB		FROM: (Requesting Official) JOCELYN G. BREELAND	
THIS IS TO INFORM YOU THAT THE FOLLOWING INDIVIDUAL WILL BE PERFORMING DUTIES IN THE EOP COMPLEX			
RECEIVING AGENCY: NSC		PARENT AGENCY: DISA	
NAME: Last PERROY		First Middle Initial DEBORAH W	
GRADE/STEP:	SALARY:	TYPE OF APPOINTMENT: DETAIL	
SOCIAL SECURITY NUMBER:			
BIRTHDATE:	BIRTHPLACE:	DATE OF APPOINTMENT: 03-27-88	
PURPOSE/JUSTIFICATION OF EXTENSION (Describe project or duties): RESIGNATION OF DETAIL & GOVERNMENT SERVICE			
TYPE: ☐ HISTORICALLY PROVIDED SERVICE ☐ ASSIGNEE ☐ PRESIDENTIAL MANAGEMENT INTERN ☐ WHITE HOUSE FELLOW ☒ DETAILEE ☐ STUDENT VOLUNTEER ☐ AGENCY REPRESENTATIVE ☐ OTHER _____			
DRUG TESTING DESIGNATION: ☐ TDP ☐ Non-TDP			
BEGINNING DATE (Mo/Day/Yr): 03-27-88		ENDING DATE (Mo/Day/Yr): 09-10-94	
POSITION TITLE (At the EOP Complex): BUDGET ANALYST		BUILDING PASS IS REQUIRED FOR: ☒ WH ☐ OE08 ☐ NE08	
TYPE OF DETAIL (If applicable): ☒ Non-Reimbursable ☐ Reimbursable IF REIMBURSABLE, FMD CERTIFICATION OF FUNDS AVAILABILITY:		ASSIGNMENT LOCATION (Office or Division, Building, Room Number, & Telephone): NATIONAL SECURITY COUNCIL DETAIL: DEFENSE INFORMATION SYSTEMS AGENCY ADMINISTRATIVE OFFICE, NSC ROOM 397, OE08 X6-9307	
EOP CONTACT PERSON (Name & Telephone): HELEN PAHLKE (202) 456-9406			
APPROVING OFFICIAL IN PARENT AGENCY (Name & Telephone):			
SIGNATURE OF EOP AGENCY APPROVING OFFICIAL:  JOCELYN G. BREELAND, DIR OF ADMIN, (202) 456-9302			DATE: J-29-88

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

CARA LESLIE ALEXANDER,
et al.,

Plaintiffs,

v.

FEDERAL BUREAU OF
INVESTIGATION, et al.,

Defendants.

Civil Action Nos.
96-2123/97-1288 (RCL)

CONSOLIDATED ACTIONS

MICHAEL JOHN GRIMLEY,
et al.,

Plaintiffs,

v.

FEDERAL BUREAU OF
INVESTIGATION, et al.,

Defendants.

DECLARATION OF J. ROBERT MANZANARES

J. Robert Manzanares, for his declaration pursuant to 28 U.S.C. § 1746, deposes and says as follows:

1. I am the Executive Director of the Bureau of African Affairs, U.S. Department of State, a position I have held since June 1998. From June 1993 July 1994, I was detailed from the State Department to the National Security Council ("NSC"), where I held the position of Director of Administration. I have personal knowledge of the matters attested to herein.

2. I have read the Declaration of Deborah Perroy, dated January 7, 2000 ("Perroy Decl."). Ms. Perroy states that on one occasion, shortly before my assignment to a foreign post (the U.S. Embassy in Tel Aviv, see ¶¶ 6, 15, below), she observed me and my assistant, Marsha Dimel, reviewing personnel security files in the office of the "CIA liaison." Perroy Decl., ¶ 4. (She is apparently referring to the office of the NSC Security Officer, which was located in the same office suite as my own, Room 397 of the Old Executive Office Building. The NSC typically filled the position of Security Officer with security personnel detailed from the Central Intelligence Agency, or other intelligence agencies.)

3. Ms. Perroy does not identify, or even claim to know, whose files Ms. Dimel and I were supposedly looking at on this occasion. Nor does she purport to explain, or even to know, why we were examining these files. Yet she intimates that we were reviewing the files of former NSC staff from prior, Republican administrations for some improper political purpose, based on her claim that the personnel security files of former NSC staff were maintained in this office, and her view that I, whom Ms. Perroy describes as a "political appointment," had no "legitimate reason" for accessing these files. Perroy Decl., ¶¶ 4, 7.

4. Ms. Perroy's suggestion that Ms. Dimel and I were reviewing the personnel security files of former NSC staff for some sort of improper purpose is absolutely false. As Director

of Administration, I was responsible for all matters of financial, personnel, facilities and space management at the NSC. These duties encompassed managerial responsibility for personnel security. (Personnel security was the process by which NSC staff underwent the necessary background checks by the Federal Bureau of Investigation ("FBI"), and sometimes other investigative agencies, to assess their suitability for employment and to obtain clearances for access to classified information.) Accordingly, from time to time I, as Director of Administration, and Ms. Dimel, acting as my assistant, had reason to check information in the files of current NSC staff (such as their clearance for access to classified information) for legitimate personnel security reasons. See ¶ 13, below. But at no time did I, or to my knowledge, Ms. Dimel, ever review the personnel security files of former NSC staff, for any purpose, let alone an improper one. Based on my knowledge, Ms. Perroy would not be in a position to suggest otherwise, and, as a matter of fact, most of her supporting assumptions are mistaken.

5. First, neither I nor Ms. Dimel was a "political appoint[ee]." Perroy Decl., ¶ 7. For more than twenty years I have been a career Foreign Service Officer, serving under Republican and Democratic administrations alike since 1979. I do not now hold, nor have I ever held, a political appointment with the U.S. government.

6. Prior to obtaining my current position at the Bureau of African Affairs, in June 1998, I was enrolled for approximately one year in a State Department executive training program known as Senior Seminar. From 1979 to June 1997, I held various other career Foreign Service Office positions, including Administrative Counselor for the U.S. Embassy in Tel Aviv (1994-97) (the position to which I was transferred immediately following my NSC detail); Supervisor, Post Management Officers, Bureau of Near Eastern/Asian Affairs (1991-93) (the position I held immediately prior to my NSC detail); Senior Watch Officer, State Department Operations Center (1990-91); Administrative Officer, U.S. Embassy, Reykyavik (1987-90); Administrative Officer, State Department Travel Support Staff (1985-87) (providing overseas trip support for then-President Reagan and Vice President Bush); Special Assistant to the Deputy Assistant Secretary, Foreign Buildings Operations, Asia/Pacific Region (1984-85); Junior Officer Rotational Position, U.S. Embassy, Mexico City (1981-84); and Regional Budget & Finance Officer for West Africa (1979-81).

7. In 1993, during my assignment as Supervisor of Post Management Officers for the Bureau of Near Eastern/Asian Affairs, the NSC Executive Secretary asked me to accept a detail as Director of Administration, a non-political staff position. The NSC Executive Secretary at the time was also a career Foreign

Service Officer on detail from the State Department. I had worked with him during my tenure as Senior Watch Officer at the State Department Operations Center.

8. I accepted the detail and held the position of NSC Director of Administration from June 1993 to July 1994, as stated above. When my detail began, Marsha Dimel already held the position of Support Assistant to the Director of Administration, likewise a non-political position on the NSC staff. She had served in that capacity under my two predecessors as Director of Administration. Because of her experience, I decided to retain her in that position.

9. Second, based on my knowledge, Ms. Perroy would not be in a position to know whose files were or were not maintained by the NSC Security Officer. See Perroy Decl., ¶ 4. Ms. Perroy was a Financial Management Officer whose primary responsibility was to oversee the budget for classified computer systems supplied to the NSC by the Department of Defense. She worked under the supervision of the NSC Director of Systems and Technical Planning, Col. David Herrington (himself a detailee from the Department of Defense), who in turn reported to me. Ms. Perroy had no duties or responsibilities relating to personnel security, or to the handling of personnel security files. She did not work with or for the NSC Security Officer, the NSC staff person with day-to-day responsibility for personnel security matters, who also reported directly to me.

10. Ms. Perroy states that she had responsibility of some kind for the maintenance of "NSC personnel and other files/rosters." Perroy Decl., ¶ 3. But that still does not explain how she would know whose personnel security files the Security Officer kept on hand. Personnel files and personnel security files are separate and distinct sets of files containing different types of information. Personnel files contain information about an employee's position, grade, salary, benefits, and the like. Personnel security files contain FBI background reports and other information used to determine an individual's fitness for employment and for a security clearance. During my tenure, NSC personnel security files were maintained in locked filing cabinets in the office of the Security Officer, whereas NSC personnel files were kept separately in cabinets located in the common office space of our suite.

11. In any case, even if the files of former NSC staff were still located in the office of the Security Officer at the time Ms. Perroy states she observed us there, that still would not alter the fact that I never reviewed the files of former NSC staff for any purpose whatsoever. Indeed if, in fact, the Security Officer retained the files of former NSC staff, I was not even aware of it.

12. Third, Ms. Perroy opines that I had no "legitimate reason" to review the personnel security files of NSC staff. Perroy Decl., ¶ 7. Once again, based on my knowledge, Ms. Perroy

would not be in a position to know what legitimate reasons I might or might not have to review personnel security files. Ms. Perroy was my subordinate, two levels removed from my position in our office hierarchy. She was a Financial Management Officer primarily responsible for oversight of a single budget, whose duties did not encompass the broad array of administrative matters, including personnel security, for which I was responsible. She was therefore not in a position to know what matters did or did not fall within the legitimate scope of my duties, or what valid reasons I might have for my activities as Director of Administration.

13. In fact, while day-to-day responsibility for personnel security was delegated to the Security Officer, it fell to me, as Director of Administration, with ultimate managerial responsibility for personnel security, to handle matters of personnel security that might arise in the Security Officer's absence. For example, the NSC Security Officer at the time alluded to in Ms. Perroy's declaration, see ¶ 15, below, generally left work between 4:00 and 4:30 in the afternoon. From time to time, our office would receive a telephone call after the Security Officer had already left for the day, asking if NSC staff members scheduled to attend a meeting the next morning were cleared for access to a particular type of classified information. On these occasions it was up to me, with the

assistance of Ms. Dimel, to check the personnel security files of the staff members in question to ascertain whether they had the requisite security clearances.

14. Ms. Perroy states that, on the occasion she observed me and Ms. Dimel reviewing personnel security files, she had come upon us "after normal working hours." Perroy Decl., ¶ 5.

However, Ms. Dimel and I routinely worked until 7:30 or 8:00 in the evening, to keep up with the many administrative matters that had to be addressed on a daily basis, as well as those additional matters that arose because of the transition from the Bush to the Clinton Administration, such as replacement of departed staff.

15. Apart from having seen myself and Ms. Dimel reviewing personnel security files, Ms. Perroy also states that she resigned from the NSC in September 1993, supposedly six months before the White House made a request for her FBI background investigation report. Perroy Decl., ¶ 7. I know nothing about this or any other White House request for FBI background information on Ms. Perroy. But I can say that she is mistaken when she states that she resigned in September 1993. When I left the NSC in July 1994 for my post at the U.S. Embassy in Tel Aviv, Ms. Perroy was still employed by the NSC. Indeed, she herself states that she witnessed myself and Ms. Dimel looking through NSC personnel security files "[s]hortly before" I left for my "foreign post." Id., ¶ 4. The event she states she witnessed, then, must have taken place "shortly before" July 1994.

16. In paragraph 5 of her declaration, Ms. Perroy alludes to the fact that I requested the combinations to the safes of all persons employed in our office. I asked for the combinations so that if a staff member who kept materials locked in a safe were out sick, and someone else had a legitimate need for those materials, then they could come to me for access to them. This is a standard administrative practice that I have followed in many of the positions I have held during my career.

17. In paragraph 6 of her declaration, Ms. Perroy states that I had several meetings with Craig Livingstone, but that she is not aware of the substance of those meetings. I had a number of discussions with Mr. Livingstone, the sole purpose of which was to address the delays in obtaining White House passes for NSC staff members. Several staff members complained to me about the length of time it was taking to obtain their passes, and so I met with Mr. Livingstone on a number of occasions to inquire what could be done to speed up the process.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: January 28th, 2000


J. ROBERT MANZANARES

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

CARA LESLIE ALEXANDER,
et al.,

Plaintiffs,

v.

FEDERAL BUREAU OF
INVESTIGATION, et al.,

Defendants.

MICHAEL JOHN GRIMLEY,
et al.,

Plaintiffs,

v.

FEDERAL BUREAU OF
INVESTIGATION, et al.,

Defendants.

Civil Action Nos.
96-2123/97-1288 (RCL)

CONSOLIDATED ACTIONS

FOURTH DECLARATION OF SHERRY L. CARNER

I, Sherry L. Carner, for my declaration pursuant to
28 U.S.C. § 1746, depose and state as follows:

1. I am a Research Analyst in the Executive Agencies
Dissemination Subunit ("EADS") of the FBI's Information Resources
Division. I have filed three previous declarations in these
consolidated actions, dated January 17, 1997, March 12, 1998, and
September 27, 1999. The matters attested to herein are based on
my personal knowledge, or information I acquired in the course of
my duties and responsibilities as an EADS Research Analyst.

2. As a Research Analyst on EADS' White House Desk, I have access to the background investigation files of persons employed at the White House. Attached as Exhibit A to this declaration are true and correct copies of documents obtained from the background investigation file maintained by the FBI on Deborah Wood Perroy, except for personal and/or irrelevant information that has been redacted.

3. The first two pages of Exhibit A are the front and back sides of the file copy of a July 1, 1988 memorandum from the FBI to the White House, enclosing a background investigation report on Ms. Perroy (then known as Deborah Kay Baker). Exhibit A at 1-2. On the reverse side of the memorandum (Exhibit A at 2) are two stamps of the kind placed by the FBI in an individual's file to indicate the additional dissemination of background information on the subject to the White House, as discussed in my earlier declarations. See, e.g., Declaration of Sherry Carner dated March 12, 1998 ("Second Carner Decl."), ¶ 3.

4. The first of these dissemination stamps shows that on July 25, 1990, the FBI provided an additional copy of Ms. Perroy's 1988 background report to the White House, in response to a request received on July 19, 1990. The second dissemination stamp shows that on October 7, 1993, the FBI sent another copy of Ms. Perroy's 1988 background report to the White House, in response to a request received on September 16, 1993. Both of these stamps have been initialed "JG," indicating that it was my

co-worker, EADS Research Analyst Janice George, who responded to these requests. In connection with the preparation of this declaration I have reviewed Ms. Perroy's background investigation file, and located no additional stamps in the file to indicate any other disseminations of background information on Ms. Perroy to the White House.

5. The next page of Exhibit A is a June 6, 1994 memorandum to the FBI from the National Security Council ("NSC") Security Officer, requesting that the FBI begin a five-year re-investigation of Ms. Perroy, who is identified as "now hold[ing]" a position on the NSC staff. Exhibit A at 3. Following that memorandum are pages 9 and 10 of the Standard Form 86 (Questionnaire for Sensitive Positions) completed by Ms. Perroy in order begin her five-year re-investigation. Each is signed and is dated May 31, 1994. Exhibit A at 4-5.

6. The next page of Exhibit A is a memorandum to the file by the Agent assigned to Ms. Perroy's re-investigation, reporting that she had completed her interview of Ms. Perroy, and verified her employment at the White House. Exhibit A at 6.

7. The next page of Exhibit A is a September 20, 1994 memorandum from the NSC Security Officer requesting that Ms. Perroy's five-year re-investigation be terminated "as soon as possible," explaining that Ms. Perroy had resigned from government service and no longer required an updated full-field investigation. Exhibit A at 7.

8. As I described in my third declaration, since January 1994 EADS has retained copies of the forms used by the White House to request previous background reports from the FBI. See Third Declaration of Sherry L. Carner, dated September 27, 1999 ("Third Carner Decl."), ¶ 3. Attached as Exhibit B is a true copy of a White House request for Ms. Perroy's previous report, date-stamped March 17, 1994 in the bottom right-hand corner.

9. The computer database maintained by EADS of White House requests for previous reports, see Second Carner Decl., ¶ 5; Third Carner Decl., ¶ 3, indicates that the FBI received a White House request for a previous report on Ms. Perroy on March 17, 1994. The date-stamp on the bottom right-hand corner of Exhibit B indicates that the FBI also responded to this request on March 17, 1994. See Third Carner Decl., ¶ 3. (My handwritten initials in the bottom right-hand corner, "SLC," indicate either that I processed this request, or that I verified that another EADS analyst who processed the request did so properly.) The typed referral to the "APPLICANT INVESTIGATION WHICH WAS SENT TO YOUR OFFICE ON OCTOBER 7, 1993" signifies, consistent with the dissemination stamps in the file, see ¶ 4, above, that no previous report was provided to the White House on March 17, 1994. Rather than provide the White House with another copy of Ms. Perroy's background investigation report on this occasion, the White House was referred to the copy provided in October 1993. See ¶ 4, above.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: January 28, 2000



SHERRY L. CARNER

Clinton Presidential Records Digital Records Marker

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

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

A

Divider Title: _____

SSP
CLASS
SRC: D
SER
REC

1 - Miss Brown

JUL 1 1988

BI COURIER

7-5-88
JNW

Mr. James M. McCue
Director of Security Programs
National Security Council
Room 401
Washington, D. C.

Dear Mr. McCue:

SEE REVERSE SIDE FOR
ADD. DISSEMINATION

In accordance with a request received from your office
on April 6, 1988, a background investigation has been conducted
concerning Mrs. Deborah Ray Baker. Transmitted herewith is a
summary memorandum containing the results of this investigation,
two copies of which are also being furnished to the White House.

Sincerely yours,

FIC
Floyd I. Clarke
Assistant Director
Criminal Investigative Division

ENCLOSURE

Enclosure

UNCLASSIFIED WHEN SEPARATED FROM
CLASSIFIED ENCLOSURES

1 - Office of the Counsel to the President - Enclosures (2)
The White House

Exec AD Adm. _____
Exec AD Inv. _____
Exec AD LES _____
Asst. Dir.: _____
Adm. Servs. _____
Crim. Inv. _____
Ident. _____
Insp. _____
Intell. _____
Lab. _____
Legal Coun. _____
Off. Cong. & _____
Public Affs. _____
Rec. Mgnt. _____
Tech. Servs. _____
Training _____
Off. Liaison & _____
Int. Affs. _____
Telephone Rm. _____
Director's Sec'y _____

PEB:ajk (3)

See Note Next Page

RETURN TO MISS BROWN, ROOM 4371

Closed
2 JUN 07 1989

MAIL ROOM

9 NOV 2 1988

Copy of report as furnished to
outside agency. Do not remove
from file.

Photo 5-(let & incl)

TO: White House
REQ. REC'D 7-19-90
JUL 25 1990
BY: JG/KLS

No cover memo
per JG at the WH.

Photo-5-let & incl
CC TO WH-A Rpts only
RR 9-16-93

Oct 07 1993
ANS B: JG/KLS

Purged
5/2/94
why

NATIONAL SECURITY COUNCIL
WASHINGTON, D C. 20506

June 6, 1994

Dear Mr. Freeh:

Please find enclosed the Standard Form 86 (Security Investigation Data for Sensitive Position) completed by Deborah Wood Perroy who now hold positions on the National Security Council staff.

It is requested that a full field investigation update (5 Year) of Ms. Perroy be conducted and that the summary results be furnished to this office.

Thank you for your assistance.

Sincerely,

Patricia D. Nelson
PATRICIA D. NELSON
Security Officer

The Honorable
Louis J. Freeh
Director
Federal Bureau of Investigation
Ninth Street & Pennsylvania Avenue, N.W.
Washington, DC 20535

- ENCLOSURE

- 30a Have you ever been a member, officer, or employee of the Communist Party? Yes No
- 30b Have you ever been a member, officer, or employee of any organization, association, or group which:
1) advocates the overthrow of our Government; 2) advocates or approves of committing acts of force or violence to deny others their constitutional rights; or 3) wants to change our form of Government by unconstitutional means? X
- 30c Have you ever made a financial or other material contribution to any organization of the type described in Questions 30a or 30b? If you answered "Yes", to 30a, 30b, or 30c, answer 30d, 30e, and 30f. X
- 30d At the time of your membership, participation, or contribution did you know of the unlawful aims of the organization(s)? X
- 30e Did you intend to promote the unlawful aims of the organization(s)? X
- 30f List each organization and provide an explanation of your involvement and activities with each one: X

Continuation Space

Use the continuation sheet(s) (SF 95A) for additional answers to questions 9, 10, and 11. Use the space below to continue answers to all other questions and any information you would like to add. If more space is needed than what is provided below, use a blank sheet(s) of paper. Start each sheet with your name and Social Security Number. Before each answer, identify the number of the question.

After completing Parts 1 and 2 of this form, you should review your answers to all questions to make sure the form is complete and accurate, and then sign and date the following certification and sign and date the release on page 10.

Certification That My Answers Are True

I read and understood the instructions explaining the purpose of this form and the Federal Government's authority for asking the questions. I read each question asked of me and understood each question. I understand that if I did not tell the truth on this form or did not list all relevant or material facts or events, the Federal Government may fire me, may not hire me, may deny or revoke my clearance, or may prosecute me. I understand that prosecution may result in my being fined up to \$10,000, imprisoned up to 5 years, or both.

Signature (Sign in ink)

Date

Enter your Social Security Number before going to the next page.

UNITED STATES OF AMERICA

Carefully read this authorization to release information about you, then sign and date it in ink.

AUTHORITY FOR RELEASE OF INFORMATION

I Authorize any duly accredited representative of the Federal Government, including those from the U.S. Office of Personnel Management, the Federal Bureau of Investigation, and the Department of Defense, to obtain any information relating to my activities from schools, residential management agents, employers, criminal justice agencies, financial or lending institutions, credit bureaus, consumer reporting agencies, retail business establishments, medical institutions, hospitals or other repositories of medical records, or individuals. This information may include, but is not limited to, my academic, residential, achievement, performance, attendance, personal history, disciplinary, criminal history record, arrest, conviction, medical, psychiatric/psychological, and financial and credit information.

I Further Authorize the U.S. Office of Personnel Management, the Federal Bureau of Investigation, the Department of Defense, and any other authorized agency, to request criminal history record information about me from criminal justice agencies for the purpose of determining my eligibility for access to classified information, assignment to, or retention in, sensitive national security duties, in accordance with 5 U.S.C. 9101.

I Direct You To Release such information upon request of the duly accredited representative of any authorized agency regardless of any agreement I may have made with you previously to the contrary.

I Understand that the information you release is for official use by the Federal Government, and that these users may redisclose the information you release as authorized by law.

I Release any individual, including records custodians, from all liability for damages that may result to me or account of compliance or any attempts to comply with this authorization. This release is binding, now and in the future, on my heirs, assigns, associates, and personal representative(s) of any nature. Copies of this authorization that show my signature are as valid as the original release signed by me.

Signature (Sign in ink)

Full Name (Typed)

Other Names Used

DEBORAH W. PERROY

Deborah W. Baker

Social Security Number

Current Address (Street, City)

State ZIP Code

Home Telephone Number
(Include Area Code)

Date

Parent/Guardian Signature (If Required)

5/31/94

UNITED STATES DEPARTMENT OF JUSTICE
Federal Bureau of Investigation

Copy to:

Report of: PSS SHARON E. FRYE
Date: August 16, 1994

Office: WMFO

Field Office File #:

Bureau File #:

Title:

DEBORAH WOOD PERROY;

Character:

SPECIAL INQUIRY (F)

Synopsis:

Appointee interviewed.

White House Office checked.

Employment verified and favorable.

-RUC-

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

SEP 22 1994

September 20, 1994

#51490

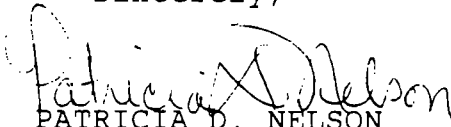
Dear Mr. Freeh:

It is requested that the updated full field investigation on Ms. Deborah Perroy be terminated as soon as possible.

Ms. Perroy has resigned from the Federal Government, therefore, an updated FFI is not needed for the National Security Council.

Thank you for your assistance.

Sincerely,


PATRICIA D. NELSON
Security Officer

The Honorable
Louis J. Freeh
Director
Federal Bureau of Investigation
Ninth Street & Pennsylvania Avenue, N.W.
Washington, DC 20535

Clinton Presidential Records Digital Records Marker

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

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

B

Divider Title: _____

SEP 14 1993

THE WHITE HOUSE
WASHINGTON

- 9 SEP 1993

(Date)

TO: FBI, LIAISON
FROM: BERNARD W. NUSSBAUM
SUBJECT: FBI Investigations

Subject's Name PERROY, DEBORAH WOOD [REDACTED]

Date of Birth [REDACTED] Place of Birth [REDACTED]

Present Address _____

We request: ☒ Copy of Previous Report
☐ Name Check
☐ Expanded Name Check
☐ Full Field Investigation: Level I ☐ Level II
☐ Limited Update
☐ Other

The person named above is being considered for:

☐ White House Staff Position
☐ Presidential Appointment
☒ Access (N)

Attachments:

IN REPLY

YOU ARE REFERRED TO APPLICANT
INVESTIGATION WHICH WAS SENT TO YOUR
OFFICE ON OCTOBER 7, 1993.

☐ SF 86
☐ SF 87, Fingerprint Card
☐ SF 86, Supplement

MAR 17 1994

Remarks/Special Instructions:

FBI-00006570

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

CARA LESLIE ALEXANDER,
et al.,

Plaintiffs,

v.

FEDERAL BUREAU OF
INVESTIGATION, et al.,

Defendants.

Civil Action Nos.
96-2123/97-1288 (RCL)

CONSOLIDATED ACTIONS

MICHAEL JOHN GRIMLEY,
et al.,

Plaintiffs,

v.

FEDERAL BUREAU OF
INVESTIGATION, et al.,

Defendants.

THIRD DECLARATION OF CHARLES C. EASLEY

I, Charles C. Easley for my declaration pursuant to
28 U.S.C. § 1746, depose and state as follows:

1. I am the Security Officer for the Executive Office of
the President ("EOP"), responsible for supervision of the EOP
Security Office. I have held this position since October 1986.
I have submitted two previous declarations in this matter, dated
October 2, 1998 and August 19, 1999, respectively.

2. The matters attested to herein are based on my personal knowledge, or information I acquired in the course of carrying out my duties and responsibilities as the EOP Security Officer.

3. In connection with its personnel security functions, the EOP Security Office maintains personnel security files on individuals holding permanent passes to the White House complex. These include files formerly maintained by the White House Office of Personnel Security ("OPS"). Personnel security files that were previously maintained by OPS were transferred to the EOP Security Office as part of a reorganization in June 1996. See Declaration of Charles C. Easley, dated August 19, 1999, ¶¶ 2-4.

4. Attached to this declaration as Exhibit A are true and correct copies of documents I obtained from the personnel security file of Deborah W. Perroy, previously maintained by OPS, but now maintained by the EOP Security Office. Personal information contained in these documents has been redacted. These documents include all requests in Ms. Perroy's file for FBI background information pertaining to her.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: January 31, 2000.


CHARLES C. EASLEY

Clinton Presidential Records Digital Records Marker

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

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

A

Divider Title: _____

COPY

DATE: June 3, 1994

TO: TECHNICAL SECURITY DIVISION
U.S. SECRET SERVICE

SUBJECT: REQUEST FOR PASS

NAME: PERROY, DEBORAH W.
(LAST) (FIRST) (MIDDLE)

TITLE AND OFFICE: National Security Council

IMMEDIATE SUPERVISOR: Pat Nelson

LOCATION (ROOM #): _____ TELE. EXT.: 54907

TYPE OF SECURITY CLEARANCE:

F.B.I. (a) Completed FFI completed 07/01/88 (Update pending)
(b) Other _____
(c) Waived _____

TYPE OF PASS:

_____ Temporary Executive Office 30 Da. _____ 60 Da. _____ 90 Da. _____
_____ Permanent Executive Office
_____ Temporary White House 30 Da. _____ 60 Da. _____ 90 Da. _____
*Please note type change.
XX _____ Permanent White House
_____ Other: _____

APPROVED BY: _____

al
Craig Livingstone
Assistant to the Counsel
to the President
(Security)

THE WHITE HOUSE
WASHINGTON

MEMORANDUM FOR BOB MANZANARES, DIRECTOR, NSC

FROM: CRAIG LIVINGSTONE *cl*
DIRECTOR, WH PERSONNEL SECURITY

DATE: May 19, 1994

RE: PERROY, Deborah

This memo is a follow-up to a telephone conversation between this office and Pat Nelson. Deborah Perroy has been authorized to have her pass upgraded to a blue WHS badge. That badge will not be released, however, until this office has been notified that Ms. Perroy has completed and submitted her 5-year Update security paperwork.

THE WHITE HOUSE
WASHINGTON

(Date) May 13, 1994

MEMO FOR: ANDREA RUTLEDGE
FROM: CRAIG LIVINGSTONE
SUBJECT: Pass Type Authorization

Please approve/disapprove the attached pass request for the following individual:

NAME PERROY, Deborah W.
Pass Type WHS (NSC)

ASZ 5/16/94 Approve

_____ Disapprove

_____ Other

Please return to White House Security, Room 84, upon completion.

Thank you.

(Attachment)

If you have any questions, please contact me.
Thank you for your assistance.

Craig - 5/17
Per Pat Nelson, this person has ignored repeated requests to turn in 5-year update paperwork. Should we upgrade? 994
LISA

Yes
Send memo to BOB [unclear] w/cc to AR
that must be updated first

NC
Has
PEOB

Administrative Office of
SC Budget and the
Support Staff Budget

6/3/94

Per Pat Nelson,
Ms. Perroy has turned
in paperwork.

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

May 10, 1994

WHITE HOUSE
SECURITY OFFICE

MAY 11 1994

MEMORANDUM FOR DAVID WATKINS

THRU: CRAIG LIVINGSTONE
FROM: PAT NELSON *Pat Nelson*
SUBJECT: Request for Change of Building Pass

The National Security Council (NSC) requests that the following individuals be approved to exchange their OEOB Passes for White House Passes:

<u>NAME</u>	<u>SSN</u>	<u>D/POB</u>
-------------	------------	--------------

CLARK, Bronya S.

PERROY, Deborah W.

*Has
PEOB*

The personnel listed are assigned to the Administrative Office of the NSC as the Budget/Travel Officer for the NSC Budget and the Resource Manager for the White House System Support Staff Budget respectively.

They periodically are required to brief the Staff Director for the NSC and the Executive Secretary on budget and financial issues. They are also called upon to brief senior members of the NSC staff on some administrative matters. Additionally, they escort contractors to the Situation Room and the National Security Advisor's suite on the first floor of the West Wing.

If you have any questions, please contact me at X54907.

Thank you for your assistance in this matter.

THE WHITE HOUSE
WASHINGTON

SEP 16 1993

(Date)

TO: FBI, LIAISON
FROM: BERNARD W. NUSSBAUM
SUBJECT: FBI Investigations

Subject's Name PERROY, DEBORAH WOOD

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 ☐

☐ Limited Update

☐ Other

The person named above is being considered for:

☐ White House Staff Position

☐ Presidential Appointment

☒ Access (N)

Attachments:

☐ SF 86

☐ SF 87, Fingerprint Card

☐ SF 86, Supplement

In response to your request
there are attached letter & memo
reports which may relate
to the subject of your inquiry.

Remarks/Special Instructions:

OCT 06 1993

SEP 14 1993

THE WHITE HOUSE
WASHINGTON

- 9 SEP 1993

(Date)

TO: FBI, LIAISON
FROM: BERNARD W. NUSSBAUM
SUBJECT: FBI Investigations

Subject's Name PERROY, DEBORAH WOOD
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 _____
☐ Limited Update
☐ Other

The person named above is being considered for:

☐ White House Staff Position
☐ Presidential Appointment
☒ Access (N)

Attachments:

IN REPLY
YOU ARE REFERRED TO APPLICANT
INVESTIGATION WHICH WAS SENT TO YOUR
OFFICE ON OCTOBER 7, 1993.

☐ SF 86
☐ SF 87, Fingerprint Card
☐ SF 86, Supplement

MAR 17 1994

Remarks/Special Instructions:

THE WHITE HOUSE
WASHINGTON

COPY

- 3 OCT 1993

(Date)

TO: FBI, LIAISON
FROM: BERNARD W. NUSSBAUM
SUBJECT: FBI Investigations

Subject's Name PERROY, DEBORAH WOOD

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 _____
☐ Limited Update
☐ Other

The person named above is being considered for:

☐ White House Staff Position
☐ Presidential Appointment
☒ Access (N)

Attachments:

☐ SF 86
☐ SF 87, Fingerprint Card
☐ SF 86, Supplement

Remarks/Special Instructions:

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

CARA LESLIE ALEXANDER,
et al.,

Plaintiffs,

v.

FEDERAL BUREAU OF
INVESTIGATION, et al.,

Defendants.

Civil Action Nos.
96-2123/97-1288 (RCL)

MICHAEL JOHN GRIMLEY,
et al.,

Plaintiffs,

v.

FEDERAL BUREAU OF
INVESTIGATION, et al.,

Defendants.

CONSOLIDATED ACTIONS

ORDER

This matter is before the Court upon Plaintiffs' Motion to Supplement the Record, dated January 7, 2000. Upon consideration of the parties' respective submissions in support of and in opposition to the plaintiffs' motion, the relevant facts, and the applicable law,

IT IS HEREBY ORDERED THAT:

1. Plaintiffs' motion to supplement the record is DENIED.

2. Leave to file the Declaration of Deborah Perroy, dated January 7, 2000, is DENIED. The Perroy declaration shall not be considered part of the record of this action for any purpose.

So ORDERED this _____ day of _____, 2000.

HON. ROYCE C. LAMBERTH
UNITED STATES DISTRICT JUDGE

Copies to:

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